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*Crisis of Political Development and
Human Rights Violations*

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Introduction

There is a deep correlation between the crisis of political development — multidimensional in definition — and violations of human rights in a state or society. Key research at micro and macro level supports the hypothesis that a country suffering from the former is prone to the latter. The higher the intensity of the crisis, the greater the incidence of rights violations are, as is evident in the case of many underdeveloped and third world countries. The crisis of political development, an unfortunate phenomenon present in many underdeveloped and developing countries, has direct implications for the realization, or denial, of human rights in those societies. The pursuit of human rights being indispensable to mankind, as they pledge happiness, dignity and development of mankind, faces a setback in societies where the crises exist.

This paper is an attempt to highlight the co-relation between the crisis and its impact on human rights and, based on the theoretical framework, focuses on how the political development syndrome undermines human rights. The paper is divided into three parts – the first section analyzes human rights and their indispensability to a happy society; the second succinctly defines the five crises of political development; and the third examines how human rights are jeopardized by the crisis. The nature of the study is qualitative as well as theoretical.

i) Importance of Human Rights

Human rights are indispensable to human beings as they assure their happiness, dignity and development. The realization of the importance of human rights emerged as early as human beings started living in societies and the question of mine and thine emerged. The social contract which led human beings to form a society based on government was the pursuit of the safeguard of human rights – regarding life, property and honor – they all were entitled to. The struggle between war and peace has been a witness to uncountable scenes of human misery in the midst of which existed human beings who raised their voices, at the cost of their lives, to condemn violations of rights and for a caring and humane society where human dignity and values could flourish. They included prophets, philosophers, scholars, *sufis*, jurists, preachers, writers and even warriors for whom human dignity and values came first. They were the pioneers and promoters of a struggle now advocated by so many forums, including the United Nations, nation-states, IGOs/NGOs. The term ‘human rights’ is nonetheless comparative.

As Graebner discusses, the idea of modern human rights took form in the 17th and 18th century Europe and America by the thinkers of the Enlightenment such as Locke, Bentham and Rousseau without a concrete definition.¹ The establishment of the UN as an important forum for the promotion of security and peace heralded the advancement of human rights badly devastated by the miseries of the two World Wars. On December 10, 1948 the UN General Assembly adopted the Universal Declaration of Human Rights (UDHR) which advocates the doctrine of human/fundamental rights globally. The Declaration, containing a preamble and 30 articles, advocates the dignity of the human person without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status; freedom of speech, belief, movement and freedom from fear and want; treatment in accordance with law, and the right to education, work and to own property as inalienable rights. The Declaration also asserts individuals’ right to take part in the government of their country, directly or through freely chosen representatives.

The Declaration was followed by a number of UN and international conventions and declarations – including the Convention on the Elimination of Discrimination against Women, Convention on the Rights of the Child, and Cairo Declaration on Human Rights in Islam – that focus on the promotion of universal respect for and observance of human rights and fundamental freedoms.²

Human rights can be broadly classified into five categories of socio-cultural, economic, political, legal and religious rights. The difference between human and fundamental rights is that fundamental rights are rights incorporated into countries' constitutions and their implementation can be enforced through the judiciary. Such incorporation serves as an additional guarantee of human rights.³ How far human rights can be secured in states functioning under an unconstitutional and unrepresentative dispensation, emerges as a crucial question.

ii) Crisis of Political Development

The five crises of political development – of identity, legitimacy, participation, representation/distribution and penetration – may exist in one form or other in all societies, with varying degrees of intensity. Montesquieu said centuries ago that they may result in societies where separation of powers is not fixed, which are run without defined constitutional modes of actions of government and where powers are concentrated in one or few.⁴

The term 'Crises Syndrome', coined in 1971 by Leonard Binder in his book *Crises and Sequences of Political Development*, serves one of the paradigms of research in comparative politics on the basis of which numerous hypotheses have been developed by political scientists since – explaining good and bad governance responsible for the integration and disintegration of societies.⁵

The crisis of identity, being one of the five crises of political development, is one of the leading factors for the unrest and instability in a large number of underdeveloped countries. The crisis of identity may exist in Canada, one of the most economically and politically developed nation-states, but the ratio may be miniscule, whereas states such as Nigeria or the pre-1991 USSR have experienced considerably higher ratios. The higher the ratio of the crisis is, the more alienation occurs in a society.⁶

According to Binder's analysis, the crisis of identity in the post-World War II period after the collapse of colonial empires and emergence of nation-states is a serious crisis for a political system. The crisis of identity can simply be defined in the context of how far residents of a nation-state identify themselves with the basis of identification of that particular state and its societal structure. The major basis of identification can be historical, linguistic, ethnic, religious, symbolic, socio-cultural, economic and political. For example, in case of many Arab countries, the crises of legitimacy, representation and participation are on account of the crisis of identity due to strong historical/linguistic bonds of identification with Arab nationalism. The same is true of Iran and Turkey where the roots of nationalism are stronger.⁷ Despite having faced militancy/insurgency, both countries are overall free of the crisis of disintegration because the ratio of identification with the state-societal structure as a unified nation is strong. Afghanistan can be a similar example with its people having been in the grip of a prolonged and brutal foreign invasion/civil war under a series of repressive regimes, yet the people still predominantly and proudly identify themselves as Afghans without any sign of the state's disintegration. The developed countries such as the United States, Canada, and members of the European Union enjoy the established basis of economic, political and social support as melting pots without a crisis of identity. The people in countries with a high level of homogeneity such as Japan and

Korea have strong linguistic and socio-cultural basis for identification with the established structure of governance.

The crisis of legitimacy is a serious predicament of a political system. It paves the way for other crises in a political order, which, in the long run, may end up in chaos and disintegration of the state.

In political science jargon, legitimacy is defined as the “quality of being justified or willingly accepted by subordinates that converts the exercise of political power into rightful authority.”⁸ In layman’s terms the crisis of legitimacy is a situation in which those who rule do so without consensus and consent of citizens and through unconstitutional means. The initial source of their being in power comes from undemocratic, unrepresentative and illegitimate norms and practices. The rulers coming to power through unfair means may later try to secure constitutional means and supportive function of a political group to legitimize their actions in order to continue in power. Their immediate concern remains the pseudo basis of power support. In order to secure legitimacy they are under pressure to adopt measures contrary to the spirit of good governance and established democracy – not necessarily the British, American or French models but a system which enshrines the participation of masses in important public decisions/policies at macro and micro level through their representatives (parliament/local bodies) under constitutional means.

The crisis of legitimacy thrives on account of lack of public participation and building of important state institutions such as independent judiciary, with permeation of volatile and opportunist forces with weaker foundations denying public trust - building and potentially leading to internal chaos and instability.⁹

The nature of the crises of participation can be better explained under the framework of public participation at the micro and macro level in different scenarios: when no channels of participation are allowed in a country following a military takeover/martial law or a dictator usurping power; or when the channels are allowed but they are pseudo in nature.

The crisis of participation is found in societies that lack a representative system based on an electoral process, essentially where factors such as denial of the right to vote, purge or banning of political parties, and a non-representative regime supporting pseudo public participation in its favor are prevalent. The tactics may include the involvement of incumbent government in holding of elections on non-party basis, supporting a particular party and rigging elections. Pressure groups which are social aggregates with some level of cohesion and shared aims that attempt to influence the political decision-making process are not genuinely found in a society facing the participation crisis. Their existence is essential to the promotion of human rights.¹⁰ Instability and violence is more pronounced in a society suffering from the two crises. Jerrold Green, who carried out extensive research into the Iranian Revolution, claims that the broader mobilization of the masses against the established order of the Shah was due to the crises of legitimacy and participation.¹¹

The crisis of representation largely emerges under an elected rule when the pledges of the elected class for the establishment of a true representative system are not honored. Representation is a process through which attitudes, preferences, viewpoints and desires of the whole or majority of the citizenry, are shaped into governmental actions with their expressed approval, by those elected to national and state/provincial legislature. Representation, a concept of social interest, largely in the context of power relations among leaders and followers, entails pivotal importance in a democratic system where the elected representatives are to serve the interests of those they represent. Absolute satisfaction of

representing the interests of a community by its representatives may not be possible, either in a developed or a developing democracy, yet the principles of a representative system demand that those representing the electorate pay heed to the interests of the represented.¹²

The crisis of representation occurs when the main interests of the represented classes are ignored by the representatives. The major factor for this crisis in third world countries is the lack of a responsible representative system where the majority of representatives thrive on voters' blind support for their political ambitions. The largest percentage of them, having been elected repeatedly to the federal and state/provincial assemblies, belongs to the upper/ landlord/feudal class of society – still an invincible force. Their major claim for support rests on the social status and privileges they enjoy and utilize to mobilize people's support in elections. Their continuous appearance on the political scene is due to the entrenched tribal, ethnic and feudal setup where chances of broader participation even by political parties are dim without the support of the feudal lords. They are strong in rural areas where the challenge to their authority comes mainly from fellow family or tribal members, rather than a popular force of common men and women. The major political parties allot party tickets to echelons showing more bases of social and financial support in their respective domains. The parties seldom allot tickets to poor candidates, however popular they may be. In some rural areas, political parties with an ideological or ethnic base of support may have secured public support by backing the party-supported non-feudal candidates to victory; however, such cases are an exception to the general rule.

The crisis of penetration primarily refers to the effectiveness of government penetration against lawlessness and disorder. The less effective the government in the protection of its citizens, the more intense the crisis is. The exceeding ratio of the crisis disturbs the equilibrium of the state and leads to anarchy.¹³ As the crisis grows, a state becomes more quasi or rouge at the cost of equilibrium of state and society by threatening life and property of citizens.

iii) Development Crisis versus Human Rights

The political history of the decline and rise of nation-states since the end of World War II shows that states suffering from the crises of political development witness a higher incidence of human rights violations. A recent study by US-based CATO Institute, titled 'Trading Tyranny for Freedom', claims that countries that are politically developed and open to the global economy respect civil and political liberties more than those who are not.¹⁴

The crisis of identity may or may not directly undermine human rights except where it involves ethnic violence or suffering of a small ethnic minority at the hands of the majority. It also has linkages with other crises. According to Edward Mortimer, a stable state "remains the instrument of first resort for the protection of minority (religious, ethnic)" and can protect them through legislation. To him, a democratic state without other political development crises is liable to produce benign nationalism which can present the world as enlightened, tolerant, reflective, inclusive, and rights-based.¹⁵ In his analysis, benign nationalism replaces conventional nationalism based on ethnic homogeneity, racial purity, blood and language. Relating the crisis of identity to participation, Michael Ignatieff's analysis claims that states with participation guarantee that ethnic groups will live "side-by-side in peace in shared loyalty to a state, strong enough, fair enough, equitable enough to command their obedience."¹⁶ Relating the issue to the crisis of legitimacy, he blames the Gulf States where the autocratic rulers are liable to give rise to discriminations against the Shia minority.

The crisis of legitimacy leads to undermining of human rights. It is said that countries suffering from the crisis of participation on the basis of public participation in politics – both internally and externally – are politically less sovereign. Out of the 192 UN members, 29 control the world's largest share of GDP with greater influence and say in world politics. They all are constitutional representative systems without a crisis of legitimacy. The principles of statehood are built on four strong pillars, which were dealt with in detail by the International Law Commission in 1933, better known as the Montevideo Convention (named after Uruguay's capital where the treaty was signed) on the Rights and Duties of States. The convention was attended by 23 states and recognized by the League of Nations as well as the United Nations as an important landmark to understand the concepts of nation-state building. The Convention asked for Good Neighbor Policy with each participant country entitled to rights and duties and respect of its sovereignty at the hands of others. The Good Neighbor Policy is a treaty and principle the UN members are party to. Many important principles of international law regarding the recognition, territorial sovereignty, collective security, diplomatic entities, and international humanitarian law are based on the Montevideo Convention.¹⁷

Unrepresentative systems are the root cause of legitimacy crises. They can broadly be divided into two categories. First, where there are no constitutional boundaries and those in power rule without any formal constitutional setup as happens after a military takeover in a coup and the country is run in praetorian manner. To better understand the involvement of the military in politics in countries where army plays a dominant role and takes over power, one must read the first chapter of Eric Nordlinger's *Soldiers in Politics: Military Coups and Governments*, a rudimentary lesson to understand the role of the army in politics. Finer asserts that praetorian rulers suffer from two weaknesses: they lack legitimacy and are unable to administer societies other than the most primitive communities.¹⁸

The second category is when a formal constitutional setup is established but the ultimate power belongs to a person or group. Those in power can be the coup-makers-turned-politicians or an individual having emerged as a leader out of a revolutionary struggle.¹⁹ Pakistan can be an example where army chief General Pervez Musharraf having seized power through a military coup became the President in military fatigues and painted himself as an enlightened moderate. The constitutional setup was gradually restored with crucial changes enabling the ruler to remain in power and a band of politicians that chose to be identified with him, generally referred to in Pakistan as the king's party.

The legitimacy crisis thrives at judicial order where courts are essentially not free, and rule of law is absent or weakened. The Human Rights Watch record shows that states with the crisis of legitimacy have both poor constitutional and human rights record.²⁰ In terms of human rights protection among the UN member countries – with Finland, Denmark and New Zealand topping the list of states where rights are most protected – Cuba is at a lowly 140th place, Pakistan at 112th and Guatemala at 91st.²¹

The nature of the crisis of participation is the third major crisis of political development. It can better be explained under the framework of public participation at the micro and macro level of a society with three different situations. First, when no channels of participation are allowed in a country, often following a military takeover / martial law or a dictator usurping power; Second, public participation is allowed but in a non-competitive manner or on non-party basis without political parties' representation. In such circumstances, participation of the political parties is either banned or silenced in favor of the political grouping formed by the dictator, often proclaiming himself as the Head of the State without any public support, to legitimize his rule. The situation can include a state where channels of public participation are ultimately designed to support or oppose

selective representation, i.e., communist/socialist, Nazi and fascist, Nazi parties, etc. Third, where political parties/groups are allowed to operate but not encouraged to cross the power-holding line actually meant for a political group enjoying special patronage of the dictator. The state media backs the group with all possible efforts of political, financial and moral support, in addition to manipulation of election results to the group's advantage. The constitutional arrangements may vary in any given situation but they are all aimed at popular public participation for the continuity of a selective power elite. Longer the stint of the king's party in power, lesser the chances of a healthy and viable political order.²²

Participation is a process which grows with continuity of electoral rule and public institutions. Citizens lack adequate human rights in countries with a crisis of participation. Where the infrastructure of the state is weak, there is often a lower rate of literacy and insufficient economic development. The restoration of democracy and existence of political parties, which are liable to promote participation, is marred by pseudo politics of volatile interests and intrigues. It is a negation of the right of self-determination contained in the International Covenant on Civil and Political Rights 1966, the 1977 Geneva Accord, and the Declaration of the 1993 World Conference in Vienna, among others.²³ Participation reduces public resentment and opens safety valves for releasing public pressure as Daniel L Byman and Jerrold D. Green discuss in their research focusing on Kuwait. With comparatively more political freedom and accountability of government there is more support for debates inside and outside legislature on sensitive issues in Kuwait.²⁴

The crisis of representation emerges either under a political dispensation where there is no representative system or where such a system exists but there is no representation of the rights or interests of the represented class.

The political development as David Easton argues is the product of a system where there is a process of inputs and outputs. The representatives (members of legislatures) should take care of the represented.²⁵ The elected class largely fails to cater to the interests of the represented class on two grounds. Firstly, the rulers are preoccupied with advancement of their own interests at the cost of those they were bound to represent. Secondly, they are not accountable for their actions. Vociferous electoral promises are discarded soon after polling is over. The major share of funds allotted for the advancement of public well-being goes into the personal accounts of those supposedly elected ones, in the name of looking after the electorate's interests. The situation is particularly so where an individual secures the legitimacy of being elected from his constituency without any challenge to his candidature. In places where the hold of a family for securing an electoral victory was countered by another group/party or candidate mobilizing support, it was observed that funds or moral support were afforded for the interests of voters of the constituency in a bid to raise the profile of the elected individual for future prospects of winning against opponents, but still such challenges lack sufficient mass participation. In urban areas, where political groups are more successful in polarizing public opinion against one another through media, the elected class is comparatively less inclined to disregard the interests of the represented. The level of crisis is higher in controlled democracies or ideologically-motivated polities wherein principally one party is encouraged to function.²⁶

The crisis of penetration, the fifth crisis of political development, directly affects human rights - be they political, economic or social. Robert Jackson, who examines the birth and survival of third world nations after the Second World War and refers to a large number of third world states as "quasi-states", claims that the international normative framework that lack good governance and viable political order upholds

sovereign statehood in the third world as “negative sovereignty”, contrasting it with what he calls “positive sovereignty” that emerged in Europe and now in Latin American and South East Asian States of Thailand, Indonesia and Malaysia.²⁷ Quasi states are those states which are not fully developed politically and economically and have a loose sense of nationalism. They suffer from the crisis of political and economic development along with a major penetration crisis.

Conclusion

Human rights are instruments meant to ensure the well being of citizens. There is a positive correlation between the crises of political development and human rights violations. The higher the intensity of the political development syndrome is, the more frequent the incidences of violation of human rights are.

The promotion of human rights in society - as an essential component of a welfare state - is negated by bad governance which ultimately results into crises of political development. Research proves that human rights violations are frequent in the states marred by crises of legitimacy and participation. A close study of the division of international system into three kinds of states: developed or core, developing or semi-periphery and underdeveloped or periphery shows that political, economic, social and cultural development essential to furthering human rights emerges amid an established political order devoid of any major political development crises—largely associated with developed countries. The improvement of democratic order in developing and even in some underdeveloped countries can lead to a reduction in violation of human rights.

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