

DEMOCRACY IN SOUTH ASIA

AN ASSESSMENT

Marcel Schepp

South Asia is democratic – according to the heads of state of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. On 29 April 2010, the final declaration published for the 16th Summit of the South Asian Association for Regional Cooperation (SAARC), held in Thimphu, Bhutan read: “The Leaders, while appreciating that all the member states had evolved into multi-party democracies, underscored the challenges faced by them in ensuring effective, efficient, transparent and accountable governments.”¹ The tenor of this statement is clear: all eight member states of the SAARC region developed into functioning democracies² in 2010. In February 2011, the eight member states of the SAARC adopted the “SAARC Charter of Democracy”. In this declaration they undertake to respect freedom, the rule of law and the Universal Declaration of Human Rights, and to actively advocate for the promotion and consolidation of democracy and the creation of pluralistic democratic structures.³ South Asia is therefore considered democratic from a normative point of view; the amendments necessary is only functional in nature.



Marcel Schepp is Research Officer for the Regional Programme SAARC of the Konrad-Adenauer-Stiftung in New Delhi.

- 1 | South Asian Association for Regional Cooperation (SAARC), “Sixteenth SAARC Summit, 28-29 April 2010, Thimphu Silver Jubilee Declaration, ‘Towards a Green and Happy South Asia’”, §6, 2, <http://saarc-sec.org/userfiles/16thSummit-Declaration29April10.pdf> (accessed 10 Mar 2014).
- 2 | Democracy is understood here to mean “the right to vote and the right to freedom of expression” and “the ability to withstand power relations and renegotiate these”. Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective*, Cambridge University Press, 2002, 3.
- 3 | Cf. SAARC, “SAARC Charter of Democracy”, <http://saarc-sec.org/SAARC-Charter-of-Democracy/88> (accessed 10 Mar 2014).

Transformation processes in no fewer than six states in South Asia are the reason for this euphoria. Pakistan opened a new chapter after nearly eight years of military rule with the parliamentary elections in 2008. In April of the same year, Nepal's civil war, which had lasted more than ten years, ended with the Constituent Assembly elections. In Bhutan, the democratisation process started in 2005, reaching its first successful conclusions in July 2008 with the signing of the Constitution. In the Maldives, the first democratic presidential elections in October 2008 put an end to the 30-year rule of autocrat Maumoon Abdul Gayoom. In Bangladesh, the December 2008 parliamentary elections vanquished the illegitimate rule of the military supported interim government that had been in place since 2007. Barely six months later, in May 2009, the 26-year civil war in Sri Lanka finally ended with the surrender of the Liberation Tigers of Tamil Eelam (LTTE).

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However, the most recent political developments in the region are less euphoric – from continuing unrest in Bangladesh to a constitutional process in Nepal that has been stagnant for years and creeping processes of regression in Sri Lanka and the Maldives. Bangladesh, which has long been considered a development surprise,⁴ has found itself in a spiral of political stagnation and mass demonstrations since the end of 2011, which, by the end of 2013, had brought the country to the brink of civil war and culminated in a farcical election in January 2014.⁵ In the Maldives, the power vacuum resulting from the resignation of President Mohamed Nasheed in February 2012 was more and more usurped by the elites of the ancient regime, Islamist parties and interest groups. Five years after the end of the civil war, Nepal still does not have a

4 | Cf. "Bangladesh and development: The path through the fields", *The Economist*, 3 Nov 2012, 21-24; Wahiduddin Mahmud, Sadiq Ahmed and Sandeep Mahajan, "Economic Reforms, Growth, Land Governance: The Political Economy Aspects of Bangladesh's Development Surprise", Commission on Growth and Development, Working Paper, No. 22, Washington DC, 2008, 18-25.

5 | Cf. "Another Beating: Sheikh Hasina plans to hang on to office after another farce", *The Economist*, 9 Jan 2014, <http://economist.com/news/asia/21593476-sheikh-hasina-plans-hang-office-after-electoral-farce-another-beating> (accessed 10 Mar 2014).

constitution and is facing a political stalemate following the dissolution of the Constituent Assembly in May 2012.⁶ It was not until the elections in November 2013 that hope emerged for a revival of the democratic process. Pakistan successfully concluded its first legislative period with the May 2013 elections, yet is simultaneously facing an increase in Islamist and politically motivated terror against its own population. Finally, since the end of the civil war, Sri Lanka has been experiencing a creeping regression of democracy. The outlier in this otherwise less than optimistic image is Bhutan, which has succeeded in taking a further step towards consolidating its fledgling democracy with the successful June 2013 National Assembly elections and the subsequent change of government.

While only India is considered “free” by the American think-tank Freedom House, all the other states in the region clearly fall into the category of “partly free” or are even regarded as “not free”.⁷ In addition, the Bertelsmann Transformation Index paints a bleak image of the rule of law and political participation in South Asia (Fig. 1).⁸ Moreover, the fact that democracy and political development in South Asian countries is hardly a cause for euphoria because of their inconsistency is evidenced by the media’s assessments: “Balkanization of Afghanistan Beckons”, “Bewildered by Bangladesh”, “Indian Politics, An Illiberal Turn”, “Master or Puppet?”, “Death by a Thousand Cuts” or, most recently, “Democracy Kidnapped”.⁹ Although

The fact that political development in South Asian countries is hardly a cause for euphoria is evidenced by the headlines: “Democracy Kidnapped”.

- 6 | Cf. Tomislav Delinic, Nishchal Nath Pandey and Marcel Schepp, “Nepal nach Auflösung der Verfassungsgebenden Versammlung”, KAS Country Report, 10 Jul 2012, <http://kas.de/saarc/de/publications/31619> (accessed 10 Mar 2014).
- 7 | Cf. Freedom House, *Freedom in the World 2013. Democratic Breakthroughs in the Balance*, 14-18, http://freedomhouse.org/sites/default/files/FIW%202013%20Booklet_0.pdf (accessed 21 Mar 2014).
- 8 | Cf. Bertelsmann Stiftung, Transformationsindex BTI 2014, Status-Index, <http://bti-project.de/index/status-index> (accessed 10 Mar 2014).
- 9 | Cf. Derek Henry Floyd, “Balkanization of Afghanistan beckons”, *Asia Times*, 20 Feb 2013, http://atimes.com/atimes/South_Asia/SOU-02-200213.html (accessed 10 Mar 2014); Arnold Zeitlin, “Bewildered by Bangladesh”, *South Asia Journal*, Issue 8/Spring 2013, 29 Apr 2013, <http://southasiajournal.net/2013/04/bewildered-by-bangladesh> (accessed 10 Mar 2014); “Indian politics: An illiberal turn”, *The Economist*, 16 Feb 2013; Azra Nasreem, “Comment: Master or Puppet?”, ▶

polemically exaggerated, this cross-section of the regional and international press demonstrates a significant increase in the perception of non-democratic, anti-oppositional, illiberal, reactionary and potentially violent political forces in the countries of the SAARC region.

Fig. 1

Civil Liberties and Democratic Development in Asia

Country	Status	Freedom House Index 2013		Bertelsmann Transformation Index 2013	
		Civil Liberties	Political Rights	Rule of Law	Political Participation
Afghanistan	not free	6	6	2.8	3.3
Bangladesh	partly free	3	4	4.3	6.8
Bhutan	partly free	4	5	7.0	7.0
India	free	2	3	7.5	9.3
Maldives	partly free	5	4	-	-
Nepal	partly free	4	4	4.5	5.5
Pakistan	partly free	4	5	3.0	4.3
Sri Lanka	partly free	5	4	3.0	4.3

Methodology 1.0 – 2.5 = free, 3.0 – 5.0 = partly free, 5.5 – 7.0 = not free

1 = lowest value
10 = highest value

Source: Own representation based on Freedom House, n.7, and Bertelsmann Stiftung, n.8.

However, criticism of democracy does not only come from abroad. Even within South Asia, opinions on democracy and political development are being forged, ranging from criticism of a minimalist definition of democracy from academia¹⁰ to the official, openly held belief that “democ-

Minivan News, 25 Nov 2012, <http://minivannews.com/politics/comment-master-or-puppet-47853/print> (accessed 10 Mar 2014); “Death by a thousand cuts”, *Colombo Gazette*, 8 Aug 2013, <http://colombogazette.com/2013/08/08/death-by-a-thousand-cuts> (accessed 10 Mar 2014); Azra Naseem, “Maldives: Democracy kidnapped”, *Himal Southasian*, 25 Oct 2013, <http://himalmag.com/maldives-democracy-kidnapped> (accessed 10 Mar 2014).

10 | Cf. Tridivesh Singh Maini, “Beyond a minimalist definition of democracy in South Asia”, *Friday Times*, 13 Jul 2012, <http://thefridaytimes.com/beta3/tft/article.php?issue=20121207&page=9> (accessed 10 Mar 2014).

racy has failed South Asia".¹¹ What is concerning in this development is that the discontent over political systems perceived to be dysfunctional and their representatives displays increasingly anti-democratic features, and in some there is even a nascent desire for a "benevolent dictator".¹² A certain frustration with politics seems to prevail with both the population and the political elites – a situation that manifests itself not least through increasing protests on the one hand and more repression on the other. The population and government occasionally seem so weary of their own political system that they increasingly seek ways to express and enforce their will outside the democratic process.

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The danger to the existence of democracy in South Asia is obvious. In a region of increasing geo-strategic importance, which is facing immense socio-economic challenges, sensitive both domestically and in terms of foreign policy, yet with barely any regional policy integration, a crisis of democracy would have serious consequences, not only for the territorial integrity of individual countries, but also for the political development of the entire region. A detailed assessment therefore seems appropriate in light of the tendency towards simplistic representation of democratisation processes through indexes and media coverage.

AFGHANISTAN – 2014, A FATEFUL YEAR

Since the Taliban's reign came to an end in 2001, Afghanistan has been transitioning to democracy. The adoption of the constitution by the Constitution Commission (*loya jirga*) in 2003, the 2004 and 2009 presidential elections and the 2005 and 2010 parliamentary elections are important milestones in this process. With the withdrawal of international combat troops at the end of 2014 (a protection force of up to 15,000 troops should continue to remain

11 | Sachin Prashar, "Democracy has failed South Asia: Nepal PM", *The Times of India*, 23 Oct 2011, http://articles.timesofindia.indiatimes.com/2011-10-23/india/30313119_1_nepal-prime-minister-baburam-bhattarai-unified-communist-party (accessed 10 Mar 2014).

12 | Manu Joseph, "Der Diktator, der Prinz und der kleine Mann", *Die Tageszeitung*, 4 Jan 2014, <http://taz.de/1/archiv/digitaz/artikel/?ressort=sw&dig=2014/01/04/a0142> (accessed 10 Mar 2014).

in the country), Afghanistan has gained de jure full state sovereignty and, with the presidential elections taking place in the same year, it is taking a further important step towards establishing democracy. At the same time, the country can boast significant economic and social success more than ten years after the end of the Taliban regime. While the economy grew by an average of 9.2 per cent between 2003 and 2012, school enrolment has increased by more than seven times compared to 2001 and the proportion of female students is as much as fourteen times greater.¹³



President Hamid Karzai in 2011: There are many indications that he massively intervened in the electoral process 2009 and significantly influenced the outcome of the election. | Source: NATO Training Mission-Afghanistan (NTM-A), flickr ©©©.

Nevertheless, these developments cannot mask the fact that the democratisation process in Afghanistan is still far from consolidation. Two key areas covered here are particularly striking: domestic security and the organisation of the Afghan security forces, and good governance and accountability.¹⁴ Despite economic and development policy

13 | Cf. Weltbank, "Afghanistan Overview", 2013, <http://worldbank.org/en/country/afghanistan/overview> (accessed 10 Mar 2014).

14 | Cf. Nils Wörmer, "Afghanistan am Scheitelpunkt der Transitionsphase: Defizite im Übergangsprozess und verbleibende Optionen westlicher Politik", *SWP Aktuell* 14, Stiftung Wissenschaft und Politik (SWP), Berlin, Feb 2013; International ▶

progress, the security situation in Afghanistan remains precarious. In 2013 alone, 2,959 civilians were killed by bombings and fighting between security forces and government opposition forces and 5,656 were seriously injured. Compared to the previous year, this marks an increase of 14 per cent.¹⁵ At the same time, the establishment of the Afghan security forces – which is vital for the transition process – is still faltering in many areas.

Shortcomings in training and armament are amplified by a low degree of identification and an increasing number of cases of desertion, thereby hindering the effective suppression of insurgency and terrorism. While a large proportion of the security forces is barely

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able to identify with what they are meant to be defending, the confidence of the populace is waning with regard to a state that, in their eyes, is incapable of protecting them. In a survey conducted by the Asia Foundation in 2013, only six per cent of respondents said that democracy in Afghanistan was on the right track.¹⁶ This loss of legitimacy is intensified by the openly non-democratic actions of political elites. The manipulation of the presidential elections in 2009 was particularly damaging to the public's trust in the democratic process. There are many indications that President Hamid Karzai, the Election Commission and the National Security Council massively intervened in the electoral process and significantly influenced the outcome of the election using voter registration fraud, bribery, buying votes, intimidation and outright violence on election day.¹⁷ In addition, the extent of how deep the political elites are mired in corruption and nepotism has become clear, not

Crisis Group (ICG), "Afghanistan's Parties in Transition, Policy Briefing", *Asia Briefing*, No. 141, Brussels and Kabul, 26 Jun 2013.

15 | Cf. Unterstützungsmission der Vereinten Nationen in Afghanistan (UNAMA), *Afghanistan: Annual Report 2013 – Protection of Civilians in Armed Conflict*, Kabul, Feb 2014, 1, http://unama.unmissions.org/Portals/UNAMA/human%20rights/Feb_8_2014_PoC-report_2013-Full-report-ENG.pdf (accessed 10 Mar 2014).

16 | Cf. The Asia Foundation, *Afghanistan in 2013: A Survey of the Afghan People*, Kabul, 2013, 19.

17 | European Union Election Observation Mission, *Islamic Republic of Afghanistan, Final Report – Presidential and Provincial Council Elections 2009*, European External Action Service (EEAS), 20 Sep 2014, 4, http://eeas.europa.eu/afghanistan/docs/2010_election_observation_afghanistan_final_report_0809_en.pdf (accessed 12 Mar 2014).

least through the years of misappropriation of Kabul Bank funds amounting to approximately 935 million U.S. dollars, a fact that was discovered in 2012. Over 92 per cent of these funds, or 861 million U.S. dollars has been misappropriated and shipped abroad by a circle of only 19 people.¹⁸ It is obvious that these case studies hardly strengthen the prestige and purpose of democracy in the eyes of the populace. Quite a few young Afghans see democracy solely as a tool of the West at best and focus instead increasingly on traditional value systems.¹⁹

Ultimately, this interplay of a lack of confidence and lack of acceptance jeopardises the peace and democratisation process. If democracy can provide neither security nor accountability, there is a danger that it may be seen as obsolete by those who benefit from it – the people. As to the question of why Afghanistan is developing in the wrong direction, the respondents of the Asia Foundation survey specified these two aspects most often: uncertainty and corruption.²⁰ With regard to the lack of enforcement of the monopoly of force, this ultimately does not question the quality of the democratic political system for Afghanistan, but rather its basic services. Ultimately, the following applies: “Postconflict state building in the fractured polity of Afghanistan might remain slow unless those engaged in a struggle for power, and the outsiders wishing to defuse it, seek new relationships among all the constituent groups – ethnic, regional and religious.”²¹ A key benchmark for this will be the outcome of the third presidential election to be held in 2014.

18 | Cf. Adam B. Ellick and Dexter Filkins, “Political Ties Shielded Bank in Afghanistan”, *The New York Times*, 7 Sep 2010, <http://nytimes.com/2010/09/08/world/asia/08kabul.html> (accessed 25 Feb 2014); Joshua Partlow, “Elaborate ruse behind vast Kabul Bank fraud”, *The Washington Post*, 1 Jul 2011, http://washingtonpost.com/world/asia-pacific/elaborate-ruse-behind-vast-kabul-bank-fraud/2011/06/30/AGL3bmsH_story.html (accessed 10 Mar 2014); Independent Joint Anti-Corruption Monitoring and Evaluation Committee, *Report of the Public Enquiry into the Kabul Bank Crisis*, Kabul, 15 Nov 2012, 9.

19 | Cf. Azam Ahmed and Habib Zahori, “Afghanistan’s not-so-modernizing youth”, *International Herald Tribune*, Kabul, 2 Aug 2013, 1 and 3.

20 | Cf. n. 16.

21 | Rasul Bakhsh Rais, “Afghanistan: A weak State in the Path of Power Rivalries”, in: T.V. Paul (ed.), *South Asia’s Weak States: Understanding the Regional Insecurity Predicament*, Stanford University Press, 2010, 215.

BANGLADESH – CAUGHT BETWEEN AGITATION AND REPRESSION

There is hardly a country in South Asia that has experienced as turbulent a political development over the past five years as Bangladesh. Since 2007, the country has undergone the euphoria of a surge of democratisation, the stagnation of extreme polarisation, the escalation of political conflicts to the verge of civil war and ultimately the regression of an open electoral fraud. Born out of a bloody war of independence, Bangladesh was given to developmental policy hardship with military coups, famine, overpopulation and environmental disasters for a long time. However, the country has experienced significant socio-economic development in the last 20 years. While life expectancy increased between 1990 and 2010 from 59 to 69 years, the infant mortality rate dropped by almost 60 per cent from 97 to 37 deaths per 100,000, and child and maternal mortality rates have fallen by two-thirds and three-quarters, respectively. Per capita income has nearly quadrupled in the same period, from 540 to 1,909 U.S. dollars.²²

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Political development, however, corresponds little with this “developmental surprise”.²³ The two largest parties in the country – the ruling Awami League (AL) and the opposition, the Bangladesh Nationalist Party (BNP) – and their associated political camps have unforgivingly stood in opposition to each other in an ideologically and emotionally charged struggle for political sovereignty for over two decades. This bitter dispute, aggravated by the personal animosity between the Chairwomen of both parties, Sheikh Hasina (AL) and Khaleda Zia (BNP), has gradually grown into a polarisation of the political system and has drained the country politically. Since the end of 2011, further escalation of this conflict has been observed; throughout 2013, there was increased brutalisation of the political debate which ultimately culminated in excesses of violence by both sides ahead of the January 2014 parliamentary elections. The opposition’s main instrument for enforcing

22 | Cf. “Bangladesh and development: The path through the fields”, n. 4.

23 | Mahmud, Ahmed and Mahajan, n. 4.

their interests is nationwide general strikes (*hartal*); these paralyse public life and are associated with large-scale demonstrations and violent riots. In 2013, more than 500 people were killed and more than 20,000 were injured in *hartal*.²⁴ Civilians were burned alive in ignited cars and buses, and property was damaged, all the way up to the wanton derailment of entire trains. The economic loss to the country has been immense. It is estimated that each of the more than 100 days of strike in 2013 cost the country 200 million U.S. dollars.²⁵

The most recent protests were sparked by the unilateral dismantling of the “caretaker system” by the AL in 2012. Bangladesh’s own independent system for ensuring peaceful parliamentary elections for appointed interim governments had been introduced in 1990 to facilitate the transition from a military dictatorship to democracy and has been enshrined in the constitution since 1996. While caretaker governments had significantly contributed to ensuring a peaceful governmental transition in 1996 and 2001, from 2007 to 2008 it entered an authoritarian phase where the interim government at the time, with the military’s approval, attempted to push forward a fundamental reform of the political system, including by restricting political rights and arresting high-ranking politicians, including Hasina and Zia. However, facing increasing public pressure, it was forced to hold new elections in 2008.²⁶ Stemming from their anger over the caretaker government’s repression, the later victorious AL, under the

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leadership of Hasina, made the abolition of the caretaker system one of its priorities. On 30 June 2012, they not only abolished the caretaker system, but also implemented further constitutional changes by making amendments or even suspension of the constitution an act of sedition. The BNP, which had already been boycotting Parliament

24 | Cf. Ain o Saleh Kendra (ed.), “Political Violence: January – 31st December 2013”, 11 Jan 2014, <http://askbd.org/ask/2014/01/11/political-violence-january-31st-december-2013> (accessed 10 Mar 2014).

25 | Cf. Sohel Parvez and Dwaipayana Barua, “Economy reels from hartals”, *The Daily Star*, 8 Mar 2013, <http://archive.thedailystar.net/beta2/news/economy-reels-from-hartals> (accessed 10 Mar 2014).

26 | Cf. ICG, “Back to the Future”, *Crisis Group Asia Report*, No. 226, 13 Jun 2012, 2-3.

since 2009 because of procedural errors, immediately announced they would also boycott the next parliamentary elections under these conditions. What is paradoxical about this situation is that it was the AL itself that forced the BNP-led government, who were just as unwilling, to introduce the caretaker system through agitation.²⁷

Against the backdrop of these developments, there has been a democratic regression from 2011 to 2013, which is due both to the BNP's violent agitation and the AL's targeted repression. From 2009 to mid-2012 alone, an estimated 333 people were executed without trial, while at the same time between 60 and 100 people disappeared without a trace and 246 cases of torture by the security forces were registered.²⁸ In addition, the events surrounding the International War Crimes Tribunal established in 2010 have proved paradigmatic for the disruption of Bangladeshi society; the Tribunal was established to investigate war crimes committed during the war of independence against Pakistan in 1971. Once the first convictions

had been handed down against members of the Islamist party Jamaat-e-Islami (JeI), one of the BNP's coalition partners, in February 2013, serious clashes broke out between JeI

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supporters, supporters of the war crimes trials and security forces; the harshness of these clashes only increased with each judgement handed down over the course of the year. While the Shahbag Movement – named by supporters of the war crimes trials after the place of their protest – was comprised of former freedom fighters, supporters of the ruling party and students, young people and families from the middle class, the JeI gathered its forces with the support of other Islamist groups and a group of the 18 Party Alliance headed by the BNP.²⁹ Nationwide general strikes took place for a week; in May 2013, tens of thousands of

27 | Cf. Ali Riaz, "Democracy in Bangladesh: A Report Card", *South Asia Journal*, No. 7, Jan 2013; The Observatory for the Protection of Human Rights Defenders, *Bangladesh: Human rights defenders trapped in a polarized political environment*, Nov 2013, http://fidh.org/IMG/pdf/obs_rapportbangladeshukld.pdf (accessed 10 Mar 2014).

28 | Cf. *ibid.*

29 | Cf. "Unrest in Bangladesh: A nation divided", *The Economist*, 9 Mar 2013, <http://economist.com/news/asia/21573150-flawed-tribunal-opens-old-wounds-and-threatens-bangladeshs-future-nation-divided> (accessed 10 Mar 2014).

supporters of the Islamist group Hefajat-e-Islam sealed off the capital to hold demonstrations for more rigorous laws for the protection of Islam, including the introduction of the death penalty for blasphemers.³⁰ In August 2013, the High Court annulled the JeI party's registration due to their anti-democratic and discriminatory agenda. The appeal was rejected by the Supreme Court. The JeI was thereby excluded from participation in the elections.³¹ This pattern

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of three-day or four-day nationwide general strikes and bloody street fighting continued until the elections with increasing intensity. The violence finally culminated in the run-up to the elections. In late December, the government sent armed forces to Dhaka as well as to all the other provinces in order to keep the situation under control until after the elections. Military and paramilitary units sealed off the roads to the capital to prevent opposition supporters from gathering. Zia was placed under de facto house arrest and more than 1,000 opposition activists were taken into custody.

In the general elections on 5 January 2014, AL emerged as the winner with a total of 232 seats, of which 127 were uncontested because of the boycott of the 18 Party Alliance. On the election Day itself, there were serious clashes, which ended with 25 people dead. According to the Election Commission, 540 of the 18,000 polling stations had to be closed because of violent protests by the opposition; 150 polling stations were set on fire, and ballot boxes and ballots were destroyed. The official turnout was below 40 per cent. The media described the election as a farce, and the United States, Britain and the European Union have classified the elections as flawed. American and European observers had already had their participation restricted in advance because of strong reservations.³²

30 | Cf. "Political violence in Bangladesh: In hot blood", *The Economist*, 11 May 2013, <http://economist.com/news/asia/21577418-killings-islamist-hardliners-promise-further-instability-hot-blood> (accessed 10 Mar 2014).

31 | Cf. "Jamaat's stay plea on HC verdict rejected", *bdnews24*, 5 Aug 2013, <http://bdnews24.com/politics/2013/08/05/jamaat-s-stay-plea-on-hc-verdict-rejected> (accessed 10 Mar 2014).

32 | Cf. Ellen Barry, "Low Turnout in Bangladesh Elections Amid Boycott and Violence", *The New York Times*, 5 Jan 2014, <http://nytimes.com/2014/01/06/world/asia/boycott-and-violence-mar-elections-in-bangladesh.html> (accessed 10 Mar >



Protest of Jamaat-e-Islami supporters in January 2013: Due to the anti-democratic agenda of the party the High Court annulled its party registration. | Source: © Abdul Aziz Faruki, picture alliance, AA.

The political situation in Bangladesh at the start of 2014 is highly concerning. In the space of five years, the political elites have led the country from a politically and economically promising starting position to a standstill, to confrontation, disintegration and ultimately regression. The AL and the BNP – Sheikh Hasina and Khaleda Zia – have taken Bangladesh hostage in order to extort compliance from the other. As in 1996, 2001 and 2008, the country is facing the beginning of the democratisation process with an unknown outcome.

BHUTAN – A MODEL FOR SUCCESS IN SOUTH ASIA

The Kingdom of Bhutan is an exception in South Asia in several ways. Virtually isolated from the outside world until the 1970s, the country, located in the mountains of the Himalayas, has since gradually opened up and has become

2014); Haroon Habib, "Sheikh Hasina set to form govt. again", *The Hindu*, 6 Jan 2014, <http://thehindu.com/news/international/south-asia/sheikh-hasina-set-to-form-govt-again/article5544135.ece> (accessed 20 Feb 2014); "Bangladesh's election: Another beating", *The Economist*, 11 Jan 2014, <http://economist.com/news/asia/21593476-sheikh-hasina-plans-hang-office-after-electoral-farce-another-beating> (accessed 10 Mar 2014).

globally synonymous with the concept of Gross National Happiness (GNH). Borne of a statement by the fourth Dragon King in 1972, the concept of GNH has progressively expanded to encompass a comprehensive philosophy of development in the decades that followed and which now permeates virtually all aspects of public life.³³ This concept of society, which is enshrined as a state objective in the constitution, understands happiness – interpreted as collective and sustainable well-being – as the real purpose of development and thus provides a supplement to the classical, purely economically designed development models, which has now been taken up by both the United Nations and the Organisation for Economic Co-operation and Development (OECD).³⁴

In 2001, the fourth Dragon King, Jigme Singye Wangchuk, instructed the country's most senior dignitaries to compile a democratic constitution for the country, which at the time was ruled by a monarchy.

Less well known, though equally important for the Bhutan's development, is the unique process of transformation the country has recently experienced. In 2001, the fourth Dragon King, Jigme Singye Wangchuk, instructed the country's most senior dignitaries to compile a democratic constitution for the country, which at the time was a monarchy. After four years of intensive consultation and in-depth study of traditional legal concepts, as well as a variety of global constitutions, the population was presented with the first draft constitution in 2005 and, after receiving comments, was presented to the King three months later in its revised form.³⁵ Then, two mock elections were held to prepare both the populace and the administration for democratic elections in 2007. On 24 March 2008, the first free and fair elections in the country's history were held. The elections were won by the Druk Phuensum Tshogpa (DPT), with 44 seats, ahead of the People's Democratic Party (PDP), which won three seats; according to an EU observation mission, the elections largely conformed

33 | Cf. "Bhutan: The pursuit of happiness", *The Economist*, 16 Dec 2004, <http://economist.com/node/3445119> (accessed 10 Mar 2014).

34 | Cf. David Matthew, "Bhutan as a model", *Asia Times*, 14 Jul 2012, <http://atimes.com/atimes/China/NG14Ad02.html> (accessed 11 Feb 2014).

35 | Cf. Royal Court of Justice, *A Guide to the Constitution of the Kingdom of Bhutan*, 1-5, <http://www.judiciary.gov.bt/html/education/high%20court%20book.pdf> (accessed 10 Mar 2014).

to international standards³⁶ and were seen as a success within the country, although no small number – including the chairmen of both parties – made no secret of the fact that they still harboured strong sympathies for the King and the monarchy.³⁷ After some final discussions in the first democratically elected parliament of Bhutan, the new constitution was ratified on 18 July 2008 by the fifth Dragon King, Jigme Khesar Namgyel Wangchuk.



Jigme Singye Wangchuk (r.) on a state visit in India 2005: The fourth Dragonking launched the philosophy of development Gross National Happiness in 1972. | Source: © Ajit Kumar, picture alliance, AP Photo.

The first legislative session was primarily marked by the establishment of a *modus operandi* between democratic institutions and the administration, as well as the first steps of the fledgling pluralistic society, though without any indication that would have pointed towards a major interruption of the transformation process.³⁸ Soon, attention

36 | Cf. European Union Election Observer Mission (EUEOM), *Bhutan, Final Report, National Assembly Elections, 24 March 2008*, 21 May 2008, 3, 14, 28, http://eeas.europa.eu/human_rights/election_observation/bhutan/final_report_en.pdf (accessed 10 Mar 2014).

37 | Cf. "An unwanted election in Bhutan", *The Economist*, 24 Mar 2008, <http://economist.com/node/10907641> (accessed 10 Mar 2014).

38 | Cf. Marian Gallenkamp, "Consolidating Democracy in Bhutan: A Retrospect and a Rebuttal of Democracy Measures", *Spotlight South Asia*, No. 5/2012, APSA Heidelberg, http://issuu.com/apsa-foundation/docs/ssa_no_5 (accessed 10 Mar 2014).

shifted to the second parliamentary elections, as well as the question of whether Bhutan would be able to continue to tread this unprecedented path of hitherto successful democratisation from above. The National Council elections in April 2013 marked the prelude to this, with the first and second rounds of voting for the Grand National Assembly following in May and June 2013. In a run-off between the DPT and the PDP (the other two approved parties failed to move past the first round), the PDP won in a landslide victory against the DPT, thus securing a two-thirds majority in the Grand National Assembly. With the transition of government responsibility from the DPT to the PDP, Bhutan completed the first phase of its democratisation.

Nevertheless, "Bhutan's democratisation by small steps"³⁹ also has its downsides. Looking at a lack of transparency in the election process, the main point of criticism is that the selection criteria for parties and candidates were selective and tend to be elitist and therefore hardly reflect the whole spectrum of political opinion. Of primary concern is that candidates must have at least a bachelor's degree, and with a total of 15,000 university graduates in the country, the majority of citizens, especially many elderly Bhutanese,

With 80 to 90 per cent dependent on public contracts, all private newspapers in Bhutan have recorded sharp declines in publicly funded advertisements over the past two years.

are in fact excluded from the active electoral process. Together with the requirement that parties will only be registered by the Election Commission if they can provide candidates in all 47 constituencies, this complicates the registration of newly established parties.⁴⁰ In addition, there are indirect restrictions on freedom of the press that put private print media under economic pressure. With 80 to 90 per cent dependent on public contracts, all private newspapers in Bhutan have recorded sharp declines in publicly funded advertisements over the past two years. Several newspapers have had to stop printing, have had to reduce personnel and suspend wages. In this context, a confidential Ministry of Information and Communication newsletter caused quite a stir, instructing to no longer publicly advertise in the private newspaper *The Bhutanese*. Although the newsletter was immediately withdrawn,

39 | Mark Turner, Sonam Chuki and Jit Tshering, "Democratization by decree: the case of Bhutan", *Democratization*, 18:1, 24 Jan 2011, 202.

40 | Cf. n. 36; I. P. Adhikari, "Dictated Democracy?", *Himal South-asian*, 17 Dec 2013.

doubts remained as to the freedom of the press.⁴¹ Criticism of the sacrosanct GNH policy is growing increasingly louder. While the population is somewhat weary regarding whether the sometimes seemingly ideological propagation of the concept prevails, government representatives secretly concede that it has barely managed to reconcile the GNH standards with the challenges of the real economy.⁴²

Regardless of this, however, one can hardly deny that Bhutan has undergone a process of democratisation that is not only unique in South Asia, but globally as well. Not only has the consistently peaceful transition from monarchy to democracy been a model of intensive preparation and inclusion, but even five years after the start of this process, there are hardly any traces of stagnation or regression to be seen. On the contrary, the Bhutanese model of democracy seems to be firmly established, thanks to the exceptional combination of a strong state and a determined elite.⁴³ Nevertheless, the following applies: The restrictions on political freedoms mentioned above can even be accepted as institutional learning for now, but in the future they must be an incentive for both the population and the government to further consolidate Bhutan's democracy.

INDIA – GREAT EVENTS FORESHADOWED

After two decades of recovery in a period when recession and political stagnation occurred, India is facing major challenges. Mass demonstrations for women's rights and against corruption, ethnic and religious conflicts, terrorism and separatist violence are placing the Indian government under increasing pressure. All this is happening against the backdrop of ongoing parliamentary elections in April and May 2014 which is not only witnessing the confrontation of the ruling Indian National Congress (INC) and the opposition, the Bharatiya Janata Party (BJP), but also the debut

41 | Cf. Vishal Arora, "Bhutan's fourth estate in bad shape", *Asia Times*, 24 Aug 2012, <http://atimes.com/atimes/China/NH24Ad01.html> (accessed 10 Mar 2014); "Fate of private media?", *The Bhutanese Expression*, 16 Aug 2013, <http://www.bbs.bt/news/?p=30557&print=1> (accessed 10 Mar 2014).

42 | Cf. "Bhutan at the polls: Happy and you know it?", *The Economist*, 6 Jul 2013, <http://economist.com/news/asia/21580514-debt-and-discontent-are-growing-happy-and-you-know-it> (accessed 10 Mar 2014).

43 | Cf. Turner, Chuki and Tshering, n. 39, 184.

of the Aam Aadmi Party (AAP) on the national level, a party that has arisen from the anti-corruption movement. While the BJP and INC election campaigns oscillate between cults of personality and reciprocal accusations, in its unexpectedly successful showing at the regional elections in Delhi in December 2013, the AAP has secured not only governmental responsibility in the capital, but has also become a factor to be taken seriously in the parliamentary elections. Here almost anything seems possible: a BJP-led government, a coalition of AAP and INC or a hung parliament situation.



Protest in Delhi in 2013 against the abuse of women: Mass demonstrations for women's rights place the Indian government under increasing pressure. | Source: Ramesh Lalwani, flickr ©(cc)

It is one of the great paradoxes of Indian democracy that it has had to face violent domestic conflicts for its entire existence.⁴⁴ The storming of the Golden Temple in Amritsar in 1984, the destruction of the Babri Masjid in Ayodhya in 1992 and communal killings in Gujarat in 2002 are just a few examples. In addition, the Indian government is repeatedly challenged through separatist and terrorist acts, and the decades-long conflict with the Naxalites, as well as the Mumbai attacks in November 2008 provide painful testimony for this. Therefore, there is a question of how Indian democracy can survive in the face of its internal conflicts, which – depending on the perspective – either

44 | Cf. Christian Wagner, *Das politische System Indiens: Eine Einführung*, Wiesbaden, VS Verlag für Sozialwissenschaften, 2006, 37.

damage social cohesion or expose latent social lines of conflict in the first place. This phenomenon is explained by their numbers and objectives.⁴⁵ Partly, conflicts are so small in numbers (i.e. magnitude and participation), relative to the whole (i.e. political process and population), that they do not pose an immediate threat to the integrity of the state. This approach applies to the various separatist organisations in northeast India, but there is a limit to this explanation in the Naxalite movement with their now 20,000-strong fighting force in an area of the state where 20 per cent of the population⁴⁶ lives. Other conflicts represent a challenge for the state, but do not call its integrity into question. This includes “communal violence” – clashes due to ethnicity, religion and/or caste – and, to a lesser extent, terrorism, whose objectives indeed explicitly question the integrity of the state, however fail to do so in reality. It can therefore be stated that there certainly are areas in India where the enforcement of the state’s monopoly of force has been weakened. However, this does not constitute a threat to Indian democracy a such.

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The lack of accountability of political elites in India is reflected in the interplay of corruption, patronage and bureaucracy. According to an estimate by the Comptroller and Auditor General of India, fraud has cost the Indian taxpayer 3,800 billion rupees from 2004 to 2012 (approximately 45 billion euros),⁴⁷ while in 2011, a study by Transparency International, states that one of every two respondents indicated that they had paid at least one bribe in the past twelve months.⁴⁸ Up to 100 million rupees (approximately 1.2 million euros) – with the legally permissible limit set at 2.5 million rupees – has allegedly been

45 | Cf. Subrata K. Mitra, *The Puzzle of India’s Governance, Culture, context and comparative theory*, London, Routledge, 2005, 256 et seq.

46 | Cf. Philipp Bowring, “Maoists who menace India”, *The New York Times*, 17 Apr 2006, <http://nytimes.com/2006/04/17/opinion/17iht-edbowring.html> (accessed 10 Mar 2014).

47 | Cf. “CAG estimates: Our likely loss Rs. 38,00,00,00,00,000”, *Hindustan Times*, 17 Aug 2012, <http://hindustantimes.com/india-news/newdelhi/article1-914959.aspx> (accessed 14 Feb 2014).

48 | Cf. Deborah Hardoon and Finn Heinrich, *Daily Lives and Corruption: Public Opinion in South Asia*, Transparency International, 22 Dec 2011, 10.

paid for a seat in the lower house of the Indian parliament. Corruption in contests for votes and offices is well documented, ranging from illegal election campaigning and party financing to non-transparent donations and large-scale embezzlement of public funds.⁴⁹ Coupled with the lack of democracy within parties, clientelism and patronage, as well as a pronounced personalisation of politics, this leads to the consequence that the democratic process is largely accessible to those who already have power and influence.⁵⁰ Bribes are ultimately paid to reach a certain desirable outcome at the right time. Moreover, democracy in India is characterised by a high degree of bureaucratization. Prone to politicisation, the administration, as a result, is both source and target of political influence that permeates all levels.⁵¹ The citizens who initially paid for their concerns to be raised on the political agenda then must pay again to see this agenda implemented if at all. Ultimately, those who suffer are the marginalised sections of the population, as aptly stated by Indian political scientist Pratap Banu Mehta: "For decades after Independence, India's poor and marginalised were confined to a politics of sheer survival – often because they were so vulnerable that no resistance to the existing order seemed possible. Democratic politics and the state exploited this vulnerability by enlisting them in clientelistic relations, where their first objective was survival. The pitilessness of this arrangement was that it often made them complicit in their own oppression. Rather than resist corruption, they had to use corruption to find slivers of breathing space in an otherwise suffocating system."⁵²

Time and again, this results in acts of state despotism in India, above all with limitations to freedom of expression and freedom of the press, which are often justified by reasons such as domestic security or maintaining social peace. In fact, Article 19 of the Indian constitution, which

49 | Cf. Wagner, n. 44, 143-148.

50 | Cf. Kanchan Chandra, "Patronage, Democracy and Ethnic Politics in India", in: Diego Abente Brun and Larry Diamond (eds.), *Clientelism, Social Policy, and the Quality of Democracy*, Baltimore, John Hopkins University Press, 2014, 155 et seq.

51 | Cf. Wagner, n. 44, 80.

52 | Pratap Banu Mehta, "Breaking the Silence: Why we don't talk about inequality – and how to start again", *The Caravan*, 1 Oct 2012, <http://caravanmagazine.in/essay/breaking-silence> (accessed 10 Mar 2014).

regulates civil liberties, indicates that the state is entitled to undertake “reasonable restrictions” on freedom of expression and freedom of the press at any time if their exercise affects “the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence”.⁵³ It is often less about the actual threat because it is the presumed effects that are crucial for the – often preventive – decision to censor. The restrictions range from self-censorship to film, book and appearance bans to the imprisonment of authors, because they allegedly injure the feelings of religious, ethnic or social groups or handle content inappropriately.⁵⁴ Nevertheless, these restrictions are not evidence of a decidedly non-democratically motivated action, but are often the result of unclear and contradictory definitions and responsibilities, as well as increased state sensitivity. The trend towards more restrictive legislation is also associated with the immense security and socio-political challenges the country faces.

In the recent past, the legal framework has been established in order to meet the challenges of democracy. To this end, the Supreme Court ruled in July 2013 that MPs at the federal and provincial levels who have been convicted of a criminal offence will lose their seat – a landmark decision in a country in which proceedings are pending against more than 30 per cent of representatives.⁵⁵ In September 2013, the Supreme Court ordered the Election Commission to add the option “none of the above” to the ballots, thus enabling voters to reject all candidates mentioned therein. The Election Commission agreed to implement this immediately.⁵⁶ In the face of the weariness

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53 | The Constitution of India, Article 19 (2), 1 Dec 2007.

54 | Cf. Bhavna Vij-Aurora and Rahul Jayaram, “The Paranoid State”, *India Today*, 17 Dec 2012.

55 | Cf. J. Venkatesan, “MPs, MLAs to be disqualified on date of criminal conviction”, *The Hindu*, 11 Jul 2013, <http://thehindu.com/news/national/article4901596.ece> (accessed 10 Mar 2014); Mohammad Ali, “Over 30% of MPs, MLAs face criminal charges”, *The Hindu*, 22 Jul 2013, <http://thehindu.com/news/national/article4938403.ece> (accessed 10 Mar 2014).

56 | Cf. Bharti Jain, “Will implement voters’ right to reject candidates straight away: Election Commission”, *The Times of India*, 27 Sep 2013, http://articles.timesofindia.indiatimes.com/2013-09-27/india/42458384_1_evms-ballot-paper-election-commission (accessed 10 Mar 2014).

many Indians feel regarding the established political elites, this represents a landmark decision. The effects of recently introduced measures like the Adhaar Card implemented in 2009 are not yet completely clear. The former gives every citizen the right to obtain information from public authorities, while the latter is meant to ensure that government services reach those for whom they are intended without being hijacked by middlemen.

Given the immense political, economic and demographic challenges the country faces, Indian democracy is remarkably stable and resilient. Though shortcomings,

The lack of accountability of political elites and arbitrary action by state authorities cannot be denied, they have not yet reached such a proportion that justifies calling Indian democracy as a whole into question.

such as a partially weak enforcement of the state's monopoly of force, the lack of accountability of political elites and arbitrary action by state authorities cannot be denied, they have not yet reached such a proportion that justifies calling Indian democracy as a whole into question. Ultimately, the following applies: "The long-term sustainability of democratic governance is conditional on a method of effective incorporation of new impulses from socially marginal groups on to the political agenda of the state through regular, effective participation."⁵⁷

MALDIVES – BACK TO THE FUTURE

The image of the Maldives abroad is usually dominated by the impression of a quiet and carefree island paradise for wealthy tourists. The tourism sector comprises two-thirds of the economic activity of the smallest SAARC member, with a population of just under 400,000. In addition, the tourism sector strongly influences the service, transport and telecommunications sectors.⁵⁸ Tourism thus can be considered one indicator for the country's political stability. In the past two years, however, tourism has significantly plummeted compared to 2010 and 2011. What happened?

57 | Mitra, n. 45, 1, 260.

58 | Cf. Camilo Gomez Osorio and Daminda Eymard Fonseca, *Maldives Development Update*, World Bank, Washington DC, Oct 2013, 3, <http://documents.worldbank.org/curated/en/2013/10/18612521/maldives-development-update> (accessed 21 Mar 2014).

After sections of the police and the military joined the ongoing opposition protests on 7 February 2012, President Mohamed Nasheed announced his resignation.⁵⁹ Immediately afterwards, the country's vice president, Mohamed Waheed Hassan, was sworn in as the new president. He promised to restore law and order and assured the population, as well as Nasheed and his family, that they would be protected by the law.⁶⁰ He denied accusations of involvement in overthrowing Nasheed.⁶¹ These highly unexpected events marked the starting point of the subsequent policy development and are essential for understanding them.

Mohamed Nasheed, who was arrested 13 times during the authoritarian rule of Maumoon Abdul Gayoom from 1978 to 2008, was elected as the first democratic president of the Maldives in a run-off election against Gayoom in 2008.⁶² Faced with the consequences of the global economic crisis and high indebtedness at the start of his tenure, he focused on the development of infrastructure and social security systems through the participation of private investors, while simultaneously trying to reduce the costs of the inflated public sector. This – fuelled by inflation and rising energy and food prices – aroused the displeasure of interest groups and led to a governmental crisis in mid-2010, which resulted in the entire cabinet resigning.⁶³ Increasingly unable to act, Nasheed tried to break this deadlock by having two opposition politicians arrested in 2010 as well as the presiding judge of the Criminal Court in late 2011

59 | Cf. Mohamed Visham, "Mohamed Nasheed resigns as President", *Haveeru Daily*, 7 Feb 2012, <http://haveeru.com.mv/news/40126> (accessed 10 Mar 2014).

60 | Cf. JJ. Robinson, "Maldives government changes in dramatic scenes after police elements join opposition protest", *Minivan News*, 7 Feb 2012, <http://minivannews.com/politics/s-31592> (accessed 10 Mar 2014).

61 | Cf. R. K. Radhakrishnan, "National unity government is priority, says Waheed", *The Hindu*, 8 Feb 2012, <http://thehindu.com/news/international/article2871880.ece> (accessed 10 Mar 2014).

62 | Cf. Nick Milton, "'Prisoner' beats 'Jailer' in Maldives elections", *The Island*, 29 Oct 2008, <http://island.lk/2008/10/30/news5.html> (accessed 21 Mar 2014).

63 | Cf. Gabriele Koehler, "Arab Spring undone in the Indian Ocean? Political economy and the coup in the Maldives", *Institute of Development Studies*, 29 Feb 2012, <http://ids.ac.uk/news/arab-spring-undone-in-the-indian-ocean-political-economy-and-the-coup-in-the-maldives> (accessed 10 Mar 2014).

for his alleged partisanship towards corrupt politicians. This is where the events of February 2012 began.⁶⁴

Charges were brought against Nasheed while the new President Waheed moved ahead to forming a government and promised to hold early elections. However, his decision to appoint family members and confidantes of the former dictator Gayoom at the ministerial level soon acquired him the reputation of being a puppet of the ancien regime,⁶⁵ and fed doubts about the back-story of the regime change. While Nasheed and his followers described the circumstances of the resignation as a coup, a report supported by the Commonwealth and released in August 2012 deemed the events constitutional.⁶⁶ Nasheed was subsequently

Parallel to political developments, there was a rise of radical Islamic movements, which holds that the Islamic faith is endangered by secular domestic policy as well as influences from abroad.

issued with a summons twice but eluded each arrest, including by seeking refuge with the Indian High Commission in February 2013. Parallel to these developments, there was a rise of radical Islamic movements, which holds that the Islamic faith is endangered by secular domestic policy as well as influences from abroad. While this tendency still appeared to be the opinion of a radical minority with the destruction of Buddhist relics during the SAARC Summit in 2011, statements such as that of the Minister of Islamic Affairs that "Christians and Freemasons [were] secretly working to eradicate Islam in the country",⁶⁷ and incidents such as the conviction of a 15-year-old rape victim to 100 lashes for fornication⁶⁸ attest to just how strongly these views are represented even in state institutions. Promoted under Gayoom as a part of national identity, yet still suppressed in its radical form, Islam has become increasingly politicised in the Maldives

64 | Cf. Tom Ginsburg, "Democratic Transition in the Maldives: An Assessment", Raajje Foundation, UNDP, Department of State, Oct 2012, 11.

65 | Cf. Nasreem, n. 9.

66 | Cf. *Report of the Commission of National Inquiry, Maldives*, 30 Aug 2012, 2, 60, http://maldivesculture.com/pdf_files/CONI-Report-2012.pdf (accessed 10 Mar 2014).

67 | Luke Powell, "Islamic Ministry claims Christians, Freemasons secretly working to 'eradicate' Islam in the Maldives", *Minivan News*, 12 Feb 2013, <http://minivannews.com/politics/s-52751> (accessed 10 Mar 2014).

68 | Cf. Ahmed Naish, "Under-age rape victim convicted of fornication, sentenced to 100 lashes", *Minivan News*, 26 Feb 2013, <http://minivannews.com/society/s-53712> (accessed 10 Mar 2014).

since 2008. It is one of the paradoxes of the democratic process that the new-found freedom of expression under Nasheed has led to a rise of radical and anti-democratic Islamist forces. Evidence suggests that the opposition forces responsible for the resignation of Nasheed's secular agenda knowingly sought the support of radical Islamic forces or acquiesced to their propaganda to force a change of government.⁶⁹

The new-found freedom of expression under Nasheed has led to a rise of radical and anti-democratic Islamist forces.

In September 2013, the first round of presidential elections finally took place. Nasheed won, with Gayoom's half-brother, Abdulla Yameen, taking second place. However, because a legal dispute regarding irregularities, the Supreme Court suspended the run-off election and annulled the result in early October amidst protest of both the Election Commission and Nasheed supporters. Their subsequent elections were stopped at the last moment, when security forces prevented the delivery of election materials due to a decision by the National Security Council at the last moment. Abdulla Yameen emerged as the winner once the elections were finally held in November 2013. Nasheed accepted the election result with respect to the democratic process. Yameen took the oath of office as the new president of the Maldives on 17 November 2013. The impression that voting continued until the desired candidate became president has persisted in light of this highly unorthodox electoral process. The concerns expressed by the Supreme Court regarding the annulment of the first election and the suspension of subsequent elections are hardly legally durable and represent an obvious distortion of the democratic process. By the fact that conflict surrounding democracy has long existed even between the country's own institutions is made clear in that both the Election Commission and the Human Rights Commission sharply criticised the proceedings.⁷⁰

69 | Cf. Yameen Rasheed, "A tool for the atolls", *Himal South-asian*, 20 Jun 2012, <http://old.himalmag.com/component/content/article/5070-a-tool-for-the-atolls.html> (accessed 10 Mar 2014); "Jagged islands", *The Economist*, 10 Oct 2012, <http://economist.com/blogs/banyan/2012/10/maldives> (accessed 10 Mar 2014).

70 | Cf. "Off their rockers", *The Economist*, 8 Oct 2013, <http://economist.com/blogs/banyan/2013/10/maldives> (accessed 10 Mar 2014); Nasreem, n. 9.

Given the events mentioned above, to characterise the Maldives as undemocratic will seem rushed, although a cursory glance inevitably reveals a clear regression of democracy. It appears that the elites of the old regime have allied with the alienated economic elites of Nasheed's reform agenda to shape the country's political system – supported by pro-regime representatives in the judiciary and the administration – according to their own ideals. They were successful, at least initially, through to the presidential elections. However, this government now needs to show its supporters how they plan to get a grip on the nation's challenges: dwindling growth, Islamisation, youth unemployment. Tourism is sure to be one strict standard for this.

NEPAL – RESTARTING DEMOCRACY

After ten years of bloody civil war, the abolition of the monarchy, a Constituent Assembly election, countless governments and prime ministers, as well as exemplary integration of former rebels, Nepal is still without a constitution. The second successfully completed elections held in November 2013 for the Constituent Assembly nevertheless provide hope for a new start. This is sorely needed; more than a decade of civil war and political deadlock has left a structural imbalance to the detriment of the agricultural and industrial sectors, as well as a trade imbalance and high inflation.⁷¹

Along with another failed truce in 2003, the king appointed and dismissed several prime ministers before ultimately taking power himself and ruling the country under a state of emergency.

After Maoist groups proclaimed an ideologically justified people's war in 1996, the country entered into a civil war that lasted until 2006 and cost more than 13,000 lives. After a failed cease-fire in 2001, King Gyanendra declared a state of emergency and, as a result, Parliament was dissolved in 2002. Along with another failed truce in 2003, the king appointed and dismissed several prime ministers before ultimately taking power himself and ruling the country under a state of emergency. A peace accord

71 | Cf. World Bank, *Nepal Development Update*, Kathmandu, Oct 2013, 4-7, http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2013/11/06/000442464_20131106144320/Rendered/PDF/823830WP0Nepal0Box0379860B00PUBLIC0.pdf (accessed 21 Mar 2014).

between the Nepalese government and the Maoist rebels in 2006 eventually paved the way for the end of the monarchy and marked the beginning of the peace process. The Maoists declared that they were willing to lay down their arms, and, together with the established political parties, forced the king to once again allow Parliament and political parties. On 15 January 2007, a transitional parliament was established, which adopted an interim constitution and elected a Constituent Assembly. The first Constituent Assembly of Nepal was elected on 10 April 2008, abolishing the constitutional monarchy. The winner of the first election was the Communist Party of Nepal (Maoist) composed of the former Maoist rebels, ahead of the Nepali Congress (NC) and the Communist Party of Nepal (Unified Marxist-Leninist).⁷²

Though the civil war was finally over, the violence between the various wings and youth groups of the Maoist party and among the security forces continued through 2009 and 2010. Estimates place the number of people killed during this time at over 1,800.⁷³ Meanwhile, the constitutional process was progressing at a very slow rate due to differences between and within the parties. Five prime ministers in three years evoked memories of the period of political instability before the civil war. Disputes focused primarily on federalism tied to ethnic and regional identity, as well as the reintegration of former Maoist rebels. While the subsequent question of identity should have proved to be the deciding moment for the temporary failure of the constitutional process, the integration of the Maoists is one of the successes of Nepal's democratisation. In the 2006 peace treaty, the Maoist combatants committed to surrendering their weapons and submitting to UN oversight, while the government in turn assured that the fighters would be integrated and rehabilitated.⁷⁴

72 | Cf. Christian Wagner, "Nepal im Umbruch", *SWP-Aktuell* 1, SWP, Berlin, Jan 2007, 1; Delinic, Pandey and Schepp, n. 6.

73 | Cf. ICG, "Nepal's Political Rites of Passage", *Asia Report*, No. 194, 29 Sep 2010, 2.

74 | Cf. Comprehensive Peace Agreement, 22 Nov 2006, inter alia accessible under: UN, "Comprehensive Peace Agreement between the Government of Nepal and the Communist Party of Nepal (Maoist)", 4.2 and 4.4, <http://peacemaker.un.org/nepal-comprehensiveagreement2006> (accessed 21 Mar 2014).

According to the Maoist leadership, this made it clear that the People's Liberation Army (PLA) would be integrated into the Nepalese armed forces as if they had never been defeated during the civil war. The Nepalese army held the contrasting view that every Nepalese citizen could join the army if they met the minimum requirements. A decision regarding the rank of new recruits could only be made upon completion of basic training. Ultimately, both parties agreed that the Nepalese army would retrain members of the PLA and then fully integrate them into their structures under their own department. On 10 April 2012, the Nepalese army took control of all the PLA's barracks, along with their weapons and fighters.⁷⁵ Of the 19,602 fighters originally identified by the United Nations Mission in Nepal (UNMIN) as willing to integrate, 7,000 chose to step down with a single payment, while 9,000 opted for integration. After several selection rounds, ultimately 1,600 soldiers and 116 officers of the former PLA were integrated into the Nepalese armed forces.⁷⁶

Although almost all the parties and groups support a federal structure in the broadest sense, both the views on the number, size, composition and competence of the states vary, as do actual political motivations.

The constitutional process, however, was less successful. Nepal's more than 100 ethnic groups as well as its complex caste system are reflected in both the economy and the politics of the country. Although almost all the parties and groups support a federal structure in the broadest sense, both the views on the number, size, composition and competence of the states vary, as do actual political motivations. For some, it is a question of social inequality; for the others it is a matter of national, regional or social identity. In any case, the idea of a federal state still evokes distrust with officials in the established parties, because it implicitly threatens to uproot the privileged status of the higher castes in politics.⁷⁷ The differences regarding this point proved so insurmountable that the deadline for the adoption of a new con-

75 | Cf. Nishchal Nath Pandey, "Conflicts in South Asia, 2011-2012: The Case of Nepal", in: D. Suba Chandran, P. R. Chari, *Armed Conflicts in South Asia 2012: Uneasy Stasis and Fragile Peace*, Neu-Delhi, Routledge, 2013, 192 et seq.

76 | Cf. Prashant Jha, "One country two armies' situation ends in Nepal", *The Hindu*, 2 Oct 2012, <http://thehindu.com/news/international/article3958061.ece> (accessed 10 Mar 2014).

77 | Cf. ICG, "Nepal: Identity Politics and Federalism", *Crisis Group Asia Report*, No. 199, 13 Jan 2011, 1-3.

stitution has had to be postponed several times until the Supreme Court finally decided to dissolve the Constituent Assembly on 27 May 2012 after weeks of general strikes and demonstrations.⁷⁸ Five years after the adoption of the interim constitution, Nepal remains without both a Constituent Assembly and an elected government. It is clear “that deeply divergent views on what the country should look like are not the only factors that make the present moment so fraught. The other is the state of the political parties themselves. They are a badly run and ideologically impoverished organisation with few policy goals, unclear agendas and chronic leadership crises”.⁷⁹

In March 2013, a cross-party interim government was formed, which held office up to the elections on 19 November 2013. Despite fears right up to the end that the elections could be disrupted, suspended or postponed – among others, a faction of the CPN (Maoist) announced a violent boycott – they eventually took place without any major incidents. The NC won with 33 per cent of the vote, ahead of the CPN (UML) with 29 per cent and the CPN (Maoist) with 13 per cent.⁸⁰ On 10 February 2014, Prime Minister Sushil Koirala was elected president of the newly established Constituent Assembly. The elections, assessed by the European Union as a sound basis for democratic nation building⁸¹ bring hope for a new start, once again.

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PAKISTAN – HOPE FOR A NEW BEGINNING

Pakistan, with the devastation of serious terrorist attacks on an almost weekly basis, its political divisions and regional fragmentation placing it at the mercy of the interests of intelligence forces and the military, has long been considered a fragile if not “failed” state.⁸² The *Economist* even

78 | Cf. Delinic, Pandey and Schepp, n. 6.

79 | ICG, “Nepal’s Constitution (II): The Expanding Political Matrix”, *Crisis Group Asia Report*, No. 234, 27 Aug 2012, 30.

80 | Cf. Christian Wagner and Nishchal Nath Pandey, “Politischer Neuanfang in Nepal”, *SWP Aktuell* 74, SWP, Berlin, Dec 2013, 1-3.

81 | Cf. EUEOM, “European Union Election Observer Mission – Nepal 2013”, press release, 21 Nov 2013, <http://eueom.eu/nepal2013/home> (accessed 12 Mar 2014).

82 | Cf. Lawrence Ziring, “Weak State, Failed State, Garrison State, The Pakistan Saga”, in: Paul, n. 21, 170-194.

labelled the country “the world’s most dangerous place”.⁸³ The latest political developments, however, attempt to refute these swan songs; next to Bhutan, Pakistan remains one of two countries in South Asia that, after 2007, has taken a major hurdle in establishing a democratic system following the successful completion of its first legislative period in 2013 and the subsequent parliamentary elections and democratic regime change.⁸⁴

In recent years, deliberate attacks on civilians in the densely populated neighbourhoods of urban centres have increased, in particular with religious and ethnic minorities being placed in the cross-hairs of terrorists.

The biggest challenge for Pakistan’s democracy is the country’s deteriorating security situation. After Afghanistan, Pakistan is the country most affected by terrorism worldwide, the number of fatalities the number of fatalities having increased 15-fold between 2002 and 2009.⁸⁵ In recent years, deliberate attacks on civilians in the densely populated neighbourhoods of urban centres have increased, in particular with religious and ethnic minorities being placed in the cross-hairs of terrorists. In 2013, 2,451 people were killed and more than 5,000 were injured in 1,717 terrorist attacks, marking an increase of nine per cent compared to the previous year.⁸⁶ This development harms not only the co-existence of different religious and ethnic groups in the country, but is increasingly calling into question the state monopoly of force as well.

Corruption and abuse of office also have debilitating effects, as does unauthorised action by democratic institutions. According to Transparency International, from 2008 to 2012 alone, up to 8,500 billion rupees were misappropriated (approximately 60 billion euros) through corruption,

83 | “The world’s most dangerous place”, *The Economist*, 3 Jan 2008, <http://economist.com/node/10430237> (accessed 10 Mar 2014).

84 | Cf. Ronny Heine, “Pakistan hat gewählt – und für einen politischen Wechsel gestimmt”, KAS Country Report, 13 May 2013, http://kas.de/wf/doc/kas_34357-1522-1-30.pdf (accessed 10 Mar 2014).

85 | Cf. Institute for Economics and Peace, “Global Terrorism Index 2012”, Dec 2012, Sydney, 5 and 16, http://visionofhumanity.org/sites/default/files/2012_Global_Terrorism_Index_Report.pdf (accessed 21 Mar 2014).

86 | Cf. Meena Menon, “A spurt in suicide attacks across the border”, *The Hindu*, 19 Jan 2014, <http://thehindu.com/news/international/south-asia/article5594181.ece> (accessed 10 Mar 2014).

tax evasion and poor governance in Pakistan.⁸⁷ One example is the case of Prime Minister Yousuf Raza Gilani, elected in 2008. Based on a pending investigation in Switzerland into money laundering against President Asif Ali Zardari, which, previously impeded through an amnesty law by former military dictator Pervez Musharraf from 2007, was once again brought forward in the wake of the abolition of this law by the Supreme Court in 2009, the Supreme Court demanded Gilani to ask the Swiss authorities to reopen the case against Zardari. Gilani refused, citing presidential immunity, and, in 2012 was the first Prime Minister in the country's history to be found in contempt of

court by the Supreme Court and was consequently expelled from the National Assembly, thus effectively removing him from office without the involvement of Parliament and the Electoral Commission.⁸⁸ Interestingly, a parliamentary

A parliamentary majority had adopted a constitutional amendment in 2010, providing for its own greater involvement in appointing judiciary posts.

majority had adopted a constitutional amendment in 2010, providing, among other things, for its own greater involvement in appointing judiciary posts.⁸⁹

The events of 2013 unfolded against the backdrop of these challenges, culminating with the first democratic regime change in Pakistan's history. This surprising event began with a "long march" to Islamabad led by Islamic scholar Tahir-ul-Qadri in January 2013 to protest – accompanied by 60,000 people – the country's political situation. The result of the ongoing protests was a signed declaration by Prime Minister Raja Pervez Ashraf in which the government provided assurance that it planned to dissolve the National Assembly and hold new elections within 90 days, and to appoint an independent interim government ahead of the elections.⁹⁰ Though it garnered much attention, this episode actually had little impact on the elections. The same

87 | Cf. Ansar Abbasi, "Rs 8,500 bn corruption mars Gilani tenure: Transparency", *The News*, 5 Feb 2012, <http://thenews.com.pk/Todays-News-13-12258-Rs> (accessed 10 Mar 2014).

88 | Cf. Karamatullah K. Ghori, "Swift justice for Pakistan's premier", *Asia Times*, 1 May 2012, http://atimes.com/atimes/South_Asia/NE01Df06.html (accessed 10 Mar 2014).

89 | Cf. ICG, "Parliament's Role in Pakistan's Democratic Transition", *Crisis Group Asia Report*, No. 249, 18 Sep 2013, 6 et seq.

90 | Cf. Anita Joshua, "Qadri's picketing ends with 'Long March Declaration'", *The Hindu*, 17 Jan 2013, <http://thehindu.com/news/international/article4316278.ece> (accessed 10 Mar 2014).

applies to the much heralded return of former military dictator Pervez Musharraf in March of this year. After returning after four years, intending to run for a parliamentary seat for four years, his requests ended with the rejection

In the 14th parliamentary elections on 11 May 2013, the opposition party, the Pakistan Muslim League, won out against the former ruling party, the Pakistan People's Party.

of all four applications for candidacy by the Electoral Commission. Because he was charged with offences during his tenure, Musharraf was placed under house arrest during the election.⁹¹ On 16 March 2013, the Pakistani Parliament resolved to clear the way for new elections. In the 14th parliamentary elections on 11 May 2013, the opposition party, the Pakistan Muslim League, won out against the former ruling party, the Pakistan People's Party.⁹² The European Union's observer mission deemed the elections a success in view of the security challenges and the high level of participation and competition.⁹³

The successful elections have created the necessary leeway to tackle the challenges facing the country. To come to grips with the terror in the big cities in particular, the professionalisation of the security forces is not all that is required, departing from the previous exclusive use of military and paramilitary units,⁹⁴ but also a sincere consideration of the chances of success for a dialogue with the country's non-democratic forces. Effective anti-corruption must prevent institutions whose job it is to prevent corruption using their mandate to settle accounts with each other. The creation of an independent supervisory body may remedy this.⁹⁵ The establishment of a democracy in Pakistan can ultimately only succeed if the political elites realise that freedom exists in a democratic system only if it is also granted to the other side.

91 | Cf. Jakob Rösel and Pierre Gottschlich, "The Historical Context of the 2013 Parliamentary Elections in Pakistan", KAS International Reports 08/2013, 12 Aug 2013, 97 et sqq., <http://kas.de/wf/en/33.35171> (accessed 10 Mar 2014).

92 | Cf. Heine, n. 84.

93 | Cf. EUEOM, *Final Report Pakistan 2013*, 10 Jul 2013, 3-5, http://eueom.eu/files/dmfile/eu-eom-pakistan-2013-final-report_en.pdf (accessed 21 Mar 2014).

94 | Cf. ICG, "Policing Urban Violence in Pakistan", *Crisis Group Asia Report*, No. 255, 23 Jan 2014, ii.

95 | Cf. Pakistan Institute of Legislative Development and Transparency, *Assessment of the Quality of Democracy in Pakistan January – December 2011*, Islamabad, Jan 2012, 80.

SRI LANKA – DEMOCRACY AT A CROSSROADS

On 16 May 2009, the fighting between the rebels of the Liberation Tigers of Tamil Eelam (LTTE) and the Sri Lankan armed forces ended. After 26 years of civil war and nearly 40 years of bloody terror by the LTTE, the country finally found peace – but at a high price. In the last few months of the war, the army cornered the LTTE and 330,000 civilians along with it together on a narrow strip of land on the north of the island and bombed the whole area while the LTTE held the civilians hostage. Tens of thousands of people died as a result of the bombing and subsequent human rights violations on both sides.⁹⁶ This chapter marked the starting point of the recent political developments in Sri Lanka; though they led the country to peace and economic recovery, they have also increasingly steered it away from democracy.

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In 2010, presidential and parliamentary elections were held. Earlier, General Fonseka, Commander of the Sri Lankan armed forces, had made the surprising announcement that he was retiring from the army and running for president. The elections were accompanied by a number of irregularities, particularly the abuse of state resources for the President Rajapaksa's election campaign⁹⁷ and a variety of violent clashes between supporters of both candidates. Just shy of winning the election, General Fonseka formulated a formal complaint and subsequently was arrested on charges of plotting a coup in February 2010, accused of abuse of office and embezzlement and finally sentenced to 30 months' imprisonment.⁹⁸ In September 2010, a constitutional amendment was adopted by Parliament placing the appointment of the judiciary as well as key government

96 | Cf. UN, *Report of the Secretary-General's Panel of Expertise on Accountability in Sri Lanka*, New York, 31 Mar 2011, iif, http://un.org/News/dh/infocus/Sri_Lanka/POE_Report_Full.pdf (accessed 10 Mar 2014).

97 | Cf. Transparency International Sri Lanka, *Electoral Integrity. A Review of the Abuse of State Resources and Selected Integrity Issues During 2010 Elections in Sri Lanka*, Colombo, 2010, 17-26, <http://tisrilanka.org/pub/reports/PPPR2013.pdf> (accessed 21 Mar 2014).

98 | Cf. N. Manoharan, "Conflict is Dead, Long Live the Conflict", in: D. Suba Chandran and P. R. Chari, *Armed Conflicts in South Asia 2010*, Neu-Delhi, 2011, 195 et seq.

commissions directly in the hands of the president, de facto abolishing the two-term presidential term limit.⁹⁹ Furthermore, power was not only concentrated in the office of the president, but also in the hands of the family of President Rajapaksa. His brother Gotabaya is Defence Minister; another brother is Minister for Economic Development and a third brother is Parliamentary Speaker. Furthermore, his son is a Member of Parliament and is already regarded as his successor. It is estimated that the Rajapaksa family now has access to approximately 70 per cent of the state budget.¹⁰⁰

Opposition activists, political activists, journalists and members of civil society have received death threats, been assaulted, kidnapped or murdered.

Dissent against these nepotistic and authoritarian tendencies is suppressed. The tone towards critics of the Rajapaksa system has visibly worsened. Members of the opposition, political activists, journalists and members of civil society have received death threats, been assaulted, kidnapped or murdered. While the offenders usually go undetected, the political elites make no secret of the fact that they dislike criticism of their governance, and focus on anti-terrorism legislation, internet censorship or defamation suits as well as defamation campaigns by state media or the buying of private media through middlemen.¹⁰¹ Civil society organisations are referred to as agents of Western subversion and are vilified through politically motivated posturing in state media.¹⁰²

These restrictions have faced increasing criticism from the legal community, including, among others, by the Judicial Service Commission, whose representatives themselves

99 | Cf. ICG, "Reconciliation in Sri Lanka: Harder than Ever", *Crisis Group Asia Report*, No. 209, 18 Jul 2011, 18-21.

100 | Cf. Freedom House, "Sri Lanka. Freedom in the World 2013", <http://freedomhouse.org/report/freedom-world/2013/sri-lanka> (accessed 10 Mar 2014).

101 | Cf. Amnesty International, *Sri Lanka's Assault on Dissent*, London, 2013, 33-35, <http://amnesty.org/en/library/asset/ASA37/003/2013/en/338f9b04-097e-4381-8903-1829fd24aabf/asa370032013en.pdf> (accessed 10 Mar 2014); ICG, "Sri Lanka's Authoritarian Turn: The Need for International Action", *Crisis Group Asia Report*, No. 243, 20 Feb 2013, 15-18; n. 100.

102 | Cf. Shenali D. Waduge, "Are NGOs foreign funded philanthropists or actors of regime change?", LankaWeb, 6 Jun 2013, <http://lankaweb.com/news/items/2013/06/06/are-ngos> (accessed 10 Mar 2014).

were then made victims of intimidation and physical attacks. In late 2012, the simmering conflict between the executive and the judiciary culminated in a request for impeachment filed by the UPFA for alleged abuse of office, embezzlement and fraud against the country's Chief Justice, Shirani Bandaranayake, appointed by Rajapaksa himself in 2010. Barely two months prior to this, the Supreme Court, under her chairmanship, had blocked an urgent bill to centralise regional and local development funds with the Ministry of Economic Development with regard to the necessary participation of the provinces in Parliament, drawing the ire of the president in the process. In early 2013, Parliament voted to impeach Bandaranayake. Rajapaksa ratified the decision and appointed former Attorney General and former Legal Officer to the Cabinet, Mohan Peiris, the new Chief Justice.¹⁰³

In August 2013, a group of approximately 500 people gathered in Weliweriya, a village in the outskirts of Colombo, to demonstrate in favour of clean drinking water after complaining for several weeks about the pollution from a nearby factory. As the crowd grew throughout the day, about 400 soldiers were dispatched to break up the gathering. They used batons and live ammunition. Three people died and between 80 and 200 were injured. While the president promised compensation and the Defence Minister stressed the need for an investigation,¹⁰⁴ the state press reported that the protests had been an attempted civilian coup.¹⁰⁵ In January, the factory in question was closed. The investigation found that the soldiers involved

As the crowd grew throughout the day, about 400 standby army officers were dispatched to break up the gathering. Three people died and between 80 and 200 were injured.

103 | Cf. Amnesty International, n. 101, 29-33; "Sri Lankan politics: Fighting in Court", *The Economist*, 12 Jan 2013, <http://economist.com/news/asia/21569443-government-poised-kick-out-chief-justice-instability-beckons-fighting-court> (accessed 10 Mar 2014).

104 | Cf. Aanya Wipulasena, "Woes of Weliweriya water war", *The Sunday Times*, 4 Aug 2013, <http://sundaytimes.lk/130804/news/woes-of-weliweriya-water-war-55854.html> (accessed 10 Mar 2014); Dharisha Bastains, "Death by a thousand cuts", *Colombo Gazette*, 8 Aug 2013, <http://colombogazette.com/2013/08/08/death-by-a-thousand-cuts> (accessed 10 Mar 2014).

105 | Shenali D. Waduge, "Weliweriya: Attempting a 'Sri Lankan Spring' through a Civil Coup D'etat", *Daily News*, 7 Aug 2013, <http://dailynews.lk/features/weliweriya-attempting-sri-lankan-spring-through-civil-coup-d-etat> (accessed 10 Mar 2014).

exceeded the scope of their duty, but made no statement regarding possible consequences.¹⁰⁶

Of all the eight states of the SAARC region, Sri Lanka is the only one where a regression of the political system is clearly visible. The above-mentioned restrictions were obviously accepted by the Rajapaksa government to stabilise their own rule. If Sri Lanka has long represented a role model for democracy in South Asia, the past five years have made many of those achievements moot. However, change is not irreversible. Both the engagement of the judiciary and the successful elections held in the northern province in September 2013 have strengthened confidence in the country's democratic institutions.¹⁰⁷

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CONCLUSIONS AND OUTLOOK

South Asia is democratic – by tendency. Notwithstanding the developments outlined above, all eight states of the SAARC region meet a minimal definition of democracy. Although democracy cannot be considered fully consolidated in any of the eight states, with the exception of India, the successful regime changes in Bhutan and Pakistan, in particular, have demonstrated that its establishment is possible, even given entirely different basic conditions. While Bhutan is a unique example of successful democratisation from above, Pakistan proves that the establishment of democracy is possible in spite of security challenges. Finally, India demonstrates that, 65 years after its independence, it is able to successfully combine the political, economic, social, cultural, ethnic and religious diversity of the subcontinent under one democratic political system.

Nevertheless, it cannot be denied that democracy in South Asia is under pressure. Afghanistan faces the task of coping with parliamentary and presidential elections against the backdrop of the immense security challenge brought on by

106 | Cf. "What has happened to the Weliweriya inquiry?", *The Sunday Times*, 16 Feb 2014, <http://sundaytimes.lk/140216/columns/what-has-happened-to-the-weliweriya-inquiry-85765.html> (accessed 10 Mar 2014).

107 | Cf. "Elections in Sri Lanka, Northern comfort", *The Economist*, 22 Sep 2013, <http://economist.com/blogs/banyan/2013/09/elections-sri-lanka> (accessed 10 Mar 2014).

the withdrawal of international combat troops. Bangladesh is politically drained and must now seek to return to a status quo that allows all social forces to participate in the political process. In the Maldives and Sri Lanka, it is important to strengthen the democratic process before the negative developments solidify. Nepal has finally managed to restart its previously failed transformation process, but must now be careful not to repeat past mistakes.

However, one thing is obvious for all eight countries. Whether political development tends to be constructive or regressive, the road to the stabilisation of the political systems leads almost exclusively through democracy. In the broadest sense, authoritarian politics tend to remain within the democratic political system, essentially without intending its abolition. An emergence of authoritarian regimes in the classical sense currently seems unlikely. Rather, it can be assumed that those states in which a regression of democracy is felt will continue to evolve in the direction of hybrid regimes, while those in which an establishment of democracy is evident have the task of establishing their fledgling democracies and consolidating.

The countries of South Asia are facing a period of transition in which less the concept of democracy itself than rather its actual performance is doubted. The spirit of this is ultimately one that favours democracy. The concept itself is not rejected, but its effects on the population are cast into doubt – mainly those brought about by the political elites. More than half a century after the end of colonial rule, the question in South Asia is no longer whether democracy is desirable, but rather how it can be shaped to meet the specific political, economic, social and cultural environment of South Asia and its people. In this respect, the region does have some models of success. Take the *loya jirga* as an example of a grass-roots democratic decision-making body, or the caretaker system as a model for ensuring peaceful elections; these are just as important as a draft constitution made by a citizens' forum and test elections or the rehabilitation of former rebels through their proactive integration into society. Democracy in South Asia faces challenges, but these can be overcome by the countries themselves.