



Research Articles on

HETERODOX ECONOMICS



Edited by

SHANU N. NAZAR

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The Contradictions between Human Rights and Democracy in 21st century: A Study on the Implementation of Armed Forces Special Powers Act (AFSPA) in India

Surya.A^a

Abstract

The modern democratic state of India perpetuating the violence and human rights violations in the north eastern states in the name of terrorism and national security. In the popular democratic state like India, facing larger human rights violations like armed firing, rapes, missing's, wounds, destructions of houses of civilians by militants under AFSPA which is giving them extra ordinary powers in eliminating terrorist attacks. State perpetuated violence and human rights violations in the north eastern states started from the past and still on going in this 21st century, while India is a signatory to International Covenant on Civil and Political Rights, UNO, and other such organisations. The role played by Armed Forces Special Powers Act in safeguarding national security and the protection of the nation from the terrorist attacks is diminishing because of the incidents of human rights violations that they have been continuing still now from the past. The stand points of major political alliances on the withdrawal and renewal of Armed Forces Special Powers Act were different in terms of their political interest. The NDA government under Modi regime tries to hold the existing powers of AFSPA in its full-fledged form, and not interested in diluting the powers or the withdrawal of AFSPA by the name of national security and terrorism.

Keywords: Human rights; AFSPA; Democracy; Security; Terrorism; Violence ; Civil and political rights

Introduction

This study is mainly focusing on the human rights violations done by militants by the use of Armed Forces Special Powers Act (AFSPA) and discussing the need for the withdrawal and dilution of some provisions of this act which is giving the unlimited, extra ordinary and vast powers to the Militants, Police, CRPF that they utilising negatively for the acts of rape, encounter, shooting, massacres etc. The Armed Forces Special Powers Act (AFSPA) owes its origins to an ordinance of the same name promulgated by the British in 1942 to suppress the Quit India movement. After Independence, the Indian government issued four ordinances to control the widespread communal rioting and breakdown of law and order post partition. These ordinances were issued for Bengal, Assam, East Punjab and Delhi, and the United Provinces. The ordinances were based on the British act of 1942. These four ordinances were replaced by the Armed Forces Special Powers Act 1947, temporarily for one year and finally by the Act of 1958 in response to the deteriorating internal security situation in Assam at the because of the Naga tribes. And later this act passed in seven northeastern states, which is come under the head of "disturbed areas". The right to declare a state to "Disturbed Area" is wrested in that state government.

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The book '*Heterodox Economics*' includes collection of research articles from broad areas such as Industrial Economics, Gender Economics, Urban Economics, Tourism Economics, Behavioural Economics, Labour Economics, Economics of Education, Political Economy, Economics of Innovation, Development and Environmental Economics.

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