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Power to the People?

(Con-)Tested Civil Society in Search of Democracy

Edited by Heidi Moksnes and Mia Melin

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Uppsala Centre for Sustainable Development
Villavägen 16
752 36 Uppsala Sweden
www.csduppsala.uu.se

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Civil society and democratic change in Asia

Nandini Sundar

This article is divided into two sections. The first part maps civil society in Asia, exploring the range of non-governmental actors which exist, and which contribute to the struggle for democratic change or obstruct it. While civil society is a useful locus to explore this contest, given that it is internally divided, we need to analyse constituent elements separately for their relationship to the state, and for their democratic potential. The state is not a neutral actor, standing high above these contending agencies, but actively intervenes in the very constitution of these agencies as well as in social movements. We must keep in mind too, that sometimes progressive states may falter before regressive societies, ie the locus of democratic change must be looked for not only in civil society but also in the state. The second half of the article focuses on India, attempting to show, through one particular case study, the prospects and problems for democracy.

Part I: Mapping civil society in Asia

The term 'civil society' has been defined in several ways: the most common understanding is of civil society as an intermediate sphere between individual/family and state, though the exact ingredients of this sphere vary (see Kumar 1993; Calhoun 1993; Chandoke 1995). For Hegel, for instance, the bureaucracy and corporations were part of civil society as against the ethical state. A political economy approach locates civil society in the sphere of property and thereby class, as against the claimed universalism of citizenship in the political sphere (Marx 1977). For Tocqueville, civil society was a space of voluntary association which replaced primordial community; properly speaking, it was the base for political society, defined as government of the people (see Kumar 1993). For Gramsci, civil society

was the arena where consent was elicited rather than coercion exercised, but in either case it was not separate from the state (Anderson 1977); while for Habermas, civil society is represented by the public sphere, where deliberation and reason, rather than ascription or inherited ideas dominate (Calhoun 1993).

There have been several debates over whether the concept of civil society and related concepts, such as human rights, are applicable outside Europe, though neither Europe nor Asia are homogenous entities (see Schak and Judson 2003; Bruun and Jacobsen 2000). In Asia, government regimes vary, as in Africa and South America, with most countries having formal democracies, but some also under military dictatorships (Myanmar, formerly Pakistan), and one party rule (Singapore, China). The level of freedoms that define democracy – for instance, the separation of powers, freedom of press, the nature of fundamental rights – also vary widely within the continent. Many of the states have been victims of colonial rule, though how this has impacted their polity and civil society varies widely.

Among those who question the applicability of civil society outside Europe, Partha Chatterjee (2004, 2008), makes the distinction between a rule bound civil society consisting of citizens, who are mostly middle class and culturally equipped to use the law and claim their rights, and a 'political society' consisting of governed populations, who have to use politics rather than law to negotiate claims to subsistence, which are given to them as 'concessions' rather than rights. However, this formulation has been widely criticised (see among others in the same issue of *Economic and Political Weekly*, Baviskar and Sundar 2008). Some of the most significant political movements today are precisely over the legal recognition of the rights of the poor. In any case, it is not clear that civil society as an autonomous sphere of rational debate existed even in bourgeoise Europe (see Eley 1992; Fraser 1992); and much of the current debate in Europe and America over the *burqa* and veiling, though couched in terms of separation of church and state or individual choice, simultaneously betrays primordial anxieties about immigration, and is deeply informed by Christian discourses (see for instance Asad 2003; Hirschkind and Mahmood 2002).

As I show in this article, the institutions that make up civil society are equally found in Asia – what differs from country to country is the manner in which they interact with each other and with the state.

Is it possible to clearly demarcate civil society from the state?

For my purposes, I shall use the term civil society to designate all organised non-state actors, who occupy a sphere between the individual and the state, with the caveat, of course, that their relationship to the state varies widely; indeed, some of these so-called non-state organisations are set up or promoted by the state, in part to re-organise or dis-organise civil society. Much research has gone into showing how colonial governmentality shaped identity (see Breckenridge and van der Veer 1993; Cooper and Stoler 1997), and social movements founded on these state-generated categories and/or identities are then in turn posed against the state or against other groups in society. Take, for example, the demand for reservations or quotas in government jobs in India by various castes and tribes, or the Bhumiputra category generated by the Malaysian state (see Nesiah 1997). Many of the practices we think of today as customary, and which would therefore belong to the civil society side of the divide between state and society, such as customary law in India or *adat* in Indonesia, were framed by colonial policies of indirect rule (see Sundar, 2009; Peluso and Vandergeest 2001).

Further, the state itself is not a homogenous entity, and one faction of the state may mobilise society against other factions of the state. In Bangladesh, Pakistan, and Thailand, for instance, some political parties extend into social movements which are pitted against the military regime. The Pakistan People's Party, for instance, came to power on a pro-democracy platform, and has to continuously struggle to establish civilian rule against the military and intelligence services, even though it is in power. In Thailand, the red shirts were supporters of the deposed President Thaksin Sinawatra, who represented one faction of the state against the other (Abisit Vejjajeeva, who came to power through a coup). There are also parties like the *Bharatiya Janata Party* in India, which when in power often mobilised its mass fronts, like the *Vishwa Hindu Parishad*

or the *Bajrang Dal*, to carry out actions that it could not openly do itself – such as attacks on educational and cultural institutions, or even something like the pogrom of Muslims in the state of Gujarat in 2002. In either case – whether the target is another wing of the state, or groups in society – what is clear is that there is a chain of connections between parties in power and organised social groups, which call into question a sharp distinction between states and civil society.

The role of civil society as promoter of democratic change 'from below' is not always as evident as some would argue. The legacy of anti-colonial struggles has meant that many states have been a progressive modernising force, compared to conservative populations. Examples here are the Baathist state in Iraq, Nasser's Egypt and Nehru's India.

People's movements or social movements are not always agents of progress or democracy, and some in fact may be both civil and uncivil. Civil society is not always civil (see debate between Alexander 2008 and Turner 2008). For instance, the LTTE (the Liberation Tigers of Tamil Eelam) while standing for the legitimate aspirations of the Tamils against the indifference of the Sri Lankan state, also had fascist characteristics, and snuffed out opposition. Groups like the Taliban, which are clearly patriarchal and regressive in their ideology, also have the support of young people for whom the Taliban represents an avenue for social mobility as against the tribal elders (Abou Zahab 2010). The same kind of unemployed youth may join the progressive 'Naxalites' (Maoist guerillas) or the dangerous Hindu right wing organisation, the *Rashtriya Swayamsevak Sangh*, depending on whose area of influence they find themselves in. Some of these organisations are in fact so powerful that they constitute almost parallel states in their areas of influence (like the LTTE in Sri Lanka, the Maoists in Nepal, before the peace accord) (Gellner 2007; Trawick 2007).

Adherence to law *per se* cannot be the hallmark of whether any group is legitimately part of civil society or not, or even tell us anything about whether such a group or movement stands for democratic change. After all, the Red Shirts formally broke the law in Bangkok through their barricades, but they were protesting against a government which itself could be considered illegitimate, having seized power in a military coup. In countries with inherited traditions of colonial law, which criminalise

many ordinary activities (including access to the forests for firewood and other necessities), privatised rivers, and took away people's community resources, people have to break the law on an everyday basis for subsistence. On the other hand, there are also a range of mafia and right wing vigilante groups who break the law. The difference lies not in the degree of law-breaking but with who has impunity (N Sundar, 2010).

Types of associations

Many scholars focus on associational life as defining civil society, and by extension, on the voluntary nature of associations as against more traditional forms of social organisation. A higher degree of social capital or trust among members of a society, Putnam argued, led to better development outcomes (see Putnam et al 1993; Portes 1998; Fine 1999 on the social capital debate). However, as I show in this section, most distinctions based on tradition vs modernity, voluntarism vs ascription, etc fail to capture the complexity and range of associations that make up civil society in Asia. In trying to see which organisations and institutions are involved in democratic change, we need to go beyond outward appearances to see what they actually do and which functions they fulfill in society.

Voluntary vs ascriptive. In terms of the work of welfare or representation that associations do for their members, voluntary associations like trade unions – especially if certain trades are dominated by members of one language, ethnicity or background – may not be all that different from associations that are more openly based on primordial or ascriptive relations, like caste associations. In India, caste associations provide scholarships, hostels etc; much like young immigrant associations in China or Malaysia.

Formal vs informal. Formal versus informal is another way in which associations are often categorised. Thus, one has formal associations like political parties which have membership and organisational structure, and informal networks, developed through the Internet, for example, where both engage in political action. Sometimes organisations which appear to be cultural also play political roles – such as actors' fan clubs in the South Indian states of Tamil Nadu and Andhra Pradesh, which mobilise votes for the actors-turned-politicians (see A Sundar 2010).

Legal vs secret. Legal associations, like business chambers, and secret clubs, like the mafia, both have business links with political parties, and influence policy, not just in Asia but across the world.

Religious vs secular. Religious cults, eg the Sufi cults of Pakistan, or the Falun Gong in China, may look traditional, but are actually modern in terms of ideas of equality, individual self recognition, and the way in which they address needs created by anomie in society. Equally, communal organisations (the Hindu chauvinist *Rashtriya Swayamsevak Sangh,* the terrorist *Lashkar e-Toiba*, the Taliban, or Buddhist associations in Sri Lanka), may use revivalist language, but are modern in their goals, methods, and technology. In many cases, their aim is secular political power, not religious betterment.

Civil society actors

Asian civil society has a wide range of social actors. These include: labour unions, social movements, some of which grew out of the legacy of anti-colonial movements and some which are more recent, like the new environmental movements, the gay rights movement etc; professional bodies of lawyers, architects, journalists, students, and others; NGOs; transnational civil society; media; and political parties. I will go through each of these types of social actors in turn.

Bourgeoise actors. In the Marxist understanding, civil society was bourgeois society – the realm marked by property relations. Even by liberal definitions, industrial associations, chambers of commerce, corporate lobbying firms all play a major role in influencing state policy. Private industry has varying degrees of dependence on the state, and in many states, the first impetus for industrialisation came from states, who built the required infrastructure for private industry to operate. Economies like Japan and South Korea obviously have different relations between industry and state, as compared, say, to China or India (see Chibber 2003; White, Howell, and Xiaoyuan 1996). Industry is not necessarily rule bound – the case of the Bhopal industrial disaster is the most egregious example – and while the full scale of sweetheart deals between government and industry is not available to the public gaze, there is sufficient evidence that this is a common occurrence.

All over Asia, what one sees is struggles between workers and industry, as many of these economies are powered by low cost labour, often feminised, who work in mass industrial production centres for Western consumption (Lee 2007; Klein 2001; Ong 1991). Many of them are not unionised; though some unions like those in South Korea represent powerful political forces. Across Asia, one also sees a range of social movements against the exercise of Eminent Domain by the governments to acquire land for industry.

Social movements. Common histories of anti-colonial, anti-imperial struggles inform Asian solidarites represented by the Bandung conference and the Non-aligned movement. Being largely peasant economies, peasant insurgencies have also been a marked feature of the social and political landscape, not just in China, but also in India (Naxalite movement), the Philippines, Malaysia (where there was a communist movement and emergency between 1948 and 1960), Bangladesh, and so on. As against these older peasant movements, which focused on land reform, there are also new Farmers Movements which include a focus on issues like genetically modified seeds, the prices of credit and commodity, agricultural markets etc, such as the Thai Farmers Alliance Movement, and the *Bharatiya Kisan Union*.

While environmental movements may have specific local genealogies – eg in community methods of conservation – there is no doubt they became prominent since the mid 1970s onwards, working against industrial pollution, whaling, deep sea fishing etc, as well as for forest protection, for example (see Persoon and Kalland 1998; Greenough and Tsing 2003). Another phenomenon that goes back to the 1970s is the rise of the Women's Movements – whether in India, where they protested against dowry, rape law, and now for representation in Parliament, or in Pakistan, where women protested against *Sharía* laws, or Afghanistan, where RAWA is a significant civil society actor. In Sri Lanka, women's groups have taken up the question of militarisation and the plight of women caught in conflict (see for overviews Jayawardena 1986; Mohanty et al 1991).

The Human Rights Movement is again one that is found everywhere in Asia – whether in China or Iran or South Asia – and is directed against arbitrary detentions, extra-judicial killings, torture and so on. Some

organisations, such as the Human Rights Commission of Pakistan, have enormous standing in society; parallel to, if not more than, the Indian National Human Rights Commission, which is a government body.

Finally, each country has its own sectors of civil society which are strong. For instance, the student movement is vibrant in South Korea, and much less so in other parts of the continent; ethnic nationalities are voicing demands in Burma along with the pro-democracy movement there; Iraq has a strong clerical reform movement and so on.

Professional associations. Apart from social movements, there are also professional bodies which play a significant role in bringing about democratic change. These include the Lawyer's Movement in Pakistan, which protested against the removal of the Chief Justice; or journalist associations to protect press freedom. In Sri Lanka, journalists were in serious danger during the war, with some like Lasantha, the editor of the Sunday Island in Sri Lanka, even being killed. Civil society intermediaries often play a significant role during conflict – for instance in Nepal, writers and elder statesmen helped to negotiate between the government and Maoists.

Non-governmental organisations (NGOs). NGOs range from small organisations, which perform service delivery, to others which are almost as powerful as states themselves, eg the Aga Khan Foundation, or Action Aid, given their cross-country presence (see P Sundar 2010 for a comprehensive discussion of NGOs and foreign aid).

NGOs have different social bases, some originating in radical social movements, while others are professional associations set up for a particular purpose. There are also GONGOs, government NGOs, set up by the government to counter existing NGOs, or to perform some service better than the government can itself perform. Some NGOs are outlets for corporate social philanthropy, while others are small locality based organisations who draw their money from members. NGOs perform a variety of roles: advocacy and/or service; membership services such as women's thrift societies, faith based groups or groups like Alcoholics Anonymous; research, documentation, innovation, and so on.

Transnational civil society. It is impossible to speak of democratic or even policy change across Asia without bringing in the role of the World

Bank and other transnational agencies. Large foreign donors, such as the Ford Foundation, the McArthur Foundation etc, have played a significant role in the politics of Asian countries (see for instance Gordon 1997). In determining democratic change, people are faced with multi- layered sovereignties. Local choices, including what to grow and how, are shaped by larger discourses of the World Trade Organization, while in some countries, like Afghanistan and Nepal, humanitarian agencies dominate the agenda (Randeria 2007).

Media. The media not only transmits information; it creates social perceptions and even frames popular ideas of what constitutes democracy. As such, the media is one of the most powerful actors of change in society across the world (see essays in Sen and Lee 2007; Ninan 2007). While many states in Asia still have state owned media, most also have a wide array of private newspapers and channels. The distinction between state media and corporate monopoly media is often illusory, in that the media also takes its cue from the government, especially in times of war or internal conflict.

The media performs both watchdog functions, eg exposing corruption or other scandals by government functionaries, and diversionary functions which uphold the status quo, through its focus on celebrities, and opinion polls which are slanted to reflect the views of the media owners themselves. In India, a recent scandal with serious implications for democracy was the discovery that newspapers and television channels both sold news space at election time.

As against corporate media, however, there is also the recent phenomenon of insurgent media. This includes blogging and *twitter*. China's dissident bloggers like Han Han have used this medium to good effect; while in the Iran elections, twitter played a major role in mobilising people to protest against what they saw as electoral fraud. Regular email list serves, *google* groups etc also play a major role in disseminating information and views; though, given that the reach of these technologies is still limited to mostly urban areas, its role as a change agent is still a bit limited. Social networking sites like *Facebook* and *Orkut* bring together diverse communities. New technologies also have the potential to bring together hitherto unserved communities. Mobiles and community radio

can now be used to connect small rural communities to provide their own news, which will diminish the power of major corporate organisations and focus on the local issues that matter – education, health etc. At the same time, however, the over-fragmentation of the news sphere will take away the imagined communities that constitute the nation, and there is a danger that such parochialism will work against democratic change in the long run.

Political parties. Political parties – which have vast memberships – must also be recognised as serious political actors. As mentioned before, there are multiple political parties – some of which represent the interests of the poor (eg the Red Shirt Movement in Thailand); some of which represent fundamentalist religious interests (*Jamaat-e-Islami* in Bangladesh); and some of which claim to be more national in scope (eg UMNO in Malaysia, Congress in India etc).

To sum up so far, one finds more or less the same range of actors in civil society in Asia as in Europe or other parts of the world. Institutionally and organisationally, there is nothing unique about Asia that would require a different theoretical perspective. To understand the process of democratic change, one would need to map the balance of forces within any one country at a particular point in time.

In the following section, I give a brief overview of the situation in India to illustrate this point.

Part II: Civil society and democratic change in India

A casual trawl through the Indian newspapers in the opening years of the 21st century reveals that the acquisition of land by the government for private companies or for special economic zones is high on the agenda for public debate. While the investor mood is bullish (Timmons 2007), the numerous electronic listserves that flood one's inbox with 'progressive spam' provide a countervailing sense of siege at the takeover of people's means of livelihood and shelter. Reports of farmer suicides, urban slum demolitions, the introduction of Foreign Direct Investment in retail threatening to push out millions of small shopkeepers, the handing over of forest land to private companies, the privatisation of rivers and so on, appear to add up to a growing attack on the poor. In many places, this onslaught is met with resistance, and pushed through with police force.

News of the arrests, beatings and injuries suffered rarely finds its way into the local or national newspapers or television channels, except when deaths are involved, and even then, it barely makes the front page before disappearing into the oblivion of the Indian judicial system.

Economic differentiation appears to be growing despite official claims of a fall in the percentage of people below poverty line: anywhere between 20–80 percent of Indians are below the poverty line in 2010.[1] The middle classes, on the broadest estimate, comprised 26 percent of the population in 1998–99, though what level of consumption this cohort is able to sustain is not clear (Sridharan 2004). On the other hand, the national newspapers report the globally acquisitive abilities of Indian companies and the fact that India has the highest number of billionaires in Asia (Madhavan 2007).

Positive features for democracy

Given this context, what are the positive indicators for Indian democracy? The bedrock is a strong tradition of constitutional democracy which has held together, despite major setbacks like the Emergency between 1975 and 1977 when basic freedoms were suspended (see Austin 2000; Guha 2007); the aspirations for social justice which have led to a constant churning in the polity, including the rise of new parties like the *Bahujan Samaj Party* that represents India's former untouchables and is in power in the largest Indian state of Uttar Pradesh; and an active citizenry and various civil liberty groups which try to hold the state accountable for its excesses. India's diversity is its greatest asset – India has 4,693 communities, 415 living languages, and several religions – and its experience in holding all of these together far predates the European Union. Its growing economy and large diaspora also means that there is a great deal of global interest in investing. Technologically, the spread of communications has had an unprecedented effect, giving power to even small trades-people to identify a market.

Negative trends for democracy

As mentioned above, the gravest danger to Indian democracy is the growing economic inequality; the emphasis on procedural democracy,

as represented by elections regardless of the substantive content they deliver for people, and regardless of whether the votes were bought with money or manipulated by paid news. Another worrying feature is the rise in vigilantism, and outsourcing of the control of law and order by the government, as represented by the *Salwa Judum* in Chhattisgarh started in 2005, which aimed at flushing out Maoist guerillas and in the process burnt many hundred villages; and the state protection given to the *Bajrang Dal* and other lumpen groups, which have attacked artists like M F Hussain, who is India's best known painter. State sponsored communal massacres, as in the notorious Gujarat pogrom of 2002 in which about 2000 Muslims were killed, and the poverty and discrimination faced by Muslims across India are worrying factors. The lack of justice, as for the victims of the pogrom against Sikhs in 1984, or the failure to rehabilitate the victims of the Bhopal industrial disaster is another major drawback. Terrorism is both a reaction to this, and an independently worrying phenomenon, as manifested in the attacks in Bombay in November 2008. Ecological threats – drying up rivers, water scarcity, deforestation, unchecked mining, and hyper consumerism – are also major threats to democracy.

Why the standard sociological model of urbanised citizenship does not apply to India

In the standard sociological narrative that grew out of 19th century sociology (Marx, Weber, Durkheim), urbanisation leads to anonymity and equality; cities are the space of liberation as against villages, where community is cloying. Furthermore, the conditions for European citizenship, held as a model, were created by the mass welfare state. This, however, does not apply to India in the 20th or 21st century, since most jobs are in the informal sector; and of the formal sector, 2/3 of the jobs are in government service. The overlap between high caste and formal sector employment is robust, while the unorganised urban poor get jobs through personal caste, kinship or village networks. Since most work is in small scale units, leading to patronage relations, work or employment cannot be the sphere for self-worth or one's claim as an equal citizen.

New sources for citizenship, identity formation and democracy: Nationalism, regionalism and class

Despite this inequality in work, people are increasingly feeling themselves citizens of a common country. In India, we now have the coalescing of the stages of early industrialisation and a late 'knowledge economy'. Technology and communications, especially television, have created new imagined communities around the nation, but have at the same time also strengthened regionalism and parochialism. One example of this is the singing contest, *Indian Idol*, where regional passions run high over their candidate. The Indian idea of nationhood is thus in symbiosis with regionalism, not against it; and it is the creation of linguistic states which have held the nation together rather than caused its breakup. The demand for new states, like the demand for Telengana, is thus an important part of the movement for democratic change in India.

Recent victories and defeats for civil society

In recent years, civil society actors have registered a number of gains through mass mobilisation and lobbying with the government. These include the Right to Information Act 2005, the National Rural Employment Guarantee Act 2005, the Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act 2006, and the Right to Education Act, 2009. However, the launch of *Operation Green Hunt* in 2009, ostensibly to finish Maoist guerillas, but in practice aimed at crushing all manner of democratic dissent, is a major setback for Indian democracy.

As always in India, both the present and the future remain contested, and civil society is simultaneously in conflict with and in partnership with the state to bring about democratic change, and to take on other actors in civil society who have other visions of the nation.

Note

1. The economist Jean Dreze (2010) writes: "At least four alternative figures are available: 28 percent from the Planning Commission, 50 percent from the N.C. Saxena Committee report, 42 percent from the Tendulkar Committee report, and 80 percent or so from the National Commission for Enterprises in the Unorganised Sector (NCEUS).

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Author affiliation

Delhi School of Economics, Delhi University, New Delhi, India