Good Governance and Human Rights: A South Asian Perspective

Dr B. L. Meena
Assistant Professor, Department of Political Science,
Sri Aurobindo College,
University of Delhi, New Delhi,

Abstract

South Asia has been undergoing a move to more democratic forms of governance over the last two decades. South Asia has long been a neglected area of study, primarily because it has been a region of great deficiency, poverty and sadness, apparently far from the mainstream of international arena. This Region is also known as one of the most misgoverned areas of the world. In recent years, however, the trend of democratization has swept away some of the military/authoritarian and traditional polities in the region. This change together with the common ethnic conflicts and violence which have determined almost every country of the region and the emergence of India as a country moving towards a speedy economic and industrial growth amongst other countries of South Asia. South Asian countries have adopted some major reforms in governance during the recent two decades. This paper establishes the importance of public management as an essential tool in the process. A global governance structure based on transparent principles of both economic efficiency and social justice is shown to be a desirable state of affairs; however, the present cracked process of globalization is more likely to end up in regionalism or even national protectionism and competition. Multilateral co-operation on the basis of the framework progressive here is an urgent necessity. This paper focuses on both the positive and normative analysis of Good Governance and Human Rights. The paper aims to discuss some of the important challenges faced by the South Asian countries in revamping their Good Governance, administrative systems and Human Rights in order to discern the emerging perspective of good governance in South Asia as different from its Western concept.

Key words: Governance, Administrative systems, Human Rights and Globalisation

Introduction

South Asia continues to grow rapidly and its largest economy, India, is close to becoming a 'Tiger'. This is a remarkable transformation of a region where countries have been infamously dubbed as a 'basket case'. South Asia, which includes eight countries Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka was known for conflict, violence and widespread and extreme poverty. In the 1950s, when most South Asian countries gained their independence from the colonial masters, the political leadership in the

region was motivated by the idealism of balanced growth, commanding heights of the public sector, labour intensive and low technology production, and self-sufficiency. South Asia adopted import substitution growth strategies with heavy trade protection, curbed the growth of private firms and introduced restrictive labour laws to protect workers. After some 30 years, the outcome of these policies turned out to be very different from what the leadership had in mind. South Asia delivered sluggish growth, continued dependence on low-productivity agriculture, low levels of industrialization, weak export performance and inadequate creation of good jobs. Much of the labour force was engaged in low-income activities in agriculture and informal services and around 45 per cent of the population lived below the poverty line. It grew at a feeble growth rate of 3.7 per cent per annum popularly known as the 'Hindu' rate of growth in India between 1960 and 1980. Destiny changed in the 1980s. South Asia adopted pro-growth policies. It opened up markets, replaced the public sector with the private sector as the engine of growth, increased competition, and improved economic management (Ahmed 2006). South Asia averaged an annual gross domestic product (GDP) growth rate of around 5.7 per cent during 1980–2000, which further accelerated] to 6.5 per cent during 2000–2007. It is now the second fastest growing region in the world, after East Asia. Growth rates in South Asia and East Asia appear to be converging. In 2007 India experienced a GDP growth of 9 per cent, close to that of China.

Other South Asian countries like Bangladesh, Pakistan, and Sri Lanka experienced a growth rate of 6.5 per cent. Private investment has boomed, supported by rising national saving rates in South Asia. It now attracts global attention because of rapid growth, global outsourcing, and skill-intensive service exports. Its two key asset, demography and geography, have not yet been fully utilized. It has a young labour force. More workers will join the labour force over the coming decades. Though the small size of the manufacturing sector has prevented the region from converting demographic dividend into a window of opportunity, the large and potentially competitive labour force could be the catalyst that could attract regional and global production centres to be located in South Asia, as firms move in response to wage differences, and globalization benefits low-income countries.4 South Asia's geography also has the potential to accelerate growth. It has the highest population density in the world, and the second largest proportion of population living in the border areas after Europe. High population density and better access to markets can benefit growth by allowing South Asian firms to take advantage of agglomeration economies. However, poor connective infrastructure, low mobility, and conflict have prevented the region from taking advantage of its geography and spatial characteristics.

The new mode of governance is allegedly based on neoliberal assumptions such as free market, minimal state, and individual choice, and has led to the emergence of the so-called ''new public management'' dominated by business principles. In line with such a global trend, in developing countries, the state entered model of development administration has gradually been replaced with this market-driven model of governance borrowed largely from advanced capitalist nations. the nature of this state- citizen relationship is a critical factor

in shaping the role of public governance, it is crucial to examine the citizenship question in the new context of governance mentioned above. It is relevant, because as the public sector is being downsized, privatized, and deregulated in favour of market forces and individual choices, the entitlement of citizens to social justice and basic needs has come under challenge. In addition, as the citizens are redefined as utilitarian consumers or clients, their capacity to exercise collective power has allegedly weakened. Thus, there is an increasing concern to reinforce citizenship in public governance, enhance citizen's empowerment, and adopt a ''citizen first'' approach.

In South Asia, most countries have adopted this market centred model, especially through structural adjustment programs that tend to blame the public sector's inefficiency, favour market competition, and prescribe premarket policies. The rationale for this reinvention in public governance is to enhance performance by increasing the level of efficiency and economic growth.

South Asia and Governance

Etymologically "governance can be traced back to the Greek verb kubernan and was used by Plato with regard to the designing of a system of rule" (Kjaer, 2004: 3). In simple word, Governance is the preservation of prescribed and unofficial political set of laws of the game. It refers to those actions that engross setting the rules for the implementation of power and resolving differences over such rules (Hyden, 1999: 185). But the new use of governance does not highlight state actors and institutions as the single applicable institutions and actors in the authoritative share of ideals (Easten, 1965). "Every part of them, to some level, emphasize on the role of networks in the quest of universal aspirations; these networks could be inter-governmental or inter-organizational (Rhodes, 1997a: 15); they could be trans-national (Rosenau, 1995: 13) or they may perhaps be networks of conviction and reciprocity crossing the state-society divide" (Hyden, 1999: 185).

Governance theory is largely accompanied by institutional transformation and it occupies human group. This presumption therefore establishes a component of change which is often missing in institutionalism. Ideally, governance merges rule-structures with agency. From an institutional standpoint, governance is about touching 'the frameworks within which citizens and officials proceeds and politics transpire, and which contour the distinctiveness and institutions of civil society (March & Olsen, 1995: 6). A wide-ranging institutional classification would hence denote governance as "the setting of rules, the appliance of rules and the enforcement of rules" (Feeny, 1993: 172). Dwivedi (2007: 170) states that "Good" is a value-laden expression which entails a contrast between two things or methods by using some standard of measure. A government or a system of governance is thought to be good if it reveals certain basic characteristics recommended by the United Nations Development Programme (UNDP), which puts forward the most comprehensive definition and

an idealistic model of good governance and i-e; Good governance is, among other things, participatory, transparent and accountable.

Good governance was launched on the agenda by the World Bank (1989) since it necessitated explicating why a number of countries remained unsuccessful to build up, regardless of the reality that they had adopted the Neo-Liberal Adjustment policies imposed on them by the International Monetary Fund (IMF) and World Bank. The response was 'bad governance', implicit as self-serving public officials and corruption in the public service (Moore, 1993: 60). Thus the recipe for the developing countries was to increase transparency and accountability in the public sector. The overall model to be 'transferred 'was one of expenditure, reduction, privatization and public sector reform, i-e; not only less, but also better government (Kjaer, 2004: 139). Still, governance is an uncomplicated notion fundamentally, 'good governance is good government'.

Governance in weak states is often considered as an uphill task. Economic governance in these states is about managing institutions that have often developed in such a way that they constitute obstacles to development and they may be difficult to change for states is very different from that of the developed economies (Kjaer, 2004: 140). About 50 years back, the political economists started to presage countries in the developing world, that were initiating the practice of 'premeditated development', that soaring rates of growth can, indeed, frequently carry out and generate societal apprehensions which cannot be immersed by feeble political systems.

As an analytical concept, the governance was introduced as an extension of the institutionalist approach to democratization. The governance concept is relevant to a wider range of regime types than that of democracy because it shifts the attention away from a pre-defined set of ideal institutions towards examining the ways in which legitimacy for the public realm is affected (Hyden, 1992). The governance in democratization theory is accordingly, in a sense, Meta-policy- making; it talks about the setting of rules that steer rule-making (Hyden, 1999: 2002). Securing peace and ending armed conflict and indiscriminate acts of violence against civilians present significant challenges to peace and the protection of human rights in South Asia and around the world. Central to an effective response to this challenge is to understand how public discourse, especially within the media, can be steered towards enabling a more transparent, well-informed policy response with positive human rights outcomes. A discussion that critically reflects on the South Asian scenario is timely and pertinent, given contemporary South Asian realities: the post- conflict situation in Sri Lanka; insurgencies in Jammu and Kashmir and the North East of India; the turmoil in Pakistan over the blasphemy law and other issues; the political tensions in Nepal; and the struggle in Bangladesh to deepen democracy. All of this is happening in a context where the media has become increasingly commercialised and simultaneously subject to state controls of various kinds.

Characteristics of Good Governance

Good governance is composed of the following components;

(a) Public involvement

(b) Conformity to law

(c) Transparency

(d) Receptiveness

(e) Harmony among diverse and conflicting interests

(f) Impartiality guaranteed to all individuals

(g)Effectual, well-organized, conscientious and responsible public institutions and the statecraft

(h)Strategic revelation of the leaders towards wide range long-standing perceptions on sustainable human growth;

Measures to Evaluate Governance Situation

There are following six major measures to evaluate the situation of governance

1. Degree of denial

2. Representative character of institutions

3. Stage of decentralization of governing bodies

4. Recognition of primary and fundamental rights

5. Security of life and liberty

6. Uneven development and access to services and increasing income disparities

Good Governance- A South Asian Perspective

South Asian countries share a common history of colonial dominance under the British Raj (Brass, 2010: 1), though Nepal and Bhutan have not been proper colonies and Afghanistan too is an exception. Apart from that, these nations differ in terms of geography, territorial and population size, religion, culture and language (Haque, 2003: 943). The political governance has also been entirely different in all these countries.

South Asia has a literally fine track evidence of democratic institutions, however history divulges that the democracy cherished by people in their particular countries has not added a great deal to change and is not at all encouraging to the wellbeing of the people. It is even more pathetic to know that hundreds of billions of dollars given by international donors as aid to the poor has been unsuccessful to attain the target population except in

trickle and had produced instead, an erroneous group of beneficiaries. South Asia is in front of a calamity in governance that, if left unrestricted, can close down the region's democratic growth and the economic social comfort of it's heaving millions. Approximately all South Asian countries face prevalent corruption, social segregation and ineffective/non pro-people bureaucracies, which hamper all programs of progress together with efforts for a vigorous and advantageous open planet. For instance, Bangladesh's state-owned telephone company for a decade is putting off the laying of optical fibre network to form a global Internet doorway for the country fearing loss of income. The economic liberalization and globalization have added to an additional increase in income disparities, whereby the more advantaged groups have enjoyed the fruits of development by controlling the partial resources. The rule of law in South Asia is extensively overlooked and diluted with regard to the economic rights and egalitarianism for all, regardless of the fact that SAARC member states are signatories of international mechanism. Lawlessness plays a prevailing role in endorsing bad governance in most South Asian countries.

Three-Stage Process of South Asian Governance South Asian mis governance could be defined in a three-stage process:

(1) Corrupt governments exploit the majority through deceptive measures like distorted electoral process, misinformation, manipulation and blackmail.

(2) Majority is deprived of political power and fundamental rights through denial of adequate access to resources.

(3) Disillusionment of the majority after falling into a state of helplessness.

Human Rights in South Asia

The Kathmandu Roundtable on Conflict, the Media and Human Rights in South Asia (jointly organised by the International he Kathmandu Roundtable on Conflict, the Media and Human Rights in South Asia (jointly organised by the International Council on Human Rights Policy, the Centre for Media and Cultural Studies of the Tata Institute of Social Sciences and Panos South Asia) brought together senior media professionals, social scientists, peace and human rights advocates, and security analysts (see Appendix A) to consider how conflict, peace and human rights questions are discussed in the public domain, especially in the media, in South Asia. The Roundtable was held in Kathmandu on 20 and 21 November 2010.

The Roundtable was intended to strengthen ongoing efforts towards developing a more layered representation of internal conflicts in South Asia, so as to include human rights concerns. The discussions were aimed at developing a better understanding of the nature of the state, media and civil society interactions and dynamics in the region, which have such a significant impact on public discourse and policy. Hence, in addition to

analysing and questioning the dominant vocabularies within the media on contemporary conflicts in the region, the Roundtable also intended to enable consideration of working towards a plural media that reflects the diverse positions on these conflicts.

This report presents, succinctly, some of the most important issues and questions discussed at the Roundtable. While it broadly reflects the structure of the agenda, it is not a detailed record of discussions at the Roundtable. On the contrary, it focuses on some of the most important broad themes of the discussion and seeks to present important insights emerging from the discussions relevant to these themes. The report also includes brief contributions from some of the participants on specific issues. At the outset, it might help to clarify the perspectives that framed the Roundtable discussions in considering the place of the media in the construction of the discourse on conflict in South Asia. The media is not an institution that mirrors a given reality 'out there'; if that were the case then the kind of questions one would ask would be different – for example, objectivity and reliability would be an important focus. Rather, in this Roundtable, the focus was on critically examining how the media imagines specific versions of reality, within given and dynamic relations of power and resistance. Such

a perspective underlines the need to understand what are the exclusions, the taken for granted terms of debate, the unspoken and unquestioned premises, the 'normal' space from which the media gazes at the world of conflict. This perspective eschews an assessment of how true to reality the media are; rather, it seeks to map the ways in which the media both reproduces and questions the dominant framings of conflict.

Current Economic Situation in South Asia

In order to understand the system of governance in South Asia, one need to understand how it developed historically and what were the normative sources for its present state of affairs. What is most characteristic of South Asian governance is extreme centralization of the authority, personalized leadership, and patriarchy that have great implications for the system of governance from policy making to interpersonal relationships. The transformation might well function as a considerable aspect in spiralling the region's economies, however, there is a dire need that the policies are at right position in order to guarantee the pervasive prolific employment and in this regard, the factors absolutely distant from demographics might play an influential role. The Economic forecasts cannot be made easily, since they bank on a much wider range of factors. Nevertheless, the impending demographic shifts present most of South Asia an opening to gain from a demographic dividend. Policies that effectively endorse prolific employment are indispensable if this surplus is to be recognized. Other factors are prone to play even bigger roles in shaping the region's economic future, nevertheless, making an effort to take benefit of the demographically obsessed prospect is a prudent shift, particularly for the reason that increasing

work chances and enhancing the population's health and education are favourable in their own right and would be good policy choices even in the absence of a demographic spur.

A Human Development Commission (HDC) Report states that "South Asia is one of the most poorly administrated regions across the globe, with the omission of an unvoiced majority, unbalanced political regimes and deprived financial administration. The system of governance has become impassive and immaterial to the needs and apprehensions of the masses" (Masud, 1999). Therefore, "there is substantial demographic and interrelated economic heterogeneity both across countries and within them in South Asia. That heterogeneity has been and will prolong to be a dominant driver of economic disparity. In addition, one might project that the lack of common conditions advocates that South Asian leaders will persist to voice broadly contrasting interests. This creates a challenge to South Asia's coherence as an economic and political power" (Bloom & Rosenberg, 2011).

In modern years, there is an promising agreement among progress and development economists that good governance and sound institutions are a precondition for persistent expansion in living standards. Nevertheless evaluating governance creates numerous troubles. This is a very large subject and there is no consensus on either of the indicators or modes of gauging governance. There has also been disparity over who is best positioned to offer insights on the worth of governance in a particular country and how to compare it with other countries? The problems associated with governance measurement are well summarized by Court et al (2002) as "Measuring issues of governance poses challenges that are not encountered in the economic and social development fields. It is very difficult to find and agree upon the indicators of a political macro phenomenon like governance. There exists no regular, systematic and cohesive data on the concept of governance. There is very little objective data for many countries and even less that is comparative in a meaningful way".

Historically, the practice and concept of governance and public administration have strong basis in South Asia. From the time of Kautilya to the reign of Mughal emperors and to the British Raj, public administration and governance have had different connotations leading to different organizations forms and functions, administrative structure, nature of authority, and political systems. The period before the advent of the British rule was the rule of kings. The colonization of most of South Asia by the British ushered a new dimension of governance.

Conclusion

The governance structure of any country is composed of judiciary, executive and legislature. If the entrée to the institutions of governance for its general public is hard, protracted and pricey, then the remunerations from

development are disseminated haphazardly as only those who enjoy privileged access to these institutions get the real benefit. Good governance in the context of South Asia must go beyond 'good' politics or even the development of a 'decent' society. It should facilitate the government, civil society as well as the private sectors to improve their social developments an economical growth to make them the means of greater human progression and improved levels of human wellbeing. Globalizations has leveled the playing field in international trade, created equal opportunity for all, and brought unexpected prosperity to many poor countries. However, it is only an opportunity for new prosperity—not a guarantee. It requires astute planning, determined action, and a bit of luck for a country to find its unique offering to the world. Only then would it be able to exchange its unique goods, services, and talents to buy the necessities and luxuries it needs to better the lives of its citizens. The case of Sri Lanka illustrates the challenges of globalization for industries that based their feasibility and prosperity on artificial protections and privileges afforded to them by past trade regimes in contrast with those based on their natural distinctive strengths a situation typical of many Asian countries.

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