Madhushree Sekher · Radu Carciumaru

Editors

Including the Excluded in South Asia

Power, Politics and Policy Perspectives from the Region

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Editors
Madhushree Sekher
Centre for Study of Social Exclusion
and Inclusive Policies
Tata Institute of Social Sciences
Mumbai, India

Radu Carciumaru
South Asia Institute
Heidelberg University
New Delhi, India

Foreword

Despite its intuitive appeal and wide political use, social inclusion displays all the features of an essentially contested concept on closer scrutiny. Despite the alacrity with which advocates from all sides of the ideological divide use it in their political rhetoric, there is no deep consensus on its operational meaning. The endless debate between protagonists of caste as the criterion of 'reservation' as opposed to class points towards one of the main difficulties of social inclusion as a useful category of analysis. Is 'exclusion' germane to the primordial identity of the actor (for example, untouchability), or is it the function of an existential condition such as poverty? Where should action aimed at ridding society of social exclusion be located? Operationally, should social action to correct for structural inequality start at birth, or progressively, through the different entry points to active life such as schooling, higher education, recruitment and promotion? Most seriously, why does democracy —an accessible universal ladder for representation, participation and mobility— come across as inadequate when it comes to social exclusion? Do groups who consider themselves to be outside the charmed circle of the privileged perceive the source of their problem as endogenous or exogenous? Finally, these issues might appear to be beyond the ken of conventional social analysis. To the discomfort of the empiricist, these disputes cannot be settled by direct measurement. Empirical investigation is unlikely to yield answers that would be acceptable to advocates ranged on opposite sides of the ideological divide.

This important and timely text provides conceptual, analytical, methodological and comparative answers to some of these questions. The collection of essays moves on effortlessly beyond the everyday reality of injustice, inequality and exclusion to concepts that underpin them, and institutional arrangements that might deliver much needed course correction. The actor-centred approach of this volume puts the onus of articulation of injustice and exclusion on actors linked to social cleavages of caste, race, tribe, religion and class. The authors link the agency of the actor with the process of aggregation of individual choices into social outcomes. In a deft move that connects agency and process, the book moves on to the level of the political system. One thus finds, in the rich cases studies drawn from India, Bangladesh, Nepal and Sri Lanka, a comparative analysis of inclusion and

exclusion that conflates 'politics within the system' with 'politics of the system'. The neo-institutional approach that analyses the evolution of norms and innovation of new, corrective institutions and provides conceptual bridge to essays that might otherwise appear to be set on their own, individual trajectories, is both imaginative and helpful for further analysis.

While social exclusion linked to identities appears to be the flavour of the month in this genre of social analysis, this book will attempt to go beyond such banalities. It argues that hierarchies and inequalities based on social identities cut across and affect various groups of excluded. Consequently, these phenomena create or lead to various processes of exclusion. Thus, the collection of essays successfully demonstrates that academic analysis of social exclusion should not be limited to differences that characterize the exclusionary processes. Instead, it argues that research should also focus on strategies of inclusion. As such, the book demonstrates that social exclusion is not simply a description of groups that face exclusion, but also an effort to understand the systems and processes that create social exclusion in a systematic way. This knowledge alone can help create opportunities for correcting the course of the social process that leads to the unfortunate reality of deep social exclusion.

With its comparative approach and the thematic integration effectively executed in the introduction, the book should be of great value within South Asia where the post-colonial states that share a common origin have followed contrasting paths towards social justice. Beyond South Asia, the book should have great resonance among the global community that focuses on democracy and social justice. They should find in this book some innovative juxtaposition of majoritarian democracy and sectional justice by the way of reservation policies. Long established Western liberal democracies, now struggling with unforeseen problems of migration, cross-border terrorism, violent populism and alienation of disenchanted voters will benefit from its comparative and theoretical insights. I warmly welcome this useful addition to our knowledge in a critical area of political and social contestation.

July 2019   Subrata Mitra
                                                                                   Professor *emeritus*
                                                                                   Heidelberg University
                                                                                   Heidelberg, Germany

Preface

Focusing on South Asia, the book analyses and discusses the multiple dimensions of social exclusion/inclusion seen in the region, to not only capture how 'social exclusion' is intrinsic to deprivation or deprivation in itself, but also the processes of political engagement and social interactions that the socially excluded develop as strategies and networks for their growth/advancement. In the process, the book attempts to grapple with the question of whether governance processes adopt a more dynamic approach to provide spaces for the 'socially excluded' to have their own ways of tackling exclusion, thereby raising discussions around the contested positions that underlie development discourse on social exclusion and social inclusion. With inter- and transdisciplinary contributions from scholars from India, Bangladesh, Nepal, Sri Lanka and Germany, the book explores emerging and relevant issues on social exclusion/inclusion in South Asia, such as:

- The mainstream concerns like diversity and attention to strands of social exclusion (e.g. race/ethnicity, caste/tribe, religion, etc.).
- The pro-devolution discourse, looking at issues of inclusive and participatory democracy.
- The neo-institutionalist perspective, looking at new governance structures, and the system openness (spaces), and equality opportunities that exist therein.

While social exclusion linked to identities is being studied, this book attempts to argue that hierarchies and inequalities based on social identities cut across and affect various groups of excluded. This creates or leads to various processes of exclusion. The book, therefore, argues that social exclusion should not be limited to privileging the differences that characterize the exclusionary processes, but should also comprise underpinning strategies of 'inclusion', emphasizing the need to focus on imperatives to 'include'. In the light of this perspective, the book acknowledges that social exclusion is not only studying the different identities that face exclusion, but also understanding the systems and processes that create social exclusion, or create opportunities for inclusion of the excluded.

The book, thus, comprehensively presents an analysis of the discourse on social exclusion/inclusion in South Asia, by looking at—(1) the nature of social exclusion practiced in the society, and how the constitutional provisions, laws and institutions have been able to address exclusionary/discriminatory processes through policies and development and empowerment facilitation; and (2) the contribution of inclusive policies for welfare and inclusive development, to address the issues of exclusion.

Mumbai, India   Madhushree Sekher
New Delhi, India   Radu Carciumaru

Contents

Governance Systems and Opportunities for Inclusion

Editors and Contributors

About the Editors

Madhushree Sekher is Professor at Tata Institute of Social Sciences, Mumbai. Institutions, political economy of representation, governance, inclusive development and policy implementation are her core research interests. Her current research is on institutions for food security, inequalities and social welfare systems, and democratic representation in India. She has been a recipient of the Australian Research Council (Discovery) Grant, and grants from International Food Policy Research Institute (IFPRI), Indian Council for Social Science Research and Sir Ratan Tata Trust. She is currently associated with an international research consortium to study ethnic power relations funded by Swiss Development Council and Swiss National Science Foundation. She was a Visiting Faculty at IFPRI—Washington, and Universities of Hohenheim, Sydney and Alberta, and at Cornell University. Also, she was author of many research articles and books, including 'Feeding India: Livelihoods, Entitlements and Capabilities' (Earthscan, 2013) and 'Governance and Governed: Multi--Country Perspectives on State, Society and Development (Springer, 2017). She had a Ph.D. in Political Science from the Institute for Social and Economic Change, Bangalore, and was recipient of World Bank Robert S. McNamara Fellowship for post-doctoral research.

Radu Carciumaru is Head of CrossCulture Programme at ifa (Institute for Foreign Policy, Germany) and Associated Researcher at the South Asia Institute, Heidelberg University. Prior to joining ifa, Radu Carciumaru acted as Resident Representative/Head of Heidelberg University's New Delhi Branch Office and governing board member of the German Centre for Research and Innovation New Delhi, for over 4 years. Radu Carciumaru holds a Ph.D. in Political Science from Heidelberg University and has several publications on institutional design in plural societies, conflict negotiation, prevention and management.

He is board member of the Research Committee Politics and Ethnicity (RC14) of the International Political Science Association (RC 14), co-founder of APSA

Foundation and Sri Lanka Working Group, Fellow of South Asia Democratic Forum (SADF, Brussels), Research Fellow of the Centre for the Study of Law and Governance, member of the editorial board of Politex (St Petersburg State University, Russia), former Managing Editor of the Heidelberg Papers in South Asian and Comparative Politics (2010-2016), as well as former Research Fellow at the School of International Studies, Jawaharlal Nehru University and Assistant Professor of Political Science at Ashoka University. His areas of expertise include institutional design in plural societies, power-sharing and negotiation theories, ethnic conflict regulation, international and regional cooperation, comparative politics and political economy.

Contributors

Md. Akram Hossain is a doctoral candidate at the University of Bergen (UiB), Norway. His Ph.D. research is focused on governance in five South Asian countries: Bangladesh, India, Nepal, Pakistan and Sri Lanka. After graduating in Public Administration, Mr. Akram worked as a researcher for around 6 years at Public Policy and Governance (PPG) Program of North South University (NSU). He has published several journal articles and book chapters that mainly cover citizens' trust, knowledge management, governance, local government, gender and human resource management. As a researcher, he actively took part in the regional survey called 'State of Democracy in South Asia (SDSA)' which is considered as South Asian Barometer under the Global Barometer network. His major research interest includes public policy, public administration, governance and democracy.

Dr. Anwar Alam is currently Senior Fellow with Policy Perspectives Foundation, New Delhi. Earlier he served as Full Professor at Department of International Relations, Faculty of Economics and Administrative Science, Zirve University, Gaziantep, Turkey; Professor and Director at the Centre for West Asian Studies, Jamia Millia Islamia (JMI); Assistant and Associate Professor at Centre for West Asian Studies, School of International Studies, Jawaharlal Nehru University (JNU), New Delhi; and Lecturer, Department of Political Science, Aligarh Muslim University, Aligarh. He has been awarded a number of long-term and short-term fellowships including International Visitor Programme (Islamic) Scholarship, USA (2002); Indo-French Social Scientist Exchange Programme Fellowship (2003, 2010); Alexander Von Humboldt Postdoctoral Fellowship, Germany (2004–2006); and AVH Renewed fellowship, Germany (June 2016, May–October 2017). He was Visiting Professor at Fatih University, Istanbul, Turkey (September 2010–August 2011). Some of his recent publications include *Muslim Minorities in Europe and India: Politics of Accommodation of Islamic Identities* (co-edited 2016), *Arab Spring: Reflections on Political Changes in the Arab World and its Future (ed. 2014),* 'Emergence of Muslim Middle Class in Post-Independence India and Its Political Orientations', *Journal of Muslim Minority Affairs*, vol, 35, number 1, 2015, (Routledge: London) pp., 1–18, The Roots and Praxis of Fethullah Gulen's

Educational Discourse', *Hizmet Studies Review, Vol. 2, No. 3, Autumn 2015* (Belgium), *pp. 9–30,* The Arab Spring: A View From India' in *Routledge Handbook of the Arab Spring: Rethinking Democratisation* (Routledge, London, 2014), pp. 636–649, *and* 'Islam and Violence', *GITAM Journal of Gandhian Studies. Vol. 3. No 1, 2014.* His area of research interests includes International politics, politics in Middle East, political theory, religion and politics, political Islam, globalization and Muslim societies.

Mansi Awasthi is a Ph.D. candidate at the Tata Institute of Social Sciences (TISS), Mumbai, where she examines the genesis of industrial agglomerations and their contribution to economic growth from an institutional perspective in the state of Uttarakhand, India. She is a Doctoral Fellow under the TISS-ETH Zurich Research Project on 'Ethnic Power Relations and Conflict in Fragile States' from August 2015 to July 2018. She supports analytical work for the Project where her key responsibilities are creation and validation of macro-datasets on ethnic power relations and ethnic mobilization in Indian context. She has taught a paper on 'Global Economic Governance' to the students of Masters in Globalization & Labour, TISS. Her interest areas include institutional analysis of regional development, new economic geography with a particular emphasis on employment and migration and inequality–grievances–mobilization nexus.

She was selected for Second Young South Asian Scholars on 'Labour Economics: Theories, Methodologies and Research Issues' being organized by the ILO, Institute for Human Development, UNESCAP & IDRC under the auspices of South Asia Research Network on Employment and Social Protection for Inclusive Growth (SARNET) in December 2014. She is the recipient of 'Sir Ratan Tata Trust Scholarship', 2011–2012 for academically outstanding student of the Institute and the second-best student in her Master's degree. She holds an M.Phil. degree in Labour Studies from TISS, Mumbai.

Dr. P. Geetha Rani is Professor and Head at Department of Economics, Central University of Tamil Nadu. Prior to that, she worked at the Department of Education Finances, National University of Educational Planning and Administration (NUEPA), New Delhi. She has contributed to the financial memorandum for Right to Education Bill under Central Advisory Board on Education (CABE), the highest advisory body to advise the Central and State Governments in the field of education, constituted by the Ministry of Human Resources Development (MHRD) and the financial implications of national and state-wise estimates of Right to Education (RTE) Act, submitted to the 13th Finance Commission. Her core competencies include research, teaching, training and consultancy in the area of development economics, economics and financing of education. She has co-authored two books and co-edited a volume on Right to Education by Routledge. She has authored more than 50 research papers and published in journals of national and international repute.

Dr. Om Gurung has a Ph.D. in anthropology from Cornell University of Ithaca, New York. He is one of the founding faculty members at the Central Department of Sociology/Anthropology at Tribhuvan University of Nepal. He has been teaching anthropology for graduate students at Tribhuvan University for more than 37 years. In addition to teaching, he is heavily engaged in organizing national and international seminars and managing academic exchange programmes. He has completed a number of research projects on contemporary social, political and environmental issues in Nepal and published dozens of research articles in national and international scholarly journals. He is a co-author of several ethnographic profiles of indigenous peoples of Nepal. He is also a co-editor of ILO Convention-169 and Peace Building in Nepal (2005) published by NEFIN and ILO Nepal, Occasional Papers in Sociology and Anthropology of Nepal (2009–11), Ethnicity and Federalization in Nepal (2012) and Social Inclusion Atlas and Ethnographic Profiles (2014) published by Tribhuvan University and Asian Anthropology (2006–7) published by Chinese University of Hong Kong. He is a recipient of many research fellowships, such as Norwegian Research Fellowship for Development Research and Education, the Developing Country Training Fellowship from Wenner-Gren Foundation for Anthropological Research and the Ph.D. Dissertation Research Fellowships from Social Science Research Council (SSRC), New York. He also received several visiting fellowships to University of Wisconsin-Madison, Cornell University, Ithaca, NY, University of Bergen, Norway, Liverpool John Mores University, UK and University of Lille, France.

Dr. Sk. Tawfique M. Haque is a Professor of Public Policy and Governance at the Department of Political Science and Sociology of North South University (NSU), Dhaka, Bangladesh. He is also working as the Director of South Asian Institute of Policy and Governance (SIPG) at NSU which is conducting regional Master and Ph.D. programmes and joint research in partnership with India, Nepal, Bhutan and Sri Lanka. Professor Haque has the experience of university teaching with more than 15 years of undergraduate and post-graduate level teaching in Norway, Sri Lanka, Bangladesh, Bhutan and Nepal. He has studied at University of Dhaka and University of Bergen, Norway. He was the Post-Doctoral Research Fellow at University of Bergen, Norway. He was awarded NORAD Fellowship, SSRC Fellowship of Ministry of Planning, Bangladesh Government and Norwegian State Education loan fund. His area of research interest covers Asian models of governance, organizational culture, local government, transparency and accountability of third sector, globalization, international trade regime and trade policy, women empowerment, development management, geo political issues and international relations. He has published three books and seven book chapters from reputed international publishing houses such as Springer, Routledge, Ashgate and Palgrave Macmillan and more than 20 scientific research papers in national and international research journals in the field of administrative culture, models of governance, NGO accountability, local civil society, globalization and democratic practices.

Dr. Siripala Tellambura Hettige is Emeritus Professor of Sociology at the University of Colombo, Sri Lanka. He is also an Adjunct Professor at the RMIT University, Melbourne, Australia. Professor Hettige was recently appointed as the Chairman, National Police Commission, Sri Lanka. He is also the Honorary President of the Association of Sri Lankan Sociologists and Chairman, the Working Committee on Social Sciences, National Science Foundation, Sri Lanka. He has published widely on such themes as youth, education, social and political conflict, social policy and governance and development. He has also served as a Visiting Professor/ Researcher at a number of overseas universities such as University of Zurich, Switzerland; University of Kuopio, Finland; Melbourne University; and University of Adelaide, Australia. His most recent publications include Globalization, Employment and Education, co-authored with Angela Little, Rutledge, London (2013); Governance, Conflict and Development in South Asia, co-edited with Eva Geherz, Sage publications, Delhi (2014); and Towards a Sane Society, Sarasavi, Nugegoda, Sri Lanka (2015).

Dr. Himanshu Jha is Faculty at the Department of Political Science, South Asia Institute, Heidelberg University in Germany. His most recent research explores the why, how and what of institutional change by examining the evolution of Right to Information Act in India. Jha also works in the area of state capacity, welfare and public policy. At the moment, he is working on his book manuscript and has widely published in leading area studies and interdisciplinary journals such as the Pacific Affairs, India Review, Economic and Political Weekly, Indian Journal of Public Administration and Indian Journal of Federal studies. In addition, he has contributed chapters in several edited books. Jha holds a Ph.D. from the National University of Singapore. He has an M.Phil. in Public Policy from Australian National University, Masters in Political Science from Jawaharlal Nehru University and Bachelor with Honors in History from University of Delhi. Prior to his academic engagement, he was working in the developmental sector in India.

Dr. Seema Mallik is Faculty in the Department of Political Science at Utkal University, Bhubaneswar (Odisha) since 2010. With a Ph.D. from Jawaharlal Nehru University (JNU), New Delhi, she has contributed articles in journals and edited books, and authored the book, 'Women, Panchayats and Natural Resource Management'. Her areas of research interest are democracy and governance, political economy of India and state-civil society interface. She received Charles Wallace Research Grant to UK in 2013, on understanding the 'changing role of the state in development in India from the British colonial period till today'. She also received ICSSR (India)-NOW (The Netherlands) Social Science Scholar Exchange fellowship to visit the Amsterdam Institute of Social Science Research (AISSR), University of Amsterdam in 2014.

Mr. Mark Schubert is presently pursuing his Bachelors Degree in Law at the Open University of Sri Lanka. Since graduating from Colombo University, he has worked at the Social Scientists' Association, Colombo in the capacity of Research Assistant initially, and subsequently as Researcher. He has almost 5 years'

experience of working as a researcher. While adopting a more ethnographical approach to research, he has also received training in survey research and quantitative data analysis. His areas of interests include local democracy, inter-group violence, identity and reconciliation. He has worked extensively in the area of local democracy. In 2016, he led a team of researchers to conduct a baseline survey for CARE International's two projects, *SPACE and RtM*. In the same year, he was a member of the team which conducted the *Evaluation of CAFOD Supported Participatory Governance Programmes in Sri Lanka*. Furthermore, he contributed to the research commissioned by Transparency International titled, *Study on Corruption and Vulnerability in Accessing Local Authority Services,* in 2017. The exposure and experience from these research developed an understanding of local democracy, participatory governance and the practices and challenges for deepening democracy embedded therein.

Ms. Jince Shajan is currently a Research Scholar at Central University of Tamil Nadu, Thiruvarur (India).

Mr. Shashik Dhanushka Silva is currently employed at the Social Scientists' Association as a Senior Researcher and serves as the manager at the same institution. He is part of a qualitative research which seeks to examine the complex relationship between service delivery and state legitimacy. He has been involved in a series of researches which sought to unpack local government in Sri Lanka. In 2016, he was instrumental in developing the Vulnerabilities & Corruption Assessment Tool in order to identify various vulnerabilities when accessing local authority services, the use of corruption when accessing local authority services and their relationship to each other. He has been part of numerous consultancies for CARE International and CARE Sri Lanka over the years. Furthermore, he has studied the experiences of minority communities', particularly the Upcountry Tamil Community's, engagement with and expectations of local government and local democracy.

Dr. M. H. Suryanarayana is Faculty at the Indira Gandhi Institute of Development Research (IGIDR), Mumbai since 1988. He has taught courses on econometrics, development economics, food policy analysis, human development and Indian economy at IGIDR and other post-graduate centres. He served as Senior Economic Advisor (L-5/9) (2004/05) at the International Policy Centre for Inclusive Growth, UNDP Brasilia.

He also served as consultant for ADB, OECD, UNDP and World Bank, and provided technical assistance to developing country governments including Bangladesh, Botswana, Brunei Darussalam, India, Nepal, Somalia and Vietnam.

He is a development economist with experience in providing technical assistance in the preparation of human development reports, poverty reduction strategy papers and tracking of MDGs. As a 'Senior Trainer', he designed, developed and conducted a workshop on 'Food Policy Analysis' (sponsored by the FAO, IFPRI and

the Government of Bangladesh) for academicians and policymakers in Bangladesh. He formulated and taught a course on food policy at the Maastricht Graduate School of Governance.

Also, he designed an empirical methodology corresponding to the one in Human Development Report 2011 and estimated Inequality Adjusted Human Development Indices for states in India. He drafted and finalized a Poverty Monitoring and Analysis System for the three administrations of Somalia. He also prepared the concept paper on Sustainable Development Goals for Somalia.

Allen Thomas is a Ph.D. scholar in Social Exclusion and Inclusive Policies at the Tata Institute of Social Sciences, Mumbai. Currently, he is a recipient of the UGC-UKIERI Thematic Partnership Fellowship (2018–2020). He completed his Master's degree in Development Studies from Ambedkar University Delhi in 2015. His thematic area of interest is state-society relations, transition to democracy, democratic consolidation, ethnic conflict and politics of representation. He has had enriching field experiences at the Naxal affected areas of Jharkhand and Bihar (Hazaribagh, Chattra and Gaya), riot affected area of Uttar Pradesh (Muzaffarnagar), rural development programme in Chhattisgarh and Uttar Pradesh, and evaluated ethnic divided in Assam and West Bengal. Being a keen and active scholar, he has presented at and organized various national and international seminars. Presently, he is working on democratic consolidation in India.

Social Exclusion and Including the Excluded: A Perspective

Madhushree Sekher and Radu Carciumaru

Abstract The development literature in recent years has seen the emergence of the concept of 'social exclusion', which focusses attention on the relational aspects of deprivation. Social exclusion may be regarded as intrinsic to deprivation or deprivation in itself. It could also be seen as instrumental in leading to other aspects of relative deprivation reflected in socio-economic disparities. Social exclusion in its multiple dimensions, also, provides a useful framework to capture the processes underlying group-level inequalities and poverty in a society. Seen from this lens, social and political participation is important for social inclusion, because deprivation is not just income poverty. Political engagement and social interaction are two lenses for accessing the inclusion of the socially included.

Introduction

The development literature in recent years has seen the emergence of the concept of 'social exclusion', which focusses attention on the relational aspects of deprivation. Social exclusion may be regarded as intrinsic to deprivation or deprivation in itself. It could also be seen as instrumental in leading to other aspects of relative deprivation reflected in socio-economic disparities. Social exclusion in its multiple dimensions, also, provides a useful framework to capture the processes underlying group-level inequalities and poverty in a society. Seen from this lens, social and political participation is important for social inclusion, because deprivation is not just income poverty. Political engagement and social interaction are two lenses for accessing the inclusion of the socially included.

M. Sekher
Centre for Study of Social Exclusion and Inclusive Policies, Tata Institute of Social Sciences, Mumbai, India
e-mail: madhusekher@gmail.com

R. Carciumaru (✉)
South Asia Institute, Heidelberg University, New Delhi, India
e-mail: carciumaru@sai.uni-heidelberg.de

Accordingly, to better understand why social inclusion is increasingly promoted and accepted as part of government policies and public services and the ways by which modern societies seek to achieve social and economic legitimization through '*inclusive governance*' need to be better understood. Promoting inclusion, integration or cohesion has become a key part of the contemporary political agenda. In fact, an imperative need of social policy and governance around the world, including India, is not only to focus on tackling social 'exclusion' but also to move towards 'inclusion' by ensuring that citizens play a part in mainstream society and in their own development. The development agenda, today, therefore has a strong emphasis on citizen participation in governance reforms, not only through formal processes but also more in informal ways by which people influence decisions that affect them, and also their involvement in activities of community and in community mobilization.

At the same time, inclusive governance does not necessarily reflect a deepening of the modern democratic ideals of liberty and equality. Rather, it could be a measure to ensure that all subscribe to and accept a range of uncontested objectives, which, by default, does not recognize any other alternatives to tackling social inequalities, but that which is acceptable to the mainstream. It is, therefore, also important to take cognizance of the ways in which the 'socially excluded' develop their own social networks and strategies, not merely as a response to exclusion but also for their survival and development. It is, thus, important that governance processes adopt a more dynamic approach that provide spaces for the 'socially excluded' to have their own ways of tackling exclusion and working for their own development.

Two key theoretical debates influence this position:

(i) The dominant neo-classical paradigm focusses on human well-being, assessed by the availability of disposable income or goods consumed, which is measured by the levels of utility achieved in the consumption of commodities (water, land or labour) and wherein social order emerges by the ways utilities and gains are maximized. Within this neo-classical paradigm, justice is assessed in terms of how and when the utility level of someone increases without a decrease in the utility level of another person.

(ii) Second is the capability approach, which challenges the neo-classical understanding of human well-being as defined within the utility/commodity space, and which postulates human well-being as not so much in terms of what people are or do, but in terms of what they are *free* to be and do/what they are able to be and do—*being able to participate in the life of the community* (Sen 1999). This approach, by not specifying any particular good as being above others, and making individual freedom and pluralism as central to human well-being, provides the general framework for analysing individual advantage and deprivation in contemporary society within a set of '*functioning*'—the 'functioning' of the society/community; the 'functioning' of the state/government; and the 'functioning' of the market.

There is, thus, a need to focus attention on 'institutions'. This will be a step towards better understanding that 'social inclusion' is not so much a matter of promoting individual capabilities but a matter of institutions (*structures*), of the state or the

society/community, that ensure living for good life (*human well-being*) and protection from human fallibilities.

Inequalities Intrinsic to Nation-States and Their Welfare Mechanism

Nation-states play a pivotal role in the sustenance of today's modern world. The state guards our basic fundamental human rights by holding a monopoly over violence. Alongside it provides welfare measures to its citizens ranging from infrastructural, educational, health, telecommunical and economic assistances through tax payer's money and other additional sources. It defends its citizens both within and outside its territorial area from external threats. Nation-states are at the heart of everyday struggle. Every issue that has had repercussions on a section of the society, such as religious minorities or tribals, in an unacceptable way needs suitable state interventions, along with change in social behaviour. Thus, it is essential to understand state machinery and its functioning, only through which can we attempt to remove social exclusion from all spheres. Alongside the nature of nation-state is such that it has the organizational structure strong enough to create symbols and diffuse those symbols into the society, that is symbols pertaining to certain values and beliefs that can be embedded into the society through religious institutions, publishing houses, schools and many more.

Today's state is an evolution of the organizational structure of the past. Our human society has evolved through various stages from hunter-gatherer to agricultural societies which inevitably lead to the industrial and post-industrial societies. Focussing on the evolution process from the hunter-gatherer society to that of the agricultural society, this particular evolution has led to major breakthrough and is indebted with the most influential characteristics prevalent in today's world, that is, the introduction of the conception of private property and accumulation of wealth. This conception of private property and accumulation brings in aspects of resource inequality. Accumulation of wealth requires an organizational structure whose basic purpose was to sustain conditions of protected living and sustenance of the societal structure. This essential political character of the agricultural society brought the then monarchic and self-governing settlements. The monarchic settlements were those settlements in which the merchant would pay the bandit to protect himself from the bandit and external sources. The bandit acts as both the sword and the shield. Self-governing were those settlements in which the merchants used their own time and resources to protect themselves and did not rely on anyone else. The resource inequality subsided into political or the then organizational structure since individuals and groups with animal resources and modes of agriculture dominated and made decisions regarding the organizational structure. Resource inequality gets transcended into other modes of inequality, be it social, economic, political and spatial inequalities. One lens for capturing intrinsic inequality and understanding who get excluded is to look at the

ways modern societies seek to achieve social and economic legitimization through 'inclusive governance' (Ryan 2007). Promoting inclusion, integration or cohesion has become a key part of the contemporary political agenda. An imperative need in social policy making of governments around the world, including India, is to not only focus on tackling social 'exclusion' but also to move towards 'inclusion' by ensuring that users of welfare services play a part in mainstream society and in their own development, rather than just being dependent on welfare services and benefits. Seen in this context, there is a strong emphasis on participation in governance reforms, not only through formal processes but also more in informal ways by which people influence decisions that affect them, and also their involvement in activities of community and in community organizing. At the heart of this are the distributional processes and welfare mechanisms to include the excluded.

Political Engagement and Social Interaction as a Tool to Study Social Exclusion

There are existing researches on how group-based identities affect political processes, wherein distinctive groups adopt certain political identities. In this paper, we intend to highlight certain communities that are excluded/marginalized, and how the practice of marginalization is evident even in the sphere of political engagement and social interaction. Political engagement refers to the actions of individuals and groups which seek to influence or support government or political parties. Political engagement can be accessed through various civil activities such as voting, protests or movements. It has profound consequences for governance, policy selection and development outcomes (Khemani et al. 2016). Political engagement happens irrespective of the institutional governance structure (democracy, autocracy etc.). Social interaction, on the other hand, refers to the dynamic order of social actions between individuals or groups. These interactions form the basis for social structure and are a key object of basic social inquiry and analysis.

For instance, in India, according to Census 2011, scheduled caste has 16.2% and scheduled tribes had 8.2% proportion in the Indian population. The Muslims constitute 14.23% of the Indian population. But their social, political and economic engagement in the country's development process and growth story is low.

The lack of engagement is a result of the inherited systemic processes and structures on which the Indian state and society has been erected.

Inclusion of the Excluded Through Strengthening Institutions

Institutions are broadly defined under two literatures: first, according to the likes of Samuel P Huntington who refer to institutions as 'stable, valued and recurring patterns of behaviour', and secondly, we have Geoffrey M Hodgson who states that institutions that are 'integrated systems of rules that structure social interactions' (Hodgson 2015). Here institutions would be referred to as bodies or agencies that bring about interaction between various key stakeholders.

The inequalities present in our state and society are intrinsic to the existing order of norms, values and institutional setup. It is essential to focus on the institutions and their functioning. The institutional structure of the state is the very backbone of the state machinery. The institutions supervise and safeguard the state and its society. It is these institutions that act as a pillar, helping sustain democracy. We can take, here, the case study on the industrial growth policy of Japan highlighting the tremendous growth from being devastated in World War II to becoming the second biggest economy in the world by 1990s (Johnson 1982). The major reasons for such a growth were the cooperation of *Keiretsu* (manufacturers, suppliers, distributors and banks in a closely knit group), powerful enterprise unions, good relations with government bureaucrats and the guarantee of lifetime employment (Johnson 1982). Such an institutional structure supported both the economy and the state to sustain the society and its needs.

The institutional structure has to be re-oriented or its practices enforced in a manner that excluded groups get to participate in the mainstream. Political institutions should become more exclusive in giving participation to excluded communities. This would enable excluded communities to gain recognition and negotiate with the state and political forces with their claims. M. V. Nadkarni highlighted the process of broad-basing, through which increasing numbers of social groups enter the mainstream of social, political and economic activities, and progressively derive the same advantages that groups from the mainstream share (Nadkarni 1997).

It is, thus, important that processes for inclusion of the excluded adopt a dynamic approach that provides spaces for the 'excluded' to have their own ways of tackling exclusion and, working for their own development. In this regard, it is important for governments and governance processes to recognize that participation in/as part of 'mainstream society' is not the only possible response to 'exclusion', and that the people's user and self-help movements have strengths and capacities that also need to be acknowledged. Two key theoretical debates influence this position.

This brings us to the following issues which underlie the concern in this volume for understanding inclusion of the excluded:

- The interconnectedness of human development and capability/freedoms that people have;
- Institutions as manifestation of power and as 'structures' of engagement through which the freedoms can be expanded;

- Democratic/participatory decision-making expressed through the institutions as an exercise of freedom in the community.

Institutions are of the fundamental nature that can mend the functioning of the society. The institution of public policy slowly creates a change in the values and belief system of the society. This change can be guided and monitored according to the results required.

Organization of the Book

This volume raises discussions around these contested positions that underlie development discourse on social exclusion, and inclusion of the excluded. Contribution of scholars of different disciplines from India and the South Asia region discusses the emerging issues, looking at the system of participatory democracy; the governance structures, and the system openness and equality opportunities that exist therein; and the mainstreaming of concerns like diversity and attention to some strands of social exclusion such as caste and religion. The discussions in the book have been grouped along the following lines.

(i) The discourse of development and contextualizing social exclusion/inclusion, (ii) inequalities and politics of inclusion, (iii) democratic participation, and the role of state, institutions and representation processes, and (iv) policy interventions towards attaining inclusion through governance systems and opportunities for inclusion.

(i) *The Discourse of Development and Contextualizing Social Exclusion and Inclusion*

The discourse surrounding development and social exclusion and inclusion revolves around multiple ideas, including resources and their allocation, structured inequalities, and influencers in decision-making. This section succinctly and comprehensively provides an understanding of social exclusion has gone far beyond per capita income to address various kinds of distributional concerns. Disaggregating the social exclusion concept, an expansive approach includes a broad range of social, economic and political conditions that affect human well-being. Contemporary development policy literature is replete with references to terms like 'inclusion', 'exclusion', 'mainstreaming' and 'marginalization' without a well-defined concept or measure for each of these terms. Of course, these terms pertain to the different distributional dimensions of the development process. The chapter by M. H. Suryanarayana provides a conceptual framework to define these dimensions in an integrated framework. It defines empirical measures for the corresponding outcomes to facilitate policy formulation, monitoring and evaluation, with reference to the Indian experience.

The case of Sri Lanka, in the chapter by Siripala Tellambura Hettige, provides an interesting analysis of the continuing resistance on the part of the nationalist groups connected to the majority Sinhalese community to efforts aimed at finding a constitutional solution to the problem of national disunity. He argues that the

reproduction of exclusive ethnic identities through social and cultural processes, existing economic and policies that perpetuate gross social and economic inequities and the persisting gap between the centre and the periphery are the main reasons for this situation.

Looking at the spread of the concept of social exclusion/inclusion in Nepal, the paper by Om Gurung critically analyses and provides deeper understanding of Nepal's structural history, respect and recognition of social diversity, group identities, and representation of the excluded groups in the state politics, as key conditions to make the country an inclusive society.

(ii) *Inequalities and Politics of Inclusion*

The next section in the volume presents a set of papers that articulate the fact that social exclusion lies at the heart of the processes that generate inequality among social categories. Existence from the effects of social exclusion, and therefore, inclusion, depends on the programmes and policy initiatives that create opportunities to bypass exclusionary conditions and processes. Taking cues from the experience of democracy in the region, the papers in this section argue that democratic institutional structures interact with exclusionary and inclusive process at various levels.

Looking at the case of Muslim community in India since independence of the country in 1947, the chapter by Anwar Alam argues that the lack of participation of the community in the development process of the country, in effect, negatively affects the choices and capabilities of the community to partake into the 'developmental goods'. This has partly emerged from the notion of 'Muslim politics', which pays heavy premium on the 'politics of identity' and 'security', and its imagination of Indian state system.

The chapter by Radu Carciumaru looks at constitutional reforms in post-civil war Sri Lanka, especially since 2015 with the Nineteenth Amendment and the setting up of the Constitutional Assembly, and explores the role of ethnicity in shaping the constitutional reform process in the country and the challenges it poses. It compares the Sri Lankan case study to constitutional designs in other plural (deeply divided) societies from South Asia, such as India and Nepal.

Continuing the discussion on the politics of inclusion, the next chapter by Madhushree Sekher and Suchandrima Chakraborty looks at how inequality and concerns of excluded get reflected in, and impact public policies. Looking at the institutional landscape of competing pressures that forms the core of the politics of public policy legislation in India, the chapter provides an analysis of formulation and provisioning of public services, and the consequent politics of inclusion, in the country.

(iii) *State, Institutions and Representations*

Arguing that social exclusion is reflected in and perpetuated by the dominant social structure and the structures of opportunities that the excluded face, this section draws focus on the role of various agency and processes to include the excluded, the exclusions that can/may happen in this process. Viewing civic participation as a broad indicator of democratic culture in a contemporary society and as a testimony to a functional democracy in a country, the paper by Sk. Tawfique Haque and Md.

Akram Hossain addresses two research questions: (i) What is the level (in terms of both quantity and quality) of participation of Bangladeshi people in political activities? (ii) Does this participation vary across the demographic identity of citizens? The paper assumes that the intensity and quality of participation would vary across the demographic identity such as gender, religion, ethnicity, income, age and education. In this context, minority groups, disadvantaged and backward population might be left out from political engagement.

In their paper on democratic institutions in Sri Lanka's local-level politics, Shashik Dhanushka Silva and Mark Schubert explore the clientelistic nature of politics and practices in the country's local government that often either hinders inclusion or reproduces exclusion. In line with this context of governance and exclusion, the chapter by Allen Thomas explores the various manifestations of social exclusion that emerge from the interaction between state and society on the structural arrangements prevalent in nation-states. These structural arrangements highlight the governing principle and logic of the structures that preside over the various state institutions and society, leading to incidences of exclusion.

(vi)   *Governance Systems and Opportunities for Inclusion*

This section vividly focusses on encompassing the various concerns of social exclusion and developing policy interventions in order to create a more inclusive society. The chapters in this section enumerate an analysis of various policy interventions and the outcomes, thereby pointing out to the fact that tackling social exclusion requires concerted and long-term efforts, not only through government initiatives that address issues of legal rights and distribution of resources but also governance processes that aim at changing attitudes and perceptions. Himanshu Jha, in his chapter analyses the Right to Information intervention in India. Adopting a political economy perspective, Seema Mallik, in her chapter argues that development strategies driven by heavy industrialization and mining, further increase the vulnerabilities of the poor, mainly tribals who are forest-dependent communities and face eviction due to such development strategies. In order to make development inclusive, government strategies need to be more socially embedded. Focussing on the working of Municipal Corporation of Greater Mumbai and the process of urban solid waste management, the chapter by Shailesh Darokar looks at the life of conservancy workers and highlights the challenges they face through a few narratives of the workers themselves. P. Geeta Rani and Jince Shajan, in their chapter, attempt to look at diversity through the lens of numerical representation of different social groups in professional higher education in India. Continuing with the argument being made in this section, the chapter by Mansi Awasthi examines the shaping of inequalities and opportunities through an analysis of the interplay of government and the institutions of interactions in the Indian province of Uttarakhand. It stresses that the spatial dynamics and experiences of the process of industrial transformation and inter-firm networks create a hierarchy of production, employment and space.

Focussing particularly on India and the Indian sub-continent, the book thus, discusses the multiple dimensions of social exclusion/inclusion seen in the region, to not only capture how 'social exclusion' is intrinsic to deprivation or deprivation in-

itself but also the processes of political engagement and social interactions that the socially excluded develop as strategies and networks for their growth/advancement. In the process, the volume attempts to grapple with the question of whether governance processes adopt a more dynamic approach to provide spaces for the 'socially excluded' to have their own ways of tackling exclusion? Thereby, the volume raises discussions around the contested positions that underlie development discourse on social exclusion and, inclusion of the excluded.

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Part I
Contextualizing Social Exclusion/Inclusion

Inclusion Versus Marginalization: Concepts and Measures

M. H. Suryanarayana

Abstract The concept of 'inclusive growth' has received wide currency ever since the UNDP started advocating it as a development goal. Contemporary development policy literature is replete with references to terms like 'inclusion', 'exclusion', 'mainstreaming' and 'marginalization' without a well-defined concept or measure for each of these terms. Of course, these terms pertain to the different distributional dimensions of the development process. This paper proposes a conceptual framework to define these dimensions in an integrated framework. It defines empirical measures for the corresponding outcomes to facilitate policy formulation, monitoring and evaluation. Finally, it provides an empirical illustration with reference to the Indian experience.

Introduction

Contemporary policy debates touch upon issues related to deprivation, inclusion/exclusion and marginalization without a well-defined concept and measure. It is the United Nations Development Programme (UNDP) which started advocating 'inclusive growth' in pursuit of development. However, the UNDP could not propose any concept or measure to facilitate policy formulation, implementation, monitoring and evaluation. It called it a 'Million Dollar Question'.

The challenges a policy maker faces in such a context are many. How do I formulate a policy to address the issues related to inclusion and marginalization? How do I monitor its implementation? How do I evaluate its outcome?

This paper presents a concept, measure and examines inclusive/exclusive profiles with reference to different social/regional strata in a country like India.

This write up is based on the author's experience and writings based on the attempt to address the following questions.

How do we define economic progress and inclusion in a plural society characterized by social/regional stratification? How do you define and measure mainstream

M. H. Suryanarayana (✉)
Indira Gandhi Institute of Development Research, Mumbai 400065, India
e-mail: surya.igidr@gmail.com

progress in such a context? When there are different social groups/regions, and welfare schemes exclusively meant for some select social groups/regions are pursued, how would one (i) define the extent of progress of each group/region as a whole in an absolute sense as well as relative to the mainstream; and (ii) verify how far such programmes have enabled the deprived in these groups/regions to catch up with better-off in their own strata as well as with those in the mainstream. To address these multiple objectives, the study examines (1) average progress, absolute as well as relative, made by each social group/region, (2) mainstreaming/marginalization of the deprived in each of the social groups independently and also in a collective sense.

The paper is organized as follows: Section 'Inclusive Growth: A Concept and Measure' presents a concept and micro and macro measures of inclusive growth. Section 'Inclusive Growth: An All-India Perspective' provides an empirical illustration for India as a whole. Section 'Inclusiveness: Rural/Urban All-India' illustrates the application at the rural/urban sector level. Section 'Mainstreaming/Marginalization: Conceptual Outline' proposes the concept of marginalization and mainstreaming with empirical illustrations for India.

Inclusive Growth: A Concept and Measure

One may conceptualize the term 'inclusive growth' as follows: It refers to a growth process that has benefited even those sections which are deprived of both physical and human asset endowments and hence, generally belong to the bottom rungs of income distribution and are incapable of participating or benefiting from the growth process. Contemporary policy emphasis is on redistributive options to realize inclusive growth. Such a strategy would not be sustainable. To be sustainable, it should encompass the three dimensions of the economy: participation in production (employment), income generation and consumption expenditure.

How would a policy maker proceed to define and monitor inclusion in these three dimensions? For lack of comprehensive up-to-date data on all the three dimensions, this section would present evidence in the form of reduced form estimates of outcomes for the income and expenditure dimensions, that is, (i) elasticity of mean consumption with respect to mean income (η); (ii) elasticity of median consumption with respect to mean income for the different sub-periods under review; and (iii) the 'inclusive coefficient (ψ)' (Suryanarayana 2008). The first two measures provide a macro profile while the third a micro profile.

These measures are as follows:

i. Elasticity of mean consumption with reference to mean income (η) would indicate if economic growth is really broad-based and inclusive. If growth in income was restricted to the rich only, mean consumption would not increase at a rate corresponding to the average income growth rate because marginal propensity to consume is less than one. Hence, η would be less than unity.

Elasticity of mean consumption with reference to mean income $(\eta) = \frac{\partial \mu_c / \mu_c}{\partial \mu_y / \mu_y}$, where μ_c and μ_y stand for mean consumption and mean income, respectively.

ii. Elasticity of median consumption with reference to mean consumption (ε) where $(\varepsilon) = \frac{\partial \xi_{0.50} / \xi_{0.50}}{\partial \mu_c / \mu_c}$. A value of $\varepsilon > 1$ would suggest broad-based growth. This would further corroborate the findings based on estimates of η; and

A micro measure of inclusion would be as follows:

iii. 'Inclusive coefficient' (IC) 'ψ' may be defined as follows:

$$\psi = 1 - 2 \int_0^{\delta \xi_{0.50}} f(x)dx \qquad (1)$$

where $0 < \delta < 1$ and $\xi_{0.50}$ such that

$$\int_0^{\xi_{0.50}} f(x)dx = \tfrac{1}{2} = \int_{\xi_{0.50}}^{\infty} f(x)dx$$

where $f(x)$ is the density function of the variable concerned and $0 < \psi < 1$.

In this study, we assign 0.6 as the value for δ. Inclusive coefficient for consumption distribution (ψ) measures the proportion of bottom half of the population in the mainstream, where mainstream is measured as income interval in excess of 60% of the median.[1] This inclusive measure could be used for a homogeneous social group.

For a heterogeneous society, inclusion profiles would vary across population subgroups or social groups like the Scheduled Tribes (STs), the Scheduled Castes (SCs), the Other Backward Castes (OBCs) and the residual group 'others' (other social groups (OSGs))[2] as in India. Hence, one may capture such heterogeneity in the extent of inclusion across social groups by distinguishing between mainstream (all social groups inclusive) median and social group specific median. Accordingly, one could distinguish between mainstream (IC-M) and sub-group (social group) specific (IC-S) inclusiveness (Suryanarayana 2008). They will measure the extent of inclusion

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[1] Suryanarayana (2008) shows that the inclusive coefficient for all-India (rural and urban combined) was 0.74 in 2004–05, which would imply that 13% of the population had a consumption level less than 60% of the median. As shown below, mainstream inclusiveness for the STs was as low as 0.382 in 2011–12 (Table 2), which would imply that 31% of the ST population had consumption less than 60% of the median of the total population. Given the government's commitment to bottom 25% of the population, the reference fraction (60%) of the median to define the inclusive coefficient would be ideal to verify the effectiveness of inclusive policies. It may be noted that estimates of inclusive coefficients presented in this paper are not strictly comparable with those in Suryanarayana (2008) since the current exercise is carried out by dropping households with missing information on its social group.

[2] The terms Scheduled Tribes and Scheduled Castes refer to historically disadvantaged people in India recognized as such in the Indian Constitution. The shares of the STs, SCs, OBCs and the OSGs in the total Indian population in 2004–05 were 8.63, 19.59, 40.94 and 30.80%, respectively (GoI 2007: 3).

of the poorest of any given social group in the mainstream progress vis-à-vis its own progress, respectively.

Inclusive Growth: An All-India Perspective

The preceding results would mean the following: With growth in per capita income, both mean and median consumptions have increased, though at a lower rate till 2009–10 and higher rate thereafter. Between mean and median consumptions, the former has generally increased at a higher rate than the latter. This would mean that the richer income groups have experienced higher increases in income and consumption than the poorer ones. This is all the more confirmed by estimates of (i) the coefficient of inclusiveness which has declined; and (ii) the proportion of population below 60% of the mainstream median, which has increased during the reform era (Table 1).

This finding could be verified further by examining disaggregate distributional profiles in terms of the estimates of averages and inclusive coefficients across social groups at the national level (Table 2). The salient results are as follows:

i.   The STs are the poorest followed by the SCs, OBCs and other social groups (OSGs), respectively. In other words, OSGs constitute the best off social group. This is further confirmed by estimates of FGT_0 below 60% of the mainstream median. FGT_0 was almost one-third for the STs, less than 20% for the SCs, less than 15% for the OBCs and less than 10% for the OSGs.

ii. Both mean and median consumptions of the four social groups increased and their respective growth rates also increased during successive periods under review.

iii. Median consumption levels of the STs and the SCs fell short of the mainstream median. The shortfall increased in general for the STs and declined for the SCs. The median consumption of the OBCs fell marginally short of the mainstream median in its neighbourhood.

iv. Median consumption of the OSGs exceeded that of the mainstream and the divergence increased during the reform period.

v.   Consistent with the preceding two features, mainstream inclusiveness is lower than the sub-group one for the STs, SCs and the OBCs and vice versa for the OSGs.[3]

vi. Elasticity of mean consumption with respect to per capita national income, and that of median consumption with respect to mean consumption, though was less than one initially, improved over the period for all social groups except the SCs; and

vii. Sub-group as well as mainstream inclusiveness in general has decreased for the STs, SCs and the OBCs. This would mean that the poorer sections of these social groups have not caught up with the better off either in their respective social

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[3]Sub-group refers to social group as against mainstream which is all-social-groups-inclusive.

Table 1 Measures of inclusiveness: a macro profile (all-India rural and urban sectors combined)

Measure/variable	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
Per capita net national product (PCNNP) (Rs. at current prices) (FY)	8106	24,143	46,249	61,564
(CAGR)—PCNNP (%)	–	10.43	13.88	15.38
Monthly mean per capita consumption (Rs. at current prices)	325.18	683.81	1159.92	1599.04
Monthly median per capita consumption (Rs. at current prices)	258.60	507.57	850.75	1173.38
Excess of mean over median per capita consumption (%)	25.75	34.72	36.34	36.28
CAGR: mean consumption (%)	–	6.99	11.15	17.41
CAGR: median consumption (%)	–	6.32	10.88	17.44
Elasticity of mean consumption with reference to PCNNP (η)	–	0.67	0.80	1.13
Elasticity of median consumption with reference to mean consumption (ε)	–	0.90	0.98	1.00
Inclusive coefficient (ψ)	0.748	0.740	0.736	0.711

Source Suryanarayana and Das (2014)
Notes
FY Financial year
AY Agricultural year
The NAS estimates of per capita net national product at current prices are from Government of India (2013)
The NSS estimates of consumption are from unit record data for the corresponding rounds
CAGR compound annual growth rate

groups or in the mainstream (all social groups inclusive). As regards the OSGs, their mainstream inclusiveness increased while sub-group one decreased. This would imply an improvement in the lot of the OSGs poor *vis-à-vis* the mainstream median but not with respect to their own median. Accordingly, we find that the proportion of OSGs population less than 60% of the mainstream median decreased from 9.30 to 6.70% between 1993–94 and 2011–12 while that with reference to that of OSGs median increased from 12.80 to 17.40% between the same two years.[4]

All these results corroborate the findings, based on macro estimates, of an era of exclusive growth of the better-off OSGs sections.

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[4]As per authors' computations.

Table 2 Measures of inclusiveness: a macro profile across social groups (all-India rural and urban sectors combined)

Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
STs				
Monthly mean per capita consumption (Rs. at current prices)	247.40	463.25	854.47	1087.52
Monthly median per capita consumption (Rs. at current prices)	207.75	380.2	689.75	886.33
Shortfall from the mainstream median (%)	24.48	33.50	23.34	32.39
CAGR: mean consumption (%)	–	5.87	13.03	12.82
CAGR: median consumption (%)	–	5.65	12.65	13.36
Elasticity of ST mean consumption with reference to PCNNP (η)	–	**0.56**	**0.94**	**0.83**
Elasticity of ST median consumption with reference to ST mean consumption (ε)	–	**0.96**	**0.97**	**1.04**
Inclusive coefficient—Mainstream	**0.532**	**0.384**	**0.512**	**0.382**
Inclusive coefficient—Sub-group	**0.795**	**0.766**	**0.752**	**0.754**
SCs				
Monthly mean per capita consumption (Rs. at current prices)	257.28	532.08	887.44	1278.24
Monthly median per capita consumption (Rs. at current prices)	219.28	434.05	739.12	1017.75
Shortfall from the mainstream median (%)	17.93	16.94	15.10	15.29
CAGR: mean consumption (%)	–	6.83	10.77	20.02
CAGR: median consumption (%)	–	6.40	11.23	17.34
Elasticity of mean consumption with reference to PCNNP (η)	–	**0.65**	**0.78**	**1.30**
Elasticity of median consumption with reference to SC mean consumption (ε)	–	**0.94**	**1.04**	**0.87**
Inclusive coefficient—Mainstream	**0.604**	**0.629**	**0.609**	**0.599**

(continued)

Table 2 (continued)

Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
Inclusive coefficient—Sub-group	**0.798**	**0.81**	**0.781**	**0.755**
OBCs				
Monthly mean per capita consumption (Rs. at current prices)	–	625.9	1064.5	1488.79
Monthly median per capita consumption (Rs. at current prices)	–	492.67	832.44	1155.4
Shortfall from the mainstream median (%)		3.02	2.20	1.56
CAGR: mean consumption (%)	–	–	11.21	18.26
CAGR: median consumption (%)	–	–	11.06	17.81
Elasticity of mean consumption with reference to PCNNP (η)	**–**	**–**	**0.81**	**1.19**
Elasticity of median consumption with reference to mean consumption (ε)	**–**	**–**	**0.99**	**0.98**
Inclusive coefficient—Mainstream	**–**	**0.754**	**0.745**	**0.729**
Inclusive coefficient—Sub-group	**–**	**0.783**	**0.77**	**0.744**
Other social groups (OSGs)				
Monthly mean per capita consumption (Rs. at current prices)	353.14	919.09	1578.70	2154.42
Monthly median per capita consumption (Rs. at current prices)	278.93	655.14	1101.67	1504.67
Shortfall from the mainstream median (%)	(−)7.29	(−)22.52	(−)22.78	(−)22.02
CAGR: mean consumption (%)	–	9.08	11.43	16.82
CAGR: median consumption (%)	–	8.07	10.95	16.87
Elasticity of mean consumption with reference to PCNNP (η)	**–**	**–**	**0.82**	**1.09**
Elasticity of median consumption with reference to OSG mean consumption (ε)	**–**	**–**	**0.96**	**1.00**

(continued)

Table 2 (continued)

Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
Inclusive coefficient—Mainstream	**0.814**	**0.890**	**0.879**	**0.866**
Inclusive coefficient—Sub-group	**0.745**	**0.678**	**0.666**	**0.653**

Source Suryanarayana and Das (2014)
Notes
AY Agricultural year
CAGR Compound annual growth rate
NSS does not provide information for the OBCs separately for the 50th round; hence estimates are not available for the OBCs for the year 1993–94

Inclusiveness: Rural/Urban All-India

See Tables 3 and 4.

Mainstreaming/Marginalization: Conceptual Outline[5]

This section would examine inclusive/exclusive profiles across social groups in India. The moot question would pertain to conceptualization and measurement: How do we define progress and inclusion in a plural society characterized by social stratification? When there are different social groups, and welfare schemes exclusively meant for some select social groups are pursued, it would be worthwhile to examine (i) the extent of progress of each group as a whole in an absolute sense as well as relative to the mainstream; and (ii) verify how far such programmes have enabled the deprived in these groups to catch up with better-off in their own strata as well as with those in the mainstream.

To address these dual objectives, we examine (1) average progress, absolute as well as relative, made by each social group/region, (2) mainstreaming/marginalization of the deprived in each of the social groups independently and also in a collective sense. This would call for defining measures of strata (sub-stream)-specific as well as overall (mainstream) progress; this may be done in terms of estimates of group (sub-stream)-specific as well as overall (mainstream)-specific median. In a similar way, one may measure inclusion/exclusion of the poorest in each social group in its own progress as well as that of the mainstream by estimating the inclusion coefficients proposed in Eq. (1) with reference to mainstream and sub-stream medians, respectively. The measures corresponding to these two concepts and their implications are as follows.

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[5]The conceptual framework and methodological details outlined in this section are based largely on Suryanarayana (2008, 2016).

Table 3 Average levels of living and disparities across social groups: All-India

Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
All-India rural								
	Mean				*Median*			
STs	234.38	426.29	764.86	980.83	202.00	366.50	664.00	848.17
SCs	238.91	474.72	789.93	1127.16	209.72	406.33	687.70	938.00
OBCs	–	556.73	924.07	1282.75	–	457.88	770.14	1054.36
OSGs	302.09	685.31	1135.42	1552.41	253.24	547.60	896.50	1210.00
All	281.42	558.84	927.79	1278.95	237.10	455.80	765.17	1035.50
Percentage shortfall with respect to MPCE of other social groups								
STs	–	37.80	32.64	36.82	–	33.07	25.93	29.90
SCs	–	30.73	30.43	27.39	–	25.80	23.29	22.48
OBCs	–	18.76	18.61	17.37	–	16.39	14.09	12.86
OSGs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Percentage shortfall with respect to MPCE (mainstream)								
STs	16.72	23.72	17.56	23.31	14.80	19.59	13.22	18.09
SCs	15.10	15.05	14.86	11.87	11.55	10.85	10.12	9.42
OBCs	–	0.38	0.40	(−)0.30	–	(−)0.46	(−)0.65	(−)1.82
OSGs	(−)7.34	(−)22.63	(−)22.38	(−)21.38	(−)6.81	(−)20.14	(−)17.16	(−)16.85
All-India urban								
	Mean				*Median*			
STs	380.55	857.47	1609.92	1940.94	312.68	721.20	1236.13	1508.17
SCs	342.18	758.38	1275.49	1815.80	281.93	610.83	1019.25	1457.20
OBCs	–	870.93	1487.55	2046.24	–	685.67	1143.80	1581.00
OSGs	480.28	1306.10	2245.72	3014.93	374.77	992.83	1640.12	2157.20
All	457.95	1052.33	1785.90	2399.21	358.60	792.25	1307.20	1758.00
Percentage shortfall with respect to MPCE of other social groups								
STs	–	34.35	28.31	35.62	–	27.36	24.63	30.09
SCs	–	41.94	43.20	39.77	–	38.48	37.86	32.45
OBCs	–	33.32	33.76	32.13	–	30.94	30.26	26.71
OSGs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Percentage shortfall with respect to MPCE (mainstream)								
STs	16.90	18.52	9.85	19.10	12.81	8.97	5.44	14.21
SCs	25.28	27.93	28.58	24.32	21.38	22.90	22.03	17.11
OBCs	–	17.24	16.71	14.71	–	13.45	12.50	10.07
OSGs	(−)4.88	(−)24.11	(−)25.75	(−)25.66	(−)4.51	(−)25.32	(−)25.47	(−)22.71

Source Suryanarayana and Das (2014)

Table 4 Mainstream and sub-group inclusiveness: rural and urban India

Rural					Urban			
Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
Inclusive coefficient—Mainstream								
All groups	0.788	0.793	0.782	0.768	0.695	0.625	0.621	0.629
STs	0.632	0.523	0.607	0.509	0.571	0.449	0.448	0.412
SCs	0.682	0.726	0.699	0.686	0.452	0.386	0.413	0.449
OBCs	–	0.820	0.804	0.797	–	0.543	0.536	0.561
OSGs	0.842	0.911	0.896	0.91	0.734	0.781	0.784	0.784
Inclusive coefficient—Sub-group								
All groups	0.788	0.793	0.782	0.768	0.695	0.625	0.621	0.629
STs	0.804	0.792	0.778	0.777	0.722	0.548	0.514	0.562
SCs	0.815	0.841	0.819	0.798	0.748	0.731	0.707	0.59
OBCs	–	0.818	0.797	0.785	–	0.707	0.684	0.678
OSGs	0.785	0.776	0.779	0.772	0.686	0.590	0.593	0.622

Source Suryanarayana and Das (2014)

Measure of Inter-group Disparity (Inclusion/Exclusion):

Methodologically, verification of absolute progress would involve review of status/improvement in median income/consumption of the specific social group only. Assessment of inclusion or improvement relative to the mainstream would involve estimates of inter-group median disparities. For the latter, one may define the following measures.

Let μ_m denote mainstream (overall) median and μ_s sub-stream median. Disparity between the sub-group and the mainstream could be examined by comparing the median estimates. The following results would follow:

(1) $\mu_s < \alpha \mu_m$ implies exclusion of the sub-group
(2) $\mu_s > \alpha \mu_m$ would imply inclusion.

Let us define a measure of inclusion (η_{inter}) as follows:

$$\delta_{inter} = [(\mu_s/\theta \mu_m) - 1] \tag{2}$$

where $0 < \theta < 1$; (0.6 in this study).

$\eta_{inter} > 0 \Rightarrow$ Inter-group inclusion and $\eta_{inter} < 0 \Rightarrow$ Inter-group exclusion.

Measure of Mainstreaming/Marginalization

One may examine income/consumption of the bottom rungs of a givens social group relative to its own median (one aspect of the intra-group dimension, that is, inclusion in the sub-group progress, namely, IC-subgroup) as well as the mainstream median (another aspect of the intra-group dimension, that is, inclusion in the mainstream progress, namely, IC-mainstream).

These estimates may be worked out by defining the estimator (1) with respect to sub-stream and mainstream median, respectively. The former would give us a measure of participation of the bottom rungs of the social group concerned in its own (group-specific) progress while the latter with respect to mainstream progress.

It could so happen that there is some progress in terms of inclusion of the deprived section of a given social sub-group in its own progress (median) but the progress is quite unsatisfactory when measured with reference to the community as a whole. Such differences in progress could be measured by taking the ratio (ω) of IC—mainstream to IC-subgroup, which may be called inclusive coefficient in a plural society (ICP). ICP would take the value 'one' when the extent of inclusion is the same with respect to both sub-group and mainstream median; a value less than one would imply that the extent of inclusion in the mainstream is less than the extent of inclusion in the sub-group's own progress; it would be an indication of marginalization. If one could consider IC-subgroup as a measure of inherent potential of the social group under review, the extent of its marginalization in the economy could be defined with reference to ICP (ω). A given social group is marginalized if its $\omega < 1$ and the extent of marginalization is given by ($\omega - 1$). If $\omega > 1$, ($\omega - 1$) would be >0, which would indicate mainstreaming of the social group in the economy. If $\omega < 1$, ($\omega - 1$) would be <0, implying marginalization.

The estimators would be as follows:

Define inclusion coefficient (1) with respect to both mainstream median (ψ_m) and sub-stream median (ψ_s); their ratio ω would provide a measure of sub-group inclusion from its distributional perspective.

$$\text{Define } \delta_{\text{intra}} = (\omega - 1) \tag{3}$$

We have $\delta_{\text{intra}} > 0 \Rightarrow$ mainstreaming and $\eta_{\text{intra}} < 0 \Rightarrow$ marginalization

Marginalization: First, Second and Third Degree

Marginalization: First Degree
When the distribution for a certain social group, say SG1, lies entirely to the left of the distribution corresponding to the rest of the population (RoP) such that the following conditions hold:

(i) $P_{99}(SG_r) < P_1(SG_{rop})$ where $P_{99}(SG_r) = $ 99th income/consumption percentile of the social group under review (SG_r) and $P_1(SG_{rop}) = $ 1st income/consumption percentile of the rest of the population (SG_{rop})

(ii) $\delta_{intra} = (-)1$.

Marginalization: Second Degree

– $\eta < 0$
– $\varepsilon < 0$
– $\delta_{inter} < 0$
– $\delta_{intra} < 0$

that is, Exclusion + Marginalization.

Marginalization: Third Degree

– $\eta > 0$
– $\varepsilon > 0$
– $\delta_{inter} > 0$
– $\delta_{intra} < 0$

that is, Inclusion + Marginalization.

Given this framework, estimates of median across different social groups could be worked out using the latest available NSS data sets on consumption distribution for the years as those in Table 3. For this purpose, the following social groups (for which data are available) are considered: Scheduled Tribes (STs), Scheduled Castes (SCs), Other Backward Castes (OBCs) and others, of whom the first three are generally considered to be marginalized.

Social Group Inclusion/Exclusion/Marginalization

See Tables 5 and 6.

Conclusion

This study proposes a concept, measure and examines inclusive/exclusive profiles with reference to different social/regional strata in a country like India. The paper provides empirical illustrations of the measures corresponding to these two concepts and their implications for the concrete context of India.

At the all-India level we find that the relatively deprived social groups, STs and SCs, have been left out of the growth process and the OSGs perform the best. The same conclusion holds for both the rural and urban sectors at the all-India level with a decline in the extent of exclusive growth of the latter over time.

Table 5 Estimates of median consumption per person and measures of inclusion/exclusion: All-India

Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
	All-India rural				All-India urban			
	Median				Median			
STs	202	366.5	664	848.17	312.68	721.2	1236.13	1508.17
SCs	209.72	406.33	687.7	938	281.93	610.83	1019.25	1457.2
OBCs	–	457.88	770.14	1054.36	–	685.67	1143.8	1581
OSGs	253.24	547.6	896.5	1210	374.77	992.83	1640.12	2157.2
All	237.1	455.8	765.17	1035.5	358.6	792.25	1307.2	1758
Extent of inclusion/exclusion: δ_{inter} for $\theta = 0.6$								
STs	41.99	34.01	44.63	36.52	45.32	51.72	57.61	42.98
SCs	47.42	48.58	49.79	50.97	31.03	28.5	29.95	38.15
OBCs		67.43	67.75	69.7	–	44.24	45.83	49.89
OSGs	78.01	100.23	95.27	94.75	74.18	108.86	109.11	104.51

Source Authors' estimates based on the NSS unit record data

As regards marginalization in rural India, we find for the STs are marginalized (third degree) involving a marginal decline in the extent of inclusion and substantial worsening of the extent of marginalization. As regards the SCs, there was marginalization (third degree) involving a marginal improvement in the extent of both inclusion and marginalization. As regards the OBCs, there was marginal mainstreaming involving an improvement in the extent of both inclusion and marginalization. For 'Other Social Groups', there was improved inclusion as well as mainstreaming; decline in η_{intra} shows exclusive benefits for the better-off only.

The findings for urban India are as follows:

- STs: Marginalization (third degree) involving marginal decline in the extent of inclusion and worsening marginalization
- SCs: Marginalization (third degree) involving improvement in the extent of inclusion and reduction in the extent of marginalization
- OBCs: Marginalization (third degree): improvement in both extent of inclusion and marginalization
- Other Social Groups: Improved inclusion; a decline in mainstreaming (η_{intra}) implying exclusive benefits to the better-off only amongst the OSGs.

Table 6 Mainstreaming/marginalization: All India

Rural					Urban			
Survey period	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12	AY 1993–94	AY 2004–05	AY 2009–10	AY 2011–12
Inclusive coefficient—Mainstream for α = 0.6								
All groups	0.788	0.793	0.782	0.768	0.695	0.625	0.621	0.629
STs	0.632	0.523	0.607	0.509	0.571	0.449	0.448	0.412
SCs	0.682	0.726	0.699	0.686	0.452	0.386	0.413	0.449
OBCs	–	0.820	0.804	0.797	–	0.543	0.536	0.561
OSGs	0.842	0.911	0.896	0.91	0.734	0.781	0.784	0.784
Inclusive coefficient—Sub-group for α = 0.6								
All groups	0.788	0.793	0.782	0.768	0.695	0.625	0.621	0.629
STs	0.804	0.792	0.778	0.777	0.722	0.548	0.514	0.562
SCs	0.815	0.841	0.819	0.798	0.748	0.731	0.707	0.59
OBCs	–	0.818	0.797	0.785	–	0.707	0.684	0.678
OSGs	0.785	0.776	0.779	0.772	0.686	0.590	0.593	0.622
Extent of marginalization: δ_{intra} (%)								
STs	(−)21.39	(−)33.96	(−)21.98	(−)34.49	(−)20.91	(−)18.07	(−)12.84	(−)26.69
SCs	(−)16.32	(−)13.67	(−)14.65	(−)14.04	(−)39.57	(−)47.20	(−)41.58	(−)23.90
OBCs		0.24	0.88	1.53		(−)23.20	(−)21.64	(−)17.26
OSGs	7.26	17.40	15.02	17.88	7.00	32.37	32.21	26.05

Source Authors' estimates based on the NSS unit record data

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Persisting Ethnic Tensions in Sri Lanka: Towards a Structural Analysis

Siri T. Hettige

Abstract Despite of the end of ethnic war in 2009, ethnic tensions in Sri Lanka persist. This is partly evident from the continuing resistance on the part of the nationalist groups connected to the majority Sinhalese community to efforts aimed at finding a constitutional solution to the problem of national disunity. This paper argues that the reproduction of exclusive ethnic identities through social and cultural processes, existing economic and policies that perpetuate gross social and economic inequities, and the persisting gap between the center and the periphery are the main reasons for this situation. The failure of past public policies to address the issues of structural and cultural integration of ethnic communities has created a conducive environment for ethnic tensions to thrive leading to violent conflict. This paper examines some of the important policies that have prevented national integration in the country. The key policy areas include education, language and employment.

Introduction

Sri Lanka's ethnic conflict involving sections of majority Sinhalese community and the minority Tamils largely concentrated in the north-east of the country culminated in an internal war that lasted for nearly three decades until the Tamil militants were militarily defeated in 2009 by the Sri Lanka security forces. The military triumphalism that accompanied the conclusions of the war did not lead much room for a concerted national program of the inter-community reconciliation in the years that followed the end of the war. Meanwhile, intermittent localized incidents of ethno-religious violence continued to take place in different parts of the country, in post-war years. Such incidents have created a sense of insecurity in the minds of people in affected communities. These intermittent incidents of ethno-religious violence cannot be brushed aside as isolated instances of either breakdown of law and order or disruption of peaceful coexistence among communities. This is due to two main reasons. First, the recent incidents of ethno-religious violence in a number of places in the country

S. T. Hettige (✉)
University of Colombo, Colombo, Sri Lanka
e-mail: hettigesiri@gmail.com

show that escalation of violence can spread to large parts of the country, creating a major internal security threat. Secondly, the localized but frequent incidents of inter-community violence indicate that there are certain underlying factors that give rise to the above incidents. Social science research needs to go beyond an examination of the circumstances surrounding incidents of ethno-religious violence to explore the causes that are connected to deeper structures and processes. The objective of the present paper, therefore, is to examine some of the underlying factors contributing to persistent ethno-religious violence in Sri Lanka.

Background

Sri Lankan ethno-religious conflicts, particularly after independence, have been widely investigated and well-documented by social scientists and others (Bullion 1995; De Silva 1981; Dharmadasa 1995; Ghosh 2003; Hettige 2000, 2003, 2004a, 2005a). These writings are too numerous to summarize here. While some of this literature is the result of exclusive research by social scientists of diverse persuasions, others are more of a journalistic nature.

Much of the above research and writing is focused on the bigger issue of ethnic conflict involving the majority Sinhalese community and the Tamil community, the latter the largest and the oldest minority ethnic community in the country. Yet, more recent incidents of ethno-religious conflict in the country have involved certain sections of the Sinhalese Buddhist community and the minority Muslim community. While there are significant differences between the conflicts, there are also significant similarities, particularly at a structural level. Understanding both these differences and similarities is important, but from a broad social scientist perspective, understanding commonalities is of essence. In this paper, it is argued that the structural factors that underline different categories of ethno-religious conflict in Sri Lankan are identical and therefore, need exploration and analysis. Further, it is intended in this paper to examine the role of the state, in particular, state policies in magnifying the importance of structural conditions that influence ethnic relations at a community and state levels.

Colonial Economy, Public Policy and Identity Formation

The country's pre-colonial, mostly agrarian economy based on communal and feudal production relations prior to the advent of western colonial rule underwent drastic structural change during the colonial period, particularly in the latter half of the nineteenth century. Land legislation aimed at facilitating private investment in plantation development in the increasingly densely populated south-western quarter of the country created conditions of what Geertz (1956) referred to as agricultural involution, forcing rural peasants to look for alternative livelihoods. Population growth

in the first decades of the twentieth century made this situation worse, persuading the governments under limited self-rule in the early 1930s onwards to introduce new land legislation and re-distribute land among landless peasants. The emergent new, native elites during the latter half of the British colonial rule emerged as an anglicized privileged, propertied class in contrast to the vast marginalized rural population belonging to major ethnic and religious communities. Being mostly excluded from modern education imparted through the English medium, children and youth from rural marginalized communities enjoyed no equal opportunities for upward mobility. For instance, public service employment was accessible to English educated urban youth leaving privatized urban schools. The same was true for access to English and professional education.

The issues mentioned above did not come to the surface as politically charged controversies until universal adult franchise was introduced in 1931. When the vast rural population became part of a larger national electorate, the interests of hitherto marginalized became matters that had to be taken care of through state action. So, political debates since the 1930s focused on issues that were of interest to the wider electorate, including marginalized rural populations. These developments had a significant impact on public policy development in the next few decades with wide ranging implications for development, public welfare and inter-community relations in the country (Hettige 2005b). As regards inter-community relations, these public policy issues figured prominently. They are official language of the Sri Lankan state, and medium of instruction in education nexus between state and religion. Given the continuing significance of these issues in the country, the focus of this paper is largely on them.

Post-colonial Social, Economic and Political Developments

Policy responses of the post-colonial regimes in the aftermath of the introduction of universal adult franchise in 1931 have shaped social, economic and political developments that followed. In the field of education, introduction of free education in the early 1940s from primary to tertiary levels was a significant measure. It opened up the education sector to those with the relevant aptitudes and promised to create a level-playing field for almost all segments of Sri Lankan society. The free education scheme implemented within a revamped institutional framework in the 1940s, while addressing the issue of unequal access to quality education, also ensured that children and youth of the country did not become segregated on ethno-religious and linguistic lines (Sumathipala 1968). Yet, these reforms were short-lived. In the early 1950s, the demand for the abandonment of English as the official language and its replacement by Sinhalese, the language of the majority ethnic community and the abandonment of English as the medium of instruction in secondary schools and the universities by the two native languages emerged as a demand too strong to be resisted by the political elite at the time. Mobilization of Sinhalese–Buddhist nationalist forces by the newly formed Sri Lankan Freedom Party (SLFP) to support the above demands

resulted in the formation of a government led by the SLFP and the adoption and implementation of policies in keeping with the said demands (Dharmadasa 1995).

The adoption of the above policies has had far-reaching implications in the decades that followed. While the immediate impact of the replacement of English by Sinhalese as the official language was felt in the area of inter-community relations, resulting in increasing ethnic tensions in the country, its long-term impact has been multi-faceted. Many people who were not competent in the Sinhala language began to migrate overseas resulting in a loss of valuable, skilled human resources to the country. While the public sector jobs became easily available to youth who had their education in the Sinhala medium, many people who were not competent in the Sinhala language increasingly felt marginalized. On the other hand, the education system in the country became increasingly segregated on ethno-linguistic lines and the children and youth began to remain confined to their ethno-religious enclaves for an extended period in the formative years in their lives (see Table 1). Medium of instruction also largely determined the educational and also reading material available and used by them. These circumstances naturally influenced the processes of their identity formation. So, the educational processes began to actively facilitate the formation of exclusive ethno-religious identities among children and youth.

The introduction of ethno-linguistically oriented education policies in the 1950s shaped the educational environment in the country over the last 60 years or more. In other words, several generations of teachers, pupils, parents and others have been influenced by such policies. Their life chances, worldviews and inter-community relations have been shaped by the influence of these policies. Meanwhile, those been so shaped have to also been active in diverse spheres such as the public service, media, civil society, organizations and profession. In other words, the impact of educational policies has been persuasive. It is reasonable to assume that one of the long-term outcomes of segregationist educational policies has been to magnify the

Table 1 Schools by medium of instruction in Sri Lanka

Province	Sinhala	Tamil	S/T	S/English	T/E	S/T/E	Total
Western	1119	105	16	87	14	12	1153
Central	878	517	15	36	9	12	1467
Southern	**1006**	**37**	4	44	1	1	1093
Northern	**17**	**835**	–	–	40	–	892
Eastern	236	698	1	6	30	–	971
Northwest	1019	148	2	45	6	1	1221
NCP	677	86	–	19	–	–	782
Uva	609	192	–	26	3	1	831
Sabaragamuwa	874	186	35	7	–	2	1104
Sri Lanka	6435	2804	38	298	110	29	9714

Source School senses, Ministry of Education, 2015

social distance between the communities, making it difficult for people to transcend ethno-religious division in their social and personal lives.

The lack of intense interaction and exchange between communities often reinforces ethnic stereotypes and prejudices. Communities in turn perceive each other as competitors for resources such as jobs, businesses, land, public spaces and power. It is at this stage that exclusive communities often perceive the other as an existential threat. When the public policy environment is not strong enough to arrest the above trends, ethnic relations become volatile and even violent.

Economic and social policies pursued by successive post-independence regimes, particularly after 1956 not only reinforced the differentiation of the citizenry into distinct ethno-religious communities but also increasing competition among them for public resources, in particular, land and public sector employment. Economic policies adopted by the governments from the late 1950s to the early 1970s favored state domination over the economy at the expense of the private sector. This naturally increased the relative significance of government jobs as a way of improving one's socio-economic status. With a steady increasing population after independence coupled with a rapidly expanding education system following the introduction of free education, competition for public sector employment also increased significantly. Given the fact that ethno-religious identities were also reinforced by language and other policies in the decades following independence, the above competition was widely perceived by many as one between ethno-religious groups. This was particularly so because the language of the majority community was already the official language of the country.

Social and economic policies outlined earlier prepared the ground for the emergence of an ethno-linguistically segmented, new post-colonial elite in the country. Many younger members of the hitherto marginalized rural peasant communities could rise above their underdog position and enjoy a better standard of living than that of their parents in terms of income security, employment security, old age pension, and so on, thanks to the expansion of public sector employment in the decades following the reform in the late 1950s. On the other hand, as mentioned before, state policies did not actively promote private enterprise and therefore, the latter remained largely confined to a few areas of economic activity, such as plantation production, trade and shipping, travel and construction. Many private enterprises were family businesses confined to a small social circle in the Colombo metropolitan region.

So, upward social mobility through education was mostly confined to the state sector. The establishment of new state enterprises in the 1960s and early 1970s, partly through the nationalization of private enterprises created more white collar employment for school leavers and university graduates. Unlike in the past, language was not a barrier for entering the public service as the official language was Sinhala, and Tamil, the latter in the north and east. However, with the expansion of education at all levels, unemployment among educated youth already emerged as major socio-political issue in the early 1970s when the overall employment rate was also high about 25% of the labor force.

Unemployment, poverty and poor social sector services created considerate social unrest since the early 1970s. The first JVP led youth uprising in 1971 was largely
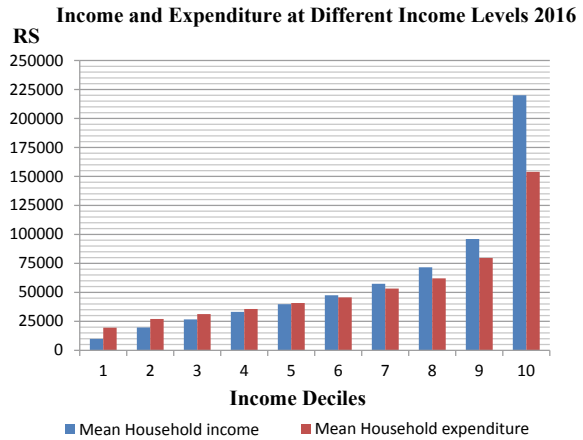
the result of the emergent economic and social issues at the time (Hettige 2008a, b). State domination over the economy was identified by liberal-minded politicians as the main reason for economic stagnation, and economic liberalization was put forward as a way out. Political mobilization for market liberalization in the mid 1970s resulted in the overthrow of the incumbent, left leaning, public sector-oriented regime in 1977. Liberalization of the economy coupled with privatization of many state enterprises that followed resulted in the expansion of the private sector in the next few decades. Yet, no proactive measures were taken to reform education and other sectors to fit into the new social and economic environment brought about by economic liberalization. For instance, the public education system remained largely unchanged leading the marginalization of the products of the public education system in the emergent liberal, open economic environment.

Economic liberalization created many opportunities for private sector enterprises in diverse sectors. The emerging affluent classes in urban areas, particularly in and around Colombo created demand for private educational institutions at all levels. The main business language in private sector being English, the demand for English education increased rapidly giving rise to a large number of private educational institutions offering general and professional education in the English medium. The products of these institutions found lucrative employment in the expanding corporate sector and overseas. On the other hand, the products of the state-funded educational institutions, having had their education in one of the other or the two native languages, continued to rely on the state sector for employment. Yet, an increasing supply of school leavers from the public education sector continued to outstrip the supply of state sector jobs, resulting in persisting employment among youth with educational qualifications. Many youths have also tended to go for overseas employment, often as semi-skilled workers in the Middle East and elsewhere. Overseas employment often does not offer a secure and prosperous future. Besides, many experience relational problems and family break ups. The conditions have frustrated many underprivileged youth whose life chances have been adversely affected by not only prevailing economic conditions but also their own poor educational backgrounds. For instances, they can hardly find more lucrative, white collar employment in the corporate sector that often offers better future prospects in terms of career advancement (Hettige 1992, 1996, 1997, 1998, 2004b, 2007; Hettige and Mayer 2002; Hettige, Mayer and Salih 2005c). As data from social surveys show, most youth continue to aspire for state sector employment that simply offers employment and income security (see Table 2).

Income growth and the rise of consumerist life-styles in the liberal economic environment have raised social aspirations of upwardly mobile segments of society. Rising consumer aspirations are often out-of-step with fixed and meager incomes of wage and salary earners. Yet, widespread modern private consumption in many parts of the country indulged in by high income groups magnifies the income and social disparities in the country. This creates a sense of relative deprivation among lower income groups.

As is clearly evident from the recent socio-economic data, post-liberalization period has seen a steady increase in income inequality and social disparities in the

Table 2 Percentage of youth by sector of employment preferred and province

Which sector of employment do you prefer	Province									
	WP	CP	SP	NP	EP	NWP	NCP	Uva	SgP	Total
State sector	66.8	62.0	73.2	68.4	76.6	65.1	79.0	76.4	76.4	69.9
Private sector	22.4	21.2	16.8	15.2	10.5	17.6	10.5	14.1	15.2	17.6
Self-employment	9.9	15.7	8.9	13.9	12.1	16.5	10.0	9.0	8.3	11.6
Other	0.9	1.1	1.1	2.5	0.8	0.8	0.5	0.5	0.0	0.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Fig. 1 Based on data
derived from HIES9 2016

Income and Expenditure at Different Income Levels 2016

country. While about 20% of the country's population has very high incomes, they have adopted affluent life-styles comparable to those of their counterparts elsewhere. On the other hand, over 50% of the households earn incomes that are grossly inadequate to meet the regular needs of their families such as health, education, transport and housing costs. This population also includes the lower middle class to which the vast majority of state sector employees belong, not to mention the informal sector activists and employees (Fig. 1).

In a situation where inequalities between ethno-religious groups are increasingly interpreted in terms of social and economic advantages and disadvantages allegedly arising out of discrimination, favoritism and manipulation, growing socio-economic inequalities tend to contribute to tensions and conflicts between ethno-religious groups. It is significant that prominent business establishments owned by minority group members are often targeted by violent mobs led by prominent ethno-nationalist activists.

Summery and Conclusion

In this paper, an attempt has been made to explore persisting ethno-religious tensions and conflicts in Sri Lanka in terms of their structural underpinnings. What is evident from the post-independence experience with respect to state formation and subsequent policy shifts is that some of the policies have helped reinforce pre-existing, broad ethno-religious identities. These developments culminated in a nearly three decades long ethnic war that left the country as divided as ever and many attempts to find an acceptable political formula to help communities to coexist in peace and harmony have not yet been successful. In more recent years, ethno-religious tensions have emerged between sections of the majority Sinhalese community and the Muslim minority in the country. It is argued that growing economic inequalities and

social disparities that arose following economic liberalization in the 1970s onward are increasingly interpreted by the ethno-nationally oriented members of the majority Sinhala-Buddhist community as arising out of intense competition for resources among communities. This sort of threat perception held by a significant minority of militant ethno-nationalists belonging to the majority community has persuaded them to direct violence against the Muslim minority in different parts of the country over the last few years. As the most recent violent incident indicates, the ethno-religious violence is growing in the country. This situation demands effective policy responses, besides much needed institutional reforms.

Annexure

See Tables 3, 4, 5, 6, 7, 8 and 9.

Table 3 Percentage of youth by importance of religion and province

Province	Do you agree with the increased importance placed on religion in daily life?			
	Yes	No	Don't know	Total
Western Province	82.2	11.9	5.9	100.0
Central Province	81.1	11.4	7.5	100.0
Southern Province	86.9	12.2	0.9	100.0
Northern Province	89.4	6.9	3.8	100.0
Eastern Province	93.9	3.9	2.2	100.0
North Western Province	88.8	9.5	1.8	100.0
North Central Province	84.1	5.1	10.8	100.0
Uva Province	79.6	17.3	3.1	100.0
Sabaragamuwa Province	82.6	11.5	5.9	100.0
Total	84.7	10.5	4.8	100.0

Source National Youth Survey, SPARC, University of Colombo, 2010

Table 4 Percentage of youth by importance of religion and education

Educational level	Do you agree with the increased importance placed on religion in daily life?			
	Yes	No	Don't know	Total
No schooling	77.3	9.1	13.6	100.0
Primary 1–5 yrs of schooling	90.0	0.0	10.0	100.0
Secondary 6–10 yrs of schooling	81.9	13.9	4.2	100.0
Tertiary GCE O/L and A/L	85.6	9.4	5.0	100.0
University	84.9	12.6	2.5	100.0
Total	84.7	10.5	4.8	100.0

Table 5 Percentage of youth by importance of religion and ethnicity

Ethnicity	Do you agree with the increased importance placed on religion in daily life?			
	Yes	No	Don't know	Total
Sinhala	82.9	11.8	5.3	100.0
Tamil	86.9	9.3	3.8	100.0
Moors	97.3	0.9	1.8	100.0
Other	66.7	0.0	33.3	100.0

Table 6 Percentage of youth by engage in religious activities before an examination and province

Province	When do you mostly engage in religious activities on your own initiative? Before an examination			
	Yes	No	Don't know	Total
Western Province	72.1	27.7	0.1	100.0
Central Province	76.2	23.8	0.0	100.0
Southern Province	74.5	25.5	0.0	100.0
Northern Province	84.3	15.7	0.0	100.0
Eastern Province	77.6	22.4	0.0	100.0
North Western Province	77.2	22.8	0.0	100.0
North Central Province	70.5	29.0	0.5	100.0
Uva Province	81.8	18.2	0.0	100.0
Sabaragamuwa Province	77.8	22.2	0.0	100.0
Total	75.8	24.2	0.1	100.0

Table 7 Youth's ability to speak languages

Language ability	Spoken (%)	Read/Write (%)
Sinhala	80	77.9
Tamil	23	22
English	6.8	6.7
Other languages	0.6	0.4

Table 8 Percentage of youth by ability to speak Tamil and ethnicity

Ethnicity	Ability to speak Tamil				
	Very good	Good	Poor	Not at all	Total
Sinhala	1.2	5.1	24.7	69.0	100.0
Tamil	91.9	5.2	1.2	1.7	100.0
Moors	88.9	8.0	2.2	0.9	100.0
Other	60.0	20.0	0.0	20.0	100.0
Total	24.1	5.4	18.7	51.8	100.0

Table 9 Percentage of youth by ability to speak English and Province

Province	Ability to speak English				
	Very good	Good	Poor	Not at all	Total
Western Province	10.3	40.3	33.3	16.1	100.0
Central Province	6.0	30.7	48.1	15.2	100.0
Southern Province	12.5	38.4	31.8	17.3	100.0
Northern Province	4.3	23.0	55.4	17.3	100.0
Eastern Province	9.8	29.3	44.9	16.1	100.0
North Western Province	1.9	25.9	53.1	19.1	100.0
North Central Province	1.5	24.7	59.3	14.4	100.0
Uva Province	5.0	26.6	45.7	22.6	100.0
Sabaragamuwa Province	5.6	27.0	48.1	19.3	100.0
Total	7.3	32.1	43.5	17.2	100.0

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Social Inclusion/Exclusion: Policy Discourse in Nepal

Om Gurung

Abstract The concept of social inclusion/exclusion originated initially in the North Europe and gradually spread to the South and from there has become a pressing national issue in Nepal for the last two decades. This issue has been vibrantly raised by the indigenous peoples (*adibashi janajati*), Tarai peoples (*madhesi*) and occupational caste groups (*dalits*) who are historically excluded from the mainstream social and political life and deprived off the social services. It is a fact that the poverty induced by the social exclusion became the key factor of Maoist insurgency for the last 10 years in Nepal. In response to the ongoing social movement of the excluded groups, the Nepal government has made promises and plans to make Nepali society and state inclusive. Their promises and plans have been articulated in the constitution, with various national laws, policies, national plans and development programs. Social inclusion and exclusion are also prominent in political debates, academic discourse and media coverage, and day to day rhetoric of general public. Yet, social inclusion/exclusion still remains an unresolved issue in Nepal. In this paper, I argue that social inclusion/exclusion is deeply rooted in the structural history of Nepal that encompasses multi-dimensional factors. Therefore, a critical analysis and deeper understanding of Nepal's structural history, respect and recognition of social diversity as well as group identities and meaningful representation of the excluded groups in the state politics are key ways to make Nepal an inclusive society and a state.

Introduction

The notion of social exclusion developed first by Rene Lenoir (1974) in France to address a wide range of social and economic problems of mentally and physically handicapped, suicidal people, aged invalids, abused children, substance abusers, delinquents, single partners, multi-problem households, marginal, asocial persons and other social misfits has now been widely used in other parts of Europe, North America and Asia to examine its multiple effects on social, political and economic

O. Gurung (✉)
Tribhuvan University, Kirtipur, Kathmandu, Nepal
e-mail: omgurung@cdsatu.edu.np

life of historically marginalized and socially disadvantaged groups (Silver 2007). In South Asian societies, the discourse on social exclusion/inclusion has quite a distinct form and meaning (Toffin 2014), as it results from the structural basis of caste, ethnicity and gender. The social and cultural system that still prevails in South Asian societies for centuries excludes historically marginalized and socially disadvantaged communities and restricts them from their access to political rights, public information, social opportunities and public resources, resulting in poverty and powerlessness and eroding their collective identity and self-respects. It also reduces their capabilities to achieve their individual or collective goals (Sen 2007; Pfaff-Czarnecka et al. 2009). In short, social exclusion has multiple effects on various aspects of socio-cultural life of marginalized and disadvantaged communities with political and economic ramifications (Gurung 2007).

In Nepal, social exclusion is an alien concept. Although *adibashi janajati* (indigenous peoples), *madhesi* (Tarai peoples), *dalits* (occupational caste groups), Muslims and other marginalized communities have been experiencing the effects of social exclusion for centuries, the concept itself was not in use in Nepal until the beginning of the twenty-first century. It was only in 2001 that the concept of social exclusion was first introduced publicly by the international aid agencies, such as the World Bank, DFID, UNDP, European Union and ILO in their donor group meeting held in London (Bhattachan 2009). Later this concept was introduced by the Government of Nepal in their development plans, policies and programs. The tenth plan, also called Poverty Reduction Strategy Paper (PRSP), adopted social inclusion as one of the four pillars of socio-economic development in 2003. After its adoption in the tenth plan, the concept of social exclusion and inclusion has gained much attention in the development organizations as well as in public debate and academic discourse. It is particularly after *janaandolan* II of 2062/062 (April uprising of 2006) that social exclusion has become a pressing national issue in the political arena of Nepal. Since then, this issue has been vibrantly raised by the *adibashi janajati*, *madhesi*, *dalits*, women and other minorities who are historically excluded from the mainstream social and political life and deprived off the social benefits.

Social exclusion is an impediment of human development and one of the root causes of Maoist insurgency for the last 10 years in Nepal. In order to retrieve the marginalized and disadvantaged groups from exclusion and deprivation, Nepal government has made promises and plans to make Nepal as an inclusive society and a state. Their promises and plans have been articulated in the constitutions, with various national laws, policies, national plans and development programs of Nepal government, as well as other NGOs/INGOs. Social inclusion and exclusion are also prominent in poetical debates, academic research, media coverage and public discourse. Yet, social exclusion still remains an unresolved issue in Nepal. In this paper, I argue that despite these promises and plans made by the government and other development organizations and various measures taken by them, social exclusion is a persisting issue in Nepal, for this issue is deeply rooted in the social structure of Nepal. So it is my assertion that while a critical analysis and deeper understanding of the social structure of Nepal is essential to understand the issue of social exclusion, the respect and recognition of social diversity, group identities and meaningful

representation of the excluded groups in the state politics are the key ways to make Nepal an inclusive society and a state.

Social Structure and Social Exclusion

Nepal is a multi-nation state. It is diverse in terms of caste/ethnicity, language and religion. It consists of more than 125 caste and ethnic communities, 123 language groups and 5 major religious communities (CBS 2011). These ethnic groups are broadly divided into six major social groups (*adibashi janajati*, Bahun/Chhetri, *madhesis*, *dalits*, Muslim and others) and they are further divided into 11 subgroups (Hill *janajati*, Tarai *janajati* and Newars, Hill Bahun/Chhetri, Tarai Bahun/Chhetris, and Tarai other caste groups, Hill *dalits* and Tarai *dalits*). But these social groups are organized on the basis of caste hierarchy with Bahun at the apex and *dalits* at the bottom of social structure. According to the caste hierarchy, even non-Hindu indigenous peoples are put at the middle of the caste strata. The hierarchical stratification has polarized social groups into pure and impure as well as superior and inferior. According to this polarization, Hindu Bahun and Chhetris have an ascribed status of pure and superior whereas the indigenous peoples, Hindu *dalits* and Muslims, are considered to be impure and inferior. The social polarization has also given birth to the concept of core Bahuns and Chhetris and periphery *dalits* and indigenous peoples. Thus, the social stratification based on caste hierarchy has become the characteristic feature of Nepali society ever since the formation of Nepal as a modern political nation state at the middle of the eighteenth century through the military conquest of Prithivi Narayan Shah. Since then, Nepal has remained a mono-nation state with Hinduization as the raison d'être of the Nepali state with its national identity deeply rooted in the image of *parbate* Hindu Bahun and Chhetris and their Hindu religion and *Khasa Nepali* language (Gurung 2005). *Muluki Ain* (National Legal Code) of 1854 A. D. provided legal recognition to the social division based on caste hierarchy that prohibited indigenous peoples, *dalits*, Muslims and women not only from their participation in their ritual life but also from social and political life. Although the caste system was abolished by the *Muluki Ain* of 1960 and the present constitution confers equal rights to all citizens irrespective of their caste/ethnicity, sex, class and religion, caste system as an ideology and a practice still prevails in the Nepali society.

Caste system in Nepal has distinctive features of exclusion, discrimination and domination. Indigenous peoples of Nepal experienced social exclusion, cultural discrimination and political domination during all successive periods of Hindu regime. It was particularly during the *panchayat* regime (1960–1990) that indigenous peoples experienced new forms of exclusion, discrimination and domination. During the *panchayat* regime headed directly by the absolute monarchy, the state adopted a monolithic policy of one nation, one language, one religion, one culture and one national identity to attain a new project of national integration. Rather than recognizing and respecting cultural pluralism, the state policy of Hinduization and ethnic homogenization provided Hindu Bahuns, Chhetris and a few urban Newar

elites with an opportunity to dominate the national polity and excluded indigenous peoples and other marginalized groups from the national politics. This threatened the identity of indigenous peoples and severely constrained them to practice and promote their community language, cultural tradition and religion (Gurung 2012). Indigenous peoples have been struggling against the state-induced exclusion, discrimination and domination for a long time. Limbu revolt of Pallo Kirant against language suppression (1777 and 1780), Tamang revolt of Nuwakot (1793), Khambu revolt of Bhojpur (1808), Gurung revolt of Lmjung (1858 and 1877), Magar revolt of Gorkha (1876), Dasai boycott of Rais and Limbus in Dhankutta (1867), language revolt of Newar (1926), the Newar revolt against the exile of Lama and monks from Patan and Kathmandu (1925 and 1927), Kirant insurgency of eastern hills (1950), Tamang revolt of Dhading and Nuwakot (1951), Kirant revolt against the abolition of *kipat*[1] land in eastern hills (1964), Chepang revolt of Chitwan (1971), and Newar *Vintuna* movement of Kathmandu (1980) are among notable unrests against social exclusion, cultural discrimination and political domination of the Hindu rulers. But all these revolts did not develop in a very expressive manner due to state suppression through coercive measures. These revolts thus failed to make any impressive impacts among excluded communities and went unrecorded in the social and political history of Nepal. However, these revolts provide useful references that inspire the social and political movement of indigenous peoples of Nepal.

The establishment of multi-party democracy in 1990 provided indigenous peoples and other excluded groups with an opportunity to articulate their pains of historical injustice and long-standing grievances. For the first time, the new constitution of Nepal in 1991 recognizes Nepal as a multi-cultural society. Compared to the constitution of *panchayat* regime, the Constitution of 1991 looked relatively progressive. For the first time, Nepali people enjoyed political rights even in its limited form. As a result, indigenous peoples and other disadvantaged communities became assertive in an organized form for their political and cultural rights and collective identity. Indigenous peoples took advantage of parliamentary democracy to raise their organized voice through their umbrella organization, Nepal Federation of Indigenous Nationalities (NEFIN), for their primordial identity through the protection and promotion of their culture, language and religion. Indigenous peoples also began to openly challenge the cultural discrimination, social exclusion and political domination of Hindu rulers. They also protested against Nepal's official designation of Hindu kingdom and *Khasa Nepali* as official *lingua franca* and demanded for a secular state and multi-language policy. The UN Declaration of the World Indigenous Year in 1992 and International Decade of the World Indigenous People (1995–2004) in 1994 reinforced the indigenous movement of Nepal for their identity assertion and cultural rights (Gurung 2013).

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[1]A *kipat* is a communal form of land tenure system prevalent among the Rais, Limbus and many other indigenous communities of east and west Nepal. Under this system land resources are held collectively by the communities and distributed to the family concerned according to their requirements.

The strength of indigenous peoples' identity movement collectively exerted great pressure to the government to form a task force led by Prof. Shant Bahahdur Gurung to prepare a report on the establishment of National Foundation for the Development of Indigenous Nationalities (NEFDIN) in 1996. While drafting the report of NEFDIN, the task force prepared a list of 61 indigenous peoples and submitted to the government for official recognition. The then government officially recognized 59 of the 61 indigenous peoples with distinct identity on the basis of their shared history (written or oral), shared culture, shared language, common ancestors (real or mythical), common lands and territories, subsistence economy, egalitarian types of social structure, adoption of non-Hindu norms and values, and their exclusion and/or non-participation and non-representation in the national polity and state mechanism.

Ironically, the multi-party democratic system neither met the expectations and aspirations of indigenous peoples nor did they address the grievances of marginalized and other excluded groups. The declaration of Nepal as a Hindu kingdom legally prohibited indigenous peoples and other religious minorities from practicing their religions. Similarly, the designation of *Khasa Nepali* language as the language of nation and a language of official business certainly discouraged the protection and promotion of various languages of indigenous peoples and other language speaking groups. The political situation did not improve after the multi-party democracy in 1991. Peoples were left with bitter experiences from the flow of corruption, administrative carelessness, impunity and criminal activities. The government failed to agree with the needs of people, establish law and order and provide public security. Poorer became poorer. As a result, frustration was rampant. Maoist exploited the deteriorating political situation and started their armed struggle on the one hand, and King Gyanendra took undue advantage of it on the other. The king dismissed elected government of Sher Bahadur Deuba in October 2002 charging him as an incompetent Prime Minister and he dissolved the parliament on May 2003. On February 1, 2005, he took all political and administrative power at his hands and ruled the country directly by himself. He declared the state of emergency, suspended all political and human rights, arrested all political leaders and put them under his political surveillance. The king's direct rule was a great setback to the multi-party parliamentary democracy.

Realizing the political chaos in the country, seven political parties agreed to form an alliance to restore democracy by reinstating the dissolved parliament as the first entry point and holding the election of constituent assembly as an exit point for resolving the ongoing conflict and establishing peace (Uprety 2006: 344). This necessitated the Seven Party Alliance (SPA) to sign a 12-point understanding with CPN (Maoist) in December 2006. The major thrust of this understanding was to establish peace through overthrowing the absolute monarchy and reestablishing democracy. Through the 12-point understanding, the political parties called upon civil society, professional organizations, various wings of political parties, media, human right activists, intellectuals and people from all sectors of the society to actively participate in the peaceful democratic movement. Indigenous peoples took active participation in democratic movement popularly known as *dorso janaandolan* (Peoples' Movement II), as this provided them with an opportunity to push their political agendas of identity-based

inclusive federal states, rights to self-determination, autonomy, proportional representation, reservation and cultural rights to the SPA for their recognition.

The *janaandolan* II which lasted for 19 days forced the king to relinquish his power on April 24, 2006. The dissolved parliament was reinstated, and the first meeting of the reinstated parliament unanimously adopted the resolution declaring Nepal as a secular state. This ended at least in principle, the hegemony of Hindu religion and paved the way for multi-culturalism. The ruling coalition formed interim government, which in turn drafted an interim constitution ensuring the restructuring of the state to eliminate all forms of discrimination and historical injustice. The interim constitution also fixed the date of the election of constituent assembly. The government and the Maoist signed a 21-point comprehensive peace accord on November 21, 2006. The Maoist joined the reinstated parliament in January 2007 and the interim government in April of the same year. The Maoist combatants were put in cantonments and their weapons were deposited in the containers under the supervision of United Nations Mission in Nepal (UNMIN). Thus, the *janaandolan* II ended not only age-old autocracy, it also ended the decade-long Maoist-armed conflict.

The post-democratic period also did not prove very productive to indigenous peoples and other excluded communities. The major task of the interim government was to hold the election of constituent assembly, restructure the state and establish peace in the country. But the ruling political parties did not work seriously and honestly to complete their task. Though looked progressive in many respect, the interim constitution also did not address many of the political demands of indigenous and *Mahesh* peoples. The constitution did not fully meet the expectations and aspirations of indigenous peoples. So, the indigenous peoples started their street agitation. At the same time, *madhesi* peoples also did not accept the various provisions of interim constitution. As a result, they started uninterrupted agitation in many districts of Tarai Madhesh demanding federal system in Nepal. The street agitation of indigenous peoples in Kathmandu and *madhesi* peoples in Tarai districts exerted great pressure to the interim government and as a result, the then Prime Minister Girija Prasad Koirala declared the federal political system in Nepal on January 2007 to pacify the unrest of indigenous and *madhesi peoples*. In order to address the demands of indigenous peoples, the government signed a 20-point agreement on August 7, 2007. The first three points of the agreement are directly related to the electoral system and the fourth point is related to the state restructuring by which the government agreed to restructure the state on the basis of ethnicity, language and geographical regions. This is the first agreement of indigenous peoples with the government dominated by the so-called Hindu high caste groups on an equal footing. It was the major achievement of indigenous movement in the political history of Nepal.

State Society Relations

Indigenous peoples, *madhesi*, *dalits* and other marginalized groups, constitute the major part of Nepali society. Combined together, they constitute more than 70% of

the total population of Nepal. They pay various kinds of taxes and provide goods and services to the state government. But they are still not behaved as a sovereign people of Nepal. Despite the constitutional provision of an equal citizen, they are not treated as equal citizens. Their participation in the national polity and their representation in policy-making bodies as well as state mechanism from 1990 to 1999 show their under-representation. This clearly indicates that their social relation with the state is not only asymmetrical but also unequal. If we look at the government record of representation from indigenous peoples in parliament, judiciary, governance and civil services from 1990 to 1999, political and administration seats are not equally distributed among various social groups. For example, Hill Bahuns and Chhetris who constitute only 30.5% of the total population had 55.16% seats in 1991, 62.9% in 1994 and 59.5% seats in 1999 in the parliament, whereas indigenous peoples who constituted 37.2% of the total population has 25.2% seats in 1991, 18.8% in 1994 and 18.4% in 1999 in the parliament (Neupane 2000). Similar is the case with the *madhesi* and *dalits*. In civil and military services, gazetted civil service posts seem virtually the fiefdom of Bahuns, Chhetris and Thakuris. In civil service, *adibashi janajati* occupy only 2.3% of the total positions. Indigenous peoples and other marginalized communities are not represented even in local government and civil society organizations. Based on National Census (2001), Nepal Living Standard Survey (NLSS 2003/04), Demographic and Health Survey (DHS 2006), Lynn Bennett and Dilip Parajuli (2011) measured the multi-dimensional social exclusion index of 80 caste/ethnic groups examining the economic dimension (poverty in terms of food consumption), social dimension (health and education, such as child malnutrition, clean drinking water and sanitation, average height, literacy rate) and political and/or influence/agency dimension (access to influencing people, such as legislator, administrators or professionals) and they found that only 9 of the 80 caste/ethnic communities (Marwadi, Newars, Kayastha, Thakali, Hill and Tarai Brahmans, Bangali, Rajput and Dhimal) are highly included groups whereas Chepang, Tamang, Raute, Kususnda, Pahari, Kumal, Sunuwar, Thami and Majhi from among *hill janajati*, Kushwadia, Danuwar, Raji, Kisan and Meche from among *Tarai janajati*, Kami, Damai, Sarki, Badi and Gaine from among *hill dalit*, Mushahar, Chamar, Pasawan, Khatwe, Dhobi, Dom/Halkhor, Tatma, Banter and Chidimar from among *Tarai dalit*, Lodha, Bin/Binda, Kahar, Lohar, Nuniya and Mallah from among madhesi other caste groups (OBC) and Churaute from among hill Muslims are highly excluded communities. The situation for women is highly variable as we move across different cultural groups (Holmberg and Gurung 2014).

Multi-dimensional Exclusion Index

Highly included	Highly excluded
Rajput	Chepang-Raji-Raute-Kusunda Khatwe
Dhimal	Danuwar
Bangali-Punjabi-Jain	Kahar
Tarai Brahmin	Tamang
Hill Brahmin	Dhobi
Newar	Thami
Kayastha	Lohar
Thakali	Dom-Halkhor
Marwadi	Badi-Gaine
	Sunuwar
	Muslim-Churaute
	Chidimar
	Nuniya
	Bantar
	Khatwe
	Danuwar
	Bin/Binda
	Musahar
	Chamar-Harijan
	Dusadh-Pasawan
	Pahari
	Kami
	Lodha
	Damai-Dholi
	Sarki
	Mallah

Note Multi-dimensional social exclusion index adopted from Bennett and Parajuli (2013)

Further to their studies, Central Department of Sociology/Anthropology (CDSA) of Tribhuvan University conducted a Social Inclusion Survey Study of 97 social groups with an objective to generate knowledge about the state of affairs to examine the nature, extent and causes of social exclusion of different social groups and individuals and to identify ways for promoting social inclusion. For that they measured six major dimensions; social dimension (health and education), political dimension (participation in the public life and decision-making processes, representation in policy-making bodies, full enjoyment of human rights, increased voice and agency, political awareness, political empowerment), gender dimension (access to public services, primary educational health opportunities, economic autonomy, participation and decision-making in public life and sexuality or control over body and gender-based violence), cultural dimension (respecting the dignity of others, respecting the differences of language, culture and religion, customary politics, education in mother language, recognizing the collective identity and group solidarity), discrimination dimension (caste-based discrimination, denial to public places, denial of entry to religious places, exploitation of goods and services, respect and recognition

to identity) and social solidarity dimension (human dignity and respect, absence of discrimination, etc.). Contrary to the previous research, the Nepal Multidimensional Social Inclusion Index (2014) finds slight changes in the status of exclusion of the marginalized communities. This means, in some dimensions previously, most excluded communities like *dalits* are now most included. For example, *dalits* such as Damai, Badi, Sarki, Gaine, Sonar are now highly included communities in cultural and gender dimensions. Despite the fact that the composite index of the 97 communities shows the linear trend of exclusion of *adibashi janajati*, *madhesis*, *dalits* and Muslims. For example, Kayastha, Hill Bahuns, Thakuris, Rajputs, Tarai Bahuns, Chhetris, Sanyasis and Marwadis are the most included social groups. With the exception of Thakalis and Newars, the Mushhar, Dom, Khatwe, Kushwadiya, Tatma, Dushad/Pasawan, Halkhor, Chamar/Harijan, Bin/Binda and Kami are the most excluded groups (Das et al. 2014). Tables 1 and 2 show the status of social inclusion/exclusion of the studied communities in each dimension.

Table 1 Status of social inclusion/exclusion: top ten and bottom ten social groups

Dimension index	Top ten social group	Bottom ten social group
Social dimension	Thakali, Newars, Marwadi, Hill Bahuns, Kayastha, Gurung, Chhantel, Dura, Rajput	Dom, Mushahar, Bin/Binda, Chidimar, Nuniya, Dhunia, Chamar/Harijan, Khatwe, Mallah, Lodha
Economic dimension	Thakali, Marwadi, Kayastha, Tarai Bahuns, Rajput, Newars, Hill Bahuns, Baniya, Punjabi/Sikh, Yadav	Mushahar, Dushdh/Pasawan, Kushwadiya, Raji, Bin/Binda, Khatwe, Chidimar, Nuniya, Kisan
Political dimension	Kayastha, Rajput, Tarai Bahuns, Sudhi, Thakuri, Newars, Yadav, Marwadi	Raute, Kushwadiya, Chepang, Bantar, Nurang, Lodha, Munda, Thami, Santhal, Lapcha
Cultural dimension	Thakuri, Damai, Sanyasi, Chhetri, Badi, Sarki, Hill Brahmans, Gaine, Sonar, Teli	Chepang, Jirel, Lapcha, Raute, Dura, Dhangar, Bhote, Yakkha, Pahari
Gender dimension	Walung, Badi, Lapcha, Yakkha, Punjabi, Thakali, Byansi, Gurung and Rai	Tatma, Kamar, Kewat, Bin/Binda, Chamar, Kurmi, Rajbhar, Bhadae and Dhanuk
Social solidarity	Hyolmo, Kayastha, Chepang, Hill Bahuns, Hayu, Dhimal, Punjabi, Meche, Thakuri	Sarki, Dom, Mushhar, Kami, Halkhor, Tatma, Gaine, Damai, Dushadh/Pasawan, Khatwe

Table 2 Composite social inclusion/exclusion index

Composite social inclusion index	Top ten	Bottom ten
	Kayastha, Hill Bahuns, Thakali, Thakuri, Newars, Rajputs, Tarai Bahuns, Chhetri, Sanyasi, Marwadi	Mushhar, Dom, Khatwe, Kushwadiya, Tatma, Dushad/Pasawan, Halkhor, Chamar/Harijan, Bin/Binda and Kami

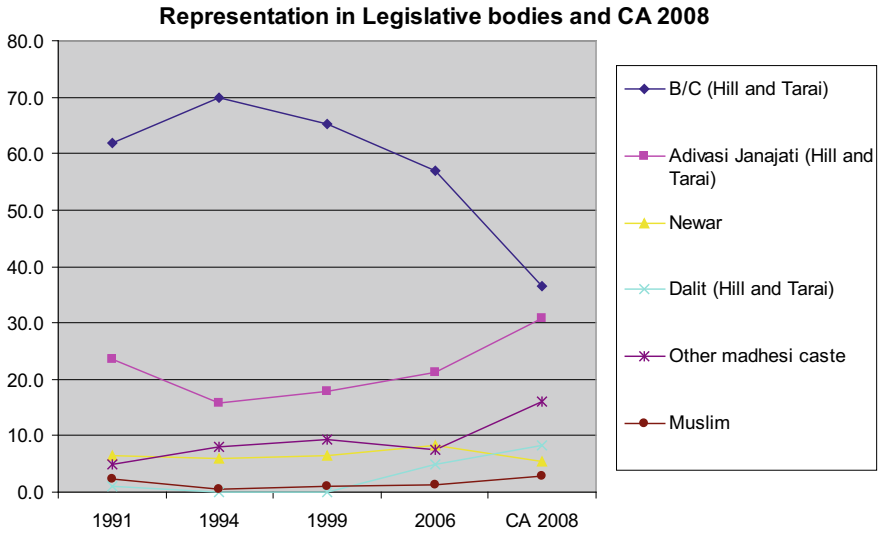**Representation in Legislative bodies and CA 2008**

Fig. 1 State of social inclusion/exclusion in legislative body

As stated above, the issue of social inclusion/exclusion became the prime agenda of indigenous peoples and other marginalized communities during the Peoples' Movement II of 2006. Their continuous street agitation exerted great pressure to the government and major political parties of Nepal. As a result, the government was forced to adopt proportional electoral system for the first election of constituent assembly held in 2008. The proportional electoral system helped indigenous peoples to secure 218 seats in the constituent assembly. This number almost equaled the total percentage of (37) the indigenous population reported in the national census of 2001. Thus, it was only after the restoration of democracy in 2006, the representation of indigenous peoples in the legislative body improved to the satisfactory level (37%). Similarly, there is also a mild improvement in the representation of indigenous peoples in the civil services, education and other sectors of their social life (Figs. 1 and 2).

Government's Measures of Social Inclusion

Social inclusion as an official policy of the government made its inroad to the government policy and development plan when the Government of Nepal adopted inclusion as one of the four pillars of poverty reduction strategy papers (PRSP) in the tenth plan (Rawal 2008). The concept was also endorsed in 2006 in the Comprehensive Peace Agreement (CPA) between the seven political parties and the Nepal Communist Party (Maoist) to end the political conflict and to draft a new constitution through
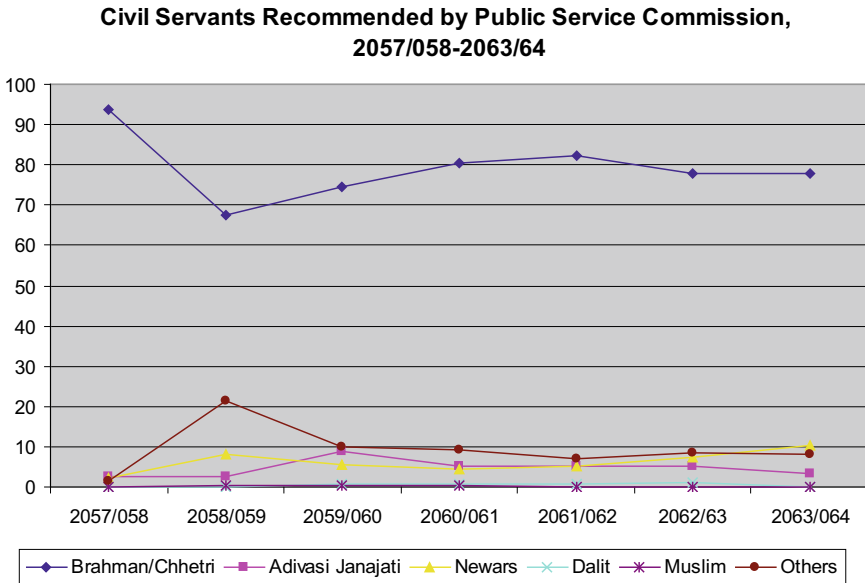
Civil Servants Recommended by Public Service Commission, 2057/058-2063/64

Fig. 2 State of social inclusion of *adibashi janajati* in civil services

elected representatives. The concept was also introduced in the interim constitution. The interim constitution states that:

> "The state shall have the responsibility "to carry out an inclusive, democratic and progressive restructuring of the state by eliminating its existing form of centralized unitary structure in order to address the problems related to women, dalits, adibasi janajati, Madhesis, oppressed and minority communities and other disadvantaged groups, by eliminating class, caste, language, gender, cultural, religious and regional discrimination."

The first constituent assembly which worked for four years from 2008 to 2012 of drafting a constitution placed significant emphasis on inclusion. In all draft reports submitted by 11 thematic committee of CA, social inclusion is the key term. The reports inserted the concept to envision the "inclusive state, inclusive democracy and inclusive rule" (Lama 2012, 2014). The concept of social inclusion has also been used in the form of inclusive policy in education, and civil services and other employment opportunities. There is a reservation seats for socially excluded groups in education, health and civil services and other employment opportunities. There is also a National Foundation for the Development of Indigenous Nationalities (NEFDIN) to support the overall development of *adibashi janajati*. The interim constitution also adopted proportional electoral system by which 58% seats were allocated for proportional election and 42% seats for *first past the post electoral* system). As a result, the members from dominant communities belonging to Bahun and Chhetri who controlled 62% seats in the parliament in 1991, 70% in 1994 and 65% in 1999 occupied only 56% seats in 2008 election. Conversely, *adibashi janajati* occupied 37% seats, women 33% and dalits 9% seats in CA election held in 2008.

Pathways to Social Inclusion

Social inclusion is both an ideal and a practical need to a socially diverse country like Nepal. In such a country, social inclusion is essential for human development and social solidarity. It is also essential to ensure the social justice and to deepen the democracy through wider participation and inclusive and proportional representation. The preamble of the new constitution of Nepal 2015 has promised to make Nepal an egalitarian society by eleminating all forms of discrimination and oppression based on caste/communities, class, religion, language, gender and geographical region. It has also expressed its determination to create an egalitarian society on the basis of the principle of proportional inclusion and participation of all caste/communities and class in all organs of the state at all level. Further to it, the article 258 of the constitution has a provision of a National Social Inclusion Commission to study and monitor the situation of the violation of civil and political rights of excluded groups and their representations in the state mechanism. It also has the provision to recommend policy implementation of the government targeted at excluded groups. In addition, there are separate national commissions for *adibashi janajati*, *madhesi*, *dalits*, Muslims, Tharus and women, in order to protect and promote their political and cultural rights. But the situation of excluded groups has not significantly changed. The examination of human development indices clearly shows that indigenous peoples and other marginalized groups are still lagging behind the development processes.

Given aforesaid context, different measures should be adopted to promote social inclusion. In this regard, four major pathways can be adopted to make Nepal an inclusive society and a state. These pathways are social and economic development, proportional representation, recognition of social diversity and group identity and reservation in civil services for excluded and marginalized communities. The social and economic development which leads to the human development is directly related to health, education and living condition of Nepali people. Nepal is still far behind the health services and educational development. There is no access to health facilities in the rural villages. The government health services are poor in rural areas. Local health posts and hospitals are characterized by the poor infrastructure, lack of medicine and absence of health service providers. The health services in urban areas are unaffordable for the poor. Therefore rural and poor people still need to depend upon the traditional health care practices of local shamans for medical treatment. According to the Nepal Demographic Health Survey (2016), the child mortality rate is still high in Nepal (39%). The educational attainment of excluded group is also not satisfactory. The national literacy rate in Nepal is 66%. But it is highly variable among social groups. It is 72.3%, among Bahun and Chhetri and only 48.8% among *adibashi janajati*, 21.3% among women, 36% among *dalits*, 32% among *madhesis* and 27% among Muslims. Low rate of educational attainment among various excluded groups is subject to the poverty as well as government's educational policy. Because of the poor economic condition, more than 50% students from the excluded groups cannot go to schools. Because the medium of instruction in the schools is Nepali, students from non-Nepali language speaking communities do not

go to schools. Thus the economic poverty combined together with language barrier restricts the students from excluded communities from their access to education. As a result, students from excluded communities cannot complete their basic education (grade 1–8). This requires special education policies and programs for the students from excluded communities.

As said before, economic poverty is a product of social exclusion in Nepal. Although Nepal is proud to proclaim the drastic reduction of poverty rate from 47 to 30% within a decade, Nepali people are still poor. The poverty is concentrated among certain ethnic groups than others. According to the Nepal Living Standard Survey 2004, the per capita income among Hindu Bahuns and Chhetris is Rs. 18,400, Rs. 13,300 among *adibashi janajati*, Rs. 10,461 among *madhesis*, Rs. 9202 among *dalits* and Rs. 8483 among Muslims. The poverty rate is not equally distributed among all social groups. The poverty reduction rate is 46% among Bahun and Chhetri, 6% among Muslim and 10% among *adibashi janajati*. The disparity of poverty rate among hill Bahun is 10.2, 24% among hill chhetri, 44% among *adibashi janajati*, 41% among Muslims, 45.5% among *dalits* and 21.3% among *madhesi*. The excluded groups do not have significant representation in the government civil services. Thus these groups have only two major options to survive; either to make extensive cultivation or to migrate to pursue for better socio-economic opportunities. The first option is constrained by the lack of agricultural lands as well as the shortage of agricultural labor. On average, indigenous peoples and other excluded groups hold less than 0.5 ha of marginal agricultural land not enough to produce adequate foods for the family. This pushes them to migrate abroad in search of job. The data show that more than 7.5 million Nepali young people are migrant workers in India, Europe, East Asia and Middle East and 50% of the total migrant workers are from excluded communities. Women manage agricultural lands, but they do not hold lands in their name, as men control and own land and other physical properties in a patriarchic Nepali society. The available data show that only 8% women have landholding entitlement in their names. This requires the redistribution of resources on equitable manner to improve the economic status of excluded groups.

Politics is the determining factor for the human development. There are various plans and policies of human development. But the achievement of development plans and policies are severely constrained by the lack of political commitment. *Adibashi janajati*, *madhesi, dalits*, Muslims and other excluded communities constitute more than 70% of the total population, but their representation in the policy-making bodies never went up more than 25% until 1999. Only after the 2006 April movement, the percentage of representation from *adibashi janajati*, *madhesi*, *dalits* and Muslims reached 66% and the percentage of representation from women reached to 33% in constituent assembly. During the 4 year period of constituent assembly, these groups strongly demanded for an inclusive constitution ensuring identity-based federal structure and inclusive proportional representation of all ethnic groups in all government bodies at all levels. Instead of writing a constitution addressing their demands, the Maoist-led government dissolved the constituent assembly dramatically at the midnight of May 28, 2011. The dissolution of constituent assembly was a great setback

to the political aspiration of Nepali people. Therefore, *Adibashi janajati* and other excluded groups observed May 28 as the Black Day.

The constituent assembly formed by the second election held in 2013 has less percentage of representation from excluded groups. The newly elected and nominated members from excluded groups, particularly from *adibashi janajati* communities neither represent the interests of *adibashi janajati* nor do they carry their political agendas in the parliament. The major political parties, Nepali Congress, UML and NCP (Maoist Center), claim that the new constitution is super in the world and the most progressive in South Asia, but indigenous people and other excluded communities found the constitution as undemocratic and retrogressive, because it does not meet the legitimate demands of these groups. They disagree with both the contents of the constitution as well as the constitution-making methods and processes. The new constitution kills the spirit of multi-culturalism and the mandate of people's movement. It has eroded the concept of identity and identity-based federal structure. It has reduced the percentage of proportional representation from 60 to 40%. It declares Nepal as secular state and provides religious freedom to all on the one hand, but it provides special protection to Hindu religion on the other. It states that all languages spoken by various communities of Nepal are the language of the nation, but it provides legal recognition to *Khasa Nepali* language as the language of official business. The constitution-making methods and processes adopted by the constituent assembly are also unconstitutional and undemocratic. By taking an undue advantage of natural disaster (earthquake), in the name of fast track, they hastily prepared and promulgated the constitution without consultation and participation of Nepali people and without much discussion in the constituent assembly. It is thus natural that the constitution prepared in hurry without consultation and participation of Nepali people and without much discussion in the parliament is undemocratic and unconstitutional. It is not only defective, it is exclusionary and discriminatory. It perpetuates the social exclusion, cultural discrimination and political domination as it was before. These are the major reasons that the indigenous peoples and other excluded groups have not yet accepted the constitution and they have gone to the street agitation against the constitution. If the constitution is to make acceptable to all, all discriminatory provisions of the constitution should be replaced by fair provisions ensuring the rights and inclusive representation of excluded groups in all bodies of the government at all levels.

One of the disctinctive features of Nepal is its social diversity. Diversity is not only Nepal's beauty but also Nepal's social capital. If taped this social capital for the development purpose, Nepal can be prosperous. But the Government of Nepal do not perceive the diversity as an asset. On the contrary, the government perceives diversity as a liabilities. The state has a policy to build a national unity. But national unity cannot progress without respecting and recognizing the social diversity. National unity is not possible by dissolving the diversity into the melting pot of what they call "nation-building project". The nation-building project considers diversity as a threat to nationalism. This nation-building project of one nation, one language, one religion and one culture that evolved during the time of Gorkha expansion has not yet changed even at a time of federal democratic republic Nepal. The practice of

cultural diversity is still considered as communal and anti-national and therefore discouraged its protection and promotion (Gurung 2009: 7). But if Nepal is to build an inclusive society and a state, one should give up the feudal notion of mono-nation state and one should accept multi-national state (Oommen 2012). The federal democratic republic established by the *janaandolan* II should be able to manage Nepal's social diversity and recognize group identity for Nepal to make an inclusive state and society.

Finally, special reservation for excluded groups in health, education, civil services and other employment opportunities is a supplementary measure to promote the concept of social inclusion in Nepal. This measure is to redistribute basic goods and services in a caste-based hierarchical society that is discriminatory (Chandoke 2012). It increases social and economic opportunities of excluded groups in education and civil services, promotes equality among them and resolves the problem of caste-based exclusion (Chatterjee 2012). We know reservation system is debatable, as it has also negative side (Teltumbe 2012), but reservation system for indigenous peoples and other excluded groups can provide better chances in the civil services and other social opportunities. The policy of reservation is one way to address multi-dimensional issues of social exclusion (Silver 2012). Although reservation policy cannot solve all types of problems of social exclusion, it can be taken as a remedy of discrimination that promotes social exclusion; and it helps reduce social injustice and inequality. It is a remedy of discrimination that promotes social exclusion (Deshpandey 2012). Given the social context, Nepal government's policy to adopt reservation as one of the effective policies to enhance the social inclusion is praiseworthy. But its implementation is poor, unfair and unscientific. The government lacks honesty and political commitment to implement it. The recent advertisement of Public Service Commission to fulfil the vacancies of 9161 local civil servants for local level government is an example of government's lack of honesty and political commitment. This advertisement has not only ignored the reservation policy of the government, it has also killed the spirit of the constitution and federalism. This has pushed indigenous peoples and many other excluded communities to the street for agitation against the government.

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Part II
Inequality and Politics of Inclusion

State and Muslims in India: Politics of Inclusion and Exclusion

Anwar Alam

Abstract What has been the pattern of interaction between state and Muslim community in India since independence? There have been considerable studies concerning the partisan role of Indian state vis-à-vis Muslim community. Over the years the issue of increasing marginalisation in the Muslim community has been linked with state politics of exclusion. Within this broader context, this paper would broadly reflect on the nature of discourse of exclusion and inclusion within the Muslim community and its impact in terms of formulating strategies and responses towards politics of inclusion/exclusion in India among the Muslim elites/leadership. It argues that the lack of participation of community in the development process of the country, which in effect negatively affects the choices and capabilities of the community to partake into the 'developmental goods' partly emerges from the notion of 'Muslim politics', which pays heavy premium on the 'politics of identity' and 'security' and its imagination of Indian state system.

Introduction: Setting the Argument

The post Rajendra Sachar Commission Report (SCR, 20.06)[1] witnessed the plethora of academic engagements and publications employing the 'discourse of exclusion' to explain the increasing marginalisation of Muslim community vis-à-vis other socio-religious groups in social, political and economic life of Indian society. The findings

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[1] Also called, Prime Minister's High Level Committee, Social, Economic and Educational Status of the Muslim Community of India: A Report, Cabinet Secretariat Government of India, New Delhi, November, 2006.

[2] The term dalit refers to outcaste social group—the most socially, economically and politically discriminated and excluded social group in Indian society that belongs to no caste. Constitutionally, this social class is referred to as Scheduled Caste. To uplift this community, the central government has made an affirmative provision of 15.5% reservation in all categories of centrally funded employment and educational opportunities.

A. Alam (✉)
Policy Perspectives Foundation, New Delhi, India
e-mail: alam.anwar@gmail.com

of the Commission, a first of its kind of public document on the condition of Indian Muslims, demonstrated the progressive decline of Muslim community to the level of more or less conditions of dalit[2] community, at least in the field of education. The publication badly damaged the 'logic of secular and democratic governance', embarrassed the 'successive secular governments in post independent India', sensitised the 'national public' about the deteriorating condition of Indian Muslims and helped in influencing the non-BJP ruling political class and establishment both at the centre and state levels about the urgent need of some affirmative actions for ameliorating the conditions of Muslim community. In short, the Commission along with Rangnath Mishra Commission (2008)[3] pushed the discourse of marginalisation of the Muslim community at the centre of Indian governance. A large chunk of Muslim intelligentsia saw this 'Muslim predicament' a result of a paradoxical situation of Indian political reality: a *secular polity in theory but communal in practice.* Further, in the context of rising graph of Hindutva accompanied by Gujarat riots (2002) and the 2014 BJP-led National Democratic Alliance (NDA) government's silence on a series of physical attack on members of Muslim community in the name of cow vigilantism and other forms of lynching, Muslims came to be seen by the critical mass of liberals, secularists and leftists as being increasingly relegated to the margin of Indian society with 'anti-national' tag in the perception of wide segment of majority Hindu community.

In the above context where the 'discourse of dalitalisation of Muslim community' reigns supreme in any public discussion on the Muslim situation in Indian society and where any critique to such paradigm has high potential to be dubbed as 'anti-Muslim', and 'anti-secular', the task of undertaking a critical self-introspection on the 'politics of exclusion' within the Muslim community becomes extremely difficult. This paper does not question the pervasive public perception that Muslim communities in India lag behind other communities in various field of human life, but it does question and highlight the deficiency and limit of the application of dominant conceptual categories as well as method to analyse and measure the issues connected with under-development, under-representation, deprivation and marginalisation of the Muslim communities. From this point of view while the paper does not rule out implications of the increasing process of communalisation of significant section of state machinery, in particular at lower level, if not at higher echelon of administration, for obstructing state's welfare/developmental programme from reaching down to the vast poor segment of Muslim community, it rules out 'discriminatory design' of Indian state, which is considered to be at work leading to marginalisation of the Muslim community in perpetuity. In other words, the relative marginalisation of Muslim communities neither flows from any legal discriminatory practices of state institutions, nor is merely a result of communal mindset of segments of public official at all levels of administration, as it is commonly assumed, particularly among the dominant section of Muslim intelligentsia. Neither the issue of 'Muslim

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[3]Also called, Report of the National Commission for Religious and Linguistic Minorities; Report of the National Commission for Religious and Linguistic Minorities, Ministry of Minority Affairs, Government of India, 2008.

marginalisation' is a uniform, pan Indian phenomenon. Rather, the trajectories of marginalisation of Muslims vary across region, caste and class, and thus reflect a very complex process.

The relative marginalisation of the Muslim community in post independent India is the outcome of combination of factors and multidimensional process: articulation of Islam in the colonial setting and its impact on the Muslim community, the partition of Indian subcontinent, the 'nature of Ashraf-dominated Muslim politics', the communalisation of state machinery, the historical indifference of Indian state towards poor (of which the Muslim community constitutes the largest) and the failure of Muslim leadership to utilise the constitutional opportunity structure to advance material development of the community.

A General Meaning of Exclusion and Inclusion

Before exploring these factors in detail, in order to examine the issue of exclusion and marginality in the Muslim community, it is important to reflect upon the limitation of dominant understanding of exclusion that has been applied to the Muslim community as well as the very method of demonstrating the relative marginalisation of the Muslim community. At this juncture, I do not want to describe the conceptual history of exclusion and its major features, as the same must have been undertaken in the several articles of this volume, suffice would be here to lay down its general meaning. At a narrow level, the discourse of exclusion refers to the process of exclusion of a social group from the structure of power and resources of state. At a broader level, exclusion is a relational and multidimensional concept that refers to the process of denial of access to opportunities to a particular social or religious or ethnic group, and which adversely impacts the capability of member of that particular group from fully participating in the political, social and economic process of the nation. Inclusion, as opposite to exclusion, therefore refers to capacity-building process and measures so as to enable the member of vulnerable group to participate in the economic, political and social life of the nation.

Limitation of Dominant Framework of Exclusion

The above particular understanding of inclusion and exclusion was developed in the European landscape with a gradual realisation that the colour blind principle of citizenship and secular nation-state with its institutionalised demarcation between private and public at best disguises its majoritarian values in the public sphere in the name of neutrality and cultural value of nation. Thus, the discourse of liberalism and nation-state has historically been found to be discriminatory to many social groups: women, people of different sexual orientations (guys, lesbians, bi-sexual, trans-sexual) and minority ethnic and religious groups. However, the concept gained

recognition in early 1990s—particularly in relation to poor conditions of post World War II immigrants and refugees, who had filled the shortage of labour supply and played a crucial role in reconstruction of war-torn Europe. The discourse demonstrated discriminatory practices and differential treatment of liberal—democracy towards the labour immigrants. It demonstrated how state's public policies along with rampant social discrimination exclude immigrants and their successive generation from important aspects of life: access to school, housing, social security, health, market, employment in formal structure of opportunities, and so on. As a result, the liberal discourse of integration of immigration communities in Europe has mostly focused on 'citizenship rights' and aspect of discriminations.

This Euro-specific discourse of exclusion is not very helpful in mapping out the contours and process of exclusion among Muslim communities of India and suffer from three specific limitations: (a) Whereas Euro-centric conception of exclusion advocates a culturally neutral notion of deprivation and poverty arising out of multiple relational process and ignores the issue of identity, in a plural societies like India, the idea of deprivation and poverty is internally linked with the question of identity. Unlike Europe, the notion of equity and equality in Indian political practices includes equal treatment and recognition of both individual and collective identity in public sphere. This has a huge implication in terms of conceiving the idea of exclusion, whereby exclusion of collective religious and cultural identity in public sphere is considered a greater sense of deprivation and injustice than exclusion in sector of political economy. (b) Unlike Europe, the discrimination resulting from denial of citizenship rights to immigrant is hardly applicable to ethnic and religious minorities, who are otherwise historical communities in India and retain citizenship rights. (c) Since the focus of Euro-centred discourse of exclusion has been state's public policies, attitude, hostility and practices, it has tended to ignore the factors and process *internal* to the immigrant community, ethnic and religious minority communities that contributed to their overall marginalisation, which is otherwise very relevant to plural countries like India. (d) In European discourse of exclusion, state becomes the measurement of development and under-development of ethnic minority communities with an underlying assumption that the test of liberal-democratic governance lies in the protection of rights and interest of minority community as the capacity of latter is too limited to influence the decision-making process of the government and wider public sphere in its favour. Hence twentieth-century liberal theories of democracy are too obsessed with minority rights, which at times hurt the majority rights and sentiment. (e) Unlike Europe, where the regime of human rights broadly conditions the policy responses to the challenges of exclusion arising from multiple processes, including various forms of practices of racism, in India, the issue of marginalisation of religious minorities, particularly Muslim community, is examined with reference to competitive discourses of secularism and communalism.

Government Commissions and Non-governmental Reports on Indian Muslims

Various government-appointed commissions, surveys and non-governmental reports[4] on the issue of marginalisation of Muslim minority communities in India have broadly operated within the broad contour of European discourse of exclusion. Thus in the findings of these commissions, surveys and reports, exclusion of Muslim communities has been measured with four criteria: (a) low level of educational attainment; (b) low share of community's participation in terms of its total population in the formal opportunity structure of nation: social, political and economic; (c) a relatively large participation of the community in the informal economy of the nation and a very less credit line to Muslim entrepreneurship by the public banking system; and (d) lack of infrastructure and civic facility in Muslim-dominated neighbourhood. In order to address the relative deprivation of Muslim community, the SCR recommended public affirmative actions, in terms of capacity building, establishment of equal opportunity commission and development of diversity index, while the Rangnath Mishra Commission strongly favoured reservation for Muslims in public employment within the existing quota of 27% for OBC and grant of SC status to dalit Muslims. However, *these Commissions did not reflect upon the reasons and process for marginalisation and underdevelopment of the Muslim community*. While wide Muslims' perception about discrimination has been underlined on the ground that public perception does not build in vacuum, however, the Commissions did not produce any documentary evidence of the same, unlike the Islamophobia Report in the UK.[5]

This does not mean that I am denying the pervasiveness of various forms of discrimination and regime of violence—communal or other forms—that exists against the Muslim community in Indian society; but so is the case against all marginalised groups, including women and lower Hindu castes and other minority communities (though degree might vary). However, unlike other marginalised groups (excluding SC and ST), the dominant section of Muslim and non-Muslim secular intelligentsia has made the 'discourse of discrimination' as 'the sole factor' for 'perpetual decline of Muslim fortune'. It also disfavours, de-legitimises and frown upon any critical inquiry into internal dynamism of community that contributes to its overall marginalisation. While the secular intelligentsia raises the issue of discrimination vis-à-vis Muslim community with a concern for equity and justice, the perpetual sustenance of this discourse in the Muslim community is linked with protection of interest and

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[4]Gopal Singh Report, 1983, S. Varadarajan Report on Minorities, 1996, Sachar Commission Report, 2006, Rangnath Mishra Commission Report, 2008, NSSO. 2011. *Key Indicators of Employment and Unemployment in India 2009–2010*. NSS 66th Round, NSSO. 2011. *Key Indicators of Employment and Unemployment in India 2011–2012*. NSS 68th Round, Government of India. 2011. *India Human Development Report 2011: Towards Social Inclusion*. New Delhi: Institute of Applied Manpower Research, Centre for Budget and Governance Accountability. 2012. *Policy Priorities for Development of Muslims: An Assessment*. New Delhi Centre for Equity Studies. 2011. *Promises to Keep: Investigating Government's Response to Sachar Committee's Recommendations*. New Delhi.

[5]Runnymede Trust, *Islamophobia: a challenge for us all*, London Runnymede Trust, 1997.

privilege position of small, but dominant, Ashraf/upper caste/upper class segment of Muslim community, which will be elaborated later in this paper.

The Sachar Commission Report and Its Limitations

In this regard, the SCR, the most important document on the marginalisation of the Muslim community till date, suffers from three fundamental fallacies: First, it did not conduct any independent survey and relies on secondary sources to arrive at its conclusion. Second, it wrongly assumes the percentage of Ashraf in the Muslim community at 60% at all-India basis; it cannot be more than 3–5% of the entire Muslim community. Third, it did not undertake an equivalent caste-wise (upper caste, OBC, dalit) comparison among all religious communities, considering the fact that caste exists among all religious communities within India and is the most defining feature of Indian society, which would have demonstrated which caste groups within community suffer most from relative marginalisation and requires affirmative action programme. A community-wise comparison not only makes the Muslim community a monolithic group at the cost of its internal differentiation, but it also conceals more or less equivalent, rather greater, share of Ashraf in proportion to its percentage of Muslim population in Indian opportunity structure. If the oft-repeated statistical display of 2.5–6% out of 13.5% Indian Muslims in the Indian public employment as indicator of its marginalisation in Indian society be computed/calculated in terms of caste representation, a disproportionate percentage would belong to the Ashraf in comparison to its population share in the Muslim community.

In many ways the SCR endorsed the Ashraf's vision of Muslim politics and performed the similar role of projecting North India (mostly UP and Bihar where Muslims constitute the largest number in India)-based Muslim deprivation as an all-India phenomenon, as ones performed by Sir Syed Ahmed Khan more than a century ago. Syed Ahmad Khan, the founder of present-day Aligarh Muslim University, had projected the marginalised condition of Muslim peasantry in Bengal as contained in W. W. Hunters's *Indian Muslaman* (1972) as the plight of whole Indian Muslims despite the fact that Muslims in those times were far ahead to other communities in terms of enrolment in English medium schools and public employment in many parts of North India, especially in the United Province and Punjab.[6] Thus to this extent, SCR only reinforced century-old 'thesis of Muslim backwardness', notwithstanding the developmental transformation of Indian society leading to the development of pockets of middle-class among Muslim communities all across the country.[7]

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[6] Seal (1968, pp. 300–310).

[7] Alam (2015, pp. 1–18), Gayer and Jafferlot (2012, p. 320).

The Discourse of Absolute Discrimination: An Ashraf Strategy

The rhetorical discourse of 'dalitalisation of the Muslim community', an offshoot of SCR, does not reflect the empirical reality of Muslim situations on the ground. It is at best an old political strategy of Ashraf elite and middle class, which allow them (being the most advanced segment of the Muslim community) to have access to, and appropriate, the largest share of state resources that have been allocated for the development of Muslim community. In the past the 'thesis of Muslim backwardness' was to secure the British cooperation/favour in order to offset the rising Hindu's share in the governing structure and economy, as well as to motivate the Ashraf Muslims to seek modern education (meaning English education) to overcome its decline—a strategy that drove the 'Ashraf-dominated Muslim politics' to demand for separate electorate and weightage over and above its percentage of population on the ground of its being 'noble origin'/past glory in the structure of governance—a strategy that significantly contributed to the process of the partition of the Indian subcontinent. The import of present-day discourse of 'dalitalisation of the Muslim community' is to make the state feel 'guilty' of its 'historical indifference' and 'discrimination', which has reduced an 'established community' to the level or even below to the socio-economic condition of dalit community, and therefore, the community is the most deserving group for the government's affirmative actions.

Commenting on the continuity of thread of Muslim backwardness during pre- and post-partition period as *strategy* of Indian Ashraf Muslims for its preservation, Muhammad Muzeeb Afzal, a Pakistani scholar, in his recent work observed the following: "The Indian-Muslim Ashraf of the minority provinces strategised to internalize their Indian Muslims construct to the rest of the Muslims of the Indian subcontinent. For this purpose, the theme of perpetual Indian Muslims socio-economic and educational decline in India was utilised. W. W. Hunter's critique, the Indian Musalmans (1871), provided the required credence to the theme".[8] On the role of Ashraf politics in post-partition period, he further noted: "the elite—middle classes of the Indian Muslims reinvented the communitarian identity on the basic principle of preservation.—This strategy had essentially three planks: one loyalty towards the Congress and its created secular-composite and democratic system; two-preservation of the essential elements of identity, the MPL, Urdu, and Aligarh; and three, construction of a victim minority image through identifying the continuous decline of the Indian Muslims in all the sectors of socio-political and economic life and the communal violence resulting from majority community's communalism."[9]

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[8] Afzal (2014, pp. 112–113).
[9] Ibid., 282–283.

India State and Exclusion of Indian Muslims: A Critical Inquiry

All-India Government Services

But how far the Indian state system is accountable for the 'dalitalisation of the Muslim community' in post-independence period? The relative marginalisation of community at all-India level has been mostly derived on account of its under-representation in the public opportunity structure—particularly in government jobs and political structure, which ranges from 2.3 to 6.5% out of 13.5% of total Muslim population. A great majority of the Muslim community, particularly in North India, attribute the prevalence of discriminatory attitude in the various governing institutions and sectors of civil society for its low representation, though hard empirical documentation for the same is lacking. First, this all-India figure of low representation in government jobs is primarily derived due to very low representation of Muslims in public employment system in states of Uttar Pradesh and Bihar (below one-third as per SCR),[10] which have the largest number and percentage of Muslims living in India. This has an effect of reducing the percentage of Muslim representation in public employment structure at all-India level despite the fact that the Muslim representation is close to its percentage of population in Andhra Pradesh and above 50% of their population in Karnataka (70%), Gujarat (59%) and Tamil Nadu (57%)[11] (SCR). Moreover, if the representation of Muslims in public employment is computed on the basis of actual number of application of Muslims and its final outcome in all-India service, the share of Muslims in total number of seats is either equal or above to successful non-Muslim. In this respect, the SCR itself discounted the 'role of discrimination' and stated:

> As data on religious identities is not normally maintained, the UPSC undertook special tabulations from its records relating to the share of Muslims who appeared in the written examination, those selected for oral interviews and those selected for appointments. Overall, Muslims constituted only 4.9% of candidates who appeared in the written examination of Civil Services in the years 2003 and 2004; this is far below the 13.4% share of Muslims in the population. However, the success rate of Muslims is about the same as other candidates [emphasis added by author]. While the small number of Muslim candidates appearing in the written examination of the Civil Services is a cause for concern, similar success rates are re-assuring. There is a need to improve Muslim participation in the UPSC competitive selection process.[12]

It is indeed interesting to note that the above passage of SCR hardly figures in the everyday production of literature related to the issue of marginalisation of Muslim community, which is mostly dominated by Ashraf Muslims and secular intelligentsia. Nasim A. Zaidi, an academic with Aligarh Muslim University, also

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[10]The SCR, pp. 170–171.

[11]Ibid., pp. 171.

[12]Ibid., pp. 166–167.

found lower participation of Muslim students in Union Public Service Commission as the reason for low level of Muslim representation [which is staggering at 3.5%] in the all-India service conducted by UPSC.[13] Thus what counts for the poor representation of Muslims in the Indian bureaucracy is the low participation of Muslim students in the competitive examination for the government jobs.

Education

Related with the issue of low percentage of Muslim community in the public employment is the issue of educational backwardness in the community. An educational deficit with a highest degree of drops out during the transition from elementary to high school, lowest net attendance ratio (NAR) and lowest degree of retention at the university level in comparison with other socio-religio-communities has been identified as another *key site of exclusion* of the Muslim community in Indian society.[14] A combination of factors, including perceived sense of discrimination, poverty, nature of employment, educational deficit, lack of supply of mainstream school in neighbourhood, lack of Urdu medium school, lack of motivation, trust deficit in the system of selection, low job prospects that deters the Muslim parents from making good investment in education, have been stressed for 'low educational attainment' among the Muslim community. Notwithstanding the relevance of these factors for low educational output among Muslim community, one is constrained to point out that similar set of factors have not obstructed the educational development among SC (Schedule Caste) communities, who otherwise suffers from greater social and economic infirmities than the Muslim community.

Moreover, the co-relation between the economy/income status or process of improvisation and the level educational attainment in the Muslim community has been strongly contested. Imtiaz Ahmed while reflecting on the issue of educational backwardness remarked, "Muslims are not necessarily running away from higher education for lack of means. A primary factor in their educational backwardness is lack of motivation and initiative arising out of fear of frustration in the employment market, and the irrelevance of education for their occupational roles".[15] Similarly, a survey conducted by Brij Raj Chauhan in 1992 in both urban and rural regions of Meerut found that "educational level of the members (Muslim community) is not commensurate with their economic attainments and greater attention to the need for education has to be given for these groups".[16] More recently, Rakes Basant, one

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[13]Zaidi (2014, pp. 23–25).

[14]Rakesh Basant, *Education and Employment among Muslims in India: An Analysis of Patterns and Trends*, W.P. No. 2012-09-03, September 2012 Indian Institute of Management Ahmedabad, available at https://web.iima.ac.in/assets/snippets/workingpaperpdf/12051717332012-09-03.pdf, accessed on 28.8.2019.

[15]Ahmed (1975, p. 251).

[16]Chauhan (1992, p. 54).

of the architect of SRC, stated: "It is found that two similarly endowed households (in terms of wealth, educational attainment, household size and composition), one Hindu and one Muslim, would come out with different educational gaps depending on which state they were located in, highlighting once again the importance of regional characteristics in deciding human development outcomes. But behavioural features are also found to be important because two similarly endowed households in the same state, one Hindu and one Muslim, have different enrolment rates with the latter having lower rates. This suggests that the same characteristics seem to influence enrolment choices differently across religions".[17]

The paradox of highest enrolment at the elementary level schooling and highest drop rate in secondary level schooling with lowest retention at the university level among the Muslim community compared to other socio-religious communities is indeed puzzling and complex than a simple case of discrimination, poverty or lack of supply of mainstream school or lack of Urdu medium school in the Muslim neighbourhood as referred above. One of the reasons for this puzzle probably lies in the method of calculation. Thus UP and Bihar recorded the highest rate of drop out and lowest retention where Muslims constitute the largest number in absolute number at all-India and thus has an implication of greatly influencing all-India data about these trends. Moreover, 9.7% as against 4% of SCR[18] of Muslim students goes to madarassas,[19] the majority of which are located in the state of UP and Bihar.

Arshad rightly points out that a higher drop rate comes from these students of madarassas background who faced difficulty in adjusting with new educational and pedagogical context of regular schools[20] **(fn)**. Another reason could be that the UP and Bihar states constitute the largest section of Muslim population who are employed in the informal economy. There is therefore high probability of withdrawing their children from the regular school due to demand of labour-intensive informal economy, as well as due to negative predisposition/outlook/attitude towards attaining the government's jobs, which makes the pursuit of higher education risky, time-consuming and irrelevant. Thus, a low share of Muslims in government opportunity structure partly also emanates from its cultural preference/priority to family's entrepreneurship or occupation. Beyond Ashraf segment, whose fortune has been historically tied with the state system, it is doubtful that the other sections of Muslim population have been positively disposed towards acquiring government services, though here there is definite increase towards this goal in recent years. The idea that every social group competes for share in state resources is problematic, at least in Indian context. After all, Gujaritis, Jains, Parsis and Marwaris have least participation and representation

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[17]Basant, Education and Employment among Muslims in India: An Analysis of Patterns and Trends, pp. 14–15.

[18]On why SCR figure is wrong, see Alam (2013).

[19]National Council for Minority Educational Institutions. 2010. *Recommendations for Introducing Modern Education in Madrasas and for Setting up a Central Madrasa Board*: Report of the Council Submitted to MHRD.

[20]Arshad Alam, Working Paper: Assessment of Education Component of Prime Minister's 15 Point Programme, Unpublished.

in the all-India service of Indian bureaucracy, despite having high education, income and living standard.

Urdu

The marginalisation of Urdu language and lack of Urdu medium school[21] has time and again been cited as one of the crucial reasons for the educational deficit among the Muslim community. The relative absence of Urdu school has been considered in liberal–secular–left publications as denial of opportunity to Muslim children to receive education in his/her 'mother tongue', as well as a source of de-motivation to pursue education in another medium school. First, as per 2001 census, only 5% of Indian Muslims speaks Urdu language,[22] the rest of the Muslims either speak Hindustani in Hindi heartland or regional language wherever they are located. The majority of Urdu-speaking constitute Ashraf segment of Muslim population. Therefore, as a strategy, the Ashraf-dominated Muslim politics over last six decades has reduced the 'Urdu' from 'one of national language'[23] to the 'language, culture and religion of Muslim community'. Though this strategy did help the bulk of Ashraf Muslims in securing access to a few employment opportunities,[24] however, it further contributed to the process of homogeneity within the Muslim community at the cost of its internal pluralism.

One consequence of this politics is that other social groups and communities gradually dissociated with learning and seeking instruction in Urdu. This in conjunction with government apathy and negligence and few Muslim enrolment (due to Muslim parent's reluctance to enrol their children in the government schools for the fear of compromise of faith, particularly in North India) in the government mainstream school led to steep fall in the demand of Urdu language, which gradually led to the elimination of post of Urdu teacher in many government schools. On the other hand, the Ashraf leadership, while making Urdu as common religio-cultural identity of the Muslim community, did not create a large number of Urdu medium private schools, for a reason: neither they preferred 'Urdu schooling' for their children as it compromises 'good employment prospect' in the market, nor there was much demand for Urdu medium school in the community as madarassas were/are

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[21]Khalidi (2006), Farouqui (2010), Basant (2012).

[22]Census (2001). In fact the percentage of Urdu speakers declined from 5.1% as per 2001 Census to 4.1% as per 2011 Census. See, Census of India 2011, available at http://censusindia.gov.in/2011Census/C-16_25062018_NEW.pdf, p. 17, accessed on 28.8.2019.

[23]Former Prime Minister Manmohan Singh's Hindi speech was written in Urdu script.

[24]Such as appointment of Urdu translator in governmental offices of those states where Urdu has been declared second official language and of Urdu teacher where number of Muslim students are more than 15%. Currently, Urdu enjoys the status of second official language in the states of Bihar and Delhi, 13 districts in the state of Andhra Pradesh and also in certain pockets of Karnataka. In the state of UP, Urdu was declared as second language in the western parts of the state in the early 1980s through an ordinance that subsequently lapsed.

taking care of community's demand for elementary knowledge of Urdu and Arabic. The situation continues to be the same even today. What is interesting to observe is that while enrolment of Muslims at elementary level of school has tremendously increased (today it is the highest among all socio-religio communities), the Urdu enrolment has drastically declined. Thus according to a study, between 2007 and 2012, Urdu as a medium of instruction has decreased from 46% to 32.2% in Bihar and from 26% to 15.4% in Jharkhand, while highest decline was registered in Kishanganj, which has the highest concentration of Muslims (67.5%). Here while 76% students accessed schooling through Urdu medium in 2007–08, and it has now come down to only 29% in 2011–2012.[25] Similarly, for the years 2007–08 and 2008–09, the HRD ministry received no applications from Muslim community institutions for appointing Urdu teachers. In 2009–10, only 42 applications were received and all of them from the state of Punjab. What this data indicates is that Muslims are increasingly prefer studying in English-medium mainstream-government or low-cost private schools with increasing realisation that Urdu is not connected with global and domestic employment opportunity and an elementary understanding of the same is enough to retain one's Muslim identity.

Civic Amenities in Muslim Urban Neighbourhood

The issue of lack of infrastructure, civic amenities and services (roads, banks, health clinic, mother diaries, schools etc.) in the Muslim-concentrated pockets has received considerable scholarly attention following the publication of SCR. While SCR remained silent on the reasons for poor infrastructure and facilities in the Muslim neighbourhood, many attribute the government's discriminatory policies for excluded, segregated, ghettoised and appalling condition of life in the Muslim-concentrated residential areas. There may be a grain of truth in this perspective; however, a part of reason for government's criminal negligence is partly due to its indifferent and hostile attitude towards the poor segments of the society of which Muslims constitute the substantial number. It may be noted that the segregation and ghettoisation of Muslim residential area does not indicate the 'povertisation of Muslim masses' but is internally caused due to process of 'clustering together' or 'self-ghettoisation' in search of security and protection against the threat of majoritarian communalism, as well as due to preference for living in the Muslim environment. The last couple of decades in India have seen the migration of Muslims from low Muslim occupancy residential area towards high Muslim quarter/locality, particularly in cities, in view of deteriorating security situation. The resulting high density of Muslim population not only adversely affects the infrastructural capacity of the designated area but also makes the task of improvement in civic amenities difficult in view of lack of sufficient public spaces, unplanned housing construction and narrow

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[25] Arshad Alam, Working Paper: Assessment of Education Component of Prime Minister's 15 Point Programme.

lanes. In addition, the lack of public civic facilities and services also takes place due to two specific reasons: (a) At times, the government of the day is legally constrained to extend the civic amenities, save the basic ones (water, electricity sewage etc.) on account of 'unauthorised status' of such residential areas; (b) sheer lack of developmental demands before the governmental authorities, as well as the limited capacity of Muslim population/representatives to influence the decision-making of the government and manage the allocation of resources in favour of Muslim-concentrated areas and (c) official's negligence and apathy towards Muslim-concentrated area also results from their understanding that compared to religious needs Muslim's priority for development is very low.

Political Structure

The low representation of Muslim community, roughly 3.2–6% out of 13.4% of its population, in the parliament and state legislature and very low Muslim presence in council of ministers has been underlined as the major source of discrimination and marginalisation of the Muslim community. First, the low representation of the Muslim community in the political structure of the country begets from two structural problems: (a) the geographical dispersion of the Muslim community in India which divides its electoral strength and deprived them of other political advantages that accrued from regionally concentrated population; thus while success ratio of Muslim candidates in Assembly and Parliaments is quite low in rest of India compare to Kerala and Assam where concentration of Muslims in certain parts of these two states ensures good representation of Muslims, principally through IUML in Kerala and AUDF in Assam. (b) the system of first past the post single transferable vote, which is followed in India, reduces the chances of member of minority community to get elected on its own strength. and (C) the politics of gerrymandering and de-limitation of electoral constituency. Second, in addition to these structural problems, the representation of Muslim community in political structure progressively dwindled due to following changes in the political context of the country as well as changes in the Muslim voting pattern: (1) The en bloc voting that Muslim communities used to cast for Congress both in the centre and states during 1950s and 1960s on account of hegemony of Congress System at both level began to disperse in mid-1970s with the growth of non-Congress regional secular parties and decline of Congress System. As a consequence, the Muslim votes got internally fragmented across many secular parties; (2) With the decline of Nehruvian secularism and liberalism and relatively more harder (anti-Pak, anti-Muslim) version of Indian nationalism and majoritarianism acquiring the centre stage of Indian politics since mid-1970s,[26] the nomination of Muslim candidates for

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[26]Late former Prime Minister Mrs. Indira Gandhi has stated in early 1970s in the context of India's role in creation of Bangladesh that if Muslims were having reservation on creation of Bangladesh, then I do not need Muslim vote. Mrs. Gandhi was then compared with Goddess Durga! Today, it is BJP that asserts that it did not want Muslim vote.

parliamentary and state legislative elections, if not for local elections, diminishes across all secular political parties. An additional factor in this regard, particularly in the context of North India, is the 'mandalisation of Indian politics', which unleashes the political aspirations and claim of hitherito excluded lower caste Hindu groups, which further limited the prospect of Muslim candidates getting Party tickets. The current ruling BJP party does not even field a single Muslim candidate and yet wins the election as evident from 2014 Parliamentary and 2017 UP state elections, while Mayawati of BSP lost significantly, despite nominating largest ever Muslim candidates in 2017 UP election.

Moreover, the idea that greater representation of the Muslim community in political structure would protect the interest of community is deeply problematic and does not reflect the ground reality. First, it contradicts the liberal idea of representation of people irrespective of their personal identities. Second, it justifies the principle of two-nation theory and creation of Pakistan. Third, it has been found that the elected Muslims Member of Parliaments and MLAs have been found more actively involved in addressing the grievances of non-Muslims from his constituency, lest he/she be seen as 'communal' in public arena, while chances of losing support among his/her community are less even if he/she does not work for the community partly on account of his/her shared identity and partly due to often polarising conditions of Indian election. There is hardly any empirical work that demonstrates that the Muslim representation in political structure enhances the prospect for development in Muslim constituency. What is worrying is not about the dwindling number of elected Muslim representative, but the decline in political culture and governing norms in India that used to nominate member of religious minority community—both ceremonial and in the position of power—with a consideration to instil a sense of belonging to the nation.

The Limit of Communal/Discrimination Discourse

Basant, and many others, appears to point out the 'operative framework of communal discourse' as decisive factor in the relative marginalisation of Muslim community. Thus, the withdrawal of political safeguards for minorities—reservations in legislature, quotas in government employment, representation of minorities in the Cabinet and creation of administrative machinery to ensure supervision and protection of minority rights—in the final draft of the constitution (1948) after being part of the deliberations of constitution making exercise as late as till February 1948, which has been primarily looked upon in the liberal–left–secular discourses as interplay of 'communal-majoritarian mindset' that sets the motion of marginalisation of minority communities, particularly the Muslims, in post-independent India. However, it must be noted that the partition and the creation of Pakistan rendered such political patronage meaningless as they were primarily seen as primary factors for the division of the country in the secular nationalist discourse and historiography. What is interesting to observe here is that some of the aspects of this political safeguards,

such as reservation of Muslim community in the government employments, have returned to 'governance table' of India after more than 50 years of its withdrawal and at a time when Indian democracy is being seen to be increasingly drifting fro*m majoritarian rule to majoritarianism.* Further, National Minority Commission—the governmental watchdog over minority rights—is already in place. Moreover, if the caste and tribe remained as measurement of social backwardness, many of Muslim caste and tribal groups have found its place in the affirmation action programme (i.e. reservation) of both the central and state governments across India[27] with the possibility of inclusion of left out castes and tribes remained open in future.

Similarly, there were many who saw the communal basis of land reform in the state of Uttar Pradesh as it entailed the distribution of lands among mostly Hindu peasantry from the Muslims nobility who were the largest owner of the lands in UP. However, similar framing has been missing when Muslims were/are the net beneficiary of land reform carried out in the state of Jammu and Kashmir under the leadership of Sheikh Abdullah and in the state of West Bengal under the CPI (M) rule, what is called the 'Bargha Operation'. Moreover, the state of Jammu and Kashmir with predominant Muslim populations in Kashmir Valley enjoys one of the highest living standard and per capita income among all Indian states despite the tremendous growth in the Hindu nationalism and state's troublesome relationship with the central government along with its tourism industry, one of the major sources of income for the Kashmiris, which is in disarray for last three decades. One may allude to the discourse of communalism accompanied by 'production of communal riots'[28] in northern part of India and its relative absence in the south for relatively poor and good presence of Muslim community in the employment and educational sector of the north and south, respectively, but how does one account for dismal performance of Muslim community in the most sectors of human life in the state of West Bengal, as detailed by SCR—where Muslim community enjoyed the non-communal political context under CPI (M) rule for more than 25 years and shared the historical legacy of what is called 'Bengali Renaissance and Reformation'?. Besides, some of the recent publications struggle hard to explain and highlight the puzzle of Muslim being the most poorest section of Indian society in both rural and urban setting—but has the

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[27]Muslim groups on the basis of backward caste identity now receive the benefit of reservation in the states of Kerala, Tamil Nadu, Karnataka, Andhra Pradesh, Telangana, Bihar and West Bengal. In Kerala, 12% of jobs are currently reserved for Muslims. Karnataka and Andhra Pradesh brought in 4 and 5% reservation for Muslims in 1994 and 2005, respectively. In Tamil Nadu and Bihar, Muslims are entitled to reservation under the 30% and 17% category earmarked for OBC. In 2010, the Government of West Bengal has also made the provision of 10% reservation for Muslims in state educational institutions and public services. In October 2017, the state of Telangana passed a reservation bill for enhancing Muslim quota from existing 4 to 12%. In addition to this, some 80 lower caste Muslim groups enjoy the benefit of 27% reservation in the central government services and educational institutions as per the Mandal Commission Recommendation. Moreover, Muslims of Lakshadweep islands who constitute 97% of the Island population is covered under ST reservation. A few Muslim tribes in Manipur are also covered under ST reservation in addition to 4% more reservation to all Muslims in Manipur who constitute around 7–8% of state's population.
[28]See, Asghar (1989); Communal Riots in Post-independence India, New Delhi: Orient Blackswan, 1991; The Gujarat Carnage, Orient Longman, 2003; Akbar (1988).

highest rate of child survival and food consumption in comparison to other socio-religio communities.[29]

The above only indicates the limit of application of communal discourse to understand the issue of relative marginalisation in the Muslim community. Understanding public policies or the political economy of the nation in communal frame at best obfuscates the ground reality and obstructs the community from evolving suitable political strategy to meet the future contingencies arising out of particular public policy. The variation in the condition of the Muslim communities across the region not only exposes the politics of projecting the region-specific deprivation to all-India level by the Ashraf segment of Muslim community but also indicates the complexity of issue of marginalisation of the Muslim community.

Role of Ashraf Muslim Leadership and Conservative Turn of Islam

Behind the relative marginalisation and exclusion of Muslim community lies combination of historical and structural factors including the role of Ashraf-dominated Muslim politics in contemporary India, some of which has been referred in the preceding pages in relation to discussion to subject matter such as all-India government services, education, Urdu, civic amenities and political structure. This section of the paper provides a detailed analysis of role of Ashraf Muslim leadership and conservative turn of Islam in the marginalisation of the Muslim community in post-independent phase of India.

A Conservative Turn of Islam

The first relates to Islamic articulation and understanding of decline of Muslim fortune in terms of 'deviation from Islam' since mid eighteenth century, which remains till date. Historically speaking, all Islamic movements since post Mohammad period aroused in response to perceived decline of Islamic morals and values and sought the return to Islamic principles and values as practiced during the time period of Prophet Muhammad and *Rashidun* in order to overcome the perceived Islamic decline. However, there is a substantial difference between the pre- and post-colonial Islamic movements. The pre-colonial Muslim societies confronted the challenges from '*within*' with sufficient Islamic hegemony and power to deal with; therefore, the discourses of Islamic movement to overcome this 'internal malice' tended to be relatively *less*

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[29]Sonia Bhalotra, Christine Valente, Arthur van Soest, The Puzzle of Muslim Advantage in Child Survival in India, February 2009, IZA DP No. 4009, Bonn, Germany, http://ftp.iza.org/dp4009.pdf, accessed on 10.10.2017.

insular, literal, closed and contained spaces for relatively liberal interpretation of the text and tradition as well as accommodative of diverse Islamic viewpoints.

The post-colonial Muslim societies faced a qualitatively different kind of challenges: a threat from '*outside*' to Islam and Muslim identity, mostly coming from Europe/West. The Islamic movements that aroused in response to European advancement in the Muslim lands or challenges of European modernity since mid eighteenth century primarily aimed at *preservation of Islam* and *protection of Muslim youths* from enslavement of western discourse of secularism, liberalism, nationalism and democracy. It therefore hardened its attitude against modernity and re-embarked upon re-Islamisation of Muslim societies. This led to the development of relatively hard, inflexible, rigid, literal, defensive, apologetic and identity-centred interpretation of Islamic text and traditions with variation in degree across all Islamic movements— whether fundamentalist, political Islamist, conservative, apolitical or Islamic modernist—a trend that has continued till this day—and has been strengthened partly on account of Wahhabi–Salfi hegemony on interpretation of Islam over the last 50 years.

Indian subcontinent has not been immune from this global Islamic trend; rather as one of the most important centre of Islamic knowledge productions and historically being a seat of Islamic empire in conjunction with its 'minority locale', Indian Muslims, particularly its Ashraf section—the most educated and high on scale of Islamic purity—felt the 'crisis of Islam' more deeply than in many other parts of the Muslim world. One among many consequences of Islamic responses to European modernity, which is relevant from the point of this paper, is that the 'idea of knowledge/education' in the Muslim world got bifurcated between Islamic knowledge/education (*deeni taleem*) *and* secular/western knowledge/education (*duniyawee taleem*) with an intention to protect Islam and Muslim youths from 'corrupting influence' of western/secular educational system and value. This process not only resulted in the gradual weakening, rather elimination, of secular components from the curriculum of Muslim educational institutions (madarassas)—a process that gradually transform the madarassas from an educational institution into an Islamic religious educational institution—but it also injected 'fear, suspicion, distrust and inner hostility' among Muslim masses towards secular educational system.

The result therefore is two-fold in the Indian-specific context: (a) With intention to preserve Islam and rescuing the Muslim youths from 'majoritarian Hindu culture'— and 'western educational system' in particular—and modernity in general, the Ashraf religious leadership mobilised the internal resources, capital, skill and demonstrated its political acumen[30] in strengthening and expanding the madarassas system. The initiative got fertile ground to grow in post 1857 and post-partition (1947) political reality of fear and anxiety, where Muslims have nothing to look forward except to turn towards Islam, both as a source of identity, security of *iman* and hope of recovering

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[30]It accepted the modern distinction between private and public and brought Sharia within the domain of private. With this democratic principle the religious Islamic leadership skillfully negotiated with secular government of India not to interfere in the personal domain of Muslim community in exchange of political support.

the material fortune by observing the 'correct practices' of Islamic values and norms in everyday life.

The tragedy of 1857 and 1947 significantly contributed to the process of trajectories of marginalisation of the Muslim community across various parts Indian society. While the British colonial administration targeted the Muslim nobility for being the 'principal instigator' for 'Mutiny/Revolt' (1857) against Raj and weakened their economic and political position by pursuing discriminatory policies against them, the partition of the Indian subcontinent resulted in migration of significant number of Muslim nobility, middle and upper middle class (mostly Ashraf) from all across of India, particularly from North India (UP and Bihar), a process that continued till 1965, in addition to transforming Indian Muslims into permanently '*internal other*' of Indian nation. These two events decimated the political leadership of Muslim community and incapacitated the community from fully participating in the social, economic and political life of the country for long time to come. As a result, the 'majority of poor, lower castes/lower class Muslims', who remained in India, grew up in the atmosphere of fear and perceived discrimination and in the absence of political leadership and organisations[31] look towards the religious leadership for guidance in everyday life.

This process resulted in the phenomenal mushrooming of madarassas and makhtab (elementary Islamic school) all across over India with the largest concentration in north, particular in the state of Uttar Pradesh with a twin objective of preservation of Islam/Muslim identity and protection of Muslim youths from corrupting influence of Indian syncretism, and pluralism (which they equate with Hindu culture) and western modernity. It is estimated that compared to pre-partition, the number of madarassas has quadrupled in India in the post-partition period. The oil boom in the Gulf since 1970s also contributed to the expansion of madarassas network.[32] On the other hand, Muslims did not enrol in large numbers in the government educational institutions as it distrusted the environment that might endanger the Muslim faith.[33] Instead, they preferred Muslim educational institutions, which was very few.[34] Unfortunately, unlike Christian community, Muslim religious and political leadership did

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[31]Following the partition of the country, the late Maulana Azad, the senior Congress Leader, in 1950s demanded the dissolution of all communal Muslim organisations.

[32]Yogi Sikand provides the following figures in relation to madarassas in India, according to the Centre for the Promotion of Science at Aligarh Muslim University: in 1985, there were 2890 madarassas in the country. A decade later, the Union Minister for Human Resources Development put the figure at 12,000. In 2002 the Union Minister for Home claimed that the number stood at 31,875. In 2003, a leading Muslim paper claimed that there were some 125,000 madarassas in India, catering to around 3,000,000 students and with a combined annual budget of approximately Rs. 14 billion. According to this figure, most of the madarassas are located in Uttar Pradesh (10,000) followed by Kerala (9975), Madhya Pradesh (6000) and Bihar (3500). Sikand (2005, p. 95).

[33]This is not specific to Indian context alone, but has been reflected in Muslim majority countries where Muslims destructed the political system. Thus in Turkey, a large number of Muslims had shunned the Kemalist educational institutions for the fear of compromising their Islamic faith.

[34]Personal observation: In the Muslim neighbourhood where I grew only my family send their children to christian missionary school and government school near to home, all other Muslim families preferred Muslim educational institution even it was located at a far away from the neighbourhood.

not open chain of secular educational institutions partly on the ground of its hostile attitude towards secular/western knowledge system, partly due to fear that expansion of secular and liberal education among Muslims might proved to detrimental to entrenched position and privilege of Ashraf and Ulema class among Muslim community and partly due to understanding that a few Muslim educational institutions including Aligarh Muslim University were sufficient to cater the demand of children of Ashraf community. Further, the secular Muslim leadership within the Congress System did not want to antagonise the Ulema class by championing the 'cause of modern education' among the community as they were crucially dependent upon the organisational network of Ulema—mosque, *madarassas, makhtabs, khankhas* etc.—for Muslim's support and mobilisation. Sir Syed Ahmad Khan, the founder of Anglo-Mohammaden College, which later expanded into Aligarh Muslim University, himself dissuaded the lower castes Muslims, belonging to peasantry and artisan background, from studying in the university.

It may be noted that Indian Ulema class across all schools and sects have consistently and successfully opposed all governmental initiatives for educational reform in the Muslim community including Madarassas Modernisation Programme and setting up Central Madarassas Education Board, which were intended to modernise, standardise and mainstream the educational system, on the ground that such measures might lead to dilution of Islamic pedagogy with the introduction of secular education and therefore may endanger the Islamic faith.[35] They even succeeded in getting exemption for madarassas from the purview of the Right to Education Act (RTE)[36] (thus denying the fundamental right to education of lakhs of Muslim children). However, beneath such oppositions also lurks their fear of losing their influence and privileges in the community due to such measures.[37]

The Ashraf-Dominated Muslim Politics

This form of Muslim politics has historically revolved around the issues of Muslim identity and has mostly presented identity-centred demands before the political authority. In post-independence period this form of Muslim politics revolves around four major issues of identity: protection and promotion of Urdu, Minority Character of Aligarh Muslim University, protection of Muslim Personal Law and protection of Babri Masjid. Besides, there are plenty of localised identity-centred demands

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None of the Muslim family joined the Government Hindi School, which was next door to my house. Many of my friends have similar experience.

[35] See, for details, Arshad Alam, *State, community and madrasah reform in India.*

[36] All minority educational institutions have been exempted from Right to Education Act. One implication of this exemption is that madarrasas institutions are not bound to teach secular component of education.

[37] This is not specific to Indian context alone; globally all Islamic institutions and Ulema have successfully opposed the government's secular reformist agenda for the similar reasons. See Crecelius (1980).

(such as provision of Kabristan and deletion of misrepresentation of Islam from text book in school curriculum). Though the issue of education and development did figure in many resolutions of Islamic organisations during 1960s and 1970s,[38] however, Ashraf-dominated Muslim leadership and organisations never pushed the developmental agenda hard as they lobbied the political space and authority with large mobilisation with regard to identity-related demands. All four identity-related demands have witnessed a good mobilisation of people at street and lobbying the political authority and to a large extent succeeded in getting their demand accepted. They are in part also connected with material interest of the Ashraf community.

Some of the major identity-related demands that the government conceded were/are: semi-minority status of Aligarh Muslim University and Jamia Millia Islamia, inclusion of Urdu in the Constitution's eighth schedule, declaration of Urdu as the second official language in many states, setting up the National Council for Promotion of Urdu Language (NCUPL, 1986), setting up Maulana Azad National Urdu Central University (1998), Muslim Women Protection of Right on Divorce Act (1989), the declaration of national holidays on the occasion of *barafat* (the holy birthday of Prophet Muhammad) (1990), creation of Maulana Mazharul Haque Arabic and Persian University (1992, functional 2008), Khwaja Moinuddin Chishti Urdu, and Arabi-Pharsi University (2010).

Consequences of Ashraf Muslim Politics

There are three consequences of identity-centred Muslim politics that proved to be disaster/detrimental to the larger development and well-being of the Muslim community. The first is that in conjunction with the role of Islamic movements vis-à-vis secular education as described earlier, it further obstructed the spread of secular education among Muslims in post independent India at least till early 1990s. Second, it contributed to the development of a political outlook among all political leaderships, including its Muslim component, which believes that community, compared to other religious communities, is the *most religious one* and is primarily concerned with the issues of religious and cultural importance, while matters of development are of secondary importance to the community. Hence, while non-BJP political leadership has been historically sensitive to accommodate the religious demands of the community in the name of secularism and also due to dominant understanding of governing norms, it has been less inclined to address the developmental issues of the community as it did not felt the sufficient pressure for the same; save for the token gesture of announcing many minority-related developmental programme without making political commitment to implement the same.

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[38]See a few resolutions of All India Majlis-e-Mushawarat.

Outlook Towards Indian State: Safe Distancing

A third implication of the Islamisation of Muslim society and identity-centred Muslim politics is that it shaped the outlook of a good number of Muslims for safe-distancing from state institutions. Thus, a few Indian Muslims on the call of Jammat e Islami Chief, late Maulana Maudidi, gave up their government jobs in early 1950s with a consideration that serving such non-Muslim states amounts to committing a sin of *tadjut!* This outlook also prevented a large number of Muslims from opening bank account in the Indian banking system as they fear risk of comprising Islamic faith, which disapproves any interest-based earning. As a result, today the Indian Muslims have the least bank account among all socio-religio communities. This can be ascertained from the fact that only 34% Indians have access to formal banking system.[39] Neither Indian government so far has permitted the opening of Islamic bank, which would have otherwise provided an alternative banking to a large section of Muslim community. This along with bank's assessment of applicant's capacity to re-pay the loan might be one of the reason for low credit flow from Indian banks to member of Muslim community, as has been highlighted by SCR. As Muslims predominantly are a part of low-scale informal economy, they mostly run their business including generating loan on cash basis. The system of *hawala* (*non-banking transaction*) is rampant among the communities. However, the preference for cash-based business is also to escape the government taxation. Thus, it is no surprising that many Muslims consider de-monetisation of the Modi government as primarily an 'anti-Muslim agenda' as they were the most hit largely in the absence of bank account and had to sell their cash at much lower value[40]!

Post Babri Ashraf Muslim Politics

It is only in the aftermath of demolition of Babri Masjid in 1992, which jolted and badly de-legitimise the leadership of Ashraf in the Muslim community that the Muslim politics shifted from 'identity making demands' to 'identity plus development' discourse. The underlying reasons for this shift within the Ashraf-dominated Muslim politics are primarily four: (a) to overcome the 'legitimacy crisis', which the Ashraf leaders faced following the demolition of Babri Masjid, (b) impact of 'developmental discourse' that centred itself in the Indian political arena since mid 1990s, (c) they felt pressure from within the Ashraf community that neither the opportunity benefits accrued from identity-related government sources is sufficient enough to accommodate the interest of dominant section of Ashraf children, nor can they with their low-quality education successfully compete with others in Indian public

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[39] Achieving Financial Inclusion for Muslims in India: How Can Islamic Finance Help? https://www.ethicainstitute.com/webinar/Achieving-Financial-Inclusion-For-Indian-Muslims.pdf, retrieved on 15.10.2017.

[40] Personal observation and interaction.

and private market any longer due to stiff competition fuelled by ever-increasing individual and group's participation in India's limited public opportunity structure and resources. This domestic unemployment scenario got further compounded with declining fortune of Gulf and other WANA (West Asia and North Africa) nations, which used to absorb a good number of Indian Muslims, on account of high degree of unpredictability, deteriorating security situations, declining salary, falling international prices of oil and gas and growing indigenisation of Arab market and (d) perhaps most important, the rise of OBC and dalit Muslim, what is called *Pasmanda* politics[41] at the national level, which appears to threaten the Ashraf leadership and interest at two levels: (i) it punctured Ashraf's politics of projecting the Muslim community as 'monolithic community' and its claim of leadership of all-India Muslims in public domain and (ii) the fear of sharing the meagre governmental resources with numerically more OBC Muslims, which they have traditionally monopolised in the name of welfare of all-India Muslims!

It is this set of considerations which has driven the Ashraf Muslim leadership to vociferously demand the 'minority status' of two premier public-funded Muslim managed University: Aligarh Muslim University and Jamia Millia Islamia, whom they treat more as 'opportunity space' than an educational space, reservation for Muslims in public employment and educational institutions and raising other developmental issues for the welfare of the Muslim community, including the issue of credit flow to Muslim entrepreneurship and modernisation of small-scale Muslim industries as well as training, and skill development for Muslims who are involved in the informal economy—which absorbs more than 70–80% of Indian Muslims, of which the OBC Muslims constitute the most dominant group accounting for 60–70% of Muslim participation in the informal economy. It may be noted that historically the Ashraf political and religious Muslim leadership has never been concerned with the issue of 'educational development' of OBC Muslims, who otherwise constitute one of the important source of finance for Ashraf religious leadership.

The Ashraf Muslim's outcry and mobilisation of political class and authority over the issues related to 'social and economic developmental deficiency' within the community did result in a series of governmental initiatives in post Babri Masjid demolition period. Some of the measures include the following: National Waqf Board, Maulana Azad Education Foundation, various centrally administered minority programmes such as the modernisation of madarassas, Maulana Azad scholarship for research (MPhil and Ph.D.), financial assistance for construction of hostel for minority students, financial assistance for vocational education, free coaching to train minority students to compete in the public employment opportunities, extending to the Muslims the benefit of affirmative policy in the opportunity structure of the state, upgradation and expansion of Jamia Millia Islamia as Central University (1988), Prevention of Terrorism (Repeal) Ordinance (2004) 23, the National

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[41]The organized political expression of this movement has been found in the formation of Pasmanda Muslim Mahaj led by Ali Anwar, All India Backward Muslim Morcha led by Ajaz Ali and All India Muslim OBCs organization led by Shabir Ahmad Ansari. Some of the literatures on dalit Muslims are: Ali Anwar, masawat ki jung, vani prakashan, 2001, Trivedi et al. (2016, p. 15), Ansari (2009).

Minority Development and Financial Corporation (1992), the National Commission for Minorities (1992,) setting up of the Ministry of Minority Affairs (2006), creation of National Commission for Minority Educational Institutions (2004), opening of two more campuses of Aligarh Muslim University (AMU)—in Kerala and in West Bengal (2010), the Rajendra Sachar Commission Report (2006), Prime Minister 15-point Programme (2006), creation of Minority concentrated District Project (MCDP), and the Rangnath Mishra Commission Report (2007) that recommended 15% reservation of jobs in government services and seats in educational institutions for minorities including 10% for Muslims, 8.4% out of existing OBC (other backward class) quota of 27% for minorities including 6% for Muslims and extension of SC reservation to dalit Muslims. Given this trend, Steven Ian Wilkinson, while criticising Arend Lijphart's identification of consociational democracy with Nehruvian regime in India, has detected the process of emergence of a consociational form of democracy for the first time in post-colonial Indian history.[42]

How does the above-listed government's programme and policies impact the development of the Muslim community? The critics find these programmes as eyewash on account of their faulty implementation, lack of specific policy focus, lack of sufficient grants, lack of supporting institutions, corruption, bureaucratic apathy, discrimination, and so on, which in combination has obstructed the benefits of these programme from reaching down to the community.[43] A detailed review of these programmes and policies is not possible partly due to constrain of space and partly due to loosing the focus of this paper, suffice would be here to indicate that one of the reasons for poor impact of these programmes on welfare of community is a low participation of community in government programmes, including MNREGA, ICDP, Kasturba Gandhi Balika Vidyalaya (KGBV) as confirmed by many research studies.[44] The reasons for low participation of Muslims in these programmes have been to range from Muslim's lack of enthusiasm and 'attitudinal problem'[45] to 'lack of awareness' and to government's negligence to make these programmes popular among the communities. However, the impact of Islamic movements, as discussed above, in keeping the Muslim's participation low in government educational and health-related programme cannot be ruled out.

A cumulative impact of the above process in the Muslim community is that a substantial section of Muslim community, particularly in North India, got *internally* excluded from the expanding developmental trajectories and opportunity structure during last six decades not solely due to 'politics of discrimination' but largely on account of *qualitative and quantitative lag in secular education,* which is the most crucial component in partaking the developmental benefits. Once an educational deficit of serious multitude took place in a community, it generates multiplying dysfunctional effects on the members of community that put them in 'un-equal com-

[42]Wilkinson (2000, pp. 767–791).

[43]GOI: 2011, NSSO: 2011, NSSO: 2013, Center for Budget and Governance Accountability: 2012, Center for Equity Studies 2011.

[44]Midstream Marketing and Research, FORCES, in *Research on ICDS*: 2009 and others.

[45]*Consultancy for Continuous Social Assessment, Research on ICDS*, p. 84.

petition' with other socio-religio groups in the opportunity structure. It is likely to increase more in the age of neo-liberal economy, which has inherent tendency to discriminate, exclude and marginalise people with low social, cultural and economic capital and without effective access to political patronage. As the large percentage of Muslim community is a part of low capital informal economy, predominantly artisan class, with poor quality of education, skill and training, low understanding of market forces, small capital and lack of technical-know and without government patronage they are likely to lose out in the aggressive, competitive world of liberalisation and privatisation and may get transformed into daily wage labourer.

In lieu of Conclusion

Notwithstanding the relative social, economic and political marginalisation of Indian Muslims, the rhetoric of perpetual Muslim backwardness at all-India level as sustained by Ashraf Muslim leadership is unsustainable and does not conform to critical scrutiny of this paper. The Indian state along with pervasive perception of discrimination has a very marginal role to play in the relative marginalisation of Muslim community in the present context of neo-liberal economy or before. It is true that Indian state has been shamelessly indifferent and apathetic towards the vast gentry of poor, of which Muslim constitutes a significant number. Depending upon the particular official this indifferent, apathy or hostile attitude gets doubled if the concerned person is both poor and Muslim. In this regard, the indiscriminate arrest of large number of Muslims youths on the charge of terrorism and illegal activities with very low conviction rate[46] has been seen as discriminatory attitude of law-enforcing agencies.

This is true that Muslim constitutes the largest percentage of prisoner in all Indian jails, which is much high to the percentage of their actual population. However, such administrative practices are not specific to India. All nation-states suspect the minorities in matters of national security and keep their representation very low in the hard security apparatus of the state: police, army and intelligence. It is therefore not surprising that following partition, Muslim representation in these institutions progressively declined, both on account of state's non-preference for minorities as well as the low participation of Muslims in these examinations. Similarly, the representation of Sikh also significantly declined following the Blue Star operation in 1984. Thus, certain degree of discrimination flows from structure of nation-state, which remained majoritarian in its operational reality. Beyond the hard coercive apparatus of state, it is hard to demonstrate the partisan role of state vis-à-vis the Muslim community in other fields.

On the contrary, Muslims being dominantly an urban-based community have been beneficiary—directly or indirectly—of the state-led urban-centred developmental process over the last six decades, the details of which is being avoided due to con-

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[46]Farasat et al. (2014).

strain of space as well as it is outside the scope of this paper. What can be stated here without going into details that whether Green revolution, educational output of public-funded Muslim universities, various governmental affirmative programmes including system of reservation, land reform, access to the Gulf, high participation in city-based informal economy and tremendous growth in religious market and other such measures have contributed to the development of pockets of middle class all across India.[47] In a recent work, Lauren Gayer and Christopher Jafferlot have underlined that in sum Muslims constitute the 'largest poor' in urban cities but found the trajectories of marginalisation among Muslims in Indian cities as uneven and nonlinear and concluded that: "the most significant development, in this respect, concerns the growth of Muslim middle class feeding on strategies of extraversion [including the Gulf connection], the general growth of the Indian economy and a new emphasis on education, even in ghettos like Juhapura where the gatherings together of poor and rich Muslim benefits the former".[48] The formation of middle class among Muslim community is also evident from the proliferation of large number of Muslim political parties in Indian politics in recent years, which also indicates the growing confidence and integration of the community in the country.[49]

In fact, notwithstanding the pervasive discourse of discrimination among dominant section of Muslim, secular, left and liberal intelligentsia, the Indian state has historically been reluctant to impose 'any reform' in the Muslim community without the consent of the community. Moreover, it never obstructed or kept a close watch or even regulated the phenomenal growth of madarassas except in recent years, when in the context of rise of global jihadism it has been linked with Islamic radicalism and terrorism. Neither the state ever discriminated Aligarh Muslim University in any form despite its role in the creation of Pakistan. Rather, along with other-public funded Muslim educational institutions, it flourished, expanded, received the liberal grants and enjoyed the political patronage of all successive secular governments since independence.

Today, the Muslim community with *low educational base, low quality education, low skill, low participation* in *competitive examination and low capital along with 'perception deficit'* (partly due to global context of Islamic terrorism) in the larger Indian society is certainly a 'disadvantageous group' vis-à-vis other socio-religio communities. However, being 'disadvantageous' does not mean living with exclusion, marginalisation and deprivation in perpetuity as alleged by the practitioner of Ashraf-dominated Muslim politics. Moreover, this 'disadvantageous status' has not been caused by any externally-induced 'historical wrongs and injustices' that resulted in 'denial of opportunities' as applicable to SC and ST, nor is the result of 'discriminatory practices of state', save the Hindu–Muslim riots the frequency of which is otherwise on decline, but to a large extent has largely been shaped by the

[47]Anwar Alam, Emergence of Muslim Middle Class.

[48]Lauren Gayer and Christopher Jafferlot, Trajectories of Muslim Marginalisations.

[49]For details see, Abhishek M. Chaudhari Rise of Muslim Political Parties, Public Policy Research Centre, http://www.pprc.in/upload/Rise%20of%20Muslim%20Political%20Parties%20in%20India.pdf, accessed on 25.10.2017.

role of Islamic movements and the nature of Ashraf-dominated Muslim politics as elaborated above. A critical rethinking over the nature of Muslim politics is must in order to objectively address the various dimensions of exclusion in the Muslim community. In this context, a region-specific approach to the problems of Muslim community would be far more effective than an all-India projection of localised and regional problem of the Muslim community as inherent in the Ashraf's model of Muslim politics.

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Constitutional Reforms in Sri Lanka: From Majoritarian Control System to Integration and Accommodation?

Radu Carciumaru

Abstract May 2009, after over 25 years from its beginning, the civil war between the Sinhalese majority represented by the Government of Sri Lanka (GoSL) and the "sole spokesmen" of the Tamil minority—the Liberation Tigers of Tamil Eelam (LTTE)—has come to an end. Scholars and practitioners generally agree on the fact that the "control system" imposed by the majority on its minorities was responsible for the escalation of the ethnic conflict, the radicalization of Tamils, and the violent outcome. After the war, several trends and policy shifts have become evident. First, the GoSL has become overtly reluctant and resistant toward any exogenous interference or pressure, trying to find home-grown and context-specific innovative solutions in order to finalize the yet to be completed nation- and state-building projects. Second, it has become clear that in order to stabilize and consolidate the political system, politics as usual will not suffice and their continuation may risk, causing the emergence of an LTTE spin-off. Third, both political elites and civil society have adopted a general attitude of "forgive and forget" in terms of coping with the past. Fourth, although the current political trends are contentious by nature, there is consensus between all ethnic groups that policies on public sector employment, language, proportionality and devolution of power are crucial for reconciliation, rehabilitation, and reconstruction efforts. In view of profound constitutional reforms that Sri Lanka is undergoing since 2015 (i.e., Nineteenth Amendment or the establishment of a Constitutional Assembly), the paper seeks to explore the role of ethnicity in shaping the constitutional reform process in Sri Lanka and the challenges it poses. In order to analyze the regional variations in institutional engineering and managing diversity, the paper compares Sri Lankan case study to constitutional designs in other plural (deeply divided) societies from South Asia, such as India and Nepal.

R. Carciumaru (✉)
South Asia Institute, Heidelberg University, Heidelberg, Germany
e-mail: carciumaru@uni-heidelberg.de

Introduction

Compared to India, Sri Lanka's road to independence began with far less turmoil. There were no such issues as balkanization of the country, for example, secessionist movements like Dravida Nadu in South India. However, despite the favorable conditions analyzed later in the section, Sri Lankan state policy through enactment of language, employment, land settlement, and other policies gave rise to Tamil nationalism with its own claims to a "traditional Tamil homeland," the demand for a separate state in the north and east of the island, the rise of militancy, the LTTE, and the devastating ethnic war. These conditions consequently caused the disintegration and de facto partitioning of the Sri Lankan state.

The Constitution of 1948 established a Westminster style two-tiered parliamentary system of government comprising a Senate and a House of Representatives. From 1948 to 1956, minority issues were well into the fore in the first phase of the Sri Lankan political development. The governments of this period espoused an "integrative secularism" (Jayasuriya 2005: 8–10) based on an alliance between the elite of the dominant and minority groups, all of whom were drawn from urban, western-educated classes. This was a period of responsive cooperation between two western-educated groups best described as "elite accommodation," with common interests in maintaining relative peace and stability.

Even though at independence 70% of the population was Sinhalese and 22% were Tamil, no riots occurred or any form of collective violence between Sinhalese and Tamils "for hundreds of years before independence" (Stepan 2006: 1–2). Wilson observed that "the consociational that could have cemented the foundations of a pluralist democratic society disintegrated in stages" (Wilson 1988: 34).

A policy based on the majoritarian control system was at the root of the ethnic conflict. The Westminster style form of parliamentary democracy introduced Sinhalese nationalists to an elementary principle of the democratic rule, which was understood to be the collective and general will of the ethnic-religious majority. Any deviation from the unitary state model was believed to endanger the unity, sovereignty, territorial integrity, and security of the entire state of Sri Lanka. Thus, in the second phase, particularly from 1956 to 1983, the very aggressive nation-state policies resulted in constructing two warring aspirant nation-states into one state.[1]

In reaction to the Sinhalese majoritarian practices, the Tamil minority had begun to articulate demands for power sharing since early 1950s. The argument was based on the fact that the state of Sri Lanka was the home of two nations: Sinhalese and Tamil. Tamil leaders argued that if two nations were to peacefully coexist in a single state, sovereignty and state power should be organized on the principle of federalism.

The third phase began in 1983 and represented the start of a long and bloody civil war between the Government of Sri Lanka and LTTE (which by then emerged as the "sole spokesman" of Tamil community). After a series of unsuccessful peace efforts, including the inglorious involvement of Indian Peace Keeping Force (1987–1990)

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[1] "There were many more Sinhalese votes to be had by being extreme than there were Tamil votes to be had by being moderate" Remarks Horowitz (1989: 26).

and controversial Sri Lanka Monitoring Mission (2002–2008), Sri Lanka's President Rajapaksa started a decisive campaign of final annihilation against LTTE in 2005, successfully completing it by May 2009.

The end of war surely presented a window of opportunity to accommodate the demands of ethnic minorities through power-sharing arrangements. Thus, in its second part, the paper focuses on the profound constitutional reforms Sri Lanka is undergoing since 2015 (i.e., Nineteenth Amendment or the establishment of a Constitutional Assembly), and seeks to explore the role of ethnicity in shaping the constitutional reform process in Sri Lanka as well as the challenges it poses.

Sri Lanka: From Power Sharing to Majority Rule

Favorable Conditions at the Independence

Formerly the British colony of Ceylon, Sri Lanka achieved independence in 1948 with a promising future anticipated by its own people and by outside observers alike. There was a basis for such optimism. Sowell observes that although the Sinhalese and the Tamils differed in ethnicity, language, and religion, there was much evidence of goodwill across the social lines that divided them. The elites of both groups were westernized, English-speaking, and cosmopolitan, and were accustomed to working together (Sowell 2004: 78).

Favorable conditions had emerged from the fact that "of the ten newly independent countries of South and South East Asia, Ceylon has more of the attributes of a modernized social and political system than any other" (Wriggins 1965: 6). Some of these attributes were 60% literacy rate, the highest per capita income of any country in Asia except for Japan, and the civil service that by 1949 was almost exclusively indigenous (Wriggins 1965: 66–68; 100–101; 458–470). According to Wilson, "the unexpressed premise of the Soulbury Constitution was a *consociational arrangement* between the English-educated elites of all island's principal groups: communal (Sinhalese, Tamil, Muslim), religious (Buddhist, Hindu, Muslim, Catholic, Protestant) and social (the various castes among the Sinhalese and Tamil communities)." Aside from Article 29 of the Soulbury Constitution, the consociational arrangements included other important safeguards, such as "weightage in representation including Appointed Members (not exceeding six in number) in the popular House of Representatives, a second chamber (the Senate), […] and independent public services and judicial services commissions" (Wilson 1988: 34).

Relations among the various ethnic and religious groups in Sri Lanka were described by an American scholar as "cordial, unmarred by the sort of friction that exists between Hindus and Moslems in India" (Sowell 2004: 79). This accommodative pattern was not confined to the elites or to politics. In general, the situation seemed to provide an impressive basis for a successful start in state- and nation-building.

Majoritarian Practices and Gradual Minority Exclusion

Strict definable stages are discussed in this section that led to the escalation of an incipiently mild conflict into a full-blown war on secession and a near break-down of the state. These stages include both cause and effect as well as action and reaction variables. On the part of the Sinhala elites, the causes lie in the development of a majoritarian control strategy concerning policy implementation and institutional engineering. On the part of the Tamil minority, the conflict can be traced to radicalization of their demands from parity within a unitary state to commitment and pledge of loyalty to the idea of a separate state of Tamil Eelam. In chronological and conflict-escalation order, the stages are as follows: Citizenship Act of 1948, peasant settlement policies, Official Language Act of 1956, affirmative action policies such as University Entrance System of 1972, also known as policies of standardization, and the Constitution of 1972.

Within a few months of independence, the Government of Sri Lanka (Ceylon) enacted the Citizenship Act of 1948, eliminating the vast majority of Indian plantation workers (Upcountry Tamils) from the electoral registers by the simple strategy of defining the right to citizenship far more rigidly than previously. Along with the Indian and Pakistani Residents (Citizenship) Act of 1949, the two Acts completely changed the representational landscape. Quoting the Sinhalese political scientist I. D. S. Weerawardena, Wilson writes that the disfranchisement of the Indians was "a broken pledge to all the minorities." He added, "[the] moral basis of the Soulbury Constitution has been wiped away" (Wilson 1988: 18–19).

The disfranchisement of the Upcountry Tamils meant that the Tamil vote was so small that it could be disregarded. This resulting lack of representation created a rival strategy on how to best compete for the votes of the Sinhalese majority (Horowitz 1989: 21–22). Consequently, Sri Lanka's party system has revolved around the competition against the two main Sinhalese parties for Sinhalese votes and competition within the two main Tamil parties for Tamil votes (until the two Tamil parties merged in 1972). Disfranchisement had direct consequences on the shift of intent of the language movement.

According to (Sowell 2004: 84), the demand to replace English by the two indigenous languages–Sinhalese and Tamil as main political languages—was made as far back as the early 1940s, but the transition from English was still not implemented. The slow progress is largely due to the caution of Prime Minister D. S. Senanayake, who sensed the explosive potential of issues like language and religion in a newly independent and ethnically divided country.

However, despite the political union between the Sinhalese and Tamils, the resulting disfranchisement caused Sinhalese elite to use their power to institute Sinhala alone as the state's official language. This political maneuvering led the two main Sinhalese parties, United National Party (UNP) and Sri Lanka Freedom Party (SLFP), "to outbid each other on who could provide the better deal for the Sinhalese community" (Sahadevan and Devotta 2006: 5). Consequently, the 1956 general election saw the institutionalization of the outbidding process. The key actor to make use of the

opportunity to dismiss Tamil language rights was Bandaranaike, the leader of SLFP. (Sowell 2004: 85) observed that Bandaranaike himself was not at all representative of those in whose name he spoke, but "he wanted to become prime minister—and he succeeded."[2] Bandaranaike campaigned on the simple idea of "Sinhala only and within twenty four hours." The bill was introduced on June 14, 1956 and passed nine days later.

As in India, language policy in Sri Lanka became a focus of intergroup strife, because, apart from its symbolic value of group distinctiveness, it had the potential for having profound effects on educational and economic opportunities.

Peasant settlement policies led to significant changes in the ethnic composition of Ampara and Trincomalee districts in the eastern part of Sri Lanka. In Ampara, the Sinhala population increased from 5.9 to 17.7%, while Tamil population declined from 50.3 to 46.4% and the Muslim population declined from 42.2 to 35.1% between 1946 and 1971. During the same period, the Sinhala population in Trincomalee district increased from 20.6 to 28.8%, the Tamil population declined from 44.5 to 38.2%, and the Muslim population increased from 30.5 to 32% (Bandarage 2009: 46–47).

The climax of "sinhalisation" of the state and imposition of the will of majority represented the Constitution of 1972. It abrogated the preceding constitution, which derived authority from the British Crown. According to (Jayasuriya 2005: 12), the constitution, in essence, was meant to be an expression of a new nationalism as well as the embodiment of progressive socialist ideals of people's power and centralized planning. However, the Sinhala Buddhist majority was the mainspring for the "new nationalism". In this sense, the country's colonial name, Ceylon, was replaced with Sri Lanka,[3] whereas the foremost place was given to Buddhism (as already mentioned), virtually ignoring the presence of other religions (e.g., Hindu, Christian, and Muslim) in the country. This movement also removed the safeguards that had been in place to protect minorities, such as Article 29(2), and it incorporated the provisions of the Official Language Act of 1956. Thus, Sinhala Buddhist nationalism was institutionalized, becoming one with the state (see Diagram 1).

The 1978 Constitution followed closely the contents of the 1972 Constitution. The only official language of Sri Lanka was still Sinhala (Article 18), but in a new provision of the 1978 Constitution additionally Sinhala Tamil was introduced, acting as the second national language (Article 19 and 21), the exact meaning of which was not clearly specified. Other changes were also made, such as the shift from a parliamentary to a presidential system or the introduction of proportional representation instead of plurality, that is, the FPTP-electoral system.

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[2]Consider the following superb analysis: "Bandaranaike was both a utopian idealist and an avid opportunist, relentlessly pursuing short-term political gains. […] He had hoped to use chauvinism as a means to achieve power, believing that he could disarm it by making modest, long-overdue concessions to Sinhalese-Buddhist interests, and then by concentrating on reform to remove social injustice and soothe the anxieties of would-be communalists. He did not succeed […] very substantially because of the way Bandaranaike himself though and acted" (Manor 1989: 326–327).

[3]A term used in ancient Indian epics over Sinhala, a pre-colonial name, which claimed the island as the land of the Sinhala people, in (Bandarage 2009: 64).
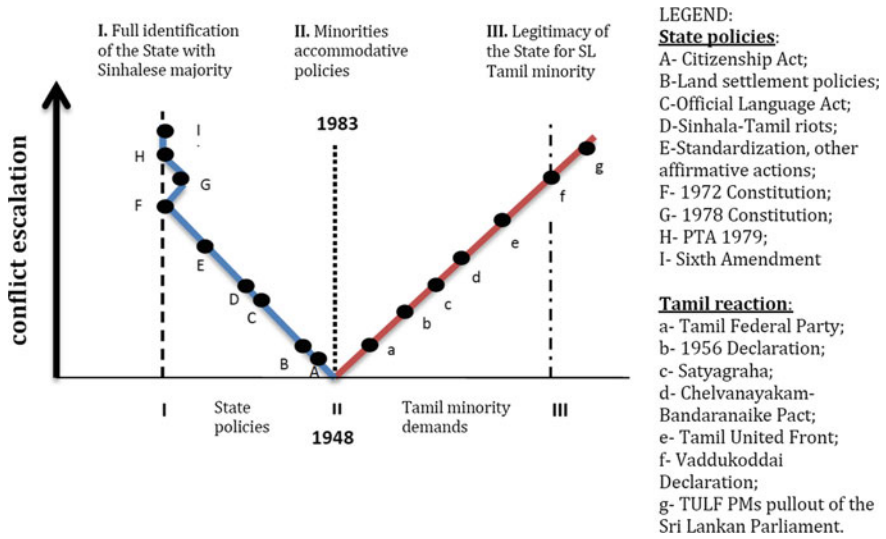
Diagram 1 Emergence and escalation of Sinhalese-Tamil conflict

Proportional representation, based on consociational theory, should have been an important benefit to and would have had an accommodative effect on minorities. However, as Horowitz brilliantly grasped, "[soon] after these changes came into effect […] conditions were anything but normal. The Tamil United Liberation Front […] had been excluded from parliament; separatist violence had begun in earnest; and Sinhalese and Tamil opinion had become so polarized that, in the short term at least, no electoral system could foster moderation" (Horowitz 1989: 23).

Representation is one of the primary concerns to the minorities. However, as I have argued, minorities have not stood a chance on vital matters of individual and group identity, social and economic opportunity, access to state sector employment, as well as the crucial issue for a plural society such as form and character of the state (unitary/federal and based on secular principles). On these central issues that had direct relevance to the majority group as well, the major political parties UNP and SLFP were either united or not flexible in their opposition. The "democratic stability"[4] from an originally power sharing system to majoritarian "control" system was established. Table 1 shows how the analyzed processes fit the pattern of the control system.

The findings in Table 1 show that by 1978, a system of "control" by Sinhalese majority of Tamil minority was established. The significance emerges from the fact that it enables testing the second hypothesis, which states that in a plural/deeply

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[4]Some analysts usually point to the fact that from 1956 until 1977 six successive Sri Lankan general elections saw incumbent governments defeated at the polls, evaluating it as a pattern for stable democracy see (Wagner 1999: 912). However, democracy means more than holding elections.

Table 1 Majoritarian control system in Sri Lanka

Control system	Laws, policies and institutional arrangements
The interest of the majority segment as perceived and articulated by *its* elite	Citizenship Act of 1948; Official Language Act of 1956; affirmative action; peasant settlement; 1972 and 1978 Constitutions
The majority segment extracts what it needs from the minority segment and delivers what it sees fit	Tamil Language (Special Provisions) Act of 1958[a]; proportional representation, 1978
No bargaining between elites of the majority and minority segments	Bandaranaike-Chelvanayakam Pact; Senanayake-Chelvanayakam Pact[b]
The bureaucratic apparatus of the state benefits the segment which it represents	Citizenship question, University Entrance System of 1972; language policy, state employment, etc.
Legitimacy is reached by an elaborate and well-articulated group-specific ideology	Sri Lanka instead of Ceylon; Buddhism-foremost place, but also the "minority complex"[c]
"puppeteer manipulating his stringed puppet"	Solomon and Sirimavo Bandaranaike; J. R. Jayewardene

[a]This act provides for Tamil as the language of administration in the northern and eastern provinces where the Tamils are the majority of the population. However, the provisions of this act, implemented only in 1965, were never carried out. See Jayawardane (2006: 234)

[b]Both pacts could be retrospectively perceived due to "ethnic outbidding" and a lack of concessions that could be a detriment to the majority as pseudo-bargaining efforts

[c]Although a clear majority on the island, the Sinhalese see themselves as a minority endangered by the larger Tamil community in India and northern Sri Lanka. Tamil Nadu alone is almost double the geographic area of Sri Lanka and also more than three times its population

divided society majoritarian practices will exacerbate rather than regulate a conflict. Consequently, a radicalization of Tamil demands should be expected.

Radicalization of Minorities' Demands

The policies of majoritarian "control" system resulted in a gradual increase in the minority ethnic group's demands. After the disfranchisement of the Upcountry Tamils, one of the leaders of the All Ceylon Tamil Party, S. J. V. Chelvanayakam, left the party with the argument that the Tamils needed a territorial electoral base in the north to protect Tamil interests. The implementation of the Official Language Act of 1956 resulted in several long-lasting and unsolvable problems, including the struggle for secession that subsequently surfaced. Declining prospects for education and employment faced by many Tamils as a result of standardization policies led to, at first, peaceful protests in parliament and throughout the country, especially among the students. This in turn led to anti-Tamil mob attacks "in the frenzied atmosphere whipped up by Sinhalese politicians and Buddhist monks" (Sowell 2004: 87) that

resulted in at least 150 Tamils killed. Affirmative action in Sri Lanka led not to "cey-lonisation" but to its sinhalisation, an exclusively tailored movement that suited the needs of the majority instead of polity-wide measures of inclusion and empowerment of discriminated minorities according to its plural ethos. Eventually, sinhalisation led to the politicized younger groups "take up arms against a sea of troubles and win or lose in the resulting war" (Wilson 1988: 39).

Diagram 1 illustrates succinctly the consequences of majoritarian practices (1948–1983) in terms of four dependent variables: *conflict escalation* (from 1948 onwards), *progressive identification of the state with the Sinhalese majority* (I), *legitimacy of the Sri Lankan state for Tamil minority* (III), and *minorities' accommodative policies* (II),[5] which are explained in terms of state policies (blue line) and Tamil minority demands (red line). The diagram shows how in spite of a common point of departure at the independence and peaceful coexistence between communities, by 1983, the Sri Lankan state ceased to represent a legitimate arena to settle the conflicts politically, as Sri Lankan Tamils pulled out of the Parliament (see Legend, letter "g") and chose bullets instead of ballots. On the other hand, the process of sinhalisation of politics, culminating with a full identification of the state with the Sinhalese major-ity started even earlier, namely with the Constitution of 1972.[6] The diagram shows how each "control" system-based state policy (a–i) triggered an opposite reaction, intensified the conflict and led to the radicalization of Tamil's demands (a–g).

The critical junction framework presented in the Diagram 1, based on a chrono-logical pattern, shows that the escalation of the conflict in Sri Lanka followed an almost deterministic path.

After over 60 years of majoritarian policies and over 20 years of civil war, the favor-able conditions Sri Lanka profited from at the independence are certainly charred. The end of war on secessionism brings new hopes for comprehensive policymaking and institutional engineering, for reconciliation and meaningful integration.

In the next section of the article, I will focus on the comprehensive debate and efforts regarding much needed constitutional reforms.

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[5]It is generally accepted that at the independence Sri Lanka had a rather consociational than a majori-tarian constitution, which presupposed "iron-clad guarantees" for minorities; see also pp. 13–14.

[6]For example, see Article 9 which gives Buddhism the foremost place. Compare this to India, where "secularism" is one of the major principles of the Constitution, meaning both equal and due respect for all religions and faiths, as well as separation of the state from the church. The preamble of the Constitution of India declared one of the objectives to be to secure to all citizens of India the freedom of faith, belief, and worship. The chapter on fundamental rights provided a constitutional guarantee to minority groups, incorporating a separate group of rights in Articles 25–28 focusing on the right to freedom of religion.

Constitutional Reforms

Bottom-Up Perceptions of Top-Down Arrangements

The survey data presented in this section allow me to complete the analysis by bridging the gap between policy implementation and its acceptance, that is, the divide between elite-driven policies and the efficacy of institutional engineering concerning the accommodation of the demands of both minorities and majorities and the legitimacy "in the eyes of the masses" of elite's enterprise to manage diversity.

Thus, majority–minority status does not make a difference in India, whereas in Sri Lanka minorities are more supportive of democracy than the Sinhala majority. For example, 55% of Sri Lanka Tamils and 51% Muslims are strong democrats as opposed to only 31% of Sinhala Buddhist majority.[7]

Aside from their democratic support, minorities and other marginalized groups in India have exhibited a growing sense of political efficacy and legitimacy for power-sharing arrangements, whereas in Sri Lanka minorities declare that their conditions have deteriorated (SDSA 2008: 74).

In terms of "majoritarianism," the following results shed light on my argument that in Sri Lanka democracy was understood in a rudimentary way as a majority rule. Instead of "majorities," as in a consociational democracy, only with the will of the majority segment was reckoned. The results are noteworthy because they compare majoritarian mindset of majority religious communities in India and Sri Lanka (Table 2).

The results of the opinion polls performed and published by the Centre for Policy Alternatives (February and October 2016 as well as March 2017)[8] clearly show the attitudes of Sri Lanka's ethnic groups toward the constitutional reform. So the summary of the polls is presented in Table 3.

Table 2 "Majoritarianism" in Sri Lankan and Indian Majority Religion (SDSA, quoted in Stepan (2006: 25)

	Sri Lanka	India
	Majority Buddhist	Majority Hindu
Those who strongly agree or agree that "In a democracy the will of the majority community must prevail"	89.1	48.3
Those who strongly disagree or disagree that "Giving equal treatment is not enough, the government should give special treatment to minorities"	76.8	29.2
"Strong majoritarians" on composite index	26.9	6.7

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[7] *State of Democracy in South Asia*: *A Report*. 2008: 20, 228.

[8] See Centre for Policy Alternatives, Topline Report—Opinion Poll on Constitutional Reform, available at: https://www.cpalanka.org/opinion-poll-on-constitutional-reform-topline-report/ (accessed on March 1, 2019).

Table 3 Summary of the opinion polls on constitutional reform, social indicator, Centre for Policy Alternatives, February 2016 and March 2017 (The following section draws and cites extensively from the 2016 and 2017 opinion polls/reports published by the Centre for Policy Alternatives)

54.9% of Sri Lankans do not know what "devolution" means
80% of Sri Lankans do not know what "federalism" means
54.9% of Sri Lankans are extremely favorable toward the inclusion of the clause on Buddhism (Article 9) in the new Constitution, while 18.2% are not at all in favor. Majority from the Tamil (75.9%), Up Country Tamil (56.6%), and Muslim (62.8%) communities are not at all in favor
When asked how agreeable they are toward a merger of the northern and eastern provinces, 30.1% of Sri Lankans said that they are extremely disagreeable while 25.4% said extremely agreeable. Majority from the Tamil (73.2%) and Up Country Tamil (81%) communities are extremely agreeable toward a merger, while 34.6% of Sinhalese are extremely disagreeable. Muslim opinion is divided on this, with 30.4% saying that they are extremely agreeable and 31% saying that they are extremely disagreeable
Majority of Sri Lankans (64.5%) say that they do not know if police powers under the 13th Amendment are well implemented. 24.8% from the Sinhalese, 46.4% from the Tamil, 31.3% from the Up Country Tamil, and 29.9% from the Muslim communities are of the opinion that they are not well implemented
When asked if the current constitution should be wholly replaced with a new constitution or whether the current constitution should continue but with some needed changes, 23.5% of Sri Lankans said that we need a new constitution, while 38.9% said that the current constitution should continue but with some needed changes
When asked if a constitutional reform process and a transitional justice process should take place in Sri Lanka at the same time or whether one should precede the other, 46.5% of Sri Lankans said that they did not know, while 20% said that both should take place at the same time. 40.4% in the northern province said that both should take place at the same time
On the inclusion of a merger of the northern and eastern provinces in a new constitution, 63.8% in the northern province and 50% from the eastern province said they would include it. 60.6% from Uva and 41.5% from north central province said they would not include it

Sinhala: "A Majority with a Minority Complex"[9]

The "minority complex" of the Sinhala majority and the "majority complex" of the Tamil minority in Sri Lanka can be understood only by taking into account the regional, demographic and political dimensions. Although a clear majority on the island, the Sinhalese see themselves as a minority endangered by the larger Tamil community in India and northern Sri Lanka. Tamil Nadu alone is almost double the geographic area of Sri Lanka and also more than three times its population (62,405,679 vs. 18,797,257 in 2001).[10]

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[9]Since ethnic minorities in all states of South Asia have close affiliation with their kinfolks in neighboring states, cross-border ethnic identities widely prevail in South Asia. There are majority groups-apart from the Sinhalese-of other small South Asian states that suffer from a minority complex, for example, the Indian Nepalese of the Tarai region together with their co-ethnics in the Indian states of Bihar and Uttar Pradesh outnumber the Nepalese in Nepal; Bhutan's Nepalese groups together with Indian Nepalese outnumber Bhutan's majority Drukpas.

[10]Source: Census 2001, for Tamil Nadu; Census of Population and Housing 2001 for Sri Lanka.

This complex led the Sinhalese to portray the conflict between them and Tamils as a primordial conflict based on mutual distrust and violence spanning over more than two millennia. According to the Sinhala nationalist position, pre-colonial Sri Lanka prior to the advent of European invaders was a mono-ethnic and mono-religious Sinhala Buddhist state where the Tamils were migrant aliens. This position emphasizes that even today, Tamil Nadu is the "country of Tamils" or the "land of Tamil", not Sri Lanka. Invoking these historical and contemporary claims, the 2003 Report of the National Joint Committee of Sinhala Organizations (NJC) argued against a federal constitution that would lead to devolution of power to the Tamils:

> The "Tamil Ethnic Problem" […] is a fiction […] crafted by relatively recent migrants whose historical homelands lie in South India. […] A migrant population never qualifies for national status in the host country […] the 5% Turks who live in Germany do not make a "nation" – their nation is Turkey. Similarly the nation of the Tamil speaking Dravidian groups exists in South India. So the "nation" thus defined is inconsistent with international norms of nation making, nationalism and aspiration to national self-determination. […] Tamil nationalism […] makes a logical application in South India and not in Sri Lanka.[11]

Thus, to the Sinhala people, the Tamils in the island (both in the north-east and in the plantations) as well as over 60 million Tamils in Tamil Nadu across a narrow strip of water, are all Tamils—alien Dravidians who speak a foreign tongue, who profess a different religion and who, most importantly, trace their origins to different roots. The Sinhala people see themselves as a minority in the region and fear invasion and subjugation by an alien Tamil majority.

Moreover, at the independence, due to historical reasons, the Tamil minority was more favorably situated in educational (students), business (entrepreneurs) and professional branches (doctors, engineers) than the Sinhalese majority. Additionally, according to Stepan,[12] at the Independence, Buddhist monuments were in a sad state of disrepair. Also, during the British period, much of the public expenditures for schooling went to "state-assisted" English language privately run schools. These schools, the best in Ceylon, often had British and American missionary origins. They were attended disproportionately by the minority community of Sri Lankan Tamils, who due to their high-quality education in English, won a larger relative share of appointments, via competitive exams, to the highly coveted Ceylonese Administrative Service than did the Sinhalese.

When the first Prime Minister of newly independent Sri Lanka, D. S. Senanayake, was approached by a delegation of Buddhists with a request for some state support for monuments and schools he refused. His stated the reason that: "the Buddha has pointed out the path of development, and no state aid can take man there." An alternative response to this liberal formula could have been that of India's. India's constituent assembly created a distinctive form of secularism based on "equal respect for" all religions. This formula allows the Indian secular state to spend monies to

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[11] *A Case Against A Federal Constitution for Sri Lanka: Report of an Independent and Representative Committee,* Colombo: The National Joint Committee, September 2003, p. 12, cited in Bandarage (2009: 19).

[12] Stepan (2006: 7).

keep religious monuments and pilgrimage sites presentable and safe.[13] As Sri Lanka began addressing the problems of the Sinhalese-Buddhist majority, political leaders went from relative neglect, to aggressive nation-state policies, which contributed to increasingly polarized political identities, and eventually to two warring nations.

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[13]Under this formula, even the Hindu nationalist BJP-led government gave substantial subsidies for Muslims to make pilgrimages to Mecca. Indeed, one of the three terminals at Delhi's international airport, the "Hajj Terminal", is devoted exclusively to facilitating such pilgrimages, in Stepan (2006: 8–9).

Politics of Public Policy in India: Institutional Internalization of Inequality in Policy Legislation and Including the Excluded

Madhushree Sekher and Suchandrima Chakraborty

Abstract   The poverty-inequality focus in development discourse has generally been an acknowledgment of the gaps between the poor and the affluent, seen as an economic condition linked to livelihoods and employment deprivation. Or, it has been seen as a condition rooted in the broader socio-cultural moorings of the society, creating entitlement and capability deprivations. But, how do inequality concerns get reflected in, and impact public policies, and in turn the policies that address social exclusion? The processes shaping conceptualization of inequality concern within the policy frame have not been adequately comprehended in the development discourse. In the process of governance, this creates an institutional landscape of competing pressures that forms the core of the politics of public policy formulation and public service provisioning. This paper discusses the institutional internalization of the politics in public policy legislation in India, within the frame of the demands of citizens for development and inclusion.

Introduction

The 'inclusive' growth approach, with its focus on public policies aimed at eradication of poverty and inequality, is not new to the discourse on development for the world in general, and India in particular. But, the poverty-inequality focus has

M. Sekher (✉)
Centre for Study of Social Exclusion and Inclusive Policies, Tata Institute of Social Sciences, Mumbai, India
e-mail: madhusekher@gmail.com

S. Chakraborty
International Institute for Population Policies, Mumbai, India

97

generally been an acknowledgment of the gaps between the poor and the affluent seen as an economic condition linked to livelihoods and employment deprivation, or a condition rooted in the broader socio-cultural moorings of the society creating entitlement and capability deprivations. In the process of party democracy in a federal-parliamentary system, this implies: (i) a policy environment originating in ways in which the state interacts with economy (Katzenstein 1978; Williamson 1985), or the state-business relations (Wilson 1985); and (ii) the networks as institutionalized channels of interactions representing, besides state-economy relations, other types of state-society relations like clientelism and pluralism that speak of interconnectedness between government and public administration, and political parties in parliament (van Waarden 1992).

Thus, policy approaches to inequality are not just about the poverty alleviation exercise. True, the issue of inequality is a concern of humanity and well-being, including the right of people to have a life of dignity and access to basic goods and services. Acknowledged globally, the population of 1 billion who live in developed countries earn 60% of the world's income, while the 3.5 billion living in low-income countries earn less than 20%, with as much as 1.7 billion people in Asia alone living without access to basic sanitation facilities and electricity.[1] In keeping with this understanding, an approach of 'growth with equity' has been the accepted development policy pathway in many countries of the world and this is true of India, too. This is particularly reflected in the shifting comprehension of inequality concerns in public policies from merely viewing it as 'income inequality' to 'economic inequality' (Sen 1973, 1997).

However, the issue here is how do the inequality concerns get reflected in, and impact public policies? What are the drivers that determine the interest and structural coalitions that shape the welfare agenda of governments, and in turn the public policies on inequality? This raises questions about 'who' are the stakeholders, 'what' are the driving interests, and 'how' do the interests get articulated in the policy domain? It is important to note that the processes shaping the conceptualization of inequality concerns within the policy frame have not been adequately comprehended in the development discourse. This, therefore, raises a need to better comprehend the nature of shifts in the policy focus on two related points: (i) what are the public policies regarding provisioning of various types of primary goods[2]/resources, and what is the nature of shift in focus, if any; and (ii) how do the consequent structural and process conditions underlying resource provisioning address issues of access and utilization, which can be impacted by the people's/target groups' individual, environmental, social and relational diversities? On the one hand, this embodies a focus on policies that address the need for human capital development (e.g., social sector policies like health, education, and employment and livelihoods). On the other hand, it also calls for a focus on institutions and processes that can impact individuals' ability

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[1]For details, see Annan (2000).

[2]Reference here is to the general resources used to generate capabilities, including infrastructural and social sector resources like education and health.

to influence public policies that affect them, their ability to build and protect their assets, and their ability to gain access to public and private resources and services.

This broadening of focus from incomes alone to primary goods through which 'inequality' is approached within policy legislation is important by itself. However, it is not a sufficient explanation. Policy legislation also needs to be viewed through the lenses of the different interests that get represented in the policy domain, the structural coalitions through which the interests get represented such as political parties and civil society groups, and how this determines the politics of state actions, particularly in federal-parliamentary systems like India. The reference here is to public provisioning activities that involve actions of the state as an important player, intervening directly or indirectly in activities that produce or distribute resources and services. In highly plural and diverse societies like India, the powers and actions of the state are increasingly bound by a number of government and non-government agencies, and supranational and sub-national governments and players. These are often embedded within dynamic and interdependent contexts of systems and structures representing varying interests. In the process of governance, each of these agencies, governments, and players jostle for influence, creating an institutional landscape of competing pressures that form the core of the *politics* of public policy formulation and public service provisioning (Sekher 2014). This *politics*, too, forms an important dimension in the overall conceptualization of inequalities in public policies. The institutional internalization of this reality, both through individuals' and communities' abilities to promote/not promote their ends, and the government's acknowledgment of demands in the larger vision of public policy, could provide useful insights into who/what are the *drivers* in the process and, hence, into the *politics* underlying policy legislation to address *inequalities*.

Accordingly, the remainder of the paper is structured as follows: Section 'Inequality and Public Policies in India: Insights from Literature' briefly presents insights from literature about the inequality-politics link, while section 'Inequality Concerns: A Reality Check' provides a reality check of inequalities in the country. Section 'Institutional Internalization and Policy Legislation: An Analytical Framework' provides an analytical framework to capture the policy perspective that shapes concerns regarding inequalities and the need for creating '*equal opportunities for the excluded*' within the federal-parliamentary system of India. Finally, the section 'The State's Role and the Politics of Policy Legislation' presents a discussion of the Indian state's role and the politics underlying policy legislation to address inequality.

Inequality and Public Policies in India: Insights from Literature

Economic inequality in the policy domain has often been viewed as synchronous to the choices made by national governments to address their economies (Aisbett 2003). This reflects their agenda and approach to the development process and,

in turn, to the issue of inequality. However, it is to be noted that the public has more interest in poverty reporting based on total head-counts rather than poverty incidence, and this acknowledges the non-monetary dimensions of poverty (Aisbett 2003). Policy choices by governments to address poverty, therefore, also show a cognizance of the associated concerns of inequalities observed in non-monetary issues like access to public goods and services, in addition to inequalities in income distribution. Economic inequality and untangling the politics behind the shifts in the approach to addressing it in public policies thus needs an understanding of what the concept means.

True, there is no disagreement in concerns about poverty and inequality. The problem is in its treatment, leading to differing normative positions and policy prescriptions. As per the critics of globalization, one of the pre-eminent consequences of social process and other associated phenomena of economic liberalization is market segmentation. And, under the conditions of imperfect competition, the oligopolistic reach of big market players could spread all corners and the distortions can adversely affect the poor, both in terms of their role as suppliers of labor and raw produce, as well as their role as consumers of finished products (Bardhan 2008; Kanbur 2001; Nissanke and Thorbecke 2008). At the same time, a positive correlation is usually found between foreign direct investment, trade and growth, and the opportunities for increased competition and accountability provided by openness under globalization, which has also raised arguments in favor of sound political institutions and civil society to foster development[3] (Krueger 1980; Woolcock 1998). However, the central concern in this debate is not so much the contention over economic liberalization itself, nor is it the use of the market as an institution, but the overall inequities in the institutional arrangements that produce unequal sharing of goods and services, and benefits of the development process (Sen 2002).

As far as India is concerned, it has been argued that globalization appears to have been a cause for transforming India's existing highly segmented economy into a genuine common market, but this has in no way spelled out an erosion or a dismantling of the economic and welfare role of the state (Nayar 1974, 1997). While imperatives of globalization have brought a focus on economic development, the nature of the country's political system drawing its support base from a highly plural and diverse society has its compulsions on the political leadership shaping the politics in the process, and the consequent emphasis on public policies. It is this 'politics of development'[4] that is a crucial factor in defining India's policy approach toward addressing its problems of poverty and economic inequality, and its policy choices for achieving its development goals. This is an interesting dimension of policy legislation seen in India that needs further dialogue within the development discourse. Essentially, it pertains to questions such as: what are and how have political postulations been made towards 'inequality' and the nature of consequent policy legislation?

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[3]This has a reference to an understanding of development seen in terms of gains from globalization, and has a resonance on opportunities that shape income distribution.

[4]For details, refer to Nayar (1974, p. 364).

Often, India has been referred to as a vibrant democracy. The word 'vibrant' needs to be well-explained. If vibrancy is taken as depth of diversity, it suggests that India is the most diverse nation in terms of its physical, cultural, and social context. Unfortunately, this legacy of vibrancy holds a gloomier side too. There is a depth of economic inequality which exists in the country and this has consolidated over time (Drèze and Sen 2013; Narayan et al. 2000).

References to inequality and social exclusion of the impoverished section of society in India, as early as late nineteenth century, highlight a social and economic structure that saw the growth of a rich peasant class who capitalized from the commercialization and tenancy legislation in agriculture,[5] and who preferred to buy lands, become landlords, or turn to money-lending (Chandra et al. 2008). A vast section of the impoverished cultivators, most of them small peasants, tenants-at-will, and sharecroppers, had neither resources nor the incentive to invest in the improvement of agriculture. Lop-sided industrial development was yet another striking feature, with industries mainly concentrated in a few regions and cities of the country, thus indicating the unequal nature of growth the country was witnessing (Chandra et al. 2008).

Studies on shares of top income in India also point toward a skewed pattern in income distribution, with the average top Indian incomes accounting for 150–200 times larger share than the average income of the entire population (Banerjee and Piketty 2005). While the growth story of India's rich could be attributed to the shift from the early socialist approach toward a more liberal economic growth approach, it is also suggested that this may be due to the shift in power within the Congress party, which was the elected political party forming the national government in the late 1990s, toward a technocratic/pro-business group from the earlier socialistic principles of the party since independence (Delong 2001). The monster of poverty, inequality, and discrimination still reigns high in India in spite of the country's potential as an emerging economic power (Bardhan 2010; Basu 2008). There are marked regional inequalities (Rao et al. 1999), while wealth concentration in a small segment of the population has also increased (Deaton and Drèze 2002).

Why have different regions or states within the country witnessed different levels of growth or, for that matter, why there are different degrees of income inequality and poverty? Research to answer questions about why the rich population is grow-

[5]In India 70% of the population is dependent on agriculture. At the time of independence, almost half of the arable land was cultivated by tenants (those who are not in direct relationship with the state, but pay rent either in cash or kind to the landowner—tenancies may be recorded or unrecorded, short term for only a crop or extending over life time, and legal or illegal) and sharecroppers who paid rent to the landowner. Tenancy reforms during the first two decades after independence aimed at giving the tenants permanent rights to the land they cultivate, subject to a limited right of resumption to the landowners. Though the implementation of tenancy laws led to some tenants acquiring ownership rights, the incidence of tenancy still continues to be substantial. The banning of tenancy and various lease restrictions has only pushed the phenomenon underground, rendering the tenants' position even more precarious, often making them victims of a corrupt bureaucracy. For details, refer to N.C Saxena, 'Tenancy reforms versus open market leasing—what would serve the poor better?', *A Discussion Paper*, Planning Commission of India, New Delhi (Website: planningcommission.nic.in/hindi/reports/articles/ncsxna/index.php?), Accessed on 05-05-2014.

ing acknowledge, among other concerns, a need for greater focus on factors such as governance, institutions, and the cultural context, as having a defining role in determining a country's growth path (Hayami 1997). However, studies directly linking income inequality and institutions in India are limited (Kalirajan and Takahiro 2002). Recognizing that *economics is concerned with expanding the pie while politics is about distributing it*, it is noted that there is a relationship between politics and economic growth, and, as such, between politics and public policies seen in terms of the influence of different actors: average citizens, economic elites, and interest groups (Alesina and Rodrik 1994; Gilens and Page 2014). But, the politics of public policies in India has not been sufficiently examined to explain how this consideration is built into the country's public policy approach.

The political positions of different elected governments in the country have, over the years, resulted in piecemeal strategies to deal with issues of growth and inequality. It is only now, after the opening up of the Indian market during the 1990s, that policymakers and leaders of the country have recognized the importance of an integrated effort toward growth with inclusion of the weaker sections of society to fulfill the country's long-desired dream of being a sovereign, democratic, economic power in the world forum. Though studies provide a narrative of India's political economy and an analysis of the Indian state critiquing the dominant state-business alliance and the shift to pro-business policies (Kohli 2010), the underlying politics of this process is a vital factor that needs further examination. This is important, considering that state's role within the federal-parliamentary governance system is shaped by the politics of interest representation conditioning the democratic polity of the country.

Inequality Concerns: A Reality Check

The economic inequality seen in India has, undoubtedly, a double effect in terms of creating a cohort of poor, mainly comprised of women, children, and the socially marginalized groups seen within India's hierarchical social structure, such as the Scheduled Castes (SCs), Scheduled Tribes (STs), and the other backward castes (OBCs). The largely hierarchical society creates structures of social deprivation which, in turn, limits the opportunities of the socially excluded for upward economic mobility (Thorat and Newman 2009).

An attempt is made here to revalidate this argument by presenting a synoptic picture of the ground reality. For this purpose, we have used the National Family Health Survey (NFHS) data from 1998–99 and 2005–06.[6] One reason for this is that the NFHS is considered to be one of the best scientifically organized surveys with a nationally representative sample of more than 100,000 households, providing

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[6]National Family Health Survey (NFHS)-2 and 3 (1998–99 and 2005–06, respectively), India. For details see http://www.rchiips.org/nfhs/. The NFHS-2005–06 is the third round of the National Family Health Survey in India (equivalent to demographic health surveys, or DHS, in other countries). The fourth round of the NFHS survey is in progress and the results are expected to be in the public domain in 2017.

detailed information on availability and utilization of basic services. This section not only re-emphasizes our concerns about inequality and the politics of policies underlying the approaches of the Indian state to address it, but also helps us to outline an analytical pathway in the following section to better understand the factors that define how inequality concerns are perceived within Indian society and the consequent influences on policies.

Figure 1 clearly shows the vivid prevalence of economic inequality in the country. The proportion of people belonging to the lower wealth quintile from among the deprived castes of the population, that is, SCs and STs, is consistently higher compared to others, including the OBCs. This substantiates the claim we make here about how lack of opportunity for upward social mobility has transcended from economic inequality.

There is a vicious cycle of inequality, consisting of low economic status, lower castes, informal occupation, and lack of access to education/health services. Added to this, there is a gender dimension, with the women constituting a significant proportion of the economically deprived.

Table 1 shows that in the decade from 1998 to 2006, around 41% of SC and OBC women and 68% of ST women were engaged in agricultural and unskilled work, which formed a highly insecure employment segment characterized by exploitation, deprivation, and poor quality of life. In addition, a significant proportion of women in the survey sample (NFHS-3) and the SC and ST men were reported as 'not working' in
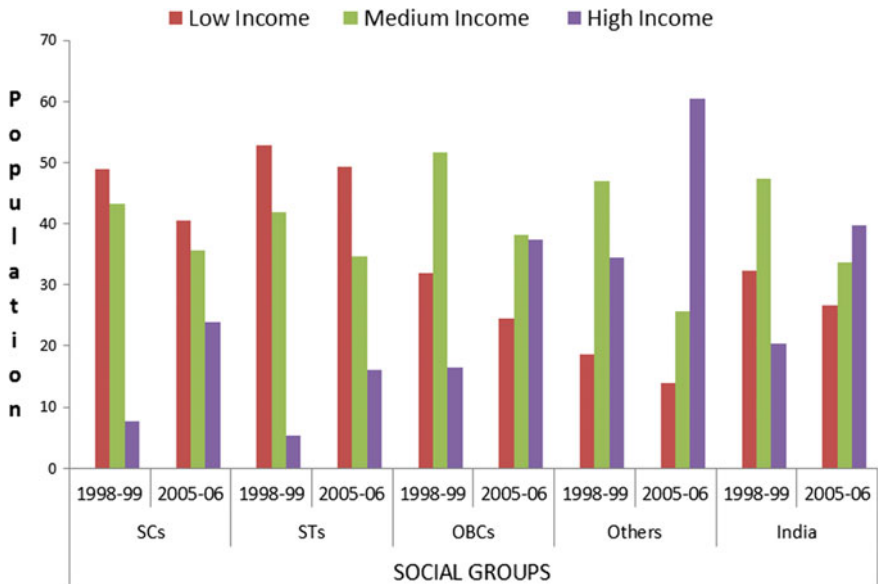

Fig. 1 Economic inequality (measured through wealth quintile) across various social groups in India. *Note* The Wealth Index is divided into low, medium and high-income group using the data from NFHS Rounds 2 and 3. *Source* Computed from National Family Health Survey of the years 1998–99 and 2005–06

Table 1 Employment status bifurcated for gender and social group (as *percent of the total*)

Indicators	Social groups									
	SCs		STs		OBCs		Others		India	
	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06
Women										
Not working	53.3	49.4	36.7	27.5	58.5	52.5	72.1	71.0	61.0	55.4
Professional	1.2	1.7	1.2	1.3	1.5	1.8	3.0	3.6	2.0	2.3
Clerical	0.3	0.4	0.3	0.4	0.3	0.6	0.7	0.9	0.5	0.6
Sales worker	1.2	1.3	1.9	1.5	1.5	1.8	1.3	1.8	1.4	1.7
Agricultural worker	31.0	31.2	49.3	54.2	27.8	32.3	16.0	12.8	25.6	28.0
Service worker	2.1	5.7	1.3	1.8	1.2	2.5	1.0	2.7	1.3	3.2
Semi and unskilled	10.4	10.2	9.1	13.3	9.1	8.4	5.6	7.2	8.0	8.9
Don't know	0.3	0.0	0.1	0.0	0.1	0.0	0.3	0.0	0.2	0.0
Total (N)	**16,511**	**18,905**	**7854**	**8237**	**29,715**	**39,833**	**35,306**	**29,783**	**89,386**	**97,293**
Men										
Not working	NA	12.0	NA	8.8	NA	12.6	NA	14.4	NA	12.7
Professional	NA	4.1	NA	3.2	NA	4.9	NA	9.2	NA	6.0
Clerical	NA	2.9	NA	2.0	NA	3.2	NA	5.0	NA	3.6
Sales worker	NA	7.2	NA	4.0	NA	12.5	NA	15.6	NA	11.7
Agricultural worker	NA	28.1	NA	48.7	NA	31.3	NA	24.4	NA	30.0
Service worker	NA	5.6	NA	2.5	NA	4.6	NA	4.5	NA	4.6
Semi and unskilled	NA	40.1	NA	30.8	NA	31.0	NA	27.0	NA	31.4

(continued)

Table 1 (continued)

Indicators	Social groups											
	SCs		STs		OBCs		Others		India		
	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06	1998–99	2005–06	
Don't know	NA	0.0	NA	0.0	NA	0.0	NA	0.0	NA	0.0	
Total (N)	NA	**13,964**	NA	**6061**	NA	**29,025**	NA	**22,822**	NA	**72,062**	

Note 'NA': Not applicable as the data were not collected for men during NFHS-2

'Don't know': The respondent could not respond about his or her occupation in the last 12 months at the time of the survey

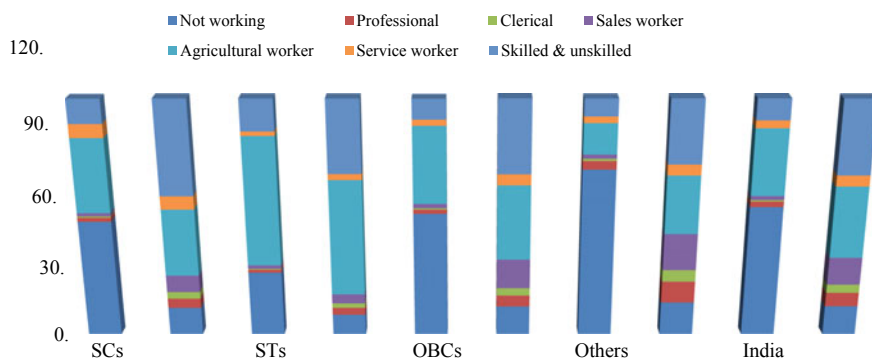*Source* Computed from National Family Health Survey of the years 1998–99 and 2005–06

Fig. 2 Gender inequality in employment status: a trickle-down effect of economic inequality. *Source* Computed from National Family Health Survey, 2005–06

the period under reference here. The table clearly highlights that although the policies and approaches of the government toward inequality and employment generation have brought some positive changes, the situation is still highly disappointing.

As indicated in Fig. 2, agriculture forms the major employment share of India's economy. This agrarian economy largely comprised farmers with tiny landholdings and landless workers. Significantly, the proportion of women employed in agriculture is much higher compared to men, re-emphasizing the fact that, in India, economic inequality often transcends into social inequality.

An important dimension of this inequality, which is also a core cause of its perpetuation and the persistence of a fragmented society, is lack of access to education. In spite of the Government of India's massive attempts to promote education through various welfare initiatives and educational campaigns, the picture is still gloomy. As shown in Table 2, according to the NFHS-3 data, almost half of the female population in the country remains in the darkness of illiteracy and, from among this illiterate population, the SC and ST women constitute 56 and 63%, respectively. This makes for a very disheartening picture of India's development story.

When inequality of access to healthcare is taken into consideration, the picture becomes even more complex. In spite of the high growth rate that India has achieved in last couple of decades, infant mortality, maternal mortality, immunization coverage, institutional delivery, and antenatal care (ANC) services in India are dismal. A prime, though not the only, reason for such a scenario is insufficient political motivation to bring about the change. The National Rural Health Mission (NRHM) has led to institutionalization of maternal and child health care in the country through the Janani Suryaksha Yojana[7] (JSY), and the appointment of Accredited Social Health Activists (ASHA) and Auxiliary Nurse Midwife (ANM). However, aside from the formation and implementation of decentralized health plans at state, district, and village level resulting in commendable improvement in the services reaching all sections of society, the overall picture is far from satisfactory. Figure 3 shows that

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[7]Social policy for the welfare of lactating mothers.

Table 2 Educational attainment across social groups (as *percent of the total*)

Indicators	Social groups				
	SCs	STs	OBCs	Others	India
Men					
Illiterate	37.1	44.6	32.9	24.1	32
Primary	27	28.6	25.7	22.3	25.2
Secondary	31.9	24.2	35.5	40.9	35.5
Higher	4	2.6	5.8	12.7	7.3
Total (N)	**13,964**	**6061**	**29,025**	**22,822**	**72,062**
Women					
Illiterate	55.6	63.6	51.2	51.2	48.5
Primary	22.7	21.4	22.2	22.2	22.3
Secondary	19.9	14	23.7	23.7	25
Higher	1.7	1	2.9	2.9	4.1
Total (N)	**18,905**	**8237**	**39,833**	**29,783**	**97,293**

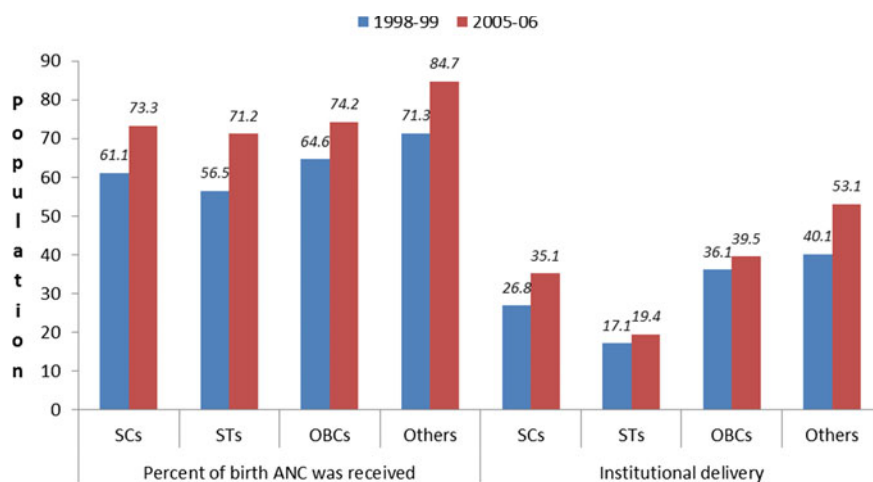*Source* Computed from National Family Health Survey-3, 2005–06

Fig. 3 Social inequality in terms of health care to pregnant women. *Source* Computed from National Family Health Survey of the years 1998–99 and 2005–06

although institutional delivery, an important indicator of access to healthcare services in a society has improved, and there is no denial of the fact that still a significant proportion of the population does not have access to institutional delivery in the country. A major reason for this failure has been the weak financial conditions of the poor, coupled with a general lack of awareness. In spite of being provided with free-of-cost institutional delivery provisions at hospitals, many of the poor are not accessing the service.

The scenario pertaining to reducing infant mortality rates (IMR) and improving nutrition status has been the biggest worry for the country. Table 3 shows that high disparities in infant and child mortality rates still persist along the social stratum. Almost 87% of illiterate mothers face infant mortality as per NFHS 1998–99, and 70% of illiterate mothers face this situation according to NFHS 2005–06. The number is more than 80% for SC and ST women as per NFHS 1998–99, although a marked decline was seen during NFHS 2005–06, indicating significant success of child health programs.

Table 3 Change of social factors within a period of 10 years

	1995–96		2005–06	
	Infant mortality	Child mortality	Infant mortality	Child mortality
Sex of child				
Male	53.8	14.6	43.7	9
Female	44.3	19.7	39.1	12.4
Mother's education				
Illiterate	86.5	39.7	69.7	26.9
Literate, < middle complete	58.5	18.4	52.33	10.3
Middle school complete	48.1	10.5	36.5	3.6
High school complete and above	32.8	4.4	25.9	3.9
Caste/tribe				
Scheduled caste	83	39.5	66.4	23.2
Scheduled tribe	84.2	46.3	62.1	35.8
Other backward class	76	29.3	56.6	17.3
Other	61.8	22.2	48.9	10.8
Total	73	30.6	57	18.4

Source Computed from NFHS-2, 1998–99 and NFHS-3, 2005–06
Note 1 The 10-year period preceding the survey does not include the month in which the interview took place. Rates are specified on a per-thousand basis. See text for definition of rates. Total includes children with missing information on mother's education, caste/tribe, whose mortality rates are not shown separately
Note 2 Infant mortality: The probability of dying before the first birthday
Child mortality: The probability of dying between the first and fifth birthdays

Three standard indices of physical growth that describe the nutritional status of children are height-for-age (stunting), weight-for-height (wasting), and weight-for-age (underweight). Table 4 shows that a similar scenario of inequality exists in

Table 4 Percentage of children under age 3 years classified as undernourished on three anthropometric indices of nutritional status, according to selected background characteristics

Caste/tribe	Underweight		Stunting		Wasting		No. of children
	Severely underweight	Underweight[a]	Severely stunted	Stunted[a]	Severely wasted	Wasted[a]	Total
NFHS 1998–99							
Scheduled caste	21.2	53.5	27.5	51.7	4	16	4919
Scheduled tribe	26	55.9	27.6	52.8	4.4	21.8	2236
Other backward class	18.3	47.3	23.1	47.7	3.4	16.6	7941
Other	13.8	41.1	19.4	42.7	1.8	12.8	9265
Total (N)	**18**	**47**	**23**	**45.5**	**2.8**	**15.5**	**24,600**
NFHS 2005–06							
Scheduled caste	18.5	47.9	27.6	53.9	6.6	21	9531
Scheduled tribe	24.9	54.5	29.1	53.9	9.3	27.6	4448
Other backward class	15.7	43.2	24.5	48.8	6.6	20	18,969
Other	11.1	33.7	17.8	40.7	5.2	16.5	13,351
Do Not Know	16.3	35.1	22.3	45.8	3.1	14.1	193
Total (N)	**15.8**	**42.5**	**23.7**	**48**	**6.4**	**19.8**	**46,492**

Source NFHS-2, 1998–99 & NFHS-3, 2005–06

Note 1 Each index is expressed in standard deviation units (SD) from the median of the International Reference Population. Total includes 3, 23, 239, 7, 42, 78, and 278 children with missing information on mother's education, religion, caste/tribe, mother's work status, mother's height, mother's body mass index, and the standard of living index, respectively, which are not shown separately

Note 2 [a]Includes children who are below –3 SD from the International Reference Population median

Note 3 Underweight—Weight-for-age, where severely underweight is percentage below −3SD and underweight is percentage below −2SD

Stunting—Height-for-age, where severely stunted is percentage below −3SD and stunted is percentage below −2SD

Wasted—Weight-for-height, where severely wasted is percentage below −3SD and wasted is percentage below −2SD

Note 4 'Do Not Know' category in caste was added in NFHS-3

terms of nutritional status of children by social groups, with children of the socially marginalized groups showing a poorer health status compared to others.

Institutional Internalization and Policy Legislation: An Analytical Framework

The above discussion on inequality in India reflects that it is a condition coterminous with lower economic and social status. Inability to participate effectively and with dignity in economic, social, and political life may be seen in processes that construct the inequalities, both in *distributional* and *relational* aspects. Thus, endeavors of the state to address inequalities in society, from a policy perspective cannot ignore the unequal interactions and treatment of certain population groups in relation to their counterparts, in terms of accessibility to or allocation of resources, and in extracting societal benefits.

Accordingly, this section presents the analytical framework applied in this paper to explain the institutional internalization of inequality in the policy legislation process within a federal-democratic polity like India. Using a structural-functionalist approach, the framework assumes an inter-link between politics and the functioning of the state administrative structure, wherein agenda-setting for policy legislation to address inequality is: (i) at one level, a function of recurring interactions between conflictual/diverse interest groups guided by their perceptions of expected benefits and costs; and (ii) at another level, a product of legitimate institutional practices and prescriptions that define the decision situation and process. The politics of policy legislation is more evident in the first instance when interest groups, mainly through citizen and non-governmental participation and political representation, attempt to set policy agendas and advance their preferred policy options to address inequalities.

India is one country that has, since 1950s after its independence from colonial rule, been able to use state interventions to usher in policies aimed to tackle its inequalities. As illustrated in Fig. 4, the institutional internalization of inequality in India is largely an outcome of three influences: (i) the democratic polity of the country; (ii) the mixed economy strategy, along with socialist-welfare ideals that characterize the country's development approach; and (iii) the principles of constitutionalism defined in the Constitution of the country. In this analytical framework, inequality is viewed as a product of poverty, lack of employment/livelihood opportunities and social marginalization, and the policy legislation process to address inequality as a result of the internalization of inequality concerns into legitimate state structures and institutions for policymaking. The Indian state, by nature, monopolizes access to resources (Harris 2010), be it land and natural resources (*such as water, forests, or mining resources*), labor (*such as jobs in public services or employment in public works, as well as goods and services linked to the production of human capital and entrepreneurship*), or capital goods (*monetary resources and physical assets, like roads, bridges, buildings, production facilities, and inputs for agriculture*). In this
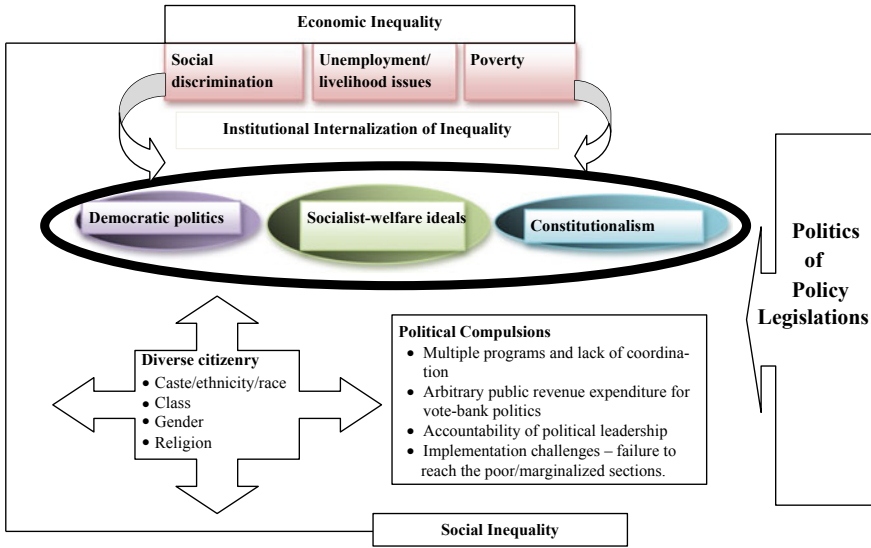
Fig. 4 Analytical framework

scenario, the state's approach to address inequality through program benefits or allocation of goods and services is a political decision wherein the government, through the political party/political leadership enjoying a majority position in parliament, has defining authority.

In addition to the compulsions of democracy in a highly plural society, which is often characterized by vote-bank politics and associate compulsions, policy legislation in India is also guided by *socialist-welfare principles* that underlie India's mixed economy strategy to meet its development goals, and the principles determining Indian *constitutionalism* that reflect *the foundational or normative concerns and the institutional prescriptions* shaping the country and its government. The inequality concerns in the policy domain are essentially viewed through the lens of diversities based on: (i) acquired status; that is, class; (ii) marginalization linked to ascribed status; that is, caste, ethnicity, or religious minority status; and (iii) gender-related discrimination. It is presumed here that in a social system characterized by such inequalities, those at the bottom-rung experience multiple disadvantages. Policy legislation to address these inequalities is not independent of political considerations of gains, and is often used as tools to serve the interest of the political party with majority support and forming the government in the federal-parliamentary polity of the country.

The State's Role and the Politics of Policy Legislation

How has the Indian federal system fared in its handling of inequality concerns and the linked issues of diversity? How has this diversity been organized and experienced within a single democratic polity? These questions are becoming especially pertinent, considering that the country has dissatisfied communities questioning their status and situation. The response to growing demands of diversity within the state has been a constant challenge to the Indian federal-parliamentary system. This section discusses the institutional internalization of inequality concerns and the state's role in addressing them through policy legislation. Along the lines of the above-mentioned analytical framework, policy legislation to deal with inequality issues in India is guided by three different, but inter-related, considerations.

The first are the prescriptions and foundational concerns enshrined in the Indian Constitution to address the country's diversities and support the socially marginalized.

> The constitution-makers had then to embody 'subaltern' expectations in ways that negotiated avoidance of wholesale derangement of dominant expectations. They accomplished this in a whole variety of compromistic ways, by a mix of the 'symbolic' and 'instrumental' strategies…. [That] free India would be constituted as a republic, enunciating the equal worth of all citizens (Baxi 2008, p. 103).

In keeping with the differential social expectations of people differently endowed, constitutionalism in India, thus, oriented a legitimization of state conduct toward expectations of the citizens with an underlying emphasis on social justice and equality (Baxi 2008). The chief characteristics of this construction of citizenship by the Indian Constitution pertain to outlawry of the practice of untouchability (*as a fundamental human right under Article 17*), forms of subservience, such as the practice of the forced labor/bonded labor system (*under Article 23*), discrimination on the grounds of gender (*under Articles 14.15*), and special provisions for minority/religious rights (*Articles 25–30*).

Indian constitutionalism, thus, creates a notion of inclusive citizenship that ensures the same fundamental rights to all. While equal access to the normative order of rights is guaranteed, the Constitution of India also reconciles a commitment to equality by ensuring that the rights are differentially distributed among all citizens of the country, through preferential provisions, to remedy the effects of past discriminations. Although cognitive bias-type discriminations on caste, ethnicity, and gender status is still a serious continuing problem in India, the constitutional provisions for affirmative action make it an obligation of the state, through the working of its executive and legislature, to focus policies on eradicating the inequalities and segregation in society.

Such a construction of equality can, however, be criticized as being largely state-centric and state-driven, with ground realities often belying the constitutional ideals. For instance, under the principle of universal suffrage and '*one person one vote*', all citizens have the right to vote and contest in the electoral process irrespective of their socio-economic background. But, non-participatory and non-integrative devel-

opment practices and the presence of vote-bank politics playing to a multicultural electorate can also create situations of rightlessness and inequalities where resources and power can be concentrated with some, who could either be numerically, or socially and economically dominant.

The ideals of equality outlined in the Constitution of India cannot, by themselves, be taken as a condition for removal of inequality in the Indian society. But, at the same time, there cannot be any doubt that these provisions become the first set of influences, creating a broader frame on the lines of which inequality issues get internalized into the institutional domain of the Indian state and the government's policy frame.

A socialist-welfare state ideology to create equality of opportunities is another influence on how inequality concerns get institutionally internalized in the Indian state. The approach strongly underlies India's planning process, and is amply evident in the priorities outlined periodically in the country's development plans. From the beginning, since India achieved freedom from colonial rule, policy strategies to tackle poverty and address inequality concerns have been the thrust of the country's development planning process. The country follows a two-pronged policy approach to address poverty. One strategy is a targeted approach aimed to build capabilities and capacities of the poor and socially marginalized for gainful employment and livelihood options. This not only involves providing employment and livelihood opportunities but also provisioning better health and education facilities, and creating physical infrastructures like irrigation, power, roads, transport, and communication systems, which can improve income-earning capacities. At the same time, keeping in tune with the constitutional ideals of inclusive citizenship and social justice, the other strategy has been to recognize the adverse social consequences of inequities (e.g., rising rural distress, food insecurity, inequitable landholdings, and land alienation, and wide difference in agriculture and non-agriculture *per capita* incomes) and the need for redistribution. This is seen in terms of concerted policy interventions that provide *institutional credit to agriculture, extension services to small and marginal farmers, micro-credit to women, providing heavily subsidized food to poor households, and other programs for supporting the poor like subsidized housing, old age pensions, or maternity assistance*). While the first set of policy legislation focuses on growth and strategies for growth-driven economic well-being, the second set of policy interventions largely addresses the inequalities[8] arising, or even persisting, in the event of growth and the need for redistribution.

The different five-year plans of India, beginning from the 1st plan (1951–55) to the 12th plan (2012–2017), and subsequently the plans under the *NITI Aayog* (National Institution for Transforming India) established as the successor to the 65-year-old Planning Commission in 2015, reflect the nature of the country's policy approach to inequalities. A review of the policies shows a shift in the country's approach to tackle poverty and inequalities from rigorous socialism to a more moderate socialist-

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[8]Estimates from four different National Sample Survey (NSS) rounds for the agricultural years 1993–94, 2004–05, 2009–10, and 2011–12 show that economy growth in India is a story of exclusionary growth confined to the better-off sections (Suryanarayana and Das 2014).

welfare perspective, along with a pro-industry and pro-market development strategy. This shift in the policy agenda to growth and inequality can be specifically traced by comparing the plans during pre-1990s and post-1990s (Lahiri 2014). During the early plan periods, beginning from the first five-year plan (1951–55) until fourth five-year plan (1969–1974), the policies to create equal opportunities mainly focused on institutional reforms through: (i) the Community Development Program initiated in 1952 that aimed to decentralize local development programs specifically targeting the poor; (ii) the Green Revolution to increase production and accessibility of food grains; and (iii) land reforms to remove the influence of intermediaries and improve the quality of life for the poor. The plan periods during the 1980s and early 1990s saw a more targeted program approach to provide income and livelihoods to the poor, such as the Integrated Rural Development Program introduced in the late 1970s. This employment-generation program subsequently saw many refinements and transformations, culminating in the National Rural Employment Guarantee Scheme in 2005. The post-2000 plan phase witnessed a focus on inclusive growth issues to shrink inequalities, such as a focus on growth of the gross domestic product, human resource development, public service delivery, infrastructure development (both physical and social), investments in agricultural growth, and governance reforms to enhance accountability and people's participation in program implementation.

What was the situation that marked this shift in India's planned policy prescriptions toward inequality? Figure 5 shows the trend of the inter-state Gini coefficient for the past three decades, tracing economic inequality in the gross domestic product (GDP) of the country. It is evident that the gap between the better-off sections and the economically deprived has not been bridged. In fact, the rapid rise of the inter-state Gini coefficient, particularly in the post-1990s liberalization period, shows how unequal the benefits of growth have been in the country. Of course, there have been some crests and troughs in the short run. As explained in the subsequent section, this can be attributed to the parliamentary-democracy and the politics of pro-poor policies that has characterized the working of the Indian state and its machinery.

Estimations presented in the 12th five-year plan (Planning Commission 2013) show differentials in the growth of the gross state domestic product (GSDP) across the preceding four plans: the 8th plan, 9th plan, 10th plan, and 11th plan in five low-income provinces of the country (Fig. 6). During the 8th plan, while Rajasthan's GDP grew the highest, the province of Odisha recorded very low growth; in the 9th plan period the province of Uttar Pradesh failed badly with very low GDP growth while Rajasthan and Odisha shared the top spot. During the 11th five-year plan period, the picture became much more symmetrical. As shown in Fig. 6, clear trends of gradual improvement in GDP in the five selected low-income provinces were observed, particularly during the 11th five-year plan period. The average GDP growth rate of these states increased from 5.16% in the 8th plan to 6.38% in the 10th plan and 8.80% in the 11th plan (Planning Commission 2013, pp. 303–304).

It has been noted that factor inputs such as property rights (defined primarily as land rights), access to credit, labor market flexibility, literacy and other investments to build human capital (such as health and basic services like housing and sanitation)
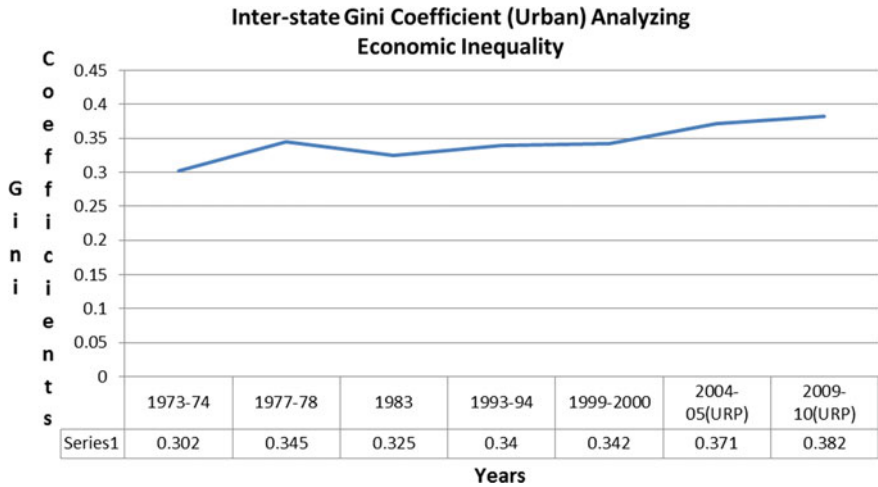
Fig. 5 Inter-state Gini coefficient analyzing economic inequality. *Note* (a) The Gini coefficient is calculated assuming that all individuals within each state have gross income equal to per capita gross state domestic product (GSDP). This method ignores the inequality arising from the unequal distribution within each province of the country, and focuses only on inequality arising from inter-state differences in per-capita GSDP. (b) URP stands for 'uniform reform period'. (c) All the coefficient values are in three decimal points except 1993–94, which is 0.340. *Source* Adapted from (Ahluwalia 2011); *Data Source* Computed from Planning Commission Databook, 2011, http://planningcommission.nic.in/data/datatable/data_2312/DatabookDec2014%20106.pdf
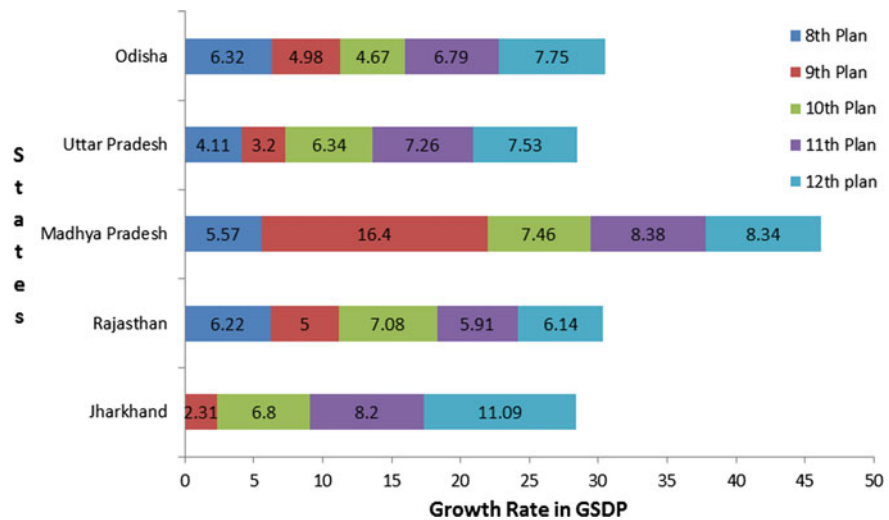

Fig. 6 Comparative growth rates in gross state domestic product (GSDP) for selected low-income states showing regional economic inequality. *Note* Average GDP growth rates of provinces of India with lowest per capita income. *Source* Adapted from the 12th five-year plan report (Planning Commission 2013, p. 304), http://planningcommission.gov.in/plans/planrel/fiveyr/12th/pdf/12fyp_vol1.pdf

as well as institutional provisions to hold governments accountable can go a long way in shrinking poverty and delivering inclusive growth (Besley et al. 2007). The 11th plan period saw a convergence of many of these factors in India's policy approach to address poverty and disparities, and this becomes evident from the visible growth rates of the low-income provinces during this plan phase.

What explains the policy shifts? As hinted in the forgoing discussion, the politics of pro-poor policies, characterized by interactions constituted through collectives of electorates seen in democratic regimes, is an important influence on how inequality concerns get institutionally internalized. Described as 'interest group economism' (Moore 1999), the politics underlying the structure of the bargaining process in which the state itself and, in turn, the democratically elected government is responsible for agenda-setting and policy formulation, may not be neutral arbiters. This process can also be one explanation for the policy shifts seen in India. It is a recognized fact that in democratic regimes where minimum standards of policymaking have been institutionalized, cumulative interactions of the people organized in participatory processes (e.g., pressure groups and civil society organizations or political parties) with central or local agencies of the state for policymaking, can result in political engagement and actions that drive policy legislation (Gray-Molina and Whitehead 1999). It may, thus, be the case that policy legislation for the benefit of the poor and marginalized are promoted for political reasons. On the one hand, they reflect what the people have been successful in articulating as their demand/need. On the other hand, the policies are also an outcome of what concerns the political system, that is, the government (in India, this reference is to the political parties and the policymaking process that structures the bargaining process) rationally internalizes to maximize its electoral support.

At the same time, the delivery of public policies and services in India is a responsibility of the state and, as such, their implementation has an important bearing on pro-poor growth. Both improving governance and changing the role of the state to refocus its activities on core services that address inequalities also assume importance. But in most cases implementation deficits are observed; pro-poor policy legislation benefits some of the target population at the cost of others, and may also benefit the non-poor. There is no denial that reforms in India over recent decades have spurred economic growth and contributed to a decline in poverty. But, India's various public policy programs, including the National Food Security program through the Public Distribution System, the National Rural Employment program, and the universal education program, are all replete with instances of implementation lapses (Pritchard et al. 2013).

So, isolating the understanding of policies for pro-poor development and tackling inequality as purely a linear process of agenda-setting, policy formulation, and implementation, institutionalized within the government system is a distortion. Public policies for pro-poor growth and inclusive development are not just the result of straight government strategies, but are largely politically driven and systemically structured, which defines their nature and impact. There are several reasons why democracy survived in India: the decision of the Congress party to forsake rapid industrialization for democratic stability in the early decades after independence; the

dispersed pattern of ethnic cleavages and workings of federalism, which localized outbreaks of conflict; and the commitment of political leadership to democratic practices (Varshney 1998). Put differently, the politics of recognition, based variously on identities of caste, language, and religion, is a crucial feature of democratic politics in independent India (Ruparelia 2008). This, in turn, defines how and what interests are represented, and how and what interests get articulated through policies.

For instance, the approach of the National Congress party to address the issue of inequality has generally been through affirmative provisions for the marginalized population, an increase in investments in rural and social development, and a thrust toward employment assurance. For example, during the general election in 2009, the Congress party fought the electoral battle on the promise of ensuring comprehensive coverage of social security to all persons who are at special risk, including: (i) single-woman headed households; (ii) the disabled and the elderly; (iii) the urban homeless; (iv) released bonded workers; (v) members of primitive tribal groups; and (vi) members of designated 'most backward' communities. To combat the inequality in rural areas and in agriculture, comprehensive crop insurance schemes were also proposed to be implemented.

Attempts of the Congress party to push for policy legislation in keeping with its election promises could be seen during its government tenure in the federal polity, such as the enactment of the National Employment Guarantee Scheme, the National Food Security Act, the National Rural Health Mission, the *Sarva Siksha Abhiyan* universal education program, and the *Rashtriya Krishi Vikas Yojana* agricultural development policy. The ambitious *Bharat Nirman* program to transform rural India by expanding and providing irrigation, all-weather roads, houses for the poor, drinking water, electricity for all poor families, and phone connectivity in all villages also features as part of the political party's policy drive to meet its electoral promise.

Questioning the federal government's working under the Congress party-led alliance (the United Progressive Alliance—UPA) in the last decade from 2004 to 2014, the Bharatiya Janata Party (BJP) and its political alliance (the National Democratic Alliance—NDA) fought the last general elections in the country in 2014 on questions of effective government for good governance, along with promises to end corruption. It is this electoral promise that won the people's mandate and brought BJP, under the leadership of Narendra Modi, to power at the center to form the national government with expectations that the government would work on its promised approach of 'minimum government and maximum governance', bringing policy initiatives for effective governance, infrastructure development, agriculture growth, and employment opportunities.

At the verge of the General Elections 2019, the narratives have again started changing. The Bharatiya Janata Party (BJP) and its political alliance (the National Democratic Alliance—NDA) during their tenure have gone through multiple troubles such as demonetization, IL&FS crisis, administrative problems with the Supreme Court of India, Reserve Bank of India, and the Central Bureau of Investigation. The narratives of ending corruption and effective governance have now shifted toward an anti-Congress narrative and the politics of appeasement. There are two major election agendas, namely the unemployment or job crisis and the agrarian distress,

which impact public policy. Farmer loan waiver, 10% reservation for economically weaker sections (EWS), and the minimum income for all are attempts made by the political parties to gain voters' support. After the Indian National Congress (INC) won the Chhattisgarh, Madhya Pradesh, and Rajasthan elections in December 2018, its newly constituted governments waived off farmer loans in the states. The BJP-led national government also intends to waive farmer loans if they are re-elected. This highlights a kind of bargain that is orchestrated wherein political parties claim to waive loans if people vote for them.

One important aspect to note is that the farmer loan waiver is not an effective measure to sort the agrarian crisis. Rather, it is a short-term mechanism to counter the effects of the agrarian crisis. This phenomenon is not just common with the agriculture sector but with other things such as free laptop for students, baby-kits being circulated to new mothers in Hyderabad (Basavatarakam Mother Kits), and so on. The 10% reservation to the economically weaker sections, though passed in the Parliament without any resistance, acts as a precedent to INC's motive to provide minimum income to all if it is voted to power in the 2019 General Elections. Even though this policy is just a part of the INC election manifesto, the context in which this policy emerged is to be carefully noticed. It is essential to note the gray area that lies between the ruling political party and the functioning government that needs to be carefully treaded.

The ruling political parties form the government, but the government is to act beyond the political parties. Often governments create or alter the existing public policy to gain political mileage. The sanitation policy of the BJP-led national government is an apt example. The transition from Centrally-sponsored Rural Sanitation Program (CRSP) to Total Sanitation Campaign (*Swatch Bharat* program) saw a shift in the approach from supply-driven to demand-driven. Though the program has been renamed again and again, the basic structural functioning of the scheme has remained the same. The appropriation of mass identity by the political parties is achieved majorly through two ways—first, through public policy measures, and secondly, through identity politics. Both ways are intricately associated.

Conclusions

Described as 'patronage democracy' in the federal-parliamentary system witnessed in India (Harris 2010), public policy legislation in the country to address inequality is a politically construed institutional internalization of concerns. In other words, it cannot be disputed that public policy legislation in a democratic regime like India is not just equality concerns in terms of income opportunities, but also involves a comprehension of equality within the frame of the demands of citizens for development and inclusion, and the political rationalization of what can secure the electorate's support. Public policies to address inequalities in the country are thus a product of:

- democratic politics;
- constitutional provisions for people's development; and
- public provisioning of basic amenities and facilities through policy planning, rationalized in the frame of electoral gains.

Policy legislation in India is, thus, a unique balance between the constitutional ideals and pragmatism of democratic politics. However, it is a challenging task for any political leadership to effectively govern a country as diverse as India, with varied and increasing aspirations of its citizens. In addition, fulfilling the promises as outlined in the election manifestoes of political parties is not going to be easy, given the persisting implementation bottlenecks in the public administration of policies and services. Notwithstanding this, it would be unfair to say that the result has always been disappointing. It is an indisputable fact that economic inequality and poverty have decreased substantially over the years. However, the politics of interest representation in public policies marks an institutional internalization process, away from a top-down bureaucratic approach, to a more politically driven process.

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Part III
State, Institutions and Representation

Democratic Participation in Bangladesh: Does It Vary Across Ethnicity, Religion and Gender

Sk. Tawfique M. Haque and Md. Akram Hossain

Abstract Civic participation is a broad indicator of democratic culture in a contemporary society. The testimony to a functional democracy in a country can be traced by citizens' participation in political functions. This paper, in particular, addresses two research questions: (i) What is the level (in terms of both quantity and quality) of participation of Bangladeshi people in political activities? (ii) Does this participation vary across the demographic identity of citizens? In order to answer the above questions, data from a survey carried out among 2795 persons in Bangladesh in 2014 were used. Two broad themes have been applied in this paper to assess the intensity and quality of civic participation in Bangladesh: use of voice mechanism in ensuring public accountability and political engagements of citizens. Through civic associations many citizens take part to raise an issue collectively, or make voices through petitions an issue which may concern public interest into public domain. The survey finding revealed that citizens of Bangladesh quite satisfactorily participated (more than 89%, n = 2608) in voting process. However, the process of collective thinking and participation in other political activities is, however, low or such processes cannot adequately attract individual citizens in recent times. In this paper, it was assumed that the intensity and quality of participation would vary across the demographic identity such as gender, religion, ethnicity, income, age and education. Minority groups, disadvantaged group and backward population might be left out from political engagement. But the findings show mixed results which ascertain that demographic identity does not create much difference in democratic participation of citizens. This may be because of effective social inclusion policies and rigorous efforts of government in Bangladesh to make a gender balance, mainstream the religious and ethnic minorities and other backward groups in different public spheres in order to ensure equal rights for all and open an avenue for more socio-political engagement.

Sk. T. M. Haque (✉) · Md. A. Hossain
North South University, Dhaka, Bangladesh
e-mail: tawfique.haque@northsouth.edu

Introduction

Citizens' participation in electoral and other political activities is one of the fundamental aspects of democratic system of governance. People from all groups—gender, religions, ethnicity, income and so on—should have equal access to vote for candidate in elections, to engage in any political activities and to raise their demands to be fulfilled. At the same time, such participatory activities would let the government know about the views and opinions of citizens and can take necessary initiatives to address the issues which concern them. This is the real meaning of democracy (Richardson 1983 cited in Aulich 2009). A large distance in power and knowledge in society and discriminative political culture can be a significant threat for level-playing field for inclusive participation in democratic activities in any developing countries like Bangladesh. Offering a place for the marginalized groups, beyond the well-established vested interest groups, with a congenial environment to raise their issues and concerns can be one of the strategies to solve this problem. Participatory arrangement will create a space for communications and negotiations in a democratic set up between citizens and government that will ultimately enhance democracy and create an avenue for discussion and debate on public policies with a view to develop more effective and quality decision-making process. Enabling citizens, both resourceful and marginalized or underprivileged, to engage in socio-political activities to make their voices heard and accommodate their concerns in policy-making process is an effective way to promote democratic participation. Such arrangement would enhance the access for the poorest and disadvantaged groups and thus ensure both economic and political inclusion for them (Cornwall and Coelho 2006).

Many theorists in the field of democracy argued that there are some positive impacts of citizen participation on the quality of democracy. One of the key benefits of participation is a healthier and more functional democratic system (Barnes 1999: 67). But the problem lies with the equal access to such participatory democratic functions for the people with different socio-demographic backgrounds. In most of the countries some particular segment of social groups had more power and control over others; for example, men over women, majority over minority, strong over weak, rich over poor and so on. However, with progress of twentieth century the scenario started to change, and the monopolistic attitudes and behaviour are no more well accepted in a democratic polities and social set ups. Many countries all over the world have initiated some sorts of special efforts and different arrangements for the socially excluded and marginalized groups who were earlier excluded. They have made some reservations or introduced quota system in social, political and economic sectors to ensure equal access for all and to make a balance among different groups (Htun 2004). Different governments of Bangladesh also put in place some affirmative actions for different disadvantage groups and backward people with a view to mainstream them in socio-economic and political arena. There are some quota and reservation systems in the country for women, freedom fighters, ethnic and religious minorities. But the existing quota system in Bangladesh is under serious criticism due to its severe drawbacks and disproportionate distribution among the different groups.

Quota versus merit-based recruitment system in Bangladesh Civil Service (BCS) has nowadays come to the forefront of public debate. However, government has made significant success in reducing gender disparities in education and job opportunities. Thus social inclusion for women, minority and other underprivileged groups is quite visible in different sectors of the country. This chapter, therefore, aims to investigate the level of political engagements in the purview of socio-demographic features of citizens with a presumption that there may be some variations in participation, but it might not be much higher among the different groups as the social inclusion is apparently found quite satisfactory in the country.

Social Inclusion and Democratic Participation

The notion of social inclusion was identified dated back to the nineteenth century by sociologist Weber, where he put emphasizes on social cohesion. In recent times, the term is more used with its opposite expression, social exclusion. It can also be traced to the 1970s French notion of *les exclus*—those excluded from the social insurance system (Hayes et al. 2008, cited in Gidley et al. 2010). Later, the concept spread through Europe and the UK throughout the 1980s and 1990s. Social inclusion/exclusion is such a concept which has no universal definition. Some scholars assume it as more illuminating for better understanding the disadvantaged groups, while others consider it evocative, ambiguous and multidimensional that is defined in many ways by different scholars (Rawal 2008: 161). It can be defined as the process of somehow excluding individuals from full participation in a society (Francis 2001). Many scholars related the social exclusion with poverty and argued that it replaced the concept of poverty (Aasland and Flotten 2001; Sen 2000; Jackson 1999; Levitas 1999).

The term social inclusion and exclusion is complementary to each other where understanding the meaning, scope and nature of one can be a way of sensing another. Most of the social scientists, therefore, explained social exclusion rather than inclusion. One of the simple and easily understandable definitions was given by Duffy (1995) where he explained social exclusion as "The inability to participate effectively in economic, social, political and cultural life, alienation and distance from the mainstream society". Another explanation, that is relevant for the current study, is put forwarded by the Office of the Deputy Prime Minister (ODPM) of UK that social exclusion is driven by a complex interplay of demographic, economic, social and behavioural factors that are linked and mutually reinforcing. The risks of social exclusion are not evenly shared but concentrated in the poorest individuals and communities (ODPM 2004). The definition indicates that people from certain demographic backgrounds (like female, old-aged) and socio-economic profiles (lower class or low income, minorities) are mostly prone to be socially excluded.

Warren (2009) asserted that citizens can make the governments responsive through active participation in elections, creating pressure, public deliberation, petitioning or other conduits. Citizens who are affected by the government decisions should

have got the opportunity to raise their voices against the decision that goes wrong. Warren also highlighted democratic deficits in relation to the participatory elements of democracy where he distinguished two kinds of participatory issues: deficits in formal institutions of electoral democracy and deficits in citizen engagement.

Sen (2000) argued that social exclusion from political participation is a kind of deprivation, and a denial of basic political freedom and civil rights. Gender-based inequality is more acute in Asia compared to any other areas in the world, whereas India, Bangladesh and Pakistan are much more struggling to ensure gender equity and justice to the lower class people in their society. Gidley et al. (2010) identified some possible areas of inclusion such as socio-economic status, culture, linguistic group, religion, geography, gender, sexual orientation, age, physical and mental health/ability, and status with regard to unemployment, homelessness and incarceration. The problem of social exclusion is a continuous process that can never be solved completely. It has multidimensional effects on social, economic, political and cultural aspects of personal and social life (Sandell 1998). Political aspect, which is the area of concern in this chapter, is an inherent problem of social inclusion as it is assumed that people isolated from society are found quite inactive in political process, that is, they are less participatory in different political activities (Rawal 2008).

Many democratic theorists explained the political participation of the people in different perspective where they also showed clear linkage with social inclusion. The proponents of representative democracy considered the democracy as a 'method' which is most effective in creating competition for leadership, where people only can choose their favourite candidates to form the government (Schumpeter 1976: 269). In similar tone, Dahl (1956) argued that elections are the vital elements and necessary conditions for maximizing democracy.

Participatory democrats highlighted some of the positive outcomes that resulted from the participation in democratic functions. First, participation may increase civil skills of citizens and make them more competent. Secondly, participation may integrate citizens and contribute the feeling of being public citizens and integral part of their community, and thus become more responsible for public decisions. Thirdly, the decisions taken in participatory fora get a greater legitimacy and public acceptance. Engagement in social activities has a clear linkage with political participation (Michels and Graaf 2010). As Putnam (2001) identified a central crisis in American society that reveals changing behaviour where Americans have become increasingly disconnected from one another and social structures have disintegrated. He considered participating in social networks and voluntary organizations important to life satisfaction and to democracy. Citizen engagement in social networks allows individuals to express their demands on government and it makes their voices heard that ultimately leads to more inclusion in the political system.

Deliberative democratic theories argued for deliberation rather than voting as the central mechanism for political decision-making (Gutmann and Thompson 2004; Fishkin and Laslett 2002; Elster 1998, cited in Michels and Graaf 2010). In a deliberative process, discussion and the exchange of arguments are held where citizens

can take part to justify their opinions, discuss problems and propose solutions to these problems.

Social and political exclusion is inextricably linked with each other, and socially and economically deprived are unable to take part in democratic functions that include not only voting but also some other political activities, as well as joining parties and attending public meetings (Lawrence-Pietroni 2001). There is a very strong correlation between social exclusion and political disengagement where each influence the other. But it would be quite challenging to identify the direction of relationship between socially exclusionary factors and degrees of political disengagement (The Electoral Commission of London 2005). However, many scholars tried to determine the direction of relationship and argued that the people who are socially excluded keep themselves away from political attachment as well, that is, they would most probably not take part in voting process and other non-electoral political activities. The New Politics Network (2002) explained that mostly poorer voters believe that voting and electoral politics cannot make any change in their lives, and therefore it is assumed that social exclusion reduces the levels of political participation. Paxton and Dixon (2004) found in their empirical research that political activeness depends on social class, income, education, ethnicity and so on, where the people who are in disadvantaged position in these social indicators are less likely to be politically active than those who are holding better status. Michels and Graaf (2010) presented a case of Dutch municipalities in Netherlands with empirical findings where citizens were invited to deliver ideas. The citizens who took part actively were mostly above the age of 50 and highly educated men. In such kind of arrangements, women, ethnic minorities, young people and low educated people are often under-represented.

In its report on 'Gender and political participation, 2004', The Electoral Commission of London showed that there are some political activism gaps by gender where overall women were found significantly less active than men. In a more specific political action, it also found that both women and men equally take part in voting while in campaign politics and civic-oriented activities, women are less likely to participate. However, women are more likely to take part in cause-oriented activities like sing petitions, boycott or buy products for ethical reasons and so on (The Electoral Commission of London 2005). Regarding the relationship of education with the level of political participation, Curtice and Seyd (2003) found that electoral participation has not increased in line with the higher level of educational attainment. Even the very opposite seems to have happened. On the other hand, different literatures related to political participation predicted that education, age and also income were statistically significant in positive correlation with participation (Jones-Correa and Leal 2001).

The more advantaged citizens usually engage in political activities of both conventional-like election campaign and unconventional such as demonstration, boycotts, strikes and so on (Lijphart 1997). At the end of the nineteenth and beginning of the twentieth century, political analysts assumed that the better educated and more prosperous people would not like to vote. But later some empirical studies showed that socio-economic status were positively, not negatively, linked with voting behaviour and a general rule was formulated that "Voting frequency rises with rising social standard" (Gosnell 1927; Arneson 1925; Tingsten 1937, cited in Lijphart

1997). In an empirical study conducted in Bangladesh, Baldersheim et al. (2001) presented statistics of regional variations in voters' turnout where some of their findings are relevant to the current study. The areas where the proportion of young people were more, turnout was quite high, whereas middle-aged majority areas found low turnout which is quite opposite to Western findings. Muslim-dominated areas also found lower turnout. Literacy rate and locality (rural/urban) did not matter in turnout, while Chittagong hill tracts areas (populous with ethnic minority) found lower turnout compared with other regions of the country.

The civic voluntarism—one of the dominant models for political participation—assumes that voters' turnout increases with the expansion of educational and income opportunities.[1] There are two theoretical traditions in political science to explain turnout. The first tradition that includes civic voluntarism, explains turnout in terms of sociological variables (social class, education, ethnicity, gender, etc.) and attitudinal indicators (party affiliation, political interest, feeling towards party leaders, etc.). The second tradition, on the other hand, presents turnout as the result of rational calculus of citizens for cost–benefit analysis of voting[2] (Whiteley et al. 2001).

Apart from the socio-demographic variables, there are, however, some other factors which are also found strong determiners for political participation. Some of those are political interest and party affiliations (Whiteley et al. 2001), perceived intensity of the political campaign and the performance and policy promises of the political parties (The Electoral Commission of London 2004), democratic political cultures within the political party, leadership capacity and power distance in the different layers of political leaderships.

After reviewing the above-mentioned literatures, empirical findings and having theoretical discussions, it is revealed that social inclusion has a positive effect on democratic participation. It indicates that the more inclusive nature of a country in terms of social, economic, political and cultural dimensions, the level of political participation would be higher compared to the less inclusive country or areas. The objective of this chapter is to analyze the level of democratic participation of Bangladeshi citizens in different electoral and non-electoral political activities in correlation with some socio-demographic factors such as gender, age, education, income, ethnicity and religion. The intention of such analysis is to evaluate the level of social inclusion in Bangladesh, that is, to identify whether the above mentioned demographic identities have any significant effects on democratic participation in the country. To be more specific, the prime objective is to see whether any particular segment of population (like female, lower class, minority or disadvantaged groups) is left behind the popular participation in democratic activities such as voting, campaign or rally, persuading other to vote, raise issues/sign petition and demonstration/protest. It may be assumed here that if the level of participation substantially varies across the demographic features of respondents, then there is a lack of social inclusion and much inclusive policy initiatives would be required by the state.

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[1]To see more: Verba et al. (1995), Parry et al. (1992).

[2]To see more: Downs (1957), Ricker and Ordeshook (1968), Ferejohn and Fiorin (1974).

Research Design and Methods

The study data come from the State of Democracy in South Asia (SDSA II), which is a national-level survey conducted in five South Asian countries in 2014. SDSA is also well-known as South Asian Barometer survey that includes India, Pakistan, Bangladesh, Sri Lanka, and Nepal. The survey sample in Bangladesh covers 2795 respondents which have been scientifically constructed following systematic random sampling techniques to be representative of the national population. Democratic participation which is the dependent variable for this study is defined as the civic engagement in five different political activities. In the survey, there were five questions asked to measure the level of political participation of respondents. Those are: voting for parliamentary candidates; attending campaign or rally; persuading other to vote any particular candidate; raising any issues or signing petition; and taking part in demonstration or protest. An index of democratic participation has also been developed by ascertaining respondents answers with regards to the above five parameters.

The independent variables correspond to the demographic features of respondents, such as gender, age, religion, ethnicity, income and education. The prime objective is to see the effect of demographic variations on democratic participation of the citizens. It is also assumed here that the level of social inclusion is quite satisfactory in Bangladesh due to policies and strategies of the government in order to accommodate people with different socio-demographic identities. We assume that there might be some implications of social inclusion on the level of participation in democratic actions.

The six demographic identities as independent variables along with democratic participation as dependent variable form the base model for the study. In addition, an advanced model has been developed incorporating some control variables such as locality, political interest, political affiliation and media exposure. Apart from the quantitative data analysis, relevant literatures in the field of democratic participation and social inclusions were studied to have better understanding of the research issue and develop a theoretical framework.

Research Findings

As it was mentioned in details about the data and the proposed methods, the findings emerging from the survey data have been presented in this section. At first, socio-demographic profiles of respondents and status of democratic participation in five areas of civic engagement are presented, then the descriptive findings in the form of cross-tabs between the dependent variable and the different independent variables have been outlined, and finally empirical models are given to draw a conclusion.

SDSA II survey was conducted in Bangladesh with a representative sample size at national level. Table 1 also shows representative figures that correspond to total

Table 1 Demographic profile of respondents

Categories	Percentage	Categories	Percentage
Gender of respondents		**Income of respondents**	
Male	49.6	Low income (up to 10K)	57.9
Female	50.4	Middle income (10–30K)	34.7
Religion of respondents		High income (30+K)	7.3
Hindu	8.9	**Years of education of respondents**	
Muslim	84.5	Low education (up to 5)	45.1
Christian	1.1	Medium education (6–12)	44.9
Buddhist	4.4	Higher education (13+)	10.0
Others	1.0	**Age of the respondents**	
Ethnicity of respondents		Youth (up to 40)	57.8
Bengali	95.7	Middle age (41–60)	30.9
Others	4.3	Old age (60+)	11.3
			N = 2795

population of the country in respect of gender, age, religion, ethnicity, income and education. For example, according to the population and housing census 2011, the male–female ratio is 49.6:50.4, religion of population is distributed as Muslim 90.39%, Hindu 8.54% and others 1.07%, and the tribal people represent 1.10%.

Democratic Participation

Civic participation is a broad indicator of democratic culture in a modern society. Five broad themes have been applied in the survey to trace civic participation of people. The first one is: as voters, how many of them were able to vote; secondly, whether they have participated to raise an issue or to sign up a petition having public interest; thirdly, whether they took part in campaign or rally; fourthly, whether they lobbied for a candidate of any political party during election; fifthly, as citizen whether they attended a demonstration or took part in protest march during the past 3 years.

Participation in Voting

Parliamentary election is one of the most significant instruments of democratic system in Bangladesh. Participation of eligible voters to vote for any candidate in national elections is considered as an indicator of democratic participation. The survey asked the respondents referring the national parliamentary election held in 2008. The question was, "*During discussion with people about elections, we often find that some people were able to vote while others were not. Regarding the last parliamentary election, were you able to vote or not able to vote?*" The survey findings point out that most of the eligible citizens (more than 89%, n = 2608) voted for parliamentary candidates during national election. It reveals that the voters turn out rate is quite high in national elections in Bangladesh, which is a positive sign of democratic participation. However, in other aspects of civic participation, the findings are not that encouraging where a very few number of citizens are found active in democratic engagements.

Participation in Raising an Issue or Signing a Petition

Through civic associations many citizens' take part to raise an issue collectively, or make voices through petitions an issue which may concern public interest into public domain. The process of collective thinking and participation is, however, low or such processes cannot adequately attract individual citizens. The question was, "*As citizens people sometime take some actions. Whether you personally have once/more than once/never done, or got together with others to raise an issue or sign a petition during the past 3 years?*" Based on their response, it is revealed that around 80% of the respondents have never done such petition in the last 3 years prior to the survey. Only 20% reported to have applied once or more than once (n = 1383). Participation to raise an issue or to sign up a petition with a view to secure public demand and interest is a strong indication of collective actions, but the above findings do not show the satisfactory level of participation in Bangladesh.

Participation in the Election Campaign and Lobbying

Campaign and lobbying in favour of any candidate or party prior to an election are the two indicators of citizens' political participation in the democratic process. Two questions were asked about whether the respondents attended election campaign or rally and whether they persuaded any voters to vote for any particular candidate or political party in the last general election held in 2008. Only around 16% respondents (n = 1403) are found who took part in any campaign or election rally while in case of persuading people to vote for certain candidate or political party in the general

election, only 21% of the respondent (n = 1398) reported that they lobbied in favour of their preferred candidate from a political party.

Attending Demonstration or Protests

Demonstrations and protests are powerful tools to capture governmental attention to address an issue or to mitigate grievances. However, demonstrations or protests are often silenced ruthlessly by many governments in developing countries. Nevertheless, demonstrations and protests are part of the democratic norms and practices which may emit strong messages to the government. In order to trace, citizens' civic engagement through their participation in demonstrations and protests during the last 3 years the question that was asked: *"Whether you personally, have once/more than once/never attended a demonstration or protests march during the past 3 years?"* 88% of the respondents never took part in such protests or demonstration in the last 3 years prior to the survey, whereas only 12% took part once or more than once (n = 1377). Taking part in demonstrations and protests are increasingly seen to be risky as such demonstrations are often dispersed by police by charging batons even though it may merit a particular cause. Protests or demonstrations when considered as a potent source of violence and deterioration of law and order may often be dismantled and dispersed by law-enforcing agencies. Nevertheless, demonstrations are considered as one of the democratic rights and may therefore be pursued when needed to raise voice.

Demographic Identities and Democratic Participation

As it is mentioned earlier that an index of the above five parameters has been made to measure civic engagement in different democratic functions. The demographic identities, the major independents variables of our interest, will be cross tabulated with the only dependent variable named as 'democratic participation'. The index of democratic participation is again transformed into a new variable with three categories where no participation means respondents did not take part in any of the five parameters, low participation indicates the respondents who took part in any 1 or 2 while the high participation denotes more than 2. There are six demographic features of respondents that the study chooses to take into consideration for the analysis. Those are gender, age, religion, ethnicity, level of income and education of the respondents. Table 2 presents the relationship between gender and level of democratic participation in Bangladesh.

Table 2 shows that there is a difference among male and female in terms of democratic participation and it is also statistically significant. Males are found more participatory in democratic functions compared to the female respondents. Around 92% males took part in one or more democratic activities, whereas percentage of

Table 2 Gender and democratic participation

Participation	Male (%)	Female (%)
No participation	9.5	13.5
Low participation	75.6	83.5
High participation	14.8	3.0
Total	100	100

$X^2 (2, N = 2707) = 121.132, p = <0.001$

females is around 87%. However, the difference is not very high as the number of females took part in democratic actions are also found quite satisfactory. It is worthy to mention here that although females' participation in voting was high (88.4%) but they took part very less in other democratic activities compared with male counterparts.

Table 3 shows the relation between democratic participation with the age of respondents. The age of respondents in the survey ranges from 18 to 95 years old, which is categorized into three groups. Respondents of 18–40 ages are defined as youth, 41–60 are middle age and more than 60 are considered as old aged people.

Table 3 indicates that middle and old-aged people are comparatively more participatory in democratic activities than the youth. Around 95% middle-aged and 94% old-aged respondents attended one or more democratic functions, whereas the percentage for the youth is 84% only.

Table 4 shows that the relationship between democratic participation and religion is not much significant (p = 0.12). Apparently, the table indicates that Hindus are more participatory compared with Muslim citizens who are the majority of population. At the same time, large numbers of Christians are also found participative

Table 3 Age and democratic participation

Participation	Youth (%)	Middle age (%)	Old age (%)
No participation	16.0	5.4	5.9
Low participation	75.4	84.8	86.6
High participation	8.7	9.8	7.5
Total	100	100	100

$X^2 (4, N = 2703) = 72.122, p = <0.001$

Table 4 Religion and democratic participation

Participation	Hindu (%)	Muslim (%)	Christian (%)	Buddhist (%)
No participation	9.7	11.7	6.7	14.5
Low participation	80.2	79.3	93.3	82.1
High participation	10.1	9.0	0	3.4
Total	100	100	100	100

$X^2 (6, N = 2679) = 10.208, p = 0.12$

(93.3%), although mostly in one or two democratic functions. The next table presents
the relationship between democratic participation and ethnicity which is based on
language only. Here other than Bengali people were included as tribal community in
Bangladesh.

Table 5 identifies two kinds of pattern; on the one hand, the finding shows that
90.2% of tribal people participated in overall democratic functions combining the
low and high level of participation, whereas on the other hand, quite a higher number
of Bengali people (9.2%) took part in more than two democratic activities, that is,
the high participation. The findings of individual democratic activity revealed that
tribal people mostly took part in voting (99%) and raise issues or sign petition (38%).
But in other three democratic activities, their presence was significantly low ranging
from 1.7 to 3.3%.

Table 6 shows the relation between democratic participation with the level of
total family income of respondents. The total monthly family income of respondents
in the survey ranges from tk. 1000 to tk. 500,000, which is categorized into three
groups. Respondents with total monthly family income up to tk. 10,000 are defined
as low-income group, family income of tk. 10,001–30,000 are middle income and
more than tk. 30,000 are considered as higher income family.

Table 6 indicates that low income people (around 91%) are more likely to take
part in democratic functions. The finding also shows a linear and inverse relation-
ship between income and democratic participation, that is, the level of participation
decreases with the income-level increases. However, in terms of high participation
(i.e. more than two activities), it is also found that the percentage of high income

Table 5 Ethnicity and democratic participation

Participation	Bengali (%)	Others (%)
No participation	11.5	9.8
Low participation	79.3	88.4
High participation	9.2	1.8
Total	100	100

$X^2 (2, N = 2699) = 7.974, p = 0.02$

Table 6 Income and democratic participation

Participation	Low income (%)	Middle income (%)	High income (%)
No participation	9.5	13.9	16.3
Low participation	81.6	78.2	72.8
High participation	9.0	7.9	10.9
Total	100	100	100

$X^2 (4, N = 2699) = 18.485, p = 0.001$

Table 7 Education and democratic participation

Participation	Low education (%)	Medium education (%)	Higher education (%)
No participation	7.3	13.6	21.0
Low participation	86.6	75.4	67.4
High participation	6.1	11.0	11.6
Total	100	100	100

X^2 (4, $N = 2699$) $= 79.446$, $p = < 0.001$

people is slightly more (10.9%) than that of low and middle income people (9% and 7.9% respectively).

The following table shows the relation between democratic participation with the level of education of respondents. The educational status of respondents is measured in the survey based on the years of schooling which ranges from illiterate to higher education. The respondents are categorized into three groups based on their education. Respondents from totally illiterate to five years of schooling are defined as low-level education group, 6–12 years of education is medium-level education, whereas more than 12 years of education is considered as higher-level education.

Table 7 indicates that less-educated people are more participatory (around 93%) in democratic activities compared with medium or higher level of educated people. Interestingly, medium and higher level educated people are also found more participatory in more than two activities, that is, high participation (around 11 and 12% respectively), compared with lower education level. The findings of individual democratic activity showed that less educated people were found more active in voting only and in other functions they took part very less. Whereas, medium and higher educated people were found quite active in all democratic activities including election campaign, raising issues or signing petition, attending rally and demonstration apart from the voting.

Does Demography Really Matter?

The above tables describe a mixed relationship between each demographic identity and democratic participation. Empirical models would help us to understand the facts in a complete picture. We ran two variations of the empirical model applying linear regression technique and we reported here the standardized coefficients values. Model 1 is a base model that incorporates only the independent variables, that is demographic identities of respondents whereas model 2 advances the rigor of the test by including controls. Dependent variables are the five indicators of democratic participation in electoral and non-electoral political activities (Table 8).

Table 8 Effect of demography on democratic participation (Model 1) (coded as higher the number, higher the participation)

Explanatory variables	Index of participation	Voting	Campaign/rally	Persuade to vote	Raise issues/sign petition	Demonstrations/protest march
Gender (male–female)	−0.200***	−0.070	−2.118***	−0.924***	−0.246***	−0.193***
Age (18–95)	0.084***	0.078***	−0.007	0.003	0.021	−0.009
Monthly household income (BDT. 1000–500,000)	−0.015	0.000**	0.000	0.000	0.005	0.024
Highest education (illiterate-higher educated)	0.055**	−0.050***	0.005	0.005	0.140***	0.149***
Ethnicity (Bengali-others)	0.016	3.177***	−0.382	−1.124	0.135***	−0.019
Hindu and other religions	0.028	0.286	−0.183	0.782***	−0.002	−0.003
Christians and others	−0.015	15.506	−19.005	−18.696	0.000	−0.015
Buddhist and others	−0.035	−1.172***	−1.116	−0.753	0.028	−0.026
Adjusted R square	**0.050**	**0.176**	**0.197**	**0.085**	**0.102**	**0.068**
N	**2682**	**2583**	**1388**	**1382**	**1369**	**1362**

*Signif. codes: *p < 0.10, **p < 0.05, ***p < 0.01*

The findings of model 1 show that females are quite less participatory in almost all democratic activities, but in terms of voting gender does not matter. Age is found positively significant only in voting and in overall participation index that indicates the more aged people are more participatory. Income does not matter in any kinds of democratic actions while education is found positively significant in raising issue or signing petition and demonstrations, that is, the higher educated people took part more in such activities. However, for voting, the effect of education level is found negative that indicates the higher educated people tend to have less participation in voting process. Ethnic minorities are found more active in voting and raise issues or sign petition. Religions are not found significant except in the case of persuading others to vote where Hindus are seen more active compared with Muslims respondents.

Model 2 serves to reinforce the findings of model 1, but adds to the rigor by including control variables. Here, variables like political affiliation (affiliated or not), locality (rural and urban), media exposure (reading newspapers and watching news in television), and political interest are included to observe whether the influence of these variables overshadow the relationships between demographic identities and democratic participation of the respondents (Table 9).

In the model 2, we find not much change in the gender variable, whereas age of respondents is found negative for voting that indicates younger people attended more in voting process and this finding is quite opposite to the model 1. Same negative result found in the case of relationship between education and voting which means higher educated people tend to have lower participation in voting. Ethnic minority people are found more active, similar to the model 1, in raising issues and signing petition. Like the model 1 Hindus are found more persuading other to vote while Christians are found more engaged in voting process compared with the majority religion, Muslims. Regarding the control variables, political affiliation and political interest are found the most significant determiner for democratic participation which is quite natural and expected. An interesting finding of this model is rural people are found more active in many democratic actions compared with urban residents. Media exposures are also found significant promoters for democratic participation in many cases.

Concluding Remarks

Social inclusion and social exclusion is a quite contested issue in the social and political realms of South Asia. Bangladesh society is probably the most homogenous one in this region in terms of ethnicity. Though there are historical and structural disparities within gender, income groups, and religious and ethnic sections of the society, the manifestations of this inequality are not as acute as its South Asian neighbours. The findings of this paper also support this position. Probably affirmative policies and practices of different governments of Bangladesh in the last four decades towards women, ethnic minorities, religious minorities and other disadvantaged sections of the society created a scope for democratic participation. The main objective of this

Table 9 Effect of demography on democratic participation (Model 2) (coded as higher the number, higher the participation)

Explanatory variables	Index of participation	Voting	Campaign/rally	Persuade to vote	Raise issues/sign petition	Demonstrations/protest march
Gender (male–female)	−0.207***	−0.013	−1.831***	−0.724***	−0.157****	−0.079***
Age (18–95)	0.081***	−0.214***	−0.005	0.005	0.013	−0.005
Monthly household income (BDT. 1000–500,000)	−0.018	0.058*	0.000	0.000	−0.019	−0.016
Highest education (illiterate-higher educated)	0.014	0.091**	−0.016	0.008	0.081**	0.011
Ethnicity (Bengali-others)	−0.012	−0.083	−0.545	−1.410	0.152***	−0.013
Hindu and other religions	0.085***	0.131	0.205	1.110***	0.021	0.030
Christians and others	−0.010	0.082***	−18.889	−18.588	0.007	−0.005
Buddhist and others	−0.002	0.000	−0.826	−0.492	0.042	−0.003
Party affiliation (non-affiliated-affiliated)	0.315***	−0.066**	1.436***	1.420***	0.131***	0.276***
Rural and urban	−0.090***	19.357	−0.858***	−1.213***	0.026	0.024
Reading the newspaper (never-regular)	0.008	0.448	0.075	0.034	0.002	0.135***
Watching news on TV (never-regular)	0.095***	−0.824	0.204**	0.067	0.022	0.038

(continued)

Table 9 (continued)

Explanatory variables	Index of participation	Voting	Campaign/rally	Persuade to vote	Raise issues/sign petition	Demonstrations/protest march
Interested in politics (not at all–very interested)	0.105***	−0.622	0.178**	0.102*	0.169***	0.077***
Follow news about politics and government (never–everyday)	−0.013	0.434	−0.028	−0.067	0.077**	0.047
Discussing political matters with family and friends (never–frequently)	0.005	−0.296	−0.057	−0.121**	0.032	0.007
Adjusted R square	**0.232**	**0.234**	**0.306**	**0.211**	**0.168**	**0.178**
N	**1270**	**1186**	**1258**	**1258**	**1240**	**1232**

Signif. codes: *p < 0.10, **p < 0.05, ***p < 0.01

study is to see the influence of demographic identities of respondents on their level of democratic participation and the findings do not show much variance in this regard. The study reveals that gender matters in democratic participation where males are found more active in different democratic activities compared with female. Age, education and income do not create much difference except in a few cases. The most illuminating findings are that ethnic and religious minorities are found quite more active in different democratic activities. So it can be said that demographic identities except gender do not matter much in democratic participation of citizens in Bangladesh. In a male-dominated and patriarchal society like Bangladesh, females are used to take care of household activities and therefore they are found less active in non-electoral political activities. The findings implicate that the social inclusion of different minority groups, disadvantaged and backward people are quite satisfactory in Bangladesh and may be therefore ethnic-religious minority are found more visible in democratic activities. Except gender no other demographic identities of citizens vary in democratic participation. However, the current study could not draw any clear relationship between social inclusion/social exclusion and democratic participations that requires a separate research initiative since the survey data this study used here does not permit to make such analysis.

Appendix: Descriptive Statistics of Variables

Variables	N	Minimum	Maximum	Mean	Std. deviation
Age	2791	18	95	40.68	14.724
Gender	2795	1	2	1.50	0.500
Ethnicity (mother tongue)	2786	1	2	1.04	0.203
Democratic participation index	2707	0.0	5.0	1.215	0.9168
Able to vote or not	2608	0	1	0.89	0.311
Attend a campaign or rally	1403	0	1	0.16	0.363
Persuade others to vote	1398	0	1	0.21	0.410
Raise issues and sign petition	1383	0	2	0.32	0.671
Demonstration or protest march	1377	0	2	0.20	0.562
Highest education	2786	0	17	6.73	5.043
Monthly household income	2786	1000	500,004	15120.35	23429.706

(continued)

(continued)

Variables	N	Minimum	Maximum	Mean	Std. deviation
Hindu and other religions	2795	0	1	0.09	0.284
Christians and others	2795	0	1	0.01	0.106
Buddhist and others	2795	0	1	0.04	0.206
Reading the newspaper	2795	1	4	1.78	1.116
Watching news on TV	2795	1	4	2.87	1.172
Interested in politics	1424	1	9	1.94	1.467
Following news about politics and government	1424	1	9	3.04	1.910
Discussing political matters with family and friends	1424	1	9	2.14	1.814
Locality: rural and urban	2795	1	2	1.28	0.448
Party affiliation	1282	0	1	0.18	0.381

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Democratic Institutions in Sri Lanka's Local-Level Politics: Challenges to Social Inclusion

Shashik Silva and Mark Schubert

Abstract Sri Lanka is one of the oldest democracies in South Asia. Since independence, successive governments expanded democratic institutions to include the people across the country. Although democracy expanded horizontally, to ensure greater inclusion of all communities irrespective of their race, creed and economic class, it is important for democracy to be expanded vertically as well. In this context, local government—the legislative institution closest to the people—plays a very crucial role in deepening democracy in Sri Lanka. However, contrary to its design, due to the nature of Sri Lankan politics, practices in local government often either hinder inclusion or sometimes reproduce exclusion temporarily. This paper seeks to explore this interesting contradiction in local governance in Sri Lanka. It also attempts to explain the paradoxical manner in which local government institutions in rural Sri Lanka, which are ideally designed to promote greater democracy and greater inclusion, actually operates in a manner that makes inclusion and exclusion extremely fluid and shaped by local level contingencies. This paper is developed primarily based upon field research conducted in three villages—Isurugama in Matale district and Welgala and Rambukkewela in Kandy district—in the Central Province of Sri Lanka. A phenomenological approach was used in this research. The paper approaches the research through the theory of social exclusion, which seeks to understand the many factors that prevent individuals and communities from enjoying equal access to resources, a life of dignity, and full participation in the life of the community.

Introduction

This paper seeks to explore a contradiction within local governance in Sri Lanka today. It attempts to understand the paradoxical way local government institutions in rural Sri Lanka, which are based on the desire to promote greater democracy and greater inclusion, actually operate in a manner that excludes the very citizens they represent. This paper is developed primarily based upon field work conducted in

S. Silva (✉) · M. Schubert
Social Scientists' Association, Colombo, Sri Lanka
e-mail: shashikdhanushka@gmail.com

the Central Province, in the Kandy and the Matale districts, over a period of one week towards the end of June 2016. The paper approaches the research through the theory of social exclusion, which seeks to understand the many factors which prevent individuals and communities from enjoying equal access to resources, a lifestyle possessing dignity and full participation in the life of the community. The paper argues that villages are included or excluded in the processes of local government, based on which of the two major parties are in power in the relevant local authority. Therefore, the exclusion experienced by these communities is extremely temporary, just as their inclusion is. Furthermore, the manner in which communities are included within the processes of local government cannot really be considered inclusion, but is rather a distortion of what it means to be included. Such an understanding of the manner in which local government promotes undemocratic practices is crucial if policy interventions are to be made to address the deep and continuing crisis of local government in Sri Lanka.

The paper will discuss (a) local government and local democracy; (b) the crisis of local democracy in Sri Lanka; (c) case studies from Pujapitiya and Ratthota; (d) temporary social exclusion; (e) voluntary self-exclusion; (f) the problematic nature of inclusion in rural Sri Lanka; (g) resisting marginality; and (h) identification with individuals rather than identification with institutions.

Local Government and Local Democracy

Political theorists have long viewed local government as a solution to the distance between the representative and the citizen (Uyangoda 2011). Local government offers a space in which citizens can continuously engage with governance, and thereby effectively overcome the chasm between the voter and his/her representative. In that sense, local government, which is the arm of government closest to the citizen, brings democracy closer to the citizen. Perhaps, this is why it is sometimes viewed as the most fundamental unit of democracy.

Local government provides a space for citizens' political participation (Uyangoda 2015). It is an institution which empowers citizens to engage in governance, determine their needs and decide how best to address those needs. Therefore, it is an arena in which the voices of ordinary, and often marginalized, citizens may be heard. Furthermore, given that it offers citizens an opportunity to determine their development priorities, it also bestows a sense of ownership over the activities of the local government institutions. It offers the opportunity to use local knowledge to meet the local needs (Stoker 1996).

For the French political philosopher Alexis de Tocqueville, local democracy was a school (Uyangoda 2015). Local democracy offered local politicians an opportunity to learn how to wield power in a democratic manner, before they became national-level politicians. It was a 'second track' of governance, which prepared politicians to wield power in an enlightened manner before they progressed to the 'first track' of governance at the national level.

John Stuart Mills understood it in much the same way as de Tocqueville (Uyangoda 2011). For Mills, local government acted as a safeguard against the excessive centralization of power within the central government. Like de Tocqueville, he also believed that local government was a school which offered many citizens an opportunity to wield authority at the local level. Therefore, he understood local government as providing a space for political education. Furthermore, it created an opportunity for those who would otherwise be excluded from politics at the national level, a chance to actively participate, as actors within a democracy. Local government, then, can be understood as a vehicle which promotes greater social inclusion. Mills also believed that local government would provide a space to experiment with new and different approaches to governing citizens.

Local Governance in the Sri Lankan Context

As many commentators have highlighted, local government in Sri Lanka is currently experiencing a deep and continuing crisis (Dainis 2015; Uyangoda 2011). The crisis takes two forms. On the one hand, there is an institutional crisis; while on the other, local government in Sri Lanka faces a social crisis.

The institutional crisis of local government has been repeatedly highlighted in various government reports and scholarly works. Chief among these are the Choksy Commission of 1954, the Moragoda Committee of 1978, the Presidential Commission of 1998 and its Report of the Commission of Inquiry on Local Government Reforms 1999 (Dainis 2015). The institutional crisis of local government refers to the institutional decay that is evident among local government institutions. This decay has contributed to the persistence of the crisis in local government.

The features of this institutional decay have been discussed by many commentators. Dominance of the central government in the affairs of local government, political dependence for resources, a lack of dynamism, the absence of people's participation, the actions of local power elites, the perpetuation of social and political exclusion, the lack of accountability and responsiveness, as well as the lack of accessibility are some of them (Uyangoda 2011). Therefore, there is an urgent need to revitalize local government and local democracy in Sri Lanka.

The social crisis of local government in Sri Lanka has not received as much attention as the accompanying issue of institutional decay. The emphasis on the social crisis of local government compels us to look away from the institution, to the people the institution is supposed to serve and understand how local government institutions reproduce multiple social inequalities, rather than minimizing such inequalities. The matter of marginalization on the basis of caste at the local government level has received recognition in recent scholarly literature (Uyangoda 2012). The lack of space afforded to women at the local government level also has been widely commented upon (Kodikara 2012). Furthermore, the challenges of the Upcountry Tamil community in accessing and participating in local government have been studied for many years. This paper seeks to investigate another manifestation of the social crisis

of local government: the marginalization of communities based on their perceived party affiliation.

Social Exclusion

The social crisis of local government in Sri Lanka creates and recreates social exclusion. The ensuing section intends to briefly outline some of the key premises of this theoretical framework, so as to enable a critical analysis of the marginalization of communities based on their political party affiliations.

The theory of social exclusion was developed in the 1970s by French theorist, Rene Lenoir. The concept emerged as an alternative to the concept of poverty. It has been defined as "a broader concept than poverty, encompassing not only low material means but the inability to participate effectively in economic, social, political and cultural life and in some characterisations alienation and distance from mainstream society" (Duffy 1995). Social exclusion refers to the process by which groups or individuals are wholly or partially excluded from participating in the life of the community to which they belong to. Though initially Lenoir limited the concept to "mentally and physically handicapped, suicidal people, aged invalids, abused children, substance abusers, delinquents, single parents, multi-problem households, marginal, asocial persons, and other social 'misfits,'" it has now come to be used in a variety of contexts, and to refer to different forms of exclusion (Rawal 2008). Therefore, while poverty predominantly considered the economic aspects of deprivation, social exclusion allowed for a widening of categories through which to understand deprivation (Pantazis et al. 2006).

Amartya Sen connects the concept of exclusion to capabilities. Social exclusion in a way undermines the capabilities of individuals to engage with their community with dignity and on equal grounds as others. Furthermore, an individual's capabilities to access resources are also undermined as a result of social exclusion. For Sen, the social exclusion theory needed to be examined in relation to its capacity to understand the nature and causes of poverty (Sen 2000).

However, criticisms levelled against the social exclusion theory are important to keep in mind because it provides useful insights into the shortcomings of the theory. Furthermore, such criticisms enable one to look beyond the theory of social exclusion to other dynamics operating within society. On the one hand, social exclusion tends to create a dichotomy between those who are included and those are excluded. This is at most times problematic, because it ignores the fact that there could be moments in which the same community could be excluded and included simultaneously through different processes. Exploring the contradictory nature of social exclusion encourages researchers to consider the methods of resistance which excluded communities use, in order to gain greater access to resources. On the other hand, social exclusion assumes that power is concentrated in the hands of one group at the expense of the other. It fails to understand that perhaps, power is dispersed across the community; across both the included and the excluded. As we will see, communities who are

excluded also still have some power to gain access to resources they would otherwise be disentitled from, due to social, economic, cultural and political processes.

Case Study 1: Isurugama

Isurugama is a model village established by late President R. Premadasa, who was also the leader of the United National Party (UNP). The village is located in the Ratthota *Pradeshiya Saba*[1] area in the Matale district. Outsiders know the village as 'Kehelwaththa'. Kehelwaththa is an area in Pettah, Colombo, where President Premadasa grew up. From the outset, the villagers have been staunch supporters of the UNP. In this context, the village is recognized as a UNP village in the locality.

Isurugama's political affiliation to the UNP has been an obstacle for villagers' democratic participation at the local level when the opposing party, the United People's Freedom Alliance (UPFA) was in power.[2] The village had been ignored when visiting the Pradeshiya Saba (PS) to make suggestions and neglected when receiving direct services. Road construction projects, which at the time was a key indicator of development, had not reached the village. Instead, it ended at the boundaries. Repeated experiences of the local government body rejecting them have led villagers to the realization that the PS is not for them. Rather, they believe that it is an institution for the people who share the same political identity as the party in power at PS. Thus, villagers consider the period the UPFA was in power as being futile for them, specifically in terms of participating in local democracy. During this period, villagers would bypass the local government and reach out to national-level politicians for their needs. For example, villagers approached Ranjith Aluwihare, who was a representative of Matale District for the UNP in Parliament, for their needs.

Local government election results of Ratthota			
	2002 (%)	2006 (%)	2011 (%)
UNP	62.52	32.57	44.77
PA/UPFA	28.64	62.19	53.64
Other	8.84	5.24	1.59

(Elections Commission 2002, 2006, 2011)

With the change of government in 2015,[3] the village began to receive the attention of the state. In fact, at the time the study was conducted in Isurugama in 2016, the vil-

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[1]*Pradeshiya Saba* is the term used to refer to one of the three types of local government institutions in Sri Lanka.

[2]The United People's Freedom Alliance was in power at the national level between 1994 and 2015, except for the two years the United National Party was in power between late 2001 and early 2004.

[3]With the Presidential Election in January 2015 and the Parliamentary Election in August 2015, the United National Party led coalition came in to power at the national level.

lage had recently received Rs. 1.2 million from the Road Development Authority for road development which had been a long standing issue. The villagers were extremely hopeful of contesting in the upcoming local government elections as they believed that their party could win local government elections, and they could therefore enjoy the services which would follow.

Case Study 2: Rambukkewela

Rambukkewela is a village in Pujapitiya PS area. The villagers have been strong supporters of the UNP, for a very long time. They express deep gratitude towards the late President R. Premadasa. Similar to Isurugama, the political identity of the village had been an obstacle for their participation in local government. The last instance in which the village received direct service from their local authority was in 2002 when the UNP was in power. In this instance, the local government institution had constructed a roof for the village community centre. Since then, their experiences with the local authorities had been very bitter. This is evident from the physical infrastructure of the village. While the access road to the village is well maintained on either side of the village, the section of the road which passes through the village had fallen into serious disrepair. Additionally, even though villagers had made repeated requests to the Chairman of the PS to allocate money to complete the wiring in their community centre, they were unable to secure such funding. Finally, in frustration, the villagers had collected money among themselves to complete the wiring in the community centre.

Local government election results—Pujapitiya			
	2002 (%)	2006 (%)	2011 (%)
UNP	57.71	34.49	37.49
PA/UPFA	35.79	56.91	51.57
Other	6.50	8.60	10.94

(Elections Commission 2002, 2006, 2011)

Similar to Isurugama, villagers in Rambukkewela also approach the centre for their needs, when excluded from local government. In the case of Rambukkewela, villagers approach Kandy district UNP Member of Parliament Mr. A. H. M. Haleem. This approach proved to be productive as they were able to make some repairs to the road, and also to get a bus route along that road.

Case Study 3: Welgala

Welgala is a village which is also located in the Pujapitiya PS area. The villagers are supporters of the UPFA. They are very pleased with their PS, and about the projects which were implemented between 2010 and 2014. The PS is popular among villagers as they have benefited by development programmes such as *Maga Neguma* [4] and *Gama Neguma* .[5] Through the intervention of the chief incumbent at the village temple, the village was able to attract some funds which had been allocated to adjacent villages. The villagers claim that other villages lack the ability to provide the labour required to implement the project.[6] Certain individuals from Welgala had also been able to secure contracts to implement government construction projects in other villages. Villagers further report that their suggestions for development initiatives had been taken into consideration by the PS.

Residents of Welgala believe that the capacity and the independence of the PS have been compromised since 2015. This coincides with the shifts in power which took place at the national level, with the defeat of Mahinda Rajapaksa and the rise of the UNP. At the time the interviews were conducted, villagers believed that the PS was incapable of implementing anything required by both the PS and the people. According to them the PS has now been influenced by the national-level politicians who have not identified the needs of the people.

Welgala is an example of a village which was included in the system of local governance during the UPFA era, and who have begun to experience the bitterness of exclusion. This is the exact opposite experience of the villagers of Isurugama.

Temporary Exclusion

The above case studies highlight the manner in which the party affiliation of each village influences the extent to which they are capable of engaging with the *PS*. It points to a form of social exclusion which denies party members and communities the opportunity to participate as full members of the larger communities to which they belong. Their capacity to access the government institution closest to them has been undermined. Therefore, they are also denied access to the resources and citizenship rights they are entitled to.

However, as discussed in the previously, social exclusion is by no means static. Rather, social exclusion is a dynamic process which emerges and evolves with changes that take place in socio-political power structures in societies. As these changes take place, various groups are diversely affected with varying degrees of

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[4]*Maga Neguma* was a project undertaken by the UPFA government aimed at constructing an effective network roads.

[5]*Gama Neguma* was a programme instituted by the UPFA government which aimed to expand rural social economic infrastructure required for the livelihood promotion of persons living in rural areas.

[6]When receiving funds from the PS, the village is expected to pay for labour or provide labour.

intensity. If we consider Isurugama and Rambukkewela, it is evident that during the period that the UPFA was in power at the national and local level, and they did not receive much support from the PS. The role of the PS, understood as implementing development projects, was seen to be unfulfilled in their villages. The main road passing through the village had been constructed on either side of the village, but the section passing through the village had not been constructed. Though requests had been made to complete the wiring of the community hall in Rambukkewela, the PS had never actually fulfilled their request. However, both these communities had also been included in the development activity of the PS during the time the UNP was in power. During this time Rambukkewela had succeeded in having the roof of their community hall constructed. Furthermore, after the UNP came into power in early 2015, government agencies have implemented two projects in Isurugama. Therefore, these two communities whose requests had been ignored for many years when the UPFA was in power find that projects are now being implemented in their village.

That this cannot be a coincidence is perhaps emphasized by the experiences of Welgala. This particular village seemed to thrive on the development projects implemented through the PS during the time of the UPFA government. During the previous regime the village secured funds to construct roads and other infrastructure projects in their village, and surrounding villages. However, with the change in government in 2015, this village has not received any support from the PS to engage in any development activities. Therefore, we may note that the extent to which communities are included or excluded in the development initiatives, and by extension local government, appears to be heavily dependent upon the political party in power at the time.

This points to the very temporary nature of social exclusion in a heavily politicized rural Sri Lanka. During the time one's own party is in power, an individual is visible to the *PS*, and his/her voice is given recognition. However, when one's party is out of power, communities are generally ignored and forgotten, by the PS. Tamara Gunasekara highlights that access to individual benefits depends upon the degree to which the individual has access to the politician or his henchman (Gunasekara 1992). However, this research wishes to highlight that the entire communities' access to welfare benefits are highly contingent upon being affiliated to the party that is in power. Furthermore, their exclusion from engaging as full members of the community they belong to is only so long as the political party they are aligned with remains out of power.

Why do individuals who heavily criticized the PS of being pointless, still hope to contest the local level elections? Why do those who have been excluded from the local authorities wish to contest elections to be elected to those very bodies which excluded them? In Isurugama there was an understanding that it was 'their time.' This means that it was now their time to be included into the activities of the *Pradeshiya Saba*. Their period of ostracism was in effect past. They could now benefit from this once pointless institution from which they were excluded. Therefore, there is faith in the institution to the extent that one can benefit from it when it is that particular person's 'turn', or when the party that individual supports is in power.

Exclusion as a Practice Actively Engaged-in

The literature on social exclusion emphasizes the social, economic and cultural factors which contribute to the exclusion of certain groups, and thereby undermining their ability to participate as full members of a society, or enjoy a decent life. Such conversations tend to privilege social structures. However, findings from the study suggests that communities aligned to a political party which is not in power also internalize exclusion. As such, just as much as they are excluded by the PS, the community also rejects the PS.

This is one manner in which to understand statements made by communities regarding the absolute inefficiency and pointlessness of PS. In focus group discussions conducted in Isurugama and Rambukkewela, there was unanimous agreement that the PS was a toothless institution. However, not all the participants had actually gone to the PS, or tried to get work done through the institution. This indicates a view among that particular community that the PS is a space that is not available to them to participate in. Therefore, they reject this institution. They actively distance themselves from the PS. Communities affiliated to the party which does not have power do not participate in activities organized by the PS because they know very well that their views are not likely to be acknowledged.

Distorted Nature of Inclusion in Rural Sri Lanka

The nature of inclusion within the local authority in rural Sri Lanka is, at times, highly problematic. This view is most evident in the village of Welgala where, under the leadership of a Buddhist monk, the village had succeeded in obtaining money through the PS which was actually intended for other villages. An inclusion of this nature is highly detrimental to the society at large. It places one community in a position which is far superior to those around them for a period of time. In rural Sri Lanka, it is unimaginable that a community would refuse a development project offered by the *PS* or any other institution. However, for one community to be awarded the monies for multiple projects is to the immediate and unfair detriment of many other communities. It can be argued that this is not really a form of social inclusion, but a distortion of the very idea of social inclusion.

Even though we may observe that the nature of social inclusion encouraged by this cyclical marginalization is highly undesirable, communities still accept it. This is reflected in the hope that when it is 'their time' they can attract as many or more benefits offered through the *PS*. This was highlighted by the Isurugama community's eager expectation of contesting local government elections and winning a seat in the *PS*. Therefore, when it is 'their time' it will just as not be the time of many other villages.

Resisting Social Exclusion

As highlighted by Jones, the concept of social exclusion tends to create binaries of those who are excluded and those who are included. Therefore, it sometimes prevents understanding that certain communities can be excluded at the same time on one level, and included at another level. In Sri Lanka, having access to the resources promised by the government is important. These resources held by the government are distributed to the citizens at various levels. While at the national level the Parliament and Cabinet of Ministers determine the manner in which resources should be distributed; at the local level, it is the *PS* that makes decisions on the manner in which government resources should be distributed. Therefore, there are multiple avenues available for citizens to access resources through the government. Thus far, the paper has emphasized the lack of access individuals and communities have to government resources at the local level, by virtue of the party they are seen to support. However, because there are many ways to access state resources, exclusion at one level does not necessarily mean complete exclusion from services. In other words, while a community may not have access to the *PS*, they could still access those in Parliament or the Cabinet of Ministers. This is particularly true of the communities in Isurugama and Rambukkewela who had been excluded from receiving services from the PS. These communities actively sought to overcome their exclusion through subverting the very system which excluded them, by approaching a system which was placed in a superior position within the power hierarchy.

These communities, though ignored by the *PS*, made their requests known to national-level politicians in the area. Therefore, the villagers of Isurugama would petition Ranjith Aluwihare when they had a particular need. Similarly, the villagers of Rambukkewela would approach A. H. M. Haleem, who was elected to Parliament from the Kandy district. Through these politicians these communities attempted to overcome their exclusion at the local level.

It is interesting to note that even in seeking alternate systems to be included in, these villagers did not move beyond the party boundaries. Both Ranjith Aluwihare and A. H. M. Haleem are members of the UNP. Therefore, we may note that even though the villagers are certainly excluded on the one hand, they do in fact seek alternate means through which to access the resources they have been denied. However, even in this form of resistance, the communities still operate within the boundaries of their political party.

This form of inclusion though, like inclusion at the local level, is a distortion of social inclusion. Individuals and communities are not included by the national-level government, but rather they are being included by politicians attached to specific political parties at the national level. Furthermore, in pursuing the politicians of a political party, communities are further identified as supporters of a particular party and less likely to be included at the local level once again. This form of inclusion also does not enjoy the full benefits of accessing government services. This is due to the fact that the party within which the individuals and communities operate have contested and lost elections at both the local and national level. Therefore, the relief

that a member of the opposition in Parliament can provide is quite limited. This is why for example, the residents of Rambukkewela, while unable to actually have the road constructed, they were able to have the pot holes filled. They received some form of relief through accessing the Member of Parliament, but not full relief which would enhance their standard of living in a more meaningful manner.

Conclusion

The fact that communities are subject to periodic social exclusion based on the party their community is seen to support is perhaps the consequence of the individualization of institutions, in that institutions seem to be dominated and recognized more by the people within it. On more than one occasion, the communities in both Isurugama and Rambukkewela stated that they were unable to access services from the PS because they had been unable to elect one of their own. They have faith in the PS only so long as it affords the possibility of one of their own entering it through elections and therefore serving them. Therefore, when they express faith in local government, it is an expression of the faith they have in the local government to accommodate one of their own in future elections. At that point, it is not that the PS becomes relevant to them, but rather it is their own wo/man who enters the body through elections and makes the PS relevant to them by making certain state resources available to the village. As such, the PS itself becomes a vessel for seasonal exclusion because the 'correct' individuals for the community are not in it. Therefore, when the individuals within the local-government institutions change so do the fortunes of many communities—sometimes for their benefit, sometimes to their detriment.

Furthermore, citizens respond to the challenge of individuals dominating local governance institutions by seeking the support and intervention of individuals at a higher level of government, such as Members of Parliament. Therefore, in a paradoxical sense, the very phenomenon which is the source of much exclusion then also becomes the means through which communities seek ways to access resources and ensure a life with greater dignity. However, in seeking such a resolution for their issues, communities are also reproducing structures which temporarily exclude them. Such strategies of resistance in the long run do not lead to the full emancipation of communities as it continues to privilege individuals over institutions. As such citizens are more likely to demand a change of individuals within local government, rather than demand that the very nature of local government at the local level changes.

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Intricacies of Nation-States and Incidences of Exclusion

Allen Thomas

Abstract Inequality though intrinsic to human society is the basis on which civilizations strive to exist and function. The chapter explores the various manifestations of social exclusion that emerge from the interaction between state and society, on the structural arrangements prevalent in the various nation-states. These structural arrangements highlight the governing principle and logic of the structures that preside over the various state institutions and society leading to incidences of exclusion. The chapter further highlights the establishment of the Indian state and the implications of this transition to a democratic regime in Cooch Behar, currently a district of West Bengal.

Introduction

Nation-states play a pivotal role in the sustenance and functioning of today's modern world. The state guards our basic fundamental rights, provides welfare measures and recognizes the various identities present within. Being a sovereign power it defends its citizens, both within and outside its territorial area from threats. Without the governing body or the binding force of the state, safeguarding human existence is doubtful. Owing to the history, organization of state machinery and geopolitics of the region, nation-states hold diverse position and roles in the society across the world.

The human civilization has evolved through various stages leading to the industrial and post-industrial societies. Focusing on the evolution process from the hunter-gatherer society to that of the Agrarian society, this particular transformation has led to a major breakthrough and is indebted with the most influential characteristics prevalent in today's world, that is, the introduction of private property and accumulation of wealth. This conception of private property and accumulation brings in aspects of resource inequality. Accumulation of wealth requires an organizational structure whose basic purpose was to sustain conditions of protected living and

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A. Thomas (✉)

Research Scholar at the Centre for Study of Social Exclusion and Inclusive Policies, in Tata Institute of Social Sciences, Mumbai, India

e-mail: allen_acdc@yahoo.co.in

sustenance of the societal structure. This essential political character of the agricultural society brought the monarchic and self-governing settlements (Boix 2010). The resource inequality subsided into political or the then organizational structure since individuals and groups with animal resources and modes of agriculture dominated and made decisions regarding the organizational structure. Resource inequality gets transcended into other modes of inequality, be it social, economic, political and spatial inequalities.

Today, state is considered as an evolution of the organizational structure of the past. Thus, the state is a product of the society for protection and sustenance. Alongside the state is made up of individuals and their personalities, thus whatever social and psychological gets imprinted on the society itself gets imprinted on the state and its functioning. Society and its governance structures have evolved simultaneously. Thus inequality is intrinsic in the society to an extent that societies strive on inequalities. The rise of nation-states over feudal states and papal-states is an output of violent wars and resultant human sufferings. The struggle for the principles of French Revolution, that is, equality, liberty and fraternity has contributed to the evolution of socio-political consciousness which could accommodate a diluted form of every other identity in a restricted fashion giving certain spheres of autonomy for each of them in every individual's life. It is this socio-political consciousness what we call the "nation-state".

Formulation of State Machinery

Even though the "state" has been talked about since ancient Greece, the role of the state has been largely assumed; it was later that sociologist Max Weber and Talcott Parsons elaborated on the state order and nature of its constitution in its totality. Max Weber highlights the state as a system of administration and law which symbolizes collective action by and for the society. The state exercises domination over the community within its geographic area where it holds sovereign power. There are three major elements of the state, namely territory, monopoly of violence and legitimacy, thus the state emerges as a collective legal body which has coercive power. Talcott Parsons asserts that state and society are bound together by an overarching and unified set of values; it is these set of values that help society associate with the state and act as a system code on which the state is expected to function. These three overarching entities that govern the functioning of state and society are, namely, values and beliefs, institutions and elites. They govern the social and psychological orientation of individuals in the society towards social objects, agencies, production of knowledge and imprinting of symbols within the society which later gets embedded into the state machinery. Values and beliefs are order of symbols, ethics and morals that govern the population, whereas institutions are those entities that exercise authority be it economic, governmental, political or military. Institutions also have an important role of facilitating interaction between the state functionaries and the society. Elites are intimately connected to the central values, beliefs and institutions in the society.

They shape agencies to alter the existing institutions wherein they create and diffuse cultural symbols through religious houses, school, publishing houses, media, and so on. He also uses the term "normative order" in a manner which suggests shared value commitments and obligations between communities which help in establishing social order. These norms and values weave together the elites and institutions in the social, political, religious and economic realms. Without this normative order or normative solidarity among communities in a heterogeneous society, maintaining stability can be a difficult task. Edward Shills wrote on something familiar namely "transcendental notions", wherein he states that people's connection to each other in the society rests on transcendental notion. The people seek and create common understanding among them enabling strong relationships that bind them. Shills also talks about the creation of shared meanings, wherein the forging of social bonds between communities through non-instrumental means excludes as well as includes demarcation lines as in who is part of the society and who outside it (Migdal 2001). The "state" is marked by two main elements namely image and practice. The "image" of the state is of a dominant, integrated and autonomous entity that controls and makes rules by authorized organizations. The image has two perceptions, that is, by those who are within the state and those outside the state. Institutions outside the state having associations with agencies and communities within the state can have a crucial role in creation of the image of the state. The second key element is "practice". which is the routine performance of state actors and agencies. A state has different ethnic groups and communities within itself; Edward Shills defines a community as: "Not just a group of concrete and particular persons but rather by persons who acquire the visible or tangible form of values with standards and rules through which people derive their own dignity". It is the contestation between different communities which bring about conflicting interests, dispute over resources and instability within the society. A nation-state is formed over a certain set of ideals and visions; on the contrary, we have the image of the dominant elites who govern the processes of the state and practices of different institutions within. These institutions can be state actors, state-authorised agencies and actors from outside the geographical boundaries of the state. This practice may reinforce the image of the state or further weaken it. The three main components of association between the state and society are vision of the nation state, image of the dominant elite in it and the practice of both state and non-state actors superseding or manipulating the overarching set of values and beliefs.

In today's heterogeneous societies wherein multiple cultures, faith and traditions coexist, there may persist conflict of ethnicities, resulting in multiple values and belief systems rooted in culture, religion and way of life which may or may not coincide with each other. In case of conflict of interests, the contradictory nature of the state is found, wherein there is lack of unanimity in various state machineries. The state emerging from the society replicates these differences in the various state machineries impacting the functioning of the state. The social and psychological orientation present in the society becomes a part and parcel of state influence and functioning. The attempt to impact state machinery is the struggle to gain social

control. This heterogeneity of state organization within itself with the society is further extrapolated with the presence of nation-states globally.

Structure of the Society

Antony Giddens states that society is a group of people living in a particular territory subject to a common system of political authority and has a definite sense of identity among them (Giddens 2000). People inherently form groups to gain recognition and voice their concerns by becoming pressure groups; alongside groups relative performance in economic, social and political dimension is an important source of individual welfare and can create political instability. Existent identities recast as social groups and contest for their access to welfare and representation in the society through redressal mechanism in the form of grievances. Development practitioners target groups to address the persistent inequalities based on common characteristics of the group, while referring to them as horizontal inequality. The society shares the same cultural, political and civic culture which is represented and shared by various sub-structures of the state. Culture is the psychological orientation towards social objects. Political culture is the evaluative orientation towards the political system, whereas the civic culture refers to the way how citizens ought to behave in the democracy. The groups formed are on the basis of their ethnicity, that is, common national or cultural tradition ranging from common ancestors, language, social, cultural or national experiences. From the cultural environment of the state, one can determine what form of governance structure is at place (participation-oriented culture, subject-oriented culture and parochial-oriented culture, Almond and Verba 1963).

The state and the society bound by an overarching set of entities establish a "structure", wherein each structure has a function to perform on which the system runs. These "structures" are organized around the logic on which the system operates. "Logic" brings reason and validity to the patterns on how systems function or interact. A "function" refers to a cause and effect relation between agencies, institutions and individuals, meanwhile, having a sufficient degree of subjectivity into the impact of that function. "Logic" refers to both reason and moral principles; it can refer to sustainability of the state, accumulation of wealth or a certain bent of dominant moral principle governed by societal values and beliefs, depending on the psychological orientation of society. Elaborating on the lines of racism individuals practicing racism believe in the superiority of certain races over the other; their involvement in the various state institutions would replicate their actions through the state machinery, altering or strengthening the structural arrangements in the society. The structural arrangements prevalent based on the values system of the society are governed by the existing logic and governing principle. The values and beliefs in society need to be coherent and formal to establish a structural arrangement. These established "structures" don't change or evolve themselves; it is the various "processes" that alter the functioning of the system. Processes refer to the actions of various agencies

and institutions that intend to alter the fabric of social structures prevalent in the society. Thus nature of state and society is such that both are intertwined to form a loop showcasing effective impact to each other. The state emerging from the society provides access to welfare and representation to its citizens and the population addresses the various issues faced through grievances and redressal mechanism.

Structural Forms of Exclusion

Social exclusion occurs where a particular group based on its distinct identity is excluded by the mainstream society from fully participating in the economic, social and political life. Exclusion persists when rules, norms, pattern of attitudes and behaviour of individuals and institutions represent obstacles to certain ethnic groups or individuals in achieving same rights and opportunities that majority does through intentional and unintentional deep-seated actions. Thus structural inequality in a state arises when certain groups enjoy unequal status in relation to other groups. Social exclusion occurs not only at legal institutional level but re-enforced through social level through the socialization of reality (Berger and Luckmann 1967). Berger and Luckmann in their book "*Social Construction of Reality*" state that an individual learns and absorbs knowledge, beliefs, biases and prejudices through the everyday dealing and interactions with family, friends and relatives (primary socialization).

At this primary stage an individual absorbs everything without understanding the depth, consequence or impact of that knowledge as the individual doesn't have comparative information regarding different perspectives prevalent in the society. The individual acknowledges the comparative understanding of different realities that is received from school, college and the external world while growing up (secondary socialization). Depending on the geopolitical positioning of his/her identity in the society, he/she builds up a certain mindset towards the psychological orientation of social objects. Thus an individual's actions, beliefs, values and morals are all dependent on his societal surrounding. And this is exactly from where exclusion emerges and blends into the state machinery.

Ethnicities don't always live together peacefully but rather compete to dominate national identity, when ethnicities are divided among more than one state or when ethnicities can't live together in a peaceful manner due to past history or influence of external events and agencies. Social exclusion can be a result of interaction between the different sub-structures of the state and various sections of the society depending on the cultural orientation, historical background or recent events, controversies or changes in law. We will explore on the various kinds of controversies and issues and deconstruct them into the institutional framework of the state and society, and decode them.

When one social group dominates the elites and institutions in the society and places themselves in various institutions, it leads to the creation of exclusion at the structural level since it moulds social behaviour through propagation of a certain kind of value and belief system and diffuses it into the state machinery for social reproduc-

tion. Now take the case of the Rwandan Genocide, 1994; there were two ethnicities that shared Rwanda, namely Hutu and Tutsi population. The Hutu power government gained extreme Hutu nationalism, thus the state itself took up arms against the Tutsi resulting in eight-lakh Tutsi's being massacred. Here the state machineries including the political bureaucracy were hijacked by the Hutus leading to genocide.

Since the state has multiple actors and agencies which often have diverse goals and whose vision and practice may not match with that of the state, state agencies themselves create contestation. Take the Niyamgiri Tribals and the Vedanta case in Odisha, 2013; the basic pre-context in such cases is that the state which protects the tribals and provides them with various constitutional safeguards itself has certain sub-structures which go against the constitution by joining hands with various corporate and transnational companies and plunder the tribals of not only their resource but also their culture. In this case the Odisha state machinery including the Kalahandi tehsildar's office and Industrial Infrastructure Development Corporation of Orissa (IDCO) were involved in the requisitioning of alienating the land, whereas on the contrary, the Supreme Court ruled the judgement towards returning the said land to the natives.

Often state agencies have an alliance with external agencies leading to conflict of state and external agency goals. The presence and influence of hundreds of nation-states provide a universe of endless patterns of impact on each other. Take the case of plunder created by the ISIS Radical Islamist group which is being funded by various sources across the world. This nexus of state institutions with external agencies and organizations can have effects anywhere.

Social exclusion occurs when certain social groups claim contention over the construction of the state on the basis of certain vision leading to contestation over nuances of nationalism. Take the case of Hindu nationalism in India; they have been contesting for a long time that India is a Hindu state and are intent on making it a Hindu state. They are going against the principles on the basis of which the nation had been created and contesting it. Take for instance, the new drafted Citizenship (Amendment) Bill 2016 which recalls only Hindu, Sikhs, Jains, Parsis and Christian population back to India, conveniently excluding the Muslim population. This replicates in the state policy as Hajong and Chakhma population who belong primarily to Hindu and Buddhist faith are being offered refuge by Rohingyas who are Muslim are being denied much support despite having Rohingyas refugee camps across India.

Exclusion formulates when value systems and beliefs of various ethnicities clash like the case of ethnic cleansing in Nazi/Germany where the Germans believe themselves to be the superior race and thus ended by creating genocide against the Jews. Here the value system and beliefs of the Germans didn't let the Jews and other communities adjust within one boundary. There can be other cases where both the involved community's value beliefs don't match and it leads to exclusionary structures. At a more fundamental level, the internal conflicts and the demarcation lines created during state formation result in aspects of social exclusion. Israel and Palestine war is a classic example where the formation of Israel and Palestine has resulted in contestations which persist even now in terms of land resources.

While understanding the state and society interaction, it is essential to understand the constraints of the state too. The state has various constraints as that of lack of strong political base which provides the inability to pursue gross-level policies and the state position acts as a tempting prize for those with organizational backing to overcome the state. Similarly, the heterogeneous identities present within the state compete between themselves for resources and power. Alongside this, lack of constraint over state population establishes the inability of the state to mobilize the population for specialized, task-oriented framework to provide welfare and sustenance.

State–Society Relations in India and Incidences to Social Exclusion

In an attempt to understand the formation of nation-state in India, an archival research was conducted[1] to comprehend the transition to democracy in a princely state in India and its impact on the state–society relation and the various complications surrounding it. The Indian dominion prior to Independence consisted of 564 princely states[2] which are currently constituted into 29 states and 7 union territories. The establishment of the "state" in India is a result of the democratic transition and its consolidation. Democracy though a homogenous regime in India has a peculiarity, that is, democracy is not the same everywhere. Take, for instance, there are 11 states that enjoy special category status such as Arunachal Pradesh, Assam, Himachal Pradesh, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Uttarakhand. These special statuses have been provided on the basis of certain parameters such as hilly and difficult terrain, sizable share of tribal population, hostile location, low resource and population density. Similarly, we have different allocation of central assistance funds and plans for the various Indian sub-states.[3] Democracy itself has evolved from the normative means of free and fair elections to creation of a favourable environment assisting economic, political and social growth of its citizens. Owing to the diverse interaction of the Indian state to its various populations and sub-states, it is clearly evident that the asymmetrical federalism accommodates various levels of democracy in India. Thus the research attempted to look at a princely state—"Cooch Behar" and how its integration into the Indian dominion has made socio-economic and political impact on state formation and the society.

Cooch Behar earned a separate geographical and historical identity, with Cooch Behar being the capital of the Kamatapur kingdom in the fifteenth century; Kamatapur kingdom included parts of the present West Bengal, Assam, Bihar, Meghalaya

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[1]Research conducted by Allen Thomas titled "Changing modes of Governance and Impact on State—Society relations: a case study of the Cooch Behar State".

[2]Integration of the Indian States—V. P. Menon.

[3]Gadgil Formula.

of India, Bangladesh, Bhutan and Nepal. As the Kamatapur kingdom disintegrated, the various regions within it became autonomous. Cooch Behar is currently a district of West Bengal. The transition to democracy in Cooch Behar was largely supervised by the British Administrative structure since the Treaty of 1773,[4] wherein the Maharaja of Cooch Behar accepted the terms of condition of the British administration in return for safety from the neighbouring kingdoms. The Annual Administrative Reports[5] published by the British officers and submitted to the then Maharaja of Cooch Behar highlight the role of the colonial bureaucratic regime in establishing new revenue and land system, law and order, basic infrastructure such as electricity, railways, communications and press, meanwhile, investing on education, skill development and health. But these improvements were made for the convenience of the British, such as the railways helped the British administration to expand and penetrate newer geographical spaces and extract resources. Similarly, the press was created so that administrative works need not be published in West Bengal to save time and resources; the work of the press was not to produce documents or material for the largely illiterate population but to print stamps, copy old documents and print judicial and state documents. Needless to say, the economy was agrarian in nature and most small-scale industries were pushed out of business. Though raw materials were extracted from Cooch Behar such as silk, but were never re-invested in Cooch Behar.

Cooch Behar acceded to the Indian dominion in 1949 but an important precedent to the Accession of Cooch Behar was the Government of India Act 1935, which attempted at forming the "All India Federation"—a Union of the British India territories and princely states, thus increasing the size of legislature, extension of franchise, division of subjects into three lists and retention of communal electorates. The negotiations made between the Viceroy Linlithgow, special representatives (sent by the Viceroy), the Maharaja of Cooch Behar and his ministers acted as a base for the negotiations and dealings in the Instrument of Accession of 1949. Unfortunately, the "All India Federation" could not come into existence as many princely states refused to join it.

The incidences of Accession of Cooch Behar commenced from 1947 till 1950, wherein constant dialogues and meetings have been recorded between Sardar Patel, V. P. Menon and the Maharaja of Cooch Behar Jagaddipendra Narayan. The chief minister of Cooch Behar signed the Standstill agreement with V. P. Menon of the Indian Dominion on 14 August 1947. According to the Standstill Agreement, the Government of India would provide public services and administration to Cooch Behar on reasonable compensation basis until the Instrument of Accession is signed. Till 1947 Cooch Behar was a colonial bureaucratic monarchy. From 1947 to 1949, it was a constitutional monarchy and from 1950 onwards became a democracy under Indian jurisdiction.

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[4]The Treaty of 1773 between the Maharaja of Cooch Behar and the British (Cooch Behar Royal Archives).

[5]The Annual Administrative Report of Cooch Behar State 1878–1979, 1897–1998, 1902–1903, 1916–1917, 1926–1927 and 1935–1936.

Post 1947, a lot of disturbances[6] were noted in Cooch Behar according to the documents present at the National Archives of India, Delhi. A major reason behind it was the demographic composition and location of Cooch Behar, as Muslims occupied 40% of the population and geographically it was surrounded by East Pakistan from three sides. Alongside Cooch Behar occupies a strategic position for India as it acted as India's only link to the North Eastern states. The West Bengal state reports to the centre that not all is well in Cooch Behar and there are chances that Cooch Behar may accede to Pakistan, which will further pose problems to the Indian Dominion in accessing the North East. The West Bengal state asserts that the Cooch Behar state was pursuing policies to invite Muslims from East Bengal and drive the Hindus away leading to a narrow majority of the Muslims, thus upsetting the communal harmony and acceding to Pakistan. Meanwhile, the Cooch Behar state clarifies to the centre stating that Muslims constitute only 38% of the population and that the relations between the Muslims and non-Muslims in the state are cordial. Multiple reports suggest that the state of Cooch Behar continues to pursue imperialistic policies of pre-independence. The Cooch Behar state has a heterogeneous population with the aboriginal royalists known as the Rajbanshis and the outsiders called the Bhatias. The Cooch Beharis have formed the "Hitsadhani Sabha" which intends to carry on propaganda to incite hatred towards the Bhatias. The Hitsadhani Sabha is a purely communal organization and its activities are detrimental. The state is a party to this movement since most of the people involved in it are part of the state machinery. The ruler of Cooch Behar was a titular guy who doesn't involve much in the affairs of the state. Despite being shorn of paramountcy and being a constitutional monarch, he chose to be a feudal chief who has left his affairs in the hands of his ministers. The state being influenced by the Hitsadhani Sabha is practicing exclusionary measures towards the Bhatias in terms of education opportunities and jobs.

Another problem apart from the Hitsadhani Sabha is of the enclaves or chit lands[7] of Pakistani Domination within the Cooch Behar state which act as a base for Pakistani Movement and the Cooch Behar enclaves which are in East Pakistan making it difficult for essential supplies and administration to reach its population. Since there is no arrangement for preventing and safeguarding the Pakistani infiltration, the state stands unprotected. Also, the railway line connecting Cooch Behar with West Bengal and Assam passes through the Pakistan enclaves which have made it utterly impossible to send regular supplies from outside. Amidst these growing problems, the Maharaja of Cooch Behar signed the Instrument of Accession on 12 September 1949, following which on 1 January 1950 Cooch Behar was declared a district within the state of West Bengal against popular opinion of the people of Cooch Behar.

It has been noted in the Patel Correspondences Vol. 8, p. 517 that the merger with the West Bengal was highly unpopular with the people of Cooch Behar, yet the

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[6]Affairs in the Cooch Behar State; Disturbances in the Cooch Behar State (Ministry of States 1947) NAI, Delhi, Clash between Cooch Behar State Forces and Students of Cooch Behar Victoria College 1945; NAI Delhi, Cooch Behar State's Affairs (Ministry of States 1949) NAI, Delhi.

[7]Administration of Pak enclaves within the Cooch Behar State and Cooch Behar enclaves within Pakistan (Ministry of State 1950); NAI, Delhi.

merger happened. The signing of the Instrument of Accession and the merger with West Bengal were part of the negotiations and dealings between the Cooch Behar state and the Indian dominion. The India Independence Act did not and does not require a ruler to consult his people before deciding on accession; this is a huge price for establishment of democracy. Democracy involves certain element of coercion into it and the accession and merger of Cooch Behar is one such example. From the documents present at the National Archives of India, Delhi and the Cooch Behar Royal Archives, Cooch Behar suggests that the West Bengal state played a crucial role in the accession of Cooch Behar. The archival documents suggest that the West Bengal government influenced the Government of India to act in a certain manner which may or may not have been in the best or popular interest of the people of Cooch Behar, that is, a sub-state body (West Bengal Government) with stronger political integrity (than Cooch Behar) influences the state machinery and its actions (Government of India) against the interests of another sub-state body.

This reciprocates into the fact that the West Bengal government had more political power as compared to those in the political arena of Cooch Behar. And this is quite true ever since the Maharaja of Cooch Behar signed the Treaty of 1773 with the British; he agreed on Cooch Behar being a part of the West Bengal province and since then the affairs of Cooch Behar have been either handled or monitored by West Bengal. The Britishers played a major role since they positioned a certain category of population in a geographic area based on their material resource over another category of population and it carried on. To elaborate, the change in the spelling of the name of Cooch Behar State from "Kuch Bihar" to "Cooch Behar" came through the Official Secretary of the Government of Bengal to the Secretary of Home Department dated 12 August 1896. The West Bengal province acted as a base for the British administration to reach to the other nearby kingdoms and geographic areas, thus submerging smaller kingdoms like Cooch Behar into it. Similarly, all reports and documents between 1947 and 1950 pertaining to the affairs of Cooch Behar came through West Bengal (Disturbance in the Cooch Behar State 1947) even when Cooch Behar had not acceded to the Indian Dominion nor had been merged to West Bengal (State 1947). This evidence is sufficient to highlight that the political and bureaucratic actors of the West Bengal State dominated the political and bureaucratic actors of the Cooch Behar State. The research does not assert whether the influence of West Bengal on the Indian Central Government in regard to Cooch Behar has been good or bad rather the research highlights processes of persuasion within the various state machineries, institutions and agencies.

The Indian Bureaucratic system was borrowed from the British Indian Bureaucratic System; not that no new political group or individual were allowed to enter the political system but those who already had access and recognition to power held on to them when India became independent. To elaborate, the legislative assembly seats[8] when Cooch Behar merged to West Bengal in 1950 were given to Satish Chandra Roy Sarkar and Umesh Chandra Mandal wherein Satish Chandra Roy was part of the

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[8]Representation of Cooch Behar in West Bengal Legislative Assembly (Ministry of States 1950); NAI, Delhi.

town committee of Dinhata as per the Annual Administration Report of the Cooch Behar State 1935–1936. It was difficult to know the background of Mr. Umesh Chandra Mandal but it seems he emerged himself from the Cooch Behar State Mandal as its president. Alongside there was no independent and neutral body that allocated the legislative assembly seats, rather it was the Maharaja and his officers who decided to allocate the legislative assembly seats. This highlights the fact that transition to democracy has linkages and impacts of the past administrative regime.

Moving on from administrative and political impact on establishment of the democratic state in Cooch Behar, social change also needs due attention which requires an anthropological investigation to understand the geographical positioning and cultural resemblance of the Rajbanshis. The local royalists or the Rajbanshis belong to both Hindu and Muslim faith and reside in not just Cooch Behar but also in parts of the neighbouring states of Assam, Bihar and Bangladesh.

During colonial monarchy in the Cooch Behar state, the state put no restrictions of any sort on its people and their intermixing with other people from other regions or kingdoms to that point that there were no societal/cultural restrictions to intermarriage between the tribes; hence the cultural integrity of the tribes were maintained. Post independence through the creation of state boundaries has restricted their movement and unknowingly asserted them with other cultures, resulting in them being culturally influenced.

The accession of Cooch Behar has divided cultural boundaries through the creation of administrative jurisdiction along with the fact that Rangpur had been merged to Bangladesh. Owing to the policies of the Indian state the same Rajbanshis community receives separate status in different states; to elaborate, the Rajbanshis and the Kochs are OBC in Assam, SC in Bihar and ST in West Bengal. It is understood that the status of ST/SC and OBC is given through socio-economic evaluation of each state with respect to its population, yet the ambiguity remains. Alongside when these areas got merged into the separate states, they lost their collective autonomy and were subjected to different cultures without providing any institutional backing to safeguard their own culture and community. For example, once Cooch Behar was merged into West Bengal, all laws of West Bengal were imposed on Cooch Behar since it was not an exception. Bengali was imposed as the official language of Cooch Behar and in education Koch history was not taught until a few decades back. Leaving apart the role of the state, if we look at the cultural influence on Rajbanshis, wherever they have been influenced by the Hindu religion through the process of Sanskritization their etiquettes, dressing style, eating habits and even in fact language has been influenced through the different groups around them. Rajbanshis in Darjeeling, Cooch Behar and in districts of Assam all have stark distinctions in terms of the accent of their language, dressing sense and eating habits. The Rajbanshi language that served as a medium of expression in the erstwhile Kamrup-Kamata region is known as Goalparia in Assam and Deshi or Kamata in North Bengal. Owing to the colonial influence on the Bengal province, Bengali as a language flourished; meanwhile influencing the majority population. Also keeping in mind the condition of the Cooch Behar Palace which acts as a cultural heritage of the Koch Rajbanshis has been neglected by the West Bengal State Government and the Archaeology Department of India.

The Palace has not been looked after, neither painted nor have any measures taken to preserve the monument. The walls of the Palace are now dilapidated; stray animals are grazing in the Palace gardens; and littering can be found all through the Palace. Such a condition of the Cooch Behar Palace which was once quoted to have the potential to be one of the Seven Wonders of India now rests as a humiliation for the Koch Rajbanshi people who have been neglected all this while (Das 2012).

The picture of cultural deterioration is to be dealt with caution and for this attempt we study the past anthropological reports in helping us evaluate the situation. The Statistical Account of Bengal: State of Kuch Behar written by W. W. Hunter in 1876 states that from Maldah district on the borders of Purniah in the province of Behar on to the southwest to Goalpara district and the Assam valley of Brahmaputra on the northwest, thus ranging from Bihar, West Bengal, Assam and Bangladesh, used to be the regions where Rajbanshis lived. Wherever Rajbanshis lived they assimilated with the local cultures; for example, many Rajbanshis adopted the Muslim faith and often were confused with the general Muhammadan population of East Bengal. Similarly, in the regions largely dominated by the Hindu faith has led to the process of Sanskritization, wherein the Rajbanshis adopted the regionally accepted pure practices such as abstinence from pork meat and worship of Krishna (Hindu god). Alongside in the book "Rajbanshis of North Bengal" written by Charu Chandra Sanyal, it is evident that the Ahoms (natives of Assam), Khens (indigenous tribes of Cooch Behar who ruled till the Mughal invasion) and Rajbanshis who fought among themselves were practically mixed through matrimonial and other alliances since inter-marriage were freely allowed. These anthropological studies suggest that the Rajbanshis were intermixed and it would be improper to state that cultural deterioration happened, but rather it is a process of cultural assimilation. To highlight the role of the Indian democratic state, rather than using the term cultural deterioration, cultural neglect would be the correct terminology. Instances of imposition of Bengali language which is foreign to them since independence, history of Cooch Behar not being included in course curriculum and lack of state support to preserve the culture of Cooch Behar highlight the state negligence. Today there is a stark deviation in the cultural practices, language, customs and access of Rajbanshis to their own history. They have lost their unique identity and have merged with the dominant cultures in each of these states. In administrative terms much of the welfare funds and developments happen at the heart of West Bengal and Cooch Behar has been a victim of it. Their villages are poor; they don't have access to better opportunities of education, health and employment; thus they are distant from the developments of West Bengal. The neglect of the Rajbanshis community has led to a process of cultural revival.

Way Forward

It is evident that states may compete with each other on the varied levels of consolidation owing to their specific geographic, political and social setup; but moreover, state competes within itself with respect to the heterogenic composition of the society to

achieve democratic consolidation. Take the case of the Indian Democratic state; the vast multiplicity of communities with unique identities spread across administrative divisions based on religious and languages requires different democratic processes and institutions to cater to the community's specific requirements. Alongside most importantly, the nature of the functioning of the state is dependent on human beings who are bound to be influenced and act in a prejudiced manner. It is the influence of these varied individuals at the various state and non-state actors and institutions, both within and outside the state, that systemic inequalities are produced and established. It can be stated through the very existence of the caste system in the Hindu culture, or colonial establishments in Asia and Africa or through racism and genocide. As Laski in the first line of his book "*Introduction to Political Economy*" states that society is based on inequality. The social fabric of society is rooted in these inequalities which replicate themselves in the form of actors, agencies and institutions which affect the society owing to their own values and beliefs which have either been passed on from generations or are being created due to multiple and varied levels of impact on identity and resource. The systemic differences prevalent in the political and social spheres create and propagate inequalities for maintaining the status quo.

Inclusive policies are to be made keeping in mind not only communities that fail to achieve welfare measures from the state or those who need special attention but also in a way to protect the state interest and its functioning. Take the case of the recent Immigration Policy of the US post-Trump period or India's Reserve Bank of India economic policies before the 2008 depression; it is evident that the state protects its citizens and itself for a period of sustained growth. The state should not be exposed and deranged that it loses its functioning. It is also to be noticed that there is a myriad of inter-relations and connections between the state, society, and transnational bodies both within themselves and between themselves. It is interesting to notice that during the austerity measures (2010–2011) to support Greece from the debt crisis, taxi drivers in Germany were working extra hours to bail Greece out of debt. Similarly a small minority ethnic group in India known as Malayalis/Keralites known for out-migration were known to be reasons for the Blue Jasmine revolution in Tunisia (2011) resulting in the Arab spring since the Keralites occupied the major jobs resulting in job scarcity and social tensions among the youth of Tunisia. Understanding the state is the key to understand the prevalent problems in the society and carve policies to address them.

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Part IV
Governance Systems and Opportunities for Inclusion

Emerging Politics of Accountability: Sub-national Reflections from Bihar

Himanshu Jha

Abstract Since 2004 state has reaffirmed its commitment towards 'rights-based development' that granted legal rights to the citizens by enacting laws, such as Right to Information (transparency and accountability), National Rural Employment Guarantee Act (right to food and work), Right to Education and Forest Rights Act (for the tribal citizens living in the forest areas). It can be argued that there is fundamental change in the welfare regime in India in terms of redefining the citizenship-state linkages on at least four counts. First, the Supreme Court rulings and interpretation of constitution in new ways have resulted in crossovers between directive principles and fundamental rights, the former non-justiciable had now become justiciable. Secondly, the legality of the rights has changed the concept of welfare from an 'end user' or 'beneficiary perspective' to citizens with legal rights. Thirdly, welfare is now legally enforceable and demandable with a well worked out legal system (targeted goals versus due focus on elaborately worked out means and processes), focusing on equity, non-discrimination, transparency, accountability and participation (core of rights-based development). Hence, the citizens can now demand rights and accountability from the state. Fourthly, the programmatic framework of 'welfare' can be withdrawn but the legally supported welfare regime cannot be withdrawn. On these accounts, the changed welfare regime is expected to have a direct impact on the inclusion of the excluded. Relevant questions need to be raised, such as: who uses these rights, how do they use it and what form do these legislations take when they hit the ground-level implementation? In this context, this chapter studies the implementation of Right to Information Act (RTIA) in Bihar, a state in eastern India, to examine the progression and deepening of institutional change.

H. Jha (✉)
Department of Political Science, Centre for Asian and Transcultural Studies, South Asia Institute, Heidelberg University, Heidelberg, Germany
e-mail: jha@uni-heidelberg.de

RTIA: A Case of Institutional Change

Before we discuss and examine the implementation of RTIA on the ground, it is important to address the question, why should RTIA be treated as a case of institutional change?[1]

Institutions[2] have been defined as norms in terms of informal-formal rules of the game (North 1990). By institutional change, we mean rearrangements in 'norms' or changes in the 'rules of the game', whereby norms or rules change drastically or new institutions replace old structures. Scholars point towards the 'stickiness' of institutions as stubbornly persisting on the historical landscape. Institutions are path-dependent on history; and this nature of institutions renders them change-resistant as history matters and it is cost-ineffective to exit from the status quo (North 1990; Page 2006; Mukherji 2013, 2014; Boettke et al. 2008; Jha 2018a, b). As institutions tend to persist, the related political processes and social behaviour persist as well.

In this light, the RTIA, enacted on 12 October 2005, presents a valid and substantive case of institutional change on three counts. First, based on the definitions of institutions discussed above, it represents rearrangements in 'norms' signifying a shift from the norm of 'secrecy' to 'openness'. This is evident from the fact that the act replaces the persisting norm of 'secrecy' by laying out a practical 'regime' of 'openness' enabling citizens to access information under the control of public authorities. Before the RTIA, the governance process and details about it were shrouded in secrecy, and the knowledge of it limited to the corridors of public authorities. It was governed by the Official Secrets Act, 1923 (OSA), and accompanied by other laws such as Civil Services Conduct Rules, 1964,[3] and sections 1, 2, and 3 of the Indian Evidence Act, 1872 (Second Administrative Reforms Commission 2006: 4), which weakened citizens' right to know from the state (public authorities). A rearrangement of the existing norms by unlocking the persisting institutional gridlock represents a regime shift, that is, from 'secrecy' to 'openness'. Section 22 of the RTIA completes the institutional change by stating the supremacy of the Act in case of direct conflict with the OSA and other such acts.[4]

Secondly, the RTIA marks a complete departure from the previous 'regime', which was 'locked' in at the systemic level and was institutionalized through acts

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[1]Corbridge et al. 2013, p.104.

[2]For our purpose, North (1990: 3) provides one of the most comprehensive definitions: institutions 'are the rules of the game in a society, or more formally, are the humanly devised constraints that shape human interaction' as opposed to organisations. Institutions 'reduce uncertainty by providing a structure to everyday life', and include 'both formal rules such as laws and constitutions, and informal constraints such as conventions and norms'.

[3]The Central Civil Services (Conduct Rules), 1964 prohibited the bureaucracy from sharing information with the general public. Accessed at http://www.persmin.gov.in/DOPT_ActRules_CCS%28Conduct%29_Index.asp.

[4]Section 22 of the RTI Act says: 'The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.' Accessed at http://www.righttoinformation.gov.in/webactrti.htm.

that perpetuated the norm of 'secrecy'. Unlike other rights-based legislation enacted in India, the RTIA does not represent policy continuity. For instance, continuity can be seen in the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) from previous policy/scheme of Jawahar Rozgar Yojana or Right to Education Act emanating from earlier policy programme of Sarva Shiksha Abhiyan. On the other hand, the RTIA marks a complete departure from the previous regime. In fact, there was not even a single policy that allowed access to information from state/public authorities. Hence, if other rights-based legislation enacted during the same period point towards 'path dependency' from the previous policy regime, the RTIA signifies a 'path departure' from the previous regime.

Thirdly, RTIA, an act promulgated by parliament, is justiciable. The judiciary has interpreted Article 19(1)(A) of the Constitution of India granting freedom of expression and speech, inherently containing the 'right to know' as a fundamental right. Thus, sharing the information of public authorities, which was a legal offence in the 'old' regime, is now a justiciable right under the 'new' regime. This is different from other rights-based legislations, which represent a crossover between 'directive principles' and fundamental rights, where the former non-justiciable has now become justiciable. In the case of the RTIA, the shift is not from non-justiciable to justiciable, but significantly institutional, where what was formerly a legal 'offence' is now a justiciable right. The RTIA is both a statutory law and a fundamental right. In the case of RTI, the scope of fundamental rights provided in the constitution itself has been expanded and redefined. This in turn redefines the 'state-citizen' linkages in new ways. [5]

Institutional Change to Institutional Progression

However, has the institutional change in the legal norms also resulted in changes in related social and political realms? Does RTI represent institutional change in a true sense transcending both 'formal and informal' rules of the game? (North [1990]). I argue that the stage after the institutional change should be seen as one of 'institutional progression' at the social and political level.[6] In this light it is relevant to examine the 'extent' and 'deepening' of institutional change. Hence, this chapter proposes to examine the 'progression' of institutional change by probing various dimensions of the implementation of RTIA after its enactment (Jha [2018a]). Specifically, we examine the nature of the use of RTI. Who makes use of this new regime? And why do they use it?

To examine the institutional progression we turn to the eastern of Bihar. Why Bihar? Bihar in many senses is a tough case (King et al. [1994]) or a least likely case (Eckstein [1975]) for examining the institutional progression of RTIA. On the one hand, it has been often cited as a poorly governed state and yet there have

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[5]For a causal story of this institutional change, see, Jha ([2018b]).

[6]For institutional progression see, Jha ([2018a]).

been widespread use of RTI by the citizens. This signifies a case where the state is under-developed in terms of governance but the use of RTI denotes a significant level of political consciousness and awareness. Indeed, the RTI activity in Bihar is not too far behind from the level of activities seen in other states. For instance, the latest published figure by the State Information Commission in Bihar reveals that in 2011–2012[7] 129,807 RTI applications were received at the Bihar State Information Commission. Even though these figures are less than developed states like Maharashtra (682,286) or Karnataka (293,405), but are significantly higher in comparison to other developed states such as Andhra Pradesh (122,133), Rajasthan (71,243)[8] or the poor eastern state of Orissa (52,305).
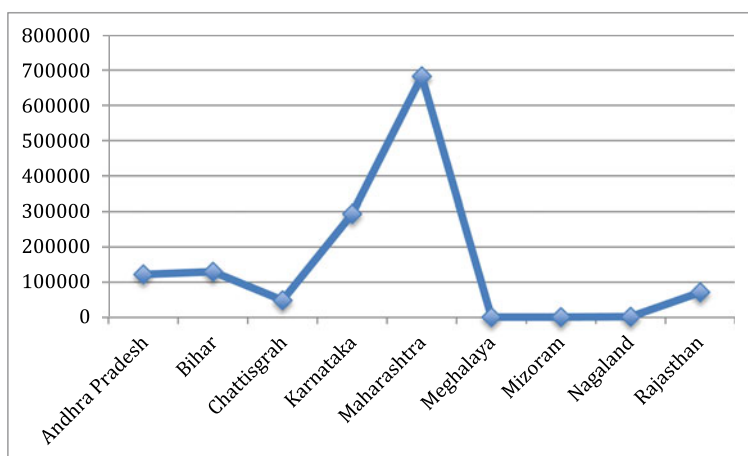
Source The Use of Right to Information Laws in India: A Rapid Survey, Commonwealth Human Rights Initiative, Based on Annual Report of State Information Commissions 2011-12. October 2013.P.44

Within Bihar I selected two districts in North Bihar, namely, *Darbhanga* and *Supaul* (see the map) for comparison, keeping in view that the districts have both similarities and dissimilarities so that the possibilities of the two alternative designs discussed above can be judiciously balanced and adopted. Within these two districts I choose two blocks to examine the implementation of RTI as shown in Table 1. Healthy mixture of similarities and dissimilarities is likely to throw up a good picture of explanatory variables, which will give us the causal explanations of the variations in the use of RTI. How do these districts fare in terms of their similar and dissimilar characteristics?

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[7] Admittedly, Bihar State information Commission (SIC) has published its annual reports only till 2011–2012. Hence, we are using the latest published figures available, that is, 2011–2012 from the Bihar SIC.

[8] The Use of Right to Information Laws in India: A Rapid Survey, Commonwealth Human Rights Initiative, Based on Annual Report of State Information Commissions 2011–2012. October 2013. p. 44.

Table 1 Sub categories of the core

Sub category	Content of RTI	Goals of RTI
Politically active and have political affiliation	Seek information regarding the local development programs and projects and also personal specific information about the local office holders such as the BDO, Panchayat head, Panchayat assistant etc	Large numbers of RTI applications are filed by this category. RTI in this case is used to seek accountability as well as create a political base. RTI is used as a political tool to put pressure on the political opponents and establish dominance over the local administration
Politically affiliated and close association with the left or social movement	Seek information regarding local development programs with larger public and social good in mind. Objective is to expose corruption and leakages in the service delivery	Extensive use of RTI. RTI to further the social and political activities primarily with the objective of social and public good. RTI is also used in this case to have dominance over the local administration, increase social and political presence
Social and legal activist	RTI applications from this category primarily seek information regarding the local development programmes and like other categories with an objective to check the malpractices and corruption at the local level	This category also files large number of RTI applications, with an objective to enhance their local presence to build their social base. This facilitates their desired objective of staring a local social mobilization/movement or establishes an NGO

Both the districts are adjacent to each other geographically, falling within the same socio-cultural region of *Mithilanchal*. Geographically, both districts are flood ravaged (though situation has somewhat improved in *Darbhanga* district) and are part of the districts situated at the foothills of Nepal. Areawise both the districts are almost similar. According to 2011 census, geographical area of Darbhanga is 2279 sq.km, little less than Supaul's 2425 sq.km.[9] According to 2011 census, the literacy rate of Supaul is little higher at 57.7% than Darbhanga's literacy rate of 56.7. However, in both districts the literacy rates are much lower than the state's average of 61.8%.[10] Dissimilarities can be seen in economic and other development indicators. Population of *Darbhanga* is 4,090,305, higher than *Supaul's*, 2,148,972.[11]

[9]Bihar Statistical Handbook 2010, Directorate of Economics and Statistics, Department of Planning and Development, p. 2.

[10]Economic Survey of Bihar 2015, Government of Bihar. p. 275.

[11]Bihar Statistical Handbook 2010, Directorate of Economics and Statistics, Department of Planning and Development, Government of Bihar p. 11–14.

Darbhanga has more local administrative units. *Darbhanga* is spread over 18 blocks and 1322 villages, whereas *Supaul* has 11 blocks and 554 villages.

Economically, Darbhanga is prosperous than Supaul. According to the economic growth figures of 2011–2012, Supaul has one of the lowest per capita income in Bihar at Rs. 8492 and ranked 37th in terms of prosperity, while Darbhanga is one of the middle category districts with per capita income at Rs.10,932 and ranked 19th prosperity wise.[12]

Darbhanga fares better on health indicators as well. In 2012–2013, infant mortality rate (IMR) was 44 in Darbhanga (lower than the state's average of 48) and 58 in Supaul.[13] With respect to under-five mortality (U5 M) in 2012–2013 both districts had higher average than the U5 M average in Bihar of 70. Darbhanga's U5 M is 77, little lower than 82 of Supaul.[14]

Darbhanga has a rich history of social and political movements. It was the epi-centre of *Mithila* movement or political movement for *mithalanchal*—movement for language and demand for separate state for Mithila region.[15] Left movements such as the socialist and the communist movements were traditionally strong in Darbhanga and one can still find left pockets in the district. Darbhanga had a rich history of peasant movement with deep and active linkages with the *Kisan sabha movement.*[16] 'Ultra-left' forces were active in the district. In fact, one of the RTI users had roots in the 'ultra-left' movement. Supaul, on the other hand, is not so rich in terms of the social and political movement. In addition to districts of Darbhanga and Supaul, I undertook few random visits to *Jhanjarpur* block of Madhubani district. *Jhanjarpur* is close to Darbhanga, and my earlier field visit in Patna had revealed some insight-ful and interesting cases of RTI use in *Jhanjarpur* and the surrounding areas. In this light, I decided to include *Jhanjarpur* as a random block to probe the use of RTI.

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[12]Economic Survey of Bihar 2015, Government of Bihar. p. 21.

[13]Ibid. p. 259.

[14]Ibid. p. 260.

[15]Brass (1974, p. 51–114).

[16]Jha (2003, p. 127).

Map of Bihar: Shaded areas are districts of Darbhanga and Supaul

Actual applications of the RTI users from the two districts were analysed on some selected parameters such as: district, gender, economic category, social category, location, government department to which the RTI is related to, status of information provided-whether given or not, what type of information is sought and about what? These categories though basic would give us an idea about the profile of RTI users, how RTI is being used and the issues raised through RTI. The applications reveal various dimensions and the emerging patterns of the RTI regime at the district level and below.[17]

What is the profile of RTI users? How is RTI being used? What issues are raised through the RTI applications? These are some pertinent questions that the analysis

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[17]For this purpose, I used the applications which reached for appeal at the State Information Commission (SIC), Patna, which maintains a database of all the applications received and the related orders. SIC database was used for two reasons. First, only those applications where the information was refused in the first instance reach SIC, which provides us with uniformity in the application process. Secondly, SIC maintains a central database which not only has the actual application but also has copies of all the related orders from the SIC. Such database of applications does not exist at the district level, where the record keeping is significantly poor. 10% of the total sample size is considered to be a reliable and representative sample. In this light, I selected 10% as the 'representative sample' of the total number of applications in the SIC database from the two districts of *Darbhanga* and *Supaul* using 'systematic random sampling method'. Hence, for instance, total number of applications from *Darbhanga* was 1000 from which 100 applications were selected. Similarly, I selected 70 applications from *Supaul* as the database had 700 applications. Each selected application was then coded around the categories/parameters discussed above.

Fig. 1 Gender dimensions of the use of RTI: Darbhanga and Supaul. *Note* In all the figures D represents Darbhanga and S represents Supaul
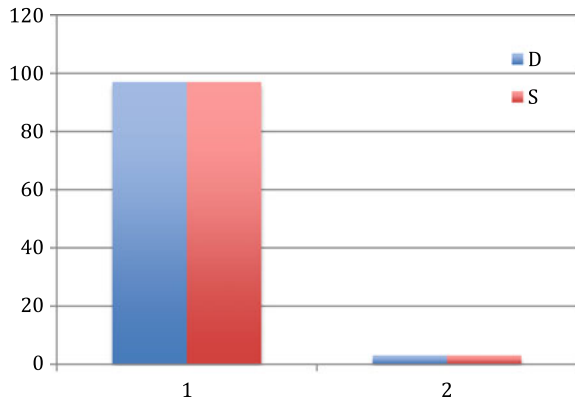
of RTI applications reveals to us. Subsequent sections will provide an analysis of the patterns emerging from the RTI applications.

Gender Patterns

On the basis of the representative sample, we can see that the gender patterns of the use of RTI are rather skewed. Both in Darbhanga and Supaul the distribution of males and females is almost identical where 97% of the RTI users are predominantly males. This is in line with the national-level trends where 94% of the RTI users are males. It is possible, however, that Bihar being traditionally a male-dominated society especially in the rural areas (which is true of almost entire India), applications are primarily filed by the male representative even on the behalf of females. Figure 1 provides us with the gender distribution among the RTI users.

Economic Profile

In terms of the economic profile of the RTI users, majority of the users are from the above poverty line (APL), category. This was ascertained from the fact that people belonging to the below poverty line (BPL) category do not have to pay the required fees of Rs. 10 for the RTI application. Also, one has to declare ones economic category in FORM-A. In Darbhanga 94% of the applications and in Supaul 97% of the RTI users belonged to the APL category. Merely 6% of the RTI users in Darbhanga and 3% in Supaul were from the BPL category (see Fig. 2).

Location of RTI Users: Rural or Urban
What is the rural–urban divide of RTI users? It is often argued that majority of the RTI users are from the urban areas. A 2014 national level study by RAAG concludes

Fig. 2 Use of RTI by APL and BPL
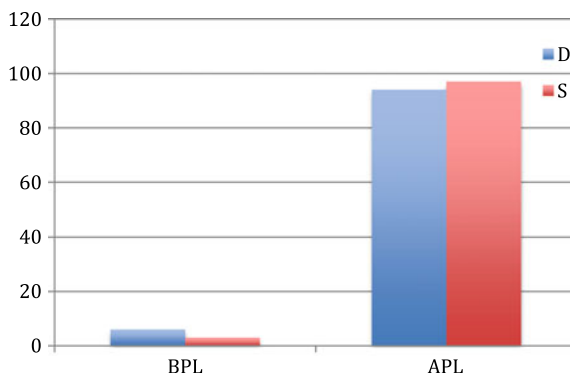
that only 20% of the RTI users come from the rural areas, whereas 20% of the applications are from the metropolitan cities and the other 60% are from the towns and cities. Data collated from the two districts, however, point towards a contrary trend. In both Darbhanga and Supaul, the RTI users from rural areas are significantly high. In Darbhanga 68% and in Supaul 66% of the information seekers are from the rural areas, whereas 31% in Darbhanga and 34% of the RTI users in Supaul are from the urban areas.

Three trends emerge from this pattern. First, the two districts demonstrate that RTI has been able to overcome the rural–urban divide to a large extent. Secondly, the fact that information seekers from the rural areas are more in numbers shows that the institutional change in terms of its implementation has deepened to penetrate areas, which are usually the weakest links in the implementation chain of any public policy programmes. It is noteworthy that rural areas are often neglected or the last to benefit from the public policy programmes. Thirdly, the pattern establishes the fact that new space for accountability has opened up in the rural areas, where often-dominant vested interests created a corrupt nexus. It corroborates our argument that RTI has been increasingly used to challenge this dominant nexus and seek accountability from the village representatives and the local administration. Perhaps, there is a reason that the applications reaching up to the level of SIC for second appeal come from the rural areas. The chances of not receiving the information are higher at the block and the levels below as the 'corrupt nexus' at these levels run deep. However, it is still exceptional that the information seekers find it worthwhile to pursue the RTI applications up to the level of SIC. It is in this light that the Mukhiya of Village-Ujan in Manigachi block of Darbhanga district shared with me that, 'We are now more alert and the previous nonchalant attitude with, which we would carry out our business is not acceptable now. RTI users in my village have put immense pressure on me by continuously seeking accountability, someone is always watching' (Fig. 3).

Fig. 3 Rural-Urban spread
of information seekers
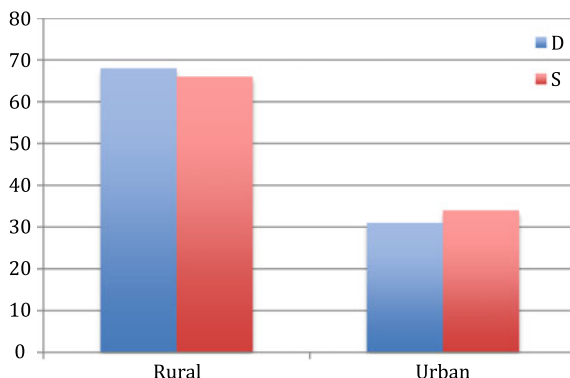
Departments from Which the Information is Sought

RTI applications from Darbhanga reveal that 64% of the information is primarily sought from four departments; 21% of the applications sought information from the Department of Human Resource Development; 19% from the Department of Rural Development; 14% from Land and Revenue reforms; and 10% from the Personnel and Administrative Reforms. Similar patterns can be seen in Supaul, where 60% of information is sought from Department of Rural Development (25%), Human Resource Development (15%), Revenue and Land Reforms (10%) and Personnel & Administrative Reforms (19%). In many ways the quantum of RTI from the rural areas is reflected in the information sought from the top four departments. For example, RTI related to the Human Resource Development sought information on decisions made in school management committees of the village, problem of absentee teachers, recruitment of teachers, and so on. Similarly, information was sought on delivery, budgetary allocations and financial irregularities of the development programs from the rural development department. Much of the disputes in rural areas are related to the question of land ownership and hence information on land records is sought from the department of revenue and land reforms.

RTI Applications: Type of Information Sought

Why do the RTI users seek information? What are the issues that are raised through RTI? Each application in the sample had multiple information that the applicant sought through number of questions. Additionally, they would seek information with multiple objectives. This meant that the number of variables within the application was more than the number of applications analysed, especially for these two categories. This aspect was taken into account while adjusting the average for each category.

In Darbhanga the RTI users sought information regarding both personal and public matters. RTI applications reveal that 28% of the RTI users seek information, which concerns their personal matters. For example, personal matters are those which are specifically related to their entitlement, information about a specific person or an official decision concerning them. Same number of RTI users, 28%, seeks information about the public matters such as the development programmes in their village or town, and distribution is carried out through public distribution system. The information sought concerns the whole community and is not specifically related to them. It is usually in the public interest that the information is sought. Out of the total sample, 12% of the applications seek information about the development projects from the construction of roads to the details about MGNREGS and 9% of the applications ask questions about their own entitlements. People also seek information about the third party, often asking for service records or proof of birth, and so on; 8% of the applications asked questions about the third party (Fig. 4).

Trends are almost similar in Supaul. However, a miniscule variation can be seen between public and personal matters, where 29% of the applications concern public issues and 26% are related to the personal matters. On an average, 16% of the applicants seek information about their entitlements and 9% RTIs are related to the development projects. 12% of the applications ask questions related to the third party and 5% applicants ask questions about their own service-related matters (Fig. 5).

What are the issues that the applications try to highlight? In Darbhanga, information about records or discrepancies in the records with the departments is the most-sought information, with 21% of the applicants seeking such information. Second level of information is regarding the action taken on a decision or about the orders passed within the government departments where 12% of the RTI users are interested in procuring this information. Almost same number of applications (12%) seeks information related to the financial and economic matters regarding the development programmes, such as the budget allocation, expenditure, distribution of economic benefits, property details and income of the government officials. From the representative sample, 10% of the applications seek information regarding the follow-up and action taken on earlier complaint, query, request or application submitted in the

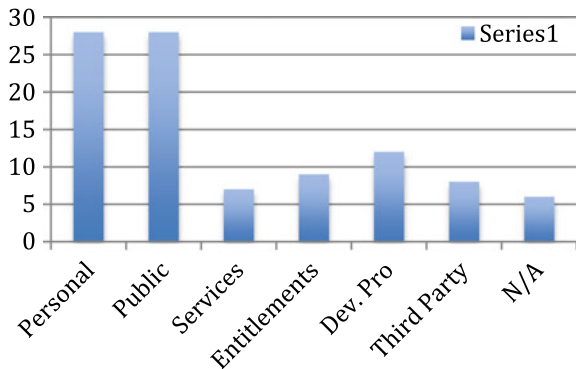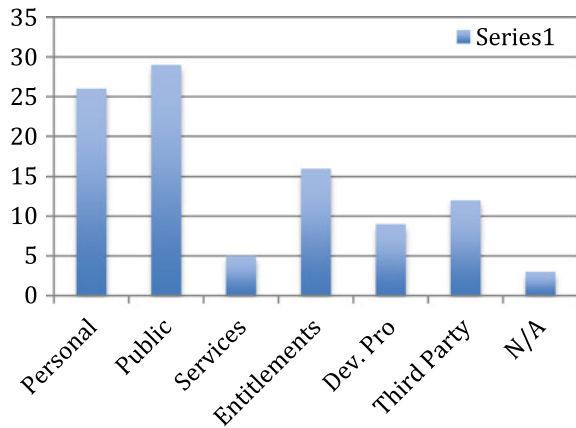**Fig. 4** Darbhanga: objective of RTI applications

Fig. 5 Supaul: objective of
RTI applications

government department. Additionally, 9% of the RTI applications seek information
about the human resources, such as the allocation of work, staffing, vacancies, past
service records of the government officials and recruitment. Categories of informa-
tion discussed above are predominant in the RTI applications constituting more than
60% of the total information sought. In Supaul, 13% of the applications asked about
the follow-up and action taken on the earlier complaint, and so on (discussed above
in Darbhanga) followed by information regarding the action taken and orders passed
(11%), information about norms and entitlements (10%), information about material
and physical assets such as housing, roads, construction, infrastructure and quality of
building material (10%), information about human resources (9%). More than 50%
of information in Supaul was sought on these issues.

The type of information sought and the issues raised by the information seek-
ers add credence to the argument that RTI has induced a 'space for accountability'
between the state and the citizens. Secondly, the issue of accountability is approached
from various vantage points—ranging from norm and entitlements to financial and
expenditure details. Hence, the RTI use has spread accountability horizontally across
the government departments. Our data also belies the charge that primarily govern-
ment officials against each other often use for private gains and RTI. The represen-
tative data of the two districts point towards a widespread use of RTI primarily to
seek accountability in the implementation of the public policy programmes at the
grassroots.

Caste Dimensions: RTI as a Tool for '*Varchaswa*' (Dominance)

Emerging caste dynamics in the RTI use shows that the recently displaced caste that
was previously socially and politically dominant has found in RTI a tool to establish

'dominance'. Seeking accountability is often a proxy for their assertion at the social, political and the administrative levels. [18]

Caste dimensions of the RTI users have not been examined by the studies on the implementation of RTI. However, caste is an important variable to examine especially in a state where caste-divides run deep, especially in the rural areas. In this light I tried to discern the caste patterns from the representative sample of the RTI applications. Even though caste is not mentioned in the RTI application, I ascertained the caste from the surnames or family names of the applicants. Obvious surnames related to the upper castes and the minority could definitely be weeded out from the RTI applications. For instance, family names like Jha, Mishra and Singh were definitely from the upper caste. Similarly, Mohammad, Yaqub, and so on were surely from the minority community. It was, however, impossible to select the backward caste, SC or ST from the surnames, as often they can be misleading or surnames could be dropped. Hence the rest of the applicants were put together in the other category. For the upper caste and minority community only those applicants were selected for the respective category whose surnames unambiguously represented their caste, any ambiguity would put them in the 'other' category.

Following this methodology, the RTI users belonging to the upper caste are high in both Darbhanga and Supaul. In Darbhanga 52% and in Supaul 42% of the information seekers belong to the upper caste (see Figure 6). The involvement of minorities in RTI is also significant, where in Darbhanga 19% are from the minority community. In Supaul 7% of the information seekers are from the minority groups, less than Darbhanga. Together, the minorities and the upper caste constitute a large chunk of RTI users. For instance, in Darbhanga they constitute 71% of the RTI users and in Supaul it is 49% (Fig. 6).

What might be the reason that we see a significantly higher proportion of RTI users belonging to the upper caste? I argue that this pattern is path-dependent on the empowerment of the backward caste in Bihar and the resultant change in the power equations along with changes in the socio-political dimensions. Early socialist move-

Fig. 6 Caste dimensions of RTI

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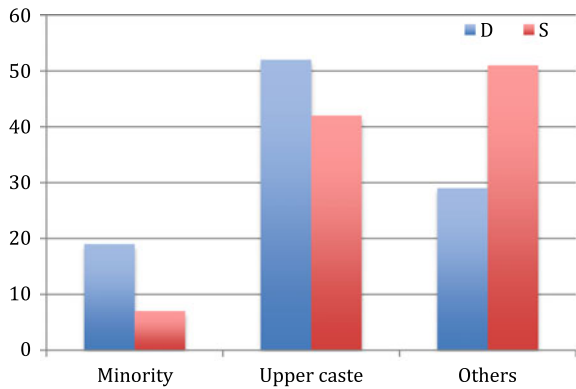
ment and the continuous focus of the political establishment on the empowerment of the backward caste has challenged and to some extent changed the dominant socio-political equilibrium. This is evident in the caste representation of Bihar legislative assembly over the years. The upper caste representation declined from 41.8 in 1967 to 29.9 by 2000. However, the backward caste representation increased from 24.2 in 1967 to 36.4 in 2000. The political emergence of backward castes reached its zenith in the 1995 elections with 45% members of the legislative assembly belonging to the backward caste and only 17.1% from the upper caste.[19] In fact, the fight in 1995 elections was known to be between the backward castes and other backward castes rather than the norm of upper caste versus backward caste.[20]

This is true of village politics in Bihar as well. Formerly dominant social groups belonging to the upper caste have given way to the new dominant groups belonging to the backward caste. Power equations have changed as the emergent back groups have found not only political power but economically as well and the land ownership has changed hands from the upper to the lower castes. This has created pulls and pressures at the village level, which can be seen in the struggle for dominance between the upper and lower caste. In this struggle for power struggle, RTI is being used as a tool to wield both political and social dominance.

This dimension of the use of RTI emerged in the field. One striking feature that surfaced about the use and users of RTI at the village level is the close intertwining of RTI with local politics and actors. In fact, the interrelation between different socio-economic groups in the political and power dynamics of the village had glaring presence in the use of RTI.

Who Are the Information Seekers: Profile of RTI Users

Who are the users of RTI? What kind of information do they seek from the public authorities? What is the end result of having access to such information?

These are some of the questions that I systematically tried to unravel at the district, block and the village level. On the basis of my field visit to the district and blocks of *Darbhanga* and *Supaul*, I have identified multiple variations of information seekers using RTI, which can be classified into following four categories (see Fig. 7. We can see the size of categories shrink as we approach the 'core', which explains that the use of RTI moves from being generic to more focused and engaging. It can be inferred that the depth and the level of engagement forms the core, which is the key to explain variation in the RTI usage in the two districts (Fig. 7).

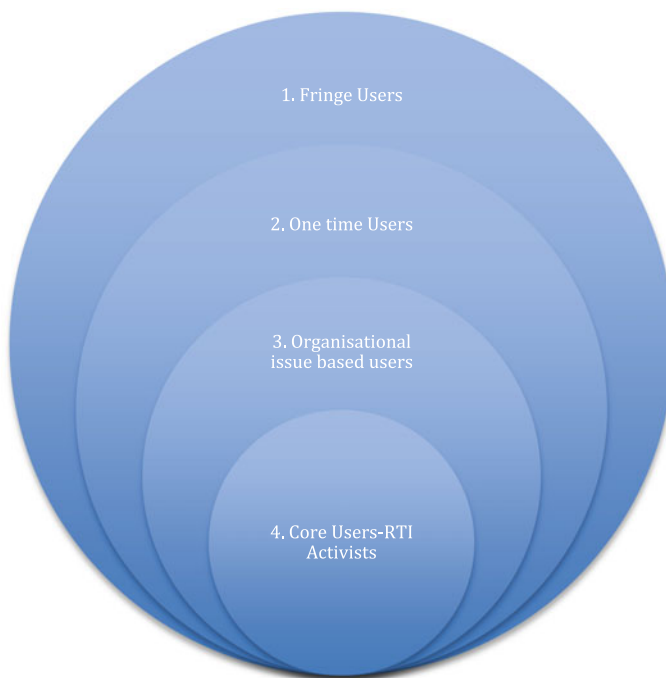[19]Kumar (2004, p. 266).
[20]Pai (2007, p. 165).

Fig. 7 Four categories of RTI users (*Note* Interestingly, these categories strike a similar cord with Robert Dahl's elaboration of 'political man' based on awareness, power seekers, and power holders. See, Robert A. Dahl, Modern Political Analysis, Chapter 6 Wiley Eastern, 1970)

Elaboration of the Four Categories [21]

Fringe Users

First category is the people on the fringes who have heard about RTI but have never engaged with the law. However, they are aware about the law through newspapers, radio, TV, and so on. The first category is not precisely a user but is limited merely to the awareness. They do not participate directly in RTI but are aware of the law. During my interviews both in Darbhanga and Supaul it was clear that the common people were aware about the existence of RTI even though they had not accessed any information by making use of RTI law.

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[21]These categories are also discussed in Jha (2018a)

One-Time Users

The second category of people is the one-off users of RTI, who have used RTI to seek issue-specific information related to them. At this level the RTI users are the common citizens who seek information from various government departments, primarily to know about their entitlements, services, or information related to land or revenue. For instance, I interacted with an RTI user who had come to submit his application for the information regarding the land records at the Public Information branch in Darbhanga. The information seeker was enmeshed in a legal battle with his kins and wanted to have access to the land records to augment his case in the court of law. Another applicant who came to the branch was seeking information regarding the recruitment of teachers in his village. In yet another example, a farmer from a village in Darbhanga had accessed his records of annual tax paid on his tractor so that he could furnish it to the officials when needed. Additionally, information is sought by the citizens on range of issues such as the details of MGNREA, houses allocated under Indira Awas Yojna, pensions, recruitment, land records, to name a few. Admittedly, minimal technical support is needed to fill the forms and frame the RTI questions coherently. In most cases it was on the advise of a lawyer, NGO or the local conscious and educated individuals that the users had filed an RTI, 'I have been in a legal battle over a small piece of land and my lawyer advised me to file an RTI to access the relevant land records', said an information seeker who had come to file an RTI application at the Public Information branch, Darbhanga.

Two notable points emerge: First, accessibility of information, which is otherwise almost impossible to procure from the government offices. Secondly, the records procured through RTI are valid legal document which can be used in the court of law. For instance, farmer who had procured the records of annual taxes paid on his tractor can furnish the record on being disputed by the related government department.

Institutional Users

The third category is the institutional users of RTI such as the NGO or research organizations who seek information on specific issues and schemes on the basis of the focus of the organization. This category of information seekers is the institutional users of RTI representing non-governmental organizations, research organizations and educational institutions. These categories of users seek issue-specific information either for research or advocacy purposes. For example, an NGO working on water conservation in the district of Darbhanga uses RTI regularly to get information on the water issues from the government departments. Similarly, another NGO working on the Kosi project seeks information from the government regularly regarding the budgetary allocations, expenditure and the progress made on the kosi project.

Core Users

This is the fourth category of users, which forms the core of RTI regime. This category engages regularly with the law, and consists of technical experts on different provisions of the law, and seeks regular information from the public authorities on range of issues. Quantum of RTI applications filed by this category is large compared to the one-off users or the organizational users. This level of information seekers has used the RTI law regularly and in large numbers. This is a unique category of information seekers who primarily demand considerable information from the government for various purposes. Perhaps, this is the reason that the public officials were weary of this category of information seekers and harboured resentment against them.

From my field visit to Darbhanga and Supaul, I could identify three sub-categories of the core who acted as the 'agents of accountability'. The core can be divided into three sub-categories, which has the following four characteristics:

1. Extensive use of RTI in terms of the sheer number of applications

2. Though the overarching objective is to seek accountability and expose anomalies and malpractices of the local service delivery, RTI is also used as a tool to expand their social and political base

3. Association of different sub-categories to RTI is inextricably linked to their political, social or professional affiliation.

4. Deeper engagement with RTI facilitates this 'core' of RTI users to establish linkages with both the state and the society. On the one hand, connection is established with the administration due to their abundant RTI use, and has enhanced their local presence at the social level, on the other (Table 1).

RTI as An Accountability Tool: Agents of Accountability

Invariably, my interviews revealed that the 'dominance' was common to all the categories discussed above. In almost all the narratives which emerged from the 'core', the Hindi word '*varchaswa*' (dominance), emerged as a common objective to the RTI engagement (in addition to other objectives outlined above). It can be gleaned from the narrative that 'dominance' was in relation to both the state and the society. The extensive use of RTI enabled them to put pressure on the local administration and also facilitated their presence and linkages within the administration at the local level. Owing to the corruption and anomalies exposed through RTI in local development, their social dominance also increased manifold. Frankel (1989) defines dominance as the 'exercise of authority' by the social groups to achieve 'politico-economic superiority'.[22] Scholars point towards the emergence of new forms of social and political domination resulted by the breakdown of traditional forms of domination. For instance, in post-colonial India the changes in 'superordinate' and 'subordinate'

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[22]Frankel (1989, p. 2).

relations led to the new forms of domination where the social groups aligned closely with the state to derive domination.[23] The use of RTI reveals yet another dimension of social and political domination, where both social and political domination is derived by seeking accountability from the state.

Conclusion

The evidence examined in this chapter shows that the use of RTI is still primarily a 'middle-class' phenomenon. In most of the cases we have seen that 'subalterns' have not used RTI. Instead, we find that within our 'core' category of users, the politically displaced classes use RTI in some cases as a tool to establish 'dominance', what the users have termed as *varchaswa*. Yet there is another class of the 'core', which uses RTI for greater public good with an ethical sense of moral right. In both the cases, however, the citizens are holding the state accountable. The motives behind the use of RTI, notwithstanding, these users are acting as 'agents of accountability'. This is not to claim that subalterns have not used RTI at all. For instance, we have seen that a rickshaw puller has effectively used RTI to get his entitlements under the *Indira Awas Yojna*. However, we see the critical role of 'core' in these cases facilitating the subalterns to seek accountability.

The role of RTI to expose the corrupt nexus and corruption in the local development programmes at the grassroots was also apparent from my field interactions. Bihar has been notorious for the un-stated institutionalization of the corrupt nexus between the local leaders—the administration and the contractors. Additionally, the caste lines run deep in the state, which is consequential in making the corrupt nexus entrenched and complex, resulting in exacerbation of 'patronage politics'. This is especially true of our two districts of Darbhanga and Supaul. Though institutional deepening of RTI has not completely eradicated this nexus, it has exposed it to the extent that the blatant corruption, which was carried out before with complete impunity, has ceased to exist. RTI has been used to hold the local officials accountable in number of development programmes, such as PDS, rural housing, infrastructure, education and flood relief, which have been well-known areas where the corrupt nexus used to operate before RTI. This emerged during our field interviews as well, as the local administration from the district to the block level admitted to be conscious and aware of this accountability through RTI. The interviews revealed that RTI has put immense pressure on them to be alert and responsive. This corroborates the results of a quantitative study conducted in 2009, which calculated a decline in corruption by 62% in Bihar as a result of the legal structure provided under RTI.[24] This is not to claim that the institutional progression is complete. At best, it is a case of half glass full.

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[23]Rao (1989, p. 39–41).
[24]Bhattacharya (2009, p. 12).

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Land Alienation and Threats to Livelihoods of Indigenous Populations

Seema Mallik

Abstract Today, India has emerged as one of the fastest growing economies in the world. However, India's growth is being questioned. Despite a high GDP rate, it continues to fail in human development indices. Development in its present form has resulted in forceful land acquisitions, mainly affecting vulnerable sections of the society. Large-scale land acquisition for industries, SEZs, IT sectors, real estate and mining has threatened the rural poor from their land and livelihoods, making them more vulnerable. Hence, the question arises on the viability of these schemes and their justification of alleviating rural poverty. Therefore, the question that arises is: development for whom? Those who are forced dispossession of their lands do not benefit from this business transaction where a new class of those enjoying the profits is created. It is this state–society conflict relating to acquisition of land and the further alienation of the poor that this paper examines in the context of Odisha. Adopting a political economy analysis, the paper argues that a development strategy towards heavy industrialization to overcome poverty has further increased the vulnerabilities of the poor, mainly tribals. In order to make development inclusive, government strategies need to be more socially embedded. The same strategies adopted in advanced Western countries cannot be juxtaposed on India, ignoring the needs of local communities and also the ecology. This argument is substantiated by the empirical studies of Vedanta and Dongoria Kondhas, a particularly vulnerable tribal group (PVTG) in Kalahandi district of Odisha.

S. Mallik (✉)
P.G. Department of Political Science, Utkal University, Vani Vihar, Bhubaneswar, Odisha, India
e-mail: seema.mallik@gmail.com

Introduction

In the light of globalization, humankind is witnessing widespread prosperity on one hand accompanied by "intense poverty, unemployment and social exclusion on the other hand" (*Copenhagen Report, 1995*)

Against this backdrop, inclusiveness and shared prosperity have emerged as core aspirations of the 2030 Agenda for Sustainable Development. A central pledge contained in the 2030 Agenda, adopted by Member States in September 2015, is to ensure that no one will be left behind (United Nations 2015). The historic and ambitious new global development agenda recognizes that development will only be sustainable if it is inclusive (ibid). The emphasis on sustainability, equity and inclusion makes development grounded in social justice as fundamental to achieving a socially, economically and environmentally sustainable future, where people are at the heart of the development process, reaffirming the message of the World Summit for Social Development in Copenhagen just over 20 years ago (United Nations 2016). Sustainable development, therefore, is not a matter of making progress towards narrow poverty, employment or health targets within a short time horizon or amid growing inequalities. It calls for securing social progress and resilience for all people and ensuring that it will be sustainable in the long run. It requires identifying who is being left behind by development processes and removing those underlying structural barriers that limit their inclusion.

However, development strategies in India have been skewed, favouring and creating more elites while excluding large sections of the society, particularly the indigenous populations (also called Scheduled Tribes), small farmers and the landless (mainly comprising the Scheduled Castes). Recent cases of hunger deaths of children in Nagada in Jajpur district of Odisha in 2016 and deaths of 71 infants due to lack of oxygen in Gorakpur in Uttar Pradesh in 2017 are glaring examples of lack of basic survival necessities to large populations despite high GDP rates of India just behind China. India, today, has emerged as a rising global economic power and an important player in world economy. However, it continues to trail behind other South Asian countries in major significant indicators of human development. India, with a score of only 3.38, ranks 60th among the 79 developing economies on the Inclusive Development Index, despite the fact that its growth in GDP per capita is among the top 10 countries (World Economic Forum 2017). She lags behind other developing countries in two major social indicators, namely health and education. In education it ranked at 92 behind Philippines (76), Malaysia (51) and Sri Lanka (59) (UNDP 2016). Regarding health, India ranks at 143 in a list of 188 countries, far behind Sri Lanka (79), China (92), even behind war-torn Syria (117) and Iraq (128) (ibid).

As a result of poverty and inequality, there is a rising numbers of protests and resistance across the country. It is not hard to see that injustice of inequality can generate intolerance and that the suffering of poverty can provide anger and fury (Sen 2008). In recent times, these conflicts are directed against the state which is acquiring land including forest areas from small farmers and indigenous populations and converting them into industry-infrastructures and special economic zones (SEZs),

threatening the livelihoods of the poor. This paper is an attempt to understand that despite a plethora of legislations and policies, the vulnerable rather than being a part of the development strategies is facing greater exclusion. This is behind the rising state–society conflicts in India. The paper argues that the state has to urgently adopt inclusive and socially embedded policies that will bring about sustainable development instead of the present resource-intensive and resource-extractive policies being pursued which are responsible for increased exclusion of the vulnerable, especially the indigenous communities.

Understanding the Term "Indigenous"

According to the United Nations Permanent Forum for Indigenous People, it is estimated that there are more than 370 million indigenous people spread across 70 countries worldwide. Practicing unique traditions, they retain social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. The term "indigenous" has prevailed as a generic term for many years. In some countries, there may be preference for other terms, including tribes, first peoples/nations, aboriginals, ethnic groups, *adivasi, janajati as in India.* Considering the diversity of indigenous peoples, an official definition of "indigenous" has not been adopted by any UN-system body. The UN Declaration on the Rights of Indigenous People (UN 2007) broadly enumerates the three criteria in identifying the term indigenous:

1. Indigenous are those people who have lived within a geographical area before colonization or conquest by people from outside the geographical region.
2. People who govern their life more in terms of their own social, economic and cultural institutions, than laws governing rest of the country.
3. These categories of people are being progressively marginalized and dispossessed from their sources of livelihoods and are vulnerable to loss of their collective identity.

The sustainable development goals have also highlighted the overarching framework of the 2030 Agenda which contains numerous elements that can go towards articulating the development concerns of indigenous peoples and reducing inequalities of indigenous peoples, who are almost universally in situations of disadvantage vis-à-vis other segments of the population, in particular on land rights.

Indigenous Communities and Threats to Livelihoods

Indigenous people in India have through generations faced exploitation and deprivations first under the British and which has continued in independent India too.

They had risen against the British when they were forcibly evicted from their traditional land for mineral and forest resources. Dispossession of land through *eminent domain* was a feature of colonial rule, followed by post colonial India and now a neo-liberal economy, since the economic reforms of 1991. This exploitative development and displacement from forests and traditional lands, threatening their livelihoods, has caused huge disaffection among them. This has led to a resurgence of tribal identities across India. The process had resulted in widespread dissent where tribal communities are fighting the forces of neo-liberal agents to safeguard their livelihood. The tribes are engaged in armed rebellion against the state as a direct consequence of their oppression, displacement, poverty and anger against their cultural erosion under the dominant, hegemonic neo-liberal strategies.

The recent case of the *Dongoria Kondhas*, a particularly vulnerable tribal group (*PVTGs*) of Lanjigarh in Kalahandi district of Odisha, who resisted bauxite mining by Vedanta, a multinational corporation, in the Niyamgiri hills which is their sacred home, has been a landmark movement of tribal assertions. This was upheld by the 2012 Supreme Court decision, which has stopped all mining rights of Vedanta in the hills.

Indigenous Communities in India

Indigenous communities (hereby referred to as tribals) in India have faced various challenges to their life and existence, like social exclusion, poverty, lack of health and sanitation facilities, education, employment opportunities, migration and worse regular threats in their homelands and forests from mining, industrial projects, dams, infrastructure, and so on. As they inhabit rich mineral and forest areas, tribals are always threatened with loss of land. As majority of them do not possess legal rights over their lands, they are most vulnerable to displacement, food insecurity and threats to livelihoods.

Therefore, access to tribal lands and conflicts over its forceful acquisition by the state for "development" purposes has acquired central stage in the development processes set in motion by neo-liberal policies in India. Forceful land acquisition in India can be traced to British colonialism. The British adopted an exploitative land and revenue policy and forcefully acquired land on a large scale, particularly in tribal areas. They established the Zamindari system which helped the upper caste elites to consolidate their positions. The British policy in India was based on the *doctrine of eminent domain* which was influenced by the *Enclosure movement* in England in the eighteenth century.[1] The doctrine of *eminent domain* refers to the

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[1]The Enclosure Movement was a push in the eighteenth and nineteenth centuries to take land that had formerly been owned in common by all members of a village, or at least available to the public for grazing animals and growing food, and change it to privately owned land, usually with walls, fences or hedges around it. The most well-known Enclosure Movements were in the British Isles, but the practice had its roots in the Netherlands and occurred to some degree throughout Northern Europe and elsewhere as industrialization spread. Some small number of enclosures had

power to take private property for public use by a state, municipality, or private person or corporation authorized to exercise functions of public character, following the payment of just compensation to the owner of that property. David Harvey (2003, 2005) calls it "*accumulation by dispossession*" (ABD), the new form of imperialism. He uses Marx's concept of "primitive accumulation" which is the process by which non-capitalist social formations are transformed into capitalist ones and workers are separated from the direct access to the means of production leading to their alienation. This is marked by exploitation and accumulation of wealth by the capitalists. Thus capitalism has created a hegemonic ideology of prosperity which has led to a **close corporate** partnership with the state in neo-liberal thought. Together, they embarked on "land accumulation" at cheap rates from the small farmers leading to greater levels of poverty and alienation of the poor in underdeveloped areas. Micheal Levian calls this as *regimes of dispossession* (Levian, 2013, 2012a,b); global land grab (Borras et al. 2017) or investment forced displacement (Padel 2001; Padel and Das 2010).

This paper will, therefore, trace the history of some important land legislations in India and how they have continued to exclude the marginalized sections of the society, particularly tribals. Tribals have for generations been exploited despite these legislations. Unlike other countries like Canada, Australia, New Zealand, Philippines, who have made exclusive legislations towards recognition of traditional rights for their indigenous populations, India has for long neglected its tribal population. Their exclusion continues. The Forest Rights Act (2006) was a major step taken to "undo centuries of injustice to the tribals".

Indigenous Communities and Land Rights

Land for generations has been regarded both as an economic and a social security. The land distribution in India is skewed. Two percent of landholders own 25% of the land, whereas 98% of the landholders own just 75% of the land (Census 2001). Around 43% of rural households in the country are landless. Poverty in India is linked to the absence of land rights to a vast majority of rural and tribal population. The Scheduled Caste (SC) and Scheduled Tribes (ST) are, however, most disadvantaged as far as possession of land is concerned. According to the 2001 Census, 64% of SC and 36% of ST are agricultural labourers compared to 31% of the rest (Census

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been going on since the twelfth century, especially in the north and west of England, but it became much more common in the 1700s, and in the next century Parliament passed the General Enclosure Act of 1801 and the Enclosure Act of 1845, making enclosures of certain lands possible throughout England, Wales, Scotland and Ireland. The English government and aristocracy started enclosing land, claiming it would allow for better rising of crops and animals (particularly sheep for their wool). They claimed that large fields could be farmed more efficiently than individual plots allotted from common land—and the profit could be kept by the aristocrats who now owned the legally confiscated land. Some claim that this was the beginning of commercial farming. It originated in Europe in 1625 in the works of Hugo Grotius and Samuel Pufendorf where Grotius argued that the property of subjects lay under the eminent domain of the state that may use, alienate and even destroy the property in the case of extreme necessity and for public utility (Sampat 2013).

2001). This has resulted in high poverty levels among scheduled groups. This has made them more vulnerable to social injustice and exploitation. Therefore, land reforms are central to bring about an egalitarian society and check the exploitation of vulnerable groups. However, despite several laws being passed before and after independence, they have failed to check land alienation of both tribals and non-tribals by the state. Forceful land acquisition has increased under the state-corporate nexus, where powerful business interests are directing state policies.

These exploitative policies can be traced back to the British which passed *the Land Reforms and Land Acquisition Act (LAA) 1894,* which saw the application of doctrine of *eminent domain and the "public purpose"* clause. The British and the land-owning elites consolidated their positions while "depeasantizing" the tribals and lower caste peasants (Mohanty 2001). This led to resentment and tribal rebellions across the country.[2] Thus, land reforms became crucial for national planning and attainment of socio-economic emancipation of the deprived groups.

Therefore, immediately after independence, land reform laws were enacted from the 1950s to break the concentration of land with the Zamindars and to strengthen the rights of the landless. As land is a state subject, this led to a large number of legislative measures for the protection of the deprived groups by individual states. These legislations imposed ceilings on large holdings and attempted to redistribute land among the landless. However, the land reforms to attain redistributive justice and check land alienation of the tribals were opposed by the landed elites for vested interests and they used their power to manipulate records. It was found that many big farmers produced false medical certificates to establish the incapacity of tribals to cultivate their lands and managed to get these lands on lease for fixed periods, after which land is seldom returned to the tribals (Mohanty 2001, pp. 3861). Thus tribals due to their illiteracy and ignorance of land reforms were duped by the non-tribals and their alienation continued. As the fervour for land reforms died down, the "development" projects displaced millions of people, of which the majority have been tribals (Fernades, 2007). This is because tribal-dominated areas are also mineral-rich areas, where mining and industrialization have not only displaced them but have also threatened their livelihoods. The claim that industrialization is the means to remove the poverty and bring about growth stands challenged as these regions are the most backward areas in the country. Mineral-rich states like Odisha, Chhattisgarh, Jharkhand, Bihar and Madhya Pradesh have been the most severely affected and constitute the backward state of India. The Raghuram Rajan Committee Report of 2013 reported that Odisha is the most backward state in India right now (Raghuram Rajan Committee Report of 2013). The others being Bihar, Uttar Pradesh and Jharkhand.

The Supreme Court of India from 1950 to 1970 also adopted several protective measures for the weaker sections of the society including the tribals. The Fifth Schedule of the Constitution contains provisions to the administration and control of

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[2]In the early twentieth century, tribal movements were mostly agrarian in nature. Gradually, they spread over the major tribal districts of Orissa, Bihar, Madhya Pradesh, West Bengal and revolved around the issues of land alienation and exploitation by non-tribals, for example, the *Santhal Agitation* (1937–1940) in Purnea, Bihar; *Munda Rising* (1936–1939) in Sundargarh, Odisha; *Tanjore Revolt* in Tamil Nadu (1946–1949); *Tebhaga Movement* (1946–1947) in West Bengal.

Scheduled Areas and Scheduled Tribes in the states other than Assam, Meghalaya and Mizoram.[3] The Sixth Schedule contains provisions of administration of tribal areas in these states. According to Article 342(1) of the Constitution, the President of India may, with respect to any state or Union Territory and where it is a state, in consultation with the governor thereof by public notification specify the tribes or tribal communities which shall for the purpose of the constitution be deemed to be Scheduled Tribe.

The Supreme Court, however, in the early phase struck down several land legislations on the ground that they violated the Right to Property, which was a fundamental right under Article 19(1) of the Constitution. This led to the protests in Parliament, and as a result, land reform laws related to takeover by the state were moved to Ninth Schedule by the First Constitutional Amendment, where they were beyond the judicial review. Finally, Right to Property was removed from being a fundamental right by the 44th Constitutional Amendment Act, 1978. This strengthened the power of *eminent domain* of the state.

The colonial statue *Land Acquisition Act 1894* continued with slight amendments, providing for compulsory acquisition of land for "*public purpose*". The *Coal Bearing Areas (Acquisition and Development) Act (CBAA) 1957* was enacted specially for coal mining. This directly and drastically affected the tribal population, as most of the coal reserves are located in forest areas inhabited by tribals. The *CBAA 1957* along with *LAA 1894* empowered the central government to acquire mining rights with ease, thus displacing and threatening the livelihood of the tribals. Thus, the existing land reforms and legislations have encouraged more inequalities and conflicts in society, while overstretching the power of the state over economically, socially and politically marginalized population. Under both of these Acts, the government could acquire land for "*public purpose*". These Acts increased the alienation and exclusion of these communities from mainstream development process. Thus the protests and resistance of tribal communities increased. Under this growing pressure, two landmark Acts attempt to undo the injustices to the tribals. These were the PESA 1996 and the FRA 2006.

The *Panchayats (Extension to Scheduled Areas) Act, 1996 (Also Called PESA or Tribal Self-Rule Law)*

This Act provides for the extension of Panchayati Raj institutions[4] to Scheduled Areas.[5] It has empowered Gram Panchayats[6] with wide-ranging powers and functions. It makes mandatory to seek the permission of Gram Sabha before acquisi-

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[3]Scheduled Areas are areas with majority tribal population, to which special provisions for protecting tribal identity, culture and interests are applicable under Schedule V of the Indian Constitution.

[4]Panchayati Raj Institutions (PRIs) are village level.

[5]Schedule areas.

[6]Gram Panchayats.

tion of land in Scheduled Areas for development projects and before re-settling or re-habilitating persons affected by these projects. It also empowers the GP to prevent alienation of land in Scheduled Areas and take appropriate steps to restore any unlawfully alienated land of a Scheduled Tribe. However, despite these enactments of the PESA, all matters concerning land acquisition and leasing of land for mineral purposes are decided in accordance with the LAA 1894 and Coal Bearing Areas (Acquisition and Development) Act of 1957 and the Gram Sabha is neglected. On the one hand, the relevant laws and procedures that could have made land acquisition stringent are being slowly diluted. On the other hand, the operations for land acquisition did not follow what has been agreed upon. PESA has been recognized as "progressive", but its implementation has been poor, and it has been violated at various levels by different states in India. This is because panchayat is a state subject, and states with Schedule V areas had to make changes in their respective panchayat acts in accordance with the central PESA Act. In most states there has been a partial implementation, and rules were formulated with major provision of PESA being eliminated. The provisions particularly relating to powers of gram panchayats to land acquisition in many states have been violated. Land continues to be acquired from tribals by force and fraud. However, PESA generated great political awareness among the tribals that forced the government to pass *The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or the Forest Rights Act (FRA), 2006*. It was on the strength of this Act that the *Dongoria Kondhas,* a particularly vulnerable tribal group (*PVTG*) in Odisha, prevented UK-based multinational company Vedanta from mining bauxite from the *Niyamgiri hills*, which is sacred to the tribals.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

In a significant admission by the Government of India on 21 June 2004 before the Supreme Court stated that the "historic injustice done to the tribal forest dwellers through non-recognition of their traditional rights must be finally rectified". This was a historic departure of the colonial practice of "*eminent domain*", adopted by independent India, where forests were regarded as property of the state; to be exploited at will without consideration for local indigenous human populations. The earlier legislations, like the Indian Forest Act, 1927; the Wildlife Protection Act, 1972; and the Forest Conservation Act, 1980, were based on the principle that the state is the guardian of the forests while tribals and forest dwellers were the destroyers of forests. These ignore the fact that tribals were the natural guardians of the forests as their livelihood and very existence depended on forests.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, is a result of a long-drawn struggle by the marginal and tribal communities to assert their rights over the forestland over which they were tradition-

ally dependent. This Act is crucial to the rights of millions of tribals and other forest dwellers across the country as it provides for the restitution of deprived forest rights across India, including both individual rights to cultivated lands in forestland and community rights over common property resources (FRA 2006). This Act "recognizes and vests forest rights and occupation in forestland in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded; to provide a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land".[7] The Act confers forest rights to Scheduled Tribes in occupation of forest land before 13 December 2005 and to other traditional forest dwellers who have been in occupation of forest land, up to a maximum of four hectares, for at least three generations, that is, 75 years. These rights are heritable but not alienable or transferable. Forest rights include among other things, the right to hold land and live on it under individual or common occupation for habitation, self-cultivation for livelihood, and so on. It further confers "forest rights on ancestral lands and their habitats which were not recognized during the colonial period as well as independent India resulting in historical injustice to the forest dwelling Scheduled Tribes and other traditional forest dwellers who are integral to the very survival and sustainability of the forest ecosystems" (FRA 2006). For the first time the FRA, 2006 addresses the longstanding insecurity of tenurial and access rights of forest-dwelling Scheduled Tribes and other traditional forest dwellers, including those who were forced to relocate their dwelling due to state development. It empowers the Gram Sabha (or *Palli Sabha*) as the competent authority to initiate the process of determining the nature and extent of forest rights of individuals or the community.

The result of this landmark legislation has been the rejection of Vedanta Aluminium and Orissa Mining Corporation's plan for bauxite mining in Niyamgiri hills by 12 g sabhas of Rayagada and Kalahandi districts of Odisha constituting the indigenous *Dongoria Kondh* tribe.

FRA 2006: Gap in Promise and Performance

However, despite its potential to redress historical injustices and promote inclusive sustainable development, the FRA failed to achieve its critical objectives of providing individual forest rights (IFRs) and community forest resource (CFR) rights are concerned. The IFR involves individual rights over cultivation and homesteads in forestlands and the CFR rights include the use and accesses to forestland and resources.

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[7]Forest-dwelling Scheduled Tribes means the members or community of Scheduled Tribes who primarily reside in and who depend on the forests or forest lands for *bona fide* livelihood needs and includes the Scheduled Tribe pastoralist communities. Other "traditional forest dwellers" means any member or community who has for at least three generations before the 13 December 2005 primarily resided and who depend on the forest or forest land for *bona fide* livelihood needs (FRA, 2006) that forest rights refers to.

These include rights to firewood, grazing and other products for subsistence like rights over minor forest produce, water-bodies and fishes, rights to access biodiversity, intellectual property rights and indigenous knowledge (FRA 2006). This gap in promise and performance of the FRA, 2006 has been highlighted in the report by the Community Forest Rights—Learning Alliance (CFR-LA, Report 2016), which was published in the 10th anniversary of the FRA in 2016. The CFR-LA, 2016 reports, as far as the CFR rights (CFRR) are concerned, only 2.7 million acres have been recognized as CFRRs in the last decade which is barely 3% of the potential of CFR rights (also refer Kumar et al. 2017). Data show that most of the states have not yet started recognizing CFR rights. States like Madhya Pradesh, Maharashtra, Chhattisgarh, Odisha, Andhra Pradesh, Telangana, Rajasthan, Karnataka, Himachal Pradesh and Uttarakhand are identified as high potential for CFR rights. Of these, Himachal Pradesh and Uttarakhand have made no progress. Madhya Pradesh, Chhattisgarh, Andhra Pradesh, Telangana, Rajasthan, Karnataka have also shown poor results in CFR rights recognition. States showing small areas of CFR rights are Maharashtra, Odisha, Gujarat and Kerala.

Further, regarding individual forest rights (IFRs), many states have prioritized the implementation of IFRs, treating the more as a land distribution scheme, rather than the recognition of pre-existing rights (Kumar et al 2017). This has fared better than the CFRRs. The state-wise data show that Madhya Pradesh, Andhra Pradesh, Telangana, Chhattisgarh, Odisha, Maharashtra, Tripura have done well in IFR recognition. However, this recognition has been full of innumerable obstacles like recognition of claims and also mistakes in the titling process and issue of record of rights (RoR). In most of the cases the local government and forest officials take decisions rather than the Gram Sabhas which are totally sidelined.

Thus, the FRA, with a potential to transform the lives of local and forest-dependent communities through inclusive forest governance, has not realized its goals. Stronger implementation of its objectives is urgently required to bring millions of forest dwelling communities into an alternative, inclusive development process. Similar is the case of the Land Acquisition Act, 2013, which will now be examined.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RTFCT-LARR), 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RTFCT-LARR) Act was passed in 2013. It attempts to rectify the archaic *LAA, 1894* and makes the legal entitlements to compensation and rehabilitation and resettlement. But it continues to elaborate on the "public purposes" clause. This opens up new doors for the state to favour private companies and also multinational corporations to acquire land cheaply at the expense of poor farmers and forest dwellers. The euphoria generated at the time gave the impression that the

injustices of archaic LAA, 1894 was finally undone. This was a pro-farmer legislation with noble intentions of making the legal entitlements to compensation, rehabilitation and resettlement. It attempts to rectify the archaic *LAA, 1894* but it continues to elaborate on the "public purposes" clause. The Act has expanded the scope of "public purpose" to include the scope of private sector also. It has drawn a final long list of undertakings, also including some non-public or private activities. Thus the Land Act, 2013, elaborates in details the expanded scope of land acquisition and state's power of eminent domain. The land acquired by the state can be allocated to private companies under this act. As a result, rather than safeguarding the rights and interests of vulnerable sections of society, the Act has made land acquisition easier by expanding the scope of "public purpose". The concept of "public purpose", under a neo-liberal strategies are shaped by the profit-motive of private investors, particularly the multinational corporations. This has increased inequalities and wealth gaps between the rich and the poor in the country.

The Act required that 80% of affected landowners give approval to land acquisition for private projects and 70% approval for public–private partnerships (PPP) projects. This provision has, however, been exempted from applying to five types of projects in the 2014 Ordinance and the LARR *(Amendment) Bill, 2015*. This seeks to amend *LARR* Act, 2013. The Bill creates five special categories of land use: 1. defence; 2. rural infrastructure; 3. affordable housing; 4. industrial corridors set-up by the appropriate Government and its undertakings (in which case the land shall be acquired up to 1 km on both sides of designated railway line or roads for such industrial corridor); 5. infrastructure projects including PPP projects (LARR, Bill 2015). The Bill exempts the above five categories from the LARR Act, 2013, which required the consent of 80% of land owners in case of private projects and 70% consent of land owners in case of PPP projects. Further, the Bill also exempts these five categories from the requirements of Social Impact Assessment (SIA), imposed by LARR, 2013, to identify those affected by land acquisition. The Bill changes acquisition of land for private companies mentioned in LARR Act, 2013 to acquisition for "private entities" (LARR, Bill, 2015). A private entity may include companies and non-profit organizations. Further, according to LARR Act, 2013 land will be returned to the original owner if it is unused for 5 years. However, LARR, Bill 2015 scraps the "five years" limit at present to "a period specified for setting up of any project or for five years whichever is later".

This opens up new doors for the state to favour private companies and also multinational corporations to acquire land cheaply at the expense of poor farmers. Thus while obtaining consent from farmers was the rationale of the Act, in reality it has hardly paid attention to the genuine needs of farmers. This has become the main casualty in the Ordinance which has eliminated the need to acquire consent of farmers in five types of projects. Secondly, the compensation and rehabilitation provisions have become more and more diluted. Despite early suggestions of fixing compensations at six times, the government fixed values, the final bill finally reduced this to four times the rate in rural areas and two times in urban areas.

The countrywide protests against Land Acquisition (Amendment) Ordinance (2014) and LARR, Bill 2015, has created the impression that the goodness of 2013

is being washed down. However, none are pro-farmer but both are mechanisms to dispose farmers, particularly small farmers off their land, through material compensation in a neo-liberal state. The objective is to work out a compromise to end land wars across the country. As reported in the Times of India (31 March 2015), an estimated projects valued at Rs 6 lakh crore is stalled due to land acquisition issues. A study by the Society for the Promotion of Wasteland Development (SPWD) and Rights and Resources Initiative (RRI) has highlighted that a quarter of India's districts are witnessing mass protests over land acquisition issues. It has identified 252 land conflicts spread and spanning over 165 districts practically in all states. This is an increase of over 40% in 2012 when an earlier study had recorded 177 disputes in 130 districts (31 March 2015). Thus the LARR (2013) and LARR (Amendment) Ordinance 2014 and 2015 have little to offer to farmers except land values.

Further, as the Act stands today, any land acquisition and compensation process is a bureaucratic nightmare which only benefits those who occupy the seats of power. This is because from the time of social impact assessment (SIA) to the time of payment of compensation and acquisition of land, different levels of bureaucracy and assessment committees are involved which are centres of confusion and hassle to the farmers. The farmers face double disaster of loosing land and not receiving their compensation in time. Here I would like to mention that farmers displaced for the Hirakud Dam in Odisha in 1957 have not yet received compensation for their lands. This is just one example amongst many in the country. It is always the small farmers who are most badly hit by this forced acquisition. Therefore, projects across the country are being met with stiff resistance and farmers presently are rejecting compensation. POSCO had signed a MoU with the State government in 2005, but has not been able to start till date because of local resistance. POSCO had initially asked for 4004 acres of land, but scaled down its demands to 2753 acres. Agitation continued and the company has finally decided to pull off and "freeze" its $12 million project in the state (TOI, 17 July 2015).

Thus from the above discussion, it is clear that significant legislations by the State are being contested by local and indigenous communities. In a decade of FRA and five years of LARR, the very claims of these policies towards inclusive and sustainable governance stands challenged. The brutal face of state capitalism since the British period continues to exhibit its cruel face even today. The pressing need to check upon the implementation of the programmes meant for them and not just remain in the papers as mere suggestions and recommendations. Efforts must be put so as to arrest further discrimination of indigenous people.

Important Laws for Indigenous Communities in Other Countries

However, in sharp contrast to India, the rights of indigenous communities have been safeguarded under well-formulated and implemented legislations, securing their cus-

tomary rights to their ancestral lands and forests in several other countries like the United States, Canada, Australia, New Zealand and Philippines.

The Constitution of United States provides the indigenous Red Indian communities full rights to common ancestral lands. In Article I, the United States Constitution accomplishes the goal of excluding states and individuals from Indian affairs by stating that only Congress has the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes…" (Constitution of United States). The United States Supreme Court has interpreted this language to mean that the Congress was granted the exclusive right and power to regulate trade and affairs with the Indian tribes. In July 1790, this Congress passed a law which forbids states and individuals from dealing with tribes and from buying Indian lands. This law is still in effect today.

Similarly, the Canadian Constitution recognizes the three distinct groups of indigenous people, that is, Indians (also referred to as First Nations), Metis and Inuit. For a long time, First Nations people were not provided with full access to human rights protection (Dickason and McNab 2009). The Constitution Act of 1982 reaffirmed the rights of indigenous people that included access to ancestral lands and resources and the right to self-government. Indigenous self-government is the formal structure through which indigenous communities may control the administration of their people, land, resources and the related programs and policies, through agreements with federal and provincial governments (https://www.thecanadindiaencyclopedia.ca/article/aboriginal-selfgovernment).

In the Philippines, strategies under the centralist state have resulted in alarming forest degradation and the unsustainable resource management. This loss of natural resources has seriously threatened indigenous communities resulting in the recognition and implementation of the Indigenous People's Rights Act (IPRA), otherwise known as Act No. 8371 of 1997, governing ancestral lands and domains (Prill-Brett 2007). In comparison with neighbouring countries, the Philippines Act is fairly advanced in recognizing the rights of indigenous peoples to their ancestral lands and domains.

The Australian Aboriginal Land Rights Act also recognizes the rights of indigenous communities over their ancestral lands. The Aboriginal Land Rights (Northern Territory) Act 1976 was the first attempt by the Australian government to legally recognize the Aboriginal system of land ownership and put into law the concept of inalienable freehold title. The Land Rights Act is a fundamental piece of social reform. (https://www.clc.org.au/articles/cat/land-rights-act/).

Conclusion

In conclusion, it can be said that state laws in India have always favoured the big farmers, landlords and a growing elite while creating regimes of vulnerability. The RTFCT-LARR, 2013 in its foreword mentions the government needs lands for "public purpose "which includes the private sector also. Despite a few laudable provisions

in the Act, the doctrine of eminent domain continues to haunt the poor and weaker sections and questions the regulatory and monitoring role of the state. Although "the FRA, 2006 has been a major step to undo the historic injustice" done to the tribals and forest dwellers, the Act has achieved very little in the decade of its implementation. This contestation on land and livelihoods are witnessed with reference to land acquisition by the State in India, in general—the POSCO and Vedanta, Kalinganagar conflict in Odisha Singur in West Bengal, shutting of Kaladera bottling plant of Coca-Cola in Rajasthan are glaring examples of peoples' movement, where the existing livelihoods are threatened severely. This raises the question on the role of the state and its institutions to safeguard the interests of its own people or push them into further poverty and alienation, while driven by the forces of a profit-wrenching market.

This raises the vital question: *development for whom*? Development is essential but it has to connect with the people towards whom it is directed. Only when it is inclusive and participatory, while protecting the land rights, cultural and traditional beliefs of people, rather than imposing universal resource-extractive strategies, can there be genuine development. This can be achieved through socially embedded strategies and not only through market-driven policies which have so far created a disconnect with the local communities. The traditional system of man-nature harmony has to be adopted by states to make development people-centric and not market-centric. Recognizing this, the WEF Report, 2017, reaffirms that the growth models and measurement tools so far being pursued by policy makers for decades require significant adjustment. The "one-size-fits-all" model is no more acceptable.

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Manual Scavengers: A Blind Spot in Urban Development Discourse

Shaileshkumar Darokar

Abstract In the wake of the recent deaths of manual scavengers in Mumbai and Bengaluru, this article focuses on the life of conservancy workers and highlights the challenges they face through a few narratives of the workers themselves. It is based on the Baseline Survey of Conservancy Workers of MCGM, which was conducted in 2015, and was sponsored by the Tata Trusts.

Four contract workers fell to their death on 1 January 2018 while repairing a 9-m long sewer line in Powai, Mumbai (Johari 2018). The cable of the crane which was lifting the workers from the manhole snapped, causing their deaths. Less than a week later, three manual scavengers in Bengaluru died of asphyxiation, a common cause of death among the workers (The New Indian Express 2018). This is routine news for the workers—the unappreciated, true foot soldiers of "Swachh Mumbai" who dive into manholes with minimal protective gears putting their lives at maximum risk.

Manual scavenging is a caste-based and predominantly linked with forced labour and is a hereditary occupation for the scavenging communities. More than an occupation, it has been a custom or practice which has continued uninterrupted despite all the available technology and alternatives. It is also the most dehumanising and degrading practice in the country and is undertaken mostly by the Dalits. The news of these recent deaths just shows us that nothing has changed.

What is the need of the hour? We need to plan multiple interventions to reduce and eventually eradicate the inhumane, undignified, and unsafe practices in manual sanitation work in Mumbai. This article provides the low-down on what it is like to be a conservancy worker,[1] why things have remained the same over the years, and what can be the way forward.

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[1]The term conservancy workers is an umbrella term under which all the workers belonging to different departments (SWD, SO, SWD) are on the roster under different designations. Safai karmachari is an Hindi term for conservancy workers and it is used interchangeably.

S. Darokar (✉)
Tata Institute of Social Sciences, Mumbai, India
e-mail: shaileshsd@tiss.edu

209

Mission Garima

Padma Shri Sudharak Olwe captured hard-hitting realities of the daily lives of about 38,000 conservancy workers employed in Mumbai in his photo documentation project "In Search of Dignity and Justice—The Untold Story of Conservancy Workers." The project began in 1994 when Olwe, a photojournalist armed with his camera, tried to capture the experiential realities of the day-to-day lives of conservancy workers.

Two decades later, in June 2014, this powerful imagery documented by Olwe led to the launch of Mission Garima (Mission Dignity), a collaborative mission of the Municipal Corporation of Greater Mumbai (MCGM/BMC) and Tata Trusts, Mumbai. This mission aims to eliminate or reduce unsafe practices of manual scavenging in Mumbai.

Baseline Survey

In order to plan the interventions and other strategies for achieving the said goal, the Tata Institute of Social Sciences was requested to carry out a baseline survey with three broad objectives: (i) determine the exact number of workers doing manual conservancy work of any form in Mumbai; (ii) categorise the total number of workers based on wards, type of job, work profile, and department; (iii) identify the basic problems that lead to manual conservancy to plan intervention. Thus, the survey explored aspects such as working conditions, tools/equipments, conditions at chowki,[2] health, housing, alcoholism, and indebtedness.

The methodology of the baseline survey was designed in a manner whereby the data collection covered all the conservancy workers engaged in the following departments of the MCGM: solid waste management (SWM), storm water drainage (SWD), and sewer operation (SO). The baseline survey attempted to cover permanent conservancy workers, including leave reserved (LR)[3] workers and those deployed by community-based organisations (CBOs)/non-governmental organisations (NGOs). It was found that the nature of work of the SO and SWD departments was more or less similar and it differed from the SWM workers. As far as the strength of workforce

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[2]It is a place where workers come and report on the duty. It is where workers keep their tool and equipments that they need every day. There are two types of Chowkis. One is Section Chowki and another is Motor Loaders (ML) Chowki. The Section Chowki is meant for the scavengers (sweepers), drain cleaners, and halalkhor. It is also a place where workers may change, wash, and have tiffin. But majority of these are the most neglected spaces and do not have adequate facilities of water for drinking and washing, sitting, changing clothes, and so on.

[3]After getting appointed as conservancy workers in MCGM, the person for initial few years is appointed as Leave Reserved (LR). When a permanent position is vacant after retirement or death of permanent conservancy worker, the LR gets confirmation on a permanent post of conservancy worker. The nature of LR's tasks in SWM is not fixed. They may be asked to perform multiple tasks (sweeper, motor loader, halalkhor, etc.) especially during their tenure as a LR.

was concerned, a larger number of workers was concentrated in the SWM department in comparison to SO and SWD. A total of 39,729 workers were surveyed, of which 82% (32,588) were interviewed, and 18% (7141) were not interviewed. The permanent workers across departments were 28,847. Among the total number of workers surveyed, 80.3% were male and 19.7% were female.

Life of Conservancy Workers in Mumbai

As far as the working conditions of the conservancy workers are concerned, the workers reported very little or no change in their work condition in last so many years, especially since mid-2000 when Padma Shri Sudharak Olwe did photo documentation of their lives. Nature of their work and tools they use has remained same over a period of time but the quantum of work has increased. Some of the old areas of the city are infamous for the house gullies.[4] Neither the house gullies have changed nor have the lives of the house gully workers. Similarly, for manhole workers there is hardly any change. The workers required to go inside the manhole. There is hardly any change mode of getting this done other than menially. Their safety equipments are as old as the drainage system of the city. There are machines, but they have not yet simplified the lives of these workers who still have to compulsorily enter the manholes. There is no change even in the tools they use—spliced bamboo, rods, spades, and buckets.

Govind,[5] a motor loader safai karmachari, working at P L Lokhande Marg says:

> The BEST workers have lot of facilities. But for us there is no facility, no soap, no uniform, no safety gears. The rooms provided to the workers are usually filthy, with no proper toilets and bathrooms, dysfunctional fans, and no desks. Very few karmacharis even have their own lockers. We earn less but expend more.

The sweepers, who are designated as scavengers, revealed that there has hardly been any change in their daily work of sweeping roads and collecting and disposing waste in community bins or at collection points. Even their tools (broom, wooden plate, push carts or two-wheeled bins) are the same.

The quantum of garbage generated by Mumbai has increased substantially. In 2004, Mumbai generated around 7800 MT of waste per day (Mahadevia et al. 2005) which has increased to 9400 MT per day in 2017 (Telang 2018). However, the strength of the workers is more or less the same. The city witnesses an uninterrupted process

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[4]"*House gallies*" are very narrow lane between the buildings being used by the so-called civilised and educated residents for dumping their kitchen wastes. Besides, being narrow and long, these gallies have pipes (kitchen, toilet, and bathroom) connected to sewer lines on the ground which are all broken and adds into workers' deplorable working conditions. Workers report suffocation while working because of lack of ventilation. All the times the conservancy workers find kitchen waste, bathroom, and toilet water and filth falling on their body while performing their tasks of cleaning. The worker has to enter and clean the sludge, garbage, silt from these narrow lanes.

[5]Names of all the respondents have been changed to protect their identities.

of construction and reconstruction of buildings. The tasks of toilet cleaners are of the same nature, for example, the *halalkhor*[6] are doing the same task as they were doing it in colonial times. The lack of water storage facilities at public toilets is an age-old problem and it continues to add to the difficulties of workers. The tasks of drain cleaners have not changed much, but they have to face unique challenges: structures/tenements in slums do not remain static; the gullies have become narrower over time; and the water pipes and cables are running through the drainage lines (Bjorkman 2017). In some slum areas, the drainage lines are covered with cement and cleaning these drains, given the congestion, is a big challenge. The drain cleaners face all kinds of problems from the residents too. The workers do not get personal protection equipment on a regular basis and the workers complain that the equipment is often of inferior quality.

Change and Continuity in the Last 15 Years

Ajay, a safai karmachari working with the BMC, while cleaning a small gutter with his bare hands says:

> *Aamchi pidhi hech kaam karat hoti, ani pudhe suddha hech kaam karnar aahe* (Our entire generation has been doing this work, our next generation will also inherit the same work.) The locals call us *kachre wala* or *gutterwala*. They say that the municipal corporation pays you for doing work. We know that we clear garbage and clean gutters, but that does not mean that the people will address us by our occupation. We are also humans. We have feelings too. What they don't know is that we don't have basic bathroom and toilet facilities, no changing rooms, no place to have food or even to rest.

In few words, Ajay summed up what it means to be a safai karmachari or a conservancy worker in the financial capital of the country. Further, it also highlights the plight of safai karmachari in the wake of Swachh Bharat Mission which has invisibilised the work and condition of the worker. The Swachh Bharat Mission focuses on mere cleanliness but the workers carry the real burden of this cleanliness on their shoulders. They are the real backbone or foot soldiers of such campaign. However, the campaign has been all about politicians taking selfie but no discussion on eradicating manual scavenging (Solanki 2016).

The biggest problem in Mumbai is the city's shrinking land space for development. Despite being the commercial centre of India, more than 42% of its population lives in slums and is said to be crammed in about 8% of the city's land (Ashar 2016) In such a situation, it is a huge challenge for the MCGM to provide basic amenities, services, and shelter to the citizens. The findings of the survey have highlighted that the working conditions of conservancy workers have improved very little over the years and have remained hazardous. With the advent of neo-liberal policy like conversion of mill lands into commercial buildings, increase in FSI and slum rehabilitation

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[6]Halalkhor is the person (worker) who mainly cleans public latrines/toilets under BMC jurisdiction—in Chawl or Slum area.

project has changed the landscape of the city. But in terms of the sanitation infrastructure, workers, dumping sites, garbage collection points, chowkis, equipment's and communities doing the work have remained the same.

Poor Equipment

Conservancy workers are exposed to raw garbage due to the absence of or inadequacy of safety gears and proper equipment. The equipments or tools provided to the workers are outdated, damaged, inadequate, or ineffective for performing their designated tasks. Safai karmacharis do not get safety gears such as gloves, masks, safety belt (for manhole workers), and safety shoes on a regular basis. About 69.1% (22,508) of the interviewed workers received safety gears. It is reported that masks and hand gloves are distributed across the departments; but since the quality of same is reported to be poor and not user-friendly, a majority of the workers hardly make use of these safety gears. Workers also revealed that they never get this equipment on time and on demand. Aprons (16.9%) (used mainly by scavengers, motor loaders, drain cleaners, *House Gally* workers, and Raste Swachhata Yojana (RSY) workers), safety belt (1.2%) (mainly used by SO workers), and helmets (0.6%) are reported to have been distributed among the workers. There are nine divers working in Mumbai and only one diving suit is available.

Health Hazards

The civic bodies in India must conduct health check-up of the workers at regular intervals but never does so.[7] Some of the common health problems faced by motor loaders and manhole workers are skin and respiratory tract infections, malaria, dengue, back and knee pain, paralysis, hypertension, asthma, tuberculosis and noise pollution causing hearing impairment. About 31.1% (10,122) workers have reported being ill during the period of the survey, that is, 2014–15.

Sushant, a karmachari working in Amrut Nagar says:

> There are so many cases of injury on a daily basis, but BMC hospitals are not concerned. Once the BMC hospital staff comes to know that the person in front of them is a conservancy worker, then they treat the worker very badly.

Conservancy workers are the foot soldiers who have been given the responsibility of keeping the city clean. They do their job, but the price they pay is their own health. The MCGM lost 2614 conservancy workers between 2004 and 2013. This means that

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[7]The National Commission for Safai Karamcharis (Ministry of Social Justice & Empowerment), Government of India, Annual Report, 2010–11 states that there should be total health check up for the Safai Karamcharis working in local bodies and should be done at least twice a year on government expenses.

an average of 261 workers die every year (Makne 2014). Almost one-fourth (8003) of the workers interviewed reported that a family member had died during service as a conservancy worker. Basic compensation is not paid to the workers while they are injured during the work.

Meenal, a scavenger working at Khar Bridge Chowki, met with a train accident and lost one leg and sustained fractures in her other leg and her waist. The BMC hospital that she had approached referred the case to a private hospital.

> The expenditure cost went up to Rs. 5.5 lakh. The physiotherapist charges Rs. 300 for one sitting. I had to discontinue my treatment as I couldn't afford it. There was no medical compensation.

MCGM is touted as the richest civic body in India, and its annual budget crosses Rs. 30,000 crores. However, in 2016–17, the civic body could spend only Rs. 69.7 crores (43%) of the total Rs. 122 crores allocated for SWD by the third quarter (Pinto 2017). It is unfortunate that a civic body with such a large budget spends meagrely on improving working conditions of conservancy workers. This money could also be utilised for laying better infrastructure and acquiring new machinery.

Perhaps the MCGM can learn from the Kerala Water Authority which recently announced that a fully equipped robot called "Bandicoot" would soon be used for cleaning the sewers holes in the state, relieving the manual scavengers from this menial job (Wire 2018).

An Occupation Inherited by Caste

These occupations are considered social obligations of Dalits. To date, large sections of society and its civilised members harbour preconceived notions about manual scavengers. Some think that it is an age-old occupation and scavengers are doing a great service to the society by doing it. They also consider manual scavengers to be "like a mother who cleans the dirt of a child and does not find it humiliating."

Another reason for the continuity of this profession is the absence of substantial or collective backing from human rights activists. Over the past few years, the cause of cleanliness seems to have been reduced to celebrity events and photo opportunities. Rather than contributing superficially by clicking selfies, a proactive approach would be to stop the authorities who allow manual scavenging to continue. This would be a real shot in the arm for people like Bejwada Wilson of Safai Karmachari Andolan, who have been working on this issue for several years.

Gandhi and Ambedkar had contrasting views on manual scavenging. Ambedkar emphasised that caste and jobs like manual scavenging go hand-in-hand, and unless you annihilate the caste, you cannot eradicate manual scavenging or change the perception of the society towards Dalits. On the other hand, Gandhi believed that behavioural change in the society would happen eventually, although it might take its course. Gandhi in one of his speech at Thandkarancheri on 3 February 1934 said that:

"I call scavenging one of the most honourable among the occupation to which mankind is called. I do not consider it an unclean occupation by any means. That in performing the cleaning operation you have too handle dirt is true. But, that every mother has to do, every doctor does. But, nobody says that a mother's occupation when she cleans her children or a doctor's occupation when he cleans his patients, is an unclean occupation." (p. 104)

A dissenting Ambedkar reiterated, "Under Hinduism scavenging was not a matter of choice; it was a matter of force. What does Gandhism do? It seeks to perpetuate this system by praising scavenging as the noblest service to society! What is the use of telling the scavenger that even a Brahmin is prepared to do scavenging when it is clear that according to Hindu Shastras and Hindu notions even if a Brahmin did scavenging he would never be subject to the disabilities of one who is a born scavenger? For in India a man is not a scavenger because of his work. He is a scavenger because of his birth irrespective of the question whether he does scavenging or not." (Vol. 9, p. 292–93)

Manual scavenging, therefore, has remained a hereditary, descent-based, or caste-based job, exclusively carried out by Dalits. Interestingly, one would find that those who are generally opposed to reservation never protest 100% employment of Dalits in this occupation.

Failure of Legal Measures

In India, it is often found that the laws for ensuring social transformation lack social conscience. It is the larger society that must feel that something is wrong and should be done away with as early as possible. On the issue of manual scavenging, the nation has always lacked the political will and hence, the legislations to abolish this practice could not be converted to social justice for millions of manual scavengers.

The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act was enacted in 1993. It was drafted by the Ministry of Urban Development as an issue under item 6 "Public Health and Sanitation" of the state list. The law could have instead been legislated under "human dignity" of the central list. As a result, the act gave importance to public sanitation and placed only marginal emphasis on the objective of liberating persons employed as manual scavengers. Another reason was the narrow definition of a manual scavenger that did not cover scavengers other than those cleaning dry latrines. It excluded manhole workers (sewer workers), scavengers cleaning septic tanks, open defecation, and railway tracks. The act also lacked a clause on rehabilitation of manual scavengers.

Since the 1993 Act was a state subject and not mandatory, several states refused to adopt it, while others framed their respective acts. Several states did not accept or brought about their own legislations, for example, states such as West Bengal, Kerala, Jammu and Kashmir and Chhattisgarh refused to adopt it, while Bihar and Rajasthan framed their own respective Acts. In fact, had it been initiated by Central Government as a national problem and basically rooted into caste and not mere issue of sanitation then legislation would have weightage. Since its implementation, not a single case was registered across India under the Act and the government had no option but to bring in a new law in the ambit of human dignity.

New Legislation and Its Limitations

The new legislation—Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013—has been enacted under entry 24 (welfare of labour) in the concurrent list by the union government.

It prohibits the employment of manual scavengers, the manual cleaning of sewers and septic tanks without protective equipment, and the construction of insanitary latrines. It seeks rehabilitation of manual scavengers in alternative employment.

Section 2 (g) (b) of the act mentions that "a person engaged or employed to clean excreta with the help of such devices and using such protective gear, as the Central Government may notify in this behalf, shall not be deemed to be a manual scavenger."

The protective gear is not explained here. It could just be a helmet, or a mask, or only gumboots. A worker may be provided only a safety belt but not the helmet, waterproof apron, or headgear. It defeats the whole purpose of safety from hazardous work and does nothing to maintain the dignity of a sewer worker. Clause 2 (g) of the act explains "manual scavenger" as "a person engaged or employed, at the commencement of this act or at any time thereafter." This has implications for rehabilitation as the cases will only be considered after the enactment of the Act. Cases before this Act will not be able to claim ant rehabilitation. The state government can grant judicial power to the Executive Magistrate to try offences under the act. This may create a conflict of interest if the Executive Magistrate is also the implementing authority.

Sewer Workers: A Neglected and Vulnerable Workforce

Among all the category of conservancy workers the most dangerous work is that of the sewer workers. From time to time, the Supreme Court, high courts, human rights commissions, and appointed committees have issued guidelines for the protection of vulnerable sewer workers.

The Supreme Court in the case of Delhi Jal Board versus National Campaign Etc. & Ors, CIVIL APPEAL NO.5322 OF 2011 said that,

Human beings who are employed for doing the work in the sewers cannot be treated as mechanical robots, who will not be affected by poisonous gases in the manholes. The state and its agencies/instrumentalities or the contractors engaged by them are under a constitutional obligation to ensure the safety of the persons who are asked to undertake hazardous jobs.

This has not been implemented because there is no political will from bureaucracy, politicians, civil society, or judiciary. They are all complacent in their position and power. Ignoring the Supreme Court order can be considered as contempt of court but still there has been no action against any state.

Conclusion

In a technology-driven world where things are changing at breath-taking pace and in an era that India aspires to become super power, this is not shameful that we still ask humans to descend in manhole. We could not produce technology that liberates them from this inhuman, hazardous task of cleaning India of dirt that is created by all of us. Or we feel safe that at the end of the day it is not me or my family member who is made to do this and it is a "reserved" section of our society who does as it is ordained to them.

Even for modern Indian living in global city of Mumbai it is very normal and natural that someone is assigned this task and he does it religiously.

The news of deaths such as the ones in Mumbai and Bengaluru raises an important question: how many of the judgements and guidelines are followed?

The urban poor in India do not have access to dignified sanitation facilities. Cramped spaces in cities like Mumbai (with a high influx of migrants) have public toilets which are not connected to sewer lines and do not have enough space. Many men and women in slums choose to go out in the open for defecation as their homes do not have toilets and the condition of public toilets is deplorable. This compounds the plight of scavengers responsible for cleaning the cities.

It is easy to sympathise with or hate and degrade a manual scavenger from a safe distance. It is hard to imagine what goes through the mind of the worker when he descends into a manhole or sewer and cleans someone else dirt. After all, writing and venting about these issues will not make a difference unless concrete actions and measures at the policy level are implemented.

To end, I would like to quote Garima Singh, as she says "It is a fact that without addressing the issue of caste it is impossible to deal with the question of cleanliness in our country" (2017).

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Diversity in Higher Education in India

P. Geetha Rani

Understanding diversity in the Indian socio-cultural milieu is an intricate task.
(GoI 2008)

Abstract The present paper makes an attempt to understand the numerical representation of different groups in the professional higher education across states in India. It estimates Simpson's diversity index and Sullivan's composite diversity index to measure diversity. Accordingly, the diversity index according to Simpson was computed for each of the seven variables, namely, gender, caste, area, religion, UG–PG, income and course groups. These seven characteristics were then combined as per Sullivan's extension to create a composite diversity index for each state. The paper uses possibly a unique data availed from the bank which operates the Central Sector Interest Subsidy scheme on education loans in India. It covers all students who received interest subsidy on education loans during 2009–10 to 2012–13. From Simpson index, we identify that income, area and course group depict larger diversity than other characteristics UG–PG, caste, gender and religion which indicate lower diversity across states. This corroborates with the importance given by the expert group on diversity index on the three dimensions of religion, caste and gender in their estimation. The Sullivan's composite index estimate indicates that the level of diversity across states do not vary substantially. The highest value of the diversity index is 0.586 in union territories followed by 0.567 in Kerala, and the lowest level of diversity is in Rajasthan at 0.454. Understanding diversity in terms of numerical composition is the first step. However, it needs to grow as an exploration of differ-

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P. Geetha Rani (✉)
Department of Educational Planning, National Institute of Educational Planning and Administration, New Delhi, India
e-mail: geethselva@gmail.com

ences, accepting and understanding these differences. While doing this, it involves questioning and contrasting unfair forms of exclusion, prejudice and discrimination.

Diversity in Professional Higher Education in India

Introduction

An increasingly diverse society and global economy are the drivers for diversity in higher education in the twenty-first century. The changing nature of higher education is thus, much more complex, nuanced and cumulative, not only over time but also multi-woven at the global, macroeconomic, sector-specific and sub-sector levels. In responding to these dynamics, higher education institutions operate under varying social, political and economic conditions. In these situations, higher education systems using inputs in the form of students, faculty, finances and other resources deliver graduates, research outputs, policy inputs and suggestions. The ways by which these processes take place could be with varying levels of diversity. It is conceivably an outcome of a number of related factors and/or forces, such as the increasing variety of student population, the growth of the labour market for skilled graduates, researchers, the emergence and growth of new disciplines, and so on. In other words, reinforcing the demand side of the market increases the level of institutional specialization, the level of competition, a more diversified system and an increasing responsiveness to societal needs.

On the other end, increasing diversity also creates conflicts and tensions in the higher education institutions. Commenting on the recent and consecutive episodes of discrimination in the Indian higher education system, laments 'even as the student population has become increasingly diverse, the high incidence of suicide among *Dalit* students points to continuing discrimination, exclusion and humiliation' (The Hindu, 26.1.2016). These incidents raise a number of questions: What do we mean by diversity? Is it a numerical composition of student population? Why diversity in higher educational institutions is important? What are the benefits of having diversity in higher education system? Is there any effort to identify measure and maximize those benefits of diversity? How do the policies and programmes of the government on inclusion and equity enhance diversity? What are the inherent problems involved when polices emphasize on inclusion and equity? Is diversity considered as a value or virtue? How much diversity is enough rather how much diversity is desirable? The present paper makes an attempt to explore few of these select questions. The rest of the paper is organized as follows: Section 'The Concept of Diversity' tries to describe what is diversity and the arguments in favour of diversity. Section 'Diversity Measures' explains few select diversity measures. Section 'Data' describes the data source and description of the case study population. Section 'Results and Discussion' discusses the results and the last section concludes.

The Concept of Diversity

In the late 1950s and early 1960s, the view of human capital theory that an expansion of higher education would be essential for economic growth gained momentum. This led to a view on increasing diversity within higher education as desirable. In this regard, Teichler (1988) notes that two arguments were most powerful for increasing diversity. One, as most experts agreed that a stronger concentration of resources for research is appropriate than for teaching. So, an expansion of higher education institutions was accompanied by a growing differentiation of the research role. Two, a growth of diversity of talents, motives of job expectations among the rising number of students was considered a matter of procedure, irrespective of how static or dynamic the prevailing concepts about academic potentials of students.

Over the years, the debates changed substantially. It moved from the discourse on contribution of education to economic growth, to equality of opportunity—employment opportunities for graduates, and finally to diversity of options during 1980s. Experiences acquired in the expansion of higher education paved the way to a search for revised solutions (Teichler 1988). However, it was recognized that a diverse student body is clearly a resource and necessary condition for engagement with diverse peers. But the questions on what is the desirable diversity level differed, such as: What range of heterogeneity was preferable?; To what extent diversity should be arranged inter-institutionally or intra-institutionally?; How clearly differences should be demarcated or soft and blurred?; To what extent diversity was best served by formal elements of diversifications, that is different types and levels, or by informal elements, that is differences in the reputation or profile between individual institutions or their sub-units?; Whether diversity prevails predominantly according to the vertical dimensions, that is ranking according to quality, reputation, and so on; or whether horizontal differentiation, for example, according curricular thrusts and institutional profiles, and so on (Teichler 1988)?

Recently, substantial attention was paid to a select number of formal dimensions of diversity, types of institutions and programmes, and levels of programmes and degrees (e.g. undergraduate, postgraduate and doctoral programmes). Also debates on diversity address informal dimensions, such as quality, excellence, elite or reputation, and horizontal attributes, such as profile of higher education institutions. These informal attributes reveal that they are more frequently attributed to sub-units of institutions, that is, departments, study programmes or disciplines (Teichler 1988).

Scholars have outlined three types of diversity, all of which are interdependent: structural, interactional and classroom. Structural diversity is the numerical representation of students from different sections of the population within an institution; interactional diversity is the extent and quality of one's engagement with people of different racial/ethnic backgrounds. And the third, classroom diversity encompasses formal exposure to diverse peoples and their perspectives through curricular and co-curricular offerings, and is referred to as curricular diversity (Gurin et al. 2002).

Arguments in Favour of Diversity[1]

Diversity has been identified in the higher education literature as one of the major factors associated with the positive performance of higher education systems. More diversity is assumed to better serve the needs of the labour market, to offer more and better access to a larger student body and to allow institutional specialization by which the effectiveness of the overall higher education system increases. Particularly, the latter argument is regularly presented in the context of developing the 'knowledge society'. In order to make them more responsive to societal needs, higher education institutions should be stimulated to develop their specific missions and profiles, jointly creating a diversified higher education system in which different types of institutions co-exist (Vught 2007).

First, it is often argued that increase of diversity of a higher education system is an important strategy to meet the student needs. A more diversified system is assumed to be better able to offer access to higher education to students with different educational backgrounds. *Diversity enriches the educational experience.* Students learn from those whose experiences, beliefs and perspectives are different from our own, and these lessons can be best taught in a richly diverse intellectual and social environment. Each student has the opportunity to find an educational environment in which chances for success are realistic. A related argument is that by offering different modes of entry into higher education and by providing multiple forms of transfer, a diversified system stimulates upward mobility as well as honourable downward mobility. A diversified system allows for corrections of errors of choice; it provides extra opportunities for success; it rectifies poor motivation; and it broadens educational horizons.

Third, diversity is supposed to meet the needs of the labour market. Modern society requirement is an increasing variety of specializations on the labour market to allow further economic and social development. In addition, it strengthens communities and the workplace. Education within a diverse setting prepares students to become good citizens in an increasingly complex, pluralistic society; it fosters mutual respect and teamwork; and it helps build communities whose members are judged by the quality of their character and their contributions. The fourth argument is that diversity serves the political needs of interest groups. A diverse system ensures the needs of different groups in a society to have their own identity and their own political legitimating. In less diversified higher education systems, the needs of specific groups may remain unaddressed, which may cause various kinds of disruptions.

The fifth argument is that diversity permits the crucial combination of elite and mass higher education. Generally speaking, mass systems tend to be more diversified than elite systems, as mass systems absorb a more heterogeneous clientele and attempt to respond to a wider range of demands from the labour market. In his famous analysis of mass and elite systems, Trow (1979) has indicated that the survival of elite higher education depends on the existence of a comprehensive system of non-elite institutions. Essentially, Trow argues that only if a majority of the students are

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[1]Heavily Borrowed from Vught (2007).

offered the knowledge and skills that are relevant to find a position in the labour market, will a few elite institutions be able to survive.

A sixth reason is that diversity is assumed to increase the level of effectiveness of higher education institutions. *In other words, it enhances economic competitiveness.* Sustaining the nation's prosperity in the twenty-first century requires us to make effective use of the talents and abilities of all our citizens in work settings that bring together individuals from diverse backgrounds and cultures. Finally, diversity is assumed to offer opportunities for experimenting with innovation. In diversified higher education systems, institutions have the option to assess the viability of innovations created by other institutions, without necessarily having to implement these innovations themselves. Diversity offers the possibility to explore the effects of innovative behaviour without the need to implement the innovation for all institutions at the same time. Diversity permits low-risk experimentation.

Above all, diversity enables students to perceive differences both within and between groups. Diversity in academic institutions is essential to teach students the essential human relations and analytical skills they need to thrive and lead in the work environments of the twenty-first century. *It promotes personal growth and a healthy society.* Diversity challenges stereotyped preconceptions; it encourages critical thinking; and it helps students learn to communicate effectively with people of varied backgrounds. These skills include the ability to work with colleagues and subordinates from diverse backgrounds; to view issues from multiple perspectives; and to anticipate and respond with sensitivity to the needs and cultural differences of highly diverse customers, colleagues, employers and global business partners (Gurin et al. 2002).

Diversified higher education systems are supposed to produce higher levels of client orientation (both regarding the needs of students and of the labour market), social mobility, effectiveness, flexibility, innovativeness and stability. More diversified systems, generally speaking, are thought to be 'better' than less diversified systems (Hurtado et al. 1999). And many governments have designed and implemented policies to increase the level of diversity of higher education systems. However, critics argue that it is not always clear how an increase of a higher education system's diversity should be realized. The many governmental policies that have been developed and implemented do not always lead to the desired results. It appears that although these concepts have a long tradition in the social sciences, diversity and differentiation are still only partly understood. In India, the efforts to understand diversity are very few. Here an attempt is made to examine and estimate the diversity of higher education in India.

Diversity in the Indian Higher Education System: An Overview

The structure of higher education in India consists of universities, research institutions, deemed to be universities which are at the highest level of higher educational institutions. Together they account for 797 institutions in 2014–15. They constitute

central universities (6%), central open universities (0.13%), institutes of national importance (9.1%), others (0.8%), state public universities (41.7%), institutes established under state act (0.7), state open universities (1.7%), state private universities (23.2%), state private open universities (0.13%), deemed universities by government (4.9%), deemed universities government aided (4.9%) and deemed universities private unaided (10.4%) (in Fig. 1).

At the next level, it is the colleges by disciplines such as general arts and science, professional including engineering, management, medical, agriculture and law colleges.

Yet another dimension is the institutional type by management. The educational institutions in India and in states are of three basic types based on funding and provision: (i) government provision and financing of higher educational institutions; (ii) private provision and government financing referred as private-aided institutions; and (iii) private provision and financing referred to as self-financing institutions.
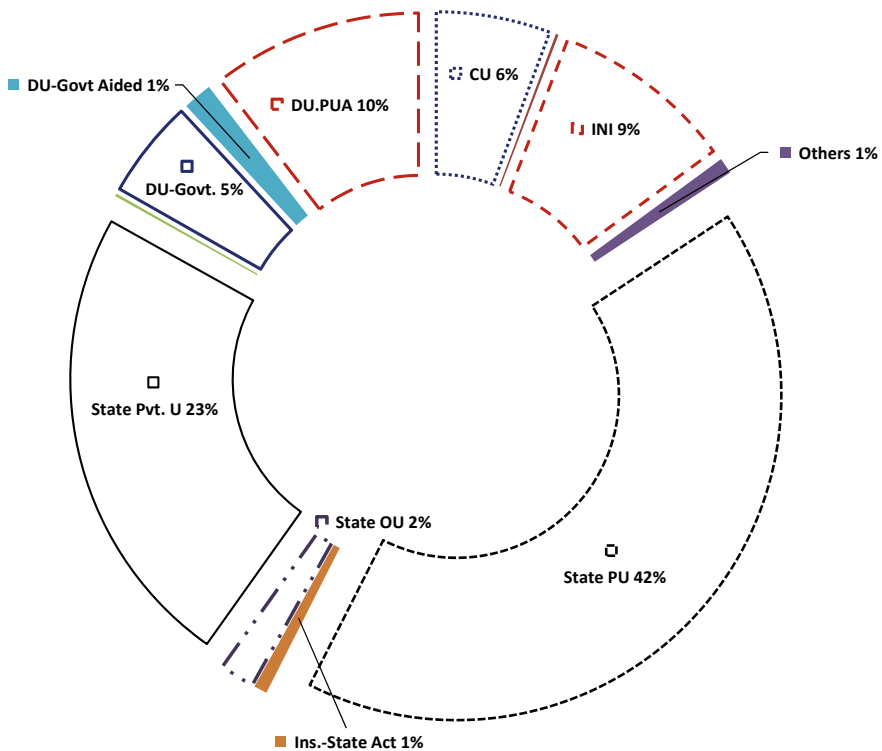
Fig. 1 Composition of university level institutions in India (2014–15). *Note* CU—Central Universities; INI—Institute of National Importance; State PU—State Public Universities; Ins-State Act—Institute-State Act; State OU—State Open Universities; State Pvt. U—State Private Universities; DU-Govt.—Deemed Universities -Govt.; DU-Govt-Aided—Deemed Universities Govt. Aided; DU-PUA—Deemed Universities Private Unaided.
Source All India Higher Education Survey, 2014–15

Table 1 Distribution of institutions and enrolment by government and private sector in India

Type	2000–01[a]	2005–06[a]	2010–11[b]	2012–13[b]	2014–15[b]
Institutions					
Government	33.2	25.0	26.8	26.9	23.9
Private aided	42.1	32.0	14.2	14.9	15.0
Private unaided	24.7	43.0	59.0	58.2	61.0
Total	13,072	17,973	16,499	24,120	29,506
Enrolment					
Government	41.0	35.8	39.2	37.7	34.6
Private aided	37.3	33.5	23.8	22.7	22.6
Private unaided	21.7	30.7	37.0	39.6	42.7
Total (in 000s)	8399	10,481	11,552	16,853	22,554

Source [a]Agarwal (2009); [b]All India Higher Education Survey

Internationally, three most prominent types, such as culturally pluralistic type, consisting of religious, charity and philanthropy—termed as the fused private–public entities. These are somewhat similar to the private-aided sector in many states in India. The third type is the self-financing institutions which are in the nature of non-elite but demand absorbers. As reported in Table 1, their growth is accelerated in recent decades, especially since 1990s primarily because of the excess of demand over supply (Geiger 2004; Levy 2006).

Larger gains in GER could be attributable to rapid progress of attendance and completion of senior secondary schooling; social demand for education; awareness and aspirations in general and higher education, in particular, by the families. Another phenomenon could be the diversity of the student population in terms of OBC, SC/ST and Muslims in those states that contribute to increasing numbers. Equally there is diversification of supply of education that of concentration of private-unaided higher education institutions in southern states (Andhra Pradesh, Karnataka and Tamil Nadu) (Geetha Rani 2015).

Besides state policies, number of factors such as poverty, poor quality of schooling, poor infrastructure, high household cost of schooling, and so on, play a vital role in the development of higher education across states. Added to these, issues relating to governance and management viz., lack of teacher accountability, teacher politics and the nexus between teacher unions and politics hinder appropriate development of higher education. These set of factors interplay at varying degrees across various states in India, posing major challenges. Such most affected states are the economically and educationally least developed and often populous and geographically larger states, viz., Bihar, Uttar Pradesh, Orissa, West Bengal, Assam, Jharkhand, which also report less than national average of 20% GER in higher education in 2012–13. On the other hand, Goa and Tamil Nadu report the highest gross enrolment ratio followed by Uttaranchal, which peep out the arbitrary benchmark horizontal red line of 30% GER (Fig. 2).
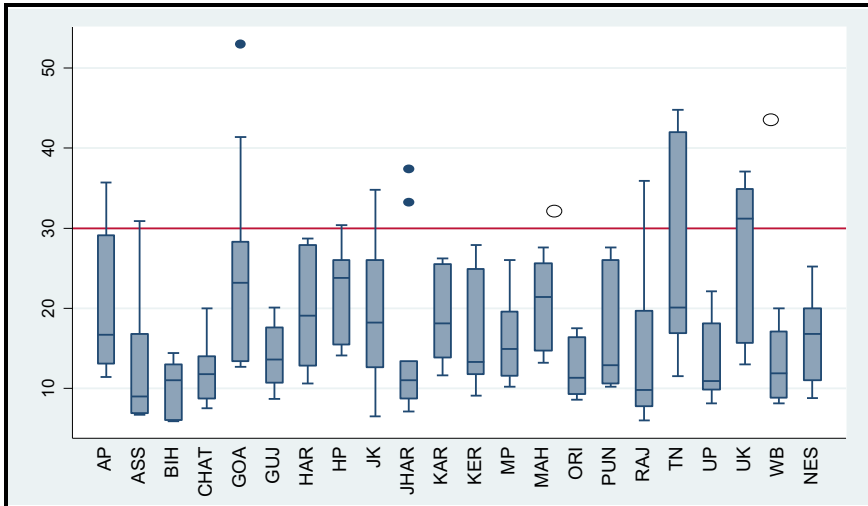
Fig. 2 GER in higher education across states during 2004–05 to 2014–15 (in %). *Source* Selected Educational Statistics, All India Higher Education Surveys, Various issues

The most common use of the term diversity in India is to describe student body composition in India (Thorat 2013). Diversity, as noted here, is in terms of the composition of student population by gender, caste, location, language, religion, and so on. Further, he examines the institutional diversity by public and private institutions. This can be called as structural diversity as it primarily refers to the numerical representation of various racial, ethnic, gender groups in higher education (Gurin et al. 2002). The structural diversity is considered as the first important step in the process of improving diversity. The present paper is an attempt to understand this numerical representation of different groups in the professional higher education across states in India.

Diversity Measures

A measure of diversity has originated from the subjects ecology and bio-diversity. It denotes both richness and evenness in the ecosystem. The widely used measures of diversity are Simpson and Shannon measures. The Simpson's index measures the degree of concentration when individuals are classified into types. The same index was rediscovered by Herfindahl and the square root of the index by Hirschman. So, it is commonly known as the Simpson index in ecology, or as the Herfindahl–Hirschman index (HHI) in economics. Simpson's measure is defined as:

Simpson's diversity index $= 1 - \sum(p_i)^2$ overall (i) categories in N, where p_i is the proportion of observations in category i.

The measure equals the probability that two entities taken at random from the dataset of interest represent the same type. In other words, if two students were selected at random, what is the probability that they would be from different socio-economic categories? Higher values of the diversity index indicate an even more distribution of students. The Simpson's index is a dominance index because it gives more weight to common or dominant groups. Hence, less represented groups with only a few representatives will not affect the diversity.

Shannon's Entropy Measure:
One of the more common metrics for constituent diversity is Shannon's entropy. The term entropy is defined as a measure of uncertainty associated with an outcome. If the outcome is totally uncertain, there is maximum entropy—in which case, there are multiple categories and each category is equally likely. For example, in higher education institutions where there are equal proportions of students in four majors, there is maximum entropy or uncertainty as to the major of a random student chosen for evaluation. On the other hand, if almost all students are in a single major, then there is very little uncertainty as to the major of a randomly selected student. Shannon's entropy has been applied in a number of disciplines, from biology, economics to political science.

$$\text{Shannon's Entropy} = -\sum p_i * \ln(p_i)$$

where i $= 1, 2..., n$, p_i is the proportion of individuals in category (i) and ln is the natural logarithm.

The Shannon index is an information statistic index, which means it assumes all groups that are represented in a sample and that they are randomly sampled. In this index, p is the proportion (n/N) of individuals. Simpson index is similar to Shannon's entropy in that it has a minimum of zero when all individuals are in a given category. However, it does not have a maximum of 1 unless there are an infinite number of categories, and the entities are evenly distributed across the categories. Otherwise, it has a maximum of $(n - 1)/n$, where there are n categories and all of the individuals are equally distributed across the n categories. It has a zero value when all individuals are in one category and a maximum value of 1/ln S when there are S categories and an equal proportion is in each category.

Theil's entropy index is derived from Shannon's measure of information entropy, based on the assumption that the importance of an event is inversely linked to the probability of its occurrence. Theil's entropy index is a statistic designed to measure economic inequality.

Sullivan's Index:
Sullivan extended Simpson's index of diversity to incorporate multiple variables within a single diversity metric. Sullivan's diversity index (composite diversity index) is defined as

$$A_w = 1 - \left(\sum_{k=1}^{p} (Y_k)^2 / V \right)$$

where A_w is the diversity of states and it can be computed for each state. Y_k is the proportion of the population falling in a given category within each of the variables. V is the number of variables and p is the total number of categories within all of the variables. Instead of Sullivan's six variables, this study incorporates seven socio-economic variables:

1. Gender

    a. Male
    b. Female

2. Caste

    a. General
    b. OBC
    c. SC/ST

3. Area

    a. Metro
    b. Urban
    c. Semi-urban
    d. Rural

4. Religion

    a. Christian
    b. Muslim
    c. Other Min
    d. Non-Min

5. Income

    a. Q1
    b. Q2
    c. Q3
    d. Q4
    e. Q5

6. Higher education

    a. Undergraduation
    b. Postgraduation

7. Course

a. Others
b. Diploma
c. Paramedical
d. Law/science/Mgt/Archi/Commerce
e. Engineering/Computer
f. Medical

Sullivan's model estimates the average number of characteristics that two individuals would differ on if they were characterized by V variables. It is nothing but the sum of the squares over the multiple proportions that are divided by the number of variables. The resultant composite diversity index is interpreted as 'The proportion of characteristics upon which a randomly-selected pair of individuals will differ, assuming sampling with replacement'. As the diversity metric goes from 0 to 1, a random pair of students would be expected to differ on none of their characteristics to differ on all characteristics (McLaughlin et al. 2015).

The idea of developing diversity index in India was mooted to address the discrimination and deprivation in production, distribution and social sectors in India. The first such comprehensive effort was made by the Expert Group on Diversity Index (GoI 2008), which cover three dimensions, viz., religion, caste and gender. The diversity index D for mth dimension can be stated as follows:

$$D_m = 1 - \sum DG_i$$

where DG is diversity gap measured from three dimensions of religion, caste and gender. It is given as:

$$DG_i = (y_i - x_i)z_i/y_i$$

when y_i is greater than or equal to x_i. However, when $x_i > y_i$, $DG_i = 0$.

Thus the DG_i computed for each group for a given dimension will have a minimum value of zero and a maximum value of z_i. The DGi should be computed for each group separately. Thus, we will have seven values (types) of DG for religious dimension, four for caste dimension and two for gender dimension. Then these four indices are squared and added up for each social dimension. In the same way, the vertical diversity can be estimated for the constituting groups of institutional staff (teaching and non-teaching) and students (undergraduate and postgraduate). The sum of these measures is the vertical aggregation. Horizontal aggregation is a sum across the three social categories. Taking W1, W2 and W3 to be the weights for the three dimensions, it was decided that each will be allowed to vary within a range. It was proposed that W1, the weight for the religious dimension, must lie within the range of 0.45 and 0.55. Correspondingly, W2 for the caste dimension should fall between 0.35 and

0.25 and W3 the gender weight can range from 0.15 to 0.25. Thus, D can range from 0 to 1, a situation of perfect diversity will mean D = 1.[2]

The present paper calculates Simpson's diversity index and Sullivan's composite diversity index as it can be used to form a composite index when there are multiple characteristics and variables involved to describe diversity. Cronbach's alpha was used to estimate reliability. One-way ANOVA is used to test whether the means of more than two qualitative populations are equal.

Data

The paper uses possibly a unique data availed from the bank which operates the Central Sector Interest Subsidy scheme on education loans in India (for details see Annexure). It covers all students who received interest subsidy during 2009–10 to 2012–13 (Table 2).

Students who claimed interest subsidy constitute around 30–40% of education loans. It does not cover all students who took loans, hence suffer from selection bias. Each observation corresponds to a loan profile, viz., loan limit, interest rate and year of sanction. Parental income is available and is a self-reported income vetted from a designated government official. However, there is no way of verifying these reported incomes. Characteristics of individual borrowers include gender, social groups, religion and location. Social group is referred as caste in India, similar to race in developed nations. They are broadly categorized as General or the upper case, Other Backward Caste (OBC), Scheduled Caste (SC) and Scheduled Tribe (ST). SC\ST are the most deprived caste groups and benefit meagrely compared with

Table 2 Details on interest subsidy on education loans in India

Period	Interest subsidy Accounts	Education loan Accounts	% of interest subsidy beneficiaries in education Loan availed	Interest subsidy (Rs. in 10 millions)
2009–10	618,860	1,928,350	33.41	296.86
2010–11	838,655	2,235,532	40.18	735.49
2011–12	698,316	2,287,843	42.99	1198.88
2012–13	854,728	2,509,465	34.06	1295.47

Source Based on data from Canara Bank; Banking Statistics Relating to Banks India, Reserve Bank of India, relevant reports

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[2]The most often cited objection to any exercise of index building through aggregation of multidimensional characteristics presents itself in the form of Arrow's Impossibility Theorem within the framework of Welfare Economics. The theorem rules out conversion of values presented in a vector into a number as that violates certain intuitively appealing axioms or logical requirements (GoI 2008).

OBC. Religious affiliation is yet another categorical variable defined as Christian, Muslim, Other Minority and Hindus. Location or area is defined as metro, urban, semi-urban and rural.

Course choice indicates the expected earnings, affordability and marketability. The most popular course among students is the engineering (above 60% of total beneficiaries), management (around 8%) and medical (around 6%). The rest of the courses are spread over. Hence, we regrouped them in six broad categories as medicine, engineering, law/science, paramedical, diploma with reference category of medicine and used in the regression as a categorical variable.

Description of Beneficiaries of Interest Subsidies

Despite the fact that this data correspond to interest subsidy on students loans, it represents a microcosm of the participation and financing of higher education in India. The pattern of demographic characteristics clearly indicates that male students dominate (two-thirds of total students) in acquiring interest subsidy across years (see Table 3), though this is not the case in terms of enrolment of women in higher education, which is 45% of the total enrolment in 2012–13.

Since interest subsidy is available for the professional courses in higher education (see Annexure), the participation is biased towards male students. In terms of location, the students residing in semi-urban followed by urban areas dominate the profile. Together, these two areas dominate in acquiring interest subsidy over the years. In terms of the social characteristics, upper caste constitutes around 50% of the students, followed by OBC over the years. Socially deprived section (SC/ST) constitutes a very small proportion around 10%. The picture is no different from their participation trends by caste groups in higher education in 2012–13.

In the religious affiliation, Hindus dominate with 60% and Muslims represent the least, yet both groups underrepresent their population share. Income of the poorest quintile is Rs. 6877 while among the richest quintiles, it is Rs. 315,281; the income gap estimated as ratio of income of the richest to that of the poorest is 46; declined to 19 in 2011–12 and further increased to 34 by 2012–13. Course choice indicates the expected earnings, affordability and marketability. It can be found that the most popular course among students is the engineering, management and medical. The rest of the courses are spread over. Hence, we regrouped them in six broad categories as medicine, engineering, law/science, paramedical, diploma with reference category of others and used in the regression as a categorical variable.

Results and Discussion

The mean and standard deviation of the Simpson index across seven variables estimated for all 31 states are reported in Table 4. Higher the values of the index, the

Table 3 Socio-economic characteristics of the student beneficiaries of CSIS

Characteristics	Sub-groups	2009–10	2010–11	2011–12	2012–13
Gender (in %)	Male	65.13	66.15	64.71	64.78
	Female	34.87	33.85	35.25	35.22
Location (in %)	Metro	7.98	7.20	6.73	6.19
	Urban	25.99	24.80	25.05	23.9
	Semi-urban	35.56	35.74	35.51	35.88
	Rural	30.48	32.24	32.68	34.01
Caste (in %)	General	55.72	55.20	56.92	50.82
	OBC	36.63	37.72	36.05	37.50
	SC/ST	7.65	7.08	7.02	11.67
Religion (in %)	Christian	8.80	8.35	8.97	8.78
	Muslim	4.30	4.41	4.76	4.43
	Other minorities	25.74	24.33	23.40	25.32
	Hindu	61.13	62.84	62.86	61.47
Parental Income (in Rs.)	Poorest	6877	18,109	17,428	12,342
	Quintile 2	30,195	37,204	37,319	32,922
	Quintile 3	60,591	68,855	67,484	53,817
	Quintile 4	139,329	145,590	142,758	122,119
	Richest	315,281	610,632	335,091	458,821
	Income gap	46	34	19	37
N		6,18,452	8,97,918	9,83,377	8,83,741

Source Based on unit data

Table 4 Mean and SD of Simpson indices

Variables	2009–10		2010–11		2011–12		2012–13	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Gender	0.395	0.095	0.406	0.061	0.406	0.069	0.405	0.069
Caste	0.381	0.116	0.379	0.117	0.387	0.117	0.434	0.125
Area	0.622	0.107	0.620	0.108	0.602	0.115	0.618	0.102
Religion	0.451	0.117	0.456	0.107	0.470	0.094	0.481	0.095
Income	0.708	0.065	0.709	0.060	0.719	0.052	0.693	0.071
UG_PG	0.340	0.098	0.345	0.091	0.342	0.100	0.302	0.109
Course	0.612	0.105	0.613	0.101	0.597	0.106	0.557	0.116

N = 31, estimated based on unit data

larger are the diversity. Income, area and course group depict larger diversity than other characteristics in the data. On the contrary, UG–PG, caste, gender and religion indicate lower mean index and exhibit lesser diversity across states. This corroborates with the emphasis given by the expert group on diversity index in India on the three dimensions of religion, caste and gender. Simpson index indicates that if two students were selected at random, what is the probability that they would be from different socio-economic, area, gender and course group categories is examined. For instance, the probability of a girl getting the interest subsidy is around 0.4 across 4 years. However, the variance is higher in 2009–10 and almost similar in the rest of the years. The probability of a caste group getting represented is 0.38 in 2009–10, 2010–11 and 2011–12; however, it increases to 0.43 in 2012–13. Overall, the mean of the Simpson index remains almost stable across variables over the years, except marginal variation in income groups, UG–PG and course groups.

Tables 5 and 6 on the one-way ANOVA tables on Simpson diversity indices for the period from 2009–10 to 2012–13 suggest that all seven diversity indices vary significantly. However, the Simpson index does not capture the multiple dimensions of diversity. Sullivan's index estimates the average number of characteristics that two individuals would differ on if they were characterized by V variables. It is the sum of the squares over the multiple proportions divided by the number of variables. Hence, Sullivan's diversity index, a non-static and clearly defined variable, might prove especially in a comparative analysis.

If we make an attempt to categorize the diversity by high, medium and low levels as per the expert group on diversity index as: above 0.66 means high; between 0.34 and 0.66 as middle and below 0.33 as low, then the estimates presented here indicate that all states fall under the category of middle level of diversity. It indicates that the level of diversity across states do not vary substantially. The maximum of diversity is 0.586 in union territories followed by 0.567 in Kerala, and the minimum level of diversity is in Rajasthan at 0.454 (Table 7). The states with ranks 1–10 broadly belong to southern states, north eastern states and union territories.

States with ranks 11–20 belong to a mixed category of educationally backward and economically developed states. It does not show any discernible pattern. This can perhaps be interpreted as there is no effort to bring in diversity in higher professional education in these states. The last category of states with ranks 21–31 is primarily educationally backward states except Himachal Pradesh, Uttaranchal, Mizoram and Delhi. One-way ANOVA tables on Sullivan's composite diversity index for the study suggest that all diversity indices vary significantly (see Table 8).

Policy Implications

The most common use of the term diversity is to describe student body composition. In this paper few methods of measuring social, economic and religious and few other dimensions of diversity in student composition are attempted. It is a first step to measure and bring discussions on diversity in higher education in India. As it is

Table 5 One-way ANOVA results of Simpson index 2009–10 and 2010–11

	Source of variation	2009–10						2010–11					
		SS	df	MS	F	P-value	F crit	SS	df	MS	F	P-value	F crit
Gender	Between groups	2.489	1	2.489	195.70	1.51E−20	4.0012	2.377	1	2.377	272.663	5.46E−24	4.001
	Within groups	0.763	60	0.013				0.523	60	0.009			
Caste	Between groups	5.525	2	2.762	74.45	8.34E−20	3.0977	5.885	2	2.942	87.159	8.82E−22	3.098
	Within groups	3.339	90	0.037				3.038	90	0.034			
Area	Between groups	1.128	3	0.376	15.88	9.28E−09	2.6802	1.048	3	0.349	14.056	6.52E−08	2.680
	Within groups	2.840	120	0.024				2.981	120	0.025			
Religion	Between groups	6.603	3	2.201	99.17	2.41E−32	2.6802	6.055	3	2.018	79.252	2.47E−28	2.680
	Within groups	2.663	120	0.022				3.056	120	0.025			
Income	Between groups	1.799	4	0.450	63.53	2.52E−31	2.4320	1.825	4	0.456	67.925	1.06E−32	2.432
	Within groups	1.062	150	0.007				1.007	150	0.007			
UG_PG	Between groups	4.503	1	4.503	590.93	9.33E−33	4.0012	4.413	1	4.413	660.487	4.42E−34	4.001
	Within groups	0.457	60	0.008				0.401	60	0.007			
Course	Between groups	5.765	5	1.153	190.27	7.16E−70	2.2643	5.588	5	1.118	162.177	1.05E−64	2.264
	Within groups	1.091	180	0.006				1.241	180	0.007			

Table 6 One-way ANOVA results of Simpson's index 2011–12 and 2012–13

		2011–12						2012–13					
	Source of variation	SS	df	MS	F	P-value	F crit	SS	df	MS	F	P-value	F crit
Gender	Between groups	2.350	1	2.350	253.448	3.27E−23	4.001	2.288	1	2.288	210.504	2.77E−21	4.001
	Within groups	0.556	60	0.009				0.652	60	0.011			
Caste	Between groups	6.451	2	3.226	130.847	2.31E−27	3.098	4.058	2	2.029	57.651	7.64E−17	3.098
	Within groups	2.219	90	0.025				3.168	90	0.035			
Area	Between groups	1.287	3	0.429	15.563	1.3E−08	2.680	1.262	3	0.421	17.802	1.27E−09	2.680
	Within groups	3.308	120	0.028				2.836	120	0.024			
Religion	Between groups	6.036	3	2.012	91.807	6.23E−31	2.680	5.745	3	1.915	88.534	2.8E−30	2.680
	Within groups	2.630	120	0.022				2.596	120	0.022			
Income	Between groups	1.651	4	0.413	70.977	1.26E−33	2.432	2.165	4	0.541	70.977	1.26E−33	2.432
	Within groups	0.872	150	0.006				1.144	150	0.008			
UG_PG	Between groups	4.207	1	4.207	365.376	3.34E−27	4.001	5.612	1	5.612	651.913	6.33E−34	4.001
	Within groups	0.691	60	0.012				0.517	60	0.009			
Course	Between groups	6.307	5	1.261	219.918	1.14E−74	2.264	7.468	5	1.494	246.100	1.82E−78	2.264
	Within groups	1.032	180	0.006				1.092	180	0.006			

Table 7 Sullivan's composite diversity index across states in India

States/UTs	2009–10	2010–11	2011–12	2012–13	Average	Rank
UTs	0.588	0.563	0.614	0.578	0.586	1
Kerala	0.576	0.569	0.563	0.560	0.567	2
Tripura	0.525	0.503	0.537	0.562	0.532	3
Tamil Nadu	0.538	0.527	0.527	0.516	0.527	4
Gujarat	0.536	0.518	0.512	0.535	0.525	5
Manipur	0.541	0.549	0.487	0.514	0.523	6
Pondicherry	0.525	0.521	0.524	0.505	0.519	7
Chhattisgarh	0.511	0.514	0.517	0.533	0.519	8
Arunachal Pradesh	0.483	0.534	0.524	0.522	0.516	9
Andhra Pradesh	0.535	0.529	0.517	0.480	0.515	10
Goa	0.539	0.520	0.507	0.492	0.514	11
Karnataka	0.501	0.534	0.549	0.473	0.514	12
Maharashtra	0.529	0.487	0.511	0.524	0.513	13
Assam	0.513	0.507	0.515	0.515	0.512	14
Punjab	0.509	0.512	0.508	0.508	0.509	15
Meghalaya	0.513	0.516	0.516	0.475	0.505	16
Madhya Pradesh	0.482	0.503	0.508	0.528	0.505	17
Uttar Pradesh	0.496	0.497	0.493	0.511	0.499	18
Sikkim	0.374	0.532	0.536	0.530	0.493	19
Nagaland	0.514	0.472	0.458	0.502	0.487	20
Jammu & Kashmir	0.516	0.488	0.469	0.469	0.485	21
Himachal Pradesh	0.488	0.488	0.484	0.478	0.485	22
Uttaranchal	0.480	0.475	0.480	0.478	0.478	23
Haryana	0.477	0.484	0.474	0.462	0.474	24
Orissa	0.483	0.486	0.470	0.458	0.474	25
Bihar	0.480	0.469	0.466	0.460	0.469	26
West Bengal	0.477	0.469	0.461	0.468	0.469	27
Mizoram	0.387	0.469	0.534	0.467	0.464	28
Delhi	0.511	0.458	0.433	0.445	0.462	29
Jharkhand	0.455	0.469	0.455	0.459	0.459	30
Rajasthan	0.458	0.461	0.451	0.447	0.454	31

Note Estimated based on unit data

Table 8 One-way ANOVA based on Sullivan's composite diversity index

	Source of variation	SS	df	MS	F	P-value	F crit
2009–10	Between groups	0.020901	5	0.00418	3.305659	0.020653	2.620654
	Within groups	0.030349	24	0.001265			
2010–11	Between groups	0.010033	5	0.002007	3.64749	0.013506	2.620654
	Within groups	0.013203	24	0.00055			
2011–12	Between groups	0.015592	5	0.003118	4.992395	0.002831	2.620654
	Within groups	0.014991	24	0.000625			
2012–13	Between groups	0.010937	5	0.002187	2.60525	0.051028	2.620654
	Within groups	0.02015	24	0.00084			

clear from the discussions, it is highly inadequate to simply bring together a diverse group of students, although this is an important first step in creating opportunities for students to learn from diversity. However, if diversity is understood as mere numerical terms, calling for greater diversity can lead to uneasy tensions. This is currently being experienced in India.

While analysing the extent of diversity in economics profession, Bayer and Rouse (2016) go a step further and explore the reasons for underrepresentation women and minorities. They argue that implicit attitudes and institutional practices may be contributing to the underrepresentation. They further review the evidence on how diversity affects productivity and proposes remedial interventions and findings on effectiveness. They cite several promising practices, programmes and areas for future research and conclude that it is time for a renewed focus on increasing the diversity of the economics profession.

Diversity is more than in terms of composition. It can be an exploration of differences, accepting and understanding these differences. While doing this it involves questioning and contrasting unfair forms of exclusion, prejudice and discrimination. To conclude, it would be ideal to quote from the report of AACU on Making Excellence Inclusive: Making Students and Campuses for an Era of Greater Expectations, that 'At its best, talk of diversity … reminds us of the extent to which the promise of freedom and equality for all remains a work in progress: only partially realized, only partially understood' (AACU 2005).

Annexure: Central Sector Interest Subsidy Scheme on Education Loans

Department of Higher Education, Ministry of Human Resource Development, Government of India has launched this interest subsidy scheme with the main purpose of helping the economically weaker sections. The supplementary objectives of the scheme are to promote equity, public accountability and innovation. The scheme is available to those students who belong to economically weaker sections and aspire to access higher education with parental income of less than Rs. 4.5 lakh per annum. The details of the interest subsidy scheme include the following:

 (i)   Interest payable for professional courses for the period of moratorium (i.e. course period, plus one year or six months after getting job, whichever is earlier) is borne by the central government. Interest on outstanding loan amount to be paid by student;
 (ii) Interest subsidy is available to the eligible students only once, either for the first undergraduate degree course or the post graduate degrees/diplomas. However, interest subsidy is admissible for combined undergraduate and postgraduate courses;
 (iii) Interest subsidy is not available for those students who either discontinue, or for those who are expelled from the institutions on disciplinary or academic grounds but available for discontinuation due to medical grounds; and
 (iv) As an offshoot of this interest subsidy scheme, those students who availed this interest subsidy will get 1% concession in interest rates as per the design of the Indian Bank Association (IBA) scheme on student loans. The details of the educational loan and interest subsidy schemes have been hosted in the website of Ministry of Human Resource Development as well as IBA.

Education loan by State Bank of India

Criteria	Details
Eligible courses	All courses having employment prospects; Graduation/Postgraduate/Professional and Other courses approved by UGC/Government/AICTE, etc.
Expenses covered for loan	Tuition fees; hostel and mess charges; exam/library/laboratory fees; Purchase of books etc.; Caution deposit/building fund/refundable deposit (maximum 10% tuition fees for the entire course); Travel abroad, purchase of computers, etc. Cost of a two-wheeler up to Rs. 50,000; Any other expenses required to complete the course like study tours, project work, etc.
Amount of loan	For studies in India, maximum Rs. 1 million Studies abroad, maximum Rs. 2 million

(continued)

(continued)

Criteria	Details
Interest rates (with effect from 27 June 2008)	For loans up to Rs. 400,000—0.50% below SBAR, i.e., 12.25% p.a. Floating For loans above Rs. 400,000 and up to Rs. 750,000—1.00% above SBAR, 13.75% floating For loans above Rs. 750,000—SBAR—12.75% p.a. floating
Processing fees	No processing fee/upfront charges Deposit of Rs. 5000 for education loan for studies abroad which will be adjusted in the margin money
Grace period	One year after completion of course or 6 months after securing a job, whichever is earlier
Repayment period	Same 5–7 years, now extended to 10 years for studies in India for Rs. 1 million and for studies in abroad for Rs. 2 million
Collateral	Up to Rs. 400,000, there is no security required. From Rs. 400,000 to Rs. 750,000, collateral security is in the form of suitable third party guarantee; Above Rs. 750,000, tangible collateral is the security
Margin	No margin for loans up to Rs. 400,000. For loans above Rs. 400,000—Studies in India: 5% and Studies abroad: 15%

Source Based on www.sbi.org downloaded as on 31.5.2010

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Institutional Responses to Exclusion and Poverty in Highlands

Mansi Awasthi

Abstract The chapter illuminates the understanding of institutions, how they have been shaped and acted upon opportunities and inequalities in the state of Uttarakhand. The 'spatial turn' in creation of Uttarakhand has reshaped the economic landscape by concentrating the production activities in the three plain districts of the state through the blend of infrastructure, interventions and institutions. It is a sober understanding of process of economic change to account for the diverse performance of two geographically different regions over time by comprehending institutional arrangements in the state-economy interface.

The Place of Institutions in the Economy

The fundamentals of development are open out but the process of economic change calls attention to the common denominator as to how to achieve the development. Theoretical advances and colossal empirical studies have highlighted the importance of the institutional foundation in determining the incentive structure of the society. North (1990) describes institutions as the rules of the game or the constraints devised by humans to structure interaction and reduce uncertainty in an exchange. The institutions shape the actor's cognition about the choices to be made within the framework they operate in and erect an elaborate structure of rules, laws and norms that in turn shape economic performance and incrementally alter the exiting institutions. Granvovetter (2017) defines institutional framework—as the interplay between the perceptions of 'reality' that humans possess and the institutions that they devise to structure the 'reality' that shapes the features of the economy.

The three central elements that need special emphasis for analysing the process of economic change are the scaffolds erected, the policies enacted and the time. The scaffolds are the results of the aggregate political choices along with the formal incentives in the economy and informal constraints of culture, trust, norms and beliefs that make path dependence so important and lock-in effect to operate. The second is

M. Awasthi (✉)
Tata Institute of Social Sciences, Mumbai, India
e-mail: mansi.awasthi@gmail.com

the policies that consist of alterations in the formal rules, informal norms and their enforcement costs. The desired results of crucial policies are achievable only when formal incentives and informal constraints are complementary to the enforcement and expectations of the policymakers. Third, time is an important element because economies are continually changing rather a sudden leap. The process change is the intentionality of the economic and political actors—choices and decisions—that are made in the light of those perceptions with the intent of producing outcomes by reducing uncertainties in pursuit of their goals (North 2005).

The understanding of the interface between state and economy to implement deliberate policies for desirable outcomes and intentions requires reflections from past learning, experiences and cultural traditions. The institutional prescriptions are derived from historical and political development to design the present and future development strategy of the regions. The two important questions for examination here are first, what set of institutions and policies is appropriate for insuring macro-economic stability? Second, the external stimulus presumably triggers the process of change and complementary policy over time but is it towards a positive direction of growth or reverse direction of stagnation path?

The state is a political actor that has distinct 'institutional logics' in structuring the economic organisation that shapes how policymakers think and approach their interactions with other players to lessen the restrictions and exclusion existing therein. These logics are consequential as they are repositories of distinctive capabilities that allow firms and private enterprises in market-enhancing activity (Granovetter 2017). The positive and recognising role of the state creates enabling environment and efficient markets for integration and inclusive territorial development. The way in which government credibility is seen by other actors, for instance, private entrepreneurs is highly robust correlate of economic growth of the region. These 'logics' are connected to respective region's political history and cultural understandings. The histories of different regions of the world differ as each pursues a path that evolves from institutional adjustments and adaptations and demonstrate different path dependencies which results from the way power relationships lock in those regions (North 1990).

The institutional arrangement of an economy has the power to increase or decrease the attractiveness of regions for markets because institutions safeguard interests of entrepreneurs, provide governance arrangements, keep entities away from economic uncertainties and thus shape the behaviour of an economy. The smooth functioning of economic actors (firms and markets) requires institutional framework that guarantees secure property rights for allowing transactions to take place in an orderly manner and pushing productive economic activities (Williamson 1985). On a macro level, the stable macro-economic framework and structural policies (via influencing formal and informal institutions) generate efficient solutions from cooperative market exchange by economising transaction costs and creating new firm-market modes under competitive conditions (North 1990). However, the emerging employment opportunities are strongly dependent on the local economic contexts in which they emerge and integrate in value chains. The interdependence between firms at the local level is dependent on how informal institutions (trust, power, norms and

culture) promote social networks and thereby, local value chains. The relationship of trust and cooperation is absolutely critical in defining and achieving goals and relational embeddedness.

It is important to examine the emerging structures and relations between the regions for inclusive integration as the type and existence of linkages between regions largely depends on the power, policies and politics for mobilising resources. The two or more economies have dependent relationship when some regions expand through self-impetus while others, being in a dependent position, can only expand as a reflection of the expansion of dominant economies which have positive or negative effect on the latter's immediate development. The economic segregation of regions and asymmetric relationships between them is structural in nature and is seen as a product of nuanced forms of institutional interactions.

The chapter examines the institutional arrangements in state-economy interface in fostering industrial agglomerations and thereby, economic growth in the state. The institutions-induced agglomerations, a part of the industrial strategy initiated by the state government, have stimulated the state's economy. The chapter explores the question of to what extent industrial agglomerations, seen as the growth pole for the state, supports the hill economy through production linkages. This requires a detailed discussion on institutions creating spaces of exclusion and inclusion, and restrictions and integration.

The chapter offers how in a particular setting, the menu of institutions that political actors see as relevant creates complex picture of spatial patterns of economic opportunities and inequalities existing therein. It entails a discussion in comparative and historical examined at macro-level in the mountain region of Uttarakhand. The first aspect is to analyse the recent development in the spatial economics of Uttarakhand. What are the forces that explain the notable growth in plain districts of the state? The analysis would go beyond fundamentals of resources, capital, and technology to the role of institutions. The focus is on institutional change and its effect on development performance in the state. The second aspect of the chapter is to discuss the magnitude of spread out effects of industry and service sectors happened in industrial estates in the plain districts of the state through carefully sorting out stylised facts from empirical observations. It investigates whether gains are reaching out to other regions or the swirls of advantages are being limited to plain districts and making hill districts dependent on leading regions. The analysis goes beyond this to understand the changing relations between hill and plain districts of the state through the lens of linkages effect.

Setting the Context

A particular set of institutions induce the economy to take a particular step towards change, which in turn generates a further change of institutions. This process generates further path dependence and the evolution of institutions takes place endogenously in the economy, thereby producing changes in society. The institutions itself

have effects on economic development and on future institutional development. It is important to discuss the choices that make the foundations of economic activity in the state. Each region's political history and traditions are the sources of how state views its policies and their relevance.

Uttarakhand state was formed by carving out of the hilly region of erstwhile Uttar Pradesh state in year 2000. Based on topography, 13 districts of the new Himalayan state can be grouped into two distinct regions that are hills consisting of ten districts and plains consisting of three districts. Subsequent to its formation, the state took deliberate initiatives of adopting industrial policy in year 2003 to promote industrialisation in the narrow belt of plain districts. The last decade has witnessed the emergence of industrial estates in the plain districts which are increasingly being looked upon as independent and dynamic markets. These territorial organisations of production in the plain districts of the state have determined the success of the local economy and also framed the conditions for regional growth.

The 'industrial transformation' was conducive to broad-based economic growth in Uttarakhand. The adoption of series of industrial policies to promote industrialisation in the state in 2002 contributed to linear rise in trend growth rate of gross state domestic product (GSDP), average 13 percent from 2000-01 to 2013-14 (at constant prices of 2004-05). The institutional foundation was created to attract effective manufacturing base and in supplementing marketplace in the newly created state. The strong property rights and contract law with an aim of economising transaction costs of production and exchange and the efficiency of resources use needed for long-term investments was formed along with micro-intervention of market and financial discipline to exploit the industrial opportunities. The state economy was restructured under the premise that the specific rules agreed upon will continue to govern relations and activities of manufacturing sector within the integrated industrial estates of the state. A series of industrial and investment policies were adopted which have concessional package for new units and existing units which have undergone substantial expansion. The aim was to provide a comprehensive fraework to enable a facilitating, investor friendly environment for ensuring rapid and sustainable industrial development.

The contemporary industrial policies contributed to economic growth through increase in labour productivity (real net value added per labour), although the magnitude of sensitivity of capital-labour ratio (an indicator of technology) and productivity is weak. The magnitude of sensitivity is 0.22 at 1 percent taking into consideration year, type of industry and type of organisation as dummy variables in single as well as simultaneous equation models. The surge of manufacturing firms in the state has made the region denser. The strong cooperative inter-firm relationship has been instrumental in building integrality in which each production activity depends on other through trust and tacit knowledge between different stages of the value chain. The network of interdependent small private players has provided greater flexibility and less transaction and monitoring cost, making economies shared by both firms and location.

The analysis of state policy has been carried keeping historical context in place towards the manufacturing enterprises in its formative years 2000–2014. During the

post creation of new Himalayan state, all three plain districts—Dehradun, Haridwar and Udham Singh Nagar (hereafter, USN)—have grown rapidly in terms of growth of establishments and employment. The sector-region-specific growth accompanying the transition from a primarily agrarian to an industrial mix economy, following the adoption of industrial policy, call for the examination of factors that pushed the Uttarakhand economy to a new tangent. The examination of the spatial distribution of economic activities along with the historical analysis of development processes of the state has a time dimension during the course of development because change is a process of time.

It investigates the underlying factors of regional development and inequalities in Uttarakhand since its creation, with an emphasis on the reform period, that is, from year 2003. Adopting a scalar approach to examine changing patterns of regional inequality, it looks for an analysis of state and local factors for a better understanding of Uttarakhand's regional development, meanwhile contributing to the broad debate on geographic exclusion. Two points that need to be highlighted about the study on regional inequality and development are first, geography and history matter. The spatial process varies across time, geographical variation between areas, individual character and meaning of specific places and regions that make a broad difference to political and economic processes to development. Second, an emerging body of literature has argued for the importance of institutions, particularly networks in the development process.

Taking Williamson (1985) interpretation of the new institutional economics from the perspective of the institutional environment, the analysis looks at the dynamics of institutional change, economic performance and geographical divisions in the state of Uttarakhand. Uttarakhand, in spite of being a small and Himalayan state, highlights its potential for development. However, development has predominantly been in the plains, and the hill districts (88% of the state) have been left behind (ICRIER 2008). The emergence of the industrial agglomerations in the plain districts of Uttarakhand has reshaped the economic geography of Uttarakhand state over the past one decade. It has taken a new form all together from agriculture-dependent to mix of industry and service society. The state has made a rapid economic progress, emerging out as fast growing industrial region from a backward agrarian hill economy. It is notable that the growth of manufacturing sector has been significant despite the difficulties of terrain and topography. The districts of Haridwar, Dehradun, and USN and Nainital together contributed more than 50% of the GSDP of the state (Planning Commission 2009). The growth performance of Uttarakhand appeared to fully justify its formation as a separate state (Planning Commission 2009).

The growth in the state was sector-region-specific growth, triggered by the 'place-based' policies. The state government adopted spatially targeted development policies in year 2003 that aimed at fostering economic development particularly in three plain districts—USN, Haridwar and Dehradun where it was geographically possible to trigger industrialisation and bring the state economy at the par of other state economies. These districts have potential to profoundly affect the economic activities of the region along with employment, wages and infrastructure that together pushed the lagging economy to the new tangent of growth. The economic rationale

behind spatial targeting was to provide initiatives towards promoting industrialisation through providing special infrastructure investments, exemptions and strengthening property rights in the targeted districts. These policies were pervasive with primary objective of creating jobs for local people through fostering infrastructural investment that put growth to a higher level.

The announcement of mega industrial and investment policy in 2003 had put in place the regulatory framework for Uttarakhand's industrialisation for tapping the private resources. State Infrastructural & Industrial Development Corporation of Uttarakhand Limited (SIIDCUL), a government of Uttarakhand enterprise established in 2002, took up the role of nodal agency for promoting industrial development in the state. Uttarakhand has demonstrated robust growth on a sustained basis; it recorded double-digit growth aftermath policy formulation. There has been a clear shift in the sector-wise contribution to the GSDP growth of Uttarakhand. Unlike, the period prior to 1999–2000, most of the recent growth has come from secondary and the services sectors (Planning Commission 2009). A shrinking secondary sector during the late 1990s has now become a significant contributor to the economy of the state, contributing to the extent of 31–50% of the growth during 2001–2004 (Planning Commission 2009). Uttarakhand has an advantage of having more contribution coming from the registered sector rather than unregistered sector. Thus, organised sector, which provides stable employment, is performing better in Uttarakhand (Planning Commission 2009). It is the result of the recent policy initiatives by the central government, whereby the special category status states have been granted 10-year holiday for excise collection to new units and expansion programmes.

The small state of Uttarakhand has made great strides in manufacturing since its inception in November 2000. The sector registered an average annual growth rate of 22.34% over 2004–05 and 2013–14 (Directorate of Economics and Statistics 2014). The number of small and medium industries in the year 2000 was 14,163, which increased to 39,160 in the year 2011 (State Planning Commission 2013). Similarly, the number of large-scale industries increased to 215 in 2011 from 41 in 2000 (State Planning Commission 2013). Subsequent to the formulation and implementation of industrial policies, the total employment increased from 67,600 to more than 2.5 lakhs during the same period. The key sectors in the state include automobile and auto components, electrical and electronics, pharmaceuticals, fast moving consumer goods, and food and beverages processing industries.

The agglomeration of economic activities that had happened in this region of Uttarakhand is because of the embeddedness of local factors and special package for industrial development. The degree of intersection of these factors has instituted the agglomerative forces in the region. The centripetal forces—fiscal benefits and business environment comprising of access to and cost of utilities, readily available land, natural resources, availability of railway networks and road, and others are among the main factors for generating economic agglomerations that attracted up plethora of business opportunities. This has helped to build large networks of trade relations by significantly reducing the transportation and trade costs, subsequently making the region more specialised and dense. As agglomeration forces dominated,

it triggered a mechanism of 'circular causation' which basically constituted self-reinforcing dynamics in the economy (Krugman 1991).

Some insights on integration and value chain from field work carried out in integrated industrial estates in the state are sketched. The local linkages within and outside the respective industrial clusters are found in all the industries. However, the extent of dependency varies across industries. The linkages have contributed significantly to industrial upgrading through externalities and increasing returns to scale brought by clustering of firms along the supply chain. The industry wise illustrations provide the inter-relatedness between suppliers and manufacturers from a network perspective. A multinational food company has setup its 25-acre multiple line and one location mega factory in 2006 in integrated industrial estate in Pantnagar that continues to grow with sustainable relationships with their vendors through supplier engagements. It procures the raw materials from neighbouring companies in the larger location raising income levels of all stakeholders through value chain. It is adding scale to manufacturing through better operation costs and lower procurement costs from fiscal benefits, capital subsidy, cheaper electricity rates, proximity to markets and land lease for 99 years. It is enriching livelihoods by creating direct employment for 970 people. It chose a pollution-free and serene atmosphere in Himalayan foothills to set up its factory because water quality matters a lot for their food and snacks products like, noodles, pasta, and baby food products. A food processing company has setup a 120-crore plant in 2007 in the same location to provide precooked maize starch to key food industry verticals. Likewise, a spice company outside the integrated industrial estates provides trusted ingredients, spices, flavours and seasoning to multinational food and beverage companies in the integrated industrial estate. Both have been working together with local farmers in the plantation of vegetables and herbs in the application in dry soup mixes, frozen entrees and seasoning blends in and around foothill region. The technical inputs from G. B. Pant University of Agriculture and Technology, in-house facility for quality parameters, training and demonstrations, and high-quality seeds are provided to the farmers for sustainable backward integration and processing. They are supporting farmers through 100% buyback of the produce on mutually agreed terms to ensure the supply is socially sustainable.

An ayurvedic consumer product manufacturer develops and supply seeds and seedlings to local farmers at free of cost to enhance their livelihoods and protect endangered species of herbs and plants. The agro-climatic conditions of the hills and foothills in the state favour the horticulture-based industries. It promotes contract-farming projects involving 192 farmers in captive-cultivation in 154 acres. The automated greenhouse was established in Uttarakhand to grow medicinal and aromatic plants for its ayurvedic products. The food industry is closely linked with the development of upstream industries that supply raw materials like farming and those industries that provide intermediate goods for final produce. Agricultural products supplies the major raw ingredients of the food industry, and these products increase the value added through the food industry. '*We procure raw materials like parsley, dill, leak, spring onions, cabbage, carrots and others by expanding transaction volume through farmers' alliance and develop processed food products for stable produc-*

tion of processed foods by a multinational food company. The seeds are provided to farmers by the multinational company through us. The farmers have benefited from the contract farming in the sense earlier they used to grow potatoes and onions which can be grown twice a year and the length of time from planting to harvesting is much less in case of herbs and spices that gives three- four rounds of harvesting, resulting in more income…' quotes a dehydrated vegetable and herbs manufacturer.

An Indian multinational automotive manufacturing company acquired 900 acres of land itself and 300 acres for its 19 vendors in integrated industrial estate of Pantnagar. The integrated auto complex received exemptions from excise duty and corporate income tax along with subsidy on their capital investment. The plant is supplemented by neighbourhood facilities put by the key vendors, boosting employment opportunities. It alone provides livelihood to 5200 people. Automobile industry faces a trade-off between raw materials, and fiscal and infrastructural benefits. Absence of raw materials and transport costs to plants and final product to markets fall much behind the cost of production, which has resulted in making the state a virtual auto hub. Another automotive company spread in 199 acres and providing jobs to 4532 employees, has opened a 'learn and earn' training centre. It offers 2 years certificate programme followed by 2 years diploma in manufacturing technology with an annual intake of over 1200 students who are later absorbed in its plant.   A motorcycle and scooter manufacturer has fully equipped training centre providing technical and other training for staff in 600-crore plant in Haridwar. In line with labour policy of state, the above-mentioned companies provide well above 75% employments to locals of Uttarakhand state. A moulded and extruded rubber and plastics parts of automotive OEM cites '*OEMs are preferred partners to parent companies… former chooses to be in adjacent areas which helps in client engagement from concept to completion stage*'. Similarly, a silencer and exhaust maker notes '*the linkages linked to proximity helps to achieve just in time approach…*'. A commercial vehicle manufacturer points '*linkages between OEMs helps in preventing interface loses between parent company and suppliers. This gives an opportunity to align in terms of skill, quality, price, product, delivery and flexibility.*'

Emerging Economic Divide in the State

The three main features generating constraints in mountain areas, namely, inaccessibility, fragility and marginality, that lead to subsistence production systems in the mountains. This blocks the possibilities of mechanisms facilitating specialisation of production, generating enough for market exchange to facilitate economic transformation with the help of value-addition (Banskota 2000). Uttarakhand has been characterised by skewed growth in establishments and employment across hill and plain districts over the years during the post creation period. The income estimates are further analysed at the district level, which is one of the most important barometers to measure economic growth of two geographically different regions. The average annual growth of district income and per capita income are higher in plain districts

than hill districts. The district domestic product in three plain districts grew at 19.15 percent approximately as against 16.29 percent in ten hill districts at current prices during the same period (at constant prices, 2004-05). The larger share of growth in establishments and employments has had happened in the three plain districts of Uttarakhand during 2005–2013, where the industrial estates were established. The growth rate in number of establishments and employment in sixth economic census (2013) over fifth economic census (2005) in Uttarakhand was 26.1 and 57.1%, respectively (Directorate of Economics and Statistics 2014).

There are 4.02 lakh establishments in the state engaged in different economic activities (other than crop production, plantation, public administration, defence and compulsory social security services). The top five districts were Haridwar, USN, Dehradun, Nainital and Almora, together accounting for about 69.55% of the total number of establishments in the state (Directorate of Economics and Statistics 2014). There are about 44,242 establishments (11%) of the total number of establishment, which are found to be operating from outside household without fixed structure in the state. The major five districts having such type of establishments are Haridwar, USN, Dehradun, Nainital and Champawat. They cover about 75.65% of the total number of establishments operating from outside households without fixed structure in the state (Directorate of Economics and Statistics 2014). The five districts, Haridwar, USN, Dehradun, Nainital and Almora, have the combined share of about 77% of total employment at the state level (Directorate of Economics and Statistics 2014). The top five districts where growth in total employment has been observed are in Haridwar (95.2%), USN (94.1%), Dehradun (71.3%), Pauri Garhwal (43.7%) and Bageshwar (43.0%) in the same period (Directorate of Economics and Statistics 2014)

The implication of lopsided growth is the socio-economic issue of migration. Migration is not a new phenomenon in the mountains of Uttarakhand. It reached a peak in the 1980s and fuelled the demand for a separate state, which everyone hoped would lead to economic growth and check migration. But census data and other recent reports show that the rate of migration from the hilly areas of the state has increased after it was formed in 2000. Unlike the inter-state migration in later decades of twentieth century, now it has transformed into intra-state from rural areas in hill districts to urban centres in the plain districts. The destination of migrants has changed from outside the state to the foothills of the state. The phenomenon has turned into a self-propagating cycle. The migration leads to abandonment of villages which causes degradation of land, makes villages unliveable and further fuels migration.

The severity of the situation can be measured from the fact that 9% of the villages of the state are virtually uninhabited. As per Census 2011, of Uttarakhand's 16,793 villages, 1053 have no inhabitants and another 405 have a population of less than ten. The number of such ghost villages has reportedly risen particularly after the incidents of natural calamities. The hill population have become discontented, mobilising its grievances around the question of exclusion and unequal access to resources and opportunities. The modalities of grievances are rooted in economic inequalities, centred around competition of over resources between two regions. The uneven nature of development practices, the dominance of corporate interests over common

man interest, the unequal access to opportunities and feeling of alienation, too much focus on specific pockets of region are the symptoms of exclusion and denial of opportunities. The evils associated with economic inequalities, backwardness and unequal distribution of resources mark most grievances in the hill districts.

Understanding potential (dis)advantages of labour migration in space and time for the sustainable economic development requires the study of causes, characteristics, opportunities and risks of migration. The economic impacts of migration should be taken into account in the context of value-chain promotion (as human resource) in the plain districts. But the sustainable economic development in the state would happen when appropriate linkages are created to integrate farmer-producers into the market; otherwise, the risk of hills losing its inhabitants would be high than the potential opportunities. If economic prosperity is largely being limited to the three districts in the plains, then the role of hills would be limited to supplying labour. And lopsided development, rather than a complete lack of development, would be blamed for the failure in stemming the outflow.

The rationale of separating hill districts to form a new state from its motherland, Uttar Pradesh was long-felt neglection by the erstwhile state government towards isolated hilly region along with cultural, social and economic distinctiveness. The long-term performance of the economy can be seen at both macro- and micro-levels. The creation of a new state connotes a fundamental change in the state's mode of involvement, in its institutional configuration and in the institutional tools and polices that shaped and regulated the economic processes and relations. The state is an active participant through its regulatory agencies and institutions that coordinate the processes of market and institutional functioning and help to develop organisational and technological capabilities that support the inception of new activities in the economy that results in changes in the structure of the economy. The institutional arrangements (both formal and informal) have had an influential role in the shaping of industrial dynamics and adapting behaviour of organisations in the state.

The discussion on exclusion and inclusion, and restrictions and integrality in an effort to better understand the dynamics and performance of the economy requires a firm cognition of underlying determinants of economic growth, that is, political and economic institutions. The state's deliberate initiatives of radical changes have resulted in the fundamental structural changes in the state economy and rapid growth in last one decade. The emergence of industrial estates in the three low-lying districts is the chief reason for pushing economic growth to a higher level for the whole state. Looking through the lens of institutions and evolutionary approach of economic change, the interactive process of institutional change and the development of industrial clusters, which pulled the state economy and shaped the economy of the plain districts has triggered a second generation of inequalities of employment, production, distribution and migration across two geographically different regions.

The post-state development process was accompanied by regional imbalances across two topographically different regions. The district development product for plain and hill districts was 115 and 75, respectively, during 2009–10, assuming state average as 100 (State Planning Commission 2013). Industrialisation of plains is not a matter of dispute: it seems quite obvious that industrial regions should continue

to industrialise. The concern lies in the spreading out effects of industrial progress that started at the plain districts. If the swirls of advantages are not dispersed to surrounding regions and sectors, then there is a possibility of creating dependency of lagged regions (i.e. hill districts) on leading ones (i.e. plain districts). The central question revolves around the extent of vertical integration of processing of natural, agricultural and rural resources with industries and to what extent these industries have created linkages with other sellers and suppliers. The backward and forward spatial linkages in the value chain of firms are the potent mechanism to highlight inclusive spatial and sectoral integration while reducing poverty and the loss of human resources.

It is crucial for mountain communities to continuously identify 'changing economic opportunities' to prepare themselves to adjust to the rapid expansion of the wider market economy in line with their comparative advantages. At the same time, it is important to evolve appropriate regulating mechanisms and institutions for guiding investments, avoiding negative external effects, and compensating for displacement and resource degradation. Intervention mechanisms should emphasise greater value addition to products from mountain areas. In addition, effective supportive structures and institutions (e.g. availability of credit for small producers) are needed to strengthen production and marketing of niche-based products of mountain areas. The mountain communities will need to foster cooperation among themselves, creating horizontal synergy.

A Perspective on Integrated Mountain Development

Development is nonlinear at any geographic scale. Growth comes earlier to some other places than others. The World Development Report puts forward the ingredient of reshaping economic geography (World Bank 2009). It focusses on how government and market together determines the speed and sustainability of geographical transformation. For places where integration is hardest for social, political and geographical reasons, strong infrastructures that connect places and potent interventions that targets convergence requires marked attention.

Geography and history make differences to the spatial transformation. Uttarakhand landscape is characterised by long distance and high divisions in which integration becomes physically challenged. One of the principal concerns expressed in the discourse on highland–lowland linkages so far was that mountain communities were in a disadvantaged position because of the 'unequal economic exchange' with the plains (constraints imposed by relatively high degrees of inaccessibility, fragility, marginality and even diversity). The continuous outflow of resources from the mountain areas with little value added has put mountains at the disadvantaged position. Deprivation as a result of external linkages based on unequal exchange is a part of the wider dynamics of highland–lowland economic linkages. No doubt, increased physical integration and opening up of mountain areas to markets in the plains in recent decades has helped the mountain areas in several ways, although their share in the

252 M. Awasthi

gains associated with trade and exchange has been disproportionately low. The flow of resources, products and services between the two is characterised in terms of trade unfavourable to the highlands. The state was created with an objective of development of hills and integration with markets was the answer. The government-tailored policies for efficient land use, stable economic environment and infrastructures were put in places to attract firms through incentives that decided the pace of prosperity for the state.

Uttarakhand's mountain ecosystems have always played a critical role in maintaining a sustainable flow of resources to the plains, in particular hydroelectricity, farm products, natural resources, etc. The advent of new technologies and development pressures, the magnitude of resource outflows has increased significantly. At this rate, natural assets would make mountain communities increasingly peripheral and insignificant. The macroeconomic indicators increasingly suggest that high investment policies have ended up lopsided growth in favour of plain districts and marginalisation of mountain communities. The divisive issue is the degree to which mountain economies are integrated with regional industrial development. The highly unequal terms of trade, in the context of recent changes, has further pushed intrastate out-migration (unlike, interstate migration before the creation of the state). The resources and income withdrawn from the mountains without giving back (timber and hydropower in common) with tremendous cost on displacement has a disinheritance impact on the people. The equity implications of industrial development have not been seriously considered by the policymakers. The sustainable development requires to identify mechanisms that can be employed to pay for maintaining sustainable flows of mountain resources. The efforts in bringing add-ons to the existing institutions has to be effective in balancing the downward flow of resources with an ultimate goal to increase investment this time in uplands, thereby contributing to more holistic development of the state. The compensation for resources outflow can be provided through greater production linkages for sharing benefits through the principle of equity. An aggressive integration of industries with hill economy is required to economically support the livelihoods in uplands through employability engagement by means of sprawling of micro, small and medium environmentally friendly industries to uplands. In addition, it will function as a usage fee for using natural resources, hydropower, timber and others.

The three plain districts because of their location and being a geographically suited area have a natural geographical advantage. The two-region analysis shows that plain districts became richer and denser in economic concentration. The concentration happened quickly and steadily with the presence of the big private players seeking scale economies through manufacturing clusters. The economies of scale are not shared only by firms in the same industry and location, but also by producers in the larger area. The well-executed policies have to speed up these spatial and sectoral (agrarian with industrial) transformations. The wider market forces of agglomeration, migration and specialisation harnessed the changes in the economic landscape of the region. The economic and social effects of changing economic geography are reflected on the economic density and rising densities of human settlements and migration of workers.

Physical geography explained the initial difference and variations in economic outcomes. The geographical divisions between hill and plain districts were thick and strong but it apparently did not lessen with good policies that brought prosperity at plain districts. The purpose of pushing hills to a higher tangent remained unsuccessful and unfulfilled. Rather with development, people and production concentrated in plain districts brought negative outcomes and geographical isolation of hills. The integration strategy did not do well on reducing economic distance between hill and plain districts. The answer to weak integrations lies in the intra-industry trade: trade in 'intermediate inputs' of production. The inspired transport facilities and aggressive specialisation and promotion of primary products along with balanced institutional reforms are potent mechanism for economic and regional integration between 'lagging' hill districts and 'leading' plain districts. The overemphasis on place-based interventions and policies to bring rapid and sustainable development has ill effects of pronounced bumpiness that isolates areas from markets and holistic territorial development. The upscaling of state through economic production and factor mobility in pockets has raised concerns and apprehension of restricted development.

The expansion of market activities through encouragement of capital and technological investment would produce mutual enhancing outcomes for uplands as well as lowlands. An institutional analysis is much needed, apart from policy perspective, for a process of regional convergence in productivity levels that head towards containing the regional inequalities in the long run. The analytical perspective will be obviously beneficial to the formulation of developmental interventions for reduction of regional disparities. Beyond any doubt, strategies focussing on enhancing productivity in the lagging regions, rather than on simple transfers of resources to plain districts, offer a balanced potential. From an analytical perspective, the regional convergence in productivity can be sought through institutional configuration that encourages environment conducive technological diffusion for market integration between regions. A full potential of capital flow or technological advances can be realised only when place-specific institutional engineering are broadly applied. The state has to make sure that the institutional arrangements diffuse the fruits of concoction of capital and technology across the whole regional productive spectrum.

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