The Discourses on the Civil Society and the State in the context of European and Post-colonial Narratives: Re-conceptualizing the Civil Society in Pakistan

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Abstract:

What is the discourse on the Civil Society in general and how could it be traced for a conceptually clear understanding for grasping and critically analyzing the State and the Civil Society discourse in Pakistan? Initially, I was grappling with curiosity as to how to address such a question considering that the search for finding the theoretical groundwork needed involved the process tracing of the concept in the contemporary and in the historical milieu. I had to seek the recourse to analyze the discourse from its historical realm. To address questions on how the study of Civil Society in its modern and post- modern forms could be useful to develop a substantial conceptual clarity of its existence and to find its relevance within the Pakistani context with regard to its history rooted in its colonial past. Furthermore, in various instances of my interaction with people outside of Pakistani, I was often asked many times about what constitutes the Pakistani civil society? Is the term "Civil" appropriate to be used for it keeping in mind the precarious ethnic and sectarian balance in the country, minorities and faith related, ideologically and often politically explosive questions of national integration.

The motivation for realizing the need to dwell deeper was felt when I compared the Pakistani Civil Society with its social, cultural, religious, ethical, political and economic dynamic, to that of the Civil Societies discourses existing within and beyond the South Asian arena. Since the State and the Civil Society building processes in the Non-West and particularly (within the South Asian context in general and Pakistan in particular) have met various challenges; the impact left on the institutions of State as well as the Civil Societies by the power relations (the dominant social groups: the native elites as against the mass populations) provides ample reasons to start an all-encompassing study of the issues, areas and factors that arose out of the legacy of the Colonial heritage on the Post-Colonial project and have transformed the course of the historical narrative emerging from South Asia consequently.

My preliminary point of contemplation was how to address such baffling questions for which an answer had to be found amidst the struggles, contestations to rights and calls on equity and justice from the mainstream of the civil and political arena in Pakistan. I felt an earnest need to try find answers and this work drew my motivation to struggle for answering this call.

This work thus directly evolves from my search for a perspective that could incorporate and identify the development of State and the civil society in European context in order to trace its relevance and impact on the Post- Colonial societies. Realizing the historiographical accounts of Europe's encounter with its colonies and the counter claims which have been raised towards the European understanding grounded within the institutional, political and cultural realms, the critical reasoning offers an alternate counter narrative and raise plausible argument to analyze and theorize the discourse on the civil society from its own normative model. The bulk of this work thus falls in line with attempting to provide an understanding which I have developed as a result of finding out the theoretical confrontation that post-colonial study has leveled which I employ as a methodology for raising the critique of the modern and the post- modern discourses and forms of knowledge emerging in the West. Since the focus on the analytic construct of the Post- Colonial discourse offers a useful and a fairly decent point of critique to the Western epistemic discourses; in this work it serves as the background for the theoretical understanding of the historical narrative rooted in historiography from the Non-European, Post- colonial context; its discursive practice is thus taken as being a historical trend as well as the mode of theoretical understanding. This patterning of the counter-cultural narrative involve not only the normative but descriptive and critical theoretical study involving references to Modern and Post Modern philosophers like Kant, Foucault and Habermas. The counter claims to modernity are raised by the post- colonial scholars like Chatterjee, Chakrabarty and Guha to the debate who attempt to challenge these notions and offer their own points of relevance for approaching historiography. As with the exact reference to Pakistan one of the arguments that I raise here is premised on how can Pakistan's political historiography be re-defined in the current regional and International context realizing a shift from the traditional emphasis on top down models which treats populations as passive. This emphasis constitutes as the most pressing and urgent need identified through the discourse of the Post- Colonial studies and can contribute to a great extent for restoring the systemic recovery of the political culture embodied by the politics of resistance and mass participation with its Emphasis on localism.

List of Figures and Tables:

List of Abbreviations:

PPP: Pakistan People's Party

PML: Pakistan Muslim League

APML: All Pakistan Muslim League

JUI: Jamiate-Ulemai-Islami

JI: Jamat-e-Islami

MQM: Muttehda Qaumi Movement

PTI: Pakistan Tehrik-e-Insaaf

NGOS: Non-Governmental Organizations

CBOS: Community Based Organizations

MRD: Movement for Restoration of Democracy

EC: Election Commission of Pakistan

OECD: Organization of Economic Cooperation and Development

HB: Hegemonic bloc

LM: Lawyers Movement

ERM: The Earth Quake Relief Movement

FRM: The Flood Relief Movement

FFM: Fisher Folk Movement

HBWWM: The Home Based Women Workers Movement

PMM: Pakistan Minorities Movement.

Outline of the Work:

Background:

One of the very interesting specters from where emanates the concept of the Civil Society with a spirit of goodwill, community, norms, ethos, morality, virtue and freedom; under the rule of law; entered the Western political discourse following Aristotle. The idea of *Society Civilis* which was introduced by Cicero had a base in ensuring peace and order among people. While Hegel identifies it as the space existing between the family and the state; assuming Civil Society from the Hegelian dialectics; was meant to generate universal principles in the ethical juridical sphere; it was supposed to characterize the content of the state itself.[1] Unlike Hegel, the philosophers in the classical period did not make any distinction between the state and society. They held that the state represented the civil form of society and 'civility' represented the requirement of good citizenship and considered the civil society as a community that maintained civil life, the realm where civic virtues and rights as derived from natural laws and without holding that civil society was a separate realm from the state. Rather, they underlined the co-existence of the state and civil society as the space connoting to the public space from where the Hobbesian state of nature in a 'state of war' developed to pre-necessitate the state of perpetual peace as in Kant for whom the idea corresponded to 'absence of war.' Accordingly, the conventional notions in social sciences, defines civil society to that space which (1) exists between the family, on the one hand, and the State, on the other, (2) makes interconnections between individuals or families possible, and (3) is independent of the State. Partha Chatterjee has also identified that modern European Civil Society developed, consistent with the ideas of freedom and equality.[2] However, throughout the Liberal conceptions of the Civil Society it was realized that a well-functioning state is necessary for a well-functioning civil society. Indeed, an autonomous civil society separate in its sphere of influence is needed to guarantee the checks and balances to the state.

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[1] Cohen & Arato as quoted in Valentina, Gentile, *From Identity Conflict to Civil Society: Restoring Human Dignity and Pluralism in Deeply Divided Societies* (Rome, Luiss University Press, 2012), p. 109.
[2] Partha, Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in most of the World* (New York: Columbia University Press, 2006), p.46.

As regards the social and historical contexts existing outside of the European tradition; it will be interesting to see whether they too could or could not avoid some of the structural legacies of the European colonial rule and the influence that its institutions left. Thus, Civil Society in terms of the

Non- Liberal discourses offers a very interesting debate. Under the colonial rule, whether these social and political processes followed the same course including the export of the conventional European notion of the Civil Society and to what extent was it able to meet the same requirements as postulated by the modern thinkers Locke, Ferguson, Smith, and Hegel.[3] Will be the main focus of this work.

Since the historical experience of the colonial project was seen to garner the homogenous synthesis in post- colonial societies, how was this psychology furthered on assumption that pluralistic forms that are attributes of the civil society/ (ies) in the West were lacking in the Non-Liberal society/ (ies) and the question that remained at the forefront was to define 'whether Liberal associational forms can fulfill this end?[4]

Certainly, the form of associational life that characterized the post-colonial societies represented a belief that with the end of colonial rule and the coming to power of the post-colonial state, the new transformative project could guarantee the change of traditional beliefs and practices of the people; fashion a new modern national self out of the reach of the colonial state apparatus[5] that would become firmly located in the dynamic potential of the organs of the new national state.[6]Meanwhile, the odds remained to speak for themselves. This work fundamentally tries to trace those factors and attempt to identify the forms of the modern state that the post -colonial societies imported through the agency of the colonial rule.[7]In the current setting of the newly formed post-colonial state, how do the institutions of the civil society, made their appearance to create a public domain? These are some very essential areas that this work will try to address.

It is for this purpose that this work has thus been divided to cover these normative, descriptive and theoretical aspects in the successive sections. Section One employs a philosophical and legal discourse on the State; stretching around the period from classical to the ancient to early modern; from early modern to modern phases of the evolution of the State along with the theoretical study of

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[3] Ibid, (2013), p.80.
[4] Ibid,
[5] Opcit,
[6]Opcit,p.46
[7] Ibid,

the emergence of the State as the Core. In the Second section dealing with the discourse on the Civil Society; critical cultural and counter-cultural debate is used along with normative, descriptive and theoretical process tracing. The Third section covers the Post- colonial discourse in line with the theoretical and critical discourse analysis. The IV section is the contextual and theoretical as well empirical study of the case of the Pakistani State and Civil Society.

 The bulk of the literature that constitutes the textual content of this work consists of primary as well as secondary sources. The theoretical, descriptive, normative, discursive, and empirical approaches that I have employed in the various Chapters are covered later in the methodological part.

Introduction:

The central focus of this work revolves around the comparative framework based on the foundational as well as the formative phases of the State and the Civil Society both in the Western and in the Non-Western discourse. The theoretical assumptions that are attached with the emergence and evolution of the two concepts together with the complex transitional periods associated with both also constitute the essential focus of this work. Considering that the very idea of the state and the civil society was linked in a particular historical milieu of the Modern West; the need for grasping the understanding of this complex processes, patterns and forms all along is felt deeply.

The intricacies, multitudes as well as diverse phenomena attached to the state and civil society building processes in the Non-West as a result of the colonial enterprise deemed peculiarly different which later transformed the course of the historical narrative for many Post- colonial societies. Retrospectively, the idea of the modern state modeled specifically in a particular social, political, economic and cultural milieu raise a point of departure for many post-colonial states who identify their moment of historical evolution amidst the process of decolonization and gradual retrieve of the Empires(the colonial agency). The major import of colonialism was enough to discard the notions and the ideologies brought about as part of the imperial mission that faced Political and social resistance resulting in national liberation movements in some and total non-Cooperation movements in others example India resulting in an outright rejection to accept the terms and conditions imposed by the colonial agency with continued ferocity which marked the coming of the

new emancipatory project that was meant to set forth a new agenda for bringing a change. The Colonial state's civilizing mission was to set the pace of modernity, development, intellectual, religious and scientific enquiry as a part and parcel of its Colonial import. This unique modeling of State and Civil Society in its truly Liberal universalistic aspiration meant individual autonomy merged with concepts like equality, rights, freedom. However, the new order premised on new social classes saw the old political order as a challenge and an opportunity to bring about a counter cultural paradigm to the past approaches to the new social and political dynamic. Such a narrative found within Chatterjee's idea of political society where the agents representing civil society comprise of communities and groups which effectively mobilize their actions to resist the domination by the state[8]. In my opinion, the major import of colonialism: both with its imperial mission to modernize as well as to dominate faced cultural, political and social resistance resulting in national liberation movements, rebellions, non-cooperation movements(particularly in British India where Anti-British sentiment created a call for The Great War/ 1857,The Satyagraha[9] 1920's) which contemporary historians and critics on South Asia suggest was successful enough to break the back of British rule, and possibly even result in the independence most Indians strove for until 1947. This outright rejection to accept the terms and conditions imposed by the colonial power with marked the coming of the new emancipatory project that was meant to set forth a new agenda for bringing about a radical change. Partha Chatterjee and Ranajit Guha (whose study provides the main discussion for the Post- Colonial discourse covered in the later chapters) have discussed the theme in great length.

Finding the discourse on the governed (the masses, the populations) and to compare such a discourse with a top- down model can help in locating the shift and break from the old tradition of

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[8]The State and the Civil Society building processes in the Non-West and particularly (within the South Asian context in general and Pakistan in particular) have met various challenges. Meanwhile, the impact left on the institutions of the Civil Societies by the power relations(the dominant social groups, the native elites as against the mass populations)has been a point of intense study of this work as it deals with the legacy of the colonial heritage on the Post-Colonial project which later transformed the course of the historical narrative consequently.

[9] The word swaraj means self-rule, Gandhi gave it the content of an integral revolution that encompasses all spheres of life. At the individual level swaraj is vitally connected with the capacity for dispassionate self-assessment, ceaseless self-purification and growing swadeshi or self-reliance. Politically Swaraj is self-government and it means continuous effort to be independent of government control, whether it is foreign government or whether it is national. In the other words, it is sovereignty of the people based on pure moral authority. Swaraj—known as Gandhi's manifesto—and the strategy he evolved subsequently were totally unacceptable to Nehru and his Congress, Nehru dismissed Hind Swaraj as "completely unreal" and declared that neither he nor the Congress had ever considered the picture presented in it. However, to Gandhi the vision presented in the Hind Swaraj was the ideal for the realization of which he had devoted his life fully. He wanted to rebuild India after the model presented there. This required much more than ending British rule.

defining Civil Society. This discourse dealing with the Subaltern to refute the existing elitist paradigms of governance also plans to meet the study of the reconstruction of order in the Civil Society. This opens the Gramscian tilt towards understanding the cultural stream: those that evoked a counter cultural narrative (from below) and become agents of change. The other represented by Spivak presenting another paradigm where she identifies the subaltern as unlike Guha and Chatterjee. She goes beyond the colonial narrative; of tracing the heterogeneity of their representation. These two avenues both within the post-colonial discourse correspond to the reference for this work, the Neo Gramscian and Guha's subaltern agents of change and Spivak's native with its hetero temporality[10] giving a cultural paradigm which holds plausible to the existing Non-Western discourse on state and civil society.

This work thus is an effort in its unfettering quest to trace the location of the debate from within, that is the local and to bring about in its wake the vicissitudes of new counter narrative. The themes existing within the Critical spheres are premised on the contextual background of Social, Political and to some extent economic theorization on State and Civil Society offering The Modernist, Post-Modernist Dialogue in Defense of and against the Liberal narrative.

Argument:

The colonial historiography in South Asia cannot be studied without a focus on the effects of the Western cultural and historical milieu. As Chakrabarty has noted:

[…]South Asian historiography has turned into a sharp critique of the discipline of history, this is because; South Asia is not an isolated arena but is woven into the web of historical discourse centered through the long histories of colonialism and nationalism, the discourse of modernity, capitalism, and citizenship has acquired a strong though peculiar presence in the history of the region.[11]

However, for tracing such a historiography needs a counter-narrative. My argument from this point entails the post- colonial critique could help offer such a narrative but inherent with this inquiry is a need for the quest of the discourse tracing of the Western State and civil Society for a conceptual and theoretical point of view. Given the focus on the foundational, institutional, political and

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[10] The term characterizes historicisms before-and-after chronologies of historiography.

[11] Dipesh, Chakrabarty*, Post-Colonial thought and Historical Difference*, (New Jersey: Princeton University Press, 2000)

cultural preeminence of Western historical narrative; on its normative modeling based on Liberal universalism; can an alternate counter narrative reflect a plausible argument to analyze and theorize the discourse of Civil Society from the Non-Western perspective? It is for this purpose, that I raise critical and counter critical arguments on Modernity, Post Modernity and its challenges within the contemporary philosophical debate on the Civil Society.

I have covered the formative phases of the Western discourse on the State and the Civil Society in Section I and II of this work and the Non-Western (post-colonial) discourse in Section III with the particular emphasis on the counter cultural narrative. Section1V traces the relevance of the post-colonial discourse on the Civil Society in Pakistan.

Objectives

- To juxtapose the existing debate on State and Civil Society taking a comparative approach from a Western and a Non-Western discourse.
- To construct the Western philosophical and historical narrative through understanding the evolution of modern State and Civil Society and to analyses the Non-Western discourse.
- To enunciate the theoretical background of State and Civil Society as part of a cultural construct in both the Western and Non-Western milieu and to identify the problem of theory building in both discourses.
- To poise and counterpoise arguments on 'modernity' and to see why is it controversial from the post-colonial point of view by offering a philosophical rationale: a philosophical argumentative structure.
- To go beyond the top down approach to theory building on the Civil Society.
- To understand the nature of the Post- colonial discourse as a 'moment of change and to locate this shift from 'Civil' to 'Political Society.'
- To emphasize and focus on the Subaltern stream and its systemic recovery of the political culture with emphasis on localism.
- To search the relevance of the Critical Post- Colonial model in the case of the Pakistani Civil Society and to argue the need the need for the bottom up theoretical emphasis.

Questions:

- Can the philosophical understanding of the Western discourse on the State and the Civil Society be sufficient in understanding the Non-Western discourse?
- Keeping in mind that the Western narrative is built in a particular historical epoch, different and unique in its material, scientific, political, social and cultural milieu, what legacy thereof does such an historical lineage has with the other historical discourses?
- If there is a counter-cultural narrative from the tryst of both the discourses; what is its own historiographical narrative based on Modernity, Post Modernity, besides others like, Bourgeois Society?
- Is it possible to analyze, theorize and conceptualize the State and Civil Society Discourse in Pakistan through the post-colonial narrative? And to identify whether the existing discourse is sufficient/ insufficient?

Motivation:

The Search for a theoretical alternative:

While keeping in mind and not belittling the significance of the Western discourse on the Civil Society, understanding the post- colonial theorization opens up with the aim to contribute to the field of cultural studies, social theories and even International Relations to help remove the gaps in understanding the problem of the developing societies. Thus, studies that form part of the post-colonial tradition, their relevance lie in the fact that they have been one of the very original contributions made by these writers to explain the social and political issues of the current times. They can help in a broader understanding of the historical currents that run through the development of societies not only from the realms of Cultural Studies, Social anthropology, but also as part of the discipline of International Relations as well. As Homi Bhabha writes:

> *[…]The aim of […] the post-colonial strategy is not to unmask dominant discourses but to explore their fault lines in order to provide different accounts, to describe histories revealed in the cracks of the colonial archaeology of knowledge.[12]*

The general post- colonial discourse questions essential formulations without denying the great

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[12] Homi K, Bhabh, The Location of Culture, (New York: Routledge, 1994).

importance of maintaining cultural texts, literatures and a sense of specific differences which claims to endorse self- constitution towards national self- realization. Within the mainstream post-colonial theoretical studies, attempts to trace the understanding of the civil society as 'political' society realizes the need to address logical comparability between the colonial and the post-colonial state and civil society dynamic. By providing a powerful analysis of post-colonial society, it offers substantial shift from the idea of civil society manifested in the West. Apart from tracing the state narrative in the formation of the bourgeois society; it also throws lights and magnify the significance to understand the nature of the post-colonial society in line with the dynamic of the power structure dominated by the national elites.

By brandishing the term 'political society;' Chatterjee, for example incorporates the post- colonial state as an actor which corresponds to the conflictual demands and interests of the non –influential classes. Similarly Hamza Alavi also identifies the fact that the state in the post- colonial societies actually mediates its interests among the many intersecting classes, so there is not a single class dominating the state apparatus, rather there are 'three propertied classes, namely the indigenous bourgeoisie, the Metropolitan neo-colonialist bourgeoisies, and the landed classes under Metropolitan patronage.[13]

This work therefore, directly evolves from my search for a perspective that could incorporate the necessity to identify the development of State and the Civil society in European and Post- colonial context and especially with reference to Pakistan and it was in this context that my idea found an expression. The bulk of this work thus falls in line with attempting to provide an understanding which I have developed as a result of finding out the theoretical confrontation that post-colonial study has leveled and alternatives found in the domains of the State and the Civil Society discourses.

Relevance and Significance:

The idea and significance of the emergence of the modern concept of Civil Society has to be given a due share of emphasis as regards the importance that it attaches to idea of civility. Therefore, there also exist a considerable motivation to draw inspiration from the course and development of civil

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[13] Hamza, Alavi, The State in Post-Colonial Societies: Pakistan and Bangladesh, New Left Review, no. 74 (July/August 1972).Alavai' s study analyses the State-Society relations in Pakistan. He maintains that the role of the state in the post -colonial society is not only to draw its relations at domestic level but in the international arena as well.

society in the Western milieu which finds its relevance within the European history from Aristotle to Hegel, Tocqueville to Gramsci and later Taylor, Pogge. The presumed emergence in Western Europe of a domain of the civil society and its continued autonomous existence, sometimes in opposition to and at others supportive of the state [14]highlights this understanding of the notion.[15] The Post- colonial theoretical framework seeks to explain the post- colonial society and remains as a recent discourse. It borrows substantially its content matter from cultural studies, social and anthropological studies, critical studies and Marxist studies as well. However, it is believed that since most post- colonial study literature is available in the form of a narrative, it falls short of offering an authentic theoretical perspective let alone a contextual one.

At the least this criticism holds little when compared to the tremendous headways it has made to draw the study of understanding the national traditions which is the first and most vital stage of the process of recognition of the alternate forms of governmentality,[16] power structure, and ethnic composition corresponding to race, identity, religion, minority rights and other areas of exclusion under the Subaltern Studies. Thus, not only does its critique the Marxist approach to state as a single class dominated structure, it also addresses the insufficiency of the Western Liberal models to understand the state- society discourse in the Non-Liberal societies.

Methodology:

The central concern of this work is to find the relevance of the normative understanding for the Post- colonial theory to address the discourse on the Civil Society. Normative theoretical method aims to tell us how we ideally should or ought to reason, make judgments, and take decisions. These theories, particularly give us rules to follow. However, there are sometimes serious disputes about whether a proposed normative theory or rule is really relevant to people's rationality, whether a theory is truly "normative" or relevant in some context depends, at the deepest level, on our

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[14] Opcit,

[15] Partha, Chatterjee, *Communities and the Nation,* in Saurabh Dube (ed.), *Post-Colonial Passages: Contemporary History Writing on India* (New Delhi: Oxford University Press, 2004), p. 121.

[16] The term has been invented by Michael Foucault as the idea of power both as a means of coercion and also that of consensual forms to the recourse to violence. The semantic linking of governing ("gouverner") and modes of thought ("mentalité") indicates that it is not possible to study the technologies of power without an analysis of the political rationality underpinning them. Foucault introduces a differentiation between power and domination. Domination for Foucault is a particular type of power relation that is both stable and hierarchically fixed and difficult to reverse. Government refers to more or less systemized regulated modes of power that go beyond the spontaneous exercise of this power.

dentition of "rationality."[17]Seen in this light, the debate on civil society with its proposed theoretical assumptions proves important for this methodology.

Since the methodology of the post- colonial study raises a critique of the modern and the post-modern discourses and forms of knowledge emerging in the West, it attempts to challenge these notions and offers its own points of relevance for approaching historiography. This patterning of the counter-cultural narrative involve not only the normative but descriptive and critical theoretical study involving references to Modern and Post Modern philosophers like Kant, Foucault, Habermas. The counter claims to modernity are raised by the post- colonial scholars like Chakrabarty and Guha to the debate.The bulk of the literature that constitute the textual content of this work consists of primary as well as secondary sources including books, articles, novels, literary scripts, newspapers, encyclopedias, dictionaries, indexes, bibliographies, abstracts, magazines, autobiographies, chronicles, biographies monographs, reports, survey data, interviews, lectures, and speeches. The theoretical, descriptive, normative, discursive, and empirical approaches that I have employed in the various Chapters are detailed below

Structure of the Work:

*Sections***:** The work is divided into four Sections: Section I covers the Western discourse on the State formulated in the consequent legal, political and philosophical dimension and within the ambit of the Social Contract to understand the formative phases of the State. It argues that the initial phase of the Western discourse on the State was essentially motivated in line with strict legal norms that challenged the natural and the moral law. It also highlights the critical concepts of the state as well as the theory building process identifying the State as the Core. This is the account of the evolution of the State from the point of view of the Social theories primarily the Modernization Theory which discussed the State from the West focused narrative and the Marxist and later Neo-Gramscian Theories that offered the counter- narrative of the State. In general this section raises the philosophical understanding of the Western construction of the modern state tracing the legal and philosophical phases of its evolution.

Section II covers the debate on the Civil Society, keeping in mind that this narrative is built in a particular historical epoch, different and unique in its material, scientific, political, social and

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[17] David, Over, in Derek Koehler & Nigel Harvey (eds.,) *Rationality and the Normative/Descriptive Distinction*, Blackwell Handbook of Judgment and Decision Making, (Oxford: Blackwell Publishing, 2004), p.3.

cultural milieu; it highlights the construction of the Western philosophical and historical understanding and the evolution of the Civil Society from its early modern to post- modern forms. In the larger focus this section raises a series of questions: What is the theoretical contextualization of the concept and how has it has been constructed on themes like Modernity, Post- Modernity? What is the Marxist argument of the Bourgeois society and what are its post- colonial critiques?

Section III covers the debate on the Post-Colonial Society in line with the historical linkage of the Western discourse on the Civil Society with the Non-West; with a tilt on the Colonial legacy particularly affecting the making of historiography. It explains the counter-cultural narrative that has emerged from such a discourse, identifies changes and transitions that have occurred as a result of this tryst? and touches upon the following questions: 1.How has the theoretical contextualization emanating in the Non-West or post-colonial addressed its own historiographical accounts based onits rebuttal to the idea of Western Modernity and other ideas of Civility; 2.Given the foundational dominance of Western historiography which is taken as a normative model and as an epicenter for a grand historical narrative; what kind of an alternate normative counter-narrative be assumed to reflect as a plausible argument; 3. Whether this counter cultural paradigm with its theoretical assumptions are sufficient and finally whether this approach succeed in its analytic capacity to understand the Non- Western historical discourse on its conceptual capacities is/are to streamline and reflect the pertinent and relevant issues, areas and concerns in the Non- Western percepts?

Section 1V covers the contextualization of Gramscian and Post- colonial understanding in the case of Civil society in Pakistan and offers possibilities and challenges in its attempts to re- theorize and counter dominant narratives.

Chapters: Chapter 1 traces the legal discourse on the State. It argues that the ancient narrative on the State was primarily based on natural and moral law as compared to the modern one. It highlights the philosophical debate on the evolution of the concept on the foundations of the Social Contract. Following arguments comprise the chapter: The ancient narrative on the state is actually the foundational premise of the moral and natural law and the modern law constitutes the major philosophical framework of the Social contract and this narrative influenced the discourse on State and Civil Society in the Western milieu. Chapter 2 continues the commentary on the State and argues its functions as a critical actor. Chapter 3 covers the Core-Periphery theoretical debate to understand the rise of the state. It highlights the counter narrative for the modernization theory by the dependency, neo dependency and world system schools and necessitates the understanding on the theory building on the State from a Liberal, Marxist, Neo-Gramscian understanding based on

themes like hegemony, economic and social dependencies within larger international and political arena. Chapter 4 focuses on the larger and one of the major bulks of this work. It traces the discourse on the Civil Society, its emergence, development and transition from the early modern to the modern and post-modern through 16th to 19th and 20th to 21st Century. Major themes discussed cover the Hobbesian, Kantian, Hegelian, and Lockean, Machiavellian ideas to the concept within the ancient era while Scottish enlightenment, Fergusonian, Tocquivellian cover the modern to the post- modern Habermasian understanding of the public sphere and raises its critical limits. It also centers its focus on the contemporary trends and challenges to the concept of the Civil Society as a result of transitory processes that have influenced the form, content and nature of the debate. It stretches the debate beyond the Colonial to the Post- Colonial civil society. Chapter 5 covers the Theory Building Approaches to the Civil Society though realizing that there is a need to fill the gaps on the basis of the lack of a universal and general theory of the discourse. It also highlights the classical models offered by Kant and Hegel the Defense of the Liberal and Neo-Liberal Model, Forms and Types of the varieties of Liberal models, Rationalist versus the Realist, Communitarian versus the Minimalists, Associational, Left Liberal and the Radical Marxist Models. The chapter also covers the post- modern Habermasian, public sphere and Arato and Cohen's social movements activist dimension. Chapter 6 while illuminating the theoretical contextualization of the Civil Society emanating in the West addresses its historiographical accounts based on its rebuttal to the idea of Western Modernity, Post Modernity, besides others like multiple modernity, Non-Traditional and Non-Bourgeois approaches and concerns to the idea of Civility and other normative ideas retrospectively. Substantiating a debate on the important epochs for counter narratives are the themes like Colonialism: the Eurocentric bias with its offshoots of Nationalism, Liberation movements, and performative social and political fragmentation. Offering commentaries on the Modernism, Post-Modernism/Structuralism as in the Habermasian Public Sphere; Debate on Kant's Enlightenment as a Universalist Liberal narrative versus Foucault's responses on to Kant; Anti Eurocentrisim (as of originating within the Non-European tradition)by Said, Guha,Chakrabarty, Spivak.Critical Non-European responses to modernity with its scientific, cultural, religious, political and economic impact nurturing the Eurocentric bias with its offshoots of Nationalism, Liberation movements, and performative social and political fragmentation.

Chapter 7 covers The Post- Colonial discourse tracing the definitional aspects, problems of Definition, Theoretical paradigm, Major theorists of the Study, Background of the Study, its scope, Limitations, Crosscurrents, Problems, Challenges and prospects of the field including an orientation to the Subaltern School of thought within the field of study comprising the major part of this work.

Chapter 8 outlines the Gramscian and Neo-Gramscian understanding to the civil society under the Subaltern Studies. It highlights the understanding of Social and cultural as well as economic and political domination as cultural hegemony from the dominant groups using coercion and consent; hegemony and counter hegemony.

Chapter 9 is divided into two parts: The first covers the study of the post- colonial narrative as part of the theoretical understanding to conceptualize the Civil Society from Gramscian model and part 2 finds relevance of this model case of Pakistan and offers the historiographical account of the complex track of its political history and attempts to find its relevance to the Post-Independence period (1947 onwards 1971) to understand the political domination and cultural hegemony, coercion, consent, hegemony and counter hegemony of the dominant groups towards the marginal ethnic group in the then geographical Eastern wing of Pakistan. Chapter 10 argues the applicability of the post- colonial counter narrative offered under Chatterjee's political society as an alternate aspect of fitting the test case in Pakistan's context and attempt to claim the applicability of this narrative from the framework of Political versus Civil Society by tracing the historiography of the politics of the governed in Pakistan. One of the arguments of this chapter is that Pakistan's political historiography needs a bottom up rather than a top down approach to rewrite the emphasis on neglected masses and to save them from marginality. This emphasis on marginality constitutes a shift from the traditional emphasis on top down models which treats populations as passive. The discourse of the Post- Colonial it assumes can thus restore the systemic recovery of the political culture as a result of counter cultural hegemony embodied by the politics of resistance and mass participation with its Emphasis on localism.

SECTION I:

THE STATE: EMERGENCE AND THE EVOLUTION OF THE CONCEPT: PHILOSOPHICAL, LEGAL, SOCIAL AND POLITICAL CONTEXT

Chapter 1-

Understanding the Social Contract as the Justification of the State:

Wherever therefore any number of men are so united into one Society, as to quit everyone his Executive Power of the Law of Nature, and to resign it to the public, there and there only in a Political or Civil Society.... and this puts Men out of the State of Nature into that of a Commonwealth (Locke as cited in (Colas, 2002)

Introduction:

This Chapter argues that understanding the philosophical dimension of the emergence of the state emanates from the Western philosophical tradition in which discussions of the state of nature have been central to the issues of justice and political order that underlined modern liberal democracy that eventually incorporated the notion of the State. Classical political philosophy distinguished between nature and convention of law. Plato and Aristotle argued that a just city had to exist in conformity with man's permanent nature and not what was ephemeral and changing. Thomas Hobbes, John Locke and Jean Jacques Rousseau developed this distinction and wrote treatises on the question of the state of nature, seeking to ground political rights in it.[18]

Generally speaking social contract theorists such as Hobbes[19] and Locke[20] delineate principles of political rights that are said to preserve individual freedom by reconciling it with legitimate rule.

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[18]The idea of the Social contract revolved around the notion that the people in observing certain laws are in effect defining to be ruled directly; which is the only way to preserve man's natural freedom in order to overcome the mastery, slavery and dependence of all. *See* Francis, Fakuyama, *The Origins of Political Order from pre human Times to French Revolution*, (New York: D&M, 2011), p.26.

[19] Thomas Hobbes was one of the first contractarian theorists in modern political philosophy who envisaged the concept of supremeauthority wrested in the contract. *Leviathan* which subsequently became the title of his famous book Leviathan refers to a supreme authority or the state to which human beings should succumb to in order to parlay the threat of war of all against all. Hobbes argument for the supremacy of the sovereign was criticized by many and was labeled as the Hobbesian fallacy: the idea that human beings were primordially individualistic and that they entered into society at a later stage in their development only as a result of rational calculation that social cooperation was the best way for them to achieve their individual ends. *See* Thomas Hobbes, Leviathan, Richard Tuck(ed.), Cambridge, New York: Cambridge University Press, 1996), pp.14-64.

[20] John Locke was an English political theorist whom Thomas Jefferson called as one of "the three greatest men that have ever lived" is usually cited as one of the primary influences on American Declaration of Independence. The extent of Locke's influence on the American Revolution has been substantial. While Jefferson clearly invoked Locke's

Since then, not only has it become a recurrent feature of contemporary political philosophy but also there has been a renewed interest in the historical origin of social contract theory and the Classic contractarians, Hobbes, Locke, Rousseau and Kant. With this interest have come attempts to trace the social contract tradition further back beyond Hobbes to the ancient Greeks and to construct models of definitions of the social contract which can incorporate all putative contractarian thinkers.[21]

1.Emergence and Evolution of the Social Contract:

Some traces of what is called as the "Contract" even gets visible since the times of Plato. In what is known as his famous writings quoted as the Republic which is primarily a Socratic dialogue written by Plato around 380 BC concerning the definition of justice and how the basis of the order and character of the city-state and the just man is maintained. It is by far one of Plato's best-known works in the domains of the ancient order through which governance of any political order has to be materialized. Also in one of a very famous dialogue emanating from the Platonic times and called as *Crito*, Socrates, personifies the Laws of Athens[22] and asserts the importance of laws of punishment that he deems are necessary for curtailing disorder in the society even for himself when he is under punishment and he proclaims that such laws have to be respected regardless of the self -gain. It is important to note that these laws however are not based on coercion even though the lives of the ordinary citizens are very much depended on these laws.

In the ancient Greece, it was customary that the citizens, once they have grown up, and have seen how the city conducts itself, can choose whether to leave, taking their property with them, or stay. Staying implies an agreement to abide by the laws and accept the punishments that they mete out. And, having made an agreement that is itself just, Socrates asserts that he must keep to this

concepts of natural law, his explanation for the origins of government are also remarkably similar to Locke's. Jefferson spoke of the transition from the Law of Nature to the law of civil society in simple terms in the Declaration of Independence. "That to secure these [unalienable] rights, Governments are instituted among Men, deriving their just powers from the consent of the governed," reads the Declaration. See Also Locke, John. *The Second Treatise of Government,*(Indianapolis: Hackett Publish Company, 1980).

[21] Ibid, p. 2
[22] In its earliest formulation these laws referred to the origins in an attempt to protect philosophical thought from the strictures of pious orthodoxy. Socrates defense of his actions came to ask the citizens to practice virtue. For further reading see Apology of Socrates which is Plato's version of the speech given by Socrates as he defended himself in 399 BC against the charges of "corrupting the young.

agreement that he has made and obey the Laws, in this case, by staying and accepting the deathpenalty. Importantly, the contract described by Socrates is an implicit one: it is implied by his choice to stay in Athens, even though he is free to leave.[23]

[...]What men would most want is to be able to commit injustices against others without the fear of reprisal, and what they most want to avoid is being treated unjustly by others without being able to do injustice in return. Justice then, he says, is the conventional result of the laws and covenants that men make in order to avoid these extremes.[24]

1.1The Debate on the Moral and the Legal grounds:

Moral Law, Issue of Justice and the Social Contract:

One of the sequels to Crito was Book II, which explains the real gist of justice. Glaucon who was Plato's brother and was amongst the inner circle of Socrates' young affluent students, asserted the idea that justice is done by representing a social contract explanation for the nature of justice. What men would most want is to be able to commit injustices against others without the fear of reprisal, and what they most want to avoid is being treated unjustly by others without being able to do injustice in return. Justice then, he says, is the conventional result of the laws and covenants that men make in order to avoid these extremes.[25]But this opinion was rejected by Socrates. Socrates' point of view was that the value of justice far exceeds the very notion that is attached to it and this was the reason he preferred to be incarcerated because he believed that his punishment was in accordance with what he envisaged as real Justice.

1.1.1Glaucon's,Gauthier's and Pufendorf's Approaches:

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[23] The Socratic dialogue which is reminiscent of the doctrine of justice in the midst of debate on the state power and issues of punishment and morality are discussed in great length in The Internet Encyclopedia of philosophy, "The Social Contract Theory" URL<http://www.iep.utm.edu/soc-cont/>Retrieved Jun 15, 2012

[24] Glaucon argues that the weak benefit at the expense of the strong, and that the powerful are irrational for agreeing to constraints on their behavior. Glaucon's views were later held by 20th century Canadian social contractarian theorist Gauthier.

[25] Refer to Glaucaon's argument The Internet Encyclopedia of philosophy, "The Social Contract Theory" URL<http://www.iep.utm.edu/soc-cont/>Retrieved Jun 15, 2012

Glaucon's ideas were furthered by David Gauthier in the 20th century. Gauthier's idea of morality comes out of his famous book 'Morality by agreement[26]' in which he discusses that good moral reasoning is just and significant ground for understanding rationality based on means – end reasoning.

It is true that at a superficial level Glaucon and Gauthier appear similar in offering a contractarian ethics in that they deny a distinction between moral and prudential rationality as well as deny that justice is anything more than an instrumental good and refuse to attribute content to individual rationality. Gauthier is significantly different in that his conclusions, unlike Glaucon depend on a reasoned justification on instrumental rationality related to the theory of bargaining out of which contractually binding moral constraints emerge. To the question why should I act morally? Gauthier answers, "because it is natural to do so"-instrumental rationality and morality are equated together.[27]

Gauthier clearly attempts to ground morality in the rational agreements of utility maximizers who from their positions negotiate constraints. His is not however a utilitarian theory in that its concern is not the aggregate benefit of all or the majority, but rather with relative benefit of each individual. That said Gauthier's argument is intended only to ground a very narrow conception of morality.

Apart from this, another major development in the context of how the social contract came to be legitimized was put forward by Hugo Grotius. Grotius' legal philosophy was the theory of social contract, which also led him to emphasize the supremacy of the contract as the highest binding principle of law. Unlike later theorists of social contract, Grotius considered the contract as an actual fact of human history. In his view, the constitution of each state had been preceded by a social contract, by means of which each people had chosen the form of government they considered most suitable for themselves. While each people had the right to choose their own form of government, they forfeited the right to control or punish the ruler, however bad his government, once they had transferred their right of government to him. Generally, Grotius, like Hobbes, reflected not only the need for a disturbed society of a strong governmental authority, but also the

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[26] In Morality of agreement Glaucon puts forward the postulates as to why we shall we shall develop a theory of morals? The answers by justifying that our concern is to provide a justificatory framework for moral behavior and principles, not an explanatory framework. Thus, we shall develop a normative theory. A complete philosophy of morals would need to explain, and perhaps to defend, the idea of a normative theory. See URL <http://philosophyfaculty.ucsd.edu/faculty/rarneson/Courses/GauthierChapter1.pdf>
See also David Boucher, *The Social Contract from Hobbes to Rawls* (London: Rutledge, 2005), p. 1.

essentially absolutist and pre-democratic character of government of that period. In his own official and diplomatic career Grotius represented autocratic governments.[28]

Furthermore, writing on the how the character of the state should be like Pufendorf in the seventeenth century wrote "On the Duty of Man and Citizens" opined that:[…]*Whether historical or hypothetical, the state is a social condition regulated by God's moral law.*[29] In line with Grotius he believed that the contract that establishes civil society constitutes a legal community consonant with man's natural sociability and consistent with the mutual recognition and protection of his moral rights.[30] He opined that: […]*The obligation to keep our agreements is not a consequence of living in civil society, but the necessary corollary under the natural law of our rationality and sociability.*[31] For Pufendorf justice and injustice does not depend upon a sovereign and individuals have natural obligations in a state of nature, some congenital or other adventitious or incurred by agreement. These obligations are however, imperfect given that their discharge is uncertain.[32]

Meanwhile, his idea on civil sovereignty and its mechanisms are that they are needed precisely because the cooperative institutions (e.g., language, contract, property, marriage, and family as well as household) that lift humans out of their previous natural condition eventually create analogous coordination problems on another level. Pufendorf's political philosophy or doctrine of the state, including the latter's internal and external functions, is continuous and consistent with his ethics. Both rest on the same natural law foundation, namely the sociality law which regulates not only pre-civil relations, institutions, and societies but also the civil condition needed to secure them.

Coming to the conclusions on the sociability character of the human being, he is of the opinion that as thoroughly social beings that are incapable of living alone, humans are subject to sociality's requirements at all stages of their lives, both temporally and organizationally, and the establishment of political authority does not leave morality and its obligations behind but rather extends their reach. Pufendorf propounds a natural law theory which stipulates that politics is a form of social ethics and the moral entity of the state is self-imposed by humans at the command of natural law. When the pre-civil, marital, parental as well as other pact-based institutions such as property

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[28] The entire focus on Grotius's philosophical thoughts rests on the assumption that contract became a beginning for guiding the social order and in the sense he borrowed and attributed Hobbesian theoretical emphasis on Leviathan. More could be found on this debate, URL<http://www.panix.com/~squigle/dcp/grotius.html>Retrieved Jul 19, 2012

[29] Michael, Seidler, Pufendorf's Moral and Political Philosophy, *The Stanford Encyclopedia of Philosophy (Summer, 2011)*, Edward N. Zalta (ed.), URL< http://plato.stanford.edu/archives/sum2011/entries/pufendorf-moral/ > Retrieved Jul 20, 2012

[30] Opcit, p.4.

[31] See URL <http://plato.stanford.edu/archives/sum2011/entries/pufendorf-moral/> Retrieved Jul 21, 2012

[32] Ibid,

become dysfunctional because of multiplying conflicts; human social order leads to increasingly unjustified use of force and, thus, mutual injury and insecurity. It is in this vain that a defensive and precautionary response to such emergent conditions, a kind of cooperative scheme or mutual protection association should be created which is itself needed against the growing threat posed by other human beings.[33]

In sum, Pufendorf's conceptions of morality and politics, sets forth the idea of natural law. This is the central concept in Pufendorf's work and his discussion of it was to be his greatest contribution. His was actually the defense of natural law as he was among the advocates of the theory of natural law with Hobbes and Locke that are discussed in following proceeding section.

1.1.2 The Hobbesian and the Lockean Social Contract:

"Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition that is called war; and such a war is of every man, against every man. For war is consistent not in battle only, or in the act of fighting; but in tract of time: wherein the will to contend by battle is sufficiently known." (Hobbes, Leviathan, p.119)

Another, extremely important moralist, Thomas Hobbes, writing on the idea of Leviathan or the "state" opines that it is out of the fear of death that one of the most essential and rudimentary desire of human being arises that is to preserve himself. The human condition was conceived as one of the perpetual conflict in which power was the sole medium of interaction.

[…]I put for the general inclination for all mankind, a perpetual and restless desire of power after power that ceaseth only in Death.[34]Hobbes classifies three categories of human conflict for man's survival namely; competition, diffidence (fear) and glory; *[…] the first maketh man invade for gain; the second for safety; and the third for reputation.*[35]

The State or Leviathan enforces these reciprocal commitments in the form of a social contract by which human beings protect those rights which they have by nature but are not able to enjoy in the state of nature due to the war of every man against every man. The state of nature is thus

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[33]Alfred, Dufour chapter on Pufendorf, in Leonard Krieger, *The Politics of Discretion. Pufendorf and the Acceptance of Natural Law* (Chicago: Chicago University Press, 1965). Also see Knud Haakonssen, *Grotius to the Scottish enlightenment* (Cambridge: Cambridge University Press, 1996). URL <http://faculty.history.wisc.edu/sommerville/283/283%20session08.htm>Retrieved Jul 23, 2012

[34] Thomas Hobbes, *Leviathan*: Chapter 11, 1968, p.161
[35] Ibid., Ch. 13,p. 61- 62

characterized by "*Warre ...of every man against every man*.[36]" and that in order to escape from this perilous situation, human beings agree to give up their natural liberty to do as they please in return for other people respecting their rights to life.[37]

Hobbes further believed that rationality and self- interests persuaded human beings to combine in agreement, to surrender sovereignty to a common power and that the justification for political obligation is that: *[…] given that men are naturally self-interested, yet they are rational, they will choose to submit to the authority of a sovereign in order to be able to live in a civil society, which is conducive to their own interests.*[38]

Hobbes argues for this by imagining men in their natural state, or in other words, the "State of Nature." In the "State of Nature," men are naturally and exclusively self-interested, they are more or less equal to one another, (even the strongest man can be killed in his sleep), there are limited resources, and yet there is no power able to force men to cooperate. Given these conditions in the State of Nature, Hobbes opines that the "State of Nature" would be unbearably brutal in which every person is always in fear of losing his life to another. They have no capacity to ensure the long-term satisfaction of their needs or desires. No long-term or complex cooperation is possible because the "State of Nature can be aptly described as a state of utter distrust. It is the state of perpetual and unavoidable war.[39]He enshrines two categories of the "Law of Nature". The first and most important law that each man be willing to pursue peace when others are willing to do the same; all the while retaining the right to continue to pursue war when others do not pursue peace. Being reasonable, and recognizing the rationality of this basic precept of reason, men can be expected to construct a 'Social Contract' that will afford them a life other than that available to them in the "State of Nature". This contract is constituted by two distinguishable contracts. First, they must agree to establish society by collectively and reciprocally renouncing the rights they had against one another in the State of Nature. Second, they must imbue one person or assembly of persons with the authority and power to enforce the initial contract. In other words, to ensure their escape from the "State of Nature", they must both agree to live together under common laws, and create an *enforcement mechanism* for the social contract and the laws that constitute it. Since the sovereign is invested with the authority and power to mete out punishments for breaches of the

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[36] Ibid., Ch.10p. 86
[37] Opcit, p. 26
[38] Ibid,
[39] Thomas Hobbes, Leviathan, Richard Tuck(ed.), Cambridge, New York: Cambridge University Press, 1996), pp.14-64 Francis Fakuyama, *The Origins of Political Order from pre-human Times to French Revolution* (New York:D&M,2011).

contract which are worse than not being able to act as one pleases, men have good, albeit self-interested, reason to adjust themselves to the artifice of morality in general, and justice in particular. Society becomes possible because, whereas in the "State of Nature" there was no power able to "overawe them all," now there is an artificially and conventionally superior and more powerful person who can force men to cooperate. While living under the authority of a Sovereign can be harsh; Hobbes argues that;

[…]Because men's passions can be expected to overwhelm their reason, the Sovereign must have absolute authority in order for the contract to be successful; it is at least better than living in the "State of Nature". And, no matter how much we may object to how poorly a sovereign manages the affairs of the state and regulates our own lives, we are never justified in resisting his power because it is the only thing which stands between us and what we most want to avoid, the "State of Nature.[40]

According to this argument, morality, politics, society, and everything that comes along with it, all of which *Hobbes* calls 'commodious living' are purely conventional. Prior to the establishment of the basic social contract, according to which men agree to live together and the contract to embody a sovereign with absolute authority, nothing is immoral or unjust – anything goes. After these contracts are established, however, then society becomes possible, and people can be expected to keep their promises, cooperate with one another, and so on. The Social Contract is the most fundamental source of all that is good and that which we depend upon to live well. Our choice is either to abide by the terms of the contract, or return to the "State of Nature", which *Hobbes* argues no reasonable person could possibly prefer. Hobbes represents a compromise between these two factions.

On the one hand, he rejects the theory of the Divine Right of Kings. On the other hand, Hobbes also rejects the early democratic view, taken up by the parliamentarians, that power ought to be shared between the parliament and the king. In rejecting both these views, Hobbes occupies the ground of one who is both radical and conservative.

He argues radically for his times, that political authority and obligation are based on the individual self-interests of members of society who are understood to be equal to one another, with no single individual invested with any essential authority to rule over the rest, while at the same time

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[40]   There have been numerous studies on the political philosophy of Thomas Hobbes. Most of the works have highlighted on whether the two laws that he envisaged correspond to a moral authority that which relented the power at the hands of the Leviathan.

maintaining the conservative position that the monarch, which he called the Sovereign, must be ceded absolute authority if society is to survive.[41]

We might label this the Hobbesian fallacy: the idea that human beings were primordially individualistic and that they entered into society at a later stage in their development only as a result of rational calculation that social cooperation was the best way for them to achieve their individual ends. This premise of primordial individualism underpins the understanding of rights contained in the American declaration of independence and thus of the democratic political community that springs from it.[42] This premise also underlies contemporary neo- classical economics, which builds its models on assumptions that human beings are rational beings who want to maximize their individual utility or incomes[43]. But it is in fact individualism and not sociability that developed over a course of human history.

While *Hobbesian* philosophy rests particularly on the state of alienation of society that needs to be addressed retrospectively by contract, John Locke, has a softer view of the state of nature than Hobbes; *Lockean* perspective differs from the Hobbesian one in the realm that human beings are less occupied fighting one another than mixing their labor with the common things of nature to produce private property. Locke's fundamental law of nature in contrast to that of Hobbes gives human beings the right just not to live but to "life, health, liberty or possessions.[44]Although a state in Locke's view is necessary, it can itself become the denier of natural rights, and so he posits a right to revolt against an unjust authority. The right to life, liberty and the pursuit of happiness posited by Thomas Jefferson in the American Declaration of Independence traces its ancestry directly back to *Hobbe's* right of nature, via Locke's amendment concerning the danger of tyranny.[45] While Locke uses Hobbes' methodological device of the State of Nature, as do virtually all social contract theorists, he uses it to a quite different end. Locke's arguments for the social contract and for the right of citizens to revolt against their king were enormously influential on the democratic revolutions that followed, especially on Thomas Jefferson, and the founders of the United States.[46]Locke's most important and influential political writings are contained in his Two

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[41] See the online Encyclopedia of Philosophy, URL <http://www.iep.utm.edu/soc-cont/>Retrieved Jun 2, 2012.

[42]Ibid,

24Ibid,

[44] Ibid,

[45] Locke's fundamental law of nature in contrast to that of Hobbes gives human beings the right just not to live but to life, health, liberty and possessions. Although a state in Locke's view is necessary, it can itself become the denier of natural rights, and so he posits a right to revolt against an unjust authority.

C.B, Macpherson, *The political theory of possessive individualism,* (Oxford: Oxford University Press, 1962); Leo, Straus, *Natural Right And History* (Chicago: University of Chicago, 1953); Richard H, Cox, *Locke on War and peace* (Oxford: Oxford University Press, 1960).

Treatises on Government.[47] The first treatise is concerned almost exclusively that political authority was derived from religious authority; also known by the description of the Divine Right of Kings, which was a very dominant theory in seventeenth-century England. The second treatise contains Locke's own constructive view of the aims and justification for civil government, and is titled "An Essay Concerning the True Original Extent and End of Civil Government."[48]

Locke's preponderance goes the following way:

[…]The state of war is a state of enmity and destruction; and therefore declaring
by word or action, not a passionate and hasty, but sedate, settled design upon
another man's life…. puts him in a state of war with him against whom he has
declared such an intention.[49]

The *Lockean* approach is promising but the notion that all normal mature people have access to an easily understood common morality now seems unconvincing to most people. Indeed it is far from clear that *Locke* believed in such a universally understood moral system for in his own philosophical work, in actual *Locke* undercut the notion that there are innate ideas and he debunked the idea that there were any universal moral judgments. The notion of a shared morality sounds plausible on its face but on what is this morally grounded and how men do knew it is questionable. The *Lockean* idea of discerning certain shared civil interests and a public morality appears promising but the deficit in his theory is an account of the philosophical foundations of this shared morality.[50]

The suspicion that there is no shared religious or objective philosophical foundation for a public morality of the sort Locke defended has no doubt fuelled charges that *Locke* defends the basic right of life, liberty and property gained its appeal from the fact that it encapsulated the basic interests of the propertied class of Locke's times. The political morality of the *Lockean* social contract according to C.B Machpherson is a reflection not of natural law but of the possessive individualism and class interest of the building market society. *Locke's* genius of this account was to codify the

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[47] John Locke, *Two Treatises on Government*, (London: C Baldwin, 1824).
[48] Ibid,
[49] Ibid,
[50] Richard K., Betts, *Society and anarchy in International Relations* in *Conflict after the cold war: arguments on causes of war and peace* (Columbia: Columbia University Press, 2008)
[50] Robert, Nozick, *Anarchy, State and Utopia,* (New York: Basic Books, 1974),p 1-7

fundamental principles of competitive individualism and market society. This is the key to his enduring popularity and influence.[51]

The Lockean Idea in the context of Nozicks's 'Minimalist State:'

A variation of this *Lockean* argument has recently been advanced by *Robert Nozick* in Anarchy, State and Utopia.[52] For *Nozick*, individuals in the pre- political state are bearers of right to life, liberty and property; these rights are absolute, negative side constraints but unlike Locke's natural rights they are not derived from God's natural law rather they are taken to be the conditions for a conception of the person as a free and equal subject.[53] Unfortunately for *Nozick* and subsequent commentators these rights are never adequately explained or defended. However, whereas *Locke* argues that our duty to preserve ourselves provides the natural basis for political obligations; *Nozick* argues that our rights create no duties other than those we freely assume. How then is the state possible? It is in answer to this that *Nozick* develops a peculiar '*invisible hand'* version of the social contract.[54]

Nozick's argument takes the following form; in the state of nature each individual has the same fundamental rights including rights of enforcements. Thus, while no individual has expressly consented to the establishment of the state and without relying on the problematic notion of tacit consent, we have the emergence via an *invisible hand* process of an invisible ultra- minimal state.

Nevertheless, There are a number of crucial difficulties with *Nozick's* account namely how we get from *an ultra-minimal state* in which protection is provided only to those who purchase protection services to the *minimal state* in which all are protected. The important point is that while *Nozick's* argument avoids direct recourse to the 'Social Contract', his *invisible hand* explanation provides a Contractarian reason for us to acknowledge the legitimacy of political obligations even if they are only to a much reduced state. *Nozick's* argument is significant in the light of modern Contractarian

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[51] John Locke propounded the idea of individual rights to property and the consequently the right to private property became an extension of this Lockean idea.

[52] Opcit

[53] Ibid.,

[54] Ibid, p. 73

debates because it is confined exclusively to the origin of our political obligations and consciously denies the redistributive implications that are central to *Rawl's* Contractarian theory of justice.[55]

Although *Nozick* self-consciously allies himself with a *Lockean* tradition it is clear that his theory is significantly different from *Locke's*; What *Nozick* does however is stimulate re-evaluation and development of *Lockean* arguments as a source of contemporary political theory in the same way as Gauthier, Kavka and Buchanan use *Hobbe's* argument.

1.1.3 Rousseau and the Kantian Social Contract:

Before the discussion of Kant, I glide through to talk about Rousseau who at once is contemptuous and praising the idea of a social contract.[56] He is dismissive of those thinkers like Grotius, Hobbes, Locke who read back into the natural condition because for *Rousseau* the contract establishes genuine popular sovereignty by instituting an order in which the people defined in terms of equality and liberty ruled directly through a monopoly of the legislative function.[57]

In one of his masterpieces entitled 'Social Contract' Rousseau delineates the principles of political rights that are said to preserve individual freedom by reconciling it with legitimate rule[58]. It expresses the common good or common interest that is the basis on which every society should be governed. According to him liberty and authority are thus reconciled and meet in the single word 'Citizen.[59]'

Furthermore, in his other writings specifically entitled '*Discourse on the origin and foundations of inequality*' he elaborates how artificial inequalities such as those of honor, prestige, power and privilege are as opposed to natural inequalities like age, strength, ability and health. These inequalities for him are institutionalized and compounded at a certain stage of social development by the establishment of political authority designed to protect the interests of those with unequal advantages.[60] Rousseau in the light of this abhorrence argues that:

[…]Such was or should have been the origin of society and laws which gave new fetters to the weak and new forces to the rich, irretrievably destroyed natural liberty established forever the law of

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[55] Ibid, p.73.
[56] Ibid.,
[57] J. Kane& H. Patapan, *The Democratic Leader: How Democracy Defines, Empowers And Limits Its Leaders* (Oxford: Oxford University Press, 2012), p. 38.
[58] Opcit,
[59] Opcit.p.13
[60] Opcit.,p. 7

property and of inequality changed adroit usurpation into an irrevocable right and for the profit of a few ambitious men henceforth subjected the entire human race to labor, servitude and misery.[61]

Having spoken the idea of a contract as a device to compound the iniquitous inequalities' correlative with social development, he uses it in the Social Contract to transform the political society thoroughly corrected by self -interest into a just body politic. Rousseau at once wanted to emulate the strong community spirit and denial of individualism found in Sparta while at the same time wanting to present a volunterist theory of political obligation which legitimized sovereign authority by grounding it in consent. It is clear however; that the consent required is that which chooses right rather than creates it and what is chosen can hardly be described as an act of free will.[62]

In his classic *"The Social Contract"*, published in 1762, Rousseau explored how human beings were contended in their original state of nature, a period before the development of civil governments. During this time humans were fundamentally equal, living somewhat isolated but free lives in a diversity of natural circumstances. However, people were driven by their original state to develop new institutions by a variety of obstacles to their preservation: individual weakness and egoistic desires, common miseries and natural disasters. Thus, human beings would have perished if they had not changed their mode of existence.[63]

They came to realize that their survival, the development of their nature, the realization of their capacity for reason and their fullest existence of liberty could be achieved only by the establishment of a system of cooperation upheld by a law making and enforcing body. Thus, people joined together to create through a social contract- a new basis of understanding and agreement, perhaps never formally stated….everywhere tacitly admitted and recognized – the possibility of living together under laws that treat all individuals equally and give all the opportunity to develop their capacities securely.[64]For Rousseau the fundamental question was: How to find a form of association which will defend the person and goods of each member with the collective force of all, and under which each individual, while uniting himself with the other remains as free as before.[65]

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[61] J. Rousseau, *Discourse on the Origins and the Foundation of Inequality,* (New York: Dover Publications, 2004),p. 57.
[62] Opcit,p.13
[63] Ibid,p.59
[64] David, Held: *Political Theory and The Modern State, Essays on State, Power and Democracy* (California: Stanford University Press, 1989), p.45.
[65] Opcit,p.45

Rousseau saw individuals as ideally involved in the direct creation of the laws by which their lives are regulated and he affirmed the notion of an active, involved citizenry: all citizens should meet together to decide what is best for the Rousseau's account, the idea of self-rule is posited as an end in itself; a political order offering opportunities for participation in the arrangement of public affairs should not just be a state but rather the formation of a type of society: a society in which the affairs of the state are integrated into the affairs of the ordinary citizens.

Rousseau who, like many of his renaissance republican predecessors, stood between ancient and modern thought about democracy, but who, writing in the very different context of the eighteenth century, sought to rearticulate this position in the face of both the absolutist claims of kings and liberal onslaught against them. Born in a small city-republic, the city of Geneva, Rousseau attempted to defend the idea of assembly politics where the people can readily meet together and where each citizen can with ease know the rest. Rousseau was aware that this was democracy for small states and that many of his ideal stipulations could not be met by the world developing before him, with its spread of commercial networks, industrial developments, large states and complex problems posed by size. Nonetheless his account of the core republican ideas is among the most radical ever developed and is linked with the new view of rights and duties of the citizens.

It is important to examine Rousseau's position, because of the significance of his thought but because he had a considerable (though ambiguous) influence on the ideas in currency during the French revolution as well as according to some writers at least, on the development of key counterpoint to liberal democracy: the Marxist tradition.[66] In addition, Rousseau has been described as the Machiavelli of the eighteenth century. He referred to his own preferred political system as republican stressing the centrality of obligations and duties to the public realm. And, indeed, Rousseau's account of the proper form of the republic is clearly indebted to his republican forebear. Like Machiavelli, Rousseau was critical of the notion of democracy, which he associated with classical Athens. In his view, Athens could not be upheld as a political ideal because it failed to in-cooperate a clear division between legislative and executive functions and accordingly became prone to instability, internecine strife and indecision in crisis.[67]Moreover, like his forebear, he tended to emphasize continuity between his conception of a defensible form of government and the legacy of Republican Rome (although, in fact it is not hard to see elements of continuity with the Athenian heritage). But while Rousseau appears to have admired Machiavelli, referring to him as a gentlemen and a good citizen, he also regarded his work as something of a compromise with the

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[66] Ibid, p.44
[67] Opcit,p.112-114

power structures of the actual republics of his age.[68] In his historical writing about the ideal government at least, Rousseau was not prepared to make any such compromise, developing an interpretation of the proper form of the republic which was and came to be seen as unique in many respects.

The Kantian Social Contract:

However, the most significant of the classic civic Contractarians from the perspective of the modern resurgence of interests in contract theory is Immanuel Kant.[69]Furthermore, as regards the Kantian use of social contract it is consistent with his moral theory and optimism about the capacity of human potentialities to flourish. His political philosophy like his meta- physics and moral theory is formulated empirically. The concept of the will that legitimizes political authority he claims is a necessary hypothesis and the social contract it in itself is a requirement of reason. Not as an account of the origin of political society but as a rational criterion of the just policy.[70]

Consent is not the ground of political obligation in Kant[71] therefore; breaches of the contract are not justifications for rebellion. Politics; Kant claims, must be subordinate to morality that is politics must bend the knee before right and no ruler can avoid having his/ her public and private conduct judged according to the principal of right however much he or she may also devise a hundred excuses and subterfuges to get out of deserving them in practice. Incessant national and international scrutiny and the examples to be found in the conduct of other rules provide the impetus to progress towards the correspondence of morality.[72] The Kantian view of Western Universalist ideas have been dealt extensively in the 6th Chapter of this work.

Conclusion: This chapter attempted to trace the evolutionary philosophical and historical understanding and the development of natural, moral law as well as social contract   and the formation of a legal and sovereign authority which can manage to regulate the social order. In this way, it was useful to understand the very debate within "political philosophy" of the reason for the state to come into existence as well as the focus of Political Science. Thus, tracing the foundational approach to the notion of the 'State' was commensurate with the philosophical argumentation based

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[68] Ibid, p.118
[69] Opcit,p.73-74
[70] Opcit,p.8
[71] Opcit, p. 8-9
[72] Opcit, p. 8

on the Hobbesian, Lockean, and Rousseau's ideas on how to legitimize the basis of political authority grounded in moral law?

 In fact, the argumentation on the inevitability of a sovereign or Leviathan or a State to contemplate the idea of how to legitimize the basis of authority also met many counter arguments. The hypothetical understanding of the State as grounded on the existence of a pre- social arrangement where individuals were not pre-ordained in exclusion and that social interaction was not a pre stage of post contract society is a case in point. Early dependence on law was both the motive and the process by which state institutions grew. The early development of law in Europe was also very important in establishing limits to state power. From the earliest times there was the problem of who has to be rendered the authority to govern and to seek upon the form of control for the regulation of the authority. Political philosophy traces the ideas of "Leviathan" or State apprised upon by the concept of a central authority and to what extent the legitimacy of such authority should be regularized and restricted. The State has undergone several historical developments which have contributed to the emergence of its modern forms. From Leviathan as a just agency to govern the domains of law, order, to highly complex domains of issues of sovereignty, governance and democracy, legitimacy, force, coercion and bureaucracy, it remains a final arbiter of political authority. The earliest authority was wrested in the hands of the monarchs. The state grew out of the king's court and its ability to offer justice across the whole realm.[73] Already by the year 1200 it boasted permanent institutions staffed by professionals and semi- professional officials; it issued a rule saying that no case concerning the possession of land could be initiated without a writ from the king's court and it was able to tax the entire realm. In the medieval period, states gained legitimacy and authority by their ability to dispense justice and their early institutions crystallized around the administration

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[73] Opcit,p.272

Chapter 2:

The discourses on the State: A comparative perspective from Early Modern, Modern and Post Modern era:

**Introduction*:* Given the historical developments that have marked the emergence, growth and nurturing of the state, it can be said that with the passage of time and duly with the historical transition in its respective political and social forms the notion of state has transformed magnanimously. Tracing the foundational approach to the notion of the 'State' is commensurate with not only studying it as the primary actor in the traditional sense of its political existence but also to raise a critical appraisal of its forms, and the way through which it is patterned in several ways. This chapter is an attempt to locate the State in the function through which it plays its role as an influential actor.

1.2.The Evolutionary Debate From Ancient to the Modern Discourse on the State:

1.2.1.Machiavelli and his theoretical ideas on State:

 The following points elaborate Machiavellian vision:

1.   The first theorist of The modern state:

Often regarded as the first theorist of modern state politics Machiavelli sought to explore how a proper balance might be found between the powers of the state and the powers of the citizen in two key texts, The Prince and the Discourses. Machiavelli argued, that the three major forms of governments-monarchy, and democracy aristocracy are inherently unstable and tend to create a cycle of degeneration and corruption. In passages which parallel strands in Plato and Aristotle, Machiavelli held that after an initial period of positive development monarchy tends to decay in tyranny, aristocracy into oligarchy, and democracy into anarchy, which then tends to be overturned in favor of monarchy again.[74]He took the Athenian Democracy as the prime: and pointed directly towards Athens as an example of democracy which degenerated because of its ability to protect itself from the arrogance of the upper class and the licentiousness of the general public. The political word, he contended was always one of flux and potential chaos. There was no principle for organization for him. (for example a fixed view of the state as subservient to the good life or natural

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[74] Opcit, p.41

rights of individuals) which was the task of government to articulate and sustain. There was no natural or God given framework to order political life. Rather it was the task of politics to create order in the world.[75] Moreover, he considered politics as a struggle and final arbiter and perceived politics as the struggle to win utilize and contain power. Politics is thus ascribed a preeminent position in social life as chief constitutive element of society. Like many other political thinkers from Plato onwards, the question was: under what circumstances might people support political order and commit themselves to the state. Or to put the question in more Machiavellian terms, how might Virtu –a willingness to do whatever may be necessary for the pursuit of civic glory-be instilled in people.[76] On the nature of the political order Political Order and Roman law; Machiavelli stressed two key institutional devices as critical to the inculcation of civic virtue: the enforcement of law and upholding religious worship. The former in particular, provides the basis to compel people to place the interests of the community above their own interest: the law can make citizens good. But how can good and bad laws are distinguished? The answer is disclosed by investigation into the ways the law has been used to foster civic culture and greatness.

The instability of all singular constitutional forms suggests that only a governmental system combining elements of monarchy, aristocracy and democracy can promote the kind of culture on which virtu depends-The best example of such a government was, in Machiavelli's opinion, Rome: Rome's mixed government (with its system of counsels, Senate and tribunes of the people) was directly linked to its sustained achievement of glory[77] he stresses on the Liberty, Equality and the power of the state over the individual and argued that if the rich and the poor can be drawn into the process of government and their interests found a legitimate avenue of expression through a division of offices between them, then they will be forced into some form of mutual accommodation.

The outcome of such efforts is likely to be a body of law that all parties can agree on in the end. The basis of liberty may not only be a self-governing regime and a willingness to participate in politics, but may also be conflict and disagreement through which citizens can promote and defend their interests. There are always threats to liberty posed by, on the one hand, the particular interests of faction and on the other hand competing states. Machiavelli unquestionably preferred liberty to tyranny but he thought the latter might often be necessary to sustain the former. His judgment moved uneasily between admiration of a free, self -governing people and the admiration of a

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[75] Ibid,
[76] Ibid,
[77] Ibid,

powerful leader able to create and defend a law. He tentatively sought to reconcile these preferences by distinguishing between, on the one hand, the kind of politics necessary for the inauguration of a state or for the liberation of a state from corruption and, on the other hand, the kind of politics necessary for the maintenance of a state once it has been properly established. An element of democracy was essential to the latter, but quite inappropriate for the former.[78]

As regards the duties he considered that the application of force is integral to the maintenance of freedom. In so arguing Machiavelli was firmly placing the ends of the state and the community above those of individuals: both at home and abroad; reasons of state held priority over the rights of individuals. A persons duties were first and foremost those required by citizenship. However, Machiavelli linked this classical emphasis on the primacy of civic life directly to the requirement of power politics.

Accordingly, Machiavellianism, in its more popular contemporary sense led to the emergence of the politics of statecraft. In general, however, Machiavelli believed that free government was difficult if not impossible to sustain in the actual political circumstances of Europe. Thus there was a clear necessity for the resourceful despot to impose his vision of state and society and to create the possibility of order and harmony. The Free State would depend on the strong expansionary state to secure the conditions of its existence. The good state was first and foremost the secure and the stable state. Therefore, while we find in Machiavelli the germs of the theory of democracy – elements of democracy are necessary to protect the governed from the governors and to protect the governed from each other- they have a somewhat precarious existence in the context of other aspects of their thought.[79]

Hobbes version of the State as Compared to Lock:

Thomas Hobbes[80] imagined a situation in which individuals are in a state of nature that is a situation without a Common Power or state to enforce rules and restraint behavior –enjoying "natural rights" to use all means to protect their lives and to do whatever they wish, against

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[78] Ibid,

[79] Ibid,p.43

[80] Thomas Hobbes was one of the first contractarian theorists in modern political philosophy who formally coined the word Leviathan which subsequently became the title of his famous book. Leviathan refers to a supreme authority or the state to which human beings should succumb to in order to parlay the threat of war of all against all. Futher reading on Leviathan can be found in Francis Fakuyama, *The Origins of Political Order from pre human Times to French Revolution* (New York: D&M, 2011).

whomever they like and to 'possess, use and enjoy all that they could or would get.'[81] Hobbes famous war of all against all says that in the state of nature the individuals discover that life is solitary, poor, nasty, brutish and short and accordingly, that to avoid harm and risk of an early death, let alone to ensure conditions of greater comfort ,the observation of several natural laws or rules is required.[82]Hobbes argument, in short, is as follows:

[...]Individuals ought willingly to surrender their rights of self-government to a powerful single authority –thereafter authorized to act on their behalf –because, if all individuals do this simultaneously, the condition would be created for effective political rule and for security and peace in the long term. A unique relation of authority would be created –the relation of sovereign to subject – and a unique political power would be established: sovereign power or sovereignty.[83]

It is important to stress that in Hobbes opinion, while the office of sovereign must be self-perpetuating, undivided and ultimately absolute, it is established by the authority conferred by the people. [84]The state's right of command and the subjects duty of obedience are the result of consent, the circumstances individuals would have agreed to if there had actually been a social contract.[85]Although there is little about Hobbes conception of the state which today we would call representative, he argues in fact that the people rule through the sovereign. The sovereign is their representative. A multitude of men, are made One Person, when they are by one man or one person, represented.[86] Through the sovereign a plurality of voices and interests can become one will and to speak of a sovereign state assumes such a unity. Hobbes argument for the supremacy of the sovereign was criticized by many and was labeled as the Hobbesian fallacy: the idea that human beings were primordially individualistic and that they entered into society at a later stage in their development only as a result of rational calculation that social cooperation was the best way for them to achieve their individual ends. This premise of primordial individualism underpins the understanding of rights contained in the American declaration of independence and thus of the democratic political community that springs from it.[87] This premise also underlies contemporary neo- classical economics, which builds its models on assumptions that human beings are rational

[81]Thomas Hobbes, Leviathan, Richard Tuck(ed.), Cambridge, New York: Cambridge University Press, 1996), pp.14-64 Also See Thomas Hobbes, *Leviathan*: Chapters 13-15,(1968),p.161
[82] Ibid,p.60
[83] Ibid,
[84] Ibid,Ch.11-15,1968,pp.227-228
[85] Ibid,
[86] Ibid, p.220
[87]Ibid,

beings who want to maximize their individual utility or incomes.[88] But it is in fact individualism and not sociability that developed over a course of human history. He argues radically for his times, that political authority and obligation are based on the individual self-interests of members of society who are understood to be equal to one another, with no single individual invested with any essential authority to rule over the rest, while at the same time maintaining the conservative position that the monarch, which he called the Sovereign, must be ceded absolute authority if society is to survive.[89] Compared with Hobbesian understanding Locke's argument on the State rested on the ground that[90] within the state of nature, humans are free and equal because reason makes them capable of rationality; of following the law of nature .Moreover they enjoy natural rights. The right to govern one's own affairs and to enforce the law of nature against transgressors is presupposed, as is the obligation to respect the rights of others .Individuals have the rights to dispose of their own labor and to possess property. The right to property is the right to life, liberty and estate.[91]Adherence to the law of nature, according to Locke, ensures that the state of nature is not a state of war. However, the natural rights of individuals are not always safeguarded in the state of nature, for certain inconveniences exist: not all individuals fully respect the rights of others; when it is left to each individual to enforce the law of nature there are too many judges and hence conflicts of interpretations about the meaning of the law; and when people are loosely organized they are vulnerable to aggression from abroad.[92]The central inconvenience suffered can be summarized as the inadequate regulation of property in its broad sense: the right to life, liberty and estate.[93]Property is prior to both society and government and the difficulty of its regulation is the critical reason which compels equally free men to establishment of both. Thus the remedy for the inconveniences of state of nature is an agreement or contract to create, first an independent society and second a civil association or government: the distinction between these two agreement is important, for it makes clear that authority is bestowed by individuals in society on government for the purpose of perusing the ends of the governed; and should these ends fail to be represented adequately, the final stages are the people –the citizens –who can dispense both their deputies and if need be with the existing form of government itself.[94]

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[88] See the online Encyclopedia of Philosophy, URL <http://www.iep.utm.edu/soc-cont/>Retrieved Jun 27, 2012.
[89] Ibid,
[90] Opcit,p.63
[91] Ibid,
[92] John Locke, Locke's *Two Treatises on Government*, (London: C Baldwin, 1824).p.308.
[93] Ibid,
[94] Ibid,

For Hobbes, the state plays the most important role as it guarantees peace and self-preservation. Civil society may flourish only when the state is strong. On the other hand, for Locke, the most important aspect of social life was freedom of individuals who first create civil society and then the state which protects individual's rights. This liberal concept of a weak state is much more popular now, in our times, when liberal democracy seems to be the best political regime.

In Locke's account, the state of nature is already social and political. Men were led to the state of nature and to set up society because they had to find a source of power for the regulation of property. Political power originates in consent because all men are free and equal in the state of nature.[95]

1.2.2. The Discourses on the State: The Comparative and Alternate Models in between Gellner's Marxian and Weberian perspectives:

The idea of the Nation and the State:

Mankind according to Gellner has *[...] passed through three fundamental stages in its history: the pre- agrarian, the agrarian and the industrial. During the hunting gathering stage, the option was not available. Although all agrarian societies have been state endowed, some of these states have been strong and some weak and some have been despotic and others law abiding.*[96]They differ a very great deal in their form. By contrast, in the post agrarian, industrial age there is once again no option but neither the presence not the absence of the state is inescapable. Paraphrasing Hegel" once none had the state then some had it and finally all have it.[97] The Industrial societies are enormously large and depend for the standard of living to which they have become accustomed on an unbelievably intricate general division of labor and cooperation. Some of this cooperation might under favorable conditions be spontaneous and need no central sanctions.[98]

So far so good for Gellner's understanding of the origins of the idea of the nation but putting the discussion little further towards the discussion of the State; It would be a point worthy to begin with Max Weber's celebrated definition of it, as "*that agency within society that possesses the monopoly*

[95] Dorota, Pietrzyk, *Civil Society – Conceptual History from Hobbes to Marx*(Aberystwyth: Marie Curie Working Papers – No 1 2001, pp.7-9
[96] Ernest Gellner, *Nations and Nationalism* (New York: Cornell University Press, 1983),p.5
[97] Hegel as quoted in Ernest Gellner, Ibid,
[98] Ibid,

of legitimate violence."[99] The idea behind this is simple and seductive: in well- ordered societies, such as most of us live in or aspire to live in, private and sectional violence is illegitimate. Conflict as such is not illegitimate but it cannot rightfully be resolved by private or sectional violence. Violence may be applied only by the central political authority and those to whom it delegates this right. Among the various sanctions of the maintenance of order, the ultimate one –force-may be applied only by one special, clearly identified, and well centralized disciplinary agency within society. That agency or group of agency is the state[100]. The idea enshrined in this definition corresponds fairly well with the moral institutions of many, probably most members of the modern societies. Nevertheless it is not entirely satisfactory. There are states-or at any rate institutions which we would normally be inclined to call by that name-which do not monopolize legitimate violence within the territory which they more or less effectively control. A feudal state does not necessarily object to private wars between its fief holders provided they also fulfill their obligations to their overlord: or again a state counting tribal populations among its subjects does not necessarily object to the institution of the feud, as long as those who indulge in it refrain from endangering neutrals on the public highway or in the market. In brief, there are states which lack either the will or the means to enforce their monopoly of legitimate violence, and which nonetheless remain in many respects recognizable states.[101]

Weber developed one of the significant definitions of the modern state by placing emphasis upon two distinctive elements of its history: territoriality and violence. The modern state unlike its predecessors had the capability to monopolize the legitimate use of violence within a given territory; it is a nation state in embattled relations with other nation states rather than with armed segments of its own population.[102]Of course Weber emphasized that force is certainly not the normal or only means of the state. But force is a means specific to the state, the state is a relation of men dominating men *[…]and generally one should add of men dominating women,, a relation supported by means of legitimate i.e. considered to be legitimate violence.*[103] The state maintains compliance or order within a given territory; in individual capitalist societies this involves, crucially, the defense of the order of property and the enhancement of domestic economic interests, although by no means all the problems of the order can be reduced to these. The states web of

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[99] Opcit,p.3
[100] Ibid,
[101] Opcit, p. 3
[102] David, Held: *Political Theory and The Modern State, Essays on State, Power and Democracy,* (California: Stanford University Press, 1989), p.130.
[103] Max Weber, Politics as a vocation, 1919 in David Held's (ed.), *Models of Democracy* (California: Stanford University Press, 2006),p.164

agencies and institutions finds its ultimate sanction in the claim to the monopoly of coercion, and a political order is only, in the last instance, vulnerable to crisis when this monopoly erodes.

However there is a third key term in Weber's definition of the state: "legitimacy." The state is based on a monopoly of physical coercion which is legitimized (that is sustained) by a belief in the justifiability and or legality of this monopoly. Today, Weber argued, […] *people no longer comply with the authority claimed by the powers that be merely on the grounds, as was once common, of habit or tradition or the charisma and personal appeal of individual leaders. Rather there is general obedience by virtue of legality, by virtue of belief in validity of legal statue and functional competence based on rationally created rules.*[104]

We know that virtually all human societies have engaged in violence particularly at the tribal level. Hierarchy and the state could have emerged when one tribal segment conquered another one and took control of its territory. The requirements of maintaining political control over the conquered tribe led the conquerors to establish centralized repressive institutions, which evolved into an administrative bureaucracy of a primitive state. Especially if the tribal groups differ linguistically or ethnically, it is possible that the victor can establish a relationship of dominance over the vanquished and that class stratification would become entrenched. Even the threat of this kind of conquest by a foreign tribe would encourage tribal groups to establish more permanent, centralized form of command and control.[105]

Marx and Engels define state as the exploitative organ and selective instrument that harness the interest of the ruling class. Marx's and Engel idea of the formation of the state which according to them came out of the division of the society into classes has been very explicitly explained by Engels In his book; Origin of the Family, private property. Engels describes the state as

[…] a product of society at a certain stage of development and the admission that this society has become entangled in an insoluble contradiction with itself, that it has split into irreconcilable opposites which it is powerless to exorcise and the state arises where, when, and to the extent that class contradictions objectively cannot be reconciled.[106]

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[104] Ibid,
[105] Opcitp,p.85
[106] Fredrick, Engels, *Origin of the Family, private property and State* (New York: International Publishers, 1972).

This sometimes states takes the form of over bureaucratized agency which exacerbates the supremacy of the ruling class. When Marx and Engels wrote about bureaucracy they had in mind the civil service, the bureaucratic apparatus of the state. But Weber applied the concept much more widely as characterizing all forms of large scale organization: the state, to be sure, but also industrial enterprises, unions, political parties, universities and hospitals. He agreed with Marx that bureaucracy is essentially undemocratic because bureaucrats are not accountable to the mass of the population affected by their decisions. However, he insisted that (1) the problem of bureaucratic domination is much more pervasive than Marx imagined and there is no way of transcending bureaucratic domination save by limiting the spread of bureaucracy itself. In particular, there can be no question of transcending the state. The achievement of a socialist society, in Weber's view would always have quite the contrary consequence to that predicted by socialist thinkers, for it would involve the extension of bureaucratic domination. By domination Weber meant a structure of super ordination and subordination sustained by a variety of motives and means of enforcement which can take many forms, the most potent of which is bureaucratic administration.[107]

Domination by bureaucracy was according to Weber inescapable but he was absolutely convinced of one thing: if socialism or communism mean the direct and equal regulation of economic, social and political affairs by all citizens then they are excessively naïve and dangerously misleading doctrines. Weber linked the indispensability of bureaucracy to the problem of coordination created by modern economic system and mass citizenship.[108]A predictable political and legal environment is essential to the development of economic enterprise without which, they cannot successfully manage their affairs and their relations with the consumers as well as organizational effectiveness and stability, which only bureaucracy can guarantee in the long term.[109]Moreover, bureaucratic decision making is rigid and inflexible, frequently and necessarily neglecting the particular circumstances of individuals. In sum bureaucracy according to Weber, forms a steel hard cage in which the vast majority of the population are destined to live out a large part of their lives. This is the price, referred to earlier that has to be paid for the benefits of living in an economically and technically developed world.[110]

Weber essentially meant that this problem arise out of the economic system and an efficacious environment in terms of political and legal context.. So he also at the same time illustrate on the necessity of a bureaucratic underpinning. But he becomes critical to its role only in a situation in

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[107] Opcit, p. 132
[108]Opcit,p.132
[109] Ibid, p.129
[110]Opcit, p.132

times when these bureaucracies take on a life of their own as they contain and restrict the activities of all who are subject to them, officials and clients alike.

The State has the potency to turn itself as a criminal actor. Studies later conducted by Ashis Nandy and Charles Tilly provide examples of State's praetorian nature in the European historical context).meanwhile, If we see the example of many instances in which state act as oligopolistic organizations that nurture the forces of corruption and nepotism to the detriment of the legal order. Many states lack a due process of law and therefore have a pathetically nefarious criminal justice system. Institutional and political stability remain non-existent in such states .We have examples of totalitarian states in which monopoly is practiced in terms of politics and in economic governance. State bodies are represented by selective groups and political parties are nurtured that only favor the requisite interests of a concerted class.

The state in such cases remains complicit in crimes and seldom there is any punishment for those forces that harbor disorder and instability. Many authoritarian and dictatorial states also fall into such categories.

A number of political scientists have compared the early modern European state to organized crime. They mean that rulers of states seek to use their expertise in the organization of violence to extract resources from the rest of society, what economists call rents. Other writers use the term predatory states, in which the elites in charge seek to extract the highest level of resources they can from the underlying society and divert them to their own private uses.[111] In many forms and instances the state become as to what is called as predatory states. Moreover, putting in the light on some earlier discussion on the coercive nature of that state or for that matter state legitimizing the use of violence, force and coercion nearly all states in the comity of nations today have the tendency to be predatory to some degree.

The Marxist Argument of Class Society and the State:

"The history of all hitherto existing society is the history of class struggles, (Karl Marx, The Communist Manifesto, 1848)

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[111]Opcit, p.22

1. The key to understand the relations between people is according to Marx and Engels *the class structure*[112]*, therefore; classes are a creation of history, and in the future will disappear.[113] In the earliest types of tribal societies there was no surplus production and no private property, production was used over communal resources and the fruits of productive activity were distributed throughout the community as a whole.

2. Class divisions arise when a surplus is generated, such that it becomes possible for a class of non-producers to live off the productive activity of others. Those who are able to gain control of the means of production form a dominant or ruling class both economically and politically. Class relations for Marx and Engels are thus necessarily exploited and imply divisions of interests between ruling and sub-ordinate classes. Class divisions are furthermore, inherently conflictual and frequently give rise to active class struggle.[114]

3. The earliest forms of society according to Engels were matriarchal women who were more powerful than men. But this relationship between the sexes reversed with the formation of private property. Although Engel's view of how this process occurred is not altogether clear, he associated it directly with the advent of private property and therefore class, since men assumed supremacy to protect inheritance. In the origins of the Family, Private Property and the State Engels tried to link the origins of sexual domination to the emergence of private property, especially private ownership of the means of production, which in turn was regarded as the condition of the development of the state.[115]

The Marxist debate: Responses by Weber:

Weber developed an understanding to the Marxist assumption in the following form: Weber's underlying principle was a well centralized Western state which constituted the only distinctive and important elaboration of the social division of labor. Where there is no division of labor, one cannot

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[112] The class structure in Marx is based on the social relations of production that entails that it is the result of the social and primarily the economic status of the groups in accordance with their level of participation within the given economic and social fabric of the society. Marx developed this thesis on the basis of understanding of Hegelian idea of dialectics of society as thesis, anti- thesis and synthesis. According to Marx the idea of putting the economic focus on the social position of classes necessitates the understanding of the state.
[113] Opcit,
[114] Ibid,
[115] Ibid, p.97

even begin to speak of the state.[116]For Weber the state was thus the final arbiter of the Civil Society. Thus according to Weber:

[…]The state is that institution or set of institutions specifically concerned with the enforcement of order (whatever else it may also be concerned with).The state exists where specialized order maintaining agencies such as police forces and courts have separated out from the rest of social life. They are the state.[117]

Weber's essay, 'Classes, Status Groups and Parties' (1922) together with its Postscript (1922) are an attempt to explicitly refute the Marxist interpretation of class, class conflict and history. For Marx power is based purely on economic power that is, possession of the means of production. Weber opposes this view by arguing that power has sources that are independent of economic power. In other words, the Marxists' scheme is profoundly misguided in its attempt to equate all power with economic power.[118]

Actually Weber's disagrees with Marxism on the issue of class and this is in part a consequence of the degree of abstraction. Weber's definition of class interest is accordant to this implication. This is obviously in contrast to Marx conception of two classes which have inherent conflicting interests. For Weber class situation can lead to similar reactions of people that share it but by no means would that lead to a revolution. Class action would occur when real conditions and the results of class situation would be clearly recognizable only then the contrast of life chances can be felt not as an absolutely given fact to be accepted.[119] This Weberian study opposes the Marxist concept of dialectical materialism and its view that change takes place through the conflict of opposites. Instead, Weber relates the rise of a capitalist economy to the Puritan determination to work out anxiety over salvation or damnation by performing good deeds — an effort that ultimately encouraged capitalism. He furthers that the ascetic life of the early capitalist entrepreneur over that of the traditional leisured aristocrat cannot be possible be explained by the impersonal working of the material sources but come permanently out of the sphere consciousness —what we have permanently labelled as ideology. And indeed the central theme of Weber's work was to prove that contrary to Marx the material mode of production far from being the base was itself a superstructure

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[116]Opcit, p.5.
[117] Ibid, p.5.
[118] See Weber's *Critique on Marx: Classes, Status, Groups and Parties*, Available online on URL >http://www.blacksacademy.net/content/3017.html>Retrieved Sep 23,2013
[119] Ibid,

with roots in religion and culture and that to understand the emergence of modern capitalism and the profit motive one had to study the antecedents in the realm of the spirit.[120]

The Marxist and Weberian Comparative Model:

It is in their perceptions of the nature of the world where Marx and Weber are most distinct from one another, though both see capitalism at the center of the modern world. Marx's State is one of class struggle; the needs, interests and desires of the working class and the owners of the means of production are always at odds. It is this class struggle which ultimately, and in conjunction with other forces, will lead to the implosion of capitalist society. Furthermore, class struggle is the catalyst for change. However, Weber does not see the economy as the only influence over the organization of power of the State. He refutes the idea that interests are shared because of membership in the same class, just as he refutes the idea of a national, unified character.[121]

Weber sees inherent conflicts not just between classes, but within them. He emphasizes that it is individuals who aggregate as a group, and we cannot ignore what each brings to the whole. Weber seems to view the worlds as one in which interests are conflicting and interdependent, with none more basic or important than others. Marx is often critiqued for failing to make any room for agency. He seems to imply that the push of capitalism is such that there is inevitability inherent in it; there is a drive on the part of capitalists that is inescapable. However, Marx does see collective action as the path for workers to realize their agency.[122]Weber, in the alternative, focuses on the rational, purposive actions which define capitalism. The spirit of modern economic life is connected with the rational ethics of ascetic Protestantism. Guided by religious values, individuals make systematic, reasoned decisions which change the orientation of their actions such that they further the aims of modern capitalism. Both problematize the influence of the market economy on the actions and spirit of individuals.[123]

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[120] Max, Weber, The *Protestant Ethic and the Spirit of Capitalism*, (London: Routledge, 1992).
[121] See *Comparing Marx*
[122] Ibid,
[123] Ibid,

Conclusion:

In conclusion we can sum up that given the nature of the political order that any states are endowed with, essentially they constitute as primary actors that regulate political social economic order. Given the historical developments that have marked on the emergence growth and nurturing of the state, it can be said that with the passage of time and duly with the historical transition in their respective political and social forms the notion of state has thus transformed magnanimously. Starting from the debate on the social contract to that of the Leviathan; we move from the issues pertaining to the domains of law, civil code to nature of political authority and issues of sovereignty. Hobbes marks an interesting point of transition between a commitment to absolutism and the struggle of liberalism against tyranny. Locke; by contrast signal the clear beginnings of the liberal constitutionalist tradition, which became the dominant thread in the changing fabric of European and American politics from the eighteenth century subsequently ushering a huge impact on the concept of a civil order. Perhaps it has to be noted today that with times immemorial the context of governance and democracy, legitimacy, force, coercion, rule of law, authority, bureaucracy and so far have been much talked about and will remain so in the coming decades to follow. Moreover, the commentary on Weber and Marx is indicative of the fact that while Marx's world is one of class struggle; the needs, interests and desires of the working class and the owners of the means of production are always at odds; Weber believed that where there is no division of labor, one cannot even begin to speak of the state. These assumptions constitute some of the most essential combination of ideas on the State and contribute a great deal in the literature of the study of the modern idea on the evolution of the State.

Chapter 3:

Theory Building on the State: The Modernization, Core- Periphery (Dependency) Neo-Dependency and the World System Schools:

Introduction:

This chapter analyses the social theories of the state in light with the economic and social forces that trigger the formation of the state. In this sense it makes an understanding that these theories see the nature of the state outside of the political realm i: e from the social and the economic mainstream. The debate focuses on the emergence of the modern European notion of the state and how the necessity of the state as a political entity justified the necessity to understand its function of economic, social realm. There is an attempt to critically view the state outside of the nation state model and to focus more on the economic drivers to necessitate the emergence of the state. Among the major themes discussed thus include the justification of why there is a need to understand the state beyond the criteria of the nation state. The chapter therefore, makes an important contribution to see the dimension of the state within the social and economic perspective. Emphasis rests on the Core and the Periphery model in understanding the social theories and specifically context the World System theory developed by Immanuel Wallerstein which offers a contrast to the dependency theories under the ambit of the global political economic milieu.

Background:

The term "State" in accordance to its definition which is associated with modern European conception refers to a particular bounded territory over which it exercises a monopoly of political authority. In modern Europe the expansion of the state was linked to the expansion of the monarchies. Initially the authority of the Modern European state rested on the notion of the sacredness of the office of the king, subsequently the notion of the sovereign state rested on the

conception of legal rights on the part of the citizens in relation to the authority on sovereignty as an inalienable right of the people, and above all, on the capacity of the state to command resources.[124] While it becomes interesting to mark the stages of the formation of the state on the basis of its political evolution in modern Europe, a further explanation helps to trace the process of state formation within the context of Social Theories.

1.3.Social Theories of Core And Periphery: A Developmental Paradigm:

The various schools of thought studies below have developed theoretical tools that allow social theorists to examine critically ethno- cultural hegemony in colonial and post-colonial contexts. The main focus rests with the issues that are at the heart of development concerns; between developed states and the developing to the underdeveloped. The ethno- cultural divisions discussed throw a light of the discussion under the influence of colonialism and thus very significant to understand the post-colonial context.

1.3.1 Modernization and Dependency Theories:

Modernization theory was based on the assumption that all societies went through similar stages of economic growth and developing nations needed to better emulate the innovations of the advanced nations.[125]*The dependency school* was the response to the *modernization theory* and the dependency theorist argued that the advanced industrialized economies of the West were directly responsible for the underdevelopment of the developing nations. While the *dependency school* focused on unequal economic exchange, it did not emphasize the internal structure that distorted development.[126]*The neo dependency schoo*l expanded the underdevelopment thesis and demonstrated that through realignment of domestic economic structures there can be dependent development, However both *dependent* and *neo dependency* schools were focused entirely on external and internal economic relations and did not address the role of culture and ethnicity in economic under development.[127]

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[124] Ali, Banu, Azizi, &Myron Weiner, *The State, Religion and Ethnic Politics: Afghanistan, Iran, and Pakistan* (Washington D.C: Library of Congress, 1986), p. 7-13.
[125]Sanjay, Ramesh, *Hegemony, Anti Hegemony & Counter hegemony: Control, Resistance and Coups in Fiji*, (Sydney: University of Technology, 2008), p.40-41.

[126] Ibid,
[127] Ibid,

Wallerstein's concept of 'semi periphery': The World System Theory:

The World System criticized the *Dependency school* for emphasizing only on economic relations between the core and the periphery while failing to explain fully the role of the state hierarchy.[128]For the *World System,* the *Dependency School* never analyzed the capitalist system and its global dimension. In response to the *Dependency* bi- model Center periphery approach the *world system* approach put forward a tri model analytical framework. Under this model there were three fundamental characteristics. Core, Periphery and *Semi Periphery.* In the early 1970s, Immanuel Wallerstein extended the dependency and underdevelopment debate by focusing on hierarchies within the capitalist system and introduced the third economic category which he termed as '*Semi-periphery'* According to Wallerstein, there are possibilities for emergence of semi periphery within the existing capitalist world systems. The core was the center of political, economic and social activity. In comparison to the core the periphery experienced tremendous political and economic disorder because the peripheral regions of the world were in total dominance of the core and the semi-periphery was located between core and periphery, they benefit from the periphery through unequal exchange relations. At the same time, the core benefits from the semi-periphery through unequal exchange relations. Actually, Wallerstein follows *Dependency Theory*, which intended to combine the developments of the different societies since the 16th century in different regions into one collective development. The main characteristic of Wallerstein's definition is the development of a global division of labor, including the existence of independent political units (in this case, states) at the same time. There is no political center, compared to global empires like the Roman Empire; instead the capitalist world system is identified with the global.

In Wallerstein's own words the Core was defined as follows:

[..]*The combined wealth, technological expertise and the military power of the core continues to exceed the rest of the world. The core is still the location of the technologically advanced capital intensive and high wage production. The core retains its capitalist system of political economy and is still organized into system to competitive nation states.[129]* Thomas Shannon notes that although

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[128] Daniel Chirot &Thomas D.Hall, World System Theory, *Annual Review of Sociology*, Vol. 8, 1982,pp.81-106.URL>http://www.jstor.org/stable/view/2945989>Retrieved Sep 25,2013
[129]Ibid,

the former colonies became independent states, the resulting relationship between the core and the periphery known as the neo colonial system was much the same as it had been before the independence. According to Shannon the structure of domination and continued in the post-colonial states as local capitalists elites with links to global capitalists continued with the economic exploitation of their colonial predecessors.[130]

Further development of The World System Theory:

It had its origins in the Fernand Braudel Centre for the Study of Economics at Binghamton University, State University of New York.[131]Braudel, the founder of the school, sought to develop total history: a holistic approach in the field of social sciences that influenced Immanuel Wellerstein. *The World System* criticized the *Dependency school* for emphasizing only on economic relations between the core and the periphery while failing to explain fully the role of the state hierarchy.[132] For the *World System,* the *Dependency School* never analyzed the capitalist system and its global dimension. In response to the *Dependency* bi- model Center periphery approach the *world system* approach put forward a tri model analytical framework. Under this model there were three fundamental characteristics. Core, Periphery and semi periphery.The core was the center of political, economic and social activity.

In the light of the above when employing the Core-Periphery dynamics account for the rise of the state, it serves as a good model of understanding the stages of the modern development of the state. Following section elaborates the explanation:

The Core / Periphery Model to Understand the Rise of the State:
The State as the Core or the Basic Unit:

For almost two decades the concept of Core- Periphery has undergirded the analysis of rise of the State. The purpose of the Core- Periphery paradigm was to wrest comparative political analysis from the dependence on the nation state as the prime unit of analysis.[133] Since the concern central in contemporary political science is the rise of the modern state, an approach which looks beyond the

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[130] Ibid,p.53

[131] The Fernand Braudel Center for the Study of Economies, Historical Systems, and Civilizations at Binghamton University, State University of New York was founded in September 1976 and serves as one of the preeminent centers for advanced study of systemic history (especially the world-systems dynamics) and historiography in the US. It is named after the famous French historian Fernand Braudel.

[132] Daniel Chirot &Thomas D.Hall, World System Theory, *Annual Review of Sociology*, Vol. 8, 1982,pp.81-106.URL>http://www.jstor.org/stable/view/2945989>Retrieved Sep 25,2013

[133] E, Spencer, Wellhofer, Core and Periphery: Territorial Dimensions in Politics*, Urban Studies Journal*, Vol. 26,No.3.(June, 1989), p. 3411 URL:>http//usj.sagepub.com/content/26/3/340>Retrieved ,17th September,2013

nation state model can be helpful thus. Such an understanding is provided by analyzing the State and its formation in the development of Core-Periphery model. The Core- Periphery analysis holds that core-periphery dynamics partially explain the rise of the state, its character and function. Such an approach is based on explaining under what mechanisms do cores dominate the peripheries? And what circumstances may peripheries develops awareness of their status, resist the domination of the core and finally do the Core-Periphery dynamic condition the location and development of strong States?[134] Lipset and Rokkan advocated looking within the nation state as the prime unit of analysis while Wallerstein that held nation states must be placed in the global economy.[135] While Core and Periphery appear in several guises, Perroux defined that the Core represented an economic center without reference to territory.[136] Shils employed the concept of center as the locus of values in society but assigned no geographic location. Beginning with the work of Myrdal and Hirshman, the concept required both location and dynamics. However, the terms continued under several meanings: Rokkan connoted urban and rural differences; Tarrow, et al concentrates on administrative arrangement for state service delivery.[137]

Models of Study:

- Moore's Pioneering Study of the State:

Moore's pioneering study presents an inherent geographical dimension in the analysis of liberal democratic and authoritarian regimes in Western Europe. Moore's analysis is an East-West gradient anchored in the center at the commercial core of Europe following the ancient city-belt of Northern Italy and the Rhone and Rhine rivers.[138] It suggests that liberal democratic regimes are more likely to arise closer to this city-belt paralleling the residual trade routes after the collapse of the Roman Empire. The greater the distance from these routes, the weaker the urban centers and bourgeoisie as well as the greater the likelihood of authoritarianism.[139] In Moore's analysis the rise of the modern state coincides with the rise of capitalism with the state representing from bourgeoisie class and hence he concluded that where the bourgeoisie is weak or absent, authoritarian states are more probable.[140]

Anderson's And Rokkan's idea of the State:

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[134] Ibid,
[135] Ibid, p.340
[136] Ibid.,
[137] Ibid,
[138] Ibid,
[139] Ibid,
[140] Ibid,p.344

A major investigation into the rise of the absolutist state arrives at similar conclusions on the crucial role of economic and political fragmentation. For Anderson; the hierarchical dispersal of sovereignties in the feudal mode of production for the first time freed urban economies from the direct domination by a rural ruling class. This 'parcellisation' of sovereignty stimulated agricultural productivity, facilitated the autonomy of emerging urban commercial classes, and created tensions among these groupings facilitating new organizational forms. However, the absolutist State was never an arbiter between the aristocracy and the bourgeoisie, still less an instrument of the nascent bourgeoisie against the aristocracy: it was the new political carapace of threatened nobility.[141]Anderson follows Rokkan in assigning state formation to interface regions between emerging capitalism and rural feudalism, Anderson does not explicitly employ Core-Periphery concepts and spatial representations are poorly developed. Most of the argument examines these dynamics within particular territorial units.

Following Anderson, Rokkan reiterated his thesis that new states developed on the peripheries of the commercial core of cities left in the wake of the break-up of the Roman Empire. For a while the city belt was technologically advanced, innovative and culturally linked but the very existence of multiple cores engendered the fragmentation of power militating against unity and organization.[142] Moreover, Rokkan argues that centralized military-administrative states could more easily rise in the agricultural periphery. However, Rokkan's explanation for the rise of these states is weak, relying on factors not unique to the periphery; in addition he describes no mechanisms by which the new state arose.[143]

Hechter's and Burstein's Redefined Strong State:
In 1980 Hechter and Brustein refined the debate by noting that strong states arose at particular locations in Europe corresponding to regional modes of production. Successful states emerge on the periphery of the commercial core, but only when two additional features are present: the dominance of the feudal mode of production with its parcellised sovereignty and the challenge of the emerging bourgeoisie. Feudalism facilitated hierarchical military-administrative structures able effectively to manage extensive territory, stimulated agricultural innovations through the open field system, and encouraged the coalition of feudal lords against the rising commercial interests.[144] They conclude the modern state emerged in regions where class grouping of nobility and bourgeois were more or

[141] Ibid,
[142] Ibid,
[143] Ibid,
[144] Opcit,

less in balance in the middle ages; the modern state was the direct result of this development. Thus, bourgeois class consciousness in the late feudal period did not grow from the seeds of a new capitalist mode of production so much as re-emerge in reaction to the policies of the first modern states.[145]

Immanuel Wallerstein's Concept of the Core-Periphery/Semi periphery: Some Critical Observations:

Anderson's analysis of the territorial differences existing may be juxtaposed to Wallerstein's Core-Periphery dimensions which re-emphasized the primacy of economic East-West gradient found in Moore as well as introduced a North-South distinction to account for the rise of core areas in Northwestern Europe, a declining semi-periphery in the South and dependent rural periphery in the East.[146] Meanwhile, critics agree that it does not allow for an active economic role for the state and thus it is difficult to see how it represents the bourgeoisie's class interests. Wallerstein's significant contribution to the application of the paradigm to the world-economy homogenized the variations within Europe.[147] For Wallerstein the city belt retains its significance as the locus of dynamic capitalism, but also is the crucible of strong states. Problems arise, however, since Wallerstein's core countries, England and Netherlands, did not produce strong states, or at least not as strong as more peripheral regions.

Wallerstein's significant contribution lies in overcoming the ontogenetic bias inherent in the work of Anderson and the earlier writings of Rokkan.[148] However, for Wallerstein the economic gradients are relatively smooth, unencumbered by the lumpiness of state organizations. Wallerstein's argument that the common thrust of Core- Periphery analysis argues beyond the nation states. Moreover, Wallerstein does not allow for an active economic role for the state and thus it is difficult to see how it represents the bourgeoisie's class interests.[149]

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[145] Ibid,

[146] Ibid,
[147] Ibid,

[148] Immanuel Wallerstein, The Modern World System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century, *Contemporary Sociology* Vol.4, No.3. (May, 1975), pp.217-22.URL >http://www.jstor.org/stable/2063180<Retreived Sep 25, 2013.See also Michael, Hechter, Internal *Colonialism: The Celtic Fringe in British National Development*, (Berkeley: University of California Press, 1975).

[149] Peter, Worsley, *One World or Three? A Critique of the World System Theory and Immanuel Wallerstein*, Seminar papers presented at Berliner Institut für vergleichende Sozialforschung (BIVS), Sep, 1979.Available online at URL> http://thesocialistregister.com/index.php/srv/article/view/5456> Retrieved Sep16, 2013.Also see Morris, Janowitz, A sociological perspective & Review on Wallerstein's, The Modern world System: Capitalist Agriculture and the Origins

1.3.2.Actualizing the Core/Periphery Model:

Colonialism/post Colonialism through the Core-Periphery Model:

The distinguishing features of the Marxian variant of Core-Periphery analysis are its emphasis on economic variables, the function ascribed to the state and the accumulation of surplus value at the core; all are central to the analysis of imperialism and colonialism. According to this point of view, dependent economies are characterized by capital penetration, partner and commodity export concentration.[150] The territorial expansion of capitalism is interrupted by periodic crises which reinforce its expansive logic.[151]Peripheries are created by the transfer of surplus value to the Core, derived from the labor theory of value, and a view of markets as unequal exchange mechanisms.[152] Therefore, in the analysis of colonialism, fundamental theoretical differences become apparent in the economic variants of core-periphery analysis. Thus, while the core-periphery analysis applied to imperialism and colonialism introduces a territorial or spatial dimension, the paradigm could be equally effective if it spoke of classes rather than cores or peripheries. Following themes are important to be discussed within the general purview of this model

1.3.3 The Counter-Core Movements within the Core-Periphery Approach: A Critical Counter cultural narrative:

The core-periphery analysis extensively investigate the mass politics of counter-core movements, variously termed 'peripheral sectionalism'[153] throwing light on the politics of cultural defense, territorial defense and agrarian defense, counter-center, counter-cultural movements and ethno - regional movements. The study becomes important and applicable for the analysis of the counter-cultural movements within the general theoretical framework of post-colonial theory that is dealt in great length in the following chapters.

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of the Western European World-Economy, *American Journal of Sociology,* Vol. 82,No. 5.(Mar, 1977),pp.1090-1097.Available online atURL>
 http://www.jstor.org/stable/2777815 Retrieved Sep 18, 2013
[150] Ibid,
[151] Ibid,
[152] See URL:>http//usj.sagepub.com/content/26/3/340>Retrieved Sep17, 2013.
[153] Hechter uses the term peripheral sectionalism to refer to culturally based sectionalism, which refers to sectionalism based in the areas of specialized development without regard to its specific source(i:e structural versus cultural)

Counter core movements are regarded as responses to cultural, economic and political standardization efforts generated by mobilization[154] emanating from the core.[155] The social base of such movements is the middle class and the elites.[156] In this formulation, ethnic identities become centralized, in highly complex, industrial societies and initiate debate on the class based approach to observe the structure of the state and the society.

The capitalist division of labor thus embodies three sub-processes conditioning class formation and consciousness [157] (i) the social organization of production in which classes are defined by the ownership of the means of production ,[158] (ii) The imposition of class divisions of labor[159] (iii) The technical division of labor bringing forth segmented labor markets. [160] These works

postulate that the technical organization of production further conditions the social organization of production. The mechanization of labor generates[161]labor market distinctions based on the state of capitalist development, firm size, and market share and skill levels. Division of labor market theories merge with core-periphery analysis when capitalist structured labor markets vary with the core-periphery dimension within and across national economies: Peripheries are characterized by proletarianization and secondary jobs while ownership and primary jobs are reserved for the Core; when capitalist labor markets are congruent with cultural markets, the segmented, cultural division of labor results.[162]

The Case for the Counter-Core Movement: The Debate from the Peripheral Side :(From the Post-Colonial point of view)

The process giving rise to counter-core activities is exploitation of the Periphery by the Core. Termed uneven development or unequal exchange, the transfer of value from periphery to core generates misery, dependency and ultimately reaction. The expansion of capitalism leading to the peripheralization and proletarianization relies on markets and long, complex commodity chains for

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[154] Opcit,

[155]Charles, Ragin, Class, Status and Reactive Ethnic Cleavages: The Social Basis of political Regionalism, *American Sociological Review,* Vol. 42, No. 3. (Jun, 1977), pp.438-450. URL>www.jstor/stable/2094749?seq=2 >Retrieved Sep 16, 2013

[156]Optic,

[157] The reactive ethnicity hypotheses are central to the neo-Marxian representation of counter-core politics. In this analysis the dual processes of the capitalist division of labor and the exploitation of the periphery by the core give rise to counter-core movements at the periphery

[158] Opcit,

[159] Ibid,

30Ibid,

[160] Ibid.,

[161] Ibid,p.347

[162]Ibid,

value transfer to core from periphery.[163] These dual processes of the capitalist division of labor and value transfer are given spatial content in core-periphery analysis. The developed countries possess labor markets typical of advanced capital systems, while the periphery and semi-periphery of the world-economy demonstrate variants of proletarianisation and homogenization.[164]

The periphery division of labor is supported by the dependent economy which reserves better jobs for the export sector and foreign capital. According to the argument these conditions generate more severe class conflict in the periphery than the core, particularly during periods of contraction.[165] Similarly within nation-states economic and cultural peripheries generate resistances to the Core.[166]

The Ethnic competition hypothesis

The ethnic competition hypothesis states that economic development and inequalities will generate political cohesiveness across classes within ethnic groups as these groups become more aware of their economic subordination to the core. [167]This is represented for national movements at the periphery particularly when such movements conquer state power. The reactive ethnicity hypothesis states that uneven class development combined with the continuance of territorial, ethnic and religious identifications engendering the cultural division of labor in the periphery brings forth reactive ethnic cleavages.[168] The hypothesis has two variations: That reactive ethnicity is stronger among the peripheral working class and is a response to the 'deterritorialization' of life by capitalism in alliance with the state and will be stronger where economic inequalities, intra-collectivity communications and intergroup differences are greater.[169]

Conclusions:

Following the end of World War 2, there emerged a number of Social theories that examined political, economic social relations of the post war world order. The focus in particular was on the developing countries which were decolonized after the end of the Second World War.[170] While, there are many theories to analyses the causes of the wars, the traditional Marxist theory

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[163] Ibid,
[164]Ibid,
[165] Ibid,
[166] Ibid,
[167] Sven Engesser & Annika Franzetti, Media System and Political Systems: Dimensions of Comparisons, *International Communication Gazette,* Vol. 73, No.4. (Jun, 2011), pp.273-301 URL> http://gaz.sagepub.com/content/73/4/273 Retrieved Sep18, 2013.
[168] Opcit,
[169] Opcit,
[170] Walt Rostow, *The Stages of Economic growth: A Non-Communist Manifesto* (London: Cambridge University Press, 1960).

preoccupies itself with the idea of imperialism as the highest stage of capitalism and later the core-periphery theories also see the state as the Core and an economic actor which serves its quest for the wars following on the economic motive. Thus, according to these theories the state competition for the overseas territories was one of the causes of the two great wars in Europe and after gaining independence, the newly independent states provided raw materials for the development of former colonial powers. The dependency and the neo dependency theories focused on this dimension of the historical evolution of state as the core. One aspect that was found to be missing was the cultural and ideological and ethical element to understand the core and periphery was later addressed by the *Neo- Gramscian* scholars analyzing colonial and post-colonial societies, in particular after the 1980's.They integrated culture and ethnicity into their *Neo- Gramscian* analytical framework and showed how these played a significant role in shaping political hegemony. (The *Neo-Gramscian* model serves later in understanding the theoretical ground of this project).The school has developed theoretical tools that allow social theorists to examine critically ethno cultural hegemony in colonial and post-colonial contexts, ethno cultural divisions in historic blocs and the role of military in hegemony and counter hegemony.[171]

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[171] Ibid, p.42

SECTION II:

THE CIVIL SOCIETY: AN ORIENTATION IN AN EVOLUTIONARY PERSPECTIVE

Chapter- 4:

Civil Society: The Evolution of the term since early times/ Historical and Philosophical Background:

Introduction:

Civil Society refers to a rule governed society based on the consent of individuals or a society based on social contract among individuals. In other words Civil Society is defined as the process through which individuals negotiate, argue, struggle against or agree each other and with the centers of political and economic authority. Through voluntary associations, movements, parties, unions, the individual is able to act publicly. Thus in the early modern period, the main concern was civil rights –freedom from fear. Hence, Civil Society was a society where laws replace physical coercion, arbitrary arrest, etc. In the nineteenth century, the issue was political rights, and the actors in civil society were the bourgeoisie. In the twentieth century, it was the workers movement that was challenging the state and the issue was economic and social emancipation."[172]

2.Orientation: The History and the Background:

The term Civil Society has not been a new term. It is one of the most popular concepts of social and political sciences and has a very long history in the tradition of Western political thinking. Its origins go back to the Greek philosophers of antiquity, possibly to Aristotle.[173]However, the modern idea of civil society originated first in the later 18th century from the representatives of the Scottish and continental enlightenment: Adam Ferguson, Adam Smith, Georg Hegel, and Charles Montesquieu. The concept became more popular particularly after the first democratization wave in

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[172] Mary, Kaldor, The Idea of Global Civil Society, *International Affairs*, Vol.79, No.3. (May, 2003), pp.583-593.URL<http://www.jstor.org/stable/3569364>Retrieved Oct 8, 2013.

[173] Malek, Saral in Raffaele Marchetti Natalie Tocci (eds.), *Conflict Society and Peace Building*: *Comparative Perspectives*, (London: Routledge, 2011), p.199.

the East European as well as in Latin American countries and found increasing usages consequently with the new social movements as well as political developments.[174]

It has recently been revived by a variety of thinkers to emphasize the capacity of societies to organize themselves through the active cooperation of their members. It is contrasted with rival theories which see social order either as the necessary outcome of economic and technological forces or as an imposition from an outside agency such as the state.[175] At the same time, it also represents one version of the democratic ideal: the aspiration toward a form of social life in which individuals, by acting together, would set the patterns of social life on the basis of reasoned discussion and responsible choice.[176]In the consecutive paragraphs we trace the historical evolution of the term and construct a well-illustrated elaboration by means of its understanding through a philosophical and theoretical perspective

Charles Taylor identifies three different senses which determine civil society in the European Political tradition: In a minimal sense, civil society only exists where there are free associations, not under the tutelage of the state power. In a stronger sense, civil society only exists where society as a whole can structure itself and coordinate its actions through such associations which are free of state tutelage. As an alternative or supplement to the second sense, we can speak of civil society where ever the ensemble of associations can significantly determine or inflect the course of state polity.[177]

Civil Society in this sense connotes to the arena of human associations and autonomous organizations whereby citizens are engaged in voluntary association. Laws prevail over the society binding the state and protecting the citizens from the arbitrary and unjust use of power. Second civil society refers to qualities of civility and tolerance, an attitude and pattern of conduct, without which societal conflict would prevail. Third, the existence of civil society carries with it the idea of political community and a sense of citizenship and a shared identity.[178]

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[174] Ibid,

[175] Ngaire, Woods, *The political economy of globalization*, (Basingstoke: Palgrave, 2000), p. 174.

[176] Karp, David R. &William, M. Sullivan, *The Idea of Civil Society: Scholarship and Debate,* (West Port: Smith Richardson Foundation, 1997) URL
>http://www.skidmore.edu/~dkarp/Karp%20Vitae_files/The%20Idea%20of%20Civil%20Society.pdf>Retrieved Apr 19, 2011.

[177] Charles Taylor cited in Partha, Chatterjee, *Communities and the Nation,* in Saurabh, Dube (ed.), Post-*Colonial Passages: Contemporary History Writing on India* (New Delhi: Oxford University Press, 2004), p. 121.

[178] Edward Shils, *The Virtue of Civility*, in Edward Shils and Steven Grosby (eds.), *The Virtue of Civility: Selected Essays on Liberalism, Tradition, and Civil Society* (Indianapolis: Liberty Fund, 1997), p.4-9.

2.1.The Search towards the idea of Civil Society:

Although the term civil society was not distinguished from the state power as a condition for civil society was given emphasis from the seventeenth century onwards, the strain was found somehow within the Hobbesian Social Contract who saw security and internal pacification as a fundamental characteristic of civil society, something which was compatible with the powerful state, (a Leviathan). Locke on the other hand, insisted that absolute monarchy could not be equated with the civil government.[179] Thus, apart from Hobbesian version, Locke forged a social contract theory of a limited state and a powerful society where people gathered together to sign a contract and constituted a common public authority.

Nevertheless, Locke held that the consolidation of political power can be turned into autocracy, if it was not brought under reliable restrictions. Locke's two treaties on government with reciprocal obligations entailed that: people submit themselves to the common public authority. This authority has the power to enact and maintain laws and that the state must operate within the bounds of civil and natural laws. It was also Locke who was the first to introduce the notion of private property as a condition for the civil society. Locke developed an argument about private property as a fundamental right based on the idea that a man possesses his own labor and if he adds his labor to the products of nature he takes the possession of those products.[180] The notion was later to be elaborated by the Scottish enlightenment thinkers, Particularly Adam Smith who stressed the development of market economy as a basis of civil or civilized society. In the following paragraphs I shall trace and discuss the thematic tilt to the notion of Civil Society in some detail:

2.1.1.The Ancient, Early Modern Theorists of Civil Society: Influences and Differences from the Ancient World:

The early modern theorists (seventeenth and eighteenth century) drew the concept of civil society from the readings of the Greek philosophers who used the term political society which was translated into Latin as societas civilis.[181] For the ancients, the concept had a strong moral content.

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[179] For Locke, the supreme power was based on the legislature, the separation of the legislature from the executive as well as the right of the free public expression were the conditions for the civil society. Juridical equality applied both to rulers and the ruled.

[180] Locke is considered as the pioneering figure to have coined the essence of the Liberal theory on the right of Individual to retain private property.

[181] Mary, Kaldor, *Civil Society: An Answer to War* (Oxford: Blackwell Publications, 2003), p. 20-21.

It was a law governed society in which the law was seen as the expression of public virtue. The Aristotelians good life civilization was thus linked to a particular form of political power in which rulers put the public good before private interest. Plato as well in *The Republic* envisages a state which brings private passions and interests under control. For Aristotle, the 'polis' which was more or less synonymous with civil society was the 'telos' of man as a political animal. It was through political action and public deliberation through the public use of reason that ethical life was realized. What distinguished the early modern thinkers from their predecessor[182] was their emphasis on human equality. Men were seen as autonomous individuals who possessed fundamental rights by virtue of being human. They imagined a state of nature, that is to say a situation characterized by the absence of political authority or law in which individuals where free to pursue their private interests. Central to the early modern theorists was the notion of the social contract, a hypothetical device, which expressed an underlying reality, used to express the constitution of civil society. Through the social contract men (and for the early modern thinkers it was men and not women) exchanged their freedom for rights guaranteed under a civil law. For Hobbes the fundamental right was security. For Locke it was also liberty above all property that was guaranteed by law.[183]

2.1.2. Causes of the change to the concept:

The Scottish Enlightenment and Changing Tilt to the notion of Civil Society: A Contrast Perspective through Seventeen, Eighteenth and Nineteenth Century:

One common factor which was noticeable was that while the Civil Society was seen to have been connoted with that of the State in the early modern times and thus the term was conceived to be linked with the idea of territoriality and 'Territorial State.'[184] It was contrasted with pre-modern societies, which lacked a State and above all it was contrasted with International Relations which equated the State as the sole basis of a single authority.

Scottish enlightenment thinkers like Adam Smith and Adam Ferguson argued that the advent of the commercial society created the individuals who were the necessary condition for the civil society. Markets, social classes, civil law and welfare organizations were all part of the civil society. This was perhaps for the first time that the concept of civil society was for the first time contrasted with the state. When Adam Fergusson, the Scottish Enlightenment thinker wrote the book an essay on 'The History of Civil Society' he was deeply concerned about modern individualism, like many

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[182]Ibid, p.21
[183] Ibid,
[184] Opcit,p.585

other Scottish enlightenment thinkers to develop a scientific approach to the study of social phenomena. To understand the evolution of society he studied the Highlanders and American Indians and became convinced that men among modern society had lost the spirit of community, natural empathy and affection among human beings.[185] His study of what he called the rude nations was based on his own travels, especially to North America. History, in his view did lead to civilization partly because of the advance of technology and increased wealth and partly because of man's natural tendencies for affection towards his fellow human beings which he observed among the rude nations. For him individualism was a modern condition; a consequence of commercial society. Man had always lived in groups and Ferguson's study of history and other societies seem to indicate that human beings are motivated not only by self-preservation but also by love, courage, generosity and honor. It is only in commercial society that man is sometimes found a detached and solitary being, he has found an object which sets him in competition with his fellow creatures and he deals with them as he does with his cattle and his soil, for the sake of profits they bring. Moreover, among the rude nations according to Ferguson are to be found many qualities that are lacking in civil society.[186]

Furguson's idea of Rude Nations against Civil Society:

The reasoning which Ferguson uses for constructing this idea is that civil society is not necessarily superior in moral terms to rude nations. There is no natural tendency towards progress although progress does take place as a result of conscious moral efforts.[187] The constitution of civil society cannot be derived from a formal blueprint. It is the outcome of a process rather than a contract – a process that is at least in part, the consequence of public pressures. It is the unanticipated consequence of a medley of human developments in which innate moral sentiments for social actions play a critical part, the end result of various social currents, a compromise between contending parties, the influence of laws where they have any real effect in the preservation of liberties, is not in any magic power descended from shelves that are loaded with books but is, in reality the influence of men resolved to be free; of men who having adjusted in writing the terms on

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[185] Ibid,

[186] For a detailed commentary on the Scottish enlightenment See Mary Kaldor cited above.

[187] Ferguson hailed the civilizing forces of commerce and contemplated a world without the kinships and dominance of aristocracy that for him comprises the rude nation.in other words Ferguson's idea was that of progress in the case of individual advances from infancy to manhood from rudeness to civilization.

which they live with the state and with their fellow subjects ,are determined by their vigilance and spirit, to make these terms be observed.[188]

Thus what the Scottish enlightenment thinkers had in mind was to use the concept of civil society in what West had already achieved and thus, enriching the further development on the discourse in the field of political philosophy.[189]

Over the years meanwhile, despite the proliferation of this discourse and of the concept itself, no one has developed a systemic theory of civil society. In the 1990's however, the term global civil society[190] thus came to be referred as a parallel term to counter the State centric approach. Nevertheless, for many scholars of civil society, the term has retained its ambiguity and yet strength at the same time as there has been a tremendous transformation in its nature over many years. What constitutes civil society today is in many ways seen to be strictly the domain of how the varied forces of non- state actors, through various organizations at the non -state level have been in operation. These include of all the civil movements, non-governmental organizations, non- profit associations, private voluntary organizations, independent advocacy groups, principled issue networks, segmented polycentric ideologically integrated networks etc.[191]

The Conceptual Transformation of the term: Tracing the changes through history:

For seventeenth and eighteenth century thinkers, civil society was defined in contrast to the state of nature. Civil society was a society characterized by the rule of law based on certain individual rights which were enforced by the political authority, also subject to the rule of law.[192] Indeed, there was no clear distinction at that time between civil society and the state. Rather civil society was a generic term for secular constitutional order.

Transitional period from Absolute Monarchy to Modernity:

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[188]Adam Ferguson, *An Essay On the History of Civil Society. Of The History of Rude Nations Section II and III Under the impressions of property and interests,* (London: T. Cadell, 1782).URL< http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=1428&chapter=19730&layout=html&Itemid=27>Retrieved Nov 23,2012

[189] Jean L Cohen and Andrew Arato, *Civil Society and Political Theory*, (Massachusetts, MIT Press, 1994), p-1-3.
[190] Krishan Kumar in his article Global civil society argues that the words like world civil society and international civil society earlier connoted by Jon Keane are much older varieties to what Mary Kaldor has recently attempted to move in an uncomplicated way from civil society to global civil society. According to Kumar, such terms like global civil society have an entirely new meaning and significance relating to a non- governmental social sphere. Views expressed in Krishan, Kumar Global Civil Society, *European Journal of Sociology*, Vol.48. No. 3, (Dec, 2007) p.416.
[191] Opcit,
[192] Ibid,p.17

The term came to prominence during the transition from the absolutist monarchies to the modern state although it had a prehistory during the ancient and the medieval times. This was the period when earlier ties of blood, kinship and religion were breaking down. With the development of what Giddens calls time-space distinction new more abstract forms of social interaction supplanted the personal face to face relations that characterize local communities. The growth of states and the establishment of rule of law gradually eliminated private and often violent methods of settling disputes and created the conditions for these new forms of social interaction based on commonly accepted but impersonal means of communication e: g exchanges of money, newspapers mails etc.[193]

The 18th and 19th Century Rise of the National State and the Civil Society:

The distinction between civil society and the state that is to say the shift from civil society defined in contrast to the state of nature to civil society defined in contrast to the state, is associated with the rise of what Charles Tilly calls the national state in the late 18th and the 19th centuries. This involved a growth in the functions extensiveness and centralization of the state power a shift in the status of individuals from subjects to citizens and an increase in the extent of democratic control at least on paper over states. This was the period when state bureaucracy was developed and when various institutions were established-central banks, professional armies, the education system – clearly separated from the private sector of ruler. In other words civil society was equated with bourgeoisie society and included the market; this was the definition to be taken up by Marx and later 19th century thinkers.

The 20th Century and its Impact on the notion of Civil Society:

In the twentieth century the content of the concept has been further narrowed to forms of social interaction that are distinct from both the state and the market. This transformative process is dealt in the next section.

The changing meaning of the notion Civil Society arises from several factors: the changing content or coverage of the term –what it was not; and what it is today? However, in its broader sense the term Civil in the Civil Society has been derived from the very idea of a well governed, rule of law based orderly social society. The idea was not very different to set the tunes of an order that legitimized a rule of law so that society can be governed by virtue of particular code of conduct.

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[193] Ibid,p.17

What indeed is civil society? The concept has been understood very differently across different time periods.

The Idea of Civility as the core idea to understand the notion Civil Society:

The term was linked to the concept of civility. It meant respect for individual autonomy based on security and trust among people[194] who had perhaps never met. It required regulatory of behavior, rules of conduct, respect of law, and control of violence. Hence a Civil Society was synonymous with polite society, a society in which strangers act in a civilized way towards each other, treating each other with mutual respect, tolerance and confidence, a society in which rational debate and discussion became possible. Thus, Civil society is both a way of describing aspects of modern society and an aspiration, an ideal of what a good society should be like.[195] The core of the concept of civil society is the recognition that human societies are grounded in and held together by shared norms and moral understandings.

Civil society transitional concepts:

a. Civil Society between The Family and the State: This version was found within the Kantian as well as the Hegelian approach to Civil Society where its locus was identified as an intermediary between the state and the family. For Hegel, civil society was the achievement of the modern world. Such an idea extended the very version of;

b. Civil Society as 'Telos' of history: Immanuel Kant summarizes it as follows:

[…]Universal civil society is indeed the telos of human development but it is attained not through some pre-arranged rational plan nor through instinct but rather an antagonistic process of learning through experience, through the conflict between men as a private being guided by selfish interest and man as a rational moral being, which is expressed in public discord.[196]

This version is later found within the writings of Ernest Gellner. The phrase civil society appears in "The Conditions of Liberty" in which Gellner consciously paraphrases Karl Popper's book "The

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[194]Tim, Dunne &Nicholas Wheeler (eds.), *Human Rights and Global Politics*, (New York: Cambridge University Press, 1999), p196.

[195] There are many versions to the definitions of civil society and various theories based on contractarian, ,rationalist, realist perspective that offer numerous insights and perspectives to the term , however the definition and the idea of what is civil and what is political is being debated with great interest and scope.

[196] The Kantian idea was in line with the progress and achievement of the European modernity that was a hallmark of the European tradition and thus the idea was grounded within the concept of the glorification of the Enlightenment tradition within the European historical and philosophical context.

open society and its enemies.[197] In Gellner's view, civil society is the only one possible outcome of modernity- a miraculous outcome achieved by chance in North Western Europe as a result of the compromise between Protestant dissidents and the state. According to Gellner:

[…]*As a result of modernity (science and industrialization) civil society has evolved as the achievement of the modern world and is an the unintended and unanticipated outcome of a historical process, in which a developed market economy enable a reconciliation of private wants, and public freedom allows the realization of morality.*[198]

c. Civil society not as a part of the State: This version considers civil society independent from the state thus it is not a part of the State as it represents the non-official and non- governmental component where the State Does not exercise its authority. Example includes the *Civil Society Groups* that are not formally part of the state apparatus. Nor do they seek to gain control of state office. On this criterion *political parties* should probably be excluded from the Civil Society although some analysts do include party organizations (as distinct from individual party members who might occupy government positions).Other fuzzy cases arise in respect of non-official actors that are organized or are funded by the state.[199]

Civil Society as representing the NGOS or the Non State Actor:
The rise of the nationalist movements in Eastern Europe let to the intensification of the idea of the NGOS. This sector represented its autonomous character from the state. It guaranteed that development within the social and economic arena of the newly formed states has to be brought about not through the function of the state so that there is a relative freedom exercised. The NGO driven concept of civil society entailed that those areas of governance that the state has failed to perform can be effectively addressed by the space provided through these organizations. However, such an approach became critical from the point of view of two factors: First, the State through the involvement of the NGOS just extricated itself from its social and

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[197] Poppers 'Open Society' considered historicism to be the theory that history develops inexorably and necessarily according to knowable general laws towards a determinate end. He argued that this view is the principal theoretical presupposition underpinning most forms of authoritarianism and totalitarianism. He argued that historicism is founded upon mistaken assumptions regarding the nature of scientific law and prediction. Since the growth of human knowledge is a causal factor in the evolution of human history, and since "no society can predict, scientifically, its own future states of knowledge it follows, he argued, that there can be no predictive science of human history. Also see Karl. Popper, *The Open Society and its Enemie*s, (New York: Taylor and Francis, 1945).
[198] Opcit,p.38
[199] Ibid,p.174

economic function to guarantee the social order in the societies and secondly, it was considered that too much of the NGO influence can actually be detrimental as it was seen to be much reliant on the foreign role. The scholars of civil society did not view this NGO phenomenon by reacting that in the general context of the state nor even at the particular example of Global should civil Society be reflected in the simple straight jacket approach of NGOs. Echoing earlier radical arguments Neera Chandoke Points out its limits. Chandoke suggests that the Neo- Liberal order takes the idea of civil society and its problems to be resolved only through managerial techniques.[200]While the neo Liberals argument suggest that respectable NGOS that help legitimate the ideal of good governance, need to be distinguished from other kinds of civil society organizations and campaigning groups[201].

2.1.3.Causes of Changes to the term over the years:

According to Malek Saral:

"The civil societies consist of plural, voluntary founded organizations and associations which articulate their specific material and normative interests and organize themselves autonomously. It is settled in the area between private and state sphere [sic].Thus actors of the civil society are involved in politics without aspiring for state offices. Accordingly, the groups which pursue exclusively private aims (families, enterprises, etc.) are not part of the civil society like political parties, parliaments or state management."[202]

On the basis of this definition, the following organizations can be said to comprise civil society: Associations and interest groups, cultural and religious unions, educational institutions and facilities of information; which contribute to the better instruction of the public like (NGOs, self- help groups), and citizens groups (working on environment, women rights etc.).[203]

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[200] Neera Chandoke, *The Limits of Global Civil Society in Global Civil Society 2002*(Oxford: Oxford University Press,2002),p.35-43
[201]David Armstrong, Theo Farell &Bice Maiguashca, *Governance and resistance in World Politics,* (Cambridge: Cambridge University Press,2013),p.126
[202] Ibid, p.199
[203] Ibid, p. 200

Many Post-Modern theorists such as Zygmunt Bauman opine that the massive migration of people, the interpretation of cultures, the destabilization of nation states and other fixtures of modernity by international capital are producing a world marked both by fissures and a common understanding and acceptance of difference. In the postmodern view opines Kaldor one might talk about a plurality of global civil societies through different globally organized networks such as Global Islam, nationalist diasporic networks and human rights networks.[204] Global Civil Society refers to the set of institutions, organizations, and behaviors situated between the state, the business world, and the family. Specifically this would include voluntary and non –profit organizations of many different kinds, philanthropic institutions, social and politic institutions, social and philanthropic movements, forms of social participation and engagement, the public sphere and the values and cultural patterns associated with it.[205]

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[204] Opcit,p.423

[205] This definition of civil society is sited in Kaldor's "Global Civil Society" quoted above as the sphere of ideas, values, organizations and networks located primarily outside the institutional complexes of family, market and the state as well as beyond the confines of national societies.

The Modern and the Post Modern idea of The Civil Society: The expression "Civil Society "has in the meantime taken on a meaning different from that of bourgeoisie society in the Liberal tradition, which Hegel conceptualized as the system of needs.[206] What is meant by civil society today in contrast to its usage in the Marxist tradition, no longer includes the economy as constituted by private law and steered through markets in labor, capital and commodities. Rather, its institutional core comprises those non -governmental and non- economic connections and voluntary associations that anchor the communication structures of the public sphere in the society component of the *lifeworld.*[207] Civil society is composed of those more or less spontaneously emergent associations, organizations and movements that attuned to how societal problems resonate in private life spheres distil and transmit such reactions to the public sphere.

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[206] Hegel' was the first formulation of civil society as a part of the Bourgeoisie society emanating in the European historical tradition of the emergence of the modern state.

[207] The idea of *Lifeworld* is a Habermasian concept which is part of his work on Theory of communicative action where *Life world* refers when traditional forms of life are dismantled, social roles are sufficiently differentiated and hopes and dreams become individuated by state canalization of welfare and culture.

Civil Society refers to the set of institutions, organizations, and behaviors situated between the state, the business world, and the family. Specifically this would include voluntary and non –profit organizations of many different kinds, philanthropic institutions, social and politic institutions, social and philanthropic movements, forms of social participation and engagement, the public sphere and the values and cultural patterns associated with it.[208]

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[208] The following definition of civil society is sited in Kaldor's "Global Civil Society" as the sphere of ideas, values, organizations and networks located primarily outside the institutional complexes of family, market and the state as well as beyond the confines of national societies. See also Mary Kaldor,' Transnational civil society', in Tim Dunne and Nicholas J. Wheeler, (eds.), *Human Rights in Global Politics*. (Cambridge: Cambridge University Press, 1999), p.196.

The Habermasian Public Sphere: In the course of its long history emphasis should lie also on the public sphere dimension of civil society developed by Jürgen Habermas for whom a well-developed public sphere is crucial in so far as private interest is increasingly occupying the public sphere in Western societies and the states relates to its citizens more as to clients or consumers of services.[209] These tendencies are reinforced by the professionalization of politics and the marketization of the media. A well-developed public sphere therefore should be able to counter the background of growing disorganization- violence, homelessness, divorce, abandonment, alienation and addiction that is evident in the capitalist societies of today. Increasing apathy and individualism and the lack of interest in public affairs are all referred to as worrying tendencies and decrease the democratic quality of affected societies.[210] On the other hand, the Neo- Marxist tradition inspired by the writings of Gramsci works with the conception of the public sphere that is more confrontational. The conflict at the heart of the issue is; civil society provides the arena in which subordinate classes may contest the dominance of the ruling class crystallized in the state. Such polemical rather than analytical understanding of civil society as an alternative to the existing political and economic order have been taken up by a variety of 20th century thinkers.[211] Habermass, Andrew Arato and Jean Cohen emphasize civil society as the linchpin of the public sphere[212]

Counter narratives to Civil Society:

Civil Society as Political Society: A variation between Gramscian and Post-colonial writing?

In his famous work as to what is entitled as The *Prison Notebooks*, Gramsci begins by equating political society with the state, but soon slides into a whole range of social and cultural interventions that must take place well beyond the domain of the state. Political society in this sphere finds a place in the general political culture. Here, people are not unaware of their possible

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[209] The concept of the global public sphere is Habermas's own gloss on Kant's account of growing public awareness of human rights as a result of the growth in contact and communications across the globe.
[210] Opcit, p.59

[211] Ibid,p.62
[212] For Arato and Cohen, this is the realm of free communication not controlled by either the profit-maximizing logic of the market or the coercive powers of the state. For them the public sphere is a peculiarly modern invention: a social space which enables authority and tradition to be critically examined and independent opinion to be ventured. Here the members of a society attempt to understand their lives and to formulate values and strategies for action. Arato and Cohen's public sphere is also a place of conflict and struggle among differing currents of opinion as proponents of what might be called a Left-Progressive vision of Civil Society.

entitlements or ignorant of the means of making themselves heard. Also it is important to emphasize once more how political society is located in relation to the legal-political forms of the modern state itself. The ideals of popular sovereignty and equal citizenship enshrined within the modern state are, mediated by and realized through the two dimensions of property and community. Chatterjee also recovers the idea of political Society from civil society in his writings on the post- colonial Indian historiography. These alternative arguments draws on the post- modern version of civil society which denies the Eurocentric version and suggest that there was something approximating civil society in other parts of the world, even if there was not the same emphasis on individual autonomy.[213] It is in the context of this argument that Partha Chatterjee gives his narrative in the form of his main argument on civil society that it comprises Political society than civil society in which populations rather than of citizens, represents the public sphere representing the crucial transformative processes that would change the traditional beliefs and practices of the people and fashion a new modern national self which must be kept out of the reach of the colonial state apparatus.[214] It is with such that the term Civil Society should be rejected and replaced by Political Society.

Conclusions:

From the study conducted in this chapter it must be recalled that the notion "Civil Society" during the recent times has been revived into a totally new and dynamic way of its understanding from the ancient and the modern forms. It has however gained immensely prominent place because it is believed to convey a number of social values such as trust, cooperation and tolerance in its essential Western and Modern construction. Civil societies are characterized by plurality of forms of life; they are structurally differentiated and socially heterogeneous. More dynamically, civil society is seen as the space of social experimentation for the development of new forms of life new types of solidarity and social relations of cooperation and work. Political society on the other hand is understood as the space in which the autonomy of groups and the articulation of conflict among them are defended and the discussion and debate of collective choices occur. The concept of political society arises from the Gramscian and post-colonial understanding which is essentially crucial to the debate on the Civil and the Uncivil societies. I shall trace this dimension in the proceeding Chapters. Mere emphasis from civil to political society is gaining strength albeit

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[213] Opcit,

[214] Partha Chatterjee, *The politics of the governed: Reflections on popular politics in most of the world* (Columbia: Columbia University Press, 2004).

in the non- Western discourse on civil society. Partha Chatterjee, Mamdani, Chakrabarty and Nandy trace these Non-Euro centric versions of Non-European Society. However, many

believe that the revival on the discourse on civil society appears to be a revival, with little political or theoretical import of the Western Liberal democracies to the Non West. The idea that political societies can replace bourgeois Liberal society is still contested by many. While a counter cultural notion of Western civility is found within most Post- colonial versions contestations to the national liberation projects by indigenous natives also project a challenge to such conceptions of national liberation. In Spivak's idea thus there is a counter narration to the post -colonial narration of the empowerment of the national liberation project.

Chapter- 5 :Theoretical Approaches to Civil Society: Normative and Descriptive features towards understanding the concept:

Part I:

Introduction*:*

The term civil society has always been associated with the formation of a particular type of political authority. But the ambiguity of the concept arises from its changing meaning over time.[215] This changing meaning arises from several factors: the changing content or coverage of the term −what it was then and what it is now? And the tension between normative and descriptive, idealistic and empiricist, subjective and objective implications of the concept.[216]

This Chapter covers the basic theoretical models to the concept of Civil Society. It offers an introduction to the thematic varieties of the term and illustrates their basic assumptions. Since there is no general theory on Civil Society therefore the main theories addressed discuss its multiple, diverse and varying dimensions and functions. Comparisons are drawn from the Liberal and the Marxist, from the Rational to Realist, from Normative to the Descriptive forms.

This Chapter is divided into two parts. Part A covers the modern normative discourse while part B covers the classical historical as well as descriptive version.

2.2.The Modern tilt:

In its modern form Civil Society highlights the complex and important value tensions which sustain freedoms and tensions which must be consciously attended to; for example, the pursuit of individual autonomy, a value at the core of the civil society tradition, often fits uneasily with the demands of social order. This fundamental tension between freedom and order gives rise to other questions, such as which institutions can best preserve the openness of freedom without threatening the necessary security of individuals and communities.[217] The word Civil Society has undergone transition with changing times. For some, bourgeoisie society holds relevance to the modern term

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[215] Mary, Kaldor, *Civil Society: An Answer to War,* (Oxford: Blackwell Publications, 2003).
[216] Karp, David R. &William M. Sullivan*, The Idea of Civil Society: Scholarship and Debate,(Westport: Smith Richardson Foundation,1997)*See URL
>http://www.skidmore.edu/~dkarp/Karp%20Vitae_files/The%20Idea%20of%20Civil%20Society.pdf >Sep 26,2013
[217] Opcit,

and for others the non-elite versions are more applicable. The decolonization of the many states in the developing peripheries/semi peripheries of the modern world has affected the form and extent of socio-economic development and has thus transformed these regions and different areas in unique ways. Even societies within the Developed world have undergone changes of immense magnitude Theoretical Approaches to the Civil Society:

The Theories of civil society offer the evolutionary and conceptual definitions of the term. From the Classical Scottish assumptions to the Kantian and Hegelian and from Modern to post-modernist, they contribute to a plethora of transformative discourses in the development of the milieu. It has to be kept in mind meanwhile that with the subsequent absence of a universal theorization to the concept along with the absence of the 'universal concept' has together shaped the ambiguity to one common definition to the term; the definitions thus correspond to the schools of thoughts through which they originate. With globalization and as a result free markets, commodity exchange, advancement in communication technology have given rise to what many have called as a 'global civil society' drawing its relevance to Liberal-Neo-Liberal, Communitarian, Left Liberal, Marxist, Rationalist, Realist, Post-Modernist and radical understanding of the new approaches into this realm.

In the following discussion there is an attempt to trace the theory building on the notion of Civil Society:

The Liberal and Neo- Liberal Approach to the Civil Society:

All modern theories about civil society derive from a notion of individual autonomy and human equality that emerged in the transition to modernity.[218] These theories of civil society developed as a result were the difference to the philosophers of antiquity who placed the emphasis on public virtue rather than the notion of private freedom. Thus, for the Liberals, it is the achievement of private freedom or negative liberty that was the miracle of civil society.[219]

One of the basic tenets of the Liberal and the Liberal democratic traditions is the idea of the fundamental individual supremacy, challenging clerical power and the church, on the one side, and

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[218] Ibid,
[219] Ibid,

the powers of the despotic monarchies, on the other and thus seeking to restrict the power of both and to define a uniquely private sphere independent of church and the state control and freeing civil society (personal, family, and business life from political interference.[220] Gradually Liberalism became associated with the doctrine that individuals should be free to pursue their own preferences in religious, economic and political affairs-in fact, in most matters that effected daily life.[221] In the earliest and most influential Liberal doctrines, it is important to stress that individuals were conceived as free and equal with natural rights; that is; with inalienable rights that they were endowed with at birth.[222]

The center of the debate on the Liberal civil society was premised on individual autonomy and freedom and thus civil society in a strictly liberal sense was an extension of this idea. In the subsequent years, The Neo-Liberal version came out to be described as Laissez faire[223] politics but the term was often criticized on the grounds of its over emphasized function as new concepts of associational life became more visible:

[...]Civil society consisted of associational life –a non- profit voluntarily third sector –that not only restrains but also actually provides a substitute for many of the functions performed by the state.[224] This definition is viewed as the political and social counterpart of the process of globalization, liberalization and privatization, de-regularization and the growing mobility of capital and goods.

Although Neo-liberalism presented itself as a doctrine based on the inexorable truths of modern economics but despite its scientific trappings, many viewed it as not a scientific discipline but the rigorous elaboration of a very specific social theory, which become deeply embedded in western thought as to have established itself as no more than common sense. Nevertheless, the foundations of modern economics, and of the ideology of Neo-liberalism, go back to Adam Smith and his great work, The Wealth of Nations. Over the past two centuries Smith's arguments have been formalized

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[220] Ibid,

[221] Ibid,

[222] Ibid,

[223] As a system of thought, laissez faire rests on three axioms .Firstly, the individual is the basic unit in society, Secondly, the individual has a natural right to freedom and thirdly the physical order of nature is a harmonious and self-regulating system and finally the assumption that corporations are creatures of the State and therefore must be watched closely by the citizenry due to their propensity to disrupt the Smithian spontaneous order. In a similar vein, Adam Smith viewed the economy as a natural system and the market as an organic part of that system. Smith saw Laissez-faire as a moral program and the market its instrument to ensure men the rights of natural lay. By extension, free markets become a reflection of the natural system of liberty. For Smith, laissez-faire was a program for the abolition of laws constraining the market, a program for the restoration of order and for the activation of potential growth.

[224] Ibid.,

and developed with greater analytical rigor; fundamental assumptions underpinning Neo-liberalism thus remain of those proposed by Adam Smith.[225]

Adam Smith wrote 'The Wealth of Nations' as a critique of the corrupt and self-aggrandizing mercantilist state, which drew its revenues from taxing trade and licensing monopolies, which it sought to protect by maintaining an expensive military apparatus and waging costly wars.[226]The theories which supported the state conceived of exchange as a 'zero-sum game[227] in which one party's gain was the other party's loss, so the maximum benefit from exchange was to be extracted by force and fraud.[228]

The fundamental idea of Smith's critique was that the 'wealth of the nation' derived not from the accumulation of wealth by the state, at the expense of its citizens and foreign powers, but from the development of the division of labor. The division of labor developed as a result of the initiative and enterprise of private individuals and would develop the more rapidly the more such individuals were free to apply their enterprise and initiative and to reap the corresponding rewards. Smith laid the foundations of neo-liberalism with his argument that free exchange was a transaction from which both parties necessarily benefited, since nobody would voluntarily engage in an exchange from which they would emerge worse off.[229] As Milton Friedman put it, neoliberalism rests on the 'elementary proposition that both parties to an economic transaction benefit from it provided the transaction is bilaterally voluntary and informed.[230] Consequently, any restriction on the freedom of trade will reduce well-being by denying individuals the opportunity to improve their situation.[231] Moreover, Smith argued, the expansion of the market permitted increasing specialization and so the development of the division of labor. The advantages gained through exchange were not advantages gained by one party at the expense of another. Exchange was the means by which the advantages gained through the increased division of labor were shared between the two parties to the exchange. The immediate implication of Smith's argument is that any barriers to the freedom of exchange

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[225] Simon, Clarke, *The Neoliberal Theory of Society: The Ideological Foundations of Neo-Liberalism*. Available on URL>http://homepages.warwick.ac.uk/~syrbe/pubs/Neoliberalism.pdf> Retrieved Sep 25, 2013.

[226] Ibid,

[227] In Game Theory and Economic Theory, a Zero-Sum Game is a mathematical representation of a situation in which a participant's gain or loss of utility is exactly balanced by the losses or gains of the utility of the other participants. If the total gains of the participants are added up, and the total losses are subtracted, they will sum to zero. The zero-sum property if one gains, another loses means that any result of a zero-sum situation is Pareto optimal generally, any game where all strategies are Pareto optimal is called a conflict game.

[228] Ibid,

[229] Ibid,

[230] Milton, Friedman*, Capitalism and Freedom*, (Chicago: University of Chicago Press, 1962), p.55.

[231] Ibid,

limit the development of the division of labor and so the growth of the wealth of the nation and the prosperity of each and every one of its citizens.[232]

2.2.1 The Critique to the Liberal Model:

Some Salient Features of the Critique:

The term was deemed reactionary, a way of evading the responsibilities of the state for welfare and security. Many viewed this model to be preoccupied with the West as it faces the Eurocentric bias and took historical reality only the prerogative of the West and the idea of Civil Society essentially from the point of view of the modern Western European construct to the complete neglect of the rest of the Non-Western models. This conception of civil society has surprisingly; given rise to the charge that civil society is a Eurocentric concept, that is to say a concept born out of particular cultural context of North West Europe, not easily transposable to other contexts. The Neo-Liberal version was fraught with doubts about its over focused benefits of Western especially American model to the detriment of the rest of the developing economies regardless of its implication for them. As regards the central issue facing the Liberal political thought; it was to reconcile with the concept of the state as an impersonal, legal as well as circumscribed structure of power with view of the rights, obligations and duties of the subjects.[233]

The Marxist alternative to the Liberal Approach: A Critique to the Liberal Civil Society:

According to Marx and Engels the Liberal claim is to a large extent illusory that the state defends the public or the community as if classes did not exist; as if the relationship between classes was not exploitative, as if classes did not have fundamental differences of interests; and as if these differences of interests did not largely define economic and political life.[234]

Following are the main arguments of the Marxist Critique:

Marxism maintains that the claim that the state holds neutral is fallacious. Thus, one of the main critiques of the Marxist viewpoint to the Liberal assumption came from Karl Marx (1818-1883) and Friedrich Engels (1820-95) who relentlessly attacked the idea of a neutral Liberal state and free market economy argued that in an industrial capitalist world the state could never be neutral or the

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[232] Ibid,

[234] Opcit,

economy is totally free.[235]The 'invisible hand' does not exist and the markets operate through the dictates of the state. In the social realm Marxists believed that the security of a person is contradicted by the reality of class society where most aspects of an individual's life for instance, the nature of opportunities, work, health, life span are all but determined according to his/ her location in the class structure. The Marxist critique raised fundamental arguments as under:

What faith can be placed in the promise to guarantee security of person after a comparison is made between the position of the unemployed or the worker in a factory, and the position of a small and wealthy group of owners and controllers of productive property living in conditions of more or less sumptuous luxury? and what meaning can be given to the Liberal state's promise of equal justice between individuals when there are massive social, economic and political inequalities?[236]

By the above viewpoints raised in the Marxist Critique it is important to understand what social base was attached to relate to such questions? Marxism understood the root of the problem with the economic structure in the society and thus held the class position a direct result of this economic position

I. The Left-Progressive Approach to Civil Society: A Radical dimension

The Left-Progressive vision of civil society envisages economic and social institutions as vehicles for increasing individual and social self-reflection and innovation, as vehicles of cultural progress at least as much as conservation.[237] Arato and Cohen set the trend in this domain. They are the main proponents of the Left Progressive School. According to them Civil Society should be premised on the following actions:

Civil Society as a seat and source of the democratic potentials of modern societies.

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[235] Ibid,

[236] David, Held, *Models of Democracy* (Cambridge: Polity Press, 2006), p.96.
[237] Opcit, Also See URL>http://press.princeton.edu/titles/5703.html >Retrieved Sep 23,201*3*>
[237]Ibid,

i. From civil society, citizens can and must enter the economic and political spheres in order to have their purposes economically supported and politically secured. But especially as exemplified in the new social movements, concerned with ecology, gender, racial and sexual equality as the contemporary realization of the liberating potentials of democracy.

ii. Individuals can explore new possibilities of identity and lifestyle while acting together they can advance the collective goods of equality and justice.

iii. Where socially conservative civil society advocates look to institutions such as education and community organizations to promote character and continuity in values important for their view of society.

iv. Drawing upon the influential work of sociologist and philosopher Jürgen Habermas, Arato and Cohen emphasize civil society as the linchpin of the "public sphere.

v. They divide the social realm into three spheres: the civil society; political society, including not only government, as in legislatures and courts but also all organizations oriented toward the state such as political parties and interest groups; economic society, which includes both the market and business firms, unions, and organizations primarily oriented toward economic development.[238]

An Extension within the Liberal Tradition:

2.2.2.The Realist, the Rationalist and Communitarian Theories to Civil Society:

The Realists assert that:

"Human societies are ordered primarily by systems of control, embodied in laws, sanctions, and finally in coercive force. These systems set up structures of incentives for compliance and disincentives for non-compliance. What we call institutions, law, government, and organizations are in fact such structures of control. Social order results from strong and well-planned systems of this kind, usually centered on government and systems of control and administration."[239]

The Rationalists, on the other hand, conceive that:

[...]Beneath the apparent diversity of human social behavior clear and inexorable laws are at work. Individuals are really more or less efficient calculators of their own advantage, that is, more

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[238] Ibid,
[239] Opcit,

or less 'rational" actors'. Social order is a result of patterns of cooperation which prove to 'pay' off' sufficiently well over time and so come to structure individual choices into predictable, often complementary arrangements.[240]

Therefore in the light of the above it can be surmised that the core of the concept of civil society is the recognition that *human societies are grounded in and held together by shared norms and moral understandings.*[241] To weaken or break the bonds of trust and reciprocity among individuals and groups puts the freedom and security of everyone at serious risk. The Rationalist Theory encapsulates that it is grounded in economics and the same time underlie "rational choice" and "public choice" which typically look to the market as an ideal instrument of social coordination.[242]

2.2.3 Robert Putnam's and Fakuyama's assumptions to the Civil Society:

Robert Putnam, in his much-discussed study of Italian regional governments, uses statistical data along with interview material to explain the effectiveness of northern and southern regional governments in Italy. He finds that democratic institutions work well only when they are embedded in cultural and social contexts which are supportive of civic engagement. Effective democratic states need strong civil societies.[243]Significantly, Putnam's data also supports the contention that the strength of the civil society is an important predictor of economic vitality as well. That is, markets, too, depend upon moral ties forged outside market exchange itself. Francis Fukuyama argues for what he terms the improbable importance of culture for economic development. Improbable, that is, from the perspective of conventional economic rationalism.[244]

Both Putnam and Fukuyama emphasize the cardinal importance of moral and social institutions and cultural practices. Human motivation is not simply or even mostly guided by "preferences" and "incentives" structured by the instruments of the market and the state. This shift in perspective shows institutions to be more than the mere collective instruments that Realists and Rationalists conceive them to be. Rather, institutions are argued to be authoritative, socially sanctioned, patterns of behavioral expectations. These organized patterns shape individual outlooks and preferences as

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[240] Ibid, p.10
[241] Ibid,p.20-23
[242] Ibid,
[243] Ibid,
[244] Ibid,

much as reflect them. Crucially, they shape individual's choices with reference to norms and values.[245]

The Communitarian Approach: According to its definition Communitarianism is:

'A social and political philosophy that emphasizes the importance of community in the functioning of political life, in the analysis and evaluation of political institutions, and in understanding human identity and well-being. It arose in the 1980's as a critique of two prominent philosophical schools: 'contemporary liberalism,' which seeks to protect and enhance personal autonomy and individual rights in part through the activity of government, and 'libertarianism;' a form of liberalism(sometimes called "Classical liberalism") that aims to protect individual rights—especially the rights to liberty and property—through strict limits on governmental power.'[246]

The Communitarian conception of civil society's importance for nurturing effective democratic life has been well articulated by Charles Taylor. Taylor is a strict moralist and believes in the primacy of the ethical and moral norms in the conduct of the human social order. Taylor wants us to understand that Western societies are about more than the pursuit of material progress. They are also engaged in a vast collective moral project enabling individuals to choose their own purposes and take responsibility for their lives. Taylor calls this ideal authenticity. However, he insists on the importance of recognizing that choice and freedom are in fact social goods and not simply individual possessions.[247]To be meaningful and effective for the individual, freedom requires shared standards. These common standards provide a "horizon of significance" or background against which individual choices take on meaning and become recognized by others. Expressed in language, custom, and institutions, these significant horizons are embedded in the life of civil society and provide the vital medium for individual growth and action.[248]According to Taylor, the misunderstanding and failure to consider the collective good stems from the conflicting principles which guide the distinct but interpenetrating spheres of modern life. Thus, the market pursues efficiency, while the state, for its part, pursues other goals such as equity and inclusion. Institutions

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[245] Ibid,
[246] See Encyclopedia Britannica Available online
URL>http://www.britannica.com/EBchecked/topic/1366457/communitarianism Retrieved Sep25, 2013
[247] Opcit,p.22-24
[248] Taylor argues that the difficulty of living authentically today is exacerbated by a common misunderstanding. people often confuse the value of having and exercising freedom of choice with the merit of the choice itself. For Taylor, this is an individualistic misunderstanding which truncates the meaning of freedom by ignoring the consequences of individual choices for the general welfare of society. People commonly accept this limited notion in part because they feel cut off from others in a "fragmented" social world in which different groups seem to operate according to different standards.

of civil society, such as education, seek other goals; yet in order to function they too must interact with the profit-orientation of the market and the laws of the state. The more this condition of fragmentation takes hold, Taylor contends, the less capacity individuals have to lead authentic lives because without sharing common norms they can have little confidence in their neighbors' trustworthiness, the larger institutions of society, or, ultimately, even in themselves.[249]

It is hard to situate Taylor squarely within any particular philosophical school. Indeed, he is often described as bridging the gap between analytic (or Anglo-American) and continental styles of philosophy, influenced by the 20th-century German philosophers martin Heidegger and Hans-Georg Gadamer, Taylor took a hermeneutical approach to the study of society, insisting that the meanings that humans give to their actions must be taken into account by the social sciences. Thus, one cannot explain voting behavior, for example, simply by reference to the self-interested calculations of individuals. In short, Charles Taylor identifies three different senses which determine civil society in the European Political tradition: In a minimal sense, civil society only exists where there are free associations, not under the tutelage of the state power. In a stronger sense, civil society only exists where society as a whole can structure itself and coordinate its actions through such associations which are free of state tutelage. As an alternative or supplement to the second sense, we can speak of civil society where ever the ensemble of associations can significantly determine or inflect the course of state polity.[250]

Responses to Communitarian Approach: The idea of Associationalism:

This trend of understanding the civil society comes from a Non-Marxist secular left politics with its belief in civil and political liberties. Associations are formed by citizens organizing themselves outside of the state for a number of purposes. Some remnants of Associationalism find its flavors from the examples of the 19th century's famous example of American associations. Within this connotation de Tocqueville's contribution needs to be mentioned because of the importance he attributed to Associationalism and self –organization. In this, the separation study of democracy as practiced in America de Tocqueville argued that the guarantee of individual liberties was to be found in what he called democratic expedients; these included local self- government, the separation of church and the state, a free press, indirect elections, an independent judiciary and above all associational life. In America he was greatly impressed by the extent of associations in civil life and put forward the argument that those active associations were a condition for freedom

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[249] Opcit, p.22
[250] Charles Taylor cited in Partha, Chatterjee, *Communities and the Nation,* in Saurabh Dube (ed.), Post-*Colonial Passages: Contemporary History Writing on India* (New Delhi: Oxford University Press, 2004), p.121.

and equality. As the state takes over more and more functions of daily life, as the division of labor becomes more complex and as demands for the redistribution of wealth increases, an active voluntary sector is necessary to provide a check on state power.[251]

The Debate on the Normative and the Descriptive Approach to Civil Society

Normative theories aim to tell us how we ideally should or ought to reason, make judgments, and take decisions. These theories, particularly give us rules to follow. Descriptive theories, on the other hand try to describe how an observation is made. This observation may or may not be true, but it does not attempt to derive any conclusions. However, there are sometimes serious disputes about whether a proposed normative theory or rule is really relevant to people's rationality, whether a theory is truly "normative" or relevant in some context depends, at the deepest level, on our definition of "rationality."[252]Seen in this light, the debate on civil society with its proposed theoretical assumptions can lead to the following questions as in accordance to the various schools of thoughts that are being discussed in this section.

Is civil society the telos (end goal) of the social organization of human beings (Aristotle) an aspiration for politically minded individuals? Or is civil society merely a description of what exists with good or bad features depending on one's perspective ?or is the evolution of civil society determined –is it the result of the natural working out of history or does it depend on the will of human beings and is it therefore reversible.[253]

Explanation:

The expression "civil society" has in the meantime taken on a meaning different from that of bourgeoisie society in the liberal tradition, which Hegel conceptualized as the system of needs that is: as a market system involving social labor and commodity exchange.[254] What is meant by civil society today in contrast to its usage in the Marxist tradition, no longer includes the economy as constituted by private law and steered through markets in labor, capital and commodities.

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[251] Opcit,p.1

[252] David, Over, in Derek Koehler & Nigel Harvey (eds.,) *Rationality and the Normative/Descriptive Distinction*, Blackwell Handbook of Judgment and Decision Making, (Oxford: Blackwell Publishing, 2004), p.3. Available online URL>http://commonsenseatheism.com/wp-content/uploads/2011/09/Over-Rationality-and-the-Normative-Descriptive-Distinction.pdf>Retrieved Sep 25,2013.URL
>http://atheism.about.com/library/FAQs/phil/blfaq_phileth_catex.htm>Retrieved Sep 25, 2013

[253] These questions are a part of explanation which Mary Kaldor has raised on the existence of the idea of civil society that can counter conflicts in the current socio economic and political scenario. See Mary, Kaldor, *and Civil Society: An Answer to War,* (Oxford: Blackwell Publications, 2003).

[254] Ibid,

Rather, its institutional core comprises those non -governmental and non- economic connections and voluntary associations that anchor the communication structures of the public sphere in the society component of the life world. Civil society is composed of those more or less spontaneously emergent associations, organizations and movements that attuned to how societal problems resonate in private life spheres distil and transmit such reactions to the public sphere. The core of civil society comprises a network of associations that institutionalizes problem solving discourses of general interests inside the framework of organized public spheres. These discursive designs have an egalitarian open form of organization that mirrors essential features of the kind of communication around which they crystallize and to which they lend continuity and permanence.

The Normative content of the civil society in the background of classical and modern theorists:

2.3.1.Approaches in the light of The Classical and Modern Theorists:

The Hegelian and the Kantian Approach

The normative content of the concept of civil society was reconstructed by Kant in the late eighteenth century. For Kant, morality could be derived from reason in a way that was independent of actual experience and it was this moral autonomy that provided the basis for freedom and which offered the possibility to overcome concrete historical conditions. Through enlightenment, a man emerges from self- incurred immaturity is understood as the inability to use one's own understanding without the guidance of another. [255]

Hegel on the other hand synthesized the formalistic morality of Kant and the empirical tradition of the Scottish enlightenment developing a purposive theory of history based on the workings out of the contradictions between subjective and objective, reason and passion, the particular and the general. As was the case with the ancient Greeks, the state became the expression of the public good, although modern society is distinguished from the ancient society in the notion of subjective freedom. Hegel criticized the Kantian notion that reason could be expressed a priori; rather reason is the consequence of actual practice. (Ethical life) is the institutionalization and actualization of freedom. Civil Society as the achievement of the modern world is the unintended and unanticipated

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[255] Ibid,p.26

outcome of a historical process, in which a developed market economy enable a reconciliation of private wants, and public freedom allows the realization of morality.[256]

Modern Approaches to the Concept: The Defense of Western idea of civility versus ideology/ies:

Gellner's Approach to the Civil Society:

The revival of the concept of civil society according to Gellner is an aspiration to gain what has already been achieved in the West, although this may not be achieved. His model of civil society draws heavily on Adam Ferguson although his definition is more in keeping with contemporary usage and is inextricably linked with the state. Indeed he hints that the survival of the state system now threatened by globalization may be necessary for the survival of the civil society.[257]He identifies three sources of threats to the modern civil society: Nationalism, Islam and Marxism. Nationalism he asserts is not necessarily antithetical to civil society; early nineteenth century European nationalism or post- colonial nationalisms provided the basis for democracy and state building so it can constitute a vehicle for collectivism, populism and social cohesion in the absence of civil society-a legitimation for dictatorship and war.[258]Islam according to Gellner is very similar to Nationalism in that it has the capacity to become the pervasive membership defining culture of the total society. Unlike Christianity however, Islam never generated a kind of Protestant individualism that provided the beginning of civil society. Islam according to Gellner has always been characterized by the distinction between high and low forms of religion. High Islam is scriptualist, rule oriented, and puritanical, liberal, sober, egalitarian, anti-ecstatic. Low Islam needs priests, mysticism, ritual and living saints. As rural autonomy is destroyed by colonialism, post colonialism and the various process of modernity; people who move from the village to the town aspire to a rule bound rather than saint bound form of Islam. Thus Puritanism and fundamentalism become token of urban sophistication. Unlike Protestantism thus Muslim law covers the details of everyday life but not politics. Hence it is not ideally suited for the long march to a disciplined, modern, industrial society.[259]The third rival to civil society Gellner defines is Marxism. Marxism, according to him is the culmination of enlightenment thought, offering a blueprint not only for political emancipation but for economic emancipation as well but the reason it failed was

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[256] Ibid,p.26
[257]Opcit,p.40-41
[258] Ibid,
[259] Ibid,

because the Marxist experience took place in a society already characterized by tyranny and with the totalitarian nature of its ideology Marxism sacralized everyday life leaving no room for the profane.[260]

Countering Gellner's understanding: The Post-colonial argument:

An opposite version of the Euro- centric argument propounded by many third world and left scholars is that uncivil societies are not simply an alternate route to modernity; rather they are a reaction to European civil society and the rest of the world. The very success of civil society, linked to capitalism, in North West Europe explains unevenness elsewhere.

The most articulate expression of this argument is expounded by Mehmood Mamdani in his book Citizen and Subject: Contemporary Africa and the Legacy of late Colonialism. Mamdani argues that civil society (citizenship rights and contractual relationships) was resolved for whites in the colonial period. The Europeans in the tradition of history, tended to describe Africans as children; Hegel mythologized Africa as the "land of childhood."[261]

The colonial state introduced a differentiation between European and native institution. Europeans enjoyed civic rights and duties, a legal system based on respect for the individual, public debate and association, as well as economic system based on contracts. Among Africans, The Europeans discovered customary, tribal laws that were codified and rigidified by the Europeans, unlike civil law; customary law applied to communities not individuals and was largely based on force. [262]

In the post-colonial period the state was desacralized but differentiation between citizens among the new national elites in the towns and subjects in the rural areas remained so that the tribal logic

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[260] Ibid,

[261] Mehmood Mamdani is an academic, author and political commentator based in Kampala, Uganda. Mamdani specializes in the study of African and international politics, colonialism and post-colonialism, and the politics of knowledge production. In his book Europeans Contemporary Africa and the legacy of late Colonialism he propounds that during the colonial rule the European powers in many colonies enjoyed civic rights and duties, a legal system based on respect for the individual, public debate and association, as well as economic system based on contracts. Among Africans, The Europeans discovered customary, tribal laws that were codified and rigidified by the Europeans ,unlike civil law ,customary law applied to communities not individuals and was largely based on force.See also Mary Kaldor, *Civil Society: An Answer to War* ,(Oxford: Blackwell Publications, 2003)p.41.

[262] Mamdani discuss the implications of European colonization in post-national states and developed a sound understanding of the methods and strategies that European colonial empires applied to Africa in particular and Asia, Latin America in general.

overwhelmed the democratic logic of civil society. This is why civil society politics where the rural is governed through customary law harnessed urban politicians and rural-urban constituencies developed patron client- relations.[263]

A similar argument is put forward by Partha Chatterjee, who argues that in post-colonial societies like India, the domain of civil society-associational life, individual rights, autonomy, deliberation, and contract and so on-is confined to small post-colonial elite, even though the legal-bureaucratic apparatus extends throughout the population, generally based on force and repression. This hiatus is extremely significant because it is the mark of non-Western modernity and of the role of enlightened elite engaged in a pedagogical mission in relation to the rest of the society. Chatterjee proposes that the term civil society should be rejected and replaced by Political society(a view which Mamdani shares)where demands can be expressed by subjects and not just citizens using the language of rights ,even if rights apply to collectivities rather than individuals.[264]

Gellner's Concept of Nationalism and its Critique:

According to Gellner nationalism is the consequence of new form of social organization based on deeply internalized education- dependent high cultures each protected by its own state? Nationalism is thus a political principle which holds that the political and the national unit should be congruent. Summarizing Gellner, it may be stated that nations do not and did not exist in antiquity but were the product of social forces relevant to the modern world. The most pertinent social force in the modern context was that of industrialization which required for its successful operation a social homogeneity and successful effort. This homogeneity and collective effort in other words unity was provided for by the doctrine of nationalism. Nationalism engendered the formation of nations leading to a congruity between the national unit and its political organization. The political principle can be summarized as: a nation should rule itself and should not allow itself to be ruled by others, nor should it rule over non-nationals.[265]

Treating Gellner's thesis seriously and critically and applying it to post-colonial societies one is bound to question his essentially modernist predilection which sees nationalism as emerging from

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[263] Ibid,
[264] Ibid,
[265] Farahan Hanif, Siddiqui, *The Politics of Ethnicity in Pakistan, The Baluch, Sindhi and the Muhajir ethnic Movements,* (New York: Routledge, 2012), p.11.

the socio economic context of industrialization which may be argued is not the sine qua non of the development of nationalism as the example of post-colonial societies demonstrate. In post-colonial societies nationalism emerged in the contexts where the level of industrialization have been very low. In the twentieth century and especially since the end of the First World War, the idea of nationalism and national self-determination spread into every nook and cranny of the world endangering an incipient basis of anti-colonial nationalism which brought down colonial powers and its rule. Nationalism according to such an interpretation then qualifies as an ideology of resistance or as a legitimate organizing principle of politics which nations and ethnic groups espouse in order to claim righty's and thwart oppression.[266]

2.3.3.Contemporary Debates on the Concept:

The democratic and the public sphere dimension to the Civil Society: The Tussling Interest Groups, New social Movements and dynamism within the civil society:

The idea of democratization of civil society unlike that of its mere revival is extremely pertinent theme within the existing debate on civil society both in the Western and in the Non-Western s discourses. The focus today on civil society is also very important as it is rapidly being transformed by new social movements and initiatives.[267]Although the basic ideals remain essentially normative like civil society being guaranteed by the rule of law, civil rights, parliamentary democracy and a market economy, albeit with some noticeable counter movements to limit the inherent Western tint in it.

Retrospectively, the struggles especially in the Eastern Europe by the end of 1990's emerged into democratic waves and movements that created the revival for a renewed emphasis on the role of the civil society. These include the conception of self-limitation of the role of the State the idea of civil society as comprised the idea of social movements as well as the set of institutions, the orientation to civil society as a new terrain of democratization, the influence of civil on political and economic societies and finally an understanding that the notion of the civil society go beyond a restrictive definition constituting a new phase of democratization.[268]For some, the conception of civil society thus retains the normative core of democratic theory while remaining compatible with the structural

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[266] Ibid, p.13

[267] Jean L,Cohen &Andrew, Arato, *Civil Society and political Theory*,(Massachusetts :Massachusetts Institute of Technology,1994),p.15-17
[268] Ibid,

presuppositions of modernity. While others are differentiated from the pluralist variations in economic social and political forms; often revived, and restructured in the form of democratic struggles such as what we had witnessed by the example of events in the Eastern European side against the authoritarian socialist party states.[269] Drawing upon the rational perspective on civil society, it should be highlighted that civil society should not necessarily be seen as a totality of actors or organizational forms. In the course of its long history we must also lay emphasis on the public sphere dimension of civil society developed by Jürgen Habermas. He argued that nowadays a well-developed public sphere is crucial in so far as private interest is increasingly occupying the public sphere in Western societies and the states relates to its citizens more as to clients or consumers of services. Thus, individuals are developing a dependency on the state and lose interest in, as well as skills for, critical public debate and reasoning. These tendencies are reinforced by the professionalization of politics and the marketization of the media. A well-developed public sphere therefore should be able to counter the background of growing disorganization- violence, homelessness, divorce, abandonment, alienation and addiction that is evident in the capitalist societies of today. Increasing apathy and individualism and the lack of interest in public affairs are all referred to as worrying tendencies and decrease the democratic quality of affected societies.[270]

In the series of developments that the world encounters today are characterized by phrases involving the resurrection, reemergence, rebirth reconstruction or renaissance of civil society. These terms nevertheless, indicate the continuity of an emerging political paradigm. Such a paradigm involves something recurrently new.[271] In the absence of the global state an army of NGOs performs the functions necessary to smooth the path of economic globalization. Humanitarian NGOs provide the safety net to deal with the casualties of liberalization and privatization strategies in the economic field. Funding for democracy building and human rights NGOs is somehow supposed to help establish a rule of law and respect for human rights.[272]

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[269] Ibid,

[270] Katarina Pishchkova& Valeria Izzi, *Engaging Civil Society in Peace Building i*n Marchetti & Natalie Tocci(eds.), *Conflict Societies and Peace Building: Comparative Perspectives*, (London: Routledge, 2011), p.59.

[271] Ibid,
[272] Opcit,p.60

Karl Polyani asserts his views on the revival of new societies in the following paragraph:

[…]*During most the nineteenth century forces representing the capitalist self-regulating market economy were on the offensive claiming an identity with the liberal society that was in the process of emancipating itself from the absolutist and the paternalistic state.[273]*

Polyani however rightly stressed that in the late nineteenth century and through much of the twentieth century a reversal had taken place. Now elites representing the logic and goals of the modern states were successfully claiming to express the interests of a heterogeneous set of social groups and tendencies resisting and challenging the destructive trends of capitalist market society.*"[274]*

Post-colonial writers shared the same concerns when it came to the role of the political elites in their societies. They claimed that the new method of representation in what is called political society holds more currency than what is deemed as civil society. It is in that sense that the scope political society can be preferable to associations that are formed by means of coming together of individuals extending beyond the notion of citizenship. In such an understanding civil society would exists when people make concerted efforts through voluntary associations to mold rules: both official formal legal arrangements and informal social structures. Civil society in the collective sense refers to civic groups, organizations and encompasses enormous diversity as in terms of membership in academic institutions business associations, community based organizations ,consumer protection bodies ,criminal syndicates ,development cooperation groups environmental campaign ethnic lobbies foundations farmers, groups, human rights advocates, labor unions, relief organizations, peace activists ,professional bodies, religious institutions,   women's networks youth campaigns and more.[275]

More dynamically, civil society is seen as the space of social experimentation for the development of new forms of life new types of solidarity and social relations of cooperation and work. Political society on the other hand is understood as the space in which the autonomy of groups and the

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[273] Ibid,
[274]Ibid,
[275] Ibid,

articulation of conflict among them are defended and the discussion and debate of collective choices occur.[276]

As new forms of social realities are shaping up new debates, the composition of civil societies are increasingly becoming hybrid and multi-faceted. It includes not only the conformists, but reformists and radical groups interacting in multitude forms and ways. Conformists are civic groups that seek to uphold and reinforce existing norms; reformists are those civic entities that wish to correct what they see as flaws in the existing regimes while leaving underlying social constructors intact. [277]Meanwhile, radicals are those civic associations that aim comprehensively to transform the social order. These parts of civil society are frequently termed social movements; they include anarchists, environmentalists' fascists, feminist's pacifists and religious revivalists with their respective implacable opposition to the state industrialism liberal values patriarchy militarism and secularism. The idea of civil society is thus representing a shift in perspective on the problems of contemporary democratic life to calling for an attention to the effective self-governance, as well as the maintenance of individual rights and civility, upon social conditions which nurture active and responsible social membership.[278]

Conclusion:

In modern western political thought, the idea of the civil society is often linked to the notion of a personal non-interfering and autonomous sphere which reserves its privileged status for individuals with the capability of administering and controlling its own sphere of influence parallel to the state. While this notion found its earliest expression in the form of a preordained moral and ethical law which was premised on natural law, it was in the ancient times concerned more with the duties than with the rights. The idea of Civil Society was considered in same connotation with the sphere of the state as a part of the sovereign political order, i: e a legally circumscribed structure of power with political rights. It was not established till early modernity when obligations and duties were closely tied to religious traditions, monarchial powers and the feudal system of property rights. Thomas Hobbes (1588-1679) and John Locke (1632-1704) were among the first exponents.

The concept of citizenship emerged subsequently as a result of nineteen century but still had a reference to the state. The traditions of political thought that emerged during the modern times were nationalism which became central. From the classical notion to the modern times, the concept has

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[276] Ibid,p.37
[277] Social democratic groups challenge liberal economic policies but accept the deeper structure of capitalism, many academic institutions, consumer associations and human rights groups promote a broadly reformist agenda.
[278] Opcit,

transformed in various ways. This became manifested with the end of colonial era when European states exercised control over many of their colonies in the Non-Western world. Colonialism and its aftermath left imprints in varied socio political and economic milieu which generated a different course of historical understanding to the notion. Decolonization as a result saw many of these so called uncivil societies looking for a project which liberates them from the old model imposed upon them by their colonial masters and a whole new dimension of civil society as a project of liberation. However, in the European and Western Liberal model new ways and ideas were sought to redefine the new order specifically by the end of the 1990'sand the national liberation movements in the Ex-Soviet colonies. Civil Society offered a new public sphere potential which was seen as innovative and proved decisive for new social movements. For Arato and Cohen the public sphere provided a place of conflict and struggle among differing currents of opinion and placed special emphasis upon what are called the new social movements. There is a new tendency to define civil society today as a result of this trend. It is inclusive of everything outside the state. The development of the trend towards understanding the area of activity outside of the state is marked by active participation of NGOS, interest groups; economic society, which includes both the market and business firms, unions, and organizations primarily oriented toward economic development. For many however, Civil society is not just the non- state actor domain. It is now more of a political society, including local communities, demand for inclusiveness, rights and even minorities lining up for their demands for autonomy, self –rule and identity related issues. Civil society domains in outside of the West remain in transition calling for a new social and political change. The revolutions in the Arab uprising have added a fillip to the debate on the role of social media, social movements' civil resistance, revolutions, counter revolutions etc. The Marxist and traditional conservative forms of economic control amidst with its Liberal critique has at the same time also not yielded a breakthrough for rising xenophobia, religious extremism and intolerance.

Chapter 6: The Liberal and the Non-Liberal narratives to the discourses on the Civil Society:

Introduction:

This Chapter argues that Liberal narratives as seen from the previous discussions are not enough to substantiate the understanding on the cross currents and discourses on civil society. It therefore does not only cover the discussion of the various themes within the Debate on the Western and the Non-Western Philosophical Orientation to the concept of Civil Society but also deal with issues like Modernism-Post-Modernism/Structuralism which highlight the post- colonial critique to Modernity. The Discussion essentially follows towards the identification of areas and concerns within the counter claims to modernity by the post- colonial scholars like Chakrabarty and Guha also attempted to pose a critique to the Modernist understanding to the notion of Civil Society.

3. The Liberal Universalist Assumptions within the Civil Society Debate:

Part I:

3.1. The Modernist context: Claims and Assumptions:

For the purpose of a well-grounded understanding of a critical discourse of modernity the following discussion provides some fruitful points of study.

The Kantian Position on Enlightenment and Foucault's Response*:* [279]Kant argues that the Enlightenment offers mankind a way out of, or exit from immaturity into the improved condition of maturity The Enlightenment he maintains; is the possibility whereby man philosophically acquires the status and capacities of a rational and adult being. Some two centuries after the publication of Kant's confidence response, Foucault revisits the scene of the 1784 to reiterate the question: What is Enlightenment? By resuscitating this question, Foucault strategically suggests that Kant's initial response and indeed the very project of Enlightenment rationality is far from conclusive.[280]

The following points elaborate the debate:

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[279] Ibid, p.30
[280] Ibid,

Enlightenment as "an epoch of modernity":

Emmanuel Kant's famous question" What is enlightenment? Was offered a unique commentary By Foucault's who analyzed it as a point of transition towards the dawning of a new world. The question of "Aufklarung" or Enlightenment according to Foucault "Is neither a world era to one which belongs, nor an event whose signs are perceived, nor the drawing of an accomplishment." It is instead a departure a release, (Enlightenment as man's release) an exit, a way out, a way of considering the difference today introduces to yesterday. Put in this fashion the difference introduced may be deemed as an attitude of modernity.[281] In this sense the Kantian and the Foucauldian version of enlightenment corresponds with bringing an epoch of modernity that implicitly introduces a difference with respect to yesterday but ignores the pre-modern and defines the modern attitude as a largely European historical project.[282]

Enlightenment as a "Break with Tradition":

To make his conception of modernity more concise, Foucault pointed to its characterization as a consciousness of the discontinuity of time: "a break with tradition, a feeling of novelty, or vertigo in the face of the passing moment," and he quoted Baudelaire's definition of modernity: "the ephemeral, the fleeting, the contingent, the half of art whose other half is the eternal and the immutable.[283]Foucault suggested that for Kant the importance of his "little text" derived from the fact that it gave him the opportunity to assess the contemporary status of both his own philosophic enterprise and his reflections on history, and to examine how these two activities intersected.

"As a Moment of Self Awareness":

Foucault proposed to connect Kant's Aufklärung, (Enlightenment) with the leaving of immaturity, with what he called the "attitude of modernity" with its consciousness of contemporaneity, "a modernity which sees itself condemned to creating its self-awareness and its norms out of itself." Creating the norms that were to guide them as moral agents in and out of the new world they had

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[281] S.S Shweber, In *the Shadow of the Bomb* quoting a famous Kantian essay on what is Enlightenment? (Princeton: Princeton University Press, 2000), pp.28-41 See URL <http://press.princeton.edu/chapters/s6787.pdf > Retrieved Feb3, 2013.

[282] Ibid,

[283]Ibid, p. 30 See URL <http://press.princeton.edu/chapters/s6787.pdf> Retrieved Feb 3, 2013.

helped create were central problems Bethe and Oppenheimer addressed after the war; The importance of Kant's essay for Foucault stemmed from the fact that he saw it as a watershed.[284]

*"The Importance of the Practical System":

Foucault indicated that what is at stake are the answers to the following question: "How can the growth of the capabilities of individuals with respect to one another be severed intensifications of power relations that are conveyed by various technologies (for example, institutions whose goal is social regulation, or productions with economic aims, or techniques of communication).To answer the question would lead to the study of what Foucault called "practical systems," by which he meant what [people] do and the way they do it. That is, the form of rationality that organizes their ways of doing things (this might be called the technological aspect) and the freedom with which they act within these practical systems, reacting to what others do, modifying the rules of the game, up to a certain point [The study of these practical systems] will have to address the questions systematized as follows: How are we constituted as subjects of our own knowledge? How are we constituted as subjects who exercise or submit to power relations? How are we constituted as moral subjects of our own actions[285]? This is Foucault's translation of Kant's famous threefold question: What can I know? What should I will? And, what may I reasonably hope for? And the central question is a moral one.[286]

Rejecting Kant's universalistic response, Foucault believes the legacy of Kant's reflection is that Aufklärung (Enlightenment) has to be considered not "as a theory, a doctrine, nor even as a permanent body of knowledge that is accumulating; it has to be conceived as an attitude, an ethos, a philosophical life in which the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them. Foucault stressed that it was not important whether he had summarized successfully the complex historical event that was the Enlightenment, or depicted effectively the attitude of modernity in the various guises it may have taken during the last two centuries. Foucault clearly rejected Kant's claims of essentialist a priori limitations intrinsic to our very constitution as thinking and willing subjects and Kant's view of ethics as fixed and transcendent in some way. [287]

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[284] Ibid, p. 28
[285] Ibid, p. 31
[286] Ibid,
[287] Ibid, p.30

The historical event of the Enlightenment he argues did not make us mature adults. In making this statement, Foucault is not so much mourning our collective failure to become adults, as gesturing towards our philosophical and ethical obligations to exceed the limits of Kantian maturity or what he calls as the blackmail of the enlightenment. If Kantian philosophy instructs us to know, to do, and hope in universal ways; Foucault's response is not so much mourning our collective failure to become adults, as gesturing towards our philosophical and ethical obligations to exceed the limits of Kantian maturity or what he calls the blackmail of the enlightenment. It is only through this process that we might liberate the alterity and diversity of human existence or in his words discover the possibility of no longer being doing or thinking what we do or think. To this end Foucault asks many questions of Kant and the history of enlightenment rationality. One such question especially meaningful for Post-colonial purpose focuses on Kant's suggestion that the Enlightenment holds out the possibility of maturity for all humanity and for mankind at large.[288]

3.1.1. Countering Enlightenment as an Exclusivist Modernity: Post-Colonial Responses:

"Metaphysics – the white mythology which reassembles and reflects the culture of the West: the white man takes his own mythology, Indo-European mythology, his own logos, that is, the mythos of his idiom, for the universal form that he must still wish to call Reason. ... White mythology – metaphysics has erased within itself the fabulous scene that has produced it, the scene that nevertheless remains active and stirring, inscribed in white ink, an invisible design covered over in the palimpsest."
(Derrida, 1982)

"I am possessed by the other; the other's look fashions my body; in its nakedness, causes it to be born; sculptures it produces; as it sees it; as i shall never see it. The other holds a secret the secret of what I am."
(Sartre, 1943)

Critics of modernity have argued that the very notion of the Western self was predicated on the construction of the non-Western other. This influence was acknowledged by Anderson, who revised his initial assumption that official nationalism in the colonized world was modeled on that of the dynastic states of 19th-century Europe and proposed instead that its immediate genealogy should be traced to the imaginings of the colonial state. The later "developmentalisms" of post-independence states were also subjected to new scrutiny in the light of a critical rethinking of modernity.[289]

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[288]Ibid,
[289] Ibid,

These endeavors helped to define the contours of post-colonial scholarship, a field whose concerns may be articulated somewhat differently in different disciplines? Hall introduces a note of caution in his otherwise complimentary assessment of Post-colonial studies; he notes a growing divergence between two halves of the current debate on late modernity—the post-colonial and the analysis of new developments in global capitalism—a divergence that he feels is detrimental to both sides of the debate.[290]He attributes this state of affairs to the fact that post-colonial scholarship has been developed most fully by scholars in the humanities who were unwilling or unable to address contemporary transformations in global capitalism and to the move away from reductive forms of economism, which has, in some instances, gone as far as dispensing with political economy altogether. This observation may hold one of the keys to extending the reach of post-colonial analysis, especially if one intends to put it to comparative uses. Indeed, any fruitful comparison of the post-colonial trajectories of Middle Eastern and Central Asian societies must necessarily take into account not only the historical specificities of their colonial encounters but also the very different modalities and temporalities of their insertion into world capitalist markets.[291]

Gandhi's theory of politics and his critique on Sovereignty, State and Modernity

The core of Gandhi's theory of politics is to show that the true subject of the political is the citizen and not the state. For Gandhi political subjects are not created by sovereign authorities. Gandhi described the precondition for legality and legitimacy as the political consent of the citizens and not the power of the state, rule of the rule itself. The problem for him is not the rule but the whole structure of sovereign rule.[292]According to Ramin Jahanbegloo:

[…] *Gandhi sought to de theologize and de-secularize the secularized theological concept of the modern politics.*

His political ideas finds its expression neither in the omni present sovereign that Thomas Hobbes argued (which must be obeyed or risked otherwise by anarchy) instead his emphasis on citizens' ethical duties undercut Hobbesian political authority and required citizens under some conditions to disobey the state and its laws, undeterred by fears.[293]Gandhi's political in fact believed in the practice that was based on getting even with the Hobbesian anxiety.

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[290] Ibid,
[291] Ibid,
[292]Ramin, Janhanbegloo,The Gandhian Moment,(Harvard :Harvard University Press,2013),p.6-25
[293] Ibid,

This is the major shift in focus that appears in Gandhian debate. It is from the common idea that legitimacy is derived from the sphere of the ethical: an idea that gives crucial weight to the responsibilities and duties of citizens to act ethically.[294]

He challenged the modern state on the grounds of its legitimacy and basic rationale. He was critical of modern politics leading him to a concept of 'political' which in the end found its expression of an ethics of togetherness that brings together ethics, politics and religion.[295]

In contrast with the Hobbesian and Rousseau's ideas of consent as fear or will, Gandhi defined a political community as a complex organization of mutuality and solidarity.[296] As moral beings, each citizen has a duty to support the laws as long as it is not unjust or morally unacceptable. He argued that all citizens are responsible for the immoral character of the state. Believing that the unjust law was an insult to the self- respect, dignity and conscious of citizens' .Gandhi moved far beyond the accepted conceptions of statehood and citizenship by generating the idea of political relationship based on shared moral commitment to truth.

He criticized Modernity for its unscrupulous exploitation of natural resources and its lack of concern for non- human life. Gandhi presented India as a land that had been and could be a model of inter cultural civilization a synthesis of different religious traditions that have managed to live together. Modern civilization places the pursuit of self- interests at the center of our existence. Modern civilization according to him makes bodily welfare of the objects of life.[297]In contrast true civilization is and ought to be built on the basis of spirituality and morality which enables self-awareness and self- confidence. Bhiku Parekh opines […] *Gandhi was caught up in the paradoxical position of wanting to appropriate past of the spirit of modern civilization while rejecting the very institutions that nurtured it.*[298]

Gandhi's forceful critique of modernity thus not imply a return to the pre modern modes of thought as (he did not want a complete rupture with the modern mind and a wholesale return to tradition); rather his critique of post- enlightenment modernity is premised on the right to enter the philosophical framework of modernity through the doors of Indian history. The key to his anti-

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[294] Ibid,

[295] The importane of ethics for Gandhi remains a sharp feature of his non- violence struggle "*Satyagraha* "which is generally believed to be one of the pillars of the Gandhian political thought. He considered it as a technique characterized by an action that sought for truth which is based on the civic character of refusal to cooperate with those who violate fundamental truth.

[296]The unique achievement of Gandhian thought was to invert the Hobbesian approach for preserving the self. According to Jahanbegloo, Hobbesian security paradigm of politics was replaced by Gandhi that treat state as the final arbiter and a political agent responsible for human security. Politics for Gandhi was thus the search for the ethical. He therefore unlike Hobbes did not view free society as a choice seeking to avoid a war of all against all. As in his own words he defines that Reason has to be strengthened by suffering which is the law of human being s while the war and violence is the law of the jungle.

[297] Ibid,p.58

modern modernism is that he sought to blend modern thought and Indian traditions. His vision for a thoroughly decolonized India with decentralization of power overwhelmingly speaks against the top down modernization. As in his own words […] *materialist values that the British Raj imposed on India can be countered by the spirituality of ancient India.*[299]

3.1.2.Foucault and the Power/Knowledge link: Replications, Counter Responses and Critiques:

Whilst Foucault has provided many of the tools that are necessary to unpick the power- knowledge relationships of post enlightenment Europe especially in their spatial roundedness, his silence on the colonial construction of European modernity and the mutual constitution of Metropole and periphery is astounding.[300]Post- colonial forces operate at every sphere from transnational flows of capital or bodies, global imaginary geographies, national stereotypes, urban remapping, to domestic routines and individual psychology.[301]In 1989 Utah Liebman Schaub suggested that the non- West operated as a counter discourse or subtext that affected Foucault's mode of thought: the unspoken ground from which he attacked Western thought. Schaub even suggested that Foucault like many of his contemporaries was influenced by Eastern Philosophy. However critical commentary has focused more on how Europe and its colonies were mutually constitutive and whether this was acknowledged in his writings at all.[302]

These constitutions can be separately considered, rhetorically if not historically, as practical, epistemic and disciplinary. A whole series of colonial models was brought back to the West and the result was that the West could practice something resembling colonization or an internal colonialism on itself.[303]In a 1976 lecture Foucault admitted that the techniques and weapons Europe transmitted to its colonies had a boomerang effect on its institutions apparatuses and techniques of power in the West. However this is one of his few acknowledgements that the compendium of power techniques he assembled regarding Europe had extra European origins.

Despite his brilliance in thinking power in spacing Spivak justly claims that Foucault's analysis actually produced a miniature version of colonialism one that replayed the management of spaces and peripheral populations through the screen allegories of doctors, prisons and insane.

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[299] Gandhian ideas on modernity and ethics as quoted in Ramin, Jahanbegloo ibid,

[300]Ibid, p. 275.

[301] Ibid,

[302] Ibid,

[303] Ibid,

Part II

3.1.3.The Non- Western/ Post- Colonial Tilt towards Understanding the Western/ Modernist Context to the Civil Society:

Nandy on Hegel and Foucault:

In his book The Intimate Enemy[304] 1983 Ashis Nandy adapts Foucault's analysis of power to account for the particularly deleterious consequences of the colonial encounter. For Nandy however modern colonialism is not just a historical illustration of Foucault's paradigmic analysis .It is more significantly a sort of crucial historical juncture at which power changes its style and first begins to elaborate the strategies of profusion which Foucault's theories so persuasively. Nandy's book builds on an interesting if somewhat contentious distinction between two chronologically distinct types or genres of colonialism. The first he argues was relatively simple minded in its focus on the physical conquest of territories whereas the second was more insidious in its commitment to the conquest and occupation of minds, selves, cultures. If the first bandit mode of colonialism was more violent it was also as Nandy insists transparent in its self-interest greed and rapacity. By contrast and somewhat more confusingly the second was pioneered by rationalists' modernists and liberals who argued that imperialism was really the messianic harbinger of civilization to the uncivilized world. Nandy however compartmentalizes the civilian and the military imperialism; He believes that modern colonialism did of course rely on the institutional uses of force and coercion.[305]In addition, Nandy enacted another kind of violence by instituting enduring hierarchies of subjects and knowledge-the colonizer and the colonized; the occident; the oriental; the civilized; the primitive; the scientific; the superstitious the developed and the developing. The effect of this schematic inscription of the colonial relationship is now well acknowledged. The colonized was henceforth to be postulated as the negative image of the colonizer and n order for Europe to emerge

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[304] This book elucidates the psychology of the Colonial and the colonized world in one of the most authentic writings on cultural and psychological impact of colonialism and the relationship between the past, the present of the modern west from a geographical to the psychological category.
[305] Opcit, p.15.

as a rule of civilization plentitude; the colonized world had to be emptied of meaning. Thus Nandy writes:

> *[…]This colonialism colonizes minds in addition to bodies and it releases forces within colonized societies to alter their cultural priorities once and for all. In this process it helps to generalize the concept of the modern West from the geographical and temporal entity to a psychological category. The West is now everywhere within the West and outside in structures and in the minds.*[306]

Colonialism then to put it simply marks the historical process whereby the West attempts systematically to cancel or negate the cultural difference and value of the Non- West. Nandy's psychoanalytical reading of the colonial encounter evokes Hegel's paradigm of the master slave relationship and he is not alone in his implicit theoretical debt to Hegel. It evokes categories which are reminiscent of Hegel's paradigms. Hegel's belief on influential notes on Lordship and Bondage are framed by the theorem that human beings acquire identity or self-consciousness only through the recognition of the others. Hence temporarily situation arises when one is merely recognized while the other recognizes. However, the proper end of history with the complete and final revelation of historical truth requires that the principle of recognition be both mutual and universal. In his Philosophical elaboration of the master- slave relationship, Hegel maintains that the master and the slave are initially locked in the compulsive struggle unto death.[307]

This goes on until the weak willed slave preferring life to liberty accepts his subjugation to the victorious master when these two antagonists finally face each other after battle, only the master is recognizable. The slave on the other hand is now a dependent thing whose existence is shaped by and as the conquering other or as Sartre writes of the slaves in his monumental reworking of Hegel's summary text "I am possessed by the other; the other's look fashions my body; in its nakedness, causes it to be born; sculptures it produces; as it sees it; as I shall never see it. The other holds a secret the secret of what I am[308].

Thus in the very retrospect it might be surmised that the post -colonial recovery of colonial condition is an attempt to reveal the colonizer and the colonized as a historical incarnation of Hegel's master and slave euphemism. But the task of postcolonial theoretical retrieval cannot stop there as it also bears testimony to the slave's refusal to concede the Masters existential priority. Nandy therefore finally tell us that it is crucial for Post-colonial theory to take seriously the idea of

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[306] Opcit,p.15 Also see Ali A, Abdi (ed.), *Decolonizing Philosophies of Education*,(Rotterdam: Sense Publishers,2012),p.138
[307] Ibid, p.15.
[308] Ibid, p.16.

psychological resistance to colonialism's civilizing mission. To this end it needs historically to exhume those defenses of mind which helped to turn the West into a reasonably manageable vector. In this regard it is worth recalling that the slave figure in Sartre's Being and Nothingness also makes the following pronouncement:" *[...] I lay claim to this being which I am; that is, I wish to recover it or more exactly I am the project of the recovery of my being*"[309]

The Non-Western Critique on Sovereignty:

[...]What good is sovereignty if it does not enable us to feed and clothe our people well? Besides it is also true that ruling groups in many countries use the pretext of national sovereignty to impose ruthless tyranny on their people. In such cases the argument that national sovereignty is inviolable becomes a tool in the hands of the reactionaries (*Chatterjee, 2004*)

Chatterjee believes that the European notion of sovereignty has a flip side that it is too pre-occupied with the idea of the soverign. His views about the notion entail very critical dimension of the concept: He clearly argues that:

Following are The Main Arguments of Chatterjee's idea as a response to Western sovereignty:

Background of the debate:

[...]Every year was followed by a new treaty with new lines drawn on the map. Those who had the misfortune to study the diplomatic history of Europe in Europe will remember the sleepless nights spent trying to memorize the unpronounceable names of remote provinces that were transferred on who knows which date from one European power to the other[310].

The sovereign state was created in Europe in the modern sense in the seventeenth and eighteenth centuries. Its crucial feature was the monopoly of sovereign power it claimed within its territorial limits. Only the state could have the powers to make laws and to administer punishment, to declare wars. That is how we were taught to relish the sublime beauties of sovereignties.[311]

[...]In this imagined world—an ideal generalization of today's Europe—no one will threaten violence, leave the negotiation table and pick up weapons, amass guns and troops at the borders, or send bombers into someone else's skies. These assumptions are now virtually taken for granted in Europe. Sovereignty has been loosened in Europe with the acquiescence of the nation-state.[312]

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[309] Ibid, p16
[310] Chatterjee, *The politics of the governed* Opcit,p.93
[311] Ibid,
[312] Ibid,

Chatterjee also argues that the concept of national sovereignty has become loose because the states of Europe did not have to face the most difficult tests of sovereignty. They have been able to assume that no European state will ever go to war on its own, certainly not against any other European state. Each state has made its own calculations on how much it will benefit by giving up a little more of its sovereignty in exchange for greater cooperation.[313]

Furthermore he evokes the works of theorist like AntonioNegri and his American collaborator Michael Hardt who have also written[314] extensively on the ways in which the concept of the Empire has changed to involve more capital intensive techniques in the midst of globalization.

[...] *we were once told that the factory laws that regulated maximum hours of work or minimum wages were enacted to promote the long-term expansion of capital. Capital today, seeking new frontiers of growth, is beginning to think of those laws as shackles imposed by history. Even when it is not possible entirely to throw them away, it seems prudent sometimes to wriggle out of their grasp. Thus, flexible capital combines with flexible sovereignty to produce empire that is flexible enough to adjust itself to conjunctural and local situations and to thus devise new and appropriate forms of governance.[315]*

Negri defends the idea of global citizenship for the workers; he essentially implies that the exploited all over the world must demand not only universal human rights but universal citizenship. If capital can be global, if sovereignty can claim to be global, then why cannot workers demand the right to look for work, to settle down and exercise citizenship, in any country of the world? Only such a demand, Negri claims, will throw a truly revolutionary challenge to global capital as well as to empire.[316]

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[313] Chatterjee argues that the concept of pooled sovereignty in the European context refers to how the historical evolution of the concept has influenced the modern day creation of the European Union and he has opposed the idea on the grounds of its utopian nature. He believes that the EU as an example of the model of pooled sovereign bloc remains at the behest of the United Sates and that in that sense the grounding of the idea of political sovereignty is rather dubious. He argues against the ideal generalization of
today's Europe which is based on the premise that no one will threaten violence, leave the negotiation table and pick up weapons, amass guns and troops at the borders, or send bombers into someone else's skies are virtually taken for granted in Europe. Sovereignty has been loosened in Europe with the acquiescence of the nation-states, not in opposition to their wishes. The state in Europe does not fear a breach of the peace, because the guarantor of peace in Europe is not any of the European nation-states.
[314]Ibid,p.101

[315] Ibid,
[316] The idea of the global citizenship for the working class has been a much contested one as Chatterjee proclaims. According to him there are not as yet short of being fairy tales as the idea these kinds of political strategies cannot be derived in this way as though they were theorems of geometry. "Away with globalization" for Chatterjee is not a very clever slogan as equal to the thought that to let oneself be swept away by every global current.

In the context of Chatterjee's idea of Negri's dream (that multitudes around the world, through their unorganized struggles, will one day spontaneously destroy the foundations of global capita);is actually the supposedly radical break between the old order of industrial capital and national sovereignty and the new reality of global empire without a center is, without doubt, hasty and starry-eyed. Yet we should not for that reason ignore what the theorists of globalization are telling us—that it is impossible to avoid its global tentacles by putting up walls around the national economy. What is needed, fore, is an adequate response to the flexible strategies of rule adopted by empire—an equally flexible, mixed, and variable anti-empire politics.[317]

Edward Said's 'Orientalism': A commentary on the 'Other' within Foucault's Power/Knowledge Praxis:

The Principle features of Post colonialisms intellectual inheritance are realized and elaborated in Edward Said's Orientalism first published in 1978. Orientalism represents the first phase of postcolonial theory. Rather than engaging in the ambivalent condition of the colonial aftermath –or indeed with the history and motivations of anti-colonial resistance-it directs attention to the discursive and textual production of colonial meaning and concomitantly to the consolidation of colonial hegemony, to deconstruct the text, to examine the process of its production, to identify the myths of imperialism structuring it, determining as to how the oppositions on which it rests are generated by political needs at given moments in history.[318]

Orientalism is one of the first books devoted to an exploration of the historically imbalanced relationship between the world of Islam, Middle East, and the Orient on the one hand and that of European and American imperialism on the other hand. Orientalism focuses on the well- rehearsed field of nineteenth century British and French imperialism. It also heavily relies on the notion that neither Imperialism nor Colonialism is a simple act of accumulation and acquisition. Both are supported and perhaps even impelled by impressive ideological formations which include notions that certain territories and people require and beseech as well as forms of knowledge affiliated with that domination.

In Orientalism Said relentlessly unmasks the ideological disguises of imperialism. In this regard, its particular contribution to the field of anti-colonial scholarship inheres in its painstaking, if somewhat overstated, exposition of the reciprocal relationship between colonial knowledge and

[317] Ibid,p.4
[318] Breckenridge & Carel, Appadurai, *Orientalism and the Post-Colonial Predicament: Perspectives on South Asia,* (Pennsylvania: University of Pennsylvania1993), p. 64.

colonial power. It proposes that Orientalism-or the project of teaching, writing about and researching the Orient-has always been an essential cognitive accompaniment and inducement to Europe's imperial adventures in the hypothetical East.[319]

Said's Argumentative Discourse on Power and Knowledge: Borrowing from Foucault:

Orientalism actually comes as a warning that systems of thought like discourses of power, ideological fictions- are all too easily made, applied and guarded. Said quotes:

[...] if the knowledge of Orientalism has any meaning, it is being a reminder of the seductive degradation of knowledge, of any knowledge, anywhere at any time. Now perhaps more than before.[320]

Said's concern for the effect of power on knowledge elaborates his conviction that intellectual and cultural activity does and should improve the social world in which it is conducted. Nowhere does Said eschew the worldliness or political texture of human knowledge than his introduction to Orientalism; which labors to deem the inexplicable relationship between political knowledge and power on the grounds that no self-respecting scholar or writer can ethically disclaim their involvement in any actuality of circumstances.[321]Thus knowledge is most like itself when it undertakes to counter and oppose the unequal distribution of power in the world.

Accordingly, Said claims that the peculiarly Western style for dominating, restructuring and having authority over the Orient is inextricably from the peculiarly Western style of studying and thinking the Orient. In other words its answer to the way the East was known. He is ultimately more interested in questions of knowledge or more specifically in exploring and critiquing the conditions under which knowledge might be transformed and vitiated trough the contagion of power. Here Said seems to invoke the anarchist maxim that power corrupts to argue that power is especially corrupting when it comes into contact with knowledge. This as he tells us, is the lesson to be learnt from Orientalism.[322] In effect Said's final description delivers an understanding of Orientalism as a discourse in Foucault's sense of the term. Said's project has been exemplary in its protest against the representational violence of colonial discourse and indeed in its commitment to the onerous task of consciousness rising in the Western academy. At the same time, Orientalism is often theoretically naïve in its insistence that the Orientalist stereotype invariably presupposes and confirms a totalizing and unified imperialistic discourse. Accordingly, a wide variety of

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[319] Ibid,
[320] Ibid, p.74.
[321] Ibid,
[322] Ibid,

recent critics have revisited Orientalism to argue that cultural stereotypes are considerably more ambivalent and dynamic than Said's analysis allows.[323]

Said's Marxist Critique:

In Orientalism Said substantiates the cultural inadequacy of Marxist theory by drawing attention to the blindness of Marx himself to the world outside Europe. Marx as is well known defends the emergence and spread of European capitalist and Bourgeoisie society as a universal precondition for social revolution. In this context he identifies European colonialism as the historical project which facilitates the globalization of the capitalist mode of production and thereby the destruction of backward or pre capitalist forms of social organization. In many of Marx's writings specifically his 1853 journalistic analyses of British rule in India, there is, thus an implicit link between the progressive role of the capital and the progressive role of colonialism.[324] As Marx writes:

[…]England has to fulfill a double role in India: one destructive, the other regenerative –the annihilation of the Asiatic society and the laying of the material foundations of Western society in Asia[325].

Said's responds to this pronouncement by arguing that Marxist thesis on the socio-economic revolution is ultimately and ethically flawed from the perspective of the colonized world first because its vision of progress tiredly reiterates nineteenth century assumptions of the fundamental inequality between the East and West; second; because it views the colonized Orient simply as the abstract illustration of a theory rather than an existentialist mask of suffering individuals and finally, it is inadequate because Marx follows the insidious logic of the colonial civilizing mission in postulating Europe as the hyper-real master narrative which will pronounce the redemption of poor Asia. In this sense colonialism becomes a practical and theoretical exigency for the fulfillment of Marx's emancipatory vision of colonialism.

Said's critique of Marxist theory arrives at a post structural destination in so far as it demonstrates once again the always already complicity of Eastern knowledge with the operative interests of Western power. And yet, the geographical and cultural parameters of Said's poststructuralist demonstration been radically different from those developed by Foucault and Derrida in their revisionist critique of Western epistemology and cultural hegemony. For while

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[323] Ibid,p.78

[324] Ibid,

[325] Karl, Marx, The Future Results of British Rule In India, *New Daily Tribune*, August 8, 1853<URLhttp://www.marxists.org/archive/marx/works/1853/07/22.htm >Retrieved Oct 10, 2013.

these poststructuralist luminaries challenge the conceptual boundaries of the West from within Western culture they are.[326] It argues that in order to fully understand the emergence of the West as a structure and as a system we have also to recognize that the colonized Orient has helped to define Europe as its contrasting image. To quote Homi Bhabha:

[…]*Orientalism has dramatically shifted the locus of the contemporary theory from the Left Bank to the West Bank and beyond, through a profound mediation on the myths of Western power and knowledge which confine the colonized and dispossessed to a half-life of misrepresentation and migration*[327].

The critical perspectives emanating for Said's Orientalism argue that he is disabling impervious to the accomplishment and value of theories and knowledges he chooses to critique. Moreover, he also tends to underestimate his own intellectual debt to his post structuralist predecessors and perhaps more dangerously fails to engage with enormous contribution of Marxism. Thus Said's objection is not so much complicit with imperialism as it is an account of the necessary complicity of capitalism and colonialism. What it delivers theoretically, is a set of categories that we can work with, through which we might understand ourselves –and our implication in the history of capitalist /European imperialism-differently.[328]

Said's Orientalism as a critique of colonialism and as a Discursive Stereotype:

The Orientalist discourse was strategically available not only to the empire but also to its antagonists. Moreover the affirmative stereotypes attached to this discourse were instrumental in fashioning the East as a utopian alternative to Europe. Some times in its obdurate determinism that Orientalism silenced opposition. Said ironically silences opposition. So also he defeats the logic of his intellectual egalitarianism by producing and confirming a reversed stereotype: the racist Westerner.[329] After Orientalism, it becomes or task not only to demonstrate the ambivalence of the Oriental stereotype but also and crucially to refuse the pleasure of an Occidental stereotype. We might start to see the shape and possibility of this refusal by returning to the Orientalist archive so as to listen more carefully to the Orientalsits themselves[330].

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[326] Opcit,
[327] Ibid,
[328] Ibid, p.75.
[329] Ibid, p.78.
[330] Ibid,

Said invokes the conventional understanding of Orientalism as a field of specialization or academic pursuit of the Orient. Said is somewhat more liberal in his view that Orientalism includes the activities of any professional Western academic- historian, sociologist, anthropologist, area studies expert or philologist and argues rather expansively, that Orientalism also refers to any and every occasion when a Westerner has either imagined or written about the non-Western world.[331]So Orientalism becomes an imaginative cast of mind or style of thought which covers roughly two millennia of Western consciousness about the East. Said finally delivers his principal understanding of Orientalism as an enormous system or inter textual network of rules and procedures which regulate anything that may be thought, written or imagines about the Orient.

Furthermore, in 'culture and imperialism' Said concedes that Orientalism fails to theorize adequately the resistance of the European world to the material and discursive onslaught of colonialism. Never was it the case that the imperial encounter pitted an active Western intruder against a supine or inert non-Western native ; there was also some form of active resistance in the overwhelming majority of the cases ,the resistance finally won out.[332] However, despite this apparent recantation, Said stubbornly refuses to elevate colonial resistance to the status of anti-colonial critique. The culture of resistance, he argues, finds its theoretical and political limit in the chauvinist and authoritarian boundaries of the post-colonial nation. Moreover, In its exclusively anti-western focus anti-colonial nationalism deflects attention away from the internal orthodoxies and injustices –the nation can become a panacea for not dealing with economic disparities, social injustice and the capture of a newly independent state by a nationalist elite. Thus, Said insists a comprehensive dismantling of colonial hierarchies and structural needs to be matched by a reformed and imaginative preconception of colonized society and culture.[333]

Said's intervention urges post- colonialism to reconsider the significance of all liberationist activities of the colonized world such as those of the women's movement which forcefully interrupt the triumphant and complacent rhetoric of the anti-colonial nation state. However, despite the force of Said's appeal it is difficult for Post colonialism to entirely withdraw its loyalty from the anti-colonial nationalism.[334]

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[331] Ibid,p.77

[332] Ibid,

[333] The post-colonial project in Said's view requires an enlightened intellectual consensus which refuses the short term blandishments of separatist and triumphalist slogans in favor of the larger, more generous human realities of community among cultures ,people and societies .In other words the intellectual stirring of anti-colonialism can only be properly realized when nationalism becomes more critical of itself. When it proves itself capable of directing attention to the abused rights of all oppressed classes.

[334] Ibid,p.81

Responses to Said's works:

The practitioners of the new modernization theory raise objection on his unscientific method his passionate rage and his moral anger. They deem his work merely as an unscholarly display of bitterness repetitiveness and tendentiousness. Since the alternative is to depart from the scene of the struggle into silence. His idea on arguments of resistance having its theoretical and political limit and its exclusively anti-western has called attention and severe critique. However, Said's insistence at the same time on a comprehensive dismantling of colonial hierarchies and structural needs urging post- colonialism to reconsider the significance of all liberationist activities of the colonized world such as those of the women's movement have been

dismissed following on his inability to offer anything more than a naïve hope of establishing cross cultural understanding through cultural subjectivity.

Part III:

3.2. The Post- Modernist tilt towards understanding Civil Society:

3.2.1.The Western context:

The public sphere and Habermas:

Habermas believes that Modernity and especially European Modernity is rooted in the development of Enlightenment. Eventually, the project of Enlightenment aimed to develop these three aspects objective science, universal morality, and autonomous art. In addition, it hoped to free these domains from their own mysterious and obscure traps, and to utilize this specialized culture for the enrichment of everyday life. But unfortunately, in the twentieth century, this division-science, morality and art have come to debase the autonomy itself and have created the problem. So it has attempted to negate the culture.[335]

The Habermasian Communicative Action:

To show how modern society came to be what it is, Habermas draws on the philosophy of early Frankfurt School thinkers Theodor Adorno and Max Horkheimer. Like them, Habermas explains the current state of the world in terms of the attempt to extend scientific/technical-type rationality to all aspects of life. However, Habermas argues that their conception of rationality is

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[335] Hal Foster, *Post Modern Culture*,(London: Pluto Press, 1985),p. 3.URL
>http://www.bachelorandmaster.com/intellectualhistory/modernity-an-unfinished-project.html >Retrieved Oct10,2013

one-sided and pessimistic.[336] The main thrust of his philosophy is the belief that in addition to *instrumental* reason, which consists of finding means to ends, and *strategic* reason, aimed at practical success, there is also *communicative* reason, aimed at reaching agreement through the presentation of valid arguments. For Habermas, once it is understood that communicative reason is at work in history, it becomes clear that the ills of the contemporary world are not necessary, and not the natural development of modernity so much as the result of its distortion.[337]

To explain how the development of instrumental reason prevented the realization of reason's emancipatory potential, Habermas constructs a two-level social theory. On one level, society is a shared and largely taken-for-granted set of beliefs, norms and expectations, on the basis of which individuals make sense of their world, coordinate their actions and shape their identities. On the other level, society is also made up of impersonal organizations such as the government and the economy. These have a dynamic and logic of their own, and are guided by considerations of efficiency.

Habermas and the Public Sphere Government:

Habermas calls the taken-for-granted beliefs and values the *lifeworld,*[338] and he calls the government and the economy the *system.* For him, modern society cannot function correctly without both. Yet, the *lifeworld* and the *system* differ fundamentally. First, while the *lifeworld* is maintained and reproduced through communication, the system functions through the use of money and power. Second, whereas in the *lifeworld* there is a shared sense that human actions and experiences are meaningful, the system functions according to patterns that have no natural human resonance. Finally, unlike the system, in which individuals are "primarily oriented to their own individual success" in the *lifeworld,* "they pursue their individual goals under the condition they can harmonize their plans of action on the basis of common definitions. In sum, while the system is the domain of control and efficiency, the *lifeworld* is the domain of mutual understanding.[339]

Equipped with these two notions, Habermas sketches a history of modernity. He says that in the seventeenth century society started changing dramatically. First, there was "the uncoupling of the system and the *lifeworld* – that is, the economic and political systems separated from the general

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[336] Ibid,

[337] Ibid,

[338] Abd-el-Kader, Aoudjit, and Political Philosophy after Metaphysics: Habermas and Lyotard quoted Philosophy *Now, a Magazine of Ideas (*Sep/Oct, 2013)>URL>http://philosophynow.org/issues/77/Political_Philosophy_After_Metaphysics_Habermas_and_Lyotard>.Retrieved Jan 25, 2013.

[339] Ibid,

culture with which they used to be united, took a life of their own, and became increasingly indifferent to the norms, values, meanings and everyday preoccupations of individuals. Once the system was no longer tied to the *lifeworld*, it differentiated into subsystems − the state and the economy − organized around principles of calculation and predictability.

Significant changes have taken place in the moral-practical domain[340] too, also starting in the seventeenth century. First, religion lost its prestige, authority and power. Second, there developed an awareness of a number of competing conceptions of the good, none of which is incontrovertibly superior. As a result there was a shift from considerations of what a good life is to considerations of what is right to do, and how to accommodate difference and diversity.[341] Third, the *cognitive* (intellectual), *normative* (moral) and *expressive-aesthetic* (artistic) spheres of life, which used to be tied together in a comprehensive worldview under the hegemony of religious and other metaphysical principles, became independent and each developing its own criteria of validity. Eventually each became the exclusive domains of experts.

Perhaps the most important development in modern ethics and politics, according to Habermas, is the adoption of a critical attitude towards religion and tradition, and the conviction that a norm is legitimate only if it is the result of rational discussion free from domination or manipulation. As he puts it, "When the power of tradition is broken, modern reason must create normativity out of itself by relying on nothing more than the force of the better argument.[342] Habermas looks upon these specific developments as, on the whole, improvements. Modernity has liberated humanity from stifling religion and tradition, it has increased individual autonomy, and it made possible the full emergence of democracy.[343]

Habermas devoted his first book, *The Structural Transformation of the Public Sphere* (1962) to an examination of the growth and decline of the public sphere independent of the state and the

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[340] Habermas's version is heavily indebted to the Kantian tradition. Like Kant, he considers morality a matter of unconditional moral obligations: the prohibitions, positive obligations, and permissions that regulate interaction among persons. The task of moral theory is to reconstruct the unconditional force of such obligations as impartial dictates of practical reason that hold for any similarly situated agent. Also like Kant, Habermas links morality with respect for autonomous agency: in following the dictates of impartial reason, one follows one's own conscience and shows respect for other such agents. Unlike Kant, however, Habermas takes a dialogical approach to practical reason.

[341] Ibid,

[342] Ibid,

[343] Extending his discourse theory of normativ**e** validity to the legal political domain, **Habermas** has defended a proceduralist conception of deliberative democracy in which the burden of legitimating state power is borne by informal and legally institutionalized processes of political Legitimacy. Also refer to Jürgen Habermas, Between facts and Norms: Contributions to the Discourse Theory of Law and Democracy (, (Massachusetts, MIT Press, 1998).

economy. This public sphere, he says, flourished in Germany, France and Britain in the eighteenth century; the coffee houses, salons, clubs, and newspapers of that period were democratic forums in which citizens debated issues of public interest freely, openly, and according to the standards of critical reason. However, he argues that the development of capitalism is such that the public sphere and true democracy have been completely eliminated. Following Max Weber and the first generation Frankfurt School thinkers Adorno and Horkheimer, Habermas claims that the demands of the market, industrial production, and bureaucracy – efficiency and performance – have increasingly taken over all aspects of life.

He explains that moral questions have become cost/benefit questions, and political questions that ought to be settled through public rational argument, have become technical and bureaucratic matters handled by experts.[344]This encroachment of the system on the *lifeworld,* which Habermas describes as *colonization*, has resulted in the depoliticization, manipulation and domination of the majority of the population by technical and bureaucratic elites. Habermas says that it made "the industrially most advanced societies seem to approximate a model of behavioral control steered by external stimuli rather than guided by norms.[345] According to Habermas, the colonization of the *lifeworld* by the system also explains the pathologies of modernity such as alienation, xenophobia and drug addiction. Still, Habermas believes that it is possible to rescue the *lifeworld* from the system and realize the emancipatory ideals of modernism. He argues that this requires the replacement of instrumental reason with communicative reason in the ethical and political domains.

So how can ethical and political disagreements are resolved fairly by the force of the better argument? Habermas argues that this requires certain conditions or rules he calls *discourse ethics[346]*. Following Robert Alexy, Habermas identifies three kinds of such rules: *semantic-logical* rules, *procedural* rules, and *reciprocal* rules.[347] Semantic-logical rules require that speakers do not contradict themselves, are consistent in their use of words, and that all parties to a discussion use the same words to mean the same things. Procedural rules require that people engaged in argumentation be sincere, and that anyone who brings up an issue not under discussion must provide reasons for doing so. Finally, reciprocal rules requires the following: 1) All who are capable of contributing are allowed to participate in the discussion; 2) Everyone is allowed to question any assertion made by others, to introduce any assertion or proposal into the discussion, and is allowed

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[344]Jürgen Habermas, *The Structural Transformation of the Public sphere*: *An inquiry into the category of bourgeoisie society (*Massachusetts: MIT, 1991).
[345] Ibid,
[346] Ibid,
[347] Habermas based the idea of rationality on the model of three rules Semantic, Procedural and Reciprocal rules.

to express his desires, wishes and needs; and 3) No one may be coerced into giving up his communication rights secured under the other two conditions. From these rules, Habermas infers two principles: the principle of *universalization,* which says "All affected can accept the consequences and the side effects its general observance can be anticipated to have for the satisfaction of everyone's interests"; and the principle of *discourse ethics,* which says "only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse.[348]"

To reverse the colonization of the *lifeworld* by the system through communicative reason, Habermas looked first to the new social movements of the time – feminism, environmentalism, the student, anti-nuclear and peace movements. These, he believes, are motivated by moral ideals and are models of undistorted communication. In his earlier writings he did not treat the issue of how this decolonization is supposed to work. Later, in *Between Facts and Norms* (1996), Habermas claims that the process of debate and argument by free and equal members of civil society is "transformed into administratively utilizable power" through legislation. He believes that deliberation in both formal decision-making bodies and informal associations such as the above will result in laws that will restrain the power of bureaucracy and the market[349].

A critique of Habermas:[350]

Habermas's philosophy is vulnerable to at least two major objections. One involves the difficulty of implementing discourse ethics to bring about consensus on ethical and political matters and thus expand the number of people who participate in collective decision-making. The other objection involves his failure to achieve the goal of avoiding foundationalism.

Some Salient Objections:

The first objection is quite straightforward. Habermas's discourse on ethics supposes that if only people were sincere and willing to compromise, all conflicts would be solved. While this willingness is certainly plausible when participants in a discussion are from the same socioeconomic background, share more or less the same values, and the stakes are not high, it cannot be assumed in most cases of conflict. To start, it is impossible to have the kind of unequivocal and equitable discourse. Habermas describes outside the smallest units of social and

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[348] Jürgen Habermas, *Moral Consciousness and Communicative Action*, (Massachusetts: MIT, 1990), pp. 65-66.
[349] Ibid,
[350] Ibid,

political organization, where people can communicate directly. Even within those units, the concept of an ideal speech situation is inspiring but hardly practical.

The Non Existence of an Ideal Condition:

First, not everyone is equally capable of arguing effectively; some people are more knowledgeable and more skilled than others, and may thereby turn the discussion to their advantage. In addition, people are not always willing to reconsider their claims, and instead debate in order to defend their interests rather than reach agreement, as Habermas would wish.[351]Thus, debates on issues such as abortion and euthanasia, are usually no more than contests among competing worldviews, with no hope of agreement. In *Between Facts and Norms* (1996), Habermas extends communicative action (i: e, action based on communicative reason) to legislative and judicial bodies; yet by doing so, he only shifts the problem of inadequate communication from the informal to the formal structures of society: what appears to be the result of communicative deliberation in those institutions is often rather the outcome of opportunistic alliances.[352] Another obvious problem with this shift to the formal structures of society is that even though delegates are expected to defend the interests of their constituencies, they have the power to act in ways not authorized by those they represent. Moreover, conflicts arise not only from factual disputes, but also from conceptual disagreements about what moral notions mean – for, example, whether euthanasia is a form of murder. These kinds of disagreements cannot be solved definitively, if at all.

The Existence of Non Deliberative Rules:

Regarding the goal of avoiding foundationalism, Habermas intends his philosophy to be purely procedural, in the sense that the only acceptable rules are those arrived at through deliberation by equal citizens in conditions free from domination. Yet even in setting up these conditions Habermas has stacked the deck in favor of liberal democracy – a set of ideas which emphasizes individuals' rights, freedom of choice, freedom from interference and freedom of association – not only in how he constructs the rules and principles of discourse ethics, but also in the way he thinks decisions reached at the level of the public sphere are translated into policies. Indeed, in formulating the ideal speech situation, Habermas, like liberal thinkers, sets aside the inequalities in power and wealth which produce endemic social conflict and perpetuate unjust social arrangements. Furthermore, in his later writings, the kind of rules Habermas thinks ought to be established to protect civil society are the familiar liberal democratic types of laws adopted to stop the majority from abusing its power

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[351] Ibid,
[352] Ibid,

over minorities: (1) Rights to the greatest possible liberty compatible with others' equivalent rights; (2) Rights to belong to a state whose institutions are governed by the rule of law; (3) Rights to protection under the law; (4) Rights to participate in collective will-formation; and (5) Welfare rights to a standard of living that makes acting on the other rights possible.[353]

Finally, like liberals, Habermas thinks that the influences of informal social groups and citizens' initiatives are transformed into lawful 'administrative power' through elections and law-making. In sum, Habermas ends up restating liberal democracy and the philosophy which sustains it, with all of its problems.[354]

Within the arena of political philosophy one of a major contribution has been that of John Rawls. In fact Rawls ideas on political liberalism combined with his theory of Justice has left an incremental influence on the field. Rawls's idea is that of a public space which is based on equality and fairness. The concept of Justice as fairness is one of the most salient contribution of Rawls as with regard to the Theory of Justice. While Rawls contribution should not in any way be underestimated within the discourse on Society and within issues of democratic space pluralism, public reason and religion yet it is often compared with the Habermasian public sphere and the reasons for that are manifest by the unique way in which Rawls on the one hand and Habersmas on the other hand deal with these issues respectively. Following paragraph will shed some light on the Rawlsian theory of Justice as well as its attributes and features.

A Discussion on Ralwlsian Society: An Introduction:

John Rawls was an American political and ethical philosopher in the liberal tradition philosopher, best known for his defense of egalitarian liberalism in his major work, *A Theory of Justice* (1971). He is widely considered as the most important political philosopher of the 20th century.[355] In 'A Theory of Justice' he articulated a concept of justice as fairness, which won many fans among liberals, and provoked important responses from thoughtful libertarians such as Robert Nozick. [356]In the following discussion I will discuss the plausible contribution of Rawl's theory of Justice and his ideas on Political pluralism, democratic freedom, community, religion and legitimacy in the context of Civil Society.

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[353] Ibid,
[354] Opcit,
[355] See encyclopedia Britannica <http://www.britannica.com/EBchecked/topic/492350/John-Rawls Encyclopedia Britannica>Retrieved Sep 4,2013.
[356]See Philosophy Talk on Rawls http://www.philosophytalk.org/shows/john-rawls

Political Philosophy and Rawls:

Rawls sees political philosophy as fulfilling at least four roles in a society's public life. The first role is practical: political philosophy can discover bases for reasoned agreement in a society where sharp divisions threaten to lead to conflict. Rawls cites Hobbes's *Leviathan* as an attempt to solve the problem of order during the English civil war, and the *Federalist Papers* as emerging from the debate over the US Constitution. A second role of political philosophy is to help citizens to orient themselves within their own social world. Philosophy can describe what it is to be a member of a society with a certain political status, and suggest how the nature and history of that society can be understood from a broader perspective. A third role of Political philosophy that Rawls ascribes is to probe the limits of practicable political possibility. Political philosophy must describe workable political arrangements that can gain support from real people. Yet within these limits philosophy can be utopian: it can depict a social order that is the best that one can hope for. Given men as they are, as Rousseau said, philosophy imagines how laws might be and finally, Rawls envisages that political philosophy is reconciliation: "to calm our frustration and rage against our society and its history by showing us the way in which its institutions… are rational, and developed over time as they did to attain their present, rational form." Philosophy can show that human life is not simply domination and cruelty, prejudice, folly and corruption; but that at least in some ways it is better that it has become as it is.[357]

The Rawlsian Theory of Justice as Fairness:

The Rawlsian theory of *justice as fairness* envisions a society of free citizens holding equal basic rights cooperating within an egalitarian economic system. His account of *political liberalism* addresses the legitimate use of political power in a democracy, aiming to show how enduring unity may be achieved despite the diversity of worldviews that free institutions allow. His writings on *the law of peoples* extend these theories to liberal foreign policy, with the goal of imagining how a peaceful and tolerant international order might be possible. Rawls first set out justice as fairness in systematic detail in his 1971 book, *A Theory of Justice* and then continued to rework justice as fairness throughout his life, restating the theory in *Political Liberalism* (1993), *The Law of*

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[357] See Stanford Encyclopedia of Philosophy> http://plato.stanford.edu/entries/rawls/> See Thomas Negel(ed.), *A brief inquiry into the meaning of sin and faith,* Harvard: Harvard University Press, 2009

Peoples (1999), and *Justice as Fairness* (2001).[358] This entry reflects Rawls's final statement of his views on justice as fairness, as well as on political liberalism and on the law of peoples.[359] *A Theory of Justice*, in fact corresponds to Rawls defense of the conception of "justice as fairness." He holds that an adequate account of justice cannot be derived from utilitarianism, because that doctrine is consistent with intuitively undesirable forms of government in which the greater happiness of a majority is achieved by neglecting the rights and interests of a minority. Reviving the notion of a social contract, Rawls argues that justice consists of the basic principles of government that free and rational individuals would agree to in a hypothetical situation of perfect equality[360]. In order to ensure that the principles chosen are fair, Rawls imagines a group of individuals who have been made ignorant of the social, economic, and historical circumstances from which they come, as well as their basic values and goals, including their conception of what constitutes a "good life."

How Does the Rawlsian idea of Fairness work?

Situated behind this "veil of ignorance," people could not be influenced by self-interested desires to benefit some social groups (i.e., the groups they belong to) at the expense of others. Thus they would not know any facts about their race, sex, age, religion, social or economic class, wealth, income, intelligence, abilities, talents, and so on.[361]By this veil of ignorance Rawls thought to harness their self- interest toward constructing a state in which even the least well off would live comfortably---for, since during the decision-making process nobody knows which role they will occupy in the new state, everyone wants to make sure that even the least privileged role would satisfy their needs if they happened to be assigned to it. Rawls thought that this method would ensure that two principles of justice were fulfilled. The first, called the principle of equality, states that "each person has an equal right to a fully adequate scheme of basic liberties which is compatible with a similar scheme of liberties for all." The second, called the difference principle, declares that "social and economic inequalities are to satisfy two conditions---first, they must be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they must be to the greatest benefit of the least advantaged members of society." More simplistically, every citizen should have his or her basic needs met, opportunities to satisfy more than those basic needs should be open to everyone, and no one should be allowed to satisfy a non-

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[358] Ibid,

[359] http://plato.stanford.edu/entries/rawls/ stanford encyclopedia of philosophy

[360] John Rawls, *A Theory of Justice* Cambridge, (MA: Harvard University Press, 1999)

[361] Ibid,

basic need if not doing so would benefit the least well off.[362]The Account of Justice as fairness in fact uses the idea of a contract under a veil of ignorance – which keeps us from knowing our class, sex, native talents, ambitions, race, or religion – principally as a device for representing the value of fairness and the equal freedom of moral persons. According to Rawls; the well-ordered society of justice as fairness is not founded on a bargain; it is a social union in which institutions that express our social nature are valued as good in themselves. What attaches people to those institutions, accordingly is not self-interest but an allegiance to principles of justice founded on respect for one another as equals. This respect is shown by a willingness to abide by principles that would be chosen under fair conditions in which individuals are assumed not to know their place in society or the particulars of their endowments or convictions.[363] Rawls's presentation is based on a thought experiment: A group of people meets to found a new society and to design its political and economic structure. As a preliminary step the members must agree to accept what Rawls calls "the veil of ignorance," whereby they will not know ahead of time what their future circumstances will be. Each then chooses his or her own "original position," a set of rules that will determine their circumstances: specifically, how rich or how poor they will be. Rawls argued that since individuals would not know ahead of time whether they would be at the top or the bottom of the new society, they would act self-protectively and opt for a society in which the circumstances of those in the worst position would be better than in any alternative system. Economic inequalities, though not abolished entirely, would thus be minimized, and the worst off would have a measure of protection. What Rawls termed "the difference principle" would permit inequalities in the distribution of goods only if those inequalities benefited those who were worst off.[364]

The Two Principles of Justice as Fairness are elaborated in the following way:

The First Principle: Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all;

The Second Principle: Social and economic inequalities are to satisfy two conditions:

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[362] Ibid,

[363363]Joshua Cohen and Thomas Negal on Rawl's My Religion. How Rawls's political philosophy was influenced by his religion >http://www.rescogitans.it/main.php?articleid=336<Retrieved Sep 9,2013

[364] The American National Biography Available Online http://www.Anb.Org/Articles/08/08-02379.Html Retrieved Sep14,2013

a. They are to be attached to offices and positions open to all under conditions of *fair equality of opportunity*;

b. They are to be to the greatest benefit of the least-advantaged members of society (the *difference principle*).[365]

Rawls claims that justice consists of those principles people would agree to under conditions of fairness and equality. Hence, he refers to his view as "justice as fairness". Our conception of justice is constituted by principle we would agree to live by certain principles under fair conditions, in particular, Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others[366]. (the Liberty Principle)

2. Social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all. (the Difference Principle)In outline, his argument is:

1. Our conception of justice is that of principles free and equal reasonable people would agree to live by.

2. Free and equal reasonable reasonable would agree to the Liberty and Difference Principles (giving the former priority).

3. So our conception of justice consists of these Principles (giving the former priority).

Now one can accept premise 1, but reject 2. Or you might accept the conclusion, 3, but reject 1. That is, as Rawls points out, one can agree with him that the principles of justice are whatever principles free and equal rational persons would choose live under, but disagree with him about which principles those are. And one can agree with him about the principles of justice, but disagree that they are identified as those which free and equal rational persons would choose live under. Moreover, one can disagree with Rawls about what "free and equal rational persons" means -- that is, one can disagree with his description of the "initial situation" or "original position" which specifies a "fair" choice situation. [367]

The Rawlsian Theory of Justice within the International Context of Cold War politics:

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[365] Ibid

[366] R.Johnson, The Rawlsian Liberalism, Political and Social Philosophy >http://web.missouri.edu/~johnsonrn/rawls.html>Retrieved Sep 14,2013

[367] Opcit,

In Rawls's view, Soviet-style communism is unjust because it is incompatible with most basic liberties and because it does not provide everyone with a fair and equal opportunity to obtain desirable offices and positions. Pure laissez-faire capitalism is also unjust, because it tends to produce an unjust distribution of wealth and income (concentrated in the hands of a few), which in turn effectively deprives some (if not most) citizens of the basic means necessary to compete fairly for desirable offices and positions. A just society, according to Rawls, would be a "property-owning democracy" in which ownership of the means of production is widely distributed and those who are worst off are prosperous enough to be economically independent. Although Rawls generally avoided discussion of specific political arrangements, his work is widely interpreted as providing a philosophical foundation for egalitarian liberalism as imperfectly manifested in the modern capitalist welfare state or in a market-oriented social democracy. [368]

Legitimacy, Political Pluralism and Rawl's Political Liberalism[369]: Rawls addresses the issues of legitimacy and stability within his theory of *political liberalism*. Rawls holds that the need to impose a unified law on a diverse citizenry raises two fundamental issues. The first is the issue of *legitimacy*: the legitimate use of coercive political power. In a democracy political power is always the power of the people as a collective body. How can it be legitimate for a democratic people to coerce all citizens to follow just one law, given that citizens will inevitably hold to different worldviews? The second issue is the issue of *stability*, which looks at political power from the receiving end. Why would a citizen willingly obey the law if it is imposed on her by a collective body many of whose members have beliefs and values quite dissimilar to her own? Yet unless most citizens willingly obey the law, no social order can be stable for long. These issues are of special importance for pluralistic states in which different citizens do not share the same comprehensive doctrines. Rawls argues that such pluralism should be expected wherever public institutions protect individuals and freedom of thought and conscience.[370] In fact he identifies this pluralism as one of the five general facts about the political culture of democratic societies. Second Rawls argues that a continuing shared understanding on none comprehensive religious philosophical or moral doctrine can be maintained only by an oppressive and unjustified use of force.. He calls this the fact of oppression. Third an enduring and secure democratic regime must be willingly and freely supported by at least a substantial majority of its politically active citizens, else the regime will not

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[368] Ibid,

[369] John Rawls, *Political Liberalism,*(New York: Columbia University Press, 1993)

[370] Ibid,

be enduring and secure. The fourth general fact is that political culture of a democratic society that has worked reasonably well over considerable period of time normally contains at least certain ideas from which it is possible to work out a political conception of justice suitable for a constitutional regime , if this were false then it would be impossible to develop a conception of justice that would gain the willing support of citizens which is necessary for stability. Fifth and finally Rawls argues that many of our most important moral and political judgments are rendered under conditions such that it is unlikely that contentious and fully reasonable persons even after free and full discussions can exercise their power of reason so that all arrive at the same conclusion. Rawls refers to this as the burden of judgment and that it is unreasonable to expect universal consensus on any comprehensive meta physical and moral doctrine. Together, these facts make the problem of legitimacy extremely pressing[371]

The possibility of reasonable pluralism however Rawls believes; does not solve the problem of legitimacy: how a particular set of basic laws can legitimately be imposed on a diverse citizenry. For even in a society of reasonable pluralism it would be unreasonable to expect everyone to endorse, say, a reasonable Catholicism as the basis for a constitutional settlement. Reasonable Muslims or atheists cannot be expected to endorse Catholicism as setting the basic terms for social life. Nor, of course, can Catholics be expected to accept Islam or atheism as the fundamental basis of law. No comprehensive doctrine can be accepted by all reasonable citizens, and so no comprehensive doctrine can serve as the basis for the legitimate use of coercive political power.[372] Yet where else then to turn to find the ideas that will flesh out society's most basic laws, which all citizens will be required to obey?

Since justification is addressed to others, it proceeds from what is, or can be, held in common; and so we begin from shared fundamental ideas implicit in the public political culture in the hope of developing from them a political conception that can gain free and reasoned agreement in judgment. There is only one source of fundamental ideas that can serve as a focal point for all reasonable citizens of a liberal society, which is the society's *public political culture*. The public political culture of a democratic society, Rawls says, "comprises the political institutions of a constitutional regime and the public traditions of their interpretation (including those of the judiciary), as well as historic texts and documents that are common knowledge." Rawls looks to fundamental ideas implicit, for example, in the design of the society's government, in the written constitution that

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[371] Ibid p,5
[372] Opcit

specifies individual rights, and in the historic decisions of important courts. These fundamental ideas from the public political culture can then be crafted into a political conception of justice.[373]

Society, Community and Public Reason:

Rawls's conception of society is defined by fairness. He believes that social institutions are to be fair to all cooperating members of society, regardless of their race, gender, religion, class of origin, reasonable conception of the good life, and so on. Rawls also emphasizes *publicity* as an aspect of fairness. In what he calls a *well-ordered society* the principles that order the basic structure are publicly known to do so, and the justifications for these principles are knowable by and acceptable to all reasonable citizens. The idea behind publicity is that since the principles for the basic structure will be coercively enforced, they should stand up to public scrutiny. The publicity condition requires that a society's operative principles of justice be neither esoteric nor ideological screens for deeper power relations: that in "public political life, nothing need be hidden."[374]

In a free society citizens will have disparate worldviews. They will believe in different religions or none at all; they will have differing conceptions of right and wrong; they will value various pursuits and forms of interpersonal relations. Democratic citizens will have contrary commitments, yet in any country there can only be one law. The law must either establish a national church, or not; women must either have equal rights, or not; abortion and gay marriage must either be permissible under the constitution, or not; the economy must be set up in one way or another.[375] The conception of community in Rawls as a system of relations that upholds the moral importance of separate individuals in opposition to aggregation, maximization and interchangeability of persons in moral and political theory. "The reasoning which balances the gains and losses of different persons as if they were one person is excluded." That is because morality requires a certain relation to each person as a distinct individual, rather than to the aggregate of persons. Still, Rawls's later insistence on the importance of the distinction between persons generalizes his claim in the thesis that personal relations are "I-thou" relations, and that the "thou" is not interchangeable.[376]Rawls seems

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[373] Ibid,
[374] Ibid,
[375] Opcit
[376] Ibid,

to have believed that appropriate relations of community can only emerge, and will emerge, if egotism (and with it, deformed egoism) is brought under control.[377]

Simply put, Rawls believed that every member of society deserves a "fair share." In 'A Theory of Justice' he proposed a means of bringing about such a situation by a commitment to two basic principles: (1) personal liberty, to the extent that it does not impinge on the rights of others; and (2) the distribution of wealth and resources to maximize the comfort of the least advantaged—with the caveat that the overall economic health of society cannot be abridged.[378]

"Public reason in Political Liberalism is the reasoning of legislators, executives (presidents, for example), and judges (especially those of a supreme court, if there is one). It includes also the reasoning of candidates in political elections and of party leaders and others who work in their campaigns, as well as the reasoning of citizens when they vote on constitutional essentials and matters of basic justice." Public reason entails the duty of civility, a duty that requires observing the principle of reciprocity. Reciprocity is the notion that people would justify their reasons when dealing with constitutional essentials within the basic structure using rationale that all parties could accept.[379]

Rawls calls for public reason to be the mode of communication in the public forum. Rawls continuously revised his theoretical framework, addressing certain issues arising from his earlier expressions. His conception of political liberalism grew out of the critique that his theory of justice was a comprehensive moral doctrine, perhaps just one among many. In order to address the political reality of people having irreconcilable comprehensive religious, philosophical, and moral doctrines, he fashioned what he called a reasonable political conception in which a society could engage in the political public forum, ideally without coercion, or practically b minimizing it in a mutually agreeable way. They would do so by using public reason. His neo-Kantianism shows that morality cannot be based upon self-interest. Following the principle of reciprocity, and hence the duty of civility, would allow people to make claims from reasonable comprehensive doctrines as long as they observe One way to think of it is to imagine that both secularists and religionists in the original position would understand the vocabulary and concepts of the comprehensive doctrines;

[377]Ibid,

[378] See The American National Biography Online http://www.anb.org/articles/08/08-02379.html

[379] Dr. Timothy, L. Challans, Rawls versus Habermas on Religion, Politics, and War.>

http://isme.tamu.edu/ISME07/Challans07.htm>Retrieved Sep 13,2013

they just would not know which group they would be in once they stepped back out from behind the veil of ignorance. If the comprehensive doctrinal claims can be justified using public reason in this way, then they would be acceptable. Public reason would not entertain religious claims that lack justifiable reasoning, and Rawls's framework excludes these unjustifiable claims from the public forum.[380]

Towards the Rawlsian Contribution :Reactions & Responses

Rawls work is packed with arguments Positivists like Ayer argue that normative theory must in the end be nothing more than the expression of affective commitments that are fundamentally articulate and not subject to rigorous argument or reasoned discussion. Whether one agrees or disagrees with Rawls conclusions he demonstrated that normative political theory can be rigorous argumentative and reasoned Rawls has for the most part inspired philosophers not as disciples or followers but as critics and opponents But even Rawl's most articulate critics have adopted argumentative methods that betray his deep influence. [381]According to Cohen, Rawls really lived his philosophical ideals: There was a moral seriousness about him, and he always treated others with respect and as equals, no matter who they were. In line with this, Rawls thought each person should maximize others' political and economic well-being, since this is a way of showing respect for them. One might say the system articulated in 'A Theory of Justice' is a fleshing out of that thought. Among professional philosophers, Rawls has enjoyed the rare privilege of being read by a broad range of non-philosophers, especially students of politics and law. Famously, Bill Clinton said that Rawls's teachings "helped a whole generation of learned Americans revive their faith in democracy itself."[382]

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[380] Ibid,

[381] Victoria, Davuon and Clark, Wolf (eds.), The idea of political Liberalism: Essays on Rawls ,England: Rowman and Little Field Publishers,2000

[382] Opcit

3.2.3. Responses to the Modernist/Post-Modernist Context: The Post-colonial- Critique:

Chakrabarty's Argument:

[…]*Post colonialism necessitates the historicizing of historicism (the secular-institutional logic of the political to blast asunder the grounds of a received historicism, and let newer, generally subaltern ,post-colonial historicity's surface, replete with those life practices or forms collected under the performative against the pedagogic. That had hitherto been consigned to what we may call a non-rational nativism. In this argument a subaltern political consciousness, albeit modern (since it came with colonization), would nevertheless manifest features that echo a contra modernity, since it cannot be explained by the prior logic that inheres in European historicism. A modernity that does not cleanse itself of the world of demons, spirits and Gods that seems not to accept the incommensurability of the rational and the mystical requires us to think through historical process hitherto silenced by colonial historicism.*[383]

Responses to Chakrabarty's Arguments:

The New Historicism amidst its performative lapses:

In Chakarbarty's argument a new historicism (which we read as a part of the post-colonial attempt to rethink the incomplete project of modernity) should be able to accommodate this seeming contradiction, even if it means accepting an incommensurable fracture between the pedagogic and the performative. The incomplete project of modernity thus is not a matter of breaking off completely with the pre-modern past, but of making the latter inhere in modernity as a significant and empowering trace(for the subject is ignored in the grand narrative of the abstract labor in Marx).[384]This argument needs to be spelled out as a major tension between a dominant narrative, which Chakrabarty calls the Universalist narrative of capital (a totalizing category) and a second narrative that arises out of (non- totalizing category). Chakrabarty argues that histories of capital life processes are always in excess of abstract labor because the disciplinary processes of the factory (the symbol of classic capitalism) could sublate neither the master-slave relationship nor

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[383] Ibid,
[384] Ibid, p. 397.

those excessive forms of being human often acted out in manners that do not lend themselves to the production of the logic of the capital.[385]

The nature of the European Project:

Chakrabarty stresses the importance of translating even as the colonial enterprise is transitional (from one mode of production to the other. Because the act of translating existing (the artisans, the family unit) into abstract labor is not unproblemetically transitional or exchangeable but is transitional) there is a disruption in the historical narrative. With respect to the narrative of Post- colonialism we are confronted with the absence of a mediating principle by which oppositions may be reduced.[386] It is the insightfulness of this analysis which suggests to us a crucial limitation in post-colonialism as deployed on what is seemingly the core object in its field. It is an instance of the other of Post-colonialisms and colonialisms alike: forces and processes that continue on outside their competing narratives equally elide by both. Although Chakrabarty has explicitly dealt with this issue of the problem of understanding modernity in the background of the falsifying nature of the European project he certainly makes his voice felt on the notion that in the realms of Post-Colonial study where there should be an emphasis to understand the past as well as the present. As a guide to the future and to work out the social purpose of criticism.[387]

3.2.3.Gandhi and the Critique of Modernity:

It was not that we did not know how to invent machinery but our forefathers knew that if we set on our hearts after such things we would become slaves and lose our moral fibers They therefore after due deliberation decided that we should only do what we could with our hands and feet.[388]

i.   Responses to the process of Industrialization, Science and effects of unbridled competition: Fundamentally Gandhi attacks the very idea of modernity and progress and subverts the central claim made on behalf of those notions namely their correspondence with the new organization of society in which the productive capacities of human labor are multiplied several times creating

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[385] Ibid,
[386] Ibid,p.397.
[387] Ibid, p.398.
[388] Partha, Chatterjee, Gandhi and the Critique of Civil Society in Ranajit, Guha (ed.), *the subaltern studies: Writings on South Asian history and Society,* (New Delhi: Oxford University Press, 1984), p.153-163.

increased wealth and prosperity for all and hence increased leisure, comfort, health and happiness.[389]He features that far from achieving these objectives; modern civilization makes men prisoner of his cravings for luxury and self- indulgence, release the forces of unbridled competition and thereby brings upon society the evils of poverty, disease, war and suffering. It is precisely because modern civilizations look at men as a limitless consumer and thus sets out to open the flood gates of source of inequality, oppression and violence on a scale hitherto unknown in human history. Machinery for instance is intended to increase the never ending urge for consumption. What it does in fact is bring exploitation and disease to industrial societies and unemployment ruin the countryside.[390]The driving social urge behind industrial production is the craving for excessive consumption. It is in this context that Gandhi interprets the modern spirit of scientific inquiry and technological advance.[391] Hence his solutions to the social evils of industrialization it's not just to remove its defects because he thinks that these so called defects are governed to the very fundamentals of the modern system of production. His solution is to give up industrialization altogether instead of welcoming it as a boon we should look upon it as an evil it is only a complete change in the moral values that will change of our perception of our social needs and thus enable us to set deliberate limits to consumption nothing short of this will succeed.[392]

ii. On the idea of contentment and avoidance of limitless self -indulgence for material gains:

[…]We notice that the mind is like a restless bird the more it gets the more it wants and still remains unsatisfied; the more we indulge in our passions the more unbridled they become. Our ancestors therefore set a limit to our indulgence they saw that happiness is largely a mental condition observing all this our ancestors dissuaded us from the luxuries.(Gandhi, quoted in Chatterjee, 1984)

iii. Imperialism and its impact: Gandhi's view on imperialism was that it lies specifically in the system of social production which the countries of the western world have adopted it is the limitless desire for ever increased production and even greater consumption and the spirit of restless competition which keeps the entire system going that impel these countries to seek the colonial possession which can be exploited for economic purposes. In case of modern imperialism morals and politics are both subordinated to the primary consideration of economics and this is directly related to a specific organization of the social production

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[389] Ibid,

[390] Ibid
[391] Ibid
[392] Ibid,

characterized not so much by the nature of owner ship of means but fundamentally by the purpose and the process of production.[393]

iv. The Perils of the Capitalist System:

Talking about the perils of the capitalist system of production his characterization is:

exploitation and colonial conquest is not necessarily restricted to capitalism alone because as long as the purpose of social production is to continually expand and in order to satisfy an endless urge for consumption an ever increasing mechanization of those consequences would follow inevitably. This would lead to unemployment and poverty which amounts to the same thing to the exploitation of the colonial possession.

Gandhi saw that Industrialization on a mass sale will necessarily lead to passive or active exploitation of the villages as the problem of competition and marketing come therefore we have to concentrate on the village being self- sustained and manufacturing should be mainly for use. The mere socialization of the industry would not alter this process in any way. Gandhi argued that there is no feasible way in which ay process of industrialization could avoid the relation of exploitative and inhumane realization of exchange between the town and the country. What thus appears on the surface is that as a critique of western civilization is therefore a total moral critique of the fundamental aspects of the civil society. It is not at this level the critique of western culture and religion nor is an attempt to establish a superior cultural and spiritual religion.[394]

Ramin Jahanbegloo in his book "*The Gandhian Moment"* makes the following comment on Gandhi:

Gandhi is without doubt one of the most original political thinkers of the twentieth century .There are two aspects to his originality: one Gandhi's originality can be appreciated when one recognizes his divergence from classical political theory; two, Gandhi appears as an original figure from the point of view of the vast political and philosophic traditions of India[395].

3.3. Critical Vocabulary within the Post- Colonial Studies: Gayatri Spivak's Discursive/Deconstructionism:

Spivak constantly revises her arguments in order to effectively refuse identification by any single category or label such as post-colonial, feminist or Marxist. Such a resistance to

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[393] Ibid,
[394] Ibid,
[395] Ramin,Jahanbegloo, *The Gandhian Moment*, (Harvard: Harvard College,2013),p.23

interpretation is exemplified by comparing two of her titles: The Post-Colonial critic[396] and a Critique of Post- Colonial Reason.[397]If the first signifies an affiliation to post- colonial studies, the second indicated a clear critical distancing from post-colonial label. Such a shift in the focus is not necessarily a symptom of changing intellectual trend, but a political commitment to rethinking and revising theoretical concepts and approaches in response to social, economic and political changes in the contemporary world order. Spivak renewdly emphasizes on the very notion of the Subaltern in the modern critique of the Post- Colonial theory. In order to grasp the social and political significance of Spivak's shifting intellectual position vis a vis the Post-colonial studies, it is important to situate the development of Spivak's thought in relation to the history of Post- colonial theory and criticism. In this respect Spivak's work could be seen to develop Said's argument on Orientalism (1978) that colonial power was maintained in and through different discourses. Such a view is however complicated by the fact that Spivak asserted that that her work is not really on colonial discourse but is rather concerned with the contemporary cultural politics of neocolonialism in the US.

Spivak ascertains that:

[…] *What I find useful is the sustained and developing work on the mechanics of the constitution of the other; we can use it to much greater analytic and interventionist advantage than invocations of the authenticity of the other. On this level, what remains useful in Foucault is the mechanics of disciplinarization and institutionalization, the constitution, as it were, of the colonizer.*[398]

Despite her own distancing of her intellectual project from that of Said, the critical reception of Spivak's work during 1980's and early 1990's in particular essays such as 'Three Women Texts' and a 'Critique of Imperialism' 'The Rani of Sirmur' ' and the 'Theory in the Margin' has often tended to associate Spivak's work with Said's intellectual and critical formation.[399]

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[396] Gayatri, Spivak, (*The Post-Colonial Critic*, (Routledge, 1990).

[397]--------------- *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Cambridge: Harvard University Press 1999), p. 1.

[398]--------------- *Can the subaltern Speak: Reflections on the history of an idea*, (New York: Columbia University Press, 2010).

[399] ---------------*Ethics, Subalternity and the Critique of Postcolonial Reason (*Cambridge: Polity Press, 2007), p.1.

In broad terms there may be some superficial resemblances between Said's analysis of Orientalism and Spivak's reading of 19th century British Literary texts as a political tool that represented the superiority of the British culture Spivak's critique of the nineteenth century English literature as a political tool that represented the superiority of British culture to its colonized subjects can certainly be seen to develop Said's argument in Orientalism that colonial power was maintained and reproduced through different disciplines, discourses and texts. Indeed Spivak's reading of novels like Jane Eyre and Merry Shelley's Frankenstein 1818 may seem generally commensurate with Said's model of colonial discourse. However as argued, Spivak is also critical of Said's use of Foucault's model of discourse and power to formulate a theory of colonial discourse on the grounds that Foucault's analysis of power and knowledge forecloses a consideration of the Post-Colonial world and it is on this point that Spivak parts company with Said.[400]

Yet as Spivak has recently suggested the celebration of Post-colonial literary texts as inherently radical imply by virtue of their representation of Post-Colonial societies is also problematic, it can tend to ignore the historical failure of many anti-colonial national independence movements to achieve economic independence from former colonial powers or to emancipate socially and economically subordinate groups such as women, the rural peasants or indigenous groups.

To help further disclose this problem-space, perhaps it is more interesting to examine those passages where Spivak speaks highly of Foucault. One in particular is telling as it speaks to the question of post colonialism as a form of problematization that remains silent on questions of ethics. She writes,

[...]We see in this formulation the same, Foucault' emerge—one cut down the middle on the first issue, Said is keen to draw a sharp distinction between, postcolonial' perspectives—which are purportedly driven by more specific, concrete and, real' historical and political concerns—and, postmodern' perspectives, derived as they are largely from continental philosophy—largely concerned with 'grand' theorizing on questions of epistemology, textually and language.[401]

One of a very significant aspect of Spivak's work is that she locates the thesis in the heart of the project of the Enlightenment in itself and critique's that legacy (as the presenting of the difference) from a post- colonial perspective. Kant had rewritten that without the development of

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[400] Ibid,
[401] Ibid,

moral ideas that which are prepared by culture and what we call sublime does not come to people who are alien to it.[402]

Spivak's analysis shows here deconstructive criticism doing what it does best: interrupting, intervening, opening up the discourses of the dominant, restoring plurality and tension. In her reading of Kant the native informant is foreclosed as a subject outside of culture and the law of reason and is simultaneously crucial but foreclosed in Western thought. Yet this part of the exposition does not simply grow out of the deconstruction.She uses this discursive move to lay claim that is her own creation. She presents this native informant as a marginalized migrant or indeed the post-colonial; the orient that is presented to the expansionist rationality of the Occident but that remains eternally inaccessible because it always remains the limit.[403]

Furthermore, Spivak writing in her book 'Can the Subaltern speak' quotes Derrida[404] by saying that: […]*Derrida offers two characteristic possibilities of the European subject which seeks to produce another that would consolidate an inside, its own subject status. What follows is an account of the complicity between writings, the opening of domestic and civil society and the structures of desires, power and capitalization. He then discloses the vulnerability of his own desire to conserve something that is paradoxically both ineffable and non-transcendental.*

Chakrabarty in a similar vein see Derridian deconstructionism as a strategy to undo the Implacable oppositions of Western dominance. He assets that when Derrida defines Meta physics as the white mythology which reassembles and reflects the culture of the West: (the white man takes his own mythology, Indo-European mythology, his own logos, that is, the mythos of his idiom, for the universal form that he must still wish to call reason);he actually assumes that the production of white mythology has nevertheless left 'an invisible design.[405]

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[402] Kant's recognition of Raw Man can be relevant in this sense to the colonial subject and what he terms as absolute rawness or the irredeemable native other as presented as figures who cannot be the subject of speech or judgment. This exclusion of raw men from the sublime has enormous consequences. For Kant this raw man is not a man as he not the subject of morality and hence cannot understand legislation and purposes.

403 Jeremy, Crampton& Stuart Elden, *In the order of things: space, knowledge and power: Foucault and geography*, (London: Ashgate, 2007), p. 268.

[404] Spivak is said to have been following the deconstructionism of Derrida. In her book quoted Can the subaltern speak she explains her argument on the basis of deconstructionism of Derrida as with reference to the European subject. Gayatri Spivak quoted in Rosalind C. Morris (eds.), *Reflections of the history of an India, Can the subaltern speak?* New York: Columbia UniversityPressp.293-294

[405] Derrida as quoted in Chakrabarty's *Provincializing Europe* quoted above p.221-227

Furthering his argument; Chakrabarty adds that Derrida suggests that the structure of signification, of 'difference' can be rearticulated differently than that which produced the West as Reason. Further, the source of the re-articulation of structures that produce foundational myths

(History as the march of Man, of Reason, Progress) lies inside, not outside, their ambivalent functioning. From this point of view, critical work seeks its basis not without but within the fissures of dominant structures. Or, as Gayatri Spivak puts it, the deconstructive philosophical position (or postcolonial criticism) consists in saying an 'impossible "no" to a structure, which one critiques, yet inhabits intimately.[406],

Conclusion:

This chapter highlighted the theoretical contextualization of the Civil Society emanating in the Non-Western context. It addressed its historiographical accounts based on its rebuttal to the idea of Western Modernity, Post Modernity. It remains a serious concern of this chapter to substantiate a for counter narratives on the themes like Enlightenment within the Kantian and Foucault's responses to Kant. Offering commentaries on the Modernism, Post-Modernism/Post-Structuralism as in the Habermasian Public Sphere. Debates within the counter Eurocentric model (as of originating within Said's, Guha's, Chakrabarty's & Spivak occupy the central focus. Critical Non-European responses to modernity by Gandhi serves as exclusive and crucial point to offer alternate versions of scientific, cultural, religious, political and economic dimensions to western epistemic understanding of Civil Society.

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[406] Ibid,

SECTION III: THE POST-COLONIAL STUDIES PERSPECTIVE TOWARDS UNDERSTANDING THE CIVIL SOCIETY:

Chapter- 7:

The Post- Colonial Studies Approach towards understanding the Civil Society:

The deconstructive philosophical position (or postcolonial criticism) consists in
saying an 'impossible "no" to a structure, which one critiques, yet inhabits intimately'
(Spivak, 1990).

Introduction:

This chapter outlines the understanding of the notion "The Post-Colonial Society." It draws the contextual understanding of what constitute the "colonial" within the larger framework of the political, philosophical, intellectual and social discourse. The Chapter looks into the debate on the Post- colonial within the ambit of the following questions:

What is the Post- Colonial? How is it different from the Colonial? Since our understanding of Post-Colonial exists because of Colonial, is colonialism necessary pre- condition of Post -Colonial? What are the critiques as well as the Pessimistic and the Optimistic perspectives of the notion? To begin with it is important trace the emergence of the term, its terminological and interpretational complexity as well as intricacies and exigencies attached to it.

The Prefix 'Post' and Suffix 'Colonus:'

The term "post-colonial" is a relative newcomer to the jargon of Western social science. Although discussions about the effects of colonial and imperialist domination are by no means new, the various meanings attached to the prefix "post-" and different understandings of what characterizes the post-colonial continue to make this term a controversial one.[407]

The word Colony comes via French from the Latin *Colonia* and *Colonus,* farmer, from Colere, to cultivate or dwell.[408] Webster's 1905 dictionary defined it as "A company of people transplanted from their mother country to a remote province or country, remaining subject to the jurisdiction of

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[407] Deniz Kandiyoti, Post-Colonialism Compared: Potentials and Limitations in the Middle East and
Central Asia, *International journal of Middle East Studies*, Vol. 34, No.2. (May, 2002) pp. 279–297.
[408] Mishra, Vijay & Hodge, Bob.What Was Post Colonialism, *New Literary History*, Vol.36, No.3. (Summer, 2005), pp.378-381.

the parent state.[409]While Webster notes that "colony" comes from a rich and important root, *Colo* which, surprisingly, is also the source of "culture," White and Riddle's Latin dictionary (1876) report it is akin to the Sanskrit root *Kshi, Ksheti* or *Kshiyati* which means "to dwell," its base meaning also in Latin: to abide, dwell staying at a place, or to inhabit it.[410]

Colonus, one who is the subject of *Col,* derived from this complex, so its primary meaning was an inhabitant or farmer. From this usage it drifted to refer to a settler in a foreign place, a colonist in the modern sense.[411] This contradictory legacy then underwent over the course of fifteen hundred years in the usual dictionary of European languages, *Colony* came to refer primarily invasive settlements and not a neutral dwelling.[412]

Post colonialism emerges from this complex history with two potent affixes attached in front and behind to the adjectival form in –"al." The prefix post is relatively easy to understand, though still with complex effects. In all its compounds it gestures towards a time just after some main event that defines its existence, of which it is the shadow.[413]While the term *"Post"* has marginality and obsolescence built in, "Post Colonialism" is not immune to this fate.[414]

"Ism" has its reference, obvious or latent to actions and behaviors. In modern English the meaning of "Ism" is relevant to "Post- Colonialism;" one takes Post-Colonialism in the general sense, refers to the kinds of things typically done in post- colonial situations.[415] Definitions of the post- colonial of course vary widely, but the concept proves most useful not when it is used synonymously with a post- independence historical period in once colonized nations, but rather when it locates a specifically anti or post- colonial discursive purchase in culture, one which begins in the moment that colonial power inscribes itself onto the body and space of its others and which continues as an often occulted tradition into the modern theatre of neocolonialist International Relations.

3.3.1.Explaining the Term Post-Colonial/Ism:

"The study of the Post-Colonial Critique delves into the history of colonialism not only to document its record of
domination but also to identify its failures, silences, and impasses; not only to chronicle
the career of dominant discourses but to track those (subaltern) positions that could

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[409]Ibid,
[410] Ibid,
[411] Ibid,
[412] Ibid,
[413] Ibid,
[414] Ibid,
[415] Ibid,

not be properly recognized and named, only 'normalized'. The aim of such a strategy is not to unmask dominant discourses but to explore their fault lines in order to provide different accounts, to describe histories revealed in the cracks of the colonial archaeology of knowledge." (Bhabha, 1994).

Definitions:

By definition we use the term post- colonial to cover all the culture affected by the imperial process from the moment of colonization to the present day. This is because there is a continuity of preoccupations throughout the historical process initiated by European history of modern Colonialism.

[…]Post Colonialism in other words imply an academic discipline that comprises methods of intellectual discourse that present analyses of and responses to the cultural legacies of colonialism and of imperialism, usually European which draw from different post -modern schools of thought such as critical theory.[416]

For many theorists the ambiguity to narrate or coming to terms with the word Post Colonialism is crucial. To say that the field of Post-colonialism is located within the much larger field of critical thinking would not be wrong to say at the same time. It is this attitude that leads Stuart Hall to declare:

[…]Post-colonial is not the end of Colonization. It is after a certain kind of colonization; after a certain moment of high imperial and colonial occupation –in the wake of it in the shadow of it, inflicted by it;-it is what it is because something else has happened before which it is also something new.[417]

Stuart Hall and the Post- colonial notion:

Stuart Hall was one of the pioneers in terming this notion. Hall reminds us of the dangers of careless homogenizing of experiences as disparate as those of white settler colonies, such as Australia and Canada; of the Latin American continent, whose independence battles were fought in the 19th century; and countries such as India, Nigeria, or Algeria that emerged from very different

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[416] Bill Ashcroft, Gareth Griffiths & Helen Tiffin: *The Empire writes back. Theory and Practice in Post-colonial Literatures.* (London, Routledge, 1989) pp. 1-2.

[417] Staurt Hall Quoted in Mishra, Vijay & Hodge, Bob, opcit,

colonial encounters in the post-World War II era. He suggests, nevertheless, that "the concept *may* help us to do is to describe or characterize the shift in global relations which marks the (necessarily uneven) transition from the age of Empires to the post-independence and post-decolonization moment.[418]

[...]Post colonialism is a neologism that grew out of the older elements to capture a seemingly unique moment in world history configuration of experiences and insights, hopes and dreams arising from a hitherto silenced part of the world, taking advantage of the new conditions to search for alternatives to the discourses of the colonial era creating an altogether.[419]

Hall claims that the post-colonial "marks a critical interruption into that grand whole historiographical narrative which, in liberal historiography and Weberian historical sociology, as much as in the dominant traditions of Western Marxism, gave this global dimension a subordinate presence.[420] Rattansi[421] also proposes a distinction between "post-coloniality" to designate a set of historical epochs and "post colonialism" or "post-colonial studies" to refer to a particular form of intellectual inquiry that has as its central defining theme: the mutually constitutive role played by colonizer and colonized in shaping the identities of both the dominant power and those at the receiving end of imperial and colonial projects.[422]Moore & Gilbert also point to the divide between "post-colonial criticism," which has much earlier antecedents in the writings of those involved in anti-colonial struggles, and "post-colonial theory," which distinguishes itself from the former by the incorporation of methodological paradigms derived from contemporary European cultural theories into discussions of colonial systems of representation and cultural production.[423] The various interpretations of the term or the various temporalities associated with the complex nature of Post-Colonial Theory.

Tracing the Theory Making in Post- Colonial Studies:

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[418] Ibid,
[419] Ibid,
[420] Ibid,
[421] Ibid,
[422] Ibid,
[423] Ibid,

3.3.2.Background and Historical lineage:

It should suffice to note that post-colonial studies flourished in the midst of a "crisis of representation" that also coincided with the erosion of the leading paradigms of development. Indeed, despite their apparent divergences, these paradigms rested on certain shared assumptions: a faith in the efficacy of scientific rationality, a particular conception of progress, a vision of emancipation based on the liberal concept of the autonomous individual—in short, the shared legacy of Enlightenment ideas.[424]It is this very set of shared assumptions that became the target of attack by post-structuralist and post-modernist critics.[425]Central to this attack was the notion that the Universalist claims of grand narratives of emancipation (in both their Marxist and bourgeois-liberal variants) foundered on the exclusion from subject hood of the non-Western, the non-white, and women. Critics of modernity treated it as a powerful discursive construct whose dark underside became manifest in the practices of racism, colonialism, and sexism and argued that the very notion of the Western self was predicated on the construction of the non-Western other. When postcolonial studies incorporated historical work, the result was often faulted for its overly "literary turn." This was the case with the Indian historical school of Subaltern Studies, initially a response to Marxist nationalist historiography in India, brought into the postcolonial canon with the publication of Guha and Spivak (1988), Historical work from this school as well as by Amin, Arnold, Chakrabarty, Chatterjee, Prakash, and others, became classics in a widening postcolonial corpus concerned with histories of medicine, crime, peasantry, labor, and nationalism.[426]

3.3.3.Post Colonialism in Retrospect: Paradigms of the Post-Colonial Theoretical Model: Critical Optimists against Pessimismists:

One of the salient points towards the understanding regarding the Post- Colonial theory is that there is a critical approach with an optimistic view and the pessimistic approach as well. Scholars believe, therefore that the former is more preferable than a latter. According to Homi Bhabha, postcolonial criticism "bears witness to the unequal and universal forces of cultural representation" that are involved in a constant competition for political and economic control in the contemporary world. Moreover, Bhabha sees postcolonial critique emerging from colonial experiences.[427]He argues:

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[424] Reference is made to this point later in the consequent Chapters which deals with enlightenment in the background of European Universalist tradition.
[425] Ibid,
[426] Sharad, Chari & Katherine, Verdery, Thinking between the Posts: post colonialism, Post socialism and Ethnography after the Cold War, *Comparative Studies in Society and History,* Vol.51, No.1 (Jan, 2009) pp.6-29.
[427] Opcit, pp.171-173

> […]*Postcolonial perspectives emerge from the colonial testimony of Third World countries and the discourses of "minorities" within the geopolitical divisions of East and West, North and South. They intervene in those ideological discourses of modernity that attempt to give a hegemonic "normality" to the uneven development and the differential.*[428]

Many attribute the theory making in the field of post- colonial studies as a relatively new area in critical contemporary studies. Furthermore, it brings together some of the most important critical writings in the field, and aims to present a clear overview of, and introduction to, one of the most exciting and rapidly developing areas of contemporary literary criticism. It charts the development of the field both historically and conceptually, from its beginning in the early post-war period to the present day.

As stated before there have been numerous views and perspectives through which we can approach the Post-colonial theory. Considering the wide diversity of its theoretical ramifications in the field of political and particularly social sciences it becomes conspicuous to throw some light on its significance. Thus, the very first aspect to deal with it refers to the fact that it bears witness to constant cultural forces for representation.[429] It allows people emerging from socio-political and economic domination to reclaim their negotiating space for equity. In a dislocated culture, postcolonial theory does not declare war on the past, but challenges the consequences of the past that are exploitative. In so doing, postcolonial theory engages the psychology of both the colonized and the colonizer in the process of decolonization. Those engaged in and those affected by colonization and imperialism are consciously brought to a level of responsibility, because the Cultural Revolution refuses to endure a state of subjugation. Post-colonial theory raises self-consciousness which revolutionizes the minds of the colonized and the colonizer to build a new society where liberty and equity prevail. In the last decade post colonialism has taken its place with theories such as post structuralism, psychoanalysis and feminism as a major critical discourse in humanities. As a consequence of its diverse and interdisciplinary usage, this body of thought has generated an enormous corpus of specialized academic writing. Nevertheless, although much has

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[428] Ibid,
[429] The fluidity in the nature of Post-Colonial Studies is in fact one of its unique attributes on the one hand and also is the biggest critique on the other hand.

been under its rubric, post-colonialism it remains a diffused and nebulous term.[430] Unlike Marxism or de -constructivism for instance it seems to lack an originary moment or a coherent methodology.

It is however pertinent to say that for the past two decades, both the term and the field of post-colonialism have been subjected to thorough and extensive criticism from the perspectives of literary, political and religious studies. Theorists take different views about this field of study. From an optimistic point of view, postcolonial theory is a means of defiance by which any exploitative and discriminative practices, regardless of time and space, can be challenged. By contrast, the pessimistic view regards postcolonial theory as ambiguous, ironic and superstitious.[431] The critical part of a definition of "postcolonial" concerns the prefix "post", which signifies two different meanings in one compound word.[432]

Other Theorists Of The Post-Colonial Studies: A Reflection on their views on the complex nature of the field:

Theorists such as Ashcroft et al, Slemon, Young and Moore have tried to address the issue. Slemon admits that one of the most "vexed areas of debate within the field of postcolonial theory has to do with the term 'postcolonial' itself. Slemon argues that colonialism comes into existence within the concept of imperialism, *"a concept that is itself predicated within large theories of global politics and which changes radically according to the specifics of those larger theories."*[433]Further, he believes that the idea of colonialism actually stretches deep into the very outburst of its economic undercurrents within the contemporary system which is labeled as neo-colonialists.

Slemon's version of the field:

According to Slemon the lack of clarity in postcolonial theory together with its fluidity and ambivalence, is "what is genuinely enabling about the field." The term not only lacks clarity, but also keeps changing through "new forms of social collectivity" as they emerge in time and space in a postcolonial world. These "new forms require new ways describing them." Therefore, it is difficult to keep pace with the rapidly changing world while at the same time keeping the definition (if any) of postcolonial theory intact. For this reason, it is equally difficult to formulate a single theory to deal with all forms of the winds of change: social, political, academic, military and economic – those that have created new histories in societies across the globe. Consequently,

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[430] Many ascribe that the post -colonial theory to be less actually a theory than a narrative since it combines the description of varied cultural, racial, and socio-economic milieu
[431] Opcit, p. 1172.
[432] Ibid,
[433] Ibid, p.1171.

postcolonial theory becomes a constant and continuing struggle in the company of humanity.[434] Slemon uses Russell Jacoby's argument[435] to demonstrate how postcolonial theory is problematic for researchers because of its "lack of consensus and clarity."[436]

He asserts in the following words:

[…]Neo-colonialism is another form of imperialism where industrialized powers interfere politically and economically in the affairs of post-independent nations.[437]

Young's version of the field:

Young refers to neocolonialism as "the last stage of imperialism" in which a postcolonial country is unable to deal with the economic domination that continues after the country gained independence. Altbach regards neo-colonialism as "partly planned policy" and a "continuation of the old practices."[438] According to Young, postcolonial critique is concerned with the history of colonialism "only to the extent that history has determined the configurations and power structures of the present." Postcolonial critique also recognizes anti-colonial movements as the source and inspiration of its politics. Postcolonial theory formulates its critique around the social histories, cultural differences and political discrimination that are practiced and normalized by colonial and imperial machineries. Postcolonial critique can be defined as a dialectical discourse which broadly marks the historical facts of decolonization. It allows people emerging from socio-political and economic domination to reclaim their sovereignty; it gives them a negotiating space for equity.[439] Young managed to trace the origin of Post-colonial theory through history. He introduces a historical beginning by showing how postcolonial theory is a product of what the West saw as antislavery activists and anti-colonialists. Young draws three perspectives in which postcolonial theory emerges, namely humanitarian (moral), liberal (political) and economic. Whereas humanitarians and economists staged anti-colonial campaigns, politicians (liberals) supported

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[434] Lazare S, Rukundwa & Andries G, Van Aarde, The *formation of postcolonial theory*, (Pretoria: Department of New Testament Studies, 2007), p. 117 URL< http://www.ajol.info/index.php/hts/article/view/41235/86232 >Retrieved Jan 2, 2013.
[435] Prof. Russell Jacoby is a critical theorist and a historian. He is an expert on the critique on academic culture in the 20th Century in Europe &America.
[436] Ibid,
[437] Ibid,
[438] Ibid, p.1173.
[439] Ibid, p.1174.

colonization as a means of civilizing the heathens by any and all means.[440]Young poses the simple question: "*Why does the language of postcolonial criticism often seem so impenetrable?*"[441]

A good justification to both Slemon's and Young's concerns could be addressed by stating that Postcolonial theory is built from the colonial experiences of people who engaged in liberation struggles around the world and particularly in the tri-continental countries in Africa, south and south East Asia and Latin America. A critical approach with an optimistic view of postcolonial theory is therefore more preferable than a pessimistic view. Actually, the milieu in which postcolonial studies developed, the gesture of avowing marginality soon became the dominant one, manifesting itself even in more traditional historiographical work. It is evident, for instance, in Partha Chatterjee's[442] seemingly routine injunction "not to inject into popular life a 'scientific' form of thought springing from somewhere else, but to develop and make critical an activity that already exists in popular life."Chatterjee works to depict the historiography of the Indian political elite while tracing its defects for the neo-logism of the Post- colonial Indian subjects. Apart from Chatterjee, many post-colonial critics have been far less guarded, seeing a structural blockage between the constricting facilities of history and the occult freedom of the lower depths—the experience of existing outside and permanently estranged from public participation or intervention in politics, which is then cast as noble.

Cross Currents of the field: The Subject Matter and the Scope:

"If Subaltern Studies' powerful intervention in South Asian historiography has turned
into a sharp critique of the discipline of history, this is because South Asia is not an
isolated arena but is woven into the web of historical discourse centered
Through the long histories of colonialism and
nationalism, the discourse of modernity, capitalism, and citizenship has acquired a
strong though peculiar presence in the history of the region." (Chakbararty, 1999)

Postcolonial   theory is a relatively new area in critical contemporary studies, having its foundations in most important critical writings in the field, and aims to present a clear overview of, and introduction to, one of the most exciting and rapidly developing areas of contemporary literary

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[440] Ibid,
[441] Ibid,
[442] Chatterjee' s idea of the Post-colonial society is later dealt in detail in the proceeding chapter.

criticism. The subject matter of Post-colonial theory is deeply diverse. A lot of emphasis rests on the historiography, territoriality(space) issues of identity, culture, territory, power and knowledge and its usage covering main disciplines including literary theory, cultural studios, philosophy, geography, economics, history and politics. Topics covered under the releams of Post colonial theory include negritude, national culture, orientalism, subalternity, ambivalence, hybridity, white settler societies, gender and colonialism, culturalism, Commonwealth literature, and minority discourse. What is extremely important to note is that its critial variety of perspectival paradigms enshrine its very importance. The first phase of postcolonial criticism is recorded here in the pioneering work of thinkers like Aime Cesaire, Frantz Fanon, Edward Said, and Gayatri Spivak. More recently, a new generation of academics have provided fresh assessments of the interaction of class, race and gender in cultural production, and this generation is represented in the work of Aijaz Ahmad, Homi Bhabha, Spivak, Foucault, Abdul JanMohamed and David Lloyd.

An Explicit Understanding:

In a very explicit understanding of the scope of the field ,the Post-colonial theory in fact addresses the matters of post-colonial identity (cultural, national, ethnic) gender race and racism and their interactions in the development of post-colonial society, and of post-colonial national identity of how a colonized people' knowledge was used against them, in service of the colonizers interests and of how knowledge about the world is generated under specific socio economic relations between the powerful and the powerless. Occasionally the term Post colonialism is applied ideally –as the period after colonialism –which is problematic given that the decolonized world is filled with contradictions of half- finished processes of confusions of hybridity[443] and liminalities.[444]

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[443] One of the most disputed terms in postcolonial studies, 'hybridity' commonly refers to "the creation of new transcultural forms within the contact zone produced by colonization. Hybridization takes many forms including cultural, political and linguistic. In addition, The term hybridity has been associated with Young who examined the history of the concept of '*hybridity*', showing its genealogy through nineteenth-century racial theory and twentieth-century linguistics, prior to its counter-appropriation and transformation into an innovative cultural-political concept by postcolonial theorists in the 1990s.Furhtemore, Homi Bhabha in his piece entitled 'Cultural Diversity and Cultural Differences', Bhabha stresses the interdependence of colonizer and colonized. Bhabha argues that all cultural systems and statements are constructed in what he calls the 'Third Space of Enunciation'.

[444] According to the Oxford English Dictionary, *liminal (adj.)* refers to or of pertaining to the threshold or initial stage of a process. A more specific definition of liminal as it pertains to psychology states: "Of or pertaining to a 'limen' [in Latin] or 'threshold.'" These two definitions recognize the threshold, being the "beginning of a state or action, outset, opening," as somewhat synonymous with the liminal state. The notion of a liminal period was first introduced by ethnographer Arnold van Gennep. In other words the concept has been introduced by anthropologists van Gennep and Turner, who employ liminality to describe the transitory stage characteristic of rites of passage in various cultures. Upon their ritual exclusion from society, adepts enter a liminal zone of in distinction from which they are bound to return changed thereafter becoming fully acknowledged members of their respective communities. In literary, post-

Analyzing the field from within:

Many in the Non-Western world accrue that the Western way of thinking about the world usually reduces the decolonized peoples, their cultures, and their countries into a homogenous whole such as the third world which conceptually comprises Africa, most of Asia, Latin America and Oceania. Post-colonial theoretical studies therefore, analyses and criticizes such an over inclusive term and its philosophic functions, to demonstrate that such a fantastic place as the third World is composed of heterogeneous people and cultures.[445]The connections among the hearts and margins of the colonial empire are demonstrated by analyses of the ways in which relations, practices and representations of the past are reproduced or transformed of how knowledge of the world is generated and controlled. In other words the critical purpose of the post- colonial theory is to account for and to combat the residual effects (social, political and cultural) of colonialism upon the cultures of the peoples who had been ruled and exploited by the mother country. As such post - colonial theoreticians establish social and cultural spaces in their respective academic fields of enquiry for the voices of the people of the world. Especially the voices of the subaltern peoples who had been silenced by the dominant ideology (value systems of the colonial powers, in the European Western world, academia is the principal and initial place where some socio cultural spaces are established.

Challenges and Main Critiques:

One of the major challenges to the definition of postcolonial theory is its contextual framework, as it is linked to race, culture and gender, settler and native. The pertinent questions theorists need to ask are: When does a settler become colonizer, colonized and postcolonial? When does a race cease to be an oppressive agent and become a wealth of cultural diversities of a Postcolonial setting? Or in the human history of migrations, when does the settler become native, indigenous, a primary citizen? And lastly, when does the native become truly postcolonial? The answers to these questions make postcolonial theory problematic.[446]

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colonial, and cultural studies the concept has been successfully adopted to circumscribe a being on the border, or on the threshold, dividing distinct spheres, identities or discourses. Cultural theorist Homi K. Bhabha, for instance, refers to the liminal in post-colonial literature as a potentially disruptive inbetweeness. "This interstitial passage between fixed identifications opens up the possibility of a cultural hybridity that entertains difference without an assumed or imposed hierarchy."

[445] Ibid,
[446] Ibid ,p.1174

Postcolonial studies drew selectively from the new scholarship on colonial history, power, and culture. Key scholars re-read historical, literary, and cultural texts, drawing from innovations in western philosophy while also raising critiques of nationalism, feminism, and racism outside the academy. It was moreover, the formal dissolution of European colonial empires after World War II and the "national development" agenda of newly independent states (NIS) that prompted the appearance of a new discourse about the modern trajectories of non-Western societies[447] Further, the end of the second world war and the rise of cold war politics furthered the developmental agenda of the West that later garnered the support of the Bretton Woods economic system. This is during the last quarter of the twentieth century when the effects of colonization were generally underplayed, and relations with former metropolitan centers were presented as essentially benign.[448]

Nevertheless, the period of development is now routinely assumed to be the span of imperial and post-colonial history since 1945 a periodization that neatly coincides with the most commonly accepted temporal framework of post-colonial scholarship. And, indeed, when the term "post-coloniality" first appeared in the jargon of political theory, it was exclusively associated with the predicament of nations that had thrown off the yoke of European imperial domination after World War II.[449]

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[447] Opcit, p. 280.
[448] Ibid,
[449] Ibid,

Chapter- 8: The Relevance of the Subaltern Studies To Post-Colonial Studies: The Gramscian Tilt to Understand the Civil Society

Part1:

4.The Subaltern Debate within the Post- Colonial Studies and its significance: The idea on Marginality and voices from below:

Introduction:

In the background of the debate to understand the other forms of political variation existing outside of Europe, it would not be wrong to say that within the post- colonial theory emerged the subaltern studies; in the quest for understanding a discourse of history from below i:e from the point of view of the bottom of the society. Initially the subaltern studies started from the reading of the subaltern which began in India where writing about subaltern studies started in book reviews. The seminal essays appeared in paperback in 1988, when selected subaltern studies was published in Oxford University Press in New York and Oxford edited by Ranajit Guha and Gayatri Spivak , with a forward by Edward Said.[450]

In 1990, subaltern studies became a hot topic in academic circles in several continents. Benedict Anderson's book first published in 1983' Imagined Communities: Reflections on the Origins and Spread of Nationalism' which abandoned class analysis ignored state politics and argued that cultural forces produced national identity and passion[451]became an instant hit. As the cold war came to an end critics of state led development stood up for interests and cultures of the poor and marginalized; constraints exerted by state power were identified thus.[452]

The Gramscian Tilt to the Study of Subaltern**:** The subaltern also carried along with itself a major bulk of the Gramscian notion of the marginalized, carrying with itself a tremendous appeal for groups that identified with the civil society and not primarily with the state directly. A brief elaboration of the Gramscian tilt in the subaltern can serve a good purpose to throw light on some vistas on understanding civil society.

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[450] Opcit,1
[451] Ibid,5
[452] Ibid,7

4.1.Gramsci, Guha and Spivak:

Associated with Gramsci, Guha and Spivak with their immense efforts to restudy the Indian history and society laid the background of the Subaltern studies.[453] The notion of the subaltern was first referred by him in his article '*Notes on Italian History*' which appeared later as part of his widely known book '*Prison Notebooks*' written between 1929 and 1934.[454]

The subaltern class in Gramsci's works refers to any low rank person or group of people in particular society[455]suffering under hegemonic domination of ruling elite that denies the basic rights in participation of local history and culture as active individuals of the same nation. Gramsci's intention when he first used the concept of the subaltern is clear enough to be given any other farfetched interpretation. The Subaltern was thought by Gramsci as classes of consciousness and culture as one possible way to make their voices felt and heard instead of relying on the historical narrative of the state which is by the end the history of the ruling and dominated classes.[456]

Gramsci's Theoretical Formula:

The basis of the idea of civil society in the Gramscian sense is the ground for consensus and contestation. In this perspective civil society occupies a double function. One the one hand it is the realm of culture and on the other hand it upholds a relative autonomy and priority over the state.[457] Since Gramsci placed a strong emphasis on this emancipatory potential of civil society it also was seen as the sphere on which the new social order could rest. It was supposed to function as the agent of stabilization when it was in agreement with the political structure but it was likely to become an

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[453] Though Guha's, work is essentially based on challenging the elitism of bourgeois nationalist historiography of Indian nationalism, it also marks the origins of the Subaltern Studies. Gayatri Spivak; on the other hand, believes that the subaltern cannot speak so it has to be represented. She argues that Subaltern as it appears for Guha, Chatterjee and Chakrabarty is an empty call where local elites cannot transform their call to action for the subaltern. She is critical of Ranajit Guha and believes that the subaltern studies cannot go beyond so far as it excludes the subaltern social groups within the order of their heterogeneity.
This is the major point of departure between Spivak and the rest of the Post-Colonial Scholars. Furthermore, Spivak is often quoted as a feminist Marxist deconstructionist. Spivak introduces Derrida's deconstructionism for tracing the colonial legacy of Indian feminism.
[454] Opcit,
[455] The only group Gramsci had in mind at that time was the workers and peasantry who were oppressed and discriminated by the leader of the National Fascist party.
[456] Opcit, p.5
[457]If one were to locate the nexus of post- colonial society with the Gramscian understanding one has to look at the cultural strand as understood in the G stream. This G stream corresponds to the Gramscian cultural stream derived from the very significance of the cultural milieu in the Post-colonial theory.[457]

agent of transformation when it represented interests and values conflictual with the constituted power.[458]

4.1.1.Bobbio's recollection of Gramscian civil society:

A comprehensive approach to Gramsci's version of civil society can be found in Norberto Bobbio's writing on Gramsci and the conception of civil society[459] who opines that: *Gramsci's theory introduces a profound innovation with respect to the whole Marxist tradition. Civil Society in Gramsci does not belong to the structural moment, but to the superstructure one. In spite of the many analyses that have been made in these last years of Gramsci's concept of civil society, this is the most fundamental point, upon which the whole of Gramsci's conceptual system is based[…] It will be sufficient to quote a famous extract from one of the most important texts in the Prison Notebooks.*[460]

Gramsci argues that what we can do for the moment is to fix two major super structural levels: the one that can be called 'civil society', and that of 'political society' or the 'State.' These two levels correspond on the one hand to the function of hegemony which dominant groups exercise throughout society and on the other hand to that of direct domination or command exercised through the state and juridical government. For Gramsci civil society includes not the whole of material relationships, but the whole of ideological-cultural relations; not the whole of commercial and industrial life; but the whole of spiritual and intellectual life.[461]

The Reproduction of the Dialectics of the State and Society: Hegelian Approach and Gramsci:

While Gramsci borrows from Hegel substantially, Hegel's unitary conception of the social totality radically separates civil society and the state in an unprecedented manner, before uniting them again as dialectical moments in the substantiation and apprehension-that is, the actuality of the idea as rational human community. In Gramsci's terms, we could say that Hegel's distinction between them is more methodological than organic. For Hegel bourgeois civil society and state are not to be distinguished in spatial terms as distinct locations or regions of social formation. On the contrary,

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[458] Ibid, 76
[459] Gramsci and the conception of civil society in Chantal, Mouffe, *Gramsci and the Marxist Theory*, (London: Routledge &Kegan Paul, 1979), pp. 30.31.
[460] Ibid,

[461] Ibid,31

civil society and state (as well as the often forgotten third and most immediate figure in Hegel's tripartite scheme, the family) are, if should choose to think of them in these terms, geographically coextensive with each other; each sphere is superimposed upon or subterranean to the other. The idea of the civil society and the state has thus the same ideatum: the former comprehends human sociality under the aegis of the necessity of particularity, while the latter seeks to grasp freedom or the self determination of universality as constituting its essence.[462]

As viewed from this perspective Gramsci's seemingly enigmatic reference becomes clearer. The reason is his affiliation to Hegel's idea of civil society (in polemical distinction, let it be remembered, from politically motivated theological conceptions) was not because he wished to distance himself from Marx's particular focus upon its economic dimensions; in fact, contrarily Bobbio, Anderson and others, argue that Gramsci's integral concept of civil society, taken in its internal distinction and unity, insists that they must be theorized in political terms. Gramsci's reference here aims to emphasize precisely the point of view on which Hegel and Marx in substantial agreement, even if they draw radically opposed conclusions from it: define namely the imminent state dimensions of civil society, or civil society as the ethical contact of the state.[463] Indeed not only did the mature Hegel valorize civil society as the great achievement of the modern world which for the first times given all determinations of the idea their due, in its modern sense, as distinct from the state, he practically invented the concept. Civil Society for Hegel is among other a system of needs.[464] In so far that it is not exhausted by what Marx, comprehended in economic terms as relations of production. It also includes judicial administration, the Police and also the system of economic and social regulation in the broadest sense and voluntary associations and cooperation.[465] These are not contingent supplements to an originary system of needs but necessary to its production and functioning in the modern world: Hegel's is not a state of nature but an ethical power that has itself already been fundamentally reshaped as a bourgeois civil society by the ethical

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[462]Di Peter D, Thomas, The Gramscian Moment: Philosophy, Hegemony and Marxism, (Leiden: Brill, 2009) p.176.
[463] Ibid, 175

42 The use of the word civil society can lead to confusion between Hegel's distinctive concept and the Pre- Hegelian formulations, including those of Ferguson, Smith et al. that ultimately remain within the classical problematic of societas civilis, defined in opposition to nature. The predominance of the definition was evident in the flowering of civil society after 1989 and continuous today in certain liberal definitions of NGOs as extra-state institutions. In order to avoid such confusions, it therefore seems useful to propose bourgeoisie civil society as the more accurate translation of the Hegelian Concept, though with the caveat that the double adjective should be understood in an integral sense; that is it does not imply the possibility of non-Bourgeoisie forms of civil society. Hegel's concept of civil society is thus explicitly limited to the historical period that began with the bourgeoisie rise and consolidation as the dominant social and political class. With the disappearance of this class and its state, a new form of society will emerge that will be neither bourgeois nor merely civil, but political society reabsorbed into civil society, in Gramsci's mature terms, a self-regulated social formation.
[465] Ibid, 178

power of the bourgeoisie civil society and by the ethical power of the bourgeois state. As Riedel notes:[466]

[...]The society would not be bourgeois- civil if it were not legally, ethically and politically ordered and held together. Insofar, as it necessarily includes these mediating elements of social and political organization, it already demands a tendency towards the rational organization that properly conceived, is a quality of the state[467].''

The Overlapping of interpretation between State and Civil Society:

To use terms drawn from Althusser's development, civil society is a relatively autonomous sphere over determined by the social whole (i: e the state) of which it is an integral component; or, expressed in a juridical form, civil society emerges as subject of modern life only insofar as it is already interpolated by the state from which it is hereby distinguished.[468]

Jefferey Alexander, the American sociologist has defined civil society as the realm of interaction, institutions and solidarity that sustains the public life of societies outside the worlds of economy and state. For Alexander; civil society exists both outside of the market and the state. The complexity surrounding the definition of civil society are most evident in the contribution of its greatest theorist Hegel, for whom civil society was alternately the realm of social and individual relations mediating between the private realm and the political society: the state, or a realm either synonymous or dialectically related to the state as the ultimate suppression of pre state natural society. In fact, Alexander is the latest in line with the social theorists who have undertaken the task of providing a clear and distinct definition of civil society.[469]

Seen from this perspective civil, society is not simply opposed to the state. Rather, it is a stage of difference between the family and the state; insofar as it is precisely this dialectical difference, it presupposes the state. More precisely if civil society for Hegel is dialectically penetrated by the state, Civil society for Gramsci the political and cultural hegemony of a social group on the whole of society, as ethical content of the state.

Civil society then can be understood as the space in which political action takes place outside the formal, institutionalized structure of the state; the residue of political action left within the

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[466] Ibid,178
[467] Ibid,
[468] Ibid,179
[469] John, Eade and Darren O', Byrne, *Global Ethics and Civil Society*, (England: Ashgate, 2005), p.3.

consciousness, the *lifeworld*, untainted by the colonizing, systemic machinery of the administration and governmentality.[470] Furthermore[471] it is an inherently ethical space- a claim consistent with the classical formulations of civil society provided by Hegel and Gramsci which serves to provide necessary checks and balances on the powers of the state and its institutions.[472]

4.1.2.The Marxist Approach: Hegelian/ Gramscian idea of civil society:

Actually Gramsci derives his idea openly from Hegel, though with a rather slanted or at least unilateral interpretation of his thought. In a passage from past and present, Gramsci speaks of civil society as Hegel understands it and in a way in which it is often used in these notes., and he immediately explains that he means civil society as the political and cultural hegemony of a social group on the whole of society , as the ethical content of the state. This brief extract brings into focus two very important points: Firstly, Gramsci claims that his concept of civil society draws from Hegel's; Secondly, Hegel's concept of civil society as understood by Gramsci is a super structural concept. A great difficulty arises from these two points : On the one side Gramsci derives his thesis on civil society from Hegel and sees it as belonging to the super structural moment and not to the structural one; but on the other hand, Marx also refers to Hegel's civil society when he identifies civil society with the whole of economic relations that is with the structural moment.Actually the idea is found in Hegel's 'philosophy of Right'[473] where civil society includes not only the sphere of economic relations, but also their spontaneous or voluntary forms of organization   i:e the corporations and their first rudimentary rules in the police state. This interpretation is enhanced by an extract where Gramsci enunciates the problem of Hegel's doctrine of parties and associations as the private woof of the state and resolves it by observing that Hegel stressing particularly the importance of political and trade unions associations-though still with a vague and primitive conception, which is historically inspired by a single example of organization i:e the corporative one –surpasses pure constitutionalism (that is a state in which individuals and governments are one in front of the other with no immediate society) and he theorized the parliamentary system with its

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[470] The word comes from the Foucauldian invention that refers to a combination of political and psychological. Refer to the footnote in chapter 9.

[471] Ibid,p.4

[472] As an example of the relationship between the civil society and the state we can well consider the idea of human rights which was invented to serve to provide humanity similarly the idea of the Civil society can effectively serve the same purpose to connect the political sphere to the public opinion thus to have a check and balance on the state.

[473] Opcit,p.31

party system in exact. [474]In Hegel's constitutional system which is limited only to the representation of interests and refuses political representation, there is no room for a parliament composed of representatives of the parties, but only for the lower corporative house (alongside an upper hereditary house). Brief annotation when Gramsci referring to Hegel, speaks of civil society as the ethical content of the state is almost literally exact. Literally exact, if we recognize that Hegel's civil society, which Gramsci refers to, is not the system of needs (From where Marx began), but is of economic relations, the institutions which rule them and which as Hegel says, along with the family, constitute the ethical root of the state, which is deeply grounded in civil society or from another extract the steady foundations of the State., the corner stone of public freedom. In short, the civil society which Gramsci has in mind; when he refers to Hegel, is not the one of the initial moment, that is of the explosion of contradictions which the state will have to dominate, but it is that of the final moment, when the organization and regulation of the various interests (the corporations) provide the basis for the transition towards the state.[475]

The moment of civil society in the relation of structure /superstructure:[476] Fundamental Differences:

If Marx identifies civil society with structure, then the transference operated by Gramsci of civil society from the field of structure to the one of superstructure, can only have a decisive influence. The problem of the relations between structure and superstructure in Gramsci has not received up to now the attention it deserves, given the importance that Gramsci himself gives to it.[477] To identify the place of civil society allows us to adopt the right perspective for a deeper analysis. There are essentially two fundamental differences between Marx's and Gramscian conception of the relations between structure and superstructure. First of all of the two moments, although still considered in reciprocal relations to each other, in Marx the former is the primary, while the latter is the secondary and subordinate one. This is at least the case as long as one refers strictly to the text, which is fairly clear and does not question the motives. In Gramsci it is exactly the opposite.

Gramsci was quite aware of the complexity of the relations between structure and superstructure, and was always opposed to simplistic deterministic interpretations. In an article in 1918, he wrote:

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[474] Ibid,
[475] Ibid,p.32
[476] Ibid, p.32

[477] Ibid,

Between Marx and Garmsci:

"Between the premise (economic structure) and the consequence (political organization), relations are by no means simple and direct: and it is only by economic facts that the history of a people can be documented. It is a complex and confusing task to unravel its causes and in order to do so, deep and widely diffused study of all spiritual and practical activities is needed."[478]

The following passage already anticipated the problematic of Gramsci's Prison Notebooks:

The term catharsis can be employed to indicate the passage from purely economic (for egoistic – passion) to the ethico-political moment, that is the superior elaboration of the structure into the superstructure.[479]The superstructure is further explained as the moment of catharsis that is the moment in which necessity is resolved into liberty, understood in the Hegelian way as the awareness of necessity. This transformation comes about as a consequence of ethico-political moment. Necessity which is understood as the whole of material conditions which characterize a particular historical situation which is assimilated to the historical past which is also considered as the part of the structure.[480]

Both the historical past and the existing social relations constitute the objective conditions which are recognized by the active historical subject which Gramsci identifies in the collective will. It is only when the objective conditions have been recognized that the active subject becomes free and is able to transform reality.

Furthermore, the very moment in which the material conditions are recognized, they become degraded to an instrument for whatever end they are desired of: Structures ceases to be an external force which crushes men, assimilates himself and makes him passive; and is transformed into a means of freedom, an instrument to create the new ethical, political form, and into a source of new initiatives. The relation between structure and super structure when considered from a naturalistic point of view is interpreted as a relation of cause and effect and it leads to historical fatalism. But, when considered from the point of view of the active subject of history and of the collective will, it

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[478] Ibid, 32.

[479] Ibid,p.34

[480] It is not the economic structure which directly determines political action, but it is the interpretation of it and of the so called laws which rule its development. In the Prison Notebooks this relation is represented by a series of antithesis, among which the following are the most important: economic moment /ethical-political moment; necessity /freedom; objective / subjective.

turns out into a means end relation. It is the active subject of history who recognizes and pursues the end, and who operates within the superstructure phase using the structure itself as an instrument.[481]

Gramsci's analysis reveals that the state and the civil society convergence make the total system resilient to both internal and external challenges. Unlike political society, which rules by coercion, Civil Society in a Gramsci and conception constitutes the cultural and symbolic site where dominant groups generate consent and hegemony which creates the conditions and legitimacy to rule without constantly having to resort to overt force. It is precisely in this area that the oppositional and the subaltern groups can potentially create their own alternative hegemonies and discourses to challenge the dominant order[482] becomes possible

Part II

4.1.3.Analyzing the Civil Society through the Gramscian and the Post- Colonial Angle:

"*How can the Gramscian and post- colonial theoretical approach to civil society complement each other"?*

4.2.The Relevance of the Gramscian view to the post-colonial society*:*

Gramscian understanding to connect the core idea of civil society is important to understand the Post- colonial society as it covers areas of cultural hegemony, discourses on the role of ideology, the institutions and the mechanism of power structure and the coexistence of civil society and political society at the same time. Regardless of the fact that Gramsci developed the theory in a very different context and to a very different society it has surely a direct relevance if one was to apply it to the Post- colonial society. My findings in understanding and relevance of Gramsci to the Post-colonial society are premised on the following points:

- Gramscian idea of understanding civil society by linking it to the superstructure serves a very important function to understand the Post- colonial society. As mentioned the idea of superstructure corresponds to understanding the ideological and social sphere within the

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[481] Ibid,34

[482] Saubhagya, Shah, *Civil Society in Uncivil Places, Soft State and Regime Change in Nepal*, (Honolulu: East West Centre, 2008), p. 9.

ambit that constitute the cultural realm. Terms like cultural hegemony, consent, and coercion are exceptionally highlighted.

- This cultural non-elitist realm serves well for the post- colonial study which identifies the realm of study in non- conventional angle outside of the nation state. It is in that sense that a similarity of proposition emerges between the two percepts.

- The idea of 'civil society' versus the political society is also a well elaborated theme as a construction from the point of view of the post- colonial scholars. The categorical difference between both is however manifested in the development of Western and the Non Western civil society(ies) construction. Since Gramsci's focus rests on the Western arena, it is often many times conflated non applicable yet very relevant and highly topical in understanding the themes of hegemony, counter hegemony, historic bloc and ideology.

- Civil society construction in Post- colonial context is seen by many post- colonial scholars as a colonial percept which is the foundation of an elitist understanding to society. The notion of Political society that is discussed within this perspective of Chatterjee is relatively different from the point of view of the Gramscian percept.

Cox has argued that the concept of civil society in this emancipatory sense designates the combination of forces upon which the support for a new state and a new order can be built.[483]This remains very crucial for understanding Chatterjee and even to some extent Guha as both believe that the Colonial project could not deliver much. Chatterjee in his book the '*Nation and its Fragments'* emphasizes that the new order of the Post-colonial society brought a necessarily needed change such as what had been envisaged at the end of colonial rule. The local political elites of the then colonial times could not be a source of change for bringing about the re-haul in the system and thus the system remained at their mercy. The new call for change was anticipated by the populations of the post-colonial state.

However, just as the bourgeoisie society in the West maintained through a monolith of the political elite; its influence in forming the apparatus of the state in the post- colonial society was no different where power was wrested within the dominant political classes. But the Western construct of the bourgeoisie could not be matched in terms of its homogenous combination in the Non Western Post- colonial societies. Saubhagya recognizes that many Post- colonial societies have an amorphous character. The amorphous nature of the Post- colonial society is characterized by means

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[483] Opcit, p. 77

of structurally neither stable nor a permanent organization in its form.[484] By amorphous, Saubhagya refers to flexible and mobile nature of civil society lacking locational fixity. With its dispersed and diffused nature its intellectual and political potency rests with conditions of submerged networks embedded in the architecture of modern communication and technology and other articulatory assets controlled by oppositional formations. It is these networks that can be activated to connect the various constituents of civil society such as mass media, international organizations NGOS professional forums, voluntary groups, donors, and intellectual centers and to amplify civil society's impact during a general mobilization.[485]

4.2.1.Applying Gramsci's formula to the civil society:

The concept of Neo- Gramscian hegemony linked to understand counter- hegemony: How it is applied to civil society?

The Gramscian Concept Of Hegemony:

The Gramscian definition of hegemony interprets hegemony as social and political forces principally generated by the modes of social relations and determined by elements critical to the historical structure such as colonial legacy, the role of ethnicity and culture and influences of armed forces in hegemony. The dominant social and political forces relates primarily to political leadership.[486] Moreover, Hegemony in the Gramscian sense means dominance sustained by the establishment of a historic bloc where number of social forces converge, mostly elite to secure and facilitate common interests. In fact hegemony is based on ideological and state power which includes paramilitary, mercenary, police or military units; economic ideology; political ethical realm where state propaganda is disseminated to achieve civil consensus.[487]

Hegemony is not purely physical dominance, but also ideological, institutional and cultural dominance and control. In the Gramscian sense, hegemony is achieved by popularizing, institutionalizing and cultural dominance and control. The ideology of the dominant classes is utilized to minimize conflict among the disparate groups within the civil society. However the

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[484]Opcit,

[485] Ibid, p. 10

[486]Sanjay, Ramesh, *Hegemony, anti-hegemony and counter hegemony , control, resistance and coups in Fiji* (Sydney, University Of Technology Press, 2008), 39.URL<http://epress.lib.uts.edu.au/research/bitstream/handle/10453/20249/Whole02.pdf?sequence=2>Retrieved on 5th May,2013

[487] Ibid,

ideological hegemony is based on the success of propaganda which acts as a catalyst to crystallize opinions of the masses. Furthermore, Gramsci uses hegemony to explain how legitimacy is wielded through economic and sociocultural forms, which transform over time. In his studies of civil society in Italy he found that a form of ``consent'' was fashioned between the ruling and the subordinate classes. This consent is arrived at through a series of struggles in which the dominant social group makes certain compromises with other groups, in order to promote some general interest. Thus it is the ``general interest'' that serves as the hegemonic norm, under which norms and practices are developed and become saturated into civil society and popular culture. Gramsci's concepts of hegemonic orders are aided by his conceptions of ``historic bloc'' and ``passive revolution.''[488]

In the Gramscian thought, the distinction between consent and coercion disappears over time along the differences between civil and political hegemony[489]By hegemony Gramsci seems to mean a socio- political situation, in his terminology a moment in which the philosophy and practice of a society fuse or are in equilibrium; an order in which a certain way of life and thought is dominant, in which one concept of reality is diffused throughout society in all its institutions and private manifestations, informing with its spirits all tastes, morality, customs, religion and political principles and all social relations particularly in their intellectual and moral connotations[490].

It is thus incumbent to narrate how Gramsci defines hegemony as the process which generates the spontaneous consent given by the great mass of population to the general direction imposed on social life by the dominant fundamental group.[491]

The Historic bloc:

In order for a successful hegemony to exist, there has to be an equally successful historic bloc. This bloc basically is the state or the ruling group which is able to maintain itself in power through institutionalizing of certain ideas and beliefs.[492]

The concept of this HB emanates from Croce's philosophy of the praxis which is to detach the structure from the super structure. For Gramsci the historic bloc is historic specific and reflects the ethnic political history of the state .Such a history is an arbitrary and mechanical hypostasis of the movement of hegemony, of political leadership of consent in the life and the activities of the state

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[488] Ibid,p.57
[489] Ibid,
[490] Ibid, p.63
[491] Ibid, p.57
[492] Ibid,

and the civil society. In the Gramscian sense a historic bloc has to be hegemonic interpreted as a relationship between cultural and ideological influence. Here Gramsci draws upon his mentor Croce.[493]

An historic bloc refers to the solid structure that is created when a hegemonic order is in place, its formation being dependent on the hegemony. The conception of historical blocs [in] which precisely material forces are the content and ideologies are the form, though this distinction between form and content has purely dialectic value, since the material forces would be unconceivable historically without form and the ideologies would be individual fancies without the material force. Thus within separate historic blocs, there lies a different hegemonic character, and with it a separate set of popular beliefs, institutions, and assumptions (phrased by Gramsci as "common sense''). As an historic bloc depends upon the strength of its hegemony, when a hegemonic order is ideologically challenged then the bloc begins to wither away. It is from this transformation that Gramsci turns to the concept of "passive revolution.'' *Passive revolution* refers to how one hegemonic order is challenged and replaced by another.[494]

In tandem with the process of hegemony building, the process of passive revolution continues with the dominant social forces, responsible for the hegemonic challenge, unable to gain consent for their continued movement forward to meet their ideological aims. The internal process of transformation occurs when certain compromises are made with the resistant groups so that a consolidation process can take place, in which the former resistant groups become saturated into the new hegemonic order, and accept its conditions. Once this condition is fashioned the structural building of a historic bloc can commence. One may apply to the concept of passive revolution the interpretative criterion of molecular changes which in fact progressively modify the preexisting composition of forces, and hence become the matrix of new Historic outlook of the counter hegemonic and Neo- Gramscian theory.[495]

For Gramsci the survivability of a historic bloc rests very much upon the skills of organic intellectuals. A historic bloc is in crisis should at any given point in time alienate the civil society.

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[493] Angelo A., De Gennaro, *The Philosophy of Benedetto Croce: An Introduction*, (New York: Greenwood Press, 1968) Also see Jack D,' Amico, Dain A., Trafton &Massimo, Verdicchio, *The Legacy of Beneditto Croce,* (Toronto: University of Toronto Press, 1999) For Further reading also see: Walter L, Adamson, Beneditto *Croce and the death of ideology,* The Journal Of Modern History, Vol.55, No.12, 1983, pp.208-236.
[494] Opcit, p.39
[495] Ibid,

Such alienation will give rise to both social and revolutionary consciousness which in the Gramsci and sense means counter hegemony.

Counter Hegemony:

Counter hegemony can openly be fully realized within the context of the philosophy of praxis, which is basically a theory of contradictions, emerging from history and from a given historic bloc. For Gramsci the counter hegemonic movement will be led by intellectuals, similar to the vanguard that will spread social consciousness among the populace .A successful counter-hegemony is one that replaces the existing historic bloc. This counter hegemonic strategy is known as the war of position a strategy to form a cohesive bloc of social alliances to bring about constructive political change. In counter hegemony, ideology plays a dominant role in constructing an alternative to the existing political order. In the Gramscian sense ideology is identified as distinct from but also related to the structure and one that is used to organize human masses. The ideological bases of counter -hegemony forms an important nexus in the mobilization of forces off change and transformation.[496]

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[496] Opcit, p.57

THE GRAMSCIAN SOCIETY: Hegemony

interprets hegemony as social and political forces principally generated by the modes of social relations historical structure

Hegemony

Figure1:

Civil Society (Consensual and Ethical Content of the state)

Counter-hegemony
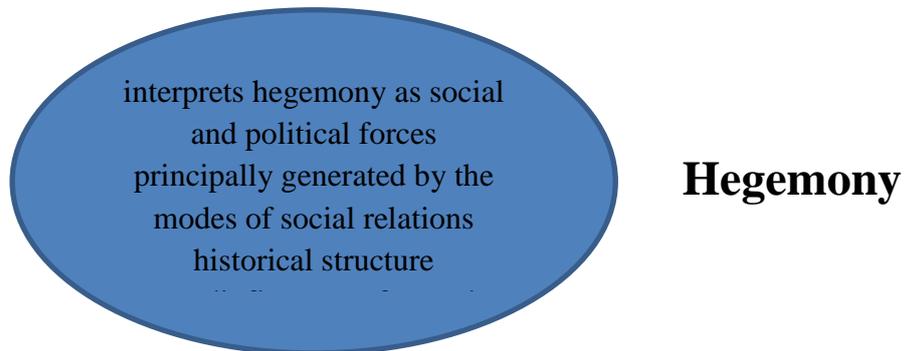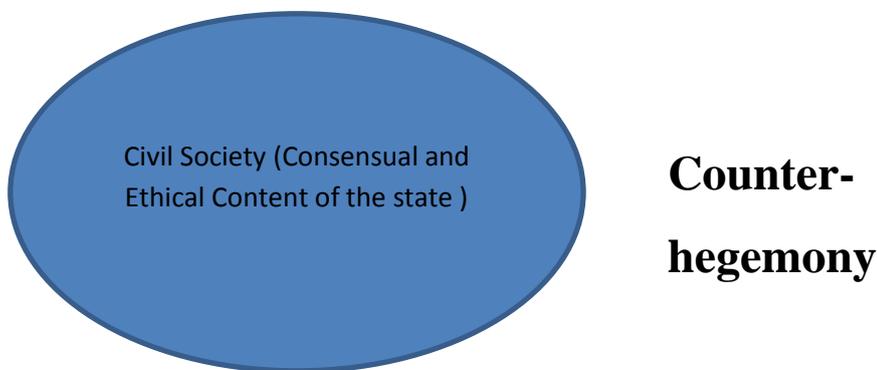
Figure2:

4.2.2.The Neo Gramscian Scholarship /The Post – modern school and the Post-colonial studies:

The Neo- Gramscian scholars analyzing colonial and post-colonial societies, in particular after the 1980's, integrated culture and ethnicity into their analytical framework and showed how it played a significant role in shaping political hegemony. This school has developed theoretical tools that allow social theorists to examine critically ethno cultural hegemony in colonial and post-colonial contexts, ethno cultural divisions in historic blocs and the role of military in hegemony and counter hegemony.[497]According to Post-colonial scholars the idea of civil society can be reframed in the light of possibilities for a cultural counter- hegemony; a counterweight to the imperialist hegemony of the West. Edward Said has previously dealt with the Orient vs. the Occident cultural paradigm in this sense. Although Said's account has brought in deep debate on how this construction has

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[497] Opcit,pp. 41-42

entailed a notion of deep historical rift, premised on the way the West uses a cultural construction of the East, Such an approach in fact emphasizes not only the Foucauldian approach to understand culture in terms of Knowledge-Power symmetry but also entails limits to traditional concept of Bourgeoisie civil society such as what emerged in the West. On the other hand however, the core idea of considering an alternate to the Western notion of civil society relies on considering the existence of traditional groups and organizations based on religion, ethnicity or kinship as an alternative public space.[498]Foucauldian position of understanding the role of Power – Knowledge networks also becomes very interesting as Foucault's identifies the polymorphous techniques of power, which passes through a dense web of apparatuses and institutions without being exactly localized in them. In this sense he refers to a post-colonial order, a new power that is not an institution and not a structure neither it is certain strength to be endowed: it is rather the name that one attribute to a complex strategic situation in a particular society.[499]Power and knowledge directly imply one another, there is no power relation without the correlative constitution of a field of knowledge; nor any knowledge that does not presupposes and constitutes at the same time power relations. The power matrix becomes apparent in the production of various discourses on the nature of society, public good, health, sexuality, justice governance and a host of other issues of public significance. In this fluid and institutionally indeterminate conceptual framework, civil society will

emerge from the claim to scientific knowledge, universal values and the resultant moral high ground.[500]

Conclusion:

The Gramscian study of the civil society is a unique contribution to understand the discourse in the perspective of the forces of representation that actually signify to have a very substantial role in the civil society. The idea is to ground an understanding of the power structure in the society and to

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[498] Opcit, p.23
[499] Ibid, p. 10
[500] Opcit, p. 10

entail the original grounds of that power base. For Gramsci this power wrests within the social groups in the society that are dominant and have an influential role to play. However, Gramsci identifies a unique modeling of the civil society in the sense that he ascribes that Civil society is the culmination of force plus consent i:e the it is based on the twin dynamic of consent and coercion. This idea finds its expression within the critical cultural discourses of the post-colonial theory and also within the political society of Foucault seems to have been represented by jails, ghetto etc. However, Gramsci locates his political society within the state and he uses this distinction to balance the forces of coercion to that of the forces on consensus. His contrast to Marx remains specifically within the ambit of the discussion of the locus of the civil society as the superstructure which for him is represented by the ethical component of the state. For Gramsci borrows from the Hegelian idea of locating the civil society within the dialectics of the family and the state. In this sense Gramsci believes that the concept of civil society being a system of needs in contrast to that of Marx as being a product of the material sources of production. The social as well as the ideological component of Gramsci's idea is grounded thus within the strict Hegelian interpretation of the civil society as the ideological, ethical content of the state.

CHAPTER- 9:

Post-Colonial Theoretical Framework: Retracing the Concept of Civil Society:

> *[...]Post colonialism is basically a mixture of local culture and general political principle with an emphasis on anti-colonialism, anti Eurocentrism and emphasis on cultural localism as well as counter history as reconstruction of the from present point of view. (Maffettone, 2011)*
>
> *[...]The idea of civil society can be reframed in the light of possibilities for a cultural counter hegemony. Such an approach in fact emphasizes the limits of a Western oriented notion of civil society the core idea relies on considering the existence of traditional groups and organizations based on religion, ethnicity or kinship as an alternative public space. (Camaroof and Camaroof, 1999).*

Part I:

Conceptual and Theoretical Framework: A Critical Viewpoint:

Introduction:

This chapter analyses the concept of the civil society within the post -colonial discourse. The conceptual analyses as well as the theoretical understanding to the concept provide useful insights to the understanding of the theory building within the field.

Post- Colonial Understanding to Civil Society: The study under review assesses the Civil Society in the mainstream of post-colonial theory; Actually, The post-colonial approach upholds and develops a notion of society from the point of critical viewpoint. Criticism formed as an aftermath acknowledges that it inhabits the structures of the Western domination that it seeks to undo. In this sense, Post- colonial criticism is deliberately interdisciplinary, arising in disciplines of power/Knowledge that it critiques.[501] This is what Homi Bhabha calls an in between, hybrid position of practice and negotiation or what Gayatri Spivak terms catachresis: reversing and displacing.[502]

The main critiques are premised as follow:

- The idea of Post- colonial theory emerges from the inability of European theories to deal adequately with the complexity and varied cultural provenance of post- colonial writings.
- European theories themselves emerge from particular cultural traditions. The political and cultural mono centrism of the colonial enterprise was a natural result of the philosophical traditions of the European world and the system of representation which this privileged. Nineteenth century imperial expansion, the culmination of the outward and dominating

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[501] Gyan,Prakash, *Subaltern Studies as Post- Colonial Criticism*, The American Historical Review,Vol.99, No.5(Dec., 1994), The University of Chicago Press pp.1475-1490 URL >http://www.jstor.org/stable/2168385>
Retrieved on August 21, 2013.Also the power /knowledge concept was developed by Michael Foucault as part of his understanding of the idea of the' Other'. Foucault's is a critique to the colonial history of European Empire
[502] Ibid,

thrust of Europeans into the world beyond Europe, which began during the early Renaissance, was underpinned in complex ways by these assumptions.

- Post- colonial theory has proceeded from the need to address the differences within the various cultural traditions as well as the desire to describe in a comparative way the features shared across those traditions.[503]

- The concern originated from the assumption that national bourgeois elitism is a by- product colonial elitism and that this kind of historiography cannot possibly transmit, analyze and acknowledge changes or contributions brought by common people as individual subjects independent from elite people.[504]

4.2.3.critical perspectives: main assumptions and claims:

The Civil Society Debate Within The Post- Colonial Jargon: Chatterjee's challenge to the concept as 'Political Society':

[…]When the country was under colonial
rule, the elites believed the crucial transformative processes
that would change the traditional beliefs and practices of the people[…]
and fashion a new modern national self must be kept out of the reach
of the colonial state apparatus.(Chatterjee,1993)

Chatterjee debates the very notion of civil society as farcial and instead replaces it with that of a political society. For Chatterjee, the idea of political society challenges the Western enlightenment notion of civil society.[505]This is to say that it is based on a different way to understand the mechanism of the subjects that is the citizen's relationship with the state in post- colonial societies.

In other words, this is a form of society which poses distinctive features in terms of its relations to the state apparatus (status, rights, and economic conditions when compared to the 'civil society'

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503 Di Bill, Ashcroft, Gareth, Griffiths& Helen Tiffin, *The Empire Writes Back: Theory and Practice in Post-Colonial Literatures,* (London: Routledge, 1989).

[504] El Habib Louai, *Retracing the concept of Subaltern from Gramsci to Spivak: Historical developments and new Approaches*, African Journal of History and Culture (AJHC) Vol. 4, No.1.(Jan., 2012) pp.4-8 URL >http://www.academicjournals .org/AJHC> Retrieved on 8th September 2013

[505] Aylin, Akyar, Questioning Chatterjee's concept of 'political society': Proto-politics or transitional sphere? Power, Resistance and State. Response Paper Volume II URL >http://www.academia.edu/1492429/Questioning_Chatterjees_concept_of_political_society_protopolitics_or_transition alsphere> Retrieved on 17th June 2013

concept of the West. In this context populations replace citizens.[506] Population different from the normative concept of citizen is descriptive, empirical, identifiable, and classifiable and through this concept government functionaries can employ instruments to reach large sections of inhabitants.[507] Chatterjee clearly constructs a distinction between political and civil society.

His question is whether the term civil society can be applicable to countries like India that are marked by marginalization and inequality (i: e caste system). In India civil society emerged in sync with the elites massive populations continue to be pushed to the margins of society. It is precisely this fact that most inhabitants (even if not excluded from the political sphere) do not possess any kind of status but only tenuously, ambiguously and contextually rightful citizens, brings them into a political relationship with the state on welfare grounds.[508]Such a situation is far distinct from the civil society depiction.

   Chatterjee therefore believes that civil society is a limited category[509] hence the popular experience of politics is an experience of being subject to governmentality[510] as fragmentary politics. He labels the idea of Civil Society a challenge for the modernist project that entire population groups exist whose social life depends on illegality –squatters, street traders, people who obtain free water and electricity and who come to view such resources as land and water as rights in a way the state does not.[511]

Chatterjee's proposal of the idea of using the term 'political society' instead of 'civil society' falls under the category of politics which has broader vision than mere negotiating daily problems. Posing such a question concludes that we need in this context a politics which has broader vision such a politics demands that collective action be mobilized and that all participate in the making of a public discourse. Hence "political society" could well be transitional sphere. So in a post- colonial world; to achieve democratic inclusion, Chatterjee establishes the politics of the governed which

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[506]Ibid.,
[507] Ibid,p34
[508] Ibid,p.38
[509] Ibid,
[510] The term has been invented by Michael Foucault as the idea of power both as a means of coercion and also that of consensual forms to the recourse to violence. The semantic linking of governing ("gouverner") and modes of thought ("mentalité") indicates that it is not possible to study the technologies of power without an analysis of the political rationality underpinning them. Foucault introduces a differentiation between power and domination. Domination for Foucault is a particular type of power relation that is both stable and hierarchically fixed and difficult to reverse. Government refers to more or less systemized regulated modes of power that go beyond the spontaneous exercise of this power
[511] Ibid,p.40

means a constant negotiation of social arrangements between political society and the state – a process of popular democracy through everyday life struggles.[512]

The emphasis on Eurocentism and Civil Society as essentially an elitist Western Construct: Ranajit Guha's Reflections:

The Subaltern Studies' relocation of subalternity in the operation of dominant discourses
leads it necessarily to the critique of the modern West. For if the marginalization
of 'other' sources of knowledge and agency occurred in the functioning of
colonialism and its derivative, nationalism, then the weapon of critique must turn
against Europe and the modes of knowledge it instituted. It is in this context that there
emerges a certain convergence between Subaltern Studies and postcolonial critiques
originating in literary and cultural studies.(Chakrabarty, 1992)

Ranajit Guha's reflection of historiographical contestations over representations of politics and culture serves a good example. Guha proclaims that the Subaltern could not ignore the dominant because they are always subject to rectify the elitist characteristics of the dominant[513].

Thus from Guha's account the subaltern emerges from a point of view with forms of sociality and political community at odds with nation and class defying the models of rationality and social action. Guha argues persuasively that colonialist models are elitist in so far as they deny the subaltern autonomous consciousness and that they are drawn from colonial and liberal nationalist projects of appropriating the subaltern. Guha opened the subaltern studies by declaring a clean break with most Indian historians announcing the projects ambition to rectify the elitist bias in a field dominated by elitism ---colonialist elitism and bourgeoisie nationalist elitism.[514]

Subalternity thus emerges in the paradoxes of the functioning of power and in the functioning of the dominant discourse.[515] The Subaltern Studies' leads it necessarily to the critique of the modern West. It is in this context that there emerges a certain convergence between Subaltern Studies and postcolonial critiques originating in literary and cultural studies. Meanwhile, it is important to note

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[512] Ibid,
[513] Gyan, Prakash, *Subaltern Studies as Postcolonial Criticism* URL >http://www.jstor.org/stable/2168385?seq=2
>Retrieved   Jul 15, 2013, p.221.
[514] David, Ludden, *A Brief History Of Subalternity* Available
onURLhttp://www.sas.upenn.edu/~dludden/ReadingSS_INTRO.pdfAccessed 15th July 2013, p.9

that 'Europe' or 'the West' in Subaltern Studies refers to an imaginary though powerful entity created by a historical process that authorized it as the home of Reason, Progress, and Modernity. But Chakrabarty argues that in order to undo the authority of such an entity, distributed and universalized by imperialism and nationalism, requires, in his words, the 'provincialization of Europe."[516]

The provincializing of Europe would mean to find out how and why and in what sense European ideas that were universal were also at the same time, drawn from very particular intellectual and historical traditions that could not claim any universal validity, it is also to ask question about how thought was related to the place. To provincialize Europe was then to know how universalistic thought was always and already modified by particular histories[517]. The Europe which was made in the image of the colonizer may have been a founding myth for the emancipator's thought yet thinking about modernization, about Liberalism, about socialism - that is to say about various versions of modernity - assumed this Europe into existence . This was the Europe that was seen as the original home of the modern[518].

He further believes that for many years India waited for a return of this Europe in the name of democracy, bourgeoisie civilization, citizenship, capital and socialism in the same way as Gramsci once waited for the first bourgeoisie revolution of 1789 to re- enact itself into his country. Chakrabarty further argues that his idea of provincializing Europe follows directly from the critique of history and the idea of the political. He believes that: one could not in the manner of some nationalist historian pit the story of regressive colonialism against the account of a robust nationalist movement seeking to establish a bourgeoisie : a class able to fabricate a hegemonic ideology that made its own interests look like the interest of all.[519] Chakrabarty traces Guha who argued that the Indian culture of the colonial era defied understanding either as a replication of the liberal bourgeois culture of nineteenth century Britain or as the mere survival of an antecedent pre capitalist culture. This was capitalism indeed but without bourgeoisie relations that attain a position of unchallenged hegemony; it was a capitalist domination without a hegemonic bourgeoisie culture- or in Guha's famous terms domination without hegemony.

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[516] Dipesh, Chakrabarty, *Post-Colonial thought and Historical Difference*, (New Jersey: Princeton University Press, 2000).

[517] Ibid.,14
[518] Ibid.,
[519] Ibid.,15

Part II:

4.3. Understanding the nature of the State and the Civil Society in Pakistan through Gramscy: Hegemony/Counter Hegemony, Historic bloc, Coercion and Consent:

Introduction:

The idea of understanding the 'Post- colonial' civil society discourse in the Gramscian as well as from the perspective of the post- colonial theory serves as a point of reference for Pakistan.[520] Since the emphasis of Gramsci's idea of 'hegemony' rests within the cultural space, it would not be wrong to say that such an approach can be used to critically evaluate the role of the dominant cultural and social groups in Pakistan whose position have been very influential in terms of their political power. Therefore, the Gramscian perspective can help identify its relevance to Pakistan in two ways. From the Point of view of Gramsci's Theoretical model of civil society which identifies the civil society by attempting to understand it as an agency of change and propose means through which it can retain a space of its own apart from the state; and as a superstructure within which issues of identity, culture and ideology can be addressed within the larger spectrum of culture.

Following two areas are important for Reviewing under the Gramscian cultural stream:

The areas of coercion and consent that the State exercised over the civil society:

Civil society as an agency of change: Counterhegemonic role of the civil society

Furthermore, Gramsci's concept of hegemony when corresponds to the state structure in Pakistan can reveal that through its colonial percept or nature, it maintained hegemony which was based on physical and ideological force. In the Gramscian sense power or hegemony is not only the use of paramilitary, mercenary, police or military units; but also economic ideology; political ethical realm where state propaganda is disseminated to achieve civil consensus, ideological, institutional and cultural dominance and control. The Pakistani state also ruled through consent and coercion in the subsequent years of its political history starting from post- independence period to its recent years. The next section elaborates on this aspect.

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[520] Post- colonial theory differs in the way that civil society is connoted as bourgeoisie society in non -European world. Gramsci encapsulated a part of the understanding of the super structural as part of structural (economic) as well. Therefore, in the historic view colonial project serves as a point of reference to study the cultural factor in deep length.

On the other hand, Post-colonial studies perspective also tries to retrospectively deal with the emphasis on historiography of the colonial discourse. The idea of post- coloniality envisages the themes of the dominant vs. the dominated as well as the colonizer vs. the colonized which is very much manifested in the debate on the colonial nature of the Pakistani state and its subsequent legacy on the civil society. The colonial project rendered a deep counter hegemonic role in the post-colonial societies where the issues of legitimacy, power and class were contested. The new project was based on discovering a totally different model which guaranteed equality of rights and opportunities for all classes regardless of their social position in the society.

The study is divided into following sections:

Section I

4.3.1. The case study of the Pakistani State:

Historical background: Influences on shaping the politics of Pakistan:

In order to understand the nature, politics and development of civil society in Pakistan one has to understand the nature of Pakistani state, the state and the institutions of the states (elected and non-elected) and the parity of political power exercised by the two. Pakistan's example reveals that the state or the political society as in the Gramscian terms maintained hegemony which was based on physical and ideological lines. This power or hegemony was disseminated to achieve civil consensus, ideological, institutional and cultural dominance and control. The Pakistani state also ruled through consent and coercion in the subsequent years of its political history starting from post- independence period. A brief overview of its influence arises as a result of the roots of British Colonial rule which is crucial in this understanding of the post- colonial state and society therefore.

[…]The twentieth century is known for the violence that was unleashed during two world wars, liberation wars and proxy wars. Even by these standards The partition of India stands out for the sheer carnage that destroyed people and their memories of living together .An estimated one million people were killed in brutal encounters.(Neera Chandoke cited in Gentile,2013)

Introduction:

In order to understand the nature, politics and development of civil society in Pakistan one has to understand the nature of Pakistani state, the state and the institutions (elected and non- elected) and the parity of political power exercised by both.

Since the emphasis of the post- colonial theory rests with addressing the fact as to how the colonial elites maintained their power by keeping this delicate balance in tact through institutions and local elites who were instrumental and assertive of maintaining their political legitimacy and even continuing on with their power and pelf in the later stages. Therefore, through the institutions of the state like the bureaucracy, military and police force; the colonial system of power retained its weight even at the end of colonialism. This balance is served by the neo-bourgeoisie in the new setup who serve very well in the project of retaining the power in the hands of the of post- colonial elites.[521] Ashis Nandi views the Post- colonial state as a criminal enterprise which uses violence against its citizens in the name of national integrity where the common people tolerate the state's authoritarian hand as a price for its maintaining security and cohesion. Gramsci's idea of cultural counter hegemony is attached with the attainment of political power. However, these groups of people who exercise control in intellectual and moral leadership make alliances and compromises with a variety of forces. This group comprises the hegemony of choice on larger majority. Gramsci calls this union of social forces a 'historic bloc.'"[522]

In the case of Pakistan, Gramsci's idea of hegemony is significant to understand the complex making of the role of the dominant cultural and social groups whose position have been very influential in terms of their political power and who still continue to play a significant role. Although, since the democratic rule and governance has been hampered by military coups and political instability has been a marked phenomenon, the political elites have retained their influence from the early years of its inception 1947 to the current times.

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[521] In his study of the post-colonial society Hamza Alavi traces the formation of the neo-bourgeoisie elite; the metropolitan elite as well as the landed elite; which he thinks dominate the social and political structure of the societies in post-colonial state. Alavi has brought this argument specifically with relevance to Pakistan.

[522] Hegemony in the Gramscian sense means dominance sustained by the establishment of a historic bloc where number of social forces converge, mostly elite to secure and facilitate common interests. In fact hegemony is based on ideological and state power which includes paramilitary, mercenary, police or military units; economic ideology; political ethical realm where state propaganda is disseminated to achieve civil consensus.

The scholars of post- colonial studies interpret the concept of hegemony is an old tactic of the colonizers to maintain their zones of influence. The political make- up of the post- colonial societies is the reflection of the same trend. In this sense civil society is the age old culmination of the elitist interpretation of political and social power which is manifest only in the continuing might of the structure of institutions that the post- colonial societies inherited from their colonial masters. Therefore in this interpretation of Gramscian and critical post colonialists there emerges a consensus on understanding the dynamic of post- colonial society.

However, if one were to understand civil society as an agent of change, Gramscian approach to counter- hegemony is instrumental. It is possible, in the meantime to refer the forces that generate counter hegemonic tendency to be viewed as the political society which in Chatterjee's idea is corresponding to the groups that are at the margins of societies and have peripheral influence.

Retrospectively, while Post- colonial theory adds that colonial historical version of state control is essential to understand the nature of the post- colonial society, Gramsci's concept of hegemony corresponds to the state structure and how social classes occupy the mainstream of power using force and coercion which he defines as 'political society' in other words as the state.

Pakistan's example reveals that the state or the political society as in the Gramscian terms maintained hegemony which was based on physical and ideological lines. This power or hegemony was disseminated to achieve civil consensus, ideological, institutional and cultural dominance and control. The Pakistani state also ruled through consent and coercion in the subsequent years of its political history starting from post- independence period. A brief overview of its influence arises as a result of the roots of British Colonial rule which is crucial in this understanding of the post- colonial state and society therefore.

The emergence of Pakistan as an independent state in 1947 was the culmination of decades of debate among the Muslims in the British India about their collective future .After the consolidation of the British rule in the nineteenth century, Muslims found themselves deprived of the privileged status they enjoyed under the Mughal rule.[523]They opposed The British rule and called for full participation in the Indian national movements based on their special identity that would be erased over time by ethnic and territorial nationalism centered primarily on the Hindu majority.

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[523] Hussain, Haqqani, *Pakistan between the Mosque and the Military*,(Washington D.C: The Carnegie Endowment for International Peace,2005) p.3-4

Although Pakistan was intended to save South Asian Muslims from being a permanent minority it never became the homeland of All South Asian Muslims as One third of the Indian subcontinents Muslims remained behind as a minority in Hindu dominated India.[524] Its freedom struggle had been relatively short, beginning with the demand for an All India Muslim league (AIML) for separate Muslim and Non- Muslim states in 1940 and ending with the announcement of the partition plan in 1947.Although the Muslim League claimed to speak for the majority of the Muslims, its strongest support came from regions where Muslims were in state of minority.

Table 1:

Full name: Islamic Republic of Pakistan
Population: 179 million (UN, 2012)
Capital: Islamabad
Largest city: Karachi
Area: 796,095 sq. km (307,374 sq. miles), excluding Pakistani-administered Kashmir (83,716 sq. km/32,323 sq. miles)
Major languages: English, Urdu, Punjabi, Sindhi, Pashto, Balochi
Major religion: Islam
Life expectancy: 65 years (men), 67 years (women) (UN)
Monetary unit: 1 Pakistani Rupee = 100 paisa
Main exports: Textile products, rice, cotton, leather goods
GNI per capita: US $1,120 (World Bank, 2011)

Source: BBC News Asia Pakistan profile

The British Agreement to concede the demand for Pakistan was based partly on the outcome of the 1945-1946 elections for a Constituent Assembly and various provincial Assemblies. The elections were organized on the basis of a limited franchise and separate electorates for various religious communities, a practice in vogue in India since 1909[525] The Muslim League won 75 percent votes of Muslim voters and all the Muslim seats in ten constituent assemblies.[526]

The partition plan of 3 June 1947[527] gave only 72 days for transition to Independence .Within this brief period, three provinces had to be divided, referendum organized, civil and armed services bifurcated and assets apportioned. The telescoped time table created seemingly impossible problems

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[524] Ibid, p. 4
[525] Ibid., p.7
[526] Ibid.,p.10
[527] See Annex1

for Pakistan[528](continued in the same it paragraph) Communal Rioting led to the killing of hundreds of thousands of innocent people . A tidal wave of millions of refugees entered Pakistan confronting the new state with an awesome burden of rehabilitation.[529]

Transition from colonialism was almost as difficult for the newly created state of Pakistan. With partition the division of the assets deprived between India and Pakistan of civil and military personnel as well as financial resources complicated the task of resettlement of millions fleeing East and West Pakistan to say nothing of the integration of the 562 princely states. Yet India inherited the colonial states central government apparatus and an industrial infrastructure which for all its weaknesses was better developed than in the areas constituting Pakistan.[530]Finally thus The Pakistani state, as a successor to a comparatively strong British colonial administration, has had considerable more authority[531] which was legitimized by ideological and national integration considerations.[532]
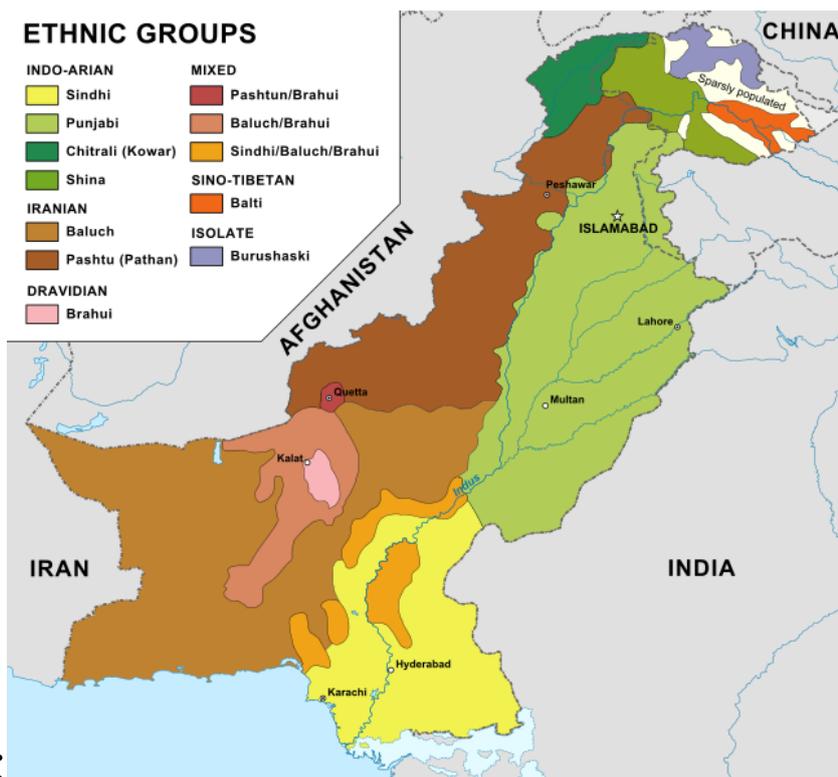
Figure 3:

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[528] Ibid.,

[529] Ibid.,10

[530] Ibid.,13

[531] Ali, Banu, Azizi, &Myron Weiner, The State, Religion and Ethnic Politics: *Afghanistan, Iran, and Pakistan* (Washington D.C: Library of Congress, 1986) 7-13.

[532] Ibid.,

4.3.2. Sources of conflict between the State and Civil Society:

> *"One of the very fundamental issues to the polity of the new state was the issue of characterizing the state on the basis of ideology or maintaining the secularist orientation to the state. The issue became complex and contentious with that of the early leadership crisis and culminated in a crisis of orientation. In a post- colonial perspective the issues that were at the forefront were thus how the Pakistani state already under the heavy onslaught of over bureaucratic colonial heritage could empower its democratic political institutional edifice of the society." (Siddiqua, 2007)*

The Ideological Component:

The early leaders were indeed modernized, secularized and westernized individuals who believed in the separation of church and state. In the formative years of its evolution, the issue of the state being a theocracy or being a secular democracy was deeply debated. However, with the historical creation of the state on the basis of the ideological factor, i: e the two nation theory which became a precursor for the Islamic component of the state; has been contested by the secularist's factions. Leaders from different communities protested against it, but the Resolution was carried in the parliament despite protests on the ground that making Pakistan an Islamic state. Jinnah, the founder of Pakistan, in his famous speech to the Constituent Assembly only days before the creation of Pakistan had declared:

[…]You are free to go to your temples; you are free to go to your mosques or to any other place or worship in this State of Pakistan. You may belong to any religion or caste or creed.[533]See annex 2

Pakistan's secularists have interpreted Jinnah's August speech as a clear statement of intent to build a secular state.[534] But the successive development in March 1949, through the Objectives Resolution which declared Pakistan to be an Islamic state created Pakistan as an Islamic state which officially became the state religion of the country.[535]

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[533] Speech by Mohammad Ali Jinnah, The Founder of Pakistan on 11th August, 1947 to the newly formed Pakistan's constituent assembly. For further description to the speech see Ayesha, Jalal, *The Sole Spokesman, Jinnah, The Muslim League and the demand for Pakistan* (New York: Cambridge University Press, 1994).

[534] Ibid,p. 8-13

[535] The Objective resolution has been labeled as a highly controversial resolution for some quarters that are of the opinion that Pakistan has been formed as a secular state and that Jinnah had aspired for a Pakistan that did not

According to Chief Justice Muhammad Justice Munir who witnessed the Pakistan scene from its beginning till the 1980s, the legislation based upon the Objectives Resolutions, which was pushed through the parliament was quite contrary to [Jinnah's] conception of the State" (Miner, 1979: xv-xvi). Binder's commentary on the Resolution is, The Objectives Resolution, acknowledged the sovereignty of God, recognized the authority of the people derived from their creator, and vested the authority delegated by the people in the Constituent Assembly for the purpose of making a constitution for the sovereign state of Pakistan. This clearly indicated that some groups which had more secular understanding to the notion of the Pakistani state had very strong reservations to the ideological edifice of the newly formed state. Hussain Haqqani a former Pakistani ambassador to the United States opines that even after the Muslim League did not have a consensus among its leaders over the future direction. Issues such as the new nation's constitutional scheme, the status of various ethno linguistic groups and the role of religion and theologians in matters of state were still unresolved at independence.

Stephen Cohen, an expert on Pakistan provides evidence for his line of argument. Cohen takes a historical approach that traces the evolution of both the idea and state of Pakistan. Cohen surveys the role played by the army, Islamists, political parties and regional elites in shaping the Pakistan's ideological polity. Basically, Cohen's methodological approach derives from historical institutionalism- the precept that institutions, beliefs and actions of the past decisively enabled and constrained the actions and strategies More significantly he places a huge emphasis on the role of ideas in severely limiting the options available to leaders for establishing Pakistan as a state post-1947.[536]

State Structure and dominant institutions:

Ayesha Jalal, an imminent Pakistani historian identifies the uniquely colonial construct of the Pakistan's centralized state with its institutional underpinnings-an administrative bureaucracy and a standing army in particular –the attending ideological trappings-ordered unity, indivisible sovereignty.[537] Jalal, while underlying the need for a major restructuring of relations between state

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necessarily was based as a theocracy. This debate is very important as it covers the varied issues concerning the internal and external dimensions of the policy making in Pakistan as well as the tilt to being a religious theocracy or a secular democracy.

[536] Stephen, Cohen, *The Idea of Pakistan* , (Washington: Brookings Institution Press, 2004) 382.Also see URL >http://samaj.revues.org/214>Retrieved on 4th June,2013

[537] Ayesha Jalal, Democracy and Authoritarianism in South Asia: A comparative and Historical Perspective (New York: Cambridge University Press, 1995), 1See also Jalal, *State of Martial Rule in South Asia: The Origins of Pakistan's economy of defense* (New York: Cambridge University Press, 1990).

and society in particular also asks for the redefinition of the concept of the center and the related issues of sovereignty and citizenship as well as the colonial legacy- on the institutional ,strategic, economic as well as ideological domains. Her analysis rests on the dialectic between state construction and political processes in critical ways.

According to Jalal:

…"While the prolonged suspension of the political processes in Pakistan has resulted in the obsessive concern with the two main non- elected institutions of the state, the civil bureaucracy and the military, Yet the supremacy of the military and bureaucracy in Pakistan in explicably without reference to the complicated role of certain dominant social groups in eschewing the politics of resistance to gain privileged access to state authority and patronage."[538]She further opines that:

…"the uniquely colonial construct of the centralized state with its institutional underpinnings-an administrative bureaucracy and a standing army in particular provide… adaptations of the colonial concept of the center, both in its institutional and ideological manifestations.[539]

While Jalal has attempted to survey the nature of the state in post- colonial society, Hamza Alavi also identifies the post-colonial state as military-bureaucratic oligarchy which mediates the *competing* 'but no longer contradictory interests and demands' of the various classes. While taking his explanation still forward Alavi adds on: 'by that token the state acquires a relatively autonomous role and is not simply the instrument of any one of the three classes[540]' By identifying the autonomous role of the state Alavi has come up with a scintillating explanation of the nature of state and has made a major theoretical advancement in the context of post-colonial society. Thus the Pakistani State remains under the heavy onslaught of its bureaucratic oligarchy combined while it retains an incredible power and influence on the other institutions of the civil society.

Ayesha Jalal also focuses on this issue in her another book State of Martial rule in South Asia: The Origins of Pakistan's economy of defense .Her findings focus on the comparative study of three test cases of democratic and military rule in India, Pakistan and Bangladesh provides useful information on patterns of democratic governance, political stability and colonial legacy.

[538] Ibid, p. 6.

[539] Ibid,p. 6

[540] Hamza, Alavi, *The State in Post-Colonial Societies: Pakistan and Bangladesh*, New Left Review, no. 74 (July/August 1972).

<center>The Ethnic Factor and the issue of political autonomy:</center>

One of the major focuses rested on the issue of the dominant social classes and the issue of political autonomy. Attempts by the post- independence Pakistani leadership to establish their authority were resisted by two distinct groups. The strongest resistance came from the Bengalis who while forming a majority, lacked any real authority. This was in the Eastern part of the country.

In the Western regions of the country resistance came from among the three major linguistic minorities, the Pashtuns, the Baluchis and the Sindhis. Meanwhile, the Punjabis and Muhajirs, through their role in the bureaucracy and the military (but not in the parties and representative institutions where they were a minority) dominated the state.[541]

Selig Harrisons traces the growth of Baluch ,Sindhi and Pashtun ethnic identities, the demand within these groups for greater autonomy and the political and constitutional response of Punjabis and Muhajirs.While there have been a weakening of tribal ties and a strengthening of Baluch and Pashtun identities, neither community has been able to acquire the kind of political cohesion achieved by Bengalis in the 1960s.Nonetheless fictive kinship ties and a sense of attachment to a territorial homeland have been persistent characteristics of all three ethnic groups.[542]

Throughout the entire span of 1950s and 1960's the need to balance conciliate the Bengalis of the East Pakistan exerted a huge pressure on the Western Pakistan leaders. The first protests of the East were in defense of the Bengali language and in opposition to the extension of Urdu as the state language.[543]

From there the opposition turned into demands for greater autonomy and finally into a program of De facto opposition[544].The Bengalis refused to back down and continued to campaign against the supremacy of Urdu. Their alienation, mainly based upon what they saw as the suppression of their language, ultimately led to East Pakistan's separation from West Pakistan, and the making of Bangladesh in 1971.

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[541] The ethnic question in Pakistan has proved highly complex and deeply intricate to the study of the creation of the Pakistani state and that of the Pakistani civil society. Considering that this factor has proved very decisive as far as the issue of national consolidation is concerned, it needs another study to identify the causes of instability of the Pakistani state and the rise of the issues on the questions of autonomy. For further reading on the Ethnic Question in Pakistan See Also Farhan Hanif, Siddiqui. *The Politics of Ethnicity in Pakistan, The Baluch, Sindhi and the Muhajir ethnic Movements,* (New York: Routledge, 2012) *Also see Christophe Jaffrelotte (ed.), Pakistan: Nationalism without a Nation* (New Delhi, Manohar Publishers, 2003).

[542] Opcit, p10.

[543]Anatol, Lieven, Pakistan: *A Hard Country* (New York: Allen Lane, 2011), 58.

[544] Ibid,

The Role of Military Oligarchy and the State:

Apart from the other institutions of the state, the Armed forces have more influence in shaping the political orientation of the civil society. Some civil society and military analysts believe that the organization has been influential from activating the political involvement to its dominance of the state. O'Donnell and Schmitter provide an interesting study on Pakistan's Military and the subsequent transition to Democracy.[545]

"Perhaps the most important step in this process, they claim, is ensuring that the military has 'a credible role in society.' Without this assurance, the likelihood of the military's re-introduction into politics becomes much less likely. This particular feature is built-in to the Pakistani political system no matter how much its legitimacy wanes, the military always maintains a credible role in society[546].

Furthermore, they are of the opinion that in contrast to Huntington's image of a profoundly 'obedient' military whose sole purpose is 'to serve the state'; Pakistan's military has always followed a unique trajectory. They note that the military sees itself as a 'permanent part of the state apparatus', and is thus potentially less threatened by democratization than other types of authoritarian elites". [547]

Events in the subsequent years and more precisely from 1988 onwards proved the justification for this argument. Even during the successive failures of democratic regimes throughout 1990's meanwhile the military recognized the importance of preserving its autonomy in the democratic regime, and managed to secure this autonomy as well as a high budget from Benazir Bhutto's cabinet. These assurances allowed the military to maintain its place in society while at the same time possessing the resources to make an eventual re-entry into politics.

In the following decade ,The Military reined over the political horizons once again through a coup d'état in 1999 under the General Pervez Musharraf who served as the president of Pakistan from 2001 until 2008.Throughout the entire decade of the year 2000, Political mayhem continued to unforeseen proportions. The event of 9/11 complicated the internal political situation of the country.

[545]Michael, Hoffman, *Military Extrication and Temporary Democracy: The case of Pakistan*, Democratization, Vol. 18, No. 1, 75–99, (Princeton: Routledge, 2011) pp.75–99, URL> http://dx.doi.org/10.1080/13510347.2011.532617, >Retrieved on 4th June 2013.
[546] Ibid,
[547] Ibid,

Furthermore, Musharraf's decision to enter into an alliance with US against Taliban proved costly for the domestic economic, social, political and security scenario. The Pakistan –US alliance in war against terror became a crucial foreign and domestic policy concern with its negative ramifications.

Table 2:

Summary of the Pakistani Regimes:	
1947-1951	*Parliamentary Democracy*
1951-1958	*Bureaucracy*
1958-1971	*Military Dictatorships*
1971-1977	*Mixed Democracy*
1977-1988	*Military Dictatorship*
1988-1999	*Parliamentary Democracy*
1999-2008	*Military Dictatorship*
2008-2013	*Parliamentary Democracy*

Source: Michael Hoffman, Military Extrication and Temporary Democracy:The case of Pakistan, Democratization Vol.18, No.1.(Feb 2011), p.84

It could be argued that military's role as being an influential, actor roles belongs not only in the post- colonial states preoccupation with the armed forces as seen as an instrument of domestic stability which were depended upon for achieving the task of national integration and security objectives therefor, Most of the literature clearly considers the armed forces as products of specific social milieu as in the case of fragmented or praetorian societies which are marked to give birth to politically dominant militaries.[548]

Moreover, such writers as Hasan Askari Rizvi[549] have revealed that even in times of civilian rule as in the 1988–99 period, the Pakistan army has exerted discreet influence over key issues such as

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[548] Ayesha Siddiqua, Military Incorporated: Inside Pakistan's Military Economy, (London: Pluto Press, 2007), p.5
[549] Hasan Askari Rizvi, *The Military and Politics in Pakistan 1947–86* (Delhi: Konark, 1988).

nuclear policy, internal security and the Kashmir issue. Rizvi has even hinted at the penetration of the army through the Fauji Foundation into the core of Pakistan's economy.

According to the budget document 2012-13, of the Rs545.2 billion allocated to defense spending, Rs229.4 billion have been allocated for employees-related expenses, Rs143.2 billion for operating expenses and Rs120.5 billion have been earmarked for physical assets. Over Rs98 billion has been allocated for pensions of military personnel, though that has been listed under the civilian budget

Table 3:

TABLE II. ABSOLUTE VALUE OF DEFENCE EXPENDITURE

Year	Defence Expenditure		Development Expenditure	
	Million Rs.	Million US $	Million Rs.	Million US $
2001-02	149,254	2,377	126,250	2,010
2002-03	159,700	2,666	129,200	2,157
2003-04	184,904	3,216	161,000	2,800
2004-05	211,717	3,682	227,718	3,960
2005-06	241,063	4,045	365,100	6,126
2006-07	249,858	4,144	433,658	7,192
2007-08	277,300	4,591	451,896	7,482
2008-09	329,902	4,627	480,282	6,736
2009-10	378,135	4,556	444,344	5,354
2010-11·	444,640	5,200	321,244	3,757
2011-2012··	495,215	5,732	451,957	5,230

*Revised Budget estimate.

**Budget estimate.

Source: Pakistan Economic Survey 2009/10. Table 4.4 for the years 2001/02 to 2008/09. Figures for last two years from Annual Budget Statement of the Federal Budget 2011/2012 Produced by CIDOB

and there is a separate allocation for security-related expenses. Critics say this move seeks to conceal the actual defense budget. Calls have been made for greater scrutiny of defense spending since the May 2 Abbottabad raids that embarrassed the military establishment over their ignorance of Osama Bin Laden's whereabouts and the US operation. Following the incident, Army chief General Ashfaq Parvez Kayani called for diverting the US military assistance to the civilian authorities. The defense budget, however, has never been debated in detail in parliament.[550]

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[550] Kamran Yousuf, **"**Allocations, in the time of war: A modest fifth of the budget goes to defense," *The Express Tribune*, June 2, 2012 URL

"Modern civil societies are characterized by the plurality of form of life; they are structurally differentiated and socially heterogeneous. Thus, to be able to lead a moral life, individual autonomy and individual rights must be secured. In this view it is democracy with its emphasis on consensus, or at least on majority rule, that is dangerous to liberty, unless suitably restricted by constitutionally guaranteed basic rights."(Cohen and Arato, 1994)

Section II:

4.3.3.The Debate on the Post-Colonial Society:

[...] Why could we not protect our sovereignty? Was it not because we failed to protect our sovergnty that we had to face so much misery and humiliation. All streams within the national movement sought that one goal: to build the independent sovereign national state. (Chatterjee, 2004)

The idea of Post- colonial Society and Pakistan: The political process, civilian institutions and democratic governance.

In the larger length this section is an attempt to trace the role and significance of Pakistani civil society within the separate realm of the state and answers the important issues of the political space in its role to guarantee in protecting the democratic expression of minority, ethnic and linguistic groups and maintain the culture of tolerance and civility. The theoretical approach to civil society serves to focus and conceptualize an approach to civil society as an angle from which established order can be challenged; relationship between power and resistance be analyzed as well as the organization of elements of civil society, Furthermore, it also helps in evaluating the relations between civil society organizations and state institution which is crucial to understanding the civil society in Pakistan.

>http://tribune.com.pk/story/387639/allocations-in-the-time-of-war-a-modest-fifth-of-the-budget-goes-to-defence/
>Retrieved 12th Sep 2013

The above themes are discussed in the following sections in the broader perspective. An effort is made to trace the role and significance of Pakistani civil society within the separate realm of the state if any and tries to answers the important issues of the political and cultural space for protecting the democratic expression of minority, ethnic and linguistic groups and maintains the culture of tolerance and civility.

The Case Study of the Pakistani Civil Society:
From post -independence to 1970's:

In the period following through the post independent years the idea of civil society met its evolutionary phase in Pakistan. The emergent dominant groups comprised the rural feudal and urban bourgeoisie which somehow managed to maintain a political dominance and came to exert their political authority. The weakness of the state was however visible as there was very weak economic and political infrastructure. The political instability was also a factor that could not generate a strong civil society. The dispensation of state power in the hands of the military regime left an impact on the various small ethnic grouping.

Figure 4:
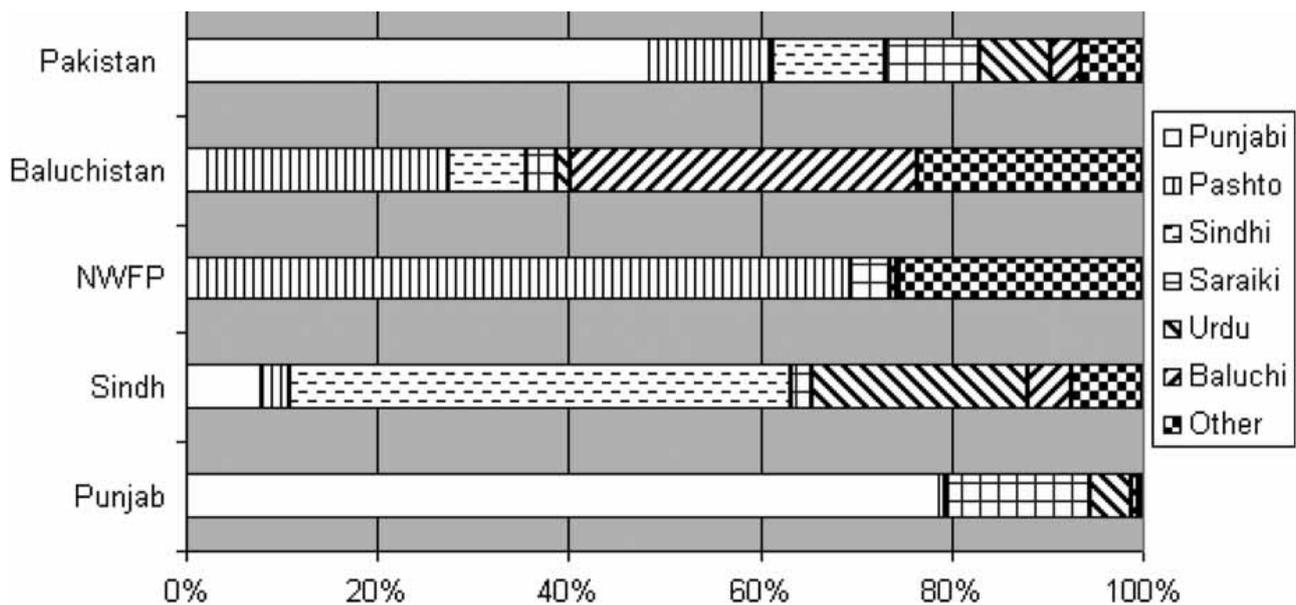
Distributions of languages in Pakistan Source: Democratization, Michael Hoffman, 18:1

The movement against Ayub's Military dictatorship:

The two very prominent movements were the Movement against the Ayub Khan or the Military regime that led from 1968 to 1969.This movement was led by the students and intellectuals and proved very decisive in bringing the end to the regime. The mass mobilization was carried out under a wider campaign to protest the follies of the regime in the name of a development plans that only benefitted a few. During the military regime the smaller provinces complained about their due rights and privileges and Political instability challenged the national unity in the country.

Table: 4

The Census of Pakistan 1961: Language distribution

% of speakers
Language East Pakistan West Pakistan All Pakistan
Urdu 1.3 14.6 7.2
Bengali 99.0 0.1 55.8
Punjabi 0.0 67.6 29.5

Source: Census of Pakistan: Population 1961 (Karachi: Government of Pakistan, 1961), VI, 32-33.

The Movement for Linguistic Rights:

The Language riots that resulted with the declaration of Urdu as an official language in 1947 met with the severe opposition form The Bengalis who refused to back down and continued to campaign against the supremacy of Urdu. Instead of holding national elections, (Yusuf, 1980) martial law was imposed in 1958. Ayub's successor, General Yahiya Khan took power in 1969 and attempted to reduce tension in West Pakistan by abolishing one unit and restoring the provinces but failed altogether to reconciliation. Zulfiqar Ail Bhutto, founder of Pakistan's People's Party (PPP) - was prepared to accept neither a loss nor a confederation with East Pakistan, nor the democratic domination of the Bengali majority in a united Pakistan.

Mujib's Six Points and the Demand for Autonomy:

In the meantime the leader of the Awaji League representing Muslim Bengali nationalism Sheikh Mujib's offered six points, demanding maximum autonomy for East Pakistan and reducing it to a loose confederation. Subsequently in the national Elections of 1970 the Awami League won 160 out

of 162 seats in the East Pakistan Assembly and an absolute majority in the National parliament the PPP won 81 out of 138 in West Pakistan.[551] See Annex

The 1971 Civil War and Partition of Pakistan:

They say my verse is sad: no wonder, its narrow measures spans, Tears of eternity and sorrow, Not mine but man's (A.E .Houseman, 1940)[552]

Resulting with the partition of Pakistan was the movement against the West Pakistani establishment. The language movement in East Pakistan and the forced curbing by the state was instrumental in increasing the general distrust of West Pakistanis. This culminated in civil war and the 1971 war with India followed by the secession of East Pakistan. This was a form of resistance, "based on explicitly political ideologies, expressed in underground movements and violent resistance," leading to open rebellion. There was no criticism from any civil society group in West Pakistan, which is one of the most critical assessments from the angle of raising solidarity with fellow civilians.[553]

Table: 5

Outcomes of political and military regimes in Pakistan between 1970's to 1980's
Strong Civil Society: **No**
Prolonged Repression of Civil Society : **Yes**
Military Rule damaging to the military as institution : **No**

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[551] Ibid,

[552] The tragedy of the partition of the Ino-Pak subcontinent has left uncountable wounds for the history of the region.This quote is cited by Neera Chandoke with her reflections of the saga of partition. Neera Chandoke as quoted in v.Gentile,Opcit.p.127.

[553] Nikhat, Sattar, *Has Civil Society failed in Pakistan?* Report On The State Of Civil Society Published By The Social Policy Development Centre (SPDC) Paper No.6.

5.From post 1970's to the present times:

In assessing the role of civil society in Pakistan from 1970's to the current period the importance of
political parties should not be understated which is directly linked up with the role of the civilian
institutions and particularly the political parties.

5.1.Active Citizenship, Democracy and the role of the Political Parties:

Generally speaking, the role of political parties is very instrumental to nurture an active civil society
in the public sphere and to give strength to the democratic process following the electoral activity
through ballet and consequent voting rights. The concept of active citizenship is also a very
important element within the political space for citizens to extract the sense of belonging to the
nations and subsequently to the formation of national identity. A further significant character of the
emergence of Western democracies is the gradual development of social rights that is of a third
dimension in additions to political and civil rights. Basically then initial democratization involves
the development of three types or dimensions of citizenship. The civil element consists of the right
necessary for individual freedom: Liberty of the person, freedom of speech, thought and faith the
right to own property and to conclude valid contracts and the Right to Justice.

Coming to terms with such an assumption for Pakistan would mean a barometer of democratic
progress in a country that has been hampered by vast eras of military coups and dictatorships. But
one other factor that is of immense importance is also that the successive political leadership's main
concern has been the issue of internal democracy within the parties. The question here is that what
level of credibility political parties in Pakistan exercise? This has been a very crucial question when
it comes to the performance of political parties which has been severely hampered. Among the

leading issue are the absence of elections for party office holders and the issue of lack of interparty democracy, lack of organizational system of censure and non-participation of party cadres and workers in the party deliberations on issues and policies.[554]

Pakistan's mainstream political parties like (PPP) Pakistan People's Party, (MQM) (Muted Quail Movement), (Awami National Party and Islamic parties such as (JI) Jamati Islami and (JUI) Jamiate-Ulemae- Islam have been operating essentially as electoral parties. They indulge in public activity either as patronage structures or as rigid ideological blocs. The relative absence of public mobilization in pursuit of issue formation or crystallization of public policy outside the elected assemblies only ensured a lack of communication between the electors and the elected.[555]

Table: 6

Pakistani Political Parties

Pakistan Peoples Party	**P.P.P**
Pakistan Muslim League (N)	**PML–N**
Pakistan Muslim League (Q.A)	**PML-Q**
Muthida Qoumi Movement	**MQM**
Awami National Party	**ANP**
Jamiat Ulema-e-Islam (F)	**JUI-F**
Pakistan Muslim League (Functional)	**PML-F**
Pakistan Tehreek-e-Insaf	**PTI**
Jama'at-e-Islami	**JI**
Jamiat Ulema-e-Pakistan (Noorani)	**JUP-N**
All Pakistan Muslim League	**APML**

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[554] The Annual report of Transparency International Country Study Report on Pakistan's National Integrity Systems, 2003, Available on URL >http://www.transparency.org/country#PAK> Retrieved on 14th August 2013

[555]The (PTI) Pakistan Tehreek-E-Insaaf, a party which is formed by Imran Khan has not been included in the list of the political parties here. Some regional parties are also missing in the report.

From a democratic understanding the role of political parties is important to realize the democratic within the civil society to mobilize the public opinion as well as to create an independent political space for a variety of functions. The various facts and facets which characterize the political parties also becomes an important function. The theoretical assumption about the role of political parties as a part of the political space is deemed necessary. Leonardo Morlino enunciates that the actual role of political parties as key actors in that process has been taken for granted. And consequently never explicitly singled out. In several cases scholars have found themselves in a difficult by their respective position. By a general standard however, it will serves as a good start to refer to the classical definition of a Party; Down terms "A political party is a team of men seeking to control the governing apparatus by gaining office in a dually constituted election as it allows us to encompass in this notion a variety of different political entity that were and are present in the process in the transition to democracy."

This definition can be adequately complemented by another one that depicts the party in connection with the components it interacts with. From this perspective a party is the central intermediate and intermediary structure between society and government. The institution with the connecting role vis a vis the other regime institutions on the one hand and the people on the other.[556]Bearing these definitions in mind, the key question to address is the following: what are the various roles that parties alone or with other individuals or collective actors play; are parties' essential components of democracy? If so are they a constant component of transition and how they interact with other actors? Can parties be the origin or even the main authors of failures of transition and installation?

The Six Functions of the Political parties and the Pakistani case:
Following are the six functions of parties that are singled out by King. Amongst the first is that of vote structuring, which encompasses every aspect related to elections, integration and mobilization, related to citizen participation and its organization; leadership recruitment which refers to a key monopolistic function of the parties with regard to elected people and those non-elected but appointed by parties to positions of authority, organization of government, or party government

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[556] See for example how Prof. Morlino links the concept of the political parties and their functions to the democratic norms and as such the issue of the democratic transitions in the states. This is very much relevant when it comes to the idea of states that are under democratic transition such as like that of Pakistan where the political parties under the successive military governments from 1958- 1967 , from 1977 to 1982 and from 1999 to 2008 have been subjected to countless many fits and starts. The role of democratic transition In a country like Pakistan thus becomes extremely significant when talking in terms of transition not only from the military dictatorships to democratic governance but also from transition of one democratic governance to another democratic governance that which is very visible in the current political context as PML(N), Combined with PTI, PPP and other ethnic and secular parties have been for the first time been in a position of a level playing field and thus it will prove decisive for the successive democratic and electoral process in the country.

where there exists a relationship between the executive and the legislative and a number of other connections, implying the activity of coordination: Policy formulation, related to party activity in problem solving and in influencing the entire policy making process; and the interest aggregation , where parties transform societal needs into policy proposals. Storm also follows the same approach when stressing the role of parties as vote seeking office seeking and policy seeking matter. According to Habermas, however, the idea of deliberative democracy encapsulates focuses on talk that precedes voting procedure, legitimate decision making combined with the process of collective deliberation where reason rather than coercion prevails and participants are treated fairly and collectively.[557]

a. The Performance of the political parties and the impact on electoral democracy:

In case of Pakistan's the journey towards democratization, democratic installation of political parties has been a bumpy ride. The political process has been hampered with non- elected institutions taking a lead role compared with the elected ones. But interestingly, over the years the successive political leadership's main concern has been the issue of internal democracy within the parties. The focus on internal democratization has been triggered a huge debate on the legitimacy of the political parties.

The question that arises here is that what level of credibility political parties as influential actors has? There have been many critiques to this out of which one observation by Transparency International in its Annual Report holds that:

"Performance of political parties in Pakistan has been severely hampered. Among the leading issue are the absence of elections for party office holders and the issue of lack of interparty democracy, lack of organizational system of censure and non-participation of party cadres and workers in the party deliberations on issues and policies.[558]

Recent years have shown relatively better for the internal democracy within the parties and thus have resulted in the over- all positive electoral performance. The turn out during the recent elections have also proved this claim. In a survey of the recent elections held in May, 2013 the voter turnout in Pakistan was comprehensively encouraging proving the rise in the pace of the democratic legitimacy of the political parties. The following figure shows the comparative statistics between the National Elections of 2002 and 2013.

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[557] Seyla, Benhabib, *Democracy and Difference: Contesting the Boundaries of the Political,* (Princeton: Princeton University Press, 1996) pp.373.

The following data proves this claim:

Figure 5:

Votes polled by winners: 267
Votes polled by losers: 270
Didn't vote: 445
Rejected votes: 18
2013 General Elections — 268 national seats

Didn't vote: 582
197
210
11
2002 — 272 national seats
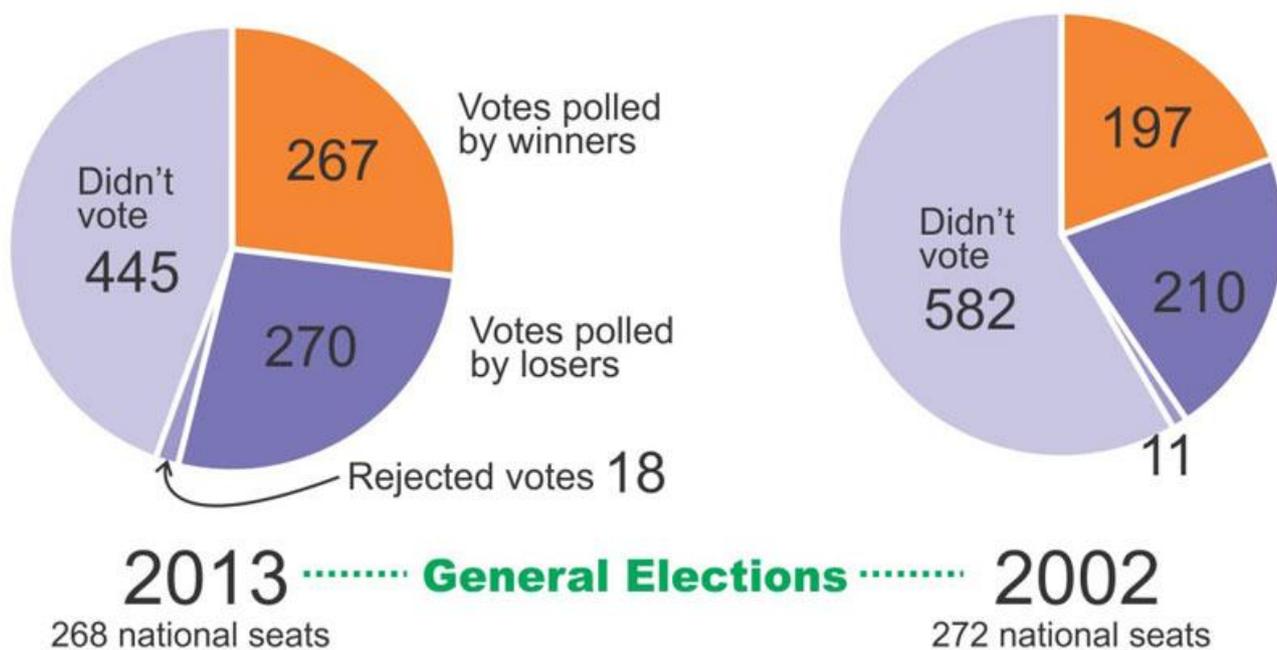
Source: Daily Dawn, http://www.dawn.com/news/1041904/imran-and-obama-democracys-bitter-tale-of-betrayal Retrieved Sep 10, 2013

Civilian control and political legitimacy:

Civilian control is basic and fundamental, but is irrelevant unless the instruments for achieving security can effectively fulfill their roles. They point out that the issue is all the more important in

those states where the military was the government and still enjoys prerogatives it negotiated for itself during the transition from authoritarian rule."[559]

Thomas C. Bruneau and Florina Cristiana Matei identify that …civilian control is the fundamental concern and both control and effectiveness must be implemented at an affordable cost or they will vitiate other national priorities. Thus they identify that Democracy is not only about institutions; legitimacy is also necessary[560].Democracy beyond institutions, also necessitates that governments, be seen as both effective and efficient. Democratic civilian control though very crucial should necessarily determine the effectiveness and efficiency of the government in handling defense and security issues; that can have a direct influence on its legitimacy.[561]

In a survey carried out by Jacob N. Shapiro and Neil Malhotra), April 2009, Christine Fair quotes: "Pakistanis belief that irrespective of the fact that while electoral democracy holds deep legitimacy they are fundamentally divided about the preferred nature of governance in their country: This is somewhat counterintuitive given that they routinely express high values of support for living in a country governed by elected representatives[562] with 78 per cent of respondents saying that they 'highly value' living in a country governed by elected representatives.[563]

Other polls, such as those conducted by the International Republican Institute (IRI), the Program on International Policy Attitudes (PIPA) and the United States Institute of Peace (USIP*),* routinely find that Pakistanis sustain high levels of support for democratic forms of governance and about 55 per

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[559] Thomas C, Bruneau, Florina Cristiana (Cris) Matei, *Towards a New Conceptualization of Democratization and Civil- Military Relations,* Democratization, (London: Routledge, 2008) pp.909–929.URL >http://dx.doi.org/10.1080/13510340802362505>Retrieved on 3rd May, 2013.

[560] Ibid,
[561] Ibid,
[562] Christine, Fair, Clay, Ramsay & Steve Kull, *Pakistani public opinion on democracy, Islamist militancy, and relations with theU.S.* http://www.usip.org/publications/pakistani-public-opinion-democracy-islamist-militancy-and-relations-the-us> >Retrieved , May3, 2013Also see
World Values Survey, URL>http://www.worldvaluessurvey.org/> Retrieved May 26, 2013, Also refer to Pakistan public opinion survey, http://www.usip.org/publications/pakistani-public-opinion-democracy-islamist-militancy-and-relations-the-us>
Retrieved, May 26, 2013, Also refer to Pakistan Public Opinion Survey, The International Republic Institute(IRI),July 15–August 7, 2009 SeeURL
http://www.iri.org/sites/default/files/2009%20October%201%20Survey%20of%20Pakistan %20Public%20Opinion, %20July%2015-August%207, %202009.pdf,Retrieved May 26, 2013 Cited in James,P.Farell, *Conspiracy, Assassination and Instability*,(Washington: Potomac, 2011)

[563]Opcit,

cent said that the civilians should have 'complete 'or 'a lot of' control over the other institutions of the state as well as the military.[564]

With the emphasis on the increasing leeway with which the civil society in Pakistan has been able to exert in recent times, it's appropriate to assume that surely it is experiencing a moment of transition from the past. The debate on the post- colonial critical perspective in this sense thus shifts to a point where civil society can thus be seen as an agent of change bringing about new vistas of hope and trust for the betterment and well- being of the common man.

The successive years of democratic rule especially from 2008-2013(the first democratic transition in Pakistan's political history) has proved to guarantee the active participation of civil society. The role of the Pakistani mass media has been incremental in this change. The lawyers' movement against the military dictatorship of Musharraf has also contributed substantially to break the impasse of historical passiveness of the civil society in Pakistan. The judiciary in Pakistan has emerged victorious in the aftermath of its success to depose the Musharraf regime. It has maintained the transparency of the democratic process and inspired hope among the people of Pakistan. .The Pakistani nation, politicians, common people, lawyers, human rights activists and media unanimously support the strengthening of the democratic institutions. They have relentlessly joined their hands unprecedentedly for the cause of maintenance and well-functioning democratic institutions as well as basic human rights and freedom of expression.

Conclusions:

-   My motivation in understanding the Post- colonial studies perspective stems from the role of the post- colonial state on the post- colonial society. Historically the role of colonial institutions and in the larger framework the patterns of colonial rule have influenced the makeup of the structure of power in the newly formed state. This is to say that history is the vehicle through which one can better analyze the past and the present. Post-colonial historiography becomes an important area through which the historical study of the complex patchwork of the composition of the diverse factors, elements and variations within the civil

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[564] Opcit,

society can be well understood. Therefore, a colonial construct serves as a necessary tool to understand the post-colonial.

- Post-colonial scholars also differ in many ways to construct a logically rational definition of the term. For many the new society as a result of innumerable influence of the old order has still been not evolved and where the new elites have shaped the order exactly in the same way as that of the colonialists. For others, the new society guarantees new opportunities for reconstruction of a just order. This is where one draws the line between the two themes within the post- colonial studies. The pessimist and the critical study theme and the optimist theme

- The focus on civil society as a 'political actor' in post- colonial theory where the active participation of citizens on issues of local domains like rights to obtain free water and electricity and other such resources as land and water are considered as a series of struggle through which the marginal groups exert their influence. This transition to political from civil in Chatterjee's political society serves as a point of reference. Seen in this way the idea of democratic rights, membership in community organizations as well as participation in activities apart from the electoral activity patterning changes the concept of 'civil 'to 'political.'

- If we are to contextualize the Subaltern studies within the post- colonial theme, Antonia Gramsci's hegemony and counter hegemony comes to mind where the Civil society acts to balance itself by the unique combination of force and consent.

- Achieved by popularizing, institutionalizing and cultural dominance and control, Legitimacy in the Gramscian sense is wielded through economic and socio-cultural forms, which transform over time. This Gramscian model provides an example through analyzing the case study of the Civil Society in Pakistan from post- independence to 1970's in the empirical study of the Nationalist movement in East Pakistan which was covered in this chapter. Within this study thus there arose the following points:

- In cognizance to the traditional role of the post-colonial state, the issue of the language rights, the cumulative political situation of the minority in East Pakistan and the crisis of the democratic order justified the non- inclusiveness of the marginal groups, ethnic identities

and culturally asymmetrical identities. The crisis of marginality that civil society groups experienced at the cost of the ascending power of the post- colonial state is in fact in a Gramscian approach characteristic of the political society using the instrument of force and also a reflection of the lack of space for the subaltern or marginal or peripheral groups that potentially created their own alternative hegemonies and discourses to challenge the dominant order.

- However, there have been exceptions to Gramsci's theory in the domains of 'consent making' by hegemonic groups. Hegemony in the Gramscian sense means dominance sustained by the establishment of a historic bloc where number of social forces converge, mostly elite to secure and facilitate common interests. Its application in the case of the role of the Pakistani state from post- independence to 1970's represented by dominant ethnic groups, it was seen as from the study that they fell short of making the consensus of the different groups to restore order and consensus, during the civil uprising of 1971.The intellectuals (the ethical content of the society) and the dominant groups failed as they could not guarantee the unity of the country making the political landscape very indecisive. On the whole it resulted in fragmentation as the consensus could not be found within the then existing political platform.

- Furthermore, the concept of "consent'' which as was fashioned by Gramsci to be between the ruling and the subordinate classes arriving through a series of struggles in which the dominant social group makes certain compromises with other groups, in order to promote some 'general interests' is reminiscent to be applied perfectly in case of civil society in Pakistan. For example the issue of democratic transition in Pakistan, 2008-2013(Without the intervention of the armed forces) to keep the pace of political process alive, in a move to guarantee the saturating democratic continuity to the popular culture as manifested with the strengthening of civilian institutions.

- This shift of the hegemonic institutions to favor a policy of consent rather than that of confrontation or coercion focuses on the policy of dialogue and thus consensus. It
- conceptualizes an approach to civil society as an agent to counter the existing nationalist elitist model from which established order can be challenged; relationship between power

and resistance be analyzed as well as the organization of elements of civil society be maintained. Such an approach also refocuses the critical post-colonial theory.

- In the larger length of this chapter, it was however seen that the state centric approach to generate the political narrative from the top down rather than a bottom up perspective has been dominant and thus there is a need to address this over centralized political narrative on the State where one can see the civil society from the autonomous role playing actor.

Chapter 10:

The Historiography of the "Politics of The Governed[565]" in Pakistan: Constructing the Political narrative of the Marginal Fragments:

> *In the name of the sad lives of clerks,*
> *In the name of the worm-eaten hearts and the worm-eaten*
> *tongues*
> *In the name of the postmen*
> *In the name of the coachmen*
> *In the name of the railway workers*
> *In the name of the workers in the factories*
> *In the name of him who is Emperor of the Universe, Lord of All*
> *Things,*
> *Representative of God on Earth,*
> *The farmer*
> *Whose livestock has been stolen by tyrants,*
> *Whose daughter has been abducted by bandits*
> *Who has lost, from his hand's breadth of land,*
> *One finger to the record keeper*
> *And another to the government as tax,*
> *And whose very feet have been trampled to shreds*
> *Under the footsteps of the powerful.(Faiz Ahmad Faiz,Intesab)*

5.1.1.Reflecting the Post-Colonial perspective into the actual narrative of Pakistan's complex historiography:

Considering that the Post- Colonial Theory offers the point of view of the common masses in their struggle to change and alter the nature of the political narrative from above to its level below i:e to anticipate the urgency within the Pakistani Political milieu to put its historical emphasis top down to a bottom up perspective, Such an initiative can not only capacitate highly intricate issues of the

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[565] The word Politics of the Governed applies to Ranajit Guha's understanding of the voices from below, corresponding to the subaltern, the lower middle classes, the peasants, the factory workers and all the marginalized sections of the population in general. It is also the title of his book which has been quoted in the earlier chapters.

grievances of the existing ethnic, political, religious minorities(which are at the forefront of marginality)but can also help rendering to identify the problems, corresponding to the liberation struggles, representation of mass based movements, identifying in its wake the non- elite based reflection of the Civil Society and accentuating the true essence of the voices from the mainstream.

[...]No one model of Civil Society is going to work in every cultural and social context irrespective of history, linguistic conventions and political practices, If we were to replace the language of rights with that of dignity and if we were to think about the way universality can be mediated by historical specificities we might be able to allot to the concept its rightful role in the social and political order. This is the precise message that needs to go out to International bureaucrats and policy makers who seek to reduce complex problems to one point agenda.[566]

5.1.2. The Inherent insufficiency of the Political Discourse in Pakistan to address the Post- colonial narrative: Issues, factors and problems:

All conventional historical narratives emanating within the context of discourses on Civil society in Pakistan have been predominantly top down in their focus to address the history from below and representing the aspirations of the lower-middle classes ,their struggles, contestations to rights and power; recalling the formation of new order based on equity and justice suffer from a lack of an insufficient historical narration and are deficient in their justifiable descriptive and empirical illustration. This realization to bring about the historical narrative of the Civil Society in Pakistan from the point of view of the lower middle classes, marginal streams like ethnic and religious minorities, the masses at the periphery; the peasants, the factory workers, the home based workers; disenfranchised groups who are secluded from the political arena(who have almost no conspicuous voice within the larger discourse on civil society); attempts to counter the historical narrative that treat populations as passive. The basis of the Post- Colonial argument thus rests with the point that within the 'political society' the marginal voices instead of the elite should comprise the actual narrative of Pakistan's historiography.

5.1.3. Theorizing the Post-Colonial from the point of view of the subaltern:

The problem of theorizing the Post- Colonial account in Pakistani case in my opinion arises from the fact that the Pakistani political history took a tilt from accounting the Civil Society from the

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[566] Neera Chandoke's *Post Scriptum* inValentina,Gentile,Opcit,p.126

point of view of the below. There is a need realized thus from this work that in order to infer the dominated from the dominant narrative, Theory building from the point of view of the masses surely has to meet more comprehensive attention. Steps taken in the direction to record history from the below and taking the Post-Colonial narrative consisting of ethnic religious minorities, marginal social groups, liberation movements, peasants, and other marginalized groups could be the right starting point in reflecting and help bringing the narrative from its elite centric to that of a mass based or popular reflection of the Civil Society.(Examples in this case apply if not all but some very significant including the 1969 uprising in East Pakistan(this has been covered as part of a case study in chapter 8);Movement for Restoration of Democracy, 1981;Lawyers Movement,2007;Women's movement in Pakistan(1980's under Zia's military dictatorship to present);the Peasants movement in Okara, The Earth Quake Relief Movement, 2005; The Flood Relief Movement,2010; The Fisher Folk Movement,2010; The Home Based Women Workers Movement; Pakistan Minorities Movement in recent years.[567]

[...]The political power, in my opinion, cannot be our ultimate aim; it is one of the aims used by men for their all-around advancement. The power to control national life through national representatives is called political power .Representatives will become unnecessary if the national life becomes so perfect as to be self- controlled. It will then be a state of enlightened anarchy in which each person will become his own ruler. He will conduct himself in such a way that his behavior will not hamper the well- being of his neighbors[...]That is why Thoreau has said that the government is best which governs the least.

5.2.The Need for The Bottom –Up Approach to Pakistan's Civil Society:

The emphasis and the focus on highlighting the cultural approach to Civil Society in Pakistan, with its contextual link with issues like identity, nationalism, democratic tolerance, plurality, respect for public virtue, democracy; on consensus by constitutionally guaranteed basic rights that render legitimate in the eye of the minorities as well as the marginal populations can be of an immense significance for coping with the crisis of representation, politics of fragmentation and sectarianism, ethnic and national tensions combined with the plethora of issues like religious tolerance, recognition of multiple demographies will serve not only the ground from which a fair and just

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[567] The movements mentioned explicitly correspond with various periods from the evolution of the State to the present times. The Okara famer's movement is one of the most significant peasant movements till date in the history of Pakistan. It remains its uniqueness in the face of the severe resistance that it is facing and is a call for the long awaited land reforms in Pakistan .The fisher folk as well as the womens' home based workers movement also represent the current state of social activism in the mainstream lower middle class sections of the Pakistani society

These movements reflect the politics of mass based action that characterize the activist version of the civil society as propounded by Mary Kaldor

discourse on civil society be built but will be a milestone for ushering a systemic, well balanced, and a truly egalitarian description of facts and empirical discourse that will mark a sea change within the debate on the contemporary political culture; as well as portraying that such an approach be internally related to the development of relevant theoretical debate on the Post-Colonial society in Pakistan.

Subaltern representation is not only political but implies a moral recognition as well. Such an attempt is useful not only from the point of view of developing a truly civic culture but also a means to endorse an arena of governance that guarantee effective political participation in which all are free to put into actual practice their capacities of national self- realization whatsoever their cast, creed, race or religion. This is very much in line with how Hegelian theory in its crucial yet pertinent sense reconstructs civil society in terms of various levels of its attributes: Plurality, association and public virtue as a means to link between itself (The Civil society) and the state in terms of mediation and interpretation.[568]

 Since the actual representation of people in any society rests with an emphasis on public good, democratic participation amidst the concomitant adversial political culture involves the all en compassing practices of citizenship, rights at all levels that in cooperate the characters, customs, moral sentiments and civic virtues, the freedom to be a recognized in the larger political sphere implying that freedom must have its original locus not in isolated individuals but in the society that is the modicum of the practices in the larger social life.[569]

Gayatri Spivak opines that:" *[…]The idea of the actual theory of representation […] points […] to the domain of politics, the state and the law."* [570]*(Spivak, 2010)*

Accordingly fashioned in this way is the idea that only on the basis of the conception of a good life only within the framework of substantive ethical political community with a specific political culture[571] The statement above clarifies the understanding of what type of system has to be created and the value for this particular system bent upon to prioritize the perception of the self-realization within the community This becomes another example of representations of the traditional identities: which if do not fit or meet the standards of the particular representation of the whole community lead to exclusion..

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[568] Jean. L, Cohen &Andrew Arato, *Civil Society and Political Theory,* (Massachusetts: MIT Press, 1992), pp.3-9.
[569] Ibid,
[570] See Spivak's quote in Can the Subaltern speak? Opcit,
[571] Opcit,

5.2.1 The Pre-Existing Problem inherent within the "Representation Discourse": Lessons from the Indian Experience:

"The state has lost its role as an agent of transformation or even as a protector or mediator in the affairs of civil society. In fact one finds that the whole human relation between the state and civil society is increasingly visited by a growing concern of the state apparatus."(Rajni Kothari, 1988).[572]

The problems of religious domination, exclusion, and marginalization are endemic within dealing with issues of equality, freedom and towards taking a critical stance on the question of formal recognition to all and to address questions of intra and inter religious domination within the existing constitutional and legal parameters. Such questions like how and why should states intervene to protect religious minorities/communities and should or should not be a final arbiter to nullify the negative influence of religious domination occupies the center stage in this debate.

The Issue of Nationalism

Gyanendra Pandey has attempted to answer the problem of nationalism to address the Communitarian idea of political society within the framework of a general speculation about the nationalist discourse:

[...]Nationalism has everywhere had a deeply divided relation to community[...]on the one hand nationalism must speak the language of rationality, of the equality of individuals [...]on the other it needs the language of blood and sacrifice, of historical necessity of ancient (God given)status and attributes –which is part of the discourse of communities[573]

Such a moment met with an example in India under Nehru's secular leadership and Gandhi's spiritual stewardship of the congress party that led India to independence and had strong practical as well as ideological reasons for endorsing inter-communal tolerance.[574] In order to increase national solidarity and reinforce a sense of common anticolonial grievance the Congress itself a very diverse

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[572] Rajni Kothari considers the civil society as an alternate to the state and empowerment for the common man.

[573] Peter Morrey & Alex Tickell(eds.),*The Limits Of Secularism: Alternative India's, Writing Nations and Communalism,*(New York: Rodopi, B.V, 2005), p.3

[574] Ibid,

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[574] Ibid,

body had maintained a strategy of absorbing the different religious communities into the Indian polity rather than demanding a uniform secular adherence to the concept of the nation[575].

In case of Pakistan, the lumping together of varied ethnic identities all embodied within the rubric of one ideology created a need for re assertive discourse on national unity. This created a problem which had been quite understandable whenever the political and objective criteria of one nation hood is envisaged accommodating varied languages, ethnicities, differing religious backgrounds lacking sometimes in the sense of real allegiance which later proved to arise problem for ethnic and political minorities in one state. Complication in matters of political identity constitutive on relations between groups, individual and the state arose as a natural offshoot in the process of welding together different groups with different ethnic, religious and linguistic backgrounds.

Coming to terms with such a tapestry of multiple identities and politically diverse groups has been not only witnessed in the Pakistani case, some experiences in history show us more or less similar situations which had been more complicated. Such was the case with Eastern Europe, which arguable feel as under when neither the multinational empires nor new nation states proved feasible alternatives in a period in which democracy was pushing for self- determination but the intermittent intermingling of groups was such that national self- determination threatened in fact to become what C.A McCartney has called National Self- determination National Determination.[576]

The Argument of Secularism against Nationalism:

Mukul Kesavan has argued that the Indian elite only adopted secular politics under Nehru's tutelage as a common sense measure and as an aspect of a hegemonic style. Secularism as practiced by the Indian elite often had little to do with conviction or ideological principle; it was instead a marker of modernity and metropolitan good taste […] the failure of the State to make India economically successful eroded this claim to be progressive and modern. And because Nehru […] had witnessed socialist autarky and secularism, the failure of the one discredit the other.[577]

Jawaharlal Nehru's secular historically based model of Indian identity became the presiding political narrative of the new Indian Republic after 1947. Fiercely opposed to the intrusion of forms of religious identity in the workings of the post-colonial state, Nehru generally associated India's

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[575] Ibid,

[576] Hans, Daadler, Dario, Castiglione& Hoffmann-Martinot (eds.), *State Formation, parties, Democracy: Studies in contemporary European Politics (ECPR Press, 2011), p.65.*

[577] Opcit,

religious traditions with backwardness and superstition. He had to remain sensitive to the political anxieties of India's religious minorities and considered Hindu majoritarianism a greater evil than communalism[578].In recent years a number of intellectuals have spoken out to question the values on which the Indian constitution was based, seeing secularism as a myth or as inappropriate to the Indian needs. Critics such as Ashis Nandy, Partha Chatterjee, T.N Madan and Gyanendra Pandey vehemently opposed Hinduvta.[579]

Gayanandra Pandey opines that:

".....the assumption that secularism in India refers only to the relationship of religious communities to the state has determined both the formulation of communal ideologies and the responses to their opponents. Hindu nationalists have in recent years successfully identified the supposed appeasement of minorities by the state as the basis for their ideological campaign to desecularize.[580]"

Ashis Nandi argues that these events have become an unwritten epic that everyone in South Asia pretends does not exist but are nevertheless found to live by" [sic] Nandi also makes qualitative distinctions between the violence of partition and the subsequent communal conflicts. For him Hindu nationalism can be defined less as a religious than as a political idea, designed to concentrate the power to define and delimit the nation in the hands of those with particular political and economic interests. The resulting majoritarianism which seeks to subordinate the interests of minorities to those enjoying numerical preponderance, is a pervasive force in the cultural life of contemporary India.[581]

5.2.2.Representation, Secularism, Pluralism and Normative consensus:

The issue of secularism has been highly debated during the recent times not only within the discourse on nationalism perse but also within the realms of issues ranging from toleration to pluralism. A good way to understand the nature and dynamic of society is identifying the virtues of tolerance. In India for some the secular virtues that were enshrined corresponded to the belief that institutionalization of secularism could reap comprehensive results for the state but Neera Chandoke believes that such kind of institutionalization has its limits. She argues that the characteristics of state in religious societies be based on the summoning of Resources of toleration

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[578] Ibid,
[579] Ibid,
[580] Ibid,
[581] Ibid,

that were signpost of plural societies learning how to live together. It is true that toleration of different belief systems was a property of social relations in pre-modern times. But we also have to recollect Gellner's warning that culturally plural societies worked well in the past but genuine cultural pluralism ceases to be viable under current condition.[582]

Within the context on the larger debate on a condition of normative consensus in a society which may have multiple cultural and religious identity; the problem of a supposed consensual mechanism or modus vivendi has been identified to have two problems.(This recognition is based in line with the problem in the contemporary democratic theory which is a combination of two fundamental political ideas: Pluralism and consensus.[583]

In line with the above to points identified, it would be worthy to invoke the Rawlsian approach to identify the solution.

The Rawlsian position on the democratic society based on the idea of overlapping consensus and Public reason are important to be discussed a little further. What Rawls argues is that "since the fact that pluralism cannot be a guarantee to ensure the collective consensus of a political issue or a concept therefore it is necessary to look beyond to already to what exists within the political domains. This identification envisages the situation of perfection for a democratic society and for such a perfection one needs a 'comprehensive doctrine'. One of the most essential ingredients of such a doctrine is based on the practice of 'overlapping consensus.' This approach to a grounding on plural values in a society is based on morality.

The notion of over lapping consensus is deeply related to an idea of liberal legitimacy.[584]Such an understanding thus entails an 'ideal condition.'[585]The Rawlsian ideal condition is debated by some as close to the Hobbesian state of nature which presupposed the existence of the social after the in alienable condition of an anarchy) which is also a pre-condition for a Liberal society.

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[582] The idea of cultural pluralism denotes to the idea of religious toleration based on an in exorable interaction of people with one another and respecting their cultural and religious differences. This idea has been a focus of the debate in Valentina Gentile opcit.p.129Gentile in her book emphasizes on thus point within the larger focus on the idea of the culture of civility which in her opinion can be very useful to nurture social and cultural solidarity.

[583] Ibid,p.19

[584] V. Gentile ibid.p.19.

[585]The Rawlsian ideal condition is debated by some as close to the hobessian state of nature which presupposed the exstense of the social after the in alienable condition of an anarchy).This is also a pre-condition for a Liberal society and hence it meets its firmest opposition on those grounds.

The problem of the Dominant narrative and the Elite:

"The colonialist and neo-colonialist historiographies have for a long time been dominated by elitism ...colonialist elitism and bourgeoisie nationalist elitism.....sharing the prejudice that the development of the consciousness-nationalism which confirmed this process was exclusively or predominantly elite achievements. (Guha, Quoted in Spivak, 2010)

The groups and elements included in the elite category represent the difference between the total population and all those whom are described as the elite who represent the dominant; In case of India it includes the indigenous groups on all India level Dominant indigenous groups at the regional level and local levels.[586] This could and did create many ambiguities and contradictions in attitudes and alliances, especially among the lowest strata of the rural gentry impoverished, landlords, rich peasants and upper middle class peasants all of whom belonged, ideally speaking, to the category of subaltern classes.[587] At the regional and local levels the [dominant indigenous groups]…if belonging to social strata hierarchically inferior to those of the dominant all Indian groups acted in the interests of the latter and not in conformity to interests corresponding truly to their own social being.[588]

Conclusion:

This commentary on the problem of definition of the subaltern is an example on the complex making of the Post- colonial society, in which Civil Societies still remain on the cross roads to redefine their locus of priorities, problems and the very challenge they face against the politics of fragmentation, representation and associations amidst the intricate issues of nationalism and exclusion on the one hand participation and plurality on the other. Though, in case of India, the experiment in Democracy and Democratic institution making combined with Consociational models and Secularism proved challenging for the Indian Civil Society and the State at the same time; the case with Pakistan has been rather more complex for many reasons beyond the scope of this discussion. Meanwhile, there is always a room for effective lesson learning and this can be seen and even emulated within the writing of the Indian Political History. Such a necessity to draw a deeper look into finding its essential applicability identifies the "moment of lapse" that can perhaps prove to bear mutually beneficial combination of re- visiting the historical narrative rethinking the odds and rectifying the mistakes of the past.

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[586] Spivak has identified this categorization of the Indian elite and to her there is an intentional mistake to cover the general narrative as without the distinction of higher, middle and lower groups: One of the very visible fault lines that she recognizes from this narrative of the Indian elite is that he term people and the "subaltern classes" have been used as synonymously.
[587] Opcit,p.283
[588] Ibid,p.284

Overall Conclusions and Recommendations:

This work focused on tracing the discourses on the State and the Civil Society in the Western and the Non-Western milieu. The idea derived from doing such a study revolved around the purpose to search for the narratives and counter narratives within the critical cultural discourses existing in the political, cultural and philosophical grounding of the Western and Post-colonial societies. Critical perspectives on issues like, modernism & post modernism carried the debate forward drawing upon the critical commentaries on the discourses, in the Liberal and Non Liberal traditions   which essentially led to the identification of areas where attention is needed and policy formulations necessary.

The main theme related to finding a sound theoretical grounding for the discourse on the civil society in Pakistan. Such an effort was useful to search the locus of issues ranging from identity to nationalism, religious and ethnic pluralism as well as ethno-national belonging of groups and communities. Apart from this, the work opened the room for debating the platforms for a sound public understanding of the nature of the Pakistani Civil Society keeping in mind the much needed emphasis on issues of inter and intra religious tolerance within the general context of South Asia and particularly within the domains of understanding the civil societies in India and Pakistan. The discussion on Nationalism and Secularism, combined with issues of equality, rights, political participation, democracy, and social   justice constitute thus constitute as one of its very major contribution of the work.

Furthermore, the understanding that the colonial underpinnings shaped the politics of post-colonial societies with its inextricably connection provides a very useful input to the study. The numerous trajectories of the cultural and counter cultural narratives emanating from the Western and the Post-colonial thoughts enrich the disciplinary character of the work with its much needed emphasis to the discourse on Civil society.

The Post- Colonial discourse offered a useful and a fairly decent point of critique; it served as the background for the theoretical understanding of the historical narrative rooted in historiography from the Non-European, Post- colonial context; its discursive practice was taken as being a historical trend as well as the mode of theoretical understanding. I infer that apart from being an area of intense study of historiography; the study is instrumental for its contribution to theorize the dynamic of state and civil society discourses emerging amidst a plethora of wide ranging issues, disciplines and filed of studies. This is because on the one hand, the study offers a critical viewpoint

to the Liberal discourse on civil society and on the other its focus rests with cultural localism merged with issues of identity, class and belonging which puts its unique emphasis on religious and culturally based leanings yet, However, it struggles to address a uniform theoretical perspective applicable for all Non-European paradigms.

In this study, it was taken to provide a theoretical and normative understanding for a counter narrative, so the relevance of it being a theory constructed against the dominant academic disciplines which have been founded in the West posed a challenge. This is due to the fact that the Anglo Saxon disciplines have their own ways to deal with the discourses (on the conventional theories of the State and Civil Society as separate fields of study); So, the alternate theoretical counter narrative approaches it uses to search for a theoretical framework within the International as well as in the domestic and the local dimensions is thus one of the significant contribution of the field.

As inferred from this work the historiographical account of the discourse on Civil Society and State in the West was linked in a particular historical milieu which explains the complex processes, patterns and forms with which the State and the Civil Society has emerged in Europe. Retrospectively the particular social, political, cultural, philosophical and economic trajectories in the West differ from the Non-Western societies in many ways. From this point it is clear that when it entered into the historical epoch of colonialism; its moment of historiography found a new relevance; that of being opening a new narration for itself. This moment of its historical contextualization from the point of view of the Other; the Other through which it found its own image, or reciprocally the Other through which the Orient found itself and left the theatre of history into a never ending relational sphere; found as a reflection of Said' Orientalism which enshrines the idea of the constitution of the self through the other explaining how the Orient was actually constituted as the Other of Europe.

Amidst the process of decolonization and the gradual retrieve of the Empires (the colonial agency), the post- colonial project was called anew; the coming of the new emancipatory project set forth a new agenda for bringing about a radical change. But there were some very imminent problems within the nature of this social change. One of them was the issue of ethno-nationalism which continued in the midst of the post-independence years. As the example of ethno- national movements in Pakistan has shown, that nationalism can emerge in Non –Liberal contexts where tribal and rural socio economic trends can combine. The case of Pakistan where the creation of the new state left a feeling that the new social and political emancipation could usher a new era but on

the other the forms of political and economic structures that the new system was established upon; could not suppress the national aspirations. This was however different from the conditions of European modernization. Here it will be relevant to quote Gellner's account (which though essentially rooted in Western context where pre-agrarian structures of feudalism gave way to modem industrialized societies based on high mass consumption) the model was not applicable to developing countries which have not passed through the same process of development as the developed ones. However, nationalist aspirations without possibly undergoing the same historical processes (as of the West) were inevitable which explains that even as a political principle, nationalism can be adopted in different socio- economic political and economic contexts.

The nation building processes were thus fraught with challenges and imbibed a different course of action. As is seen from Chatterjee's point of reference to the 'political society'; the idea of civility which remained at the center of the debate on the civil society in the Western context was not the same in the post-colonial context. It was difficult to be built and endorsed under complex ethno-national frameworks. Western Universal values were anticipated (as premised on equality and respect) but were not enough because the discourse for such a case implied a different understanding. Civil society emerged in the form of massive populations which were continued to be pushed to the margins of society. Most of them did not possess any kind of status; their voices remained marginal and unheard and they lived in situation where their economic, political and social positions were not even paralleled equally with that of the post-colonial state (based on a different way to understand the mechanism of the subjects): that is the citizen's relationship with the state.

In addition, the State and the Civil Society building processes was carved out of this successive paradox of claims and counter claims in liberation struggles. One finds its relevance in Chatterjee's political society which he constructs against the idea of an old order to the new order promising a significant change. While a counter cultural notion of Western civility was found within this Post-colonial version of civil society contestations; the national liberation projects by indigenous natives also challenged this conception. While Chatterjee argues that in post-colonial societies the enlightened elite should be engaged in a pedagogical mission to liberate the masses in relation to the rest of the society; Guha's work is essentially based on challenging the elitism of bourgeois nationalist historiography of Indian nationalism in the post national period, it also marks the origins of the Subaltern Studies. Guha proclaims that the Subaltern could not ignore the dominant because they are always subject to rectify the elitist characteristics of the dominant. Gayatri Spivak; on the

other hand, presents a challenge which is prominently in conflict with Chatterjee and Guha on the account of the fact that she argues that the subaltern should be seen from multiple sources of its historiography. As it appears in Spivak; this prerogative is thus the major point of departure between Spivak and the rest of the Post-Colonial Scholars. The new call for action for the subaltern should thus not to be narrowed down to its relation of the colonial past but to the greater past that which it has carried with it in the course of history. Looking retrospectively from this point; the subaltern calls for its own model; as an offshoot of the part and parcel of its own identity; which calls for the new terms to mobilize their actions for their rights and space to resist the cultural hegemony. There is a need realized thus from this work that in order to infer the dominated from the dominant narrative, theory building from the bottom- up surely can be a step in the right direction. Measures taken in this regard will help cover the true picture of civil society and will also address problems of exclusion and marginalization. The Neo-Gramscian Approach used as a case study of the Pakistani Civil Society serves good to understand the nature of the dominant narrative from the top that defines the contours of power of the state. Narrative from top-down thus provides the recourse to understand the bottom up. Thus, issues of hegemony-counter hegemony, force, coercion and passive revolution serves to understand the complex making of the social and political order in the society. The cultural and the ideological factor that dominates the debate on the structure and the superstructures serve crucial points of reference for this work. While the Marxist understanding in terms of the economic makeup of the social classes is significant; the Hegelian and Gramscian versions to understand the discourse on Civil Society in terms of the superstructure; the ethical and ideological component of the society holds a very plausible position for understanding the cultural component of the civil society discourse in the West as well as in the Non-Western milieu. Bobbio's recollection of the Gramscian understanding on the superstructure as differing to Marx with an added emphasis on the cultural, ideological and sociological component serves substantially to further the understanding on the pre-eminence of the role of 'culture.' In defining ideology of the dominant order and reflecting as a result the power configuration of the state. Putting the civil society discourse within the Hegelian dialectical order proves extremely significant.

Though there are reservations to understand this Gramscian angle from the strict point of its focus on its contextual reference to the discourse on civil society in the West as manifest in his study of the Italian Communist party and his subsequent political grounding in the midst of war, yet reserving Gramsci within a particular epoch of historical implication will not be just that his study truly deserves. Implying Gramsci in cases outside of the European milieu has thus been relevant if

not exclusively only within the post-colonial theorization or for that matter within the post- modern ideas of political society as in case of Foucault who has extended the idea of political society to the case of prisons, jails and ghettos.

Furthermore, in line with the attempt to record history from below and taking the collective narrative consisting of ethnic and religious minorities, marginal social groups, liberation movements, peasants, and other marginalized groups is the right starting point in reflecting and bringing a much needed change of approach in understanding the social change. As is visible from this study of the Civil Society in Pakistan and given the fact that all conventional historical narratives emanating within the context of discourses have been predominantly top down in their focus; the realization of the Civil Society to be embedded within the actual political and socio-culture narrative attempts to counter the narrative that treat populations as passive. Previous studies conducted as has been cited earlier in this work by Ayesha Siddiqua, Jalal, and even Haqqani cover the narrative from top down.

With regard to the issues of representation, secularism, pluralism and a normative consensus on complex issues it is inferred that they lie at the very center of the debate in the larger context of democracy and participation within the public space. Thus, within the realms of the Pakistani civil society with its problems pertaining to the over centralization of State power, its elite centric focus, cultural and ethnic hegemony of the dominant groups and socio-economic inequalities as well as the state centric tilt to its dominant historical narrative; such an approach provides a good way to understand the nature and dynamic of society and in identifying the fault lines.

In terms of the case of Indian Secularism which for some enshrined the belief that institutionalization of secularism could reap comprehensive results; for many others it did not prove to be so. Neera Chandoke argues that such kind of institutionalization had its limits because the characteristics of state in religious societies is based on the summoning of resources of toleration that were signpost of plural societies learning how to live together. It is true that toleration of different belief systems was a property of social relations in pre-modern times which may not be the same in the current context of the complexity of the socio-political and cultural landscape. Coming back to recollect Gellner's warning that culturally plural societies worked well in the past but genuine cultural pluralism ceases to be viable under current condition[589] is a case in point.

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[589] The idea of cultural pluralism denotes to the idea of religious toleration based on an in exorable interaction of people with one another and respecting their cultural and religious differences. This idea has been a focus of the debate in

Coming to terms with such a debate for Pakistan, the issue has been very complex, because of the ideological underpinning of the state that many attributes are connected with the legal and constitutional grounds of its foundation. As was seen from the discussion; the struggle of the early leadership to give it a secular character has been quite a bumpy ride. The case of the promulgation of the Objective Resolution which nurtured the polity of the state on solely religious orientation proved a test case for the ethnic and religious minorities. The legislation on minorities; linguistic rights, provincialism, secession movements in the country, issues of gender and tolerance have proved to be extremely decisive for the Pakistani Civil Society.

The effects of the Post September 11 scenario have also influenced the social fabric of the Civil Society in Pakistan where the International context of the Global War on Terror have had very damaging effect on its domestic sphere. With the successive history of Martial Laws in the country the Democratic partake has been conspicuous by consequences of immense magnitude. While the peaceful democratic transition has taken place after the 2013 National Elections; new calls for democratic institutionalization have created a hopeful scenario.

From the discussion it is clear that within the context on the larger debate on a condition of normative consensus on deeply divided issues; as specifically pointed out before in case of the Pakistani Civil Society; it would ought to be influenced by the multiple cultural and religious identities; however even if it is assumed that such a consensus is possible at all; the indicators that are drawn from this work imply that the problem of a supposed consensual mechanism or modus vivendi has been marked and identified with challenges. Meanwhile, if it is to be applied to the test case of Pakistani Civil Society; such a balance can hold its importance in many ways. Considering that within the Democratic spheres of the Civil Society in Pakistan there is a realization that political pluralism based on the idea of shared values of community, norms ethos and culture can play an important role in unifying the divisive forces(nationalism, religious intolerance, sectarianism and ethnic separatist sentiments) such an idea can be well adapted. When the promotion of a culture of commonalities based on the historical instances are used for mutual recognition; such an effort can set the pace of a positive change. This is also in line with the idea of Benedict Anderson's imagined communities. This experience of sharing common cultural practices irrespective of narrow difference based on ethnic national grounds can prove to be good starting point. In this vain however, legislation on minorities, with recognition of their equal rights and status along with all necessary conditions to their safety, security in social, political and economic

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Valentina Gentile opcit.p.129Gentile in her book emphasizes on thus point within the larger focus on the idea of the culture of civility which in her opinion can be very useful to nurture social and cultural solidarity.

realm be anticipated by means of law. Such an approach of legal inclusiveness can be a very instrumental idea to bind the fragmented political order. However, with due regard to the existing situation on the ground with its legal and political exclusiveness of the marginal groups in the country such an approach could prove highly challenging. In the meantime, the lessons learned from the partition of Pakistan and the case of the division of the Indo-Pak subcontinent with the human diaspora of millions, the tragedies and the bloodshed should be reminiscent of its consequences and thus should provide ample rationale for not repeating the mistakes of the past.

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کراچی: سول سوسائٹی کی مشعل برداری
کراچی میں فساد ات اور تشدد سے زائد افراد کی ہلاکت کے خلاف سول سوسائٹی کی تنظیموں
رہ لی نڈ کالی،اور این جی اوز نے جمعرات کو شہر میں مشعل بردار
04/12/2008

- امن کی بات کرنے والے کہاں ہیں؟
  04/12/2008

- سول سوسائٹی: نئی تحریک تیار سول س
  سول سوسائٹی تنظیموں کا ایک اجلاس اسلام آباد میں ہوا ہے جس کا مقصد ایک نئی تحریک کا
  آغاز کرنا تھا۔
  18/07/2008

'تقسیم کی حقیقت سے آشنا'

ال یسٹر لاسن
'آشنا سے حقیقت کی تقسیم'
'ہے سکھ تاجا ڈھیرای ادار ذمہ تک حد بڑی ل یے کے الم یے اس کو ب یٹن ماؤنٹ اور برطانیہ حکومتِ'.
11/08/2007

- کشوری لال کے اٹھانوے سال
  گاندھی کے نظریے کے پرچار کے لئے وہ دیہاتوں، ریگستانوں میں گئے اور عبادت کے
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ANNEX: 1

*The highlighted text refers to the main points concerning partition of the subcontinent

The Independence Act 1947

Indian Independence CH. 30.
Act, 1947-

CHAPTER 30.
An Act to make provision for the setting up in India of two
independent Dominions, to substitute other provisions
for certain provisions of the Government of India Act,
1935, which apply outside those Dominions, and to
provide for, other matters consequential on or connected
with the setting up of those Dominions. - .T
J18th July 1947.1

B E it enacted by the King's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :-

1.-(i) As from the fifteenth day of August, nineteen hundred The new
and forty-seven, two independent Dominions shall be set up in Dominions.
India, to be known respectively as India and Pakistan.

(2) The said Dominions are hereafter in this Act referred to as
the new Dominions ", and the said fifteenth day of August
is hereafter in this Act referred to as " the appointed day ".
2.-(1) Subject to the provisions of subsections (3) and (4) Territories of
of this section, the territories of India shall be the territories under the new
the sovereignty of His Majesty which, immediately before the Dominions.
appointed day, were . included in British India except the territories
which, under subsection .(2) of this section, are to be the
territories of Pakistan.

(2) Subject to the provisions of subsections (3) and (4) of this
section, the territories of Pakistan shall be-
(a) the territories which, on the appointed day, are included

in the Provinces ofEast Bengal and West Punjab,
as constituted under the two following sections ;
A2 1 (b) the territories which, at the date of the passing of this

Act, are included in the Province of Sind and the Chief

Commissioner's Province of British Baluchistan ; and

(c) if, whether before or after the passing of this Act but

before the appointed day, the Governor-General declares

that the majority of the valid votes cast in the referendum

which, at the date of the passing of this Act, is

being or has recently been held in that behalf under his

authority in the North West Frontier Province are in

favour of representatives of that Province taking part

in the Constituent Assembly of Pakistan, the territories

which, at the date of the passing of this Act, are included

in that Province.

(3) Nothing in this section shall prevent any area being at any

time included in or excluded from either of the new Dominions,

so, however, that-

(a) no area not forming part of the territories specified in

subsection (1) or, as the case may be, subsection (2), of

this section shall be included in either Dominion without

the consent of that Dominion; and

(b) nt.. area which forms part of the territories specified in

the said subsection (1) or, as the case may be, the said

subsection (2), or which has after the appointed day

been included in either Dominion, shall be excluded

from that Dominion without the consent of that

Dominion.

(4) Without prejudice to the generality of the provisions of

subsection (3) of this section, nothing in this section shall be

constzued as preventing the accession of Indian States to either of the new Dominions.

Bengal and Assam.

26 Geo. 5 & r Edw. 8. C. 2.

3.-(1) As from the appointed day-

(a) the Province of Bengal, as constituted under the Government of India Act, 1935, shall cease to exist ; and

(b) there shall be constituted in lieu thereof two new Provinces, to be known respectively as East Bengal and West Bengal.

(2) If, whether before or after the passing of this Act, but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the District of Sylhet are in favour of that District forming part of the new Province of East Bengal, then, as from that day, a part of the Province of Assam shall, in accordance with the provisions of subsection (3) of this section, form part of the new Province of East Bengal.

2

(3) The boundaries of the new Provinces aforesaid and, in the event mentioned in subsection (2) of this section, the boundaries after the appointed day of the Province of Assam, shall be such as may be determined, whether before or after the appointed day, by the award of a boundary commission appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined-

(a) the Bengal Districts specified in the First Schedule to

this Act, together with, in the event mentioned in subsection (2) of this= section, the Assam District of Sylhet, shall be treated as the territories which are to be comprised in the new Province of East Bengal ;

(b) the remainder.of the. territories comprised at the date of the passing of this Act in the Province of Bengal shall be treated as the territories which are to be comprised in the new Province of West Bengal ; and

(c) in the event mentioned in subsection (2) of this section, the District of Sylhet shall be excluded from the Province of Assam.

(4) In this section, the expression " award " means, in relation to a boundary commission, the decisions of the chairman of that commission contained in his report to the GovernorGeneral at the conclusion of the commission's proceedings.

4.-(1) As from the appointed day- The Punjab.

(a) the Province of the Punjab, as constituted under the Government of India Act, 1935, shall cease to exist ; and

(b) there shall be constituted two new Provinces, to be known respectively as West Punjab and East Punjab.

(2) The boundaries of the said new Provinces shall be such as may be determined, whether before or after the appointed day, by the award of a boundary commission appointed or to be appointed by the Governor-General in that behalf, but until the boundaries are so determined-

(a) the Districts specified in the Second Schedule to this Act shall be treated as the territories to be comprised in the new Province of West Punjab ; and

(b) the remainder of the territories comprised at the date of

the passing of this Act in the Province of the Punjab shall be treated as the territories which are to be comprised in the new Province of East Punjab.

(3) In this section, the expression " award," means, in relation to a boundary commission, the decisions of the chairman of that commission contained in his report to the Governor-General at the conclusion of the commission's proceedings.

5. For each of the new Dominions, there shall be a Governor- The Governor-General who shall be appointee by His Majesty and shall represent General of His Majesty for the purposes-of the government of the Dominion ; the new Dominions. A3 3

CH. 30. Indian Independence io & ii GEO. 6.

Act, 1947.

Legislation

for the new

Dominions>

Consequences

of the setting

up of the new

Dominions.

Provided that, unless and until provision to the contrary is made by a law of the Legislature of either of the new Dominions, the same person may be Governor-General of both the new Dominions.

6.-(1) The Legislature of each of the new Dominions shall have full power to make laws for that Dominion, including laws having extra-territorial operation.

(2) No law and no provision of any law made by the Legislature of either of the new Dominions shall be void or inoperative

on the ground that it is repugnant to the law of England, or to

the provisions of this or any'existing or future Act of Parliament

of the United Kingdom, or to any order, rule or regulation made

under any such Act, and the powers of the Legislature of each

Dominion include the power to repeal or amend any such Act,

order, rule or regulation in so far as it is part of the law of the

ANNEX 2:

Mr. Jinnah's presidential address to the Constituent Assembly of Pakistan

August 11, 1947

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*The highlighted text refers to some salient points of Jinnah's speech

Mr. President, Ladies and Gentlemen!

I cordially thank you, with the utmost sincerity, for the honour you have conferred upon me - the greatest honour that is possible to confer - by electing me as your first President. I also thank those leaders who have spoken in appreciation of my services and their personal references to me. I sincerely hope that with your support and your co-operation we shall make this Constituent Assembly an example to the world. The Constituent Assembly has got two main functions to perform. The first is the very onerous and responsible task of framing the future constitution of Pakistan and the second of functioning as a full and complete sovereign body as the Federal Legislature of Pakistan. We have to do the best we can in adopting a provisional constitution for the Federal Legislature of Pakistan. You know really that not only we ourselves are wondering but, I think, the whole world is wondering at this unprecedented cyclonic revolution which has brought about the clan of creating and establishing two independent sovereign Dominions in this sub-continent. As it is, it has been unprecedented; there is no parallel in the history of the world. This mighty sub-continent with all kinds of inhabitants has been brought under a plan which is titanic, unknown, unparalleled. And what is very important with regards to it is that we have achieved it peacefully and by means of an evolution of the greatest possible character.

Dealing with our first function in this Assembly, I cannot make any well-considered pronouncement at this moment, but I shall say a few things as they occur to me. The first and the foremost thing that I would like to emphasize is this: remember that you are now a sovereign legislative body and you have got all the powers. It, therefore, places on you the gravest responsibility as to how you should take your decisions. The first observation that I would like to make is this: You will no doubt agree with me that the first duty of a government is to maintain law and order, so that the life, property and religious beliefs of its subjects are fully protected by the State.

The second thing that occurs to me is this: One of the biggest curses from which India is suffering - I do not say that other countries are free from it, but, I think our condition is much worse - is bribery and corruption. That really is a poison. We must put that down with an iron hand and I hope that you will take adequate measures as soon as it is possible for this Assembly to do so.

Black-marketing is another curse. Well, I know that blackmarketeers are frequently caught and punished. Judicial sentences are passed or sometimes fines only are imposed. Now you have to tackle this monster, which today is a colossal crime against society, in our distressed conditions, when we constantly face shortage of food and other essential commodities of life. A citizen who

does black-marketing commits, I think, a greater crime than the biggest and most grievous of crimes. These blackmarketeers are really knowing, intelligent and ordinarily responsible people, and when they indulge in black-marketing, I think they ought to be very severely punished, because the entire system of control and regulation of foodstuffs and essential commodities, and cause wholesale starvation and want and even death.

The next thing that strikes me is this: Here again it is a legacy which has been passed on to us. Along with many other things, good and bad, has arrived this great evil, the evil of nepotism and jobbery. I want to make it quite clear that I shall never tolerate any kind of jobbery, nepotism or any any influence directly of indirectly brought to bear upon me. Whenever I will find that such a practice is in vogue or is continuing anywhere, low or high, I shall certainly not countenance it.

I know there are people who do not quite agree with the division of India and the partition of the Punjab and Bengal. Much has been said against it, but now that it has been accepted, it is the duty of everyone of us to loyally abide by it and honourably act according to the agreement which is now final and binding on all. But you must remember, as I have said, that this mighty revolution that has taken place is unprecedented. One can quite understand the feeling that exists between the two communities wherever one community is in majority and the other is in minority. But the question is, whether it was possible or practicable to act otherwise than what has been done, A division had to take place. On both sides, in Hindustan and Pakistan, there are sections of people who may not agree with it, who may not like it, but in my judgement there was no other solution and I am sure future history will record is verdict in favour of it. And what is more, it will be proved by actual experience as we go on that was the only solution of India's constitutional problem. Any idea of a united India could never have worked and in my judgement it would have led us to terrific disaster. Maybe that view is correct; maybe it is not; that remains to be seen. All the same, in this division it was impossible to avoid the question of minorities being in one Dominion or the other. Now that was unavoidable. There is no other solution. Now what shall we do? Now, if we want to make this great State of Pakistan happy and prosperous, we should wholly and solely concentrate on the well-being of the people, and especially of the masses and the poor. If you will work in co-operation, forgetting the past, burying the hatchet, you are bound to succeed. If you change your past and work together in a spirit that everyone of you, no matter to what community he belongs, no matter what relations he had with you in the past, no matter what is his colour, caste or creed, is first, second and last a citizen of this State with equal rights, privileges, and obligations, there will be on end to the progress you will make.

I cannot emphasize it too much. We should begin to work in that spirit and in course of time all these angularities of the majority and minority communities, the Hindu community and the Muslim community, because even as regards Muslims you have Pathans, Punjabis, Shias, Sunnis and so on, and among the Hindus you have Brahmins, Vashnavas, Khatris, also Bengalis, Madrasis and so on, will vanish. Indeed if you ask me, this has been the biggest hindrance in the way of India to attain the freedom and independence and but for this we would have been free people long long ago. No power can hold another nation, and specially a nation of 400 million souls in subjection; nobody could have conquered you, and even if it had happened, nobody could have continued its hold on you for any length of time, but for this. Therefore, we must learn a lesson from this. You are free; you are free to go to your temples, you are free to go to your mosques or to any other place or worship in this State of Pakistan. You may belong to any religion or caste or creed that has nothing to do with the business of the State. Now I think we should keep that in front of us as our ideal and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.

Well, gentlemen, I do not wish to take up any more of your time and thank you again for the honour you have done to me. I shall always be guided by the principles of justice and fairplay without any, as is put in the political language, prejudice or ill-will, in other words, partiality or favouritism. My guiding principle will be justice and complete impartiality, and I am sure that with your support and co-operation, I can look forward to Pakistan becoming one of the greatest nations of the world.

ANNEX 3:

SIX POINTS OF MUJIB-UR-REHMAN FOR AUTONOMY OF EAST PAKISTAN.

*highlighted points indicate the areas for autonomy.

The Six-Points formula is mentioned here under.

1: There would be a federal parliamentary system based on direct adult franchise and ==representation of provinces would be on the basis of population== in the federal legislature.

2: The federal government will be restricted only to ==foreign affairs, defense and currency==. And even regarding foreign affairs, the dealings of economic matters would rest with the provinces.

3: There would either be ==two different currencies== for the two wings or a single one with separate Federal Reserve systems for each wing.

4: The ==power of implementation and collection of taxes== would lie with the ==provinces==. The federal government will be given enough shares to fulfill its tasks of foreign affairs and defense.

5: There would be separate accounts of foreign exchange earnings for each wing.

6: The East Pakistan would be given the authority to have a ==militia or paramilitary== force solely

ANNEX 4:

List of Print and electronic media in Pakistan

Press
- **Daily Jang** - Karachi-based, Urdu-language; largest-circulation daily
- **Dawn** - Karachi-based, largest-circulation English-language daily
- **The Nation** - Lahore-based, English-language daily
- **The Frontier Post** - Peshawar-based, English-language
- **The News** - English-language daily, published by Jang group
- **Daily Ausaf** - Islamabad-based, Urdu-language
- **Daily Times** - English-language, publishes in Lahore and Karachi
- **Pakistan Observer** - Islamabad-based daily
- **Business Recorder** - financial daily
- **Pakistan and Gulf Economist** - business weekly
- **The Friday Times** - Lahore-based weekly, English-language

Television

- **Pakistan Television Corporation Ltd** - state TV, operates PTV Home, regional network PTV National, Baluchi-language PTV Bolan, PTV News
- **ATV** - semi-private, terrestrial network
- **Geo TV** - leading private satellite broadcaster, owned by Jang publishing group; based in Dubai; services include Urdu-language Geo News
- **Dawn News** - private satellite broadcaster, owned by Herald group; first English-language news channel
- **Aaj TV** - private satellite broadcaster, owned by Business Recorder group
- **Indus TV** - private, via satellite; services include Indus Vision, Indus News and entertainment channels
- **ARY Digital** - private, via satellite; services include ARY News and entertainment channels
- **Dunya News TV** - private, via satellite; Lahore-based

Radio

- **Radio Pakistan** - state-run, operates 25 stations nationwide, an external service and the entertainment-based FM 101 network, aimed at younger listeners
- Azad Kashmir Radio - state-run, for Pakistani-administered Kashmir

- Mast FM 103 - private, music
- **FM 100** - private, music-based

News agency

- **Associated Press of Pakistan (APP)** - state-funded

ANNEX 5: Chronology of Pakistan's Political History from top-down: post- independence to 1970's

1906 - Muslim League founded as forum for Indian Muslim separatism.	
1940 - Muslim League endorses idea of separate nation for India's Muslims.	
1947 - Muslim state of East and West Pakistan created out of partition of India at the end of British rule. Hundreds of thousands die in widespread communal violence and millions are made homeless.	
1948 - Muhammed Ali Jinnah, founding leader of Pakistan, dies. First war with India over disputed territory of Kashmir.	
Military rule	
1951 - Jinnah's successor Liaquat Ali Khan is assassinated.	
1956 - Constitution proclaims Pakistan an Islamic republic.	
1958 - Martial law declared and General Ayyub Khan takes over.	
1960 - General Ayyub Khan becomes president.	
War and secession	
1965 - Second war with India over Kashmir.	
1969 - General Ayyub Khan resigns and General Yahya Khan takes over.	
1970 - Victory in general elections in East Pakistan for breakaway Awami League, leading to rising tension with West Pakistan.	
1971 - East Pakistan attempts to secede, leading to civil war. India intervenes in support of East Pakistan which eventually breaks away to become Bangladesh.	

From 1980's to current

1988 August - General Zia, the US ambassador and top Pakistan army officials die in mysterious air crash.   **Bhutto comeback**
1988 November - Benazir Bhutto's PPP wins general election.
1990 - Benazir Bhutto dismissed as prime minister on charges of incompetence and corruption.
1991 - Prime Minister Nawaz Sharif begins economic liberalisation programme. Islamic Shariah law formally incorporated into legal code.
1992 - Government launches campaign to stamp out violence by Urdu-speaking supporters of the Mohajir Quami Movement.
1993 - President Khan and Prime Minister Sharif both resign under pressure from military. General election brings Benazir Bhutto back to power.
1999 October - General Pervez Musharraf seizez power in coup.
2000 **April - Nawaz Sharif sentenced to life imprisonment on hijacking and terrorism charges over his actions to prevent the 1999 coup.**
2000 **December - Nawaz Sharif goes into exile in Saudi Arabia after being pardoned by military authorities.**
2001 **June - Gen Pervez Musharraf names himself president while remaining head of the army.**
2001 **September - Musharraf swings in behind the US in its fight against terrorism and supports attacks on Afghanistan. US lifts some sanctions imposed Musharraf targets judiciary**
2007 March - President Musharraf suspends Chief Justice Iftikhar Mohammed Chaudhry, triggering a wave of protests across the country.
after Pakistan's nuclear tests in 1998.   **2007-2013Musharraf resigned in 2008 followd byPPP victory in general elections and in 2013 general elections led to the completion of first peaceful transition to democracy**