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ARTICLE 70 OF THE CONSTITUTION OF BANGLADESH: IMPLICATIONS FOR THE PROCESS OF DEMOCRATISATION

Abstract

This article examines the implications of the Article 70 of the Bangladesh Constitution for the process of democratisation. Drawing historical experiences on defections in party politics during Pakistan period both at the central and provincial levels of government, arguments were made in the article in favour of the continuation of the Article 70 in the Constitution. However, along with the continuity, it further argues for changes in the said Article striking a right balance between individual liberty and majority rule.

1. Introduction

Political scientists, public intellectuals, journalists and civil rights activists have been vocal against the Article 70 of the Bangladesh Constitution. In their view, the existence of this article in the Bangladesh Constitution is an anathema to the spirit of Parliamentary democracy which was restored in the country after 15 years of military rule in 1990. The country reverted to Parliamentary government through the 5th *Jatiya Sangsad* elections in 1991. Since then, Bangladesh has been undergoing a process of democratization *albeit* with mixed success. Parliamentary democracy began with the 12th amendment to the Constitution, making the Parliament an epicentre of all political decision-making. Despite this promising start, the Parliament continues to lack adequate effectiveness due to legal barriers and the prevalence of confrontational political culture. The presence of Article 70 which bans floor crossing of Member of Parliaments (MPs) is considered by many as one of the reasons for the dysfunctional parliament. However, the inclusion of the article into the Constitution has its own rationale, namely, to avoid frequent floor crossing motivated by personal gain and resulting in the severe political instability as

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prevailed during the 1950s. In the changing scenario of democratization in Bangladesh, one group demands reform of this article, another group argues for its complete elimination. There is also strong support in favour of Article 70. In the circumstances, Article 70 of the Constitution remains an issue of scholarly debate and political polemics.

It is in this backdrop that an attempt would be made to analyse the Article 70 of the Constitution and its implications for the ongoing process of democratisation in the country. For the convenience of our analysis, the article is divided into four sections. The First Section places floor crossing in comparative perspective. The Second Section explores the historical origin of Article 70 in Bangladesh Constitution. This Section also analyses the growth of this article during the subsequent regimes/governments. The Third Section analyses how this article affects the working of parliamentary democracy in Bangladesh. The Fourth Section critically examines the rationale for amending the Article 70. On the basis of foregoing analyses some observations would be made in the Concluding Section.

2.   Floor Crossing in Comparative Perspective

Understanding the floor crossing in comparative perspective would enable us to comprehend the magnitude of the problem of floor crossing in Bangladesh. In developed countries like Britain, USA, Canada, France, there exists unfettered voting right for members of the legislature. To stop floor-crossing is an inconceivable matter in those countries. Thanks to the lack of well-disciplined and well-organized parties in the 'new' democracies, such provisions are found in the constitutions of Bangladesh, India, Pakistan and others. Following is an attempt to discuss floor crossing in these three countries. It may be mentioned that there was no provision for floor crossing in the constitutions of India and Pakistan. Hence, to understand the Bangladesh context, we would discuss India and Pakistan first.

Floor Crossing in India

In the 1970's, the problem of defection in India reached alarming proportion. In local Hindi parlance, the defecting legislators were called 'Ayaram' and 'Gayaram' – persons who cross the floor – again and again.[1] Between the fourth and fifth general elections in 1967 and 1972 from among 4,000 odd members of the Lok Sabha and the Legislative Assemblies in the States and the Union Territories, there were nearly 2,000 cases of defection and counter-defection. By the end of March, 1971, approximately 50 percent of the legislators had changed

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[1] Anil Diwan, "Anti-Defection Law in India", in Graham Hassall and Cheryl Saunders (eds.), *The Peoples' Representative: Electoral System in the Asia Pacific Region*, (Australia: Allen & Unwin, 1997), p.163, cited in Halim 2009: 182-83).

their party affiliations and several of them did so more than once. Some of them did it as many as five times. One MLA was found to have defected five times to be a minister for only five days. For a considerable period in India, one state government had been failing almost every month due to floor-crossing. In the case of state assemblies alone, as much as 50.5 percent of the total number of legislators changed their political affiliations at least once. The percentage would be even more alarming if such states were left out where government happened to be more stable and change of political affiliations or defections from parties remained very infrequent. The lure of office played a dominant part in this 'political horse trading'. It was obvious from the fact that out of 210 defecting legislators of the various states during the first year of 'defection politics', 116 were included in the Council of Ministers in the governments which they helped to form."[2]

Thus, the evil of political defection has been a matter of national concern in many developing countries. To stop this widespread floor crossing many countries have incorporated anti-defection laws in their constitutions. India has made this law through the 52nd Amendment to the Constitution which still remains effective.

Floor Crossing: Pakistan Period

The past experiences of the parliamentary system in Pakistan, both at the centre and in the provinces, showed that members once elected tended to cross the floor for their selfish ends, occasionally, rendering the parliamentary system unworkable. They would defy party decisions and ignore party commitments made to the electorate. As a consequence, floor crossing undermines the cohesion and unity of the political parties. Ultimately, this could result in the splitting of political parties/coalitions. Thus, floor crossing encourages factionalism and ultimately disrupt the stability of the government and smooth functioning of the entire system. The fall of parliamentary government in Pakistan was mainly caused by political defection (Halim 2009: 188-89).

The scenario in the then East Pakistan was equally frustrating. In the provincial elections of 1954, the United Front had an unprecedented victory which affected the Muslim League administration at the centre and created a kind of panic in the minds of ruling elite. Winning the landslide victory, the United Front formed government in East Bengal under the leadership of Sher-e-Bangla A. K. Fazlul Huq.

The impact of the election also had a direct bearing on the members of the Constituent Assembly, particularly those who were representing East Pakistan on behalf of Muslim League. But the United Front could not remain united due to political defections. It broke as each constituent party was jockeying for the test

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[2] Quoted in, *Ibid.,* p.164.

of power. The Awami League (AL), the main component of United Front, came out of the Front for power sharing in the centre.

Coming out of the United Front, AL became the Opposition, and Abu Hossain Sarkar of United Front formed the government in 1955 under the leadership of Sher-e-Bangla A. K. Fazlul Haq, the leader of the rest of the United Front. But this cabinet, supported by some minor parties like, Congress Party, United Progressive Party, legislators from the scheduled castes and others, was very weak. A coalition such as this could not have a common policy. Each group of this coalition had different ideas to incorporate into the Constitution of 1956. Major disagreements on both local and national issues caused four of the minor parties to withdraw their support from Abu Hossain Sarkar and government had to resign on 6th September 1956. After the fall of the Abu Hossain Sarkar government, Ataur Rahman Khan, the leader of the opposition AL, formed the new government. A week later, H. S. Suhrawardy became the Prime Minister of Pakistan. So, AL came to power both at the centre and the province. However, due to disagreement with Suhrawardy's foreign policy, Moulana Abdul Hamid Khan Bhashani came out of the AL and formed a new party, the National Awami Party (NAP). About 28 members of AL joined the NAP, and decided to withdraw their support from the provincial government. As a result, Ataur Rahman Khan's cabinet was dismissed on March 31, 1958 (*ibid*: 189-90).

The AL ministry was reinstated by the intervention of the centre. But on June 18, 1958 the ministry was defeated on the floor of the House on a cut-motion, when all on a sudden the NAP and some Hindu members withdrew their support. After the fall of AL government, Abu Hossain Sarkar was commissioned to form a new ministry on June 18, 1958. But the Sarkar Ministry was again defeated on the floor by AL with the support of NAP on June 22, 1958.

In view of such a chaotic political situation in the then East Pakistan, the government was taken over by the Centre. After the withdrawal of the central government's rule on 25th August, 1958, Ataur Rahman Khan was again invited to form the government. The East Pakistan Provincial Assembly was called into session on September 20, 1958. The Speaker was Abdul Hakim. Government members moved a no-confidence motion against the Speaker. In this regard, Parliamentary debate transformed into scuffling between the members of government and opposition parties. Ultimately, the Speaker was removed from his office. On September 23, the government was determined to carry on with the business of the House with Deputy Speaker Shahed Ali in the chair. But the opposition (KSP) did not accept him as acting Speaker. The House became virtually an unruly chamber resulted in scuffling and rioting between the members of government and opposition parties and, in the process, the Deputy Speaker of the House was killed (ibid: 190-91). Thus, the law-makers of the then East Pakistan Provincial Assembly became law-breakers, and the blackest chapter in the history of parliamentary politics was created. This disgraceful state

of affairs was used as one of the main pretexts for declaring martial law on October 7, 1958.

Defections and Factionalism within the Awami League

Awami League itself suffered from perennial intra-party conflicts during this time. Bitter memories of this period are one of the causes that led AL to emerge as a strong supporter of anti-defection laws in the subsequent periods. The AL suffered a split, for the first time, in February 1955, over the issue of A. K. Fazlul Huq's leadership. A group of AL lawmakers (about 32 members) led by Abdus Salam Khan and Hasimuddin Ahmed disobeyed the party mandate to vote for no-confidence motion against A. K. Fazlul Huq at the United Front parliamentary party meeting.

The second split which seriously affected the party and also weakened its strength in the legislature, was the formation of NAP. NAP was formed by Moulana Bhashani due to his disagreement with Suhrawardy on the question of foreign policy. These differences within the party were a source of embarrassment to the AL in power in the centre, as well as in the province. For the AL, the implications of the formation of NAP were two-fold. In the organizational field, the EPAL lost the control over several district branches and the Dhaka City AL. In the Assembly, the AL lost the support of about 25 of its members. Its position in the government was further weakened by the loss of a coalition partner – the Ganatantri Dal. The official Ganatantri Dal merged with the NAP, while a rump body continue its separate existence in the legislature. In 1957, before the Autumn Session of the Assembly, the NAP parliamentary party was formed and a distinct political force emerged in the Assembly. NAP played a disruptive role of making and unmaking of governments. At first, the AL government had to resign, for it no more commanded the majority in the House (31st March, 1958). NAPs withdrawal of support led to the fall of AL Ministry on 19th June, 1958 and the United Front Ministry succeeded it. The same day, the NAP switched support to the AL and brought down the United Front Ministry.

Besides the loss of members in two solid blocks (NAP and Salam-Hashem group) damaging seriously the party cohesion and organization, AL also suffered several minor individual defections in the legislature. The real picture of these individual defections has not been worked out by any academic research or investigation. But some idea may be gleaned from Ataur Rahman Khan's reminiscences of his two years as Chief Minister. He wrote that individuals and groups of members of his party (at both legislative and organizational levels) threatened to sever links with the party and withdraw support for ordinary matters in the nature of personal favours.

Several individual members for their personal interest did not attend party meetings, did not follow party decisions and, in the House, they whimsically crossed floor. Even for some highly subjective reasons such as lack of adequate

courtesy shown by the Chief Minister, loss of prestige etc., party members defected or voted against the party.

One member did not get the intervention of the Chief Minister in his personal case and, as a result, he defected. Another member did not get the intervention of the Chief Minister in reinstating a police officer who had been dismissed for indecency towards a girl and, as a result, he defected. Being accused of black-marketing, one member sought intervention of the Chief Minister and failing to get this, he defected. Another member's name was not included in the local relief committee, and in protest he defected. Money for flood affected people was sent in the name of a school secretary and not in the name of the member of the locality. The member in protest defected. A woman member failed in lobbying for husband's service and absented herself from the sitting of the House.[3]

It appears from the above discussion that splits and individual defections in the AL happened not for any clash of ideology or principle. It was for self-interest, personal liking or disliking and so on. Sometimes in the hope of rewards like cabinet posts, parliamentary appointments, permits, incenses etc. members changed their loyalty.[4] Party indiscipline and lack of solidarity within the parties were manifested in the free use of threats and pressures. Members crossed the floor and changed parties freely and frequently.[5]

It is to be noted that though AL suffered several minor individual defections as mentioned above in the legislature, none of these was the cause of the fall of government in the province. But these, specially the role of NAP, left a bitter lesson that politics in our society is based not on principle and ideology, but on selfish needs. Politicians after being elected think that power is the ultimate goal of politics and for that end, they can easily defy party mandate and change making the parliamentary process unworkable.

Thus, the bitter experiences of 1950s with regard to floor crossing let the AL to strongly commit itself to an anti-floor crossing position. Even in 1969 when a Constitution Amendment Bill was drafted for the National Assembly amending the 1962 Constitution, the AL incorporated such a provision. It provided that:

4(a) if any person, having been elected to a legislature as a candidate or nominee of political party-
    i)   withdraws himself from it; or

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[3] Ataur Rahman Khan, *Two Years of Chief Ministership,* (in Bengali), (Nawroze Kitabistan, Dhaka, 2000), pp.176-203.
[4] Najma Chowdhury, *The Legislative Process in Bangladesh: Politics and Functioning of then East Bengal Legislature 1947-58,* (Dhaka University, Dhaka, 1980), p.216.
[5] Mohammed Ayub Khan, *Friends not Masters,* (Oxford University Press, Dhaka, 1967)*,* p.55.

ii)   is expelled by his political party for violation of the party's mandate in respect of any matter relating to his activities as a member of the legislature;

iii)   votes, or abstains from voting against the direction of such political party upon any legislative measure or any motion put to vote in the legislature, he shall cease to be a member of the legislature for the unexpired period of his term unless such member is re-elected at a by-election occasioned by the vacancy created by such cessation of membership (Halim 2009:194).

It is evident from the above discussion that the inclusion of Article 70 in Bangladesh Constitution was not a whimsical decision on the part of AL. It grew out of the bitter experiences of political defections during the 1950s.

3.   Parliamentary Democracy in Bangladesh: Article 70 of the Constitution in Perspective
Article 70 in the Constitution: Background

An exploration of the background of the inclusion of Article 70 into the Constitution would enable us also to understand the essence of the Article and its implication for parliamentary democracy in the country. This article was inserted into the original constitution of 1972 that was drafted under the stewardship of Awami League. One of the great achievements of the Awami League regime in its first twelve months in power since 16 December 1971 was the successful completion of the task of constitution making. In his first press conference in Dhaka, Father of the Nation Bangabandhu Sheikh Mujibur Rahman promised the people an early constitution. On March 23, 1972, the Constitution Assembly order was promulgated. On April 10, 1972, the Constituent Assembly met for two days and created a thirty-four member special committee headed by Law Minister Dr. Kamal Hossain and entrusted him with the task of drafting a constitution. The committee made it obvious that it would draft the constitution quickly. One of the reasons for this urgency was that the regime wanted to avoid the tragic experiences of the Pakistan period when a delay in constitution making led to the loss of legitimacy of the Muslim League regime. The other reason behind this urgency was that the Awami League regime wanted to provide a basic political framework according to its own preferences before serious controversies could arise over the fundamentals of the constitution (Jahan 2005:106-7). The Constitution was drafted within six-months and it was passed by the Constituent Assembly – where the Awami League had an overwhelming majority – in record time. The Constituent Assembly met on October 12, and it passed the Constitution bill on November 4. The Constitution became effective on December 15 – exactly a year after the liberation of Bangladesh.

The original Constitution incorporated a number of provisions with an eye to ensure the stability of the system. Thus, it stipulated that a Member of Parliament would lose his parliamentary seat when he lost his party membership either because of resignation or expulsion from the party (Jahan 2005:107). This has become Article 70 in the original Constitution of Bangladesh effective from 1972. It appears from the above statement that this Article came into existence as stability became the prime concern of the post-independent Bangladesh leadership. As already elaborated, the fear of political instability emanated from the historical experiences during the Pakistani rule.

Article 70 in the Constitution: An Evolution

Article 70 is one of the grounds of vacation of seats of members of parliament. It exists in the Constitution as an anti-defection law or in other sense all the conditions of Article 70 have been designed to prevent floor-crossing of the members of the parliament. In the original Constitution of 1972 only two conditions were imposed against defection:

    i)   if a member resigns from his party; or

    ii) if he votes in parliament against his party.

By the 4th Amendment, another two conditions were added by inserting an explanation of the words 'votes in Parliament against his party'. They are:

    i)   if a member, being present in the parliament, abstains from voting; or

    ii) if he, ignoring the direction of his party, absents himself from any sitting of parliament.

"70.   (1) A person elected as a member of Parliament at an election at which he was nominated as candidate by a political party shall vacate his seat if he resigns from that party or votes in Parliament against that party.

    Explanation.-If a member of Parliament-

    (a) being present in Parliament abstains from voting; or

    (b) absents himself from any sitting of Parliament ignoring the direction of the party which nominated him at the election as a candidate not to do so, he shall be deemed to have voted against that party.

    (2) If, at any time, any question as to the leadership of the Parliamentary party of a political party arises, the Speaker shall, within seven days of being informed of it in writing by a person claiming the leadership of the majority of the members of that party in parliament, convene a meeting of all members of parliament of that party in accordance with the rules of votes of the majority through division and if, in the matter of voting in Parliament, any member does not comply with the direction of the

leadership so determined, he shall be deemed to have voted against that party under clause (1) and shall vacate his seat in the Parliament.

(3) if a person, after being elected as a Member of Parliament as an independent candidate, joins any political party, he shall, for the purpose of this article, be deemed to have been elected as a nominee of that party.

Again, by the 12th Amendment, another two conditions have been inserted. The effects of these two conditions are:

i) forming a group within the parliamentary party of a political party has been quite impossible due to provisions in Article 70(2).

ii) If an independent elected member of parliament joins any political party, he will come under the purview of anti-defection provisions (Halim 2009:184).

After the 12th Amendment, a member of parliament can be unseated on six grounds under Article 70. This Article, which had only seven lines in the original Constitution, is now almost a full-page.

Political observers noted the limitations ingrained in the Article 70 of the Bangladesh Constitution. Many of them labelled it as encroachment of the fundamental rights of MPs making their status in the parliament merely a 'number', resulting in the emergence of the creative form of dictatorship (Mazhar 2007: 88-9). The independence and free choice of the members of parliament is severely curtailed by the Article 70 (Choudhury 1995: 146-7). In another view, it is considered as one of the obstacles in the way of ensuring constitutional government. By this article, the Prime Minister's executive authority has become much heavier than before (Hasanuzzaman 1999: 58). The imposition of stringent control over the Members of Parliament through the Article 70 has become the main obstacle to the effective functioning of parliament. According to another view, although this article squeezes the freedom of the MPs, it cannot be discounted as completely undemocratic as, for the sake of governmental stability, a balance between party discipline and freedom of MPs is also required (Hoque 2007: 255-257).

Although freedom of expression has not been muzzled by this Article, yet its exercise gets demoralized due to it. Given the clientalist nature of party politics, no MP dared to criticize his party policy which might endanger his getting of nomination in the next election (Hoque 2007:256). Be that as it may, the Article 70 has sustained over the years in the constitution with the single logic of insulating the government's stability from down-turn, and this has been done at the cost of individual rights of the MPs in the parliament. The loss of freedom to criticize the government and the freedom to debate on any bill greatly curtails the potentials of parliamentary democracy.

Article 70 in the Constitution: Implications for Parliamentary Democracy

In the parliamentary form of government, the executive is directly responsible to the legislature for its performance. Parliament does not govern the country but the government is formed from within the parliament and parliament retains the right to make the government accountable any time it goes beyond the limits expected of it. In parliamentary democracy, the executive can govern as long as it can retain the majority in parliament. As soon as it looses the support of the majority members of parliament, it falls. A parliamentary form of government has to run the country always in fear of being defeated in the House and, therefore, it has to always feel the pulse of the members and, as a result, it is more responsive. But when the government finds itself in a position where it cannot be defeated easily in the parliament, it becomes less responsive and, in cases, it becomes dictatorial. This has been the tendency in parliamentary democracies like Bangladesh, Pakistan and Indian. In this regard, the ruling elites are aided by constitutional provisions like the Article 70 in the constitution of Bangladesh.

Political defection is a democratic right connected with personal liberty and freedom of thought and of speech. Right to vote against party decision, or to be absent in the house in protest of party's undemocratic decision, or abstain from voting, is connected with the personal liberty of a member. A member of the legislature who is elected directly by the people is always expected to act in a democratic spirit. People's mandate is reposed on him not to act on undemocratic party line but to raise voice against whimsical or undemocratic decisions. But as the provision goes, it is quite impossible for a group of a parliamentary party inside parliament to revolt and form a dissident group. Neither an individual nor a group has the right to dissent. It is compulsory for the MPs to vote on party lines. No MP can dare raise his voice against his party decision. Though Article 70 is not a bar for free deliberation in party-meetings or committee meetings, many MPs have opined that as a result of this provision, they can speak their mind freely neither in the parliament nor in the party-meetings. By loosing his free right to vote, or to be present or absent in the parliament, he turns into a puppet of his party. People who elected him cannot expect him to use his conscience on their behalf. Many of the members of the 5th and 7th Parliaments of Bangladesh have expressed their views that Article 70 is repressive. It has been a deterrent to their playing an effective democratic role in legislation and other functioning in the parliament. The Article 70 is, thus, considered as being contradictory to the fundamental rights of MPs namely, personal liberty, freedom of association, freedom of thought and conscience and of speech (Halim 2009:185-186).

The underlying principle of a parliamentary democracy is that the government is directly responsible to the legislature. Parliamentary government

has to pass every step counting the pulse of the majority members of the legislature, for it may at any time be defeated on the floor. It is called a responsible government mainly because of two intrinsic features: individual responsibility of the ministers and collective responsibility of the cabinet. In the Bangladesh Constitution, no provision for individual responsibility has been made; nor does it exist in the political culture. The Article 55, however, provides for collective responsibility to the effect that 'The cabinet shall be collectively responsible to parliament'. But ironically enough, this provision for collective responsibility has become a soundless vessel because of Article 70 as the cabinet is always sure that it is not going to be defeated by motion of no-confidence or confidence, for no member of the majority party has the right to vote against the party. The cabinet does not need to feel the pulse of the majority members. So, obviously it is easier for the Prime Minister to be dictatorial and hence the lofty idealism with which the parliamentary government was accepted has been negated. Undoubtedly, it can, therefore, be said that the Bangladesh polity has parliamentary democracy in form, not in essence or culture. Democracy cannot flourish if members of parliament were to be blackmailed by party hierarchy. It tends to place the party above the interest of the nation. Although in practice, members are to go along with the line of the party to implement its programme, to impose a constitutional bar on the freedom of the members, in case the party deviated from its declared policies and programmes, could have impaired the functioning of the parliament itself. Members are elected for a period of five years making pledges to their respective constituencies on the basis of political programme and, therefore, it was undemocratic to tie them down to the dictates of a political party.[6]

Rule of law as distinguished from rule of man or party, means rule of that law which is passed in a democratically elected parliament after adequate discussion and deliberation. When there is the scope of adequate deliberation and discussion over a bill, it creates environment to remove undemocratic provisions from it. But because of Article 70 no dissenting opinion can be made by the members of the ruling party and as a result every bill, however undemocratic it may be, gets quickly passed or approved. The government always with a view to avoiding debate, makes law by ordinances and later gets them approved under the sweeping power of Article 70. The number of ordinances placed for approval is always far larger than the general bills passed. Sometimes ordinance is made 4 or 5 days before the starts of parliament session and sometimes a parliament session only approves ordinances and no other legislative function is done at all. The second session of the fourth parliament, first, thirteenth and nineteenth session of the fifth parliament are glaring example of it. This tendency of the government as pointed out by a commentator 'shows an attitude of complete

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[6] Ahmed, Moudud, *Bangladesh*: *Era of Sheikh Mujibur Rahman,* (University Press Limited, Dhaka, 1991), p.108.

disregard for the parliamentary culture and reluctance for building political institutions. This is an attitude that has become ingrained in our society resulting in the deep morass into which politics in this country has sunk'.[7] For this widespread misuse of ordinance making power bypassing the parliament, it is sometimes typically said that Bangladesh Parliament does not legislate but legitimates. So, Article 70 has turned responsible government into an elected dictatorial government and rule of law into the rule of party.

4. Conclusion

Reviewing the past experiences of the floor crossing, particularly during 1950s in the Pakistan period, one can hardly deny the need for the continuation of the Article 70. Stable and effective government is always important for national interest. The existence of this article is partially justified because the 'selfish, nasty and brutish' nature of human being as expressed in Hobbesian terms cannot be simply dismissed. MPs are human being, so they are not above human follies. But the human nature is not entirely dark. They have more light on one side of their nature. Exploring positive aspects of the MPs cannot be suppressed by Article 70. When the Article 70 discourages freedom of expression, it violates his right. And this right is his power conferred upon him by the legal order (Cited in Habermas 1996: 85; Bernhard Winscheid). In the name of stable government, the whole spirit of responsible government and rule of law cannot be negated. But such has been the outcome of Article 70 when major laws of vital national interests are being made by ordinances and are getting easy approval without any protest or challenge. Therefore, it is necessary to distinguish between freedom and un-freedom contained in the Article 70. Freedom must be promoted as it is the basis of individual autonomy which is central to the essence of liberal democracy.

The Article 70 has become partially anachronistic in parliamentary democracy. Floor crossing is not the only factor that destabilizes the government. There are other factors such as boycotting the parliament by the opposition and confrontational politics have also led to the political instability in the country. However, the continuation of the article rests on the premise of insulating governmental stability from down-turn. MPs insubordination stemming from the politics of conspiracy, self-interest and greed for power legitimizes the continuation of Article 70. In the absence of MP's creative role in the parliament, the executive becomes dictatorial. Instead of the rule of law, rule of the individuals obstruct normal functioning of the parliamentary government.

Except the no-confidence motion, a normal or general bill is not necessarily connected with the stability of the government. The government may fail to pass

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[7] *Legislation by Ordinance*, a paper by Nazim Kamran Chowdhury, p.22, (Published by CAC, 1996.)

a bill, be it a money bill or cut-motion or any other bill. But failure of passing this bill or even defeat in a cut-motion does not mean the fall of the government. Last but not the least, the enactment of any law is presumed to stabilize behaviour. In case of Article 70, such stabilization would remain incomplete without reforming the content of the Article.

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MANPOWER EXPORT FROM BANGLADESH: PROBLEMS AND PROSPECTS

Abstract

This paper attempts to analyze the trend of manpower export from Bangladesh and identify the factors responsible for the unrest in this sector. The paper also identifies the future challenges to be faced by this sector. Bangladesh is an overpopulated country under the growing pressure of unemployment and poverty. Employment scope is very meagre both in the formal and informal sectors. Export of surplus labour abroad has become a partial solution to the growing pressure of unemployment in the country where labour force grows at a faster rate than the rate of population growth. Manpower export has also become a good source of earning foreign exchange. But, this promising sector is now beset with many problems such as high migration cost, fraudulent practices of the manpower recruiting agencies, domination of unskilled labour export, lack of control of government on the manpower recruiting agencies, non-cooperation of our missions abroad etc. Added to this is the impact of ongoing global economic recession. In order to maintain the robust growth of our economy, it is essential to ensure the increasing trend of inflow of remittances which account for 56.09 percent of our export earnings and 10.02 percent of our GDP. Therefore, the government should attach top priority to contain the present success and widen the existing market. The future action for this purpose includes train up the unskilled and semi-skilled workers, producing more professionals, establishing transparency in manpower export, utilizing remittances for productive investment, reforming our missions abroad and exploring new markets for manpower export. In order to meet these challenges, the government should formulate a comprehensive manpower export policy in consultation with the concerned stakeholders and implement it strictly. Otherwise, the economy of Bangladesh is likely to face severe challenges in the future.

1. Introduction

Bangladesh is an over-populated country with present population of 144.5 million.[8] Poverty and unemployment are two major problems of the country. At

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present, 40 percent people of Bangladesh are poor (daily calorie intake < 2122 Kilocalorie) and 25.5 percent people are hard-core poor (daily calorie intake < 1805 Kilocalorie).[9] Unemployment is the main cause of this widespread poverty. Every year a large number of people are being added to the existing labour force further exacerbating the unemployment problem.

The first Millennium Development Goal is to reduce poverty by half by 2015. The best way to achieve this target is to generate large-scale employment. But, employment facilities in Bangladesh are very meagre both in the formal and informal sectors. Export of surplus labour abroad has provided a marginal relief to the growing pressure of unemployment in Bangladesh where labour force grows at an annual rate of 3.0 percent that is almost twice the rate of population growth.[10] The manpower export from Bangladesh began in 1976 and it has shown an increasing trend thereafter with few exceptions. In 1976, the country exported only 6087 workers but the figure rose to 30,073 in 1980, 103,814 in 1990, 222,686 in 2000 and 875,055 in 2008. During the period from 1976 to 2008, a total of 6,265,909 workers went abroad for employment.[11]

Manpower export has also become a good source of earning foreign exchange. During this long period, workers' remittances have always been on the increase. In 1976, workers' remittances constituted only US$23.71 million but the figure rose to US$301.33 million in 1980, US$781.54 million in 1990, US$1954.95 million in 2000 and US$9019.6 million in 2008.[12] The remittances sent by the expatriate workers made significant contributions to the economic development of the country augmenting foreign exchange reserves and income. In fiscal year 2000-2001, remittances as percent of GDP and export were 4.01 and 41.76 respectively which stood at 10.02 and 56.09 respectively in fiscal year 2007-08. This figure is nearly twelve times greater than the foreign direct investment (FDI) and nearly four times greater than the foreign assistance and grants received from the donor countries during the same period.[13]

However, now, this major foreign exchange earning source is at stake. The workers from the Middle East and Malaysia, the two primary destinations for Bangladeshi workers, are coming back. A section of them have been the victim of global recession. Manpower recruiting agents feared nearly 50 percent slump

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[8] Government of Bnagladesh 2009: *Bangladesh Economic Review 2008*, Ministry of Finance.

[9] *Ibid.*

[10] Matiur Rahman *et al*., 2006.

[11] Bureau of Manpower Employment and Training 2009, Government of Bangladesh.

[12] Bangladesh Bank 2009.

[13] Government of Bangladesh 2009: *Bangladesh Economic Review 2008*, Ministry of Finance.

in manpower in 2009.[14] The flow of remittances is also likely to fall. But, the recession is not the only reason for the downturn of manpower export from Bangladesh. Overseas employment was beset with many problems in the past that were not resolved properly. At present, the ongoing global recession together with other problems has struck this promising foreign exchange earning sector. Although remittances are not the only source of development in a country, these do play a significant role in Bangladesh. In case of Bangladesh, it has been the backbone of the economy for the past few years. If this sector crushes, it will undoubtedly shake the economy of the country. Therefore, it is necessary to identify the factors responsible for the unrest in this sector and the future challenges to be faced. Thus, the objectives of the present study are:

i.   to analyze the past and present trends in manpower export from Bangladesh;

ii.   to identify the factors responsible for the present unrest in the manpower export sector; and

iii.   to assess the future challenges to be faced by this sector.

2. Literature Review

A good number of studies have been conducted on the issue of manpower export and remittances. Hossain (2007) showed the pattern of migration from Bangladesh and the impact of remittances on the process of development. Murshid et al. (2001), Salim (1992) and Mahmud (1985) showed that a significant portion of overseas earnings was spent for consumption purposes, purchasing assets, particularly land, investment in small business, and reinvestment to go to other countries. Rahman (1985) found that remittances increased the average monthly income of the migrant families. Khuda (1982) found that 29 percent of the migrant remittances were spent on consumption. Deb (1986) showed that the average consumption expenditure of the receiver of migrant remittances was 10 percent higher than that of non-receiver. Siddiqui et al. (2003) showed that the yearly income of the migrant families increased by 119 percent. Only 46 percent of the remittances were remitted to Bangladesh through official channel and the rest through a variety of unofficial channels.

Most of the above studies are mainly concerned with inflow, uses, management and development impact of remittances. Manpower export from Bangladesh has flourished through numerous hurdles. Recently, the sector has become more unstable due to the global recession and its aftermath. The previous studies lack in-depth analysis of the problems faced by this sector in its long traversed path and future challenges to be faced by it. The present study attempts

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[14] Sohel Parvez, "Global Recession: Bleak Days Ahead for Migrants", *The Daily Star,* March 08, 2009.

to overcome this gap by identifying and analyzing the factors responsible for the present instability in the manpower export sector as well as the challenges to be faced by the sector.

3. Trends of Manpower Export from Bangladesh

Export of manpower in an organized way from Bangladesh through official channel started in mid-1970s. The primary destination was the countries in the Middle East. It began with a small number of workers. However, soon the number increased drastically as a result of keen interest of Bangladeshi workers in availing the tremendous employment opportunities opened in the countries of the Middle East and, to a lesser extent, Southeast Asia. Table 1 shows the export of manpower from Bangladesh during 1976-2008, while dividing the period into two parts, 1976-1990 and 1991-2008. As evident from the Table 1, in the initial years (1976-1990), Bangladeshi workers went mainly to the countries of the Middle East and Singapore for employment. In this regard, major destinations were Saudi Arabia, United Arab Emirates, Kuwait, Oman, Qatar, Bahrain and Libya. During this period, manpower export from Bangladesh showed upward trend with few exceptions. The total number of migrant workers during this period was 827,700 out of which about 38 percent went to Saudi Arabia, about 14 percent to the United Arab Emirates, about 12 percent to Oman, about 11 percent each to Kuwait and Qatar, about 4 percent each to Bahrain and Libya, while only 0.55 percent went to Singapore and a meagre 0.28 percent to Malaysia. During this period, the growth of manpower export was encouraging. The number of workers travelling abroad for employment increased from 6087 to 30,073 (five times) during 1976-80, from 55,787 to 77,694 (1.4 times) during 1981-85 and from 68,658 to 103,814 (1.5 times) during 1986-90.

Export of manpower started rising sharply after 1990. The number of migrant workers increased from more than 103,814 to over 147,131 in 1991 and further increased to 244,508 in 1993. Then, the number went down to around 187,000 for two consecutive years (1994 and 1995) but again increased to around 212,000 thousand in 1996 and the trend continued till 2000. In 2001, manpower export again went down to below 200 thousand but soon gained momentum. Manpower export received a boost in 2007 and increased from around 381,561 in 2006 to 832,609 in 2007 (more than two times) and reached 875,055 in 2008, the peak point during the whole period 1976-2008.

Although Bangladesh has gained remarkable success in the export of manpower, the sector has always been dominated by the unskilled workers. Table 2 shows that 6,265,909 workers went abroad for employment during the period 1976-2008. 50 percent of the total number were unskilled workers, 31 percent were skilled, 16 percent were semi-skilled and only 2.87 percent were professionals. In other words, 66 percent of Bangladeshi migrant workers were unskilled and semi-skilled, while less than three percent were professionals. It is

the negative side of the export of manpower from Bangladesh. The major problem with the unskilled workers is that they are employed in lower grade works such as cleaner, home servants, security guards and construction workers. As a result, they are poorly paid, work often in health hazardous conditions and, only rarely, enjoy any kind of decent working and living conditions. The professional category includes doctors, engineers, university teachers, cost and chartered accountants, computer experts etc. The professionals are employed in upper grade jobs with higher salary and better working conditions. The skilled workers include machine operators, carpenters, cooks, drivers, painters, electricians etc. who are also employed with better payment and relatively better working and living environment. The semi-skilled workers are somewhere in between skilled and unskilled workers and work mostly as trainee gardener, housekeeper, room-boy, medical attendant etc. The semi-skilled workers also enjoy a status similar to that of unskilled workers, until they graduate into skilled workers. Notwithstanding the low quality of Bangladeshi migrant workers, the country witnessed a phenomenal growth in the remittances; thanks to the similar growth in the number of migrant workers. In 2008, Bangladesh received over US$9 billion as remittances.[15] Migrant workers' remittances would be much higher if the country could send more professionals and skilled workers.

4. Flow of Remittances during 1976-2008

Table 3 summarizes the flow of remittances to Bangladesh during 1976-2008. As evident, the country has experienced a rising trend of remittances flow with some exceptions. The remittances received by Bangladesh in 1976 were only US$23.71 million. These jumped to US$82.79 in 1977 and continued to increase until 1983. The remittances showed a downward trend during the next couple of years. During the period 1984-1991, the flow of remittances shows a downward trend and remarkable fluctuations. However, the remittances gained momentum in 1992 and showed a persistently increasing trend until 2008 when the country received US$9019.6 million as remittances.

5. Present Unrest in Manpower Export from Bangladesh

Presently, the manpower export sector has become more unstable in comparison with the past years. The workers from Saudi Arabia, Kuwait, Dubai and Malaysia are coming back home, though the volume did not reach an alarming rate. The export of manpower received a stunning boost in 2007 with 832,609 workers travelling abroad for employment that is more than double the figure of 2006 (381,516). It further increased to 875,055 in 2008. The year 2009 came to witness another wave of decrease in the export of manpower. Thus, in January 2009, the export of manpower reduced to 55,332 in comparison with the

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[15] *Bureau of Manpower Employment and Training 2009, Government of Bangladesh.*

January 2008 figure of 91,999. Similarly, in February 2008, the number was 71,716 which decreased to 43,856 in February 2009.[16] While such a decrease in the export of manpower may be partially explained as a consequence of global recession, there are also other reasons behind this phenomenon.

The highest number of Bangladeshi migrant workers is in Saudi Arabia who faced a ban on their recruitment in the household and agriculture sector in March 2008.[17] The Saudi government also unofficially stopped renewing residential permits to Bangladeshi workers. In July 2008, about 200 workers were forced to come back to Bangladesh and, in February 2009, 8022 migrant workers came back home on strict enforcement of immigration rules and layoffs or long-run vacation by the employers in the Gulf region, mainly UAE and Saudi Arabia[18].

In 2008, labour market in Kuwait received a serious blow following strike by Bangladeshi workers demanding better pay and other facilities. The strike took a violent form and the Kuwait government went on action. Thus, over 1000 Bangladeshi workers were deported from Kuwait and Kuwait government decided not to employ Bangladeshi workers in the future. There are about 200,000 workers from Bangladesh in Kuwait and they are mostly employed as cleaner, security guards or construction workers.

The ongoing problems in the manpower sector worsened with the cancellation of 55,000 visas for Bangladeshi workers in Malaysia. Malaysia is the second largest destination for Bangladeshi workers with around 450,000 workers currently employed. Malaysia first imposed a ban on Bangladeshi workers in 1999. Following considerable efforts on the part of Bangladesh, it lifted the ban on 23 May, 2006. But, Malaysia again imposed the ban on the employment of Bangladeshi workers on the allegation of charging extravagant fees from the workers by the recruiting agencies. Again following considerable efforts on the part of Bangladesh, Malaysia started recruiting Bangladeshi workers in 2008. Malaysia also declared its intention of recruiting 500,000 workers from Bangladesh within two to three years. The country also finalized the employment of 55,000 Bangladeshi workers this year as a part of that plan[19]. But, the process stopped following the cancellation of visas.

The overseas job market is set to receive another blow as Mauritius government has recently decided to send some 6000 Bangladeshi workers back home within six months in view of global recession. This is the second biggest case of job loss after Malaysia had cancelled about 55,000 employment visas in March 2009. Mauritius has asked Bangladeshi workers, numbering about 4000

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[16] *The Daily Independent,* 21 April, 2009.
[17] Lynne Roberts, "Saudi Shuns Bangladeshi Labor," URL: www.arabianbusiness.com accessed 25 March, 2008.
[18] Sohel Parvez, *op. cit.*
[19] *Prothom Alo*, May 08, 2009.

and working in the garments sector, to leave the country by the end of 2009 in a move to protect local jobs in its recession-hit textile sector.[20]

6. Uncertainties regarding the Export of Manpower: Exploring the Underlying Factors

The factors responsible for the current uncertainties regarding the export of manpower from Bangladesh are numerous and diverse. Following is an attempt to explore some of the crucial ones.

Global Economic Recession: The global recession has affected the manpower export sector curtailing the demand for Bangladeshi workers abroad. The number of overseas workers fell sharply in 2009 compared to 2007 and 2008. About 1.7 million people went abroad during 2007 and 2008. However, the present trend shows the number may not exceed 0.9 million in the next two years.[21] This is mainly because of the fact that the Middle East countries, where the majority of Bangladeshi workers are employed, have downsized their development activities in the aftermath of the global recession.

High Cost of Migration: High cost of migration is one of the major causes of sufferings of Bangladeshi migrant workers. It is alleged that in case of Saudi Arabia, Tk. 300-400 thousand per worker is charged by the unscrupulous recruiting agencies for arranging employment opportunity. In case of Dubai, Libya and Malaysia this figure is around Tk. 230-250 thousand and in case of Korea and Romania it is about Tk. 500 thousand.[22] Most of the large companies and government agencies abroad do not charge any money from the workers they employ.[23] However, most of the migrant workers are continuously being exploited by the greedy and unscrupulous recruiting agencies and their counterpart abroad. High migration costs leave the workers unable to recover the money they spend for migration and this tempts them to switch jobs and to overstay illegally. A good number of Bangladeshi workers in Korea reportedly violated contracts by switching jobs or by migrating to Japan for higher salaries because they were desperate to earn more money to recover the huge amount of money they had paid to the recruiting agencies at home.[24] Such practices by the Bangladeshi workers are tarnishing the image of the country and hampering the prospects for the export of manpower.

Fraudulent Practices by the Manpower Recruiting Agencies: Fraudulent practices by the manpower recruiting agencies and their foreign counterparts take

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[20] *New Age,* July 16, 2009.

[21] *The Daily Star,* August 21, 2009.

[22] *The Daily Ittefaq,* April 29, 2009.

[23] *The Daily Star,* February 19, 2009.

[24] *The Daily Star,* December18, 2005.

several forms like fake passport and visa, fake work permit, lower salary, and poorer working and living conditions than agreed upon in the recruitment contract, non-payment of salary and benefits, curtailing salary in the name of various fees, forcing to do lower grade and lower paid job than agreed upon in the recruitment contract, confiscating the passport of the workers on arrival making them totally helpless, depriving legitimate leave, physical assault on the workers by the employer/management, compelling the workers to buy plane ticket from certain travel agencies which charges exorbitant fares etc. All these reflect just a segment of the exploitation and repression suffered by the expatriate workers in the hands of the domestic recruiting agencies and their foreign counterparts. Ordeal suffered by them also include death from starvation, physical and mental torture by the employers, jail and so on. The number of deaths of Bangladeshi migrant workers is of alarming proportion. During the period from 2002 to 2008, a total of 12,307 dead bodies of migrant workers came to Bangladesh. These included 788 in 2004, 1248 in 2005, 1402 in 2006, 1673 in 2007 and 2237 in 2008. During the period from January 2009 to May 2009, a total of 1044 dead bodies of migrant workers came to Bangladesh.[25] It is alleged that the number of dead bodies might be more than documented. Job insecurity, tension at work, poor working conditions are the main causes for the deaths.[26] The age of the most of the dead migrant workers ranges from 25 to 30 years. Moreover, the dead workers are frequently reported by the foreign employers as illegal workers which deprive their families of the compensation to be received from the employer companies.[27]

Lack of Control of Government over the Manpower Recruiting Agencies: The exploitation and repression suffered by the migrant workers in the hands of the recruiting agencies and their foreign counterparts testify that the government virtually has no control over the recruiting agencies. Almost every day, a number of Bangladeshi workers come back home being cheated by the recruiting agencies and their foreign counterparts. Many of the cheated workers are sent back home with the cooperation of some international bodies, often, after they have lost their health and livelihood. The fraudulent practices by the manpower recruiting agencies and the sufferings by the migrant workers are known to all through the print and electronic media. Nonetheless, no significant initiative was undertaken to ease their ordeal. As a result, both the fraudulent practices by the recruiting agencies and the number of victims have continued to increase. A significant factor behind this remains the fact that powerful manpower recruiting agencies often neutralize the relevant government departments through inducement.

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[25] *The Daily Janakantha,* June 17, 2009.
[26] Indo Asian News Service (IANS), URL: http://www.ians.in accessed May 13, 2009*,*
[27] *The Daily Janakantha,* June 17, 2009.

Prevalence of Unskilled Workers in Manpower Export: As it has already been discussed, 50 percent of the migrant workers are unskilled. Together with the semiskilled, they constitute 66 percent of the total. The problems with unskilled and the semiskilled workers are manifold. They are employed at the bottom-level positions of a company. They are generally engaged in notorious '3-D' – dangers, dirty and demeaning – jobs like cleaners, home servants, security guards and constructions workers with poor pay and, poor working and living conditions. All these negative sides generate frustration among the workers that frequently leads to certain unexpected incidents.

Non-cooperation of Bangladeshi Missions Abroad: There are persistent allegations that the Bangladeshi missions abroad are found to be non-cooperative when migrant workers fall in inconvenient situation and seek their assistance. Rather, in many cases, the employees of the embassies are found to be cooperative with the unscrupulous recruiting agencies and their foreign counterparts. Print and electronic media have paid considerable attention on the matter. So did a number of Non-Governmental Organizations (NGOs). The government is yet to take any effective initiative to reverse the situation.

Absence of a Comprehensive Manpower Export Policy: Despite being a major exporter of manpower and significantly dependent on the remittances, Bangladesh remains without a comprehensive manpower export policy. The manpower recruiting agencies are running the business according to their own rule and, as we have already discussed, exploiting the migrant workers in numerous forms. For every Bangladeshi sent abroad, his sponsor pays a sum of money to the manpower agent in Bangladesh for training that is usually usurped by the agent. Consequently, our nationals are sent abroad without preliminary knowledge about the laws and culture of the destination countries. In the circumstances, they are, sometimes, engaged in such activities which tarnish the image of the country or put them in difficult situations. In order to ensure the safe migration, there must be proper coordination among the Foreign Ministry, Labour and Expatriate Ministry and the Bangladesh Association of International Recruiting Agencies (BAIRA). Due to the absence of a pragmatic manpower export policy, such coordination is yet to be established.

7. Facing the Challenges: Ways and Means

Manpower export has become partial relief to the widespread poverty and unemployment in the labour surplus countries. The migrant workers' remittances are playing a significant role in the economic development of these countries. Therefore, the global competition for manpower export is increasing day by day. Moreover, the demand for skilled workers and professionals is also rising. But, Bangladesh lagged behind the top remittance earning countries in exporting

skilled and professional personnel.[28] In the circumstances, despite successes achieved by Bangladesh in the manpower export sector, the country is facing a host of difficult challenges with regard to the further increase in the export of manpower. In the preceding section, attempts have been made to probe into the nature and magnitude of the problems and challenges faced by Bangladesh in this regard. Following is an attempt to explore the ways and means of meeting these challenges.

Ensuring Transparency in Manpower Export: Presently, manpower export from Bangladesh is hostage to a number of unscrupulous manpower recruiting agencies and their foreign counterparts. The government has virtually no control over their activities. The manpower recruiting agencies are causing innumerable sufferings to the migrant workers and tarnishing image of the country in the destination countries. In order to sustain the present flow and, more so, for further increase in the export of manpower, the government needs to initiate some effective measures. Central to these could be a regulatory mechanism designed to facilitate necessary coordination among different government agencies so as to ensure transparency and accountability with regard to the activities of manpower recruiting agencies and, if possible, their foreign counterparts. In this regard, bringing the migration cost to a reasonable level and dealing with a wide variety of malpractices as discussed above remain an urgent task. For this purpose, exchange of information, coordination and cooperation among the relevant government bodies, including the law enforcing agencies, Bureau of Manpower Employment and Training (BMET) and BAIRA are of crucial importance. All these will have to be done systematically and under the guidance of a comprehensive manpower export policy.

Export of Skilled Workers and Professionals: Bangladesh has lagged behind India, Philippines and some other top manpower exporting countries in terms of exporting skilled workers and professionals. The country could earn more remittances by exporting skilled workers and professionals. For example, in 2008, the Philippines received US$33 billion as remittances which are about 3.5 times the amount received by Bangladesh in the same year.[29] But, the number of Philippino migrant workers is far less than that of Bangladeshi migrant workers. The reason behind this is the fact that out of total migrant workers of the Philippines, 58 percent are skilled workers, 9.6 percent are professionals and 32.4 percent are labourers and unskilled workers.[30] During 2004-05 almost 10,000 nurses from the Philippines were employed in the US hospitals. With 9800

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[28] See, the World Bank, *Migration and Remittance Factbook 2008.*

[29] Government of the Philippines 2009: "Index of overseas Philippino Workers", Philippines National Statistics Office, URL: www.census.gov.ph accessed January 20, 2010.

[30] *Ibid.*

physicians leaving the Philippines in 2000 for employment abroad, the country became the third largest emigration country of physicians.[31]

India, our neighbouring country, is the largest recipient of remittances in the world which amounted to US$45 billion in 2008. This success in remittance earning also stems from the export of skilled workers and professionals. During the period 1995-2002, almost 200,000 IT specialists were employed by Germany from India.[32] With 20,300 physicians leaving India in 2000 for employment abroad, the country emerged as the largest emigration country in the world.[33]

Therefore, proper steps should be taken to enlarge the pool of skilled workers in the country. The government has to set up appropriate type and adequate number of vocational training institutes of international-standard to produce skilled manpower. The leading non-governmental organizations like Bangladesh Rural Advancement Committee (BRAC) and Grameen Bank and other private entrepreneurs could be included in this initiative. In addition, the quality of education in the poly-technique institutes, Bangladesh Institute of Technologies (BITs) and the technical universities must be enhanced to produce professional manpower of high standard.

Exploring New Markets: The market for manpower export should not remain confined to the countries of Middle East alone. Presently, the demand for workers in that region is declining due to the fall in oil price and the impact of global recession. This particularly implies to the demand for unskilled workers due to the slump in the once-buoyant real estate market. The crises have been aggravated as the countries are now encouraging the employers to hire their own unemployed youths. In the circumstances, Bangladesh needs to diversify the markets for manpower export. Diversifying the markets would provide a kind of insurance against a slump in any of the major destinations of manpower export.[34] Attention should be focused on Organization for Economic Cooperation and Development (OECD) countries where the demand for skilled workers and professionals as well as per capita remittances is very high. Skilled workers in the healthcare and housekeeping are in great demand in the European countries, where Bangladeshi women could suit well.[35] The same implies to Japan which remains a vast unexplored market. East European countries also remain a promising manpower export market for Bangladesh. Similarly, Bangladesh also may target some specific industries for exploration. In this regard, the hospitality

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[31] Rashid Ahmed Mughal, "Migration, Employment Promotion and Poverty Reduction, A System of Exporting Skills and Earning Foreign Exchange", Weekly Business and Finance Review, *Daily Jang,* May 18, 2009.

[32] Rashid Ahmed Mughal, *op. cit.*

[33] The World Bank, *Migration and Remittance Factbook 2008.*

[34] Sohel Parvez, *op. cit.*

[35] *The Financial Express,* August 11, 2009.

and tourism industry remains a flourishing industry in the world. The hospitality specialists are highly paid. The industry was expected to employ more than 300 million workers by the year 2008.[36] There are, thus, both new regions and new industries to explore. For this, Bangladesh will have to produce trained and qualified personnel. This remains a difficult but not insurmountable challenge.

Utilization of Remittances in Productive Investment: Remittances are not considered as a solid foundation for long-term growth or as a sustainable development strategy. Consumption not the investment is the primary goal of remittances.[37] In Bangladesh, only 4.76 percent remittances are used for productive investment and a significant portion is used for non-productive activities.[38] The hard-earned remittances are not utilized for industrialization that is necessary for the socio-economic development of the country. Therefore, it is a crucial challenge for the government to take necessary steps to divert the use of remittances in productive investment.

Reconstitution of Foreign Missions: Foreign service establishment of Bangladesh needs to be reformed and the country's missions abroad need to be reconstituted enabling these to respond to the diverse requirements of expatriate workers. In this regard, proper training of the diplomats and supporting staff employed in the missions are of crucial importance. In cases, relevant professionals from outside the foreign service establishment could be employed in the missions abroad. This would include a wide diversity of professionals with expertise in exploring the opportunities as well as dealing with multifarious problems faced by the migrant workers. Right person in the right place policy may solve the problem to a great extent. Similarly, in order to ensure accountability, their activities should be closely monitored and evaluated. Accordingly, appropriate action also should be taken by the responsible authorities. There are shortages of manpower in our foreign missions to look after the huge number of expatriate workers. There must be one or more labour counsellors in every mission whose principal duty would be to look after the expatriate workers and research about the type of workers that the respective countries may need in future. The government then would be able to send desired type of workers by making necessary arrangements beforehand.

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[36] Mohammad Shahidul Islam, "Promoting Manpower Export through Hospitality Training", *The New Nation,* March 19, 2008.
[37] Jamaluddin Ahmed 2007*:* "Economics of Migrant Remittance", Paper Presented to the XVI Biennial Conference of Bangladesh Economic Association, 12-15 December, 2007, Dhaka, Bangladesh.
[38] Rashed Al Hasan 2006: "Harnessing Remittances for Economic Development of Bangladesh", Paper Presented at INAFI Asia International Conference on Migration and Development held in the Philippines, 23-27 May, 2006.

8. Conclusion

Manpower export has become a driving force in the economy of Bangladesh. But, this promising sector is beset with myriad of challenges such as high migration cost, fraudulent practices by the unscrupulous manpower recruiting agencies, domination of unskilled labour in the export basket, lack of any regulatory mechanism to facilitate and oversee the manpower recruiting process, lack of adequate preparation on the part of the foreign service establishment to avail enormous opportunities and face multifarious challenges. The ongoing global recession has also affected this sector. In order to maintain the robust growth of our economy, it is essential to ensure the increasing trend of inflow of remittances which account for 56.09 percent of our export earnings and 10.02 percent of our GDP. Therefore, the government should attach top priority to contain the present success and widen the existing market. The future actions for this purpose include training of the unskilled and semi-skilled workers, producing more professionals, establishing transparency in manpower export, utilizing remittances for productive investment, reforming the foreign service establishment and exploring new markets for manpower export. These challenges are certainly difficult but not insurmountable. What is needed for the government is to formulate a comprehensive manpower export policy in consultation with the concerned stakeholders and implement it.

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The Daily Star, Dhaka

Table 1.

Table 2: Manpower Export by Skill during 1976-2008.

Year	Professional	Skilled	Semi-skilled	Less-skilled	Total
1976	568	1775	543	3201	**6087**
1977	1766	6447	490	7022	**15725**
1978	3455	8190	1050	10114	**22809**
1979	3494	7005	1685	12311	**24495**
1980	1983	12209	2343	13538	**30073**
1981	3892	22432	2449	27014	**55787**
1982	3898	20611	3272	34981	**62762**
1983	1822	18939	5098	33361	**59220**
1984	2642	17183	5484	31405	**56714**
1985	2568	28225	7823	39078	**77694**
1986	2210	26294	9265	30889	**68658**
1987	2223	23839	9619	38336	**74017**
1988	2670	25286	10809	29356	**68121**
1989	5325	38820	17659	39920	**101724**
1990	6004	35613	20792	41405	**103814**
1991	9024	46887	32605	58615	**147131**
1992	11375	50689	30977	95083	**188124**
1993	11112	71662	66168	95566	**244508**
1994	8390	61040	46519	70377	**186326**
1995	6352	59907	32055	89229	**187543**
1996	3188	64301	34689	109536	**211714**
1997	3797	65211	43558	118511	**231077**
1998	9574	74718	51590	131785	**267667**
1999	8045	98449	44947	116741	**268182**
2000	10669	99606	26461	85950	**222686**
2001	5940	42742	30702	109581	**188965**
2002	14450	56265	36025	118516	**225256**
2003	15862	74530	29236	134562	**254190**
2004	12202	110177	28327	122252	**272958**
2005	1945	113655	24546	112556	**252702**
2006	925	115468	33965	231158	**381516**
2007	676	165338	183673	482922	**832609**
2008	1864	281450	132825	458916	**875055**
Total	**179910**	**1944963**	**1007249**	**3133787**	**6265909**

Source: Bureau of Manpower Employment and Training (BMET), 2009

Table 3: Flow of Remittances during 1976- 2008

Year	No. of migrant workers	Remittances earned Million US$	Annual Change(%)
1976	6087	23.71	
1977	15725	82.79	256.85
1978	22809	106.9	29.12
1979	24495	172.06	60.95
1980	30073	301.33	75.13
1981	55787	304.88	1.18
1982	62762	490.77	60.97
1983	59220	627.51	27.86
1984	56714	500	-20.32
1985	77694	500	0.00
1986	68658	576.2	15.24
1987	74017	747.6	29.75
1988	68121	763.9	2.18
1989	101724	757.84	-0.79
1990	103814	781.54	3.13
1991	147131	769.3	-1.57
1992	188124	901.97	17.25
1993	244508	1009.09	11.18
1994	186326	1153.54	14.31
1995	187543	1201.52	4.16
1996	211714	1355.34	12.80
1997	231077	1525.03	12.52
1998	267667	1599.24	4.85
1999	268182	1806.63	12.98
2000	222686	1954.95	8.21
2001	188965	2071.03	5.93
2002	225256	2847.79	37.51
2003	254190	3177.63	11.58
2004	272958	3561.45	12.07
2005	252702	4249.87	19.32
2006	381516	5484.08	29.04
2007	832609	6568.03	19.76
2008	875055	9019.6	37.32
Total	**6265909**	**56993.12**	**-**

Source: Bangladesh Bank, 2009

Zohra Akhter

TERRORISM: A NEW FRAMEWORK FOR ANALYSIS

An objective definition of terrorism is not only possible; it is also indispensable to any serious attempt to combat terrorism.

– Boaz Ganor

Abstract

In post 9/11 period, terrorism has emerged as a major challenge to international peace and security. Realizing the significance of the threat, international community has agreed to fight terrorism on a global scale. Paradoxically enough, the international community has been constantly failing in reaching an agreed definition of terrorism. The disagreement over the definition of terrorism makes the counter terrorism efforts more complicated. It is in this backdrop that the paper made an attempt to explore the major difficulties in reaching an agreed definition. It has identified the "definitional politics" which has created a "right-wrong quagmire" to be the single most important impediment. In order to address the "definitional politics" and to provide a scope for objective analysis, this paper has used the Right-Based Approach (RBA). With its main focus on human rights, the RBA has helped develop a new model for defining terrorism by analyzing the context and causes of violence. Further, the paper has applied the Right-based Model in the context of Bangladesh with special reference to the activities of the Jamaat-Ul-Mujahideen Bangladesh (JMB) to measure the applicability of the new model.

1. Introduction

As terrorism is a concept of political realm, the subjective interpretations of terrorism for political and ideological reasons make all the efforts at conceptualizing it very difficult. This difficulty in defining terrorism has been very clearly echoed by Chomsky (2001, 128) while he observed that defining terrorism was a difficult and irritating task. In spite of this difficulty, the state, organic intellectuals and the dissenters have constantly been attempting to define terrorism making it an over-defined concept (Ahmed 2006, 8). Some scholars like Walter Laqueur, however, are very sceptical about such attempts. Laqueur argues (1977, 5) "(A) comprehensive definition of terrorism…does not exist nor will it be found in foreseeable future. To argue that terrorism cannot be studied without such definition is manifestly absurd." His position is challenged by many

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on practical grounds as Gibbs (1989, 329) said that if Laqueur's logic was taken to be a fact, there would be an obscurantism to study terrorism.

The necessity of an agreed definition of terrorism has more acutely been felt especially in the post 9/11 security context. To make an effective global counterterrorism strategy, it has become an imperative to distinguish conceptually between terrorism and other forms of violence such as movements of national liberation, on the one hand, and the criminal activities of organized groups and *mastans*, on the other. One must bear in mind that "just as not all political violence is directed at the same targets, not all political violence is the same either" (Reveron and Murer 2008, 318). In spite of the fact that the democratic waves that set in the post-Cold War era making populace politically ever more powerful and use of violence increasingly illegitimate means to preserve peoples' rights, the world has still been witnessing some kinds of revolutionary movements for defending the right to self-determination, social and cultural rights within the state, while criminal or illegal activities or anti social activities by some gangs have been the recurrent problems in many countries. If "revolutionary movements/fighting for national self-determination," "criminal activities" and "terrorism" are seen through the same lens, there is a possibility of ineffective counterterrorism response while, at the same time, doing injustice to the people who are fighting for their just cause. Quainton (1980), the former Director of the Office for Combating Terrorism, United States Department of State, realized the necessity of an agreed definition while he noted "this problem of definition has bedevilled the development of an effective counter-terrorism strategy at both the national and international level." Ganor (2002, 300) also argued that "developing an effective international strategy requires agreement on what it is we are dealing with, in other words, we need a definition of terrorism." In addition, if international community fails to provide an acceptable definition of terrorism for all, the actual terrorists may take the opportunity of this conceptual disagreement. For example, al-Quada leader Osama Bin Laden has stated "every state and every civilization and culture has to resort to terrorism under certain circumstances for the purpose of abolishing tyranny and corruption (Reveron and Murer 2008, 311)." Thus, lack of definition will ultimately encourage future terrorism (Schmid 2004, 378).

The recent surge in research on the definitional aspect of terrorism has mainly focused on international terrorism using an international framework of analysis though global trends of terrorism show that terrorists all over the world are based within a certain state structure no matter at what level they operate. The use of the international framework in this respect overlooks the terrorist organizations operating at the more local level with local agenda and regional level with regional agenda. Valla et al. (2008, 173) argued that "nearly one dimensional focus on international terrorism by policy makers, academics, the intelligence services, and, to a much lesser extent, local, state, and federal law-enforcement agencies provides an incomplete picture of the terrorist threats." In

the age of globalization and communication revolution where it becomes much easier for one to communicate any idea, ideology, plan and strategy *via* internet, domestic/state level terrorism can be as deadly as international terrorism with serious implications for international security. As religious terrorists operating at different levels share same kind of ideology with varying political objectives and reside in a certain state structure, it is better to use a state level framework in defining terrorism. This state level framework will help to provide a more comprehensive definition of terrorism.

Keeping the problems mentioned above in perspective, the purpose of the paper is to understand the difficulties in defining terrorism and, thus, helping to provide a new framework for analysis to define terrorism. In this pursuit, in Part 2 of the paper, an attempt has been made to find out what the actual problems in defining terrorism are. On the basis of the problems identified, Part 3 of the paper would provide a new model: Right-Based Model to define terrorism. In Part 4, the Jamaat-Ul-Mujahideen Bangladesh (JMB), one of the notorious militant groups of Bangladesh, will be analyzed as a case study in the light of the Right-Based Model.

2. Diagnosing the Problem in Defining Terrorism

Since the inception of the term "terrorism" in the political vocabulary during the French Revolution (1793-1794), it has been used both positively and negatively in different contexts and different periods. Up to the early twentieth century, terrorism referred to the revolutionary movements by the non-state actors who used the terrorist strategy to attain their revolutionary objectives. During this long period, terrorist strategies were sometimes used for the promotion of governance, raising anti-monarchical sentiments, and ensuring the rights of the deprived. Terrorism was perceived positively during this period (Hoffman 2006, 4). At that time, even terrorists were happy to style themselves as terrorist, Hoffman (2006, 13) stated that "the nineteenth-century anarchists unabashedly proclaimed themselves to be terrorists and frankly proclaimed their tactics to be terrorism." After WWI, terrorism no longer remained as a means of non-state actors to attain their revolutionary objective, but it also became a means to abuse power by totalitarian states to repress their own citizens while following WWII, terrorism regained its revolutionary meaning. During that period, terrorists were especially considered to be freedom fighters/nationalists that fought against the colonial power and terrorism was used as one of the tactics in the struggle for independence, autonomy, recognition, or access to material resources (Reveron and Murer 2008, 311). Over time, this positive connotation of terrorism has changed into a negative one especially in the aftermath of the 9/11 incident. Terrorism is in disrepute as it has never been in history. At present, terrorism has emerged as a global threat commanding much attention of the strategically important states and become one of the main focuses of the international security studies.

Though terrorism constitutes a major threat to international system, the United Nations, fails to provide an acceptable definition for it. The League of Nations Convention for the Prevention and Punishment of Terrorism (1937) defines terrorism as "criminal acts directed against a State or intended to create a state of terror in the minds of particular persons, or a group of persons or the general public (Thayer 2005, 80)." This definition of terrorism was not adopted by the UN Charter in 1945. The UN and international community did not consider the issue of defining terrorism more seriously until the terror incident at the Munich Olympic Games that took place in summer 1972 when the Israeli Olympic team was taken hostage and murdered by the Black September. The aversion to defining terrorism during the Cold War period was partly due to the conceptual ambiguity between terrorism and liberation war, a phenomenon that characterized the Cold War politics. However, ten "sectoral" conventions and protocols were developed between 1960s and early 1990s by many international organizations but in vain (Corell 2002). It was only after the terrorist incidents in 2001 that the Ad Hoc Committee on Terrorism adopted the draft UN Comprehensive Convention on International Terrorism, which states,

> if a person by any means unlawfully and intentionally commits acts whose purpose and its nature and context is to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act, then it constitutes terrorism (Khatri 2003).

This definition in the draft Convention did not see the light of day as the 56-member Organization of the Islamic Conference refused to adopt a definition that fails to differentiate between national liberation movement and terrorism (Schmid 2004, 388). Therefore, it was again the terrorists vs. freedom fighters dichotomy that became one of the key contentious issues in defining terrorism. Outside the United Nations, a lot of collective and individualistic efforts at the national, regional and international level have been made to reach an agreed definition of terrorism but in vain. Even different agencies of the US Government including the State Department, Defence Department and Federal Bureau of Investigation have been using different kinds of definition in their fight against terrorism though the Code of Federal Regulations of USA has given a legal definition of terrorism (Thayer 2005, 80). All these indicate that defining terrorism is a daunting task.

Schmid, Jongman, et al. (1988, 5-6) identified 109 definitions of terrorism which have 22 definitional elements. A separate study conducted by Leonard et al. (2004, 789) which examined 73 definitions found in the articles published in three leading journals on terrorism: *Terrorism; Terrorism and Political Violence; Studies in Conflict and Terrorism*, identified 19 definitional elements. The latter study made a comparison of the frequencies of definitional elements with those of Schmid and Jongman.

Table 1: Frequencies of Definitional Elements of "Terrorism"

Elements		Schmid and Jongman Survey (1998) Frequency (%)	Leonard Weinberg, Ami Pedahzur and Sivan Hirsch-Hoefler Survey Frequency (%)
1.	Violence, force	83.5	71
2.	Political	65	60
3.	Fear, terror emphasized	51	22
4.	Threat	47	41
5.	(Psychological) effects and (anticipated) reactions	41.5	5.5
6.	Victim-target differentiation	37.5	25
7.	Purposive, planned, systematic, organized action	32	11
8.	Method of combat, strategy, tactic	30.5	31.5
9.	Extra-normality, in breach of accepted rules, without humanitarian	30	0
10.	Coercion, extortion, induction of compliance	28	5.5
11.	Public aspect	21.5	18
12.	Arbitrariness, impersonal, random character; indiscrimination	21	0
13.	Civilians, non-combatants, neutrals, outsiders as victims	17.5	22
14.	Intimidation	17	11
15.	Innocence of victims emphasized	15.5	10
16.	Group, movement, organization as perpetrator	14	29
17.	Symbolic aspect, demonstration to others	13.5	5.5
18.	Incalculability, unpredictability, unexpectedness of occurrence of violence	9	1
19.	Clandestine, covert nature	9	7
20.	Repetitiveness, serial or campaign character of violence	7	0
21.	Criminal	6	5.5
22.	Demands made on third parties	4	1

Source: Weinberg, Leonard, Pedahzur, Ami and Hirsch-Hoefler, Sivan. 2004. The Challenges of Conceptualizing Terrorism. *Terrorism and Political Violence* 16, no. 4:781

The comparative analysis cited above (Table 1) shows that except three definitional elements, (i. extra-normality, in breach of accepted rules, without humanitarian; ii. arbitrariness, impersonal, random character; indiscrimination; and iii. repetitiveness, serial or campaign character of violence), 16 elements identified by Leonard et al. (2004) are similar to those identified by Schimd et al. (1988) though the frequency is not the same. From the above Table, it is also clear that "violence and threat of violence" has become the most important key

element of terrorism while other most commonly used definitional elements are: "political", "threat", "fear, terror emphasized", "victim-target differentiation", "public aspect", "Method of combat, strategy, tactic", "purposive, planned, systematic, organized action", "Civilians, non-combatants, neutrals, outsiders as victims", "Intimidation" and "Group, movement, organization as perpetrator". This comparative analysis also indicates that most of the scholars on terrorism share the same kind of understanding in identifying the key elements of terrorism. However, there is no consensus on the definition of terrorism yet. In identifying the key problem behind it, Ganor argued that defining terrorism is based on the subjective outlook of the definers. According to Ganor (2002, 288):

> this position, naturally, contributes nothing to the understanding of an already difficult issue. Nor does the attempt to divide terrorism into categories such as 'bad and worse terrorism,' 'internal terrorism and international terrorism,' or 'tolerable terrorism and intolerable terrorism.' All these categories reflect the subjective outlook of whoever is doing the categorizing – and purely subjective categories will not help us to determine who are the real terrorists.

Schmid (2004, 413) has identified 15 basic reasons behind not to have a common definition of terrorism. These are listed below:

i.   terrorism is a "contested concept" and political, legal, social science and popular notions of it are often diverging;

ii.   the definition question is linked to; (de-)legitimization and criminalization;

iii.   there are many types of "terrorism" with different forms and manifestation;

iv.   the meaning of the term has undergone changes during more than 200 years of its existence;

v.   terrorist organizations are (semi-)clandestine and the secrecy surrounding them makes objective analysis difficult;

vi.   the definition question one's own (national) interest, and, consequently double standards tend to be applied;

vii.   the boundaries with other forms of political violence (e.g. assassination, guerrilla warfare are hazy or unclear;

viii.   the state, with its (claimed) monopoly of the use of force and its legal definition power, can exclude any of its own activities (e.g. criminal justice model, war model);

ix.   it is linked to discussion of primary responsibility for initiating a downward spiral of action-oriented-reaction violence and a discussion of root causes;

x.   some authors use two different vocabularies (force vs. violence; terror vs. terrorism) for state-and non-sate actors;

xi.   the conceptual and normative frameworks of the users of the term differ (e.g. criminal justice model, war model);

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the discussion on terrorism has been linked to issues regarding self-determination, armed resistance against foreign occupation and racist regimes;
those who engage in acts of terrorism often engage in other, more legitimate, forms of armed conflict and/or engage in political processes;
the violence perpetrated by the terrorists' opponent might be as indiscriminate, or worse, than the ones deemed "terrorists";
the assessment of the terrorist act is intertwined with the discussion concerning the actor's goals and the status of the actor itself.

Though Schmid identified 15 separate reasons as to why it is difficult to define terrorism, these problems are intertwined. The foremost reason which Schmid spoke about is that terrorism is a "contested concept". The politics behind defining terrorism makes the concept a contested one. When the state itself conducts terrorist activities against its people, which we call state-sponsored terrorism, it tries to legitimise its terrorist acts with different labels. On the other hand, when some groups of people who use violence as a last resort to ensure their rights in a structure that recurrently fail to ensure the same, the state may brand them as terrorists declaring their activities illegitimate. Derek S. Reveron et al. (2008, 312-313) argued

> the choice to call a political act 'terrorism' often has a 'prescriptive policy relevance as well as moral connotation.'… The application of such a label can make governments adverse to the distinction between violent opposition and non-violent dissent, or the distinction between rebellion and civil disobedience.

Chechnya can be cited as an example. It has been under the emergency since 2000. Security force of Chechnya regularly has been using "extreme violence against people." In a report of the Russian Human Rights Organization, it was estimated that there were about 3000-5000 Chechen who disappeared since December, 1999 (Washington Post 2005, 20). To investigate the problem, UN Commissioner for Human Rights, Mary Robinson called Russia to account for human rights abuses in the absence of state of emergency and Justice Minister Yuri Chaika argued that it was part of the fight against terrorism (Reveron and Murer 2008, 316). The example is illustrative of the fact that whoever defines terrorism, defines it in a way that safeguards their parochial interests. They include some components of terrorist activities while excluding others to serve their purpose. In their analyses, they do not take cognizance of the actual context and environment, why violence is used that can help to draw a line between terrorist acts and other forms of political violence. As the diagram shows, this fact of being a contested concept links the question of (de-)legitimisation and criminalisation with terrorism and also explains why the definers adopt double-standard in analysing terrorism. It is this politics behind terrorism which makes

the meaning of terrorism a flexible and ever changing issue. There is no set standard to find out what is just and what is unjust, and what is right and what is wrong. Without an objective set of standards, people tend to interpret it subjectively. Weinberg et al. (2004, 778-779) argued

> terrorism is a concept – seems to suffer from 'border' and 'membership' problems. Where does terrorism stop and other forms of political violence begin, guerrilla warfare or urban guerrilla warfare, for example? The same acts, such as air piracy or assassinations, may be considered acts on some occasions but not on others….

As a result, Laqueur (1977, 5) argued "terrorism had appeared in so many different forms and under so many different circumstances."
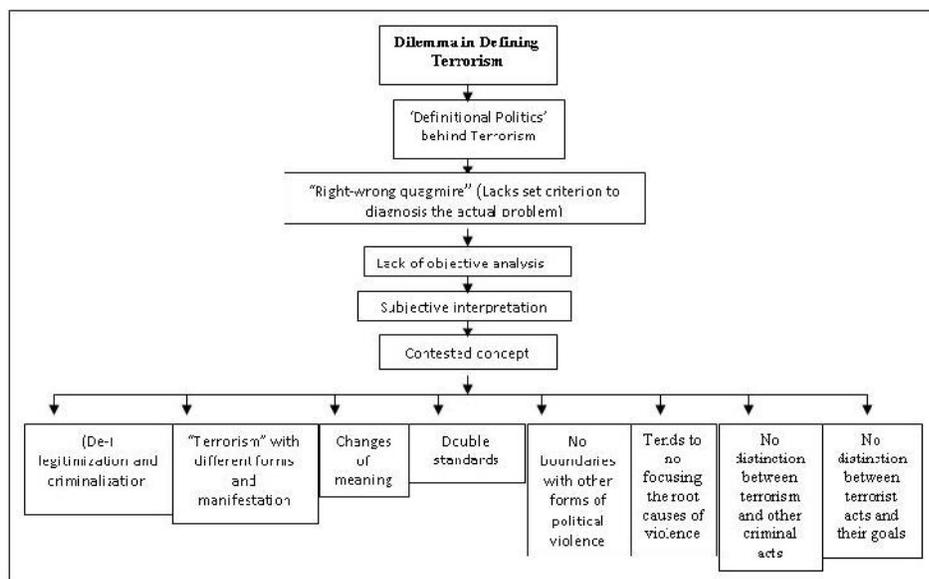

Figure 1: Dilemma in Defining Terrorism

Figure 1 shows that the main reason of the dilemma in defining terrorism is politics behind it or what I call 'definitional politics'. Because of this politics, there is no clear-cut demarcating line between what terrorism is and what it is not. It is, however, important to distinguish between them as Mitchell (1991, 14) opined that "a definition of terrorism must clearly establish what terrorism is not." From the above discussion and the diagram, it is clear that the problems identified by Schimd are basically interlinked originating from definitional politics based on the "right-wrong quagmire".

3. Right-Based Approach: A New Model for Defining Terrorism

For an objective analysis of terrorism, it is very important to understand the actual phenomenon of terrorism which will essentially help to resolve the "right-wrong" quagmire caused due to the definitional politics. A researcher must have "intellectual honesty" that Alex Schimd pointed out to set up criteria to analyse the phenomenon. It is indisputable that people (civilian population) are one of the basic components in defining terrorism. Recent trends of terrorism show that people have become one of the primary victims of terrorist operations. On the other hand, they are the ones who are the target of the radical ideological propaganda. These contradictory positions of using the general mass in terrorism necessitate the setting up of a general standard where people would be taken as a centre of concern/basis of analysis to resolve the "right-wrong" quagmire.

In this backdrop, this paper attempts to provide a set of criteria to define terrorism on the basis of Right-Based Approach (RBA). The RBA can not only be used as a theoretical framework to mitigate the conceptual ambiguity in defining terrorism as this approach considers people as the central element of human development. It also will help to understand the actual context and phenomenon of terrorism, thus, helping us address the definitional politics regarding terrorism. The RBA uses human rights as the basis for human development which aims to ensure equal and equitable life for people in the society. According to Baehr (1999, 1), the conventional definition of human rights states, "human rights are internationally agreed values, standards or rules regulating the conduct of states towards their own citizens and towards non-citizens." "In theory, human rights are inherent, universal and inalienable, meaning they are held by everyone by virtue of being human and cannot be given up or taken away (Thoms and Ron 2007, 683)." Human rights includes civil liberties, freedom of speech, expression of religion, the right to life, physical integrity and the fulfilment of all kinds of basic needs which are required for a healthy life. This approach addresses the "need to identify, isolate and analyse factors that impact on the development of human potential and to develop strategies that enable key duty bearers to fulfil their responsibilities" (United Nations Development Assistance Framework in Bangladesh: 2006-2010, March 2005). Thus, by ensuring human rights of people the RBA in turn helps to protect human security. According to Alkire (2003, 3), "the objective of human security is to safeguard the 'vital core'[39] of all human lives from critical pervasive threats, in a way that is consistent with long-term human fulfilment."

The rationale behind applying the RBA as a conceptual framework in defining terrorism is the fact that a conceptual framework is seen as a tool to

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[39] Vital core consists of fundamental human rights which all persons and institutions are obliged to respect or provide, even if the obligations are not perfectly specifiable (Alkire 2003, 3)

analyse the causes of the problems encountered, establish linkages between them and, finally, to place greater focus on root causes. Hence, the RBA centred on human rights will be able to address the issue of conceptual clarity regarding terrorism by focusing on the root causes of violence. Here, it is needed to be mentioned that as a socially constructed conceptual framework – RBA itself is not beyond political criticism. Therefore, the definition or the understanding of terrorism which will be developed by using it would not be purely apolitical. As the RBA uses people as the main concern for development, there is a possibility of ensuring a more acceptable basis to analyse terrorism by using the RBA.

There is no disagreement that the use of violence or threat to use violence to intimidate the general mass is a key characteristic of terrorism. Through their violent strategy (use or threat to use of violence) the terrorists wish to have their presence and power felt drawing mass attention and ensuring massive publicity. Hence, it is important to analyse the purpose of violence to understand the context and circumstances where violence is used and conflicts take place. Researches show that violation of human rights cause internal armed conflict. Thomas et al. (2007, 704) argued

> Violations of civil and political rights, by contrast, are more clearly identifiable as direct conflict triggers. When populations are unsettled by long-standing inequalities in access to basic needs and political participation, government repression may push some opposition groups over the brink.
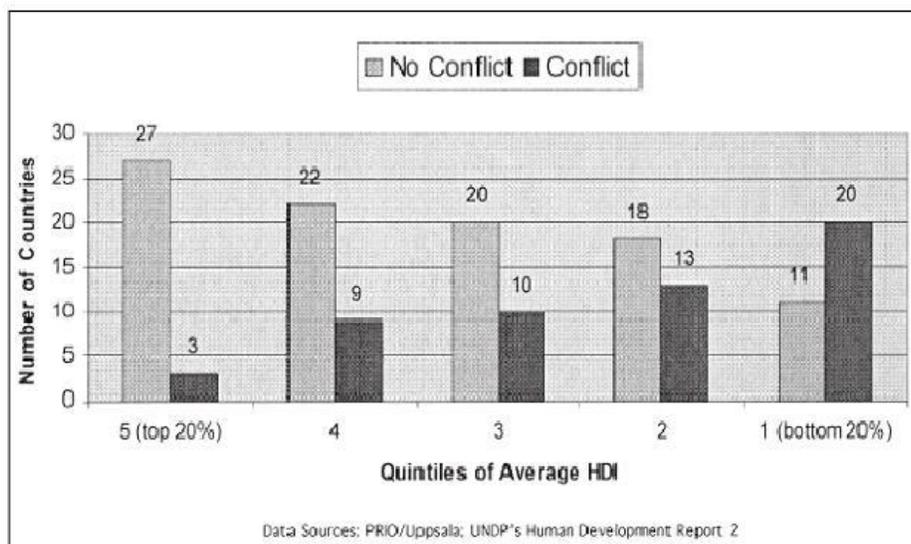

Figure 2: Incidence of Internal Armed Conflict by Quintiles of Average Human Development Index (HDI) (153 Countries from 1990 to 2003) (Thoms and Ron, 689)

Figure 2 ranks most of the states by quintiles of HDI during the period of 1999 to 2003. The figure depicts the relation that higher degrees of HDI scores may lead to lower level of internal conflicts such as twenty-seven in the top quintile were peaceful while three were violent. On the other hand, lower degrees of HDI scores may lead to higher level of international conflicts, i.e., twenty countries in the bottom quintile experienced more violence while eleven did not (*Ibid.*, 688-689).

Keeping this in view, the RBA framework will be used to analyse whether human rights violation in a certain context cause internal armed conflicts or induce violent reaction in order to provide a contextual background to define terrorism more objectively. In the existing literature on definition of terrorism, it has been found that in most cases, scholars, who are struggling to define terrorism, analyse the nature of terrorist activities and the nature of violent acts in defining terrorism rather than analysing the purposes of violence. For example, Brain Jenkins felt that the idea of analysing the nature of act is important for defining terrorism rather than the nature of cause (Hoffman 2006, 16). Such analysis may lead to ignorance of the just cause of the deprived people who resort to violence as the last resort in a context where their rights are routinely violated. More importantly, by such analysis, there is a chance of doing injustice to the deprived. Moreover, defining terrorism by the nature of act, as Hoffman (2006, 16) opined, "fails to differentiate clearly between the violence perpetrated by states and by non-state entities." Departing traditional ways of defining terrorism, Ganor (2002, 294) used a people-centric approach when he defined terrorism as "the intentional use of, or threat to use, violence against civilian or against civilian target, in order to attain political aims." It consists of three basic components: i. the essence of the activity – the use of, or threat to use, violence; ii. aim of the activity – political; and iii. targets of terrorism – civilian. Using people as the focal point of analysis in defining terrorism, Ganor distinguished guerrilla warfare and criminal activities from terrorism. His comparative analysis on guerrilla warfare and terrorism presented that both are the part of non-conventional warfare which may include revolutionaries, anarchists and freedom fighters.
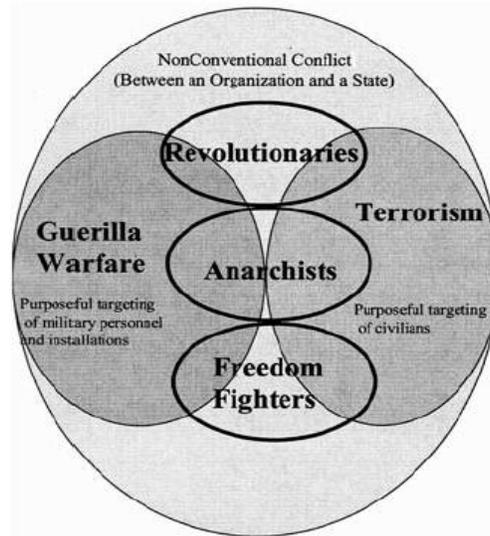
Figure 3. Ganor's (2002, 298) model of distinguishing Guerrilla Warfare and Terrorism on the basis of means and ends.

One of the main weaknesses of his analysis, however, is that though he gave emphasis on analysing the nature of threat for defining terrorism by only focusing on the "deliberate target on civilian", he did not consider that state institutions can also be target for them. More importantly, what his analysis missed is to incorporate root causes for terrorism/violence thus ignoring contexts which lead one to resort to violence. Moreover, he (Ganor 2002, 293) stated that 'the concept of 'terrorist' and 'freedom fighter' are not mutually contradictory." Such a definition that failed to address grey areas or the 'right-wrong quagmire' is not conceptually rigorous and morally acceptable.

To find out the actual causes of violence for defining terrorism, the RBA at first will explore whether the violence is carried out to ensure the rights of the people. If violence is carried out to ensure the rights of people in a context where their rights are routinely violated and they do not have any standard mechanism for redressing the grievances, the violent act cannot be considered terrorism. It is undoubtedly a critical task to identify the actual cause as all the groups who resort to violent means to attain their objectives always try to establish "just claim" in support of their activities. In this regard, three factors have to be determined to investigate whether ensuring "human rights" is the main purpose of using violence.

Firstly, One has to examine the goals or aims of the violent groups. This is important because it will help to determine whether violence is used to ensure/protect the rights of the majority people or the group(s) of people who are deprived of their rights. There is a tendency to resort to violence when people

feel deprived as Gurr (1970) argued that people become resentful and disposed to political action when they share a collective perception that they are unjustly deprived of economic and political advantages enjoyed by other groups. In analysing the issue, one needs to look into two interrelated points. On the one hand, one must examine whether the context of violence is characterised by violation of human rights by the dominant group and the extent of such violation. On the other hand, one must also measure the extent of support to the movement on the part of the deprived people in whose name violence or threat to use violence is used.

Secondly, If violence is caused due to human rights violation, it would automatically lead the case to be excluded from being terrorism. To determine this, one needs to set the next criterion as the availability of redressal mechanism in the given context. In other words, it is crucial to find out whether the state/community has necessary legal structure or the peaceful means to resolve the grievances emanating from the violation of human rights. Essentially one needs to investigate whether the regime/government concerned intentionally deprives some groups of people of enjoying their rights in a state or the violation is due to the poor socio-economic conditions; whether the regime/government is authoritarian/totalitarian; whether the state is occupied by foreign forces and whether all these conditions cause human rights violation or not. In spite of having enough legal structure and accessible redressal mechanism, if violence is used by a group or groups of people in the name of ensuring peoples' political, economic, social or any other rights in a state, the use of violence will be disqualified to meet the human rights criterion to justify their activities as a means to preserving peoples' rights.

Thirdly, to meet the human rights criterion, to justify violence, the primary target of the violent act cannot be the civilian or their properties. The recent trends of terrorism show that the primary victims of violent acts are the civilian population or their properties besides state institutions (Akhter, 2009). Exploiting the relative weakness of civilians being unarmed, terrorists aim to portray themselves as a force capable of harming the civilians in a country thus creating panic among the mass and the authority concerned to attain their goals. The fact that civilian/general mass and their properties are repeatedly being targeted of violent activities make it clear that promotion or protection of human rights are not the main purpose of violence and only then such violence would be qualified to be labelled as terrorism.

When people become the primary target of violence, it makes a clear distinction between terrorism and other forms of (non-)political movement, such as movements for liberation/national self determination, human rights movements as in the latter cases civilians are not made primary target of violence. Importantly, when human rights are the main concern for violence, civilian and their properties cannot become the primary target of violence as

civilian/innocent people are not responsible for their sufferings rather it may be the foreign occupiers, authoritarian/totalitarian regimes/rulers, their military or whom they consider their enemy. When civilian or the general mass/innocent people are not the primary target of violence, though sometimes they may fall victim to such violence quite unintentionally, then the use of violence or threat of violence meet the human rights criterion of violence and it cannot be considered terrorism.

Besides these three factors identified to meet the human rights criterion to justify violence, it is also essential to bear in mind that terrorism should always be based on political ideology and this essentially distinguishes it from other forms of violent criminal activities. Karim (2003, 10) argued, "When people want to achieve political power by the use of force, terrorism is born." The end goal of terrorism is always political which can have social or economic objective i.e. regime change in a state system, changing the political structure of a state, changing the socio-economic policy structure and so on. Pillar (2006, 25) has argued that "Terrorists' concerns are macro concerns about changing a larger order; other violent criminals are focused on the micro level of pecuniary gain and personal relationships." If the cause of violence is political, terrorists use a radical ideology to justify their violent activities against the general mass. This political nature of terrorism would untimely help to overcome the conceptual overlapping between the criminal activity and terrorism by demarcating the grey line between their activities.

Though terrorism is different from guerrilla warfare especially on the basis of making civilians its primary target, sometimes terrorists use guerrilla warfare strategy to attain their political aim primarily targeting both the civilian/innocent people or state institutions or targeting both. For example, over the years, the way the Islamist militancy has grown in Bangladesh shows two distinct phases: 1. Strategic Defensive[40] (early 1990-1998) and 2. Strategic Stalemate[41] (1999-2005). The first phase *'Strategic Defensive'* was concerned with the formation of the Huji-B and JMB, propaganda of Jihadi ideology, strengthening of their network, establishment of regional bases and procurement of arms and ammunition. During this period, they did not carry out any major bomb blasts or other terrorist incidents. They gradually moved to the second stage – *'Strategic Stalemate'*. In this phase, they became strong enough to carry out major terrorist attacks at the national level at an average rate of slightly above 5 major attacks a year. These attacks were a clear indication of their strength with which they significantly threatened the state structure of Bangladesh. However, their recent trends show that they had to roll back to the stage of 'Strategic Defensive' following the execution of the six militant kingpins in 2007 and constant dragnet by law enforcers and strong commitments and new initiatives on the part of the

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[40] First stage of Mao's Guerrilla Warfare
[41] Second stage of Mao's Guerrilla Warfare

incumbent government. They now once again get involved in the process of: 1) radicalisation and 2) strengthening networks.

Therefore, on the basis of the right based approach the following model (Figure 4) has been developed to define terrorism.
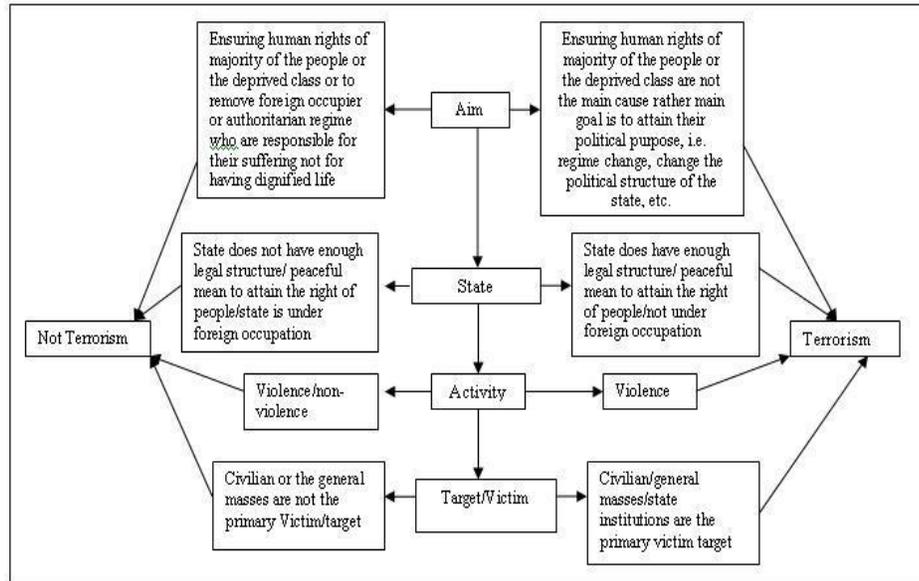

Figure 4: Right-Based Model for Defining Terrorism

With the RB model terrorism can be defined as: *Act of violence/means of violence/threat of violence used by the extremist groups who share radical ideology to attain their political goal rather to ensure the rights of the majority of people/deprived class in spite of having enough legal or peaceful means in the state structure, against general people/civilian or their properties or the state structure systematically and clandestinely.*
This definition contains five premises:

i. act of violence or threat to use violence is the main means to attain the goal;
ii. goal is completely political;
iii. causes of violence or other extremist activities are not to preserve/protect the human rights of deprived class;
iv. innocent people/general mass, their properties besides state institutions repeatedly become the primary target/victim of violence; and
v. violence is used in spite of having legal structure or peaceful redressal mechanism that could ensure the rights of civilians/general mass.

Here, it is to be noted that a violent act can be considered terrorism only when it is compatible with the premises mentioned above.

4. The Bangladesh Context: Case of JMB

Being one of the largest Muslim majority states in the strategically important South Asia, Bangladesh has increasingly been seen as the locus of a significant and expanding threat deriving from radicalized Islamist mobilization, though there are some different opinions regarding the nature of terrorism facing Bangladesh in terms of its link with international terrorism in the post 9/11 world.

After the independence of Bangladesh, some of the major political parties who were in power in different periods tried to use Islam directly or indirectly for their political gains. The result of such politicization of Islam is the rise of some Islamic groups in the state. Some of these groups got prominence in the mainstream politics, while others remained marginalized. To make the situation worse, after the Soviet withdrawal from Afghanistan, many Bangladeshi mojahedin returned from Afghanistan with new political ideology of Jihad. These groups vowed to turn Bangladesh into an Islamic state through jihad though historically Islam spread in this region through the sufis and saints who preached the tolerant version of Islam (Ahmed 2005, 8). In the circumstances, post-Afghan political ideology of Jihad and traditional sufism-inspired tolerant version of Islam prevailing in Bangladesh for centuries were antithetical to each other. Meanwhile, 9/11 and the subsequent developments significantly boosted the jihadi forces and their cause globally including Bangladesh. Thus, in the aftermath of 9/11, extremist forces and their activities become more visible and focused.

The prominent Islamist terrorist groups active in Bangladesh are: Harkat-ul-Jihad-al-Islami (Huji), Jamaat-Ul-Mujahideen Bangladesh (JMB), Jagrata Muslim Janata Bangladesh (JMJB), Hizbut Tauhid and Allahr Dal. *The Daily Star*, a popular Bangladeshi newspaper identified that there are as many as 30 militant groups active in Bangladesh (Ahsan 2005). One of the main goals of these groups is to turn Bangladesh into an Islamic state through *jihad*. Their activities involve bomb/grenade attacks, propaganda, networking, and abduction for ransom etc. As their activities are identical, in this paper, on the basis of the RB Model, JMB activities have been evaluated critically to determine whether JMB is a terrorist organization that carries out terrorist activities in Bangladesh.

Goal:

JMB propagates that their main aim is to establish Islamic rule in Bangladesh. It wants to change the very political structure of state, which is now democratic, into a theological state. It means that its goal is to capture the state power and transform the system of government. Therefore, it is easy to

understand that its goal is very much political. Amin (2008, 27) stated that this ideology of JMB was heavily guided by the writings of Abul Wahab and Ibn Tamiyyah. The followers of the Wahabism (1703-1792) sometime are known as Salafi. The salafis argued that they learned Islam from Hazrat Mohammad (SAW - pbuh), therefore, their interpretation is based on pure understanding of Islam (Wiktorowicz 2005, 75). Wahabism put emphasis on rigidity in practicing Islam. There are three streams of interpretation in Wahabism – purists, politicos and jihadis. The purists put emphasis on non-violent methods of propagation, purification, and education. They view politics as a diversion that encourages deviancy. Politicos, in contrast, emphasize application of the Salafi creed to the political arena, which they view as particularly important because it dramatically impacts social justice and the right of God alone to legislate. Jihadis take a more militant position and argue that the current context calls for violence and revolution (Wiktorowicz 2005, 208). While, Ibn Tamiyyah, who had a great influence on Abd al-Wahhab's intellectual thinking, argued that if a Muslim ruler who fails to implement Islamic law in his domain, it is inevitable to carry out rebellion against the Muslim ruler. The Islamist terrorist groups in Bangladesh including JMB belong to the jihadis group. For example, it was stated in the leaflets of JMB that were found at various bombing sites of 17 August 2005 stated

> We are the soldiers of Allah. We have taken up arms for the implementation of Allah's law the way the Prophet, his companions and heroic Mujahideen have implemented for centuries. If the government does not establish Islamic law in the country after (third) warning and, rather, it goes to arrest any Muslim on charge of seeking Allah's laws or it resorts to repression on Alem-Ulema, the Jamaatul Mujahideen (JMB) will go for counteraction, Insha Allah. …Those who want to give institutional shape to democracy are the enemies of Islam … if they want 'hedayet [blessings] of Allah', both the government and the opposition should unitedly introduce Islamic law immediately by burying party conflicts. Democracy is the product of evil power. Democracy is the main weapon to establish evil forces in the world. This evil order allows the arrest of Mujahideen who are on Allah's path (Unpublished 2005).

To attain their goal of establishing a state with Saria law (Islamic law), they use the strategy of radicalisation to motivate people with the jihadi ideology. For example, in one of their jihadi books titled "Islamer Prokrito Ruprekha", the author said, "It is a fully military program, citing the great prophet Mohammad (pbuh) went into 107 battles in 9 years to establish Islam in the world. He also directed all his followers to continue their battles or jihad against the mosreqa and kafir. So we adopted a military program (Hossain 2008)." One of the leaflets titled 'Prokrito Islamer Daak' said, "We are observing some Islamic rules at a personal level, like namaz, Ramadan, Hajj, etc., but in most fields like economics, politics, the judiciary, and other social activities, we follow the rules made by men. So they are all mosreqs." They are propagating "anybody who

does not join the organisation is a kafir or infidel, and military measures are a must to establish Islam (*Ibid.*).”

Activity and Target/Victim:

The followers of JMB propagate that the means of attaining their goal of establishing an Islamic State with Sharia law is jihad. Jihad is essentially a violent method as it holds the idea of arms revolution. It is assumed that JMB has started its activities since late 1990s under the leadership of Shaikh Abdur Rahman who was executed along with other JMB kingpins in 2006. There is still doubt about the exact origin of JMB. Its existence came to surface on May 20, 2002 when police arrested 8 JMB members at Parbatipur in Dinajpur district along with 25 petrol bombs and documents detailing the outfit's activities. Before the series bomb blasts at a time across the country in 2005 operated by this outfit, people and society at large were not that much aware of the activities of this group. Through this blast, JMB members were successful to create panic and fear among the people and since then JMB has been perceived as a threat to the nation.

JMB activities can be divided into two categories viz., organisational and operational. Following is an evaluation of both categories of activities.

1. Organisational activities:

These activities include organising themselves in an institutional structure, radicalisation of people with Jihadi propaganda, creating a highly indoctrinated and dedicated core group within the organisation, strengthening network, establishment of regional bases, arms training, procurement of arms and ammunition, and increasing new members. JMB is trying to regroup themselves under new names and forms, and their activities remained unabated. Many detained JMB leaders and activists at the grass-root level have disclosed that the leaders and suicide squad members of the banned outfit had been regrouping. It has been found that after the incidents of August 17 serial bomb blast in 2005, some of the militants fled from the country and recently they have returned to their areas and started regrouping (Aman 2008). It was reported that some JMB members were trying to regroup in Gaibandha, by holding public meetings, recruiting members and collecting tolls (Daily Star Correspondent 2008).

JMB is recruiting new members in a bid to strengthening the party. It is even engaged in recruiting cadres under threat and coercion. The main recruiting strategy of JMB is jihadi propaganda, distribution of leaflets, handbills, CD and books about Jihad. It is inviting people to join JMB and trying to motivate villagers in the name of Jihad to establish 'Islamic rule' in the country. Villagers are called kawfir when/if they refuse to listen to militants (*Ibid.*).

For training, regrouping and indoctrinating people, JMB organisers have chosen remote villages, *char* and *haor* areas across the south-western, north-western and north-eastern districts of Bangladesh. Sources in the intelligence agencies said that the *chars* dotting Sirajganj, Jamalpur, Sherpur and Pabna, all in the north-western districts, have long been used as training camps. The militants consider those places safe as it takes hours for the law enforcers to reach there and, thus, allow them enough time to flee (Staff Correspondent 2007).

2. Operational activities:

Their operational activities include bomb/grenade attacks and killings. After the execution of the six militant kingpins of JMB, its command and control structure suffered a severe blow. Therefore, their militant activities like bomb/grenade attacks have also virtually ceased. JMB members exploded more than a thousand bombs between 2000 and 2005 and killed at least 64 civilians (Staff Correspondent 2007), while a huge number of people were injured (Table 2).

Table 2: Violent Incidents and the Number of People Killed and Injured by JMB (2002-2005)

Year	Violent Incidents	Number of People Killed and Injured
2002	Bomb blast in Cinema Halls, Circus in Satkhira,	
	Four cinema halls in Mymensingh	19 killed and about 100 injured
2003	Bombing in Sufi Shrine, Tangail	A number of people were killed and injured
	Murder of Chistiya Shrine Employees	5 killed
2004	Attack on professor Humayun Azad	
	Bomb blast at Jatra (a form of traditional Bangla opera) stages in various districts including Gaibandha, Bogra, Sherpur, Tangail and Rajshahi	
2005	Countrywide serial bomb blasts	2 killed and 104 injured
	Bomb blast at Chittagong, Chandpur and Lakshmipur courts	2 killed and 34 injured
	Bomb blast at Jhalakathi	2 Killed and 3 injured
	Bomb blast at Sylhet with a judge being the target	
	Bomb blast in the office of the district's lawyers' association in the court building, Gazipur	7 killed and many injured
	Bomb blast at a Chittagong court	3 injured
	Bomb blast in front of an office of a cultural organization, Udichi, Netrokona	8 killed and many more injured

Source: Staff Correspondent 2007

It is also observed that the terrorist attacks targeted both civilian establishments and state institutions including courts, DC offices, cultural institutions, cinema halls, NGO offices, press clubs, public meetings and cultural programmes. They have targeted judges, lawyers, cultural activists, politicians and people in general. It has also been observed that JMB often targeted politically sensitive places in order to attract public attention.

State Structure:

Since independence in 1971, Bangladesh has undergone numerous zigzags, by-paths and occasional set-backs in the way of establishing democracy. In the process, it had experienced military rule for a long period, but it has started a relatively stable journey towards democracy since 1991. Majority of people in Bangladesh are in favour of democracy. "World Values Survey" conducted in 2001 showed that 98 percent of respondents in their survey supported democratic system in Bangladesh while another study titled "State of Democracy in South

Asia" by SDSA Team held in 2008 found that 96 percent of Bangladeshi respondents were in favour of democracy (SDSA Team 2008, 11). Moreover, high turnout in national elections in Bangladesh, particularly 80% voter turnout in the national elections held in December, 2008 (Wikipedia) also prove that most of the people of Bangladesh are very much inclined to the democratic system. Barring a few exceptions, Muslim, Hindus, Christians and Buddhists as well as a host of indigenous communities live in Bangladesh in a relatively peaceful and harmonious environment. Growing poverty, corruption, state failure in satisfying basic needs of the people, criminalization of economy and politics, growing inequality, large-scale illiteracy, and increasing unemployment are the major impediments to a stable democratic system. In the circumstances, the record of Bangladesh has been poor in terms of ensuring basic human rights, though the state is bound to protect human rights of its people as enshrined in the Constitution of Bangladesh promulgated in 1972. Table 3 is an attempt to highlight part of the violation of human rights in Bangladesh as against relevant constitutional guarantee.

Table 3: Human Rights Violations in Bangladesh vis-à-vis Constitutional Guarantee

Types of Security	Threats to Security	Key Relevant Passages in the Constitution
Economic security	Threats to economic security emanating from poverty, unemployment, economic exploitation, economic instability, etc.	Article 15 of the Constitution: Provision of basic necessities. It shall be a fundamental responsibility of the state to attain, through planned economic growth, constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, with a view to securing to its citizens:
Health security	Threats to health, e.g. from infectious disease, accident and injury, poor sanitation etc.	1. the provision of the basic necessities of life, including food, clothing, shelter, education and medical care;
Food security	The threat of hunger caused by the lack of reliable food supplies	2. the right to work, that is the right to guaranteed

Environmental security	Threat to a productive, healthy life due to environmental factors such as natural disasters, poor resource management, and climate change	employment at a reasonable wage having regard to the quality of work;* 3. the right to reasonable rest, recreation and leisure; and 4. the right to social security, that is to say to public assistance in case of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age, or in other such cases.
Personal security and security of possessions	Threats to life, and physical and emotional well-being from all forms of crime, including theft, violent and organised crime (and the fear of such crimes)	Article 31 of the Constitution: Right to protection of law. To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, wherever he may be, and in particular no action detrimental to the life, liberty, body, reputation or property if any person shall be taken except in accordance with law.
Security from misuse of drugs and alcohol*	Threats to personal security from drug-related crime; threats to health security for drug addicts and their families; threats to social/community security in areas/groups with high levels of abuse	
Tenure security	Threats to arising from contestation of land use, and from landlessness.	Article 42 of the Constitution: Rights to property. (1) Subject to any restrictions imposed by law, every citizen shall have the right to acquire, hold, transfer or otherwise dispose of property, and no property shall be compulsorily acquired, nationalized or requisitioned save by authority of law.
Political security	Threats to personal, community or national security from political instability, political violence, and politically-backed criminal activity	Article 37 of the Constitution: Freedom of assembly. Every citizen shall have the right to assemble and to participate in public meetings and processions peacefully and without arms, subject to any reasonable restrictions imposed by law in the interests of public order health.

		Article 39 of the Constitution: Freedom of thought and conscience, and of speech. (1) Freedom or thought and conscience is guaranteed.

* Article 20 of the Constitution also guarantees 'Work as a right and duty': "(1) Work is a right, a duty and a matter of honour for every citizen who is capable of working, and everyone shall be paid for his work on the basis of the principle "from each according to his abilities to each according to his work".
* Drug and alcohol abuse does not fit neatly into one category, containing elements of personal security, health security and social stability. Given the importance of drug abuse to the public, and too many of the key informants interviewed, it is categorized as a separate form of insecurity in Bangladesh requiring its own targeted response.

Source: Human Security in Bangladesh, London: SAFERWORLD, May 2008:13

This is true that the poor socio-economic conditions and violations of human rights create conducive environment for internal conflict. However, it is observed that the jihadi ideology/religious extremism which is propagated by the terrorist groups like JMB has no connection with the promotion of human rights of the people in Bangladesh. Moreover, Bangladesh is a democratic state. In such a political structure, it is possible to attain basic human rights through non-violent means. Thus, in view of having favourable environment for redressing the grievances regarding the human rights violation, there is no compelling reason to resort to violent means. It is in this backdrop that using violence or threat to use violence against general mass or their properties or the state institutions for attaining the political objective of establishing Sharia law or Islamic state by the JMB or other Islamist terrorist organisations are not at all justifiable, desirable and politically acceptable.

5. Conclusion

Terrorism, a complex social phenomenon, has become a major security issue that requires both serious academic and practical attention. However, neither scholars nor policymakers have been able to work out an acceptable definition for it. The most important factor that hinders the development of an acceptable definition for terrorism is 'definitional politics'. To be more precise, so far, terrorism has been defined subjectively which resulted in the lack of objectivity and academic rigour resulting in a "right-wrong quagmire". To reach an acceptable definition of terrorism, governments, academia and all other actors must be free from political prejudices. The "Right-Based Model" being apolitical can address the issue in a more comprehensive and rigorous manner with a set of objective criteria. This model focuses on the issue of human rights to distinguish between freedom fighters and terrorists and, thus, paving the way for resolving the dilemma often expressed through a cliché: 'One man's terrorist is another

man's freedom fighter'. The definition developed through this model will not only help the policymakers in their efforts to identify actual terrorists and respond accordingly but also contribute to overcoming the conceptual ambiguity regarding the issue.

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Mahfuz Kabir

ON THE INTEGRATION OF SOUTH ASIA

Abstract

South Asian leaders have undertaken the scheme of regional integration through the formation of South Asian Association for Regional Cooperation (SAARC) two and a half decades back. Afterwards, they have undertaken a number of measures to strengthen cooperation in economic and trade arena, *viz.*, SAARC Preferential Trading Arrangement (SAPTA) in 1995 and South Asian Free Trade Area (SAFTA) in 2006 as well as a host of confidence building measures. Have all these economic and non-economic measures led to integration amongst the members of the bloc? This study explores this important policy question by adopting time series econometric techniques. The results indicate that the important economic variables have long run or equilibrium relationship over the period 1985-2008, which imply a strong tendency of financial integration with a weak tendency of economic integration in the region.

1. INTRODUCTION

Recent upsurge of regionalism indicates a move towards continent-based arrangements with a focus on economic and trade cooperation amongst member countries of regional groups. The growth of regional economic cooperation arrangement is one of the major developments in the world political economy after the Second World War and particularly after the end of the Cold War. The formation of regional bloc has been greatly successful in bringing even historically hostile countries together. The factors that push countries closer are both economic and political but economic factors have always prevailed over the political. For example, in Europe and Southeast Asia, economic dimension have brought long time rivals in the same platform.

The term 'economic integration' encompasses broad areas of socio-political, economic and cultural links with countries joining together in a forum that generally belong to one or several regions.[42] It, in general, refers to a process of removing gradually the discriminations which occur at borders. Such discriminations may affect the flow of goods and services, and the movement of

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[42] Moazzen Hussain, Iyanlur Islam, and Reza Kibra, *South Asian Economic Development: Transformation Opportunities and Challenges*, London/New York: Routledge, 1999, p.145.

factors of production either directly or through economic activity *via* the factors of production. The theories of economic integration have predicted two opposite outcomes. In the short run, trade creation effects must outweigh trade diversion effects in order to derive benefits of trade liberalisation.[43] However, there are also the long run benefits, such as greater technical efficiency due to greater competition, larger markets, higher consumer welfare gains and more foreign investment. The five main stages of regional integration are: free trade area (FTA), customs union, common market, economic union and total economic integration.[44] The Association of South East Asian Nations (ASEAN), European Union (EU) and North American Free Trade Area (NAFTA) are some of the prominent examples of such integration. The depth of economic integration ranges from preferential trading arrangement (PTA) to FTA, customs union (CU), common market (CM) and economic union (EU).

South Asian Association for Regional Cooperation (SAARC) was established in 1985 with high hopes of uplifting lives of the population who consist of half of the worlds poor.[45] The charter and agenda of SAARC suggest that it is an outcome of serious effort and great vision aiming "to promote the welfare of people of South Asia and to improve their quality of life; … to promote active collaboration and mutual assistance in economic, social, cultural, technical and economic fields."[46] Soon after inception with the objective of greater economic cooperation, the SAARC Preferential Trading Arrangement (SAPTA) was formed in order to promote regional economic cooperation, which came into operation in 1995. Later on, a series of negotiation took place, which resulted in the South Asian Free Trade Area (SAFTA) in 2006.

Now a key policy question is: has SAARC been able to facilitate economic integration in South Asia? Traditionally, economic integration refers to the importance of intra-regional trade as mentioned before. Thus, the overwhelming studies are concentrated on the issues of trade and welfare effects of regional integration schemes. However, recent literature suggests that the degree of economic integration can be more meaningfully perceived in terms of the long-

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[43] Jose L. Tongzon, "The Challenges of Regional Economic Integration: The Vietnamese Perspective", *Developing Economics*, 37, 1999, p.142.

[44] E. Dorrucci, S. Firpo, M. Fratzscher, and F.P. Mongelli, 2002, "European Integration: What Lesson for Other Regions: A Case of Latin America", *Working Paper 185*, Frankfurt: European Central Bank, 2002.

[45] Atiur Rahman, "SAARC: Not yet a community", in Jim Rolfe (ed), *The Asia-Pacific: A Region in Transition*, Honolulu: Asia-Pacific Center for Security Studies, 2004, pp.133-148.

[46] S.M. Khan and Z.S. Khan, "Asian economic integration: A perspective on South Asia", *Journal of Asian Economics*, 13, pp.767-785.

term or 'equilibrium' relationship of key economic variables amongst a group of countries.[47]

The present paper examines the state of integration amongst South Asian countries by assessing the long-term relationship of their key economic variables. The paper is organised in four sections. While the ongoing Introduction constitutes the Section 1 of the paper, Section 2 presents the state of intra-regional trade. Detailed methodology of the study is explained in Section 3, while the results and interpretations are presented in Section 4. Finally, concluding remarks have been made in Section 5.

2. Trade Integration in South Asia: Current Status

A large body of theoretical and empirical literature has investigated the role of regional economic integration. The Customs Union theory predicts that customs union schemes can promote new trade among members, but they can also divert trade from more efficient producers outside the union. More specifically, regional integration can result in trade creation by allowing low-cost foreign producers freer access to the domestic market, reducing domestic prices, and displacing higher-cost domestic producers. However, it can also result in trade diversion by allowing less efficient producers that are members to displace more efficient producers from the rest of the world.
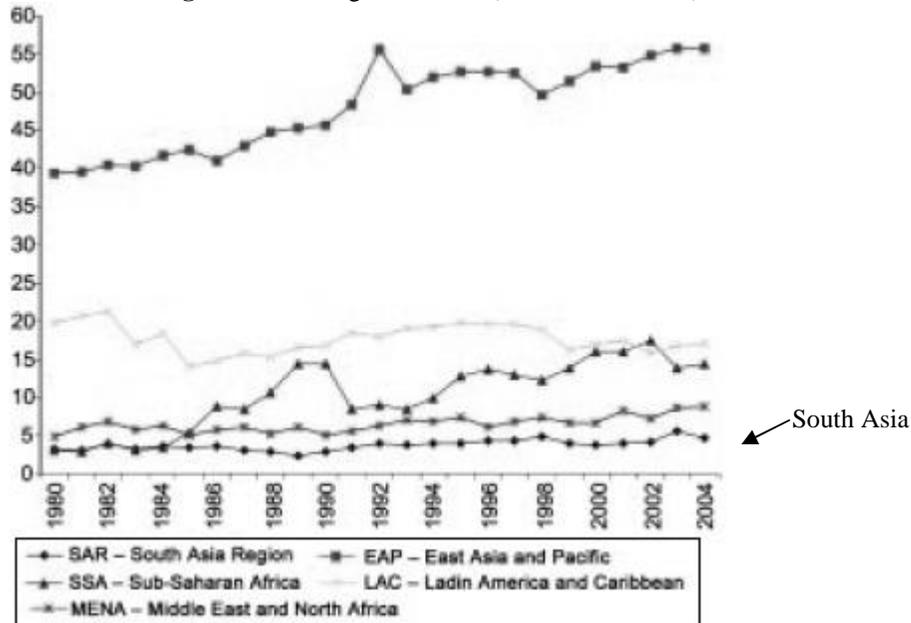
Regional economic integration is likely to yield net economic benefit when it leads to higher magnitude of trade creation than trade diversion. As far as it leads to trade creation, it is expected to raise competition in the domestic markets. Increased import competition results in lower prices for consumers, more product variety, higher quality, and increased incentives for innovation. By promoting a more efficient allocation of resources, import competition increases productivity, living standards, and long-term growth of the economy. Empirical studies have shown that the welfare consequences of trade liberalisation through regional trading arrangements generally tend to be positive.

While South Asia made significant progress in integrating with the global economy, integration within the region remained limited. South Asian countries have maintained a higher level of protection within the region than with the rest of the world. The region appears to be the least integrated region in the world (as can be perceived from Figure 1), when measured by intraregional trade in goods, capital, and ideas. Intra-regional trade as a share of total trade is the lowest for

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[47] Such as real GDP, price level, exchange rate and money stock. See, for details, Ali F. Darrat and Fatima S. Al-Shamsi, "On the path of integration in the Gulf region", *Applied Economics*, 37, 2005, pp.1055-1062.

South Asia. The magnitude of cross-border investment within South Asia is also very small.[48]

Figure 1: Intra-regional Trade (% of World Trade)[49]

The principal motivation behind the regional economic integration in South Asia through SAPTA scheme was that it would generate significant intraregional trade and welfare gains for the countries of the region through removal of tariff and non-tariff barriers. This would also allow enjoying the gains of regional integration and, at the same time, to become more competitive in the global market. Critics argue that potential benefits from an FTA in South Asia are meagre because major trading partners of the individual South Asian countries are located in the West (as can be perceived from Table 1), there are limited complementarities in the region, etc.[50] It is also alleged that an RTA in South Asia will lead to substantial trade diversion than trade creation and it may work as a "stumbling bloc" to multilateral trade liberalisation.[51]

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[48] Sadiq Ahmed and Ejaz Ghani, "South Asia's Growth and Regional Integration: An Overview", in Sadiq Ahmed and Ejaz Ghani (eds), *South Asia: Growth and Regional Integration*, Washington, DC: World Bank, 2007.

[49] *Ibid*.

[50] Nihal Pitigala, "What Does Regional Trade in South Asia Reveal about Future Trade Integration? Some Empirical Evidence", *Policy Research Working Paper 3497*, Washington, DC: World Bank, 2005; S.M. Hossain, and I. Selim, "Regional Cooperation in South Asia: Future of SAFTA", *BIISS Journal*, 28, 2007, pp.163-183.

[51] A. Panagariya, South Asia: Does Preferential Trade Liberalisation Make Sense? *World Economy*, 26, 2003, pp.1279-1291.

At present, South Asia combines a low level of regional integration and the presence of relatively high trade barriers. The proportion of intra-regional trade has increased in the last decade but still lags behind neighbouring trade blocs like ASEAN. Except for Nepal and Afghanistan, SAARC countries demonstrate meagre proportion of their intra-bloc exports. The share of intra-regional imports are, however, very small for India and Pakistan.

3. Methodology

The present study is based on time series analysis of economic variables of South Asian countries. In order to ascertain the extent of integration amongst the countries, the important economic variables that are used to examine the integration of a regional grouping have to be cointegrated. Before assessing such cointegration, the time series properties of the variables have to be examined.

3.1 Time Series Properties

To assess time series properties of the variables included, the paper adopts three popular tests: (i) Bertlett's white noise test, (ii) augmented Dickey-Fuller (ADF) unit root test and (iii) Phillips-Perron unit root test.

3.1.1 *Bartlett's white noise test*

Suppose that a series $X(1)$, …, $X(n)$ is a realisation of length n from a white noise, $WN(^2)$ process. Then the Bartlett's[52] test for white noise is based on the cumulative periodogram and uses the fact that

$$\lim_{n \Rightarrow \infty} p(B \succ b) = 1 - \sum_{j=-\infty}^{+\infty} (-1)^j e^{-2b^2 j^2}$$

where $q = [n/2] + 1$, e = exponent and the Bartlett test statistic B is given by

$$B = \max_{1 \le k \le q} \sqrt{q} \left| \hat{F}(\check{S}_k) - \frac{k}{q} \right|$$

Thus B measures the largest deviation of $\hat{F}$ from the white noise line $y = 2x$. If one observes a value b of the statistic B, other possible values of B are "more extreme" than b if they are bigger than b (a larger deviation of $\hat{F}$ from the line). Thus, the probability above is the *p*-value and we reject white noise if *p*-value $\prec \infty$.

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[52] M.S. Bartlett, "A Note on the Multiplying Factors for Various ^{2} Approximation", *Journal of the Royal Statistical Society*, Series B, 16, 1954, pp.296-298.

3.1.2 *Augmented Dickey-Fuller test*

The augmented Dickey-Fuller test (ADF)[53] test is a popular unit root in a time series sample. The ADF statistic used in the test is a negative number. The higher the magnitude is negative, the stronger the rejection of the hypothesis that there is unit root at some level of confidence. The ADF test is performed on the following regression of a series *y*:

$$y_t = \quad + \quad t + \quad y_{t-1} + \quad y_{t-1} + \ldots + \quad y_{t-p} + \quad t$$

where   is a constant,   the coefficient on a time trend and *p* the lag order of the autoregressive process. Imposing the contraints   = 0 and   = 0 corresponds to modelling a random walk and using the constraint   = 0 corresponds to modelling a random walk with a drift.

By including lags of order *p*, the ADF formulation allows for higher-order autoregressive processes. It implies that *p* has to be determined based on some scientific criteria to perform the test. One such approach is to test down from high orders and examine the *t*-values on coefficients. An alternative approach is to examine information criteria, such as the Akaike Information Criterion (AIC), Bayesian Information Criterion (BIC) or the Hannan-Quinn Information Criterion (HQIC).

The unit root test is then carried out under the null hypothesis   = 0 against the alternative hypothesis of   < 0. After getting a value for the test statistic

$$DF_\ddagger = \frac{\hat{x}}{se(\hat{x})}$$

it can be compared to the relevant critical value for the Dickey-Fuller Test. If the test statistic is less than the critical value, then the null hypothesis of   = 0 is rejected and no unit root is present.

3.1.3 *Phillips-Perron test*

Phillips-Perron (PP)[54] test is a unit root test, which is used to test the null hypothesis that a time series is integrated of order 1, that is, $I(1)$. Unlike the ADF test, it makes a non-parametric correction to the *t*-test statistic to capture the effect of autocorrelation present when the underlying autocorrelation process is not $AR(1)$ and the error terms are heteroscedastic.

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[53] S.E. Said and D. A. Dickey, "Testing for Unit Roots in Autoregressive-Moving Average Models of Unknown Order", *Biometrika*, 71, 1984, pp.599-607.

[54] P.C.B Phillips and P. Perron, "Testing for a Unit Root in Time Series Regression", *Biometrika*, 75, 1988, pp.335-346.

Specifically, consider y_t and ε_t to be the time series of observed data and model residuals, respectively. Then under the null hypothesis, PP test assumes that the true underlying process is

$$y_t = c + y_{t-1} + \varepsilon_t$$

for an arbitrary constant c. As an alternative, the estimated ordinary least squares (OLS) regression model is

$$y_t = c + \alpha y_{t-1} + \delta t + \varepsilon_t$$

for some constant c, $AR(1)$ coefficient $\alpha < 1$, and trend stationary coefficient δ.

3.2 Cointegration test

The best way of testing for unit roots is by using the system maximum likelihood (ML) estimator of Johansen[55] is a test for cointegration restrictions in a vector autoregression representation (VAR). This estimator also gives asymptotically efficient estimates of the cointegrating vectors and of the adjustment parameters.

Johansen's methodology takes its starting point in the VAR of order p given by

$$y_t = \mu + \phi_1 y_{t-1} + ... + \phi_{t-p} + \varepsilon_t$$

where y_t is an $n \times 1$ vector of variables that are $I(1)$ and ε_t is an $n \times 1$ vector of innovations. This VAR can be re-written as

$$y_t = \mu + \Pi y_{t-1} + \sum_{i=1}^{p-1} \Gamma y_{t-i} + \varepsilon_t$$

If the coefficient matrix Π has reduced rank $r < n$, then there exist $n \times r$ matrices α and β each with rank r. Here, r is the number of cointegrating relationship, the elements of α are the adjustment parameters in the vector error correction model and each column of β is a cointegrating vector. Johansen proposes two different likelihood ratio tests and thereby the reduced rank of the Π matrix: the trace test and maximum eigenvalue test,

$$J_{trace} = -T \sum_{i=r+1}^{n} \ln(1 - \hat{\jmath}_i) \text{ and}$$

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[55] S. Johansen, "Statistical Analysis of Cointegration Vectors", *Journal of Economic Dynamics and Control*, 12, 1988, pp.231-254; and S. Johansen, "Estimation and Hypothesis Testing of Cointegration Vectors in Gaussian Vector Autoregressive Models", *Econometrica*, 59, 1991, pp.1551-1580.

$$J_{max} = -T\ln(1 - \hat{\jmath}_{r+1}),$$

respectively. Here, T is the sample size and $\hat{\jmath}_i$ is the ith largest canonical correlation. The trace test examines the null hypothesis of r cointegrating vectors against the alternative hypothesis of n cointegrating vectors. Conversely, the maximum eigenvalue test assesses the null hypothesis of r cointegrating vectors against the alternative hypothesis of $r+1$ cointegrating vectors.

4. Results and Implications

The paper identifies three major macroeconomic variables to see whether they are individually integrated in the long run. These are: (i) real GDP, (ii) inflation rate, and (iii) exchange rate. The data come from the International Financial Statistics (online). The trend of these variables over the period 1985-2008 is portrayed in Figure 1.

From Figure 2(i) it can be clearly revealed that the direction of real GDP of South Asian countries is the same. This outcome is perhaps obvious as these countries are experiencing positive and steady growth for quite long. However, some fluctuations can be observed in the case of Maldives after 2003.

Figure 2: Movement of Macroeconomic Variables, 1985-2008
(i) *Real GDP* (*2005=100*)[56]

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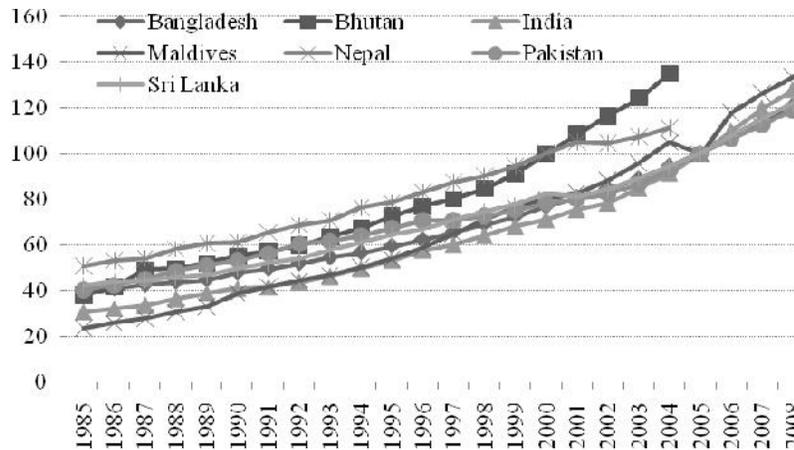
[56] For Bhutan and Nepal, 2000=100.

(ii) *Inflation Rate (Consumer Price Index)*
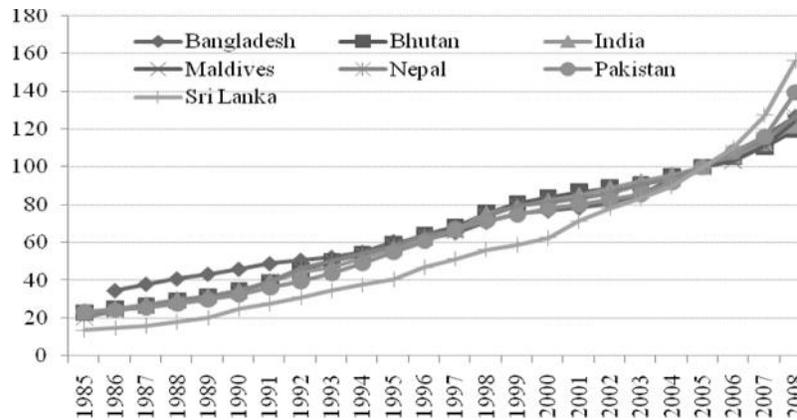
(iii) *Exchange Rate*
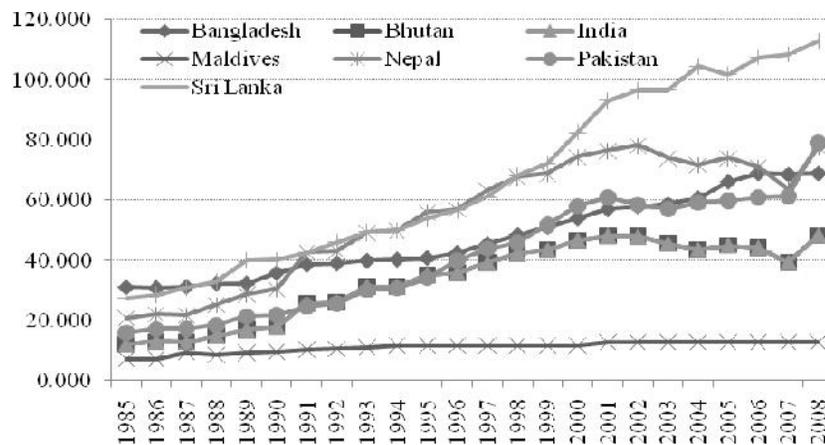
The rate of inflation of the countries, expressed by consumer price index (CPI), also indicates the same direction, an increasing pattern. However, although Sri Lanka's CPI had been lower than that of the other South Asian countries before 2003, it grew at a faster pace and crossed them in 2006.

On the contrary, a wide variation can be observed in the trend of exchange rate movement, although the lines indicate that the average trends of the individual countries are likely to be increasing. Therefore, it cannot be concluded, based merely on the simple graphical illustration, that the exchange rates are moving together.

4.1 *Time series properties*

To begin with, Bartlett's white noise test has been performed to understand the randomness (stationarity) of the data used in the analysis. Time series data tend to be non-random or non-stationary, which leads to inappropriate conclusion from adopting traditional regression analysis. Bartlett demonstrates that if a time series is purely random, *i.e.*, it exhibits "white noise", the sample autocorrelation coefficients are approximately normally distributed with zero mean and variance $1/n$, where n is the sample size.

Table 3: Bartlett's White Noise Test

	Level		First Difference	
	B-statistic	*p*-value	B-statistic	*p*-value
lnGDP				
Bangladesh	2.14	0.000	1.09	0.187
Bhutan	2.02	0.000	0.65	0.785
India	2.07	0.000	1.15	0.140
Maldives	2.08	0.000	0.59	0.866
Nepal	2.15	0.000	0.58	0.877
Pakistan	1.97	0.000	0.87	0.422
Sri Lanka	2.14	0.000	1.20	0.112
lnCPI				
Bangladesh	1.96	0.000	1.08	0.185
Bhutan	2.19	0.000	2.13	0.000
India	2.17	0.000	1.60	0.011
Maldives				
Nepal	2.06	0.000	1.26	0.080
Pakistan	2.12	0.000	1.12	0.160
Sri Lanka	2.05	0.000	0.73	0.656
lnEXC				
Bangladesh	2.29	0.000	1.06	0.208
Bhutan				
India	2.37	0.000	0.66	0.769
Maldives	2.02	0.000	0.68	0.741
Nepal	2.38	0.000	0.60	0.858
Pakistan	2.21	0.000	0.52	0.948
Sri Lanka	2.25	0.000	0.53	0.936

Note: *p*-value indicates the exact level of significance in which the estimated sample autocorrelation function falls inside the 95 percent confidence interval.

The estimated Bartlett statistics and the associated *p*-values are presented in Table 3. These indicate that natural log of GDP (*ln*GDP) of all the countries exhibit white noise at the first difference. For Bhutan, India and Nepal, GDP

series are not purely random even at the first difference. However, the exchange rates of all the countries in the analysis demonstrate white noise at the first difference.

The randomness of time series used in the analysis can further be tested by adopting unit root tests. The popular unit root tests are ADF and PP, which are most widely used in the literature. The test results are reported in Tables 4 and 5. The upper panel of Table 4 indicates that series GDP is integrated of order 1, that is, it is stationary at the first difference. In the level, it is non-stationary for all the countries.

Table 4: ADF Test

	Level		First Difference	
	ADF-statistic	*p*-value	ADF-statistic	*p*-value
lnGDP				
Bangladesh	4.170	1.000	-3.234	0.018
Bhutan	0.947	0.993	-3.830	0.002
India	2.342	0.999	-3.213	0.019
Maldives	-1.309	0.625	-5.915	0.000
Nepal	-0.607	0.869	-5.828	0.000
Pakistan	1.665	0.998	-3.619	0.005
Sri Lanka	-0.175	0.941	-2.940	0.040
lnCPI				
Bangladesh	-0.354	0.917	-3.110	0.025
Bhutan	-3.661	0.004	-1.970	0.300
India	-3.075	0.028	-2.634	0.086
Maldives				
Nepal	-3.625	0.005	-3.499	0.008
Pakistan	0.158	0.969	-1.237	0.657
Sri Lanka	0.235	0.974	-2.714	0.071
lnEXC				
Bangladesh	-0.058	0.953	-3.523	0.007
Bhutan				
India	-2.131	0.232	-4.749	0.000
Maldives	-2.827	0.054	-6.485	0.000
Nepal	-2.094	0.246	-4.601	0.000
Pakistan	-0.751	0.833	-3.618	0.005
Sri Lanka	-1.472	0.547	-4.803	0.000

Note: The 1, 5 and 10 percent critical values are -3.750, -3.000 and -2.630, respectively.

The result of ADF test demonstrates that except for Pakistan and Bhutan, CPI is stationarity at first difference for all the countries. However, Pakistan's CPI remains non-stationary even at first difference. When second difference is

considered, it is found stationary. [57] Conversely, Bhutan's CPI is integrated of order zero, *i.e.*, it is stationary at level. Furthermore, except for Maldives, exchange rates of all the countries are stationary at first difference. For this country, it is stationary at level. The PP test draws similar conclusion about the stationarity of the three series.

Table 5: Phillips-Perron Test

	Level		First Difference	
	PP-statistic	*p*-value	PP-statistic	*p*-value
lnGDP				
Bangladesh	6.231	1.000	-3.240	0.017
Bhutan	0.927	0.993	-3.788	0.003
India	2.088	0.998	-3.263	0.016
Maldives	-1.723	0.419	-6.015	0.000
Nepal	-0.745	0.834	-6.037	0.000
Pakistan	-0.214	0.936	-2.891	0.046
Sri Lanka	1.545	0.997	-3.617	0.005
lnCPI				
Bangladesh	-0.354	0.917	-3.021	0.033
Bhutan	-2.849	0.051	-1.921	0.322
India	-2.721	0.070	-2.554	0.102
Maldives				
Nepal	-3.395	0.011	-3.501	0.008
Pakistan	0.021	0.960	-1.263	0.646
Sri Lanka	0.166	0.970	-2.701	0.073
lnEXC				
Bangladesh	-0.095	0.949	-3.523	0.007
Bhutan				
India	-2.303	0.170	-4.749	0.000
Maldives	-3.959	0.001	-6.485	0.000
Nepal	-2.292	0.174	-4.601	0.000
Pakistan	-0.753	0.832	-3.618	0.005
Sri Lanka	-1.569	0.499	-4.803	0.000

Note: The 1, 5 and 10 percent critical values are -3.750, -3.000 and -2.630, respectively.

4.2 *Cointegration*

The unrestricted Johansen-Juselius cointegration test has been performed to comprehend whether there is any long term or equilibrium relationship exists in three core macroeconomic variables amongst South Asian countries. We assume a linear deterministic trend while examining cointegration. However, it is argued that the data used in the unit root and cointegration analysis remain below the

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[57] Not reported separately.

required number of observation[58]; we had to rest on sample because of paucity of very long period of data for these variables.

The unrestricted Johansen-Juselius trace test indicates that at most five cointegrating vectors exist amongst the GDP of seven South Asian countries. This finding seems to be significant as it indicates most of the country's economy has long-run relationship with the other.

Table 6a: Unrestricted Johansen-Juselius Cointegration Test (trace) for *lnGDP*

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.979	248.427	125.615	0.000
At most 1[*]	0.955	162.686	95.753	0.000
At most 2[*]	0.736	93.978	69.818	0.000
At most 3[*]	0.679	64.617	47.856	0.000
At most 4[*]	0.661	39.551	29.797	0.002
At most 5[*]	0.507	15.739	15.494	0.045
At most 6	0.008	0.177	3.841	0.673

Notes: The countries are Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Trace test indicates 6 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

The result of Maximum Eigenvalue is, however, contradictory by indicating the existence of at most one cointegrating relationship, *i.e.*, two are cointergated amongst GDP of seven countries only. However, the paper relies on the maximum eigenvalue test since the results vary between maximum eigenvalue and trace tests. As Johansen and Juselius suggest, the earlier test performs better.

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[58] For example, see, J.H. Stock, "Unit roots, structural breaks and trends", in: R.F. Engle and D.L. McFadden (eds.), *Handbook of Econometrics*, Volume 4, Amsterdam: North-Holland, 1994, pp. 2739-2841; H.Y. Toda, "Finite sample properties of likelihood ratio tests for cointegrating ranks when linear trends are present", *Review of Economics and Statistics*, 76, 1994, pp.66-79; and H.Y. Toda, "Finite sample performance of likelihood ratio tests for cointegrating ranks in vector autoregressions", *Econometric Theory*, 11, 1995, pp.1015-1032.

Table 6*b*: Unrestricted Johansen-Juselius Cointegration Test (Maximum Eigenvalue) for *ln*GDP

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.979	85.741	46.231	0.000
At most 1[*]	0.955	68.708	40.077	0.000
At most 2	0.736	29.360	33.876	0.157

Notes: The countries are Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Trace test indicates 6 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

In the case of price level or inflation, it is observed that five cointegrating vectors from five cointegrating equations are in trace test. However, the number of cointegrating vectors appears to be three in the Maximum Eigenvalue test, indicating that three CPI of at the most three countries are cointegrated. In this case also the paper prefers the results of Maximum Eigenvalue. However, in this case the discrepancy remains low between two test results.

Table 7*a*: Unrestricted Johansen-Juselius Cointegration Test (trace) for *ln*CPI

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.982	239.920	95.753	0.000
At most 1[*]	0.978	151.478	69.818	0.000
At most 2[*]	0.720	67.357	47.856	0.000
At most 3[*]	0.619	39.328	29.797	0.003
At most 4[*]	0.460	18.074	15.494	0.020
At most 5[*]	0.185	4.518	3.841	0.033

Notes: The countries are Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka. Trace test indicates 5 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

Table 7*b*: Unrestricted Johansen-Juselius Cointegration Test (Maximum Eigenvalue) for *ln*CPI

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.982	88.442	40.077	0.000
At most 1[*]	0.978	84.121	33.876	0.000
At most 2[*]	0.720	28.028	27.584	0.043
At most 3[*]	0.619	21.254	21.131	0.048
At most 4	0.460	13.556	14.264	0.064

Notes: The countries are Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka. Trace test indicates 5 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

The findings of cointegration of exchange rates of South Asian countries are particularly encouraging. Although in this case the trace test indicates three cointegrating vectors, the Maximum Eigenvalue test indicates four. It indicates that exchange rate of most of the countries have long term or stable relationship.

Table 8*a*: Unrestricted Johansen-Juselius Cointegration Test (Trace) for *ln*EXC

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.945	181.095	95.753	0.000
At most 1[*]	0.891	117.273	69.818	0.000
At most 2[*]	0.763	68.309	47.856	0.000
At most 3[*]	0.623	36.568	29.797	0.007
At most 4	0.495	15.049	15.494	0.058

Notes: The countries are Bangladesh, India, Maldives, Nepal, Pakistan and Sri Lanka.
Trace test indicates 5 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

Table 8*b*: Unrestricted Johansen-Juselius Cointegration Test (Maximum Eigenvalue) for *ln*EXC

Hypothesised No. of CE(s)	Eigenvalue	Trace Statistic	0.05 Critical Value	Prob[**]
None[*]	0.945	63.822	40.077	0.000
At most 1[*]	0.891	48.963	33.876	0.000
At most 2[*]	0.763	31.741	27.584	0.013
At most 3[*]	0.623	21.518	21.131	0.044
At most 4[*]	0.495	15.042	14.264	0.037
At most 5	0.000	0.006	3.841	0.935

Notes: The countries are Bangladesh, India, Maldives, Nepal, Pakistan and Sri Lanka.
Trace test indicates 5 cointegrating equation(s), CE(s) at the 0.05 level.
[*] denotes rejection of the hypothesis at the 0.05 level.
[**] MacKinnon-Haug-Michelis (1999) *p*-values.

The main finding of the analysis is quite interesting. Despite undertaking a number of measures in economic front including establishing a trade bloc in South Asia, there is an absence of a significant degree of economic integration as expressed in fewer cointegrating vectors amongst the GDP and price level of these countries. Rather, there is a strong tendency of higher degree of financial integration, which is evident from the Maximum Eigenvalue test of cointegration in the exchange rates of these countries. This result conveys a powerful policy implication: the regional policymakers should uncover the catalysts of financial integration and harness so as to attain market-driven integration within the region.

5. Concluding Remarks

Established in two and a half decades back, SAARC's initial primary focus was on technical cooperation, covering agriculture, environment and meteorology, communications, education, health and population control activities, culture and sports, prevention of drug abuse and trafficking, tourism, transport, science and technology, confidence building, rural development and women's development. Later on, member countries realised that economic cooperation will have significant impetus in uplifting lives of half of the world's poor people living in South Asia. As a result, SAPTA and the latest SAFTA came into the central point of economic cooperation and integration scheme.

The traditional studies of economic integration of regional groupings are mainly centred on the intra-bloc trade, and trade and welfare effects of preferential liberalisation schemes. On the contrary, the present paper examines the long-term stable relationship of key economic variables amongst South Asian countries by adopting cointegration tests. To examine time series properties of the variables, Bertlett's white noise, ADF and PP tests have been performed. Cointegration analyses reveal that there is a greater cointegrating tendency in the financial variable, exchange rate, while key macroeconomic variables GDP and price level exhibit lower degree of cointegration. This implies that the South Asian countries would attain greater success if they undertake schemes of financial market integration. An important initiative in that process would be to harmonise monetary policies of the SAARC members. Moreover, future studies should devote on examining the catalysts of financial integration and harness such factors to attain greater integration in South Asia.