Chapter 3 - The Emergence of Civil Society in Post – Colonial India

Introduction

I have divided this chapter into four sections. In the first section I describe the emergence of India as a nation-state as a result of the freedom struggle when the Indian National Congress (INC) was at the helm. I explain how the INC, in order to expand its base resorted to the politics of accommodation and consensus, a practice which it carried into the post-colonial set up, which had implications for the country’s democratic functioning.

Next, I elucidate the vision of the post-colonial national leadership to establish a welfare state in order to create a development model for India where the idea of the rights of people would be combined with that of equality of all citizens. I describe how this experiment did not yield the desired results and attempt an explanation of the same. In this section I also demonstrate how people’s disillusionment with the leadership led to what Habermas (Edgar 2005) called the legitimation crisis, Singh (1993) called the crisis of success and the crisis of failures and Desai (1975) considered to be the result of a capitalist state functioning to serve the needs of only the elite.

In the third section, I delve into the emergence of civil society in post-colonial India, as a direct response to the drought and famine that India experienced during the mid -1960s and as a direct response to people’s alienation from the authoritarian state during the emergency of 1975. I sketch the growth trajectory of NGOs in India in the post – drought and famine period and their characteristic features (Mencher 1999; Sengupta1999; Ebrahim 2003) and then proceed to the emergence of voluntary organizations that aimed to protect the civil liberties of citizens (Oommen, 2005; Gudavarthy 2008). In this section, I describe two grassroots movements that emerged in the last decade of the twentieth century, namely the Narmada Bachao Andolan (Movement to Save the Narmada) and the Right to Information Movement.

These two movements marked the turning point in terms of how grassroots movements, and subsequently, their more passive counterparts, i.e. the non – government or voluntary
organizations began to be perceived at the macro – level by the policy makers. The highlights of the *Narmada Bachao Andolan* and its implication for Indian society and polity are drawn from the extensive work by Baviskar (1995) on this subject, while the Right to Information movement is described with help of commentators such as Roy & De (1999; 1997), Mander & Joshi (1999), the CHOGM Report (2003) and the first Annual Report of the Central Information Commission of India (2007).

In the next section, I compare India and the United States of America, two countries which adopted the democratic form of government, and have certain similarities such as the existence of a heterogeneous society and contesting claims. I analyse why, despite these similarities, the United States has emerged as a stronger democracy in terms of meeting its obligation towards its citizens, unlike India, which has had some defining moments, such as the emergency, that shook the democratic framework within which the country functioned. I use the help of De Tocqueville and Lipset (1963), who have tried to understand the character of American democracy, and Frankel (1995), Tharoor (2000) and Oommen (2005), to understand the nature of the Indian democracy.

In the final section, I try to summarize the successes of the state and civil society in India in terms of the broad extent to which they have been able to create empowered citizens out of traditional subjects, thereby analyzing the extent to which they have succeeded in transforming the patron (state) – client (subject) relation that exists between the two. I also highlight the challenges that face the Indian state and civil society, which threatens the path set by them to create empowered and inclusive citizenship. I end the chapter by emphasizing that both the state and civil society have a daunting task before them, and that neither is less or more important than the other, given the varied roles they play.

**Stage I: The Emergence of the Indian Nation – State**

In this section I trace the origin of the concept of the Indian nation-state as it evolved itself from the struggle for independence in which I describe the progression of the freedom struggle - with the Indian National Congress (INC) at its helm - from an elitist to a mass - based movement.
The history of the Indian National Movement may be divided into three phases (Chandra, Mukherjee & Mukherjee 1999; Singh 1989), of which the last phase is most significant in the context of this chapter:

- The first phase, which occurred during the period 1820-1904, was dominated by the Moderates amongst whom had developed a feeling of nationalism. The Moderates, amongst whom were several eminent social reformers, also dominated the Indian National Congress (INC) during this period.

- The second phase, which lasted from during 1905 to 1919 was predominated by the Extremists, who were also classified as terrorists.

- The final and most important phase of the national movement, from 1920–1947, saw the rise of militant non-violence, led by Mohandas Karamchand Gandhi. These phases were not mutually exclusive, since what began as a minor trend in the preceding phase, gathered momentum to emerge as the dominant trend in the subsequent phase.

The Indian national movement popularized the ideas of a representative democracy and civil liberties amongst the masses in order to prevent the colonial rulers from limiting the space from which the national leaders could organize these activities and in this way not only generated awareness amongst the masses about these ideas but also ensured from their actions that these ideas would have a firm foot-hold even in post-colonial India (Chandra, Mukherjee & Mukherjee 21: 1999).

In the first phase, the elites, being the other term by which the Moderates were known, were at the forefront of the INC. Their ideas and attitudes were tremendously influenced by western social patterns, to which they adapted by combining traditional styles of living with modern ones (Ibid.). This included acquiring education, new skills and new ideas that were western in their character. Social reformers such as Raja Ram Mohan Roy
(1772 – 1833), gained prominence during this phase for their contribution to society by founding the Brahmo Samaj and reforming regressive social practices such as the sati, child marriage and polygamy, amongst others. Many of the ideas of social reformers such as Ram Mohan Roy were carried into the Indian National Congress during this period, and thus sowed the seeds for “Moderate-Liberal” nationalism amongst the Indian political leaders.

In the second phase, the Extremists, who also acquired a following of their own (also eventually classified as such), called for a revival of the true spirit of Hinduism. To achieve this, combined an idealized version of the religion with an aggressive and hostile attitude towards Christianity, which was the religion of the oppressors. In this phase, the leaders disparaged western culture as materialistic, while at the same time upholding Indian, rather Hindu culture and civilization (Chandra, Mukherjee & Mukherjee 1999; Singh1989). Many of them were expelled and later re-joined the Indian National Congress, for their lack of patience with what they considered to be the mendicancy of the Moderates. The youth, inspired by the Extremist ideology propagated by leaders such as Lala Lajpat Rai, Bal Gangadhar Tilak and Bipin Chandra Pal, amongst others, engaged in sporadic violence against the government machinery, to get their point across.

The third and final phase saw the emergence of one of modern India’s greatest leaders - Mohandas Karamchand Gandhi (1869 – 1948). Under Gandhi’s leadership, the Indian National Movement expanded from its middle class elite base of English educated urbanites to a mass movement that encompassed a much wider base of people. These included, in addition to the urbanites, the rural Indian peasants, millions of unemployed people and included several subaltern cultures as well.

The national movement not only embraced its all – India nature by enlisting cadres and even leadership from all over the country, thereby emphasizing that the unity and integrity of the country are paramount, but they also steadfastly clung to the ideal of an egalitarian society by drawing the ‘lower castes’ and women into the struggle for independence. In fact, from the 1920s onwards, the national movement aimed at not just
the political emancipation but also the social transformation of the country (Chandra, Mukherjee & Mukherjee 1999; Varshney 2003)

Under Gandhi and other stalwarts such as Jawaharlal Nehru, Subhas Chandra Bose, Vallabhai Sardar Patel and Jayaprakash Narayan, the entire Indian National Movement acquired a different tone during this phase. Their aim was to generate awareness of the masses about the political situation in India and therein mobilize them to carry out their duty to the nation. In addition to the expansion of their base, these leaders decentralized the structure and functioning of the INC, thereby incorporating into the organization a combination of the “cultural and moral fabric of the world of the peasant with that of the urban-based Western-educated elites” (Sharma 66: 1999).

Gandhi’s simple and austere lifestyle, rapport with the masses and renewed call to action helped to woo the masses into the movement. Gandhi’s tactics to involve the masses through the non-cooperation movement and the civil disobedience movement or Salt Satyagraha resulted in increasing the membership of the INC to around two million (Ibid.). These mass movements of a militant but non-violent nature ultimately led to the decolonization of India from her oppressors. This made India the first country in the Third World to not only develop a national movement and win independence for her people but it also made her the first non-white member of the British Empire to formally join the Commonwealth of Nations as a sovereign republic (Singh, 1989: 11)¹.

Sharma (67: 1999) notes that though the INC tried to broaden its base in the third phase of the nationalist movement to emerge as a party of the masses and not just the elites, their strategy was not one favourable to creating the sort of democratic republic that De Tocqueville praised the Americans for, as early as 1899. For, the leaders of the INC expanded its base by adapting to rural local power structures, whose influence was needed to mobilize party cadres from rural India into the movement (Frankel 1997;

Thus, the INC practiced a politics of accommodation and compromise rather than mobilizing masses into one cohesive political organization.

In this way, the issues and concerns of the less influential or subordinate classes and castes, especially of rural India, were marginalized within the party, which had become once again, elite-dominated. According to Sharma (68: 1999.), the INC had become a loose coalition of “numerous shifting, crosscutting, competitive (and often hostile) centres of power, with conflicting ideologies, petty jealousies, and competing ambitions and interests, unamenable to organizational unity, party discipline or a cohesive ideology.” Sharma (1999) agreed with those commentators who had observed that it took the ability of the leadership of the INC to bring about some sort of consensus amongst the competing interests. Several observers (Frankel 1997; Sharma 1999; Tharoor 2000; Brass 2001; Oommen 2005) believed that this is what laid the ground for a consensus-based democratic system in India.

The reason why the INC promoted the interests of the rural elites was that in addition to increasing its strength in numbers and expanding the mass base of the movement, they were also an integral part of the voting electorate. In addition to them, the business classes were another dominant segment of the INC since their help and cooperation was required to finance its political campaigns. Thus, these two groups formed that segment of the elite which actually had access to the state and its resources. According to Tharoor (214: 2000), this process of consensus-building to keep these varied interests happy considerably slowed down the implementation of nation-building obligations of the government since it was more focused on the sustainability of the party.

This politics of accommodation of interests of the dominant and propertied classes led to the INC becoming incapable of formulating policies that did not take into account the interest of these classes. And, with the INC at the political helm after independence, some of these tendencies acquired during the Independence struggle continued to be a part of
the INC’s manner of functioning, thereby influencing the country’s economy and polity (Sharma 69: 1999).

Stage II: The Demystification of the State
In this section I trace the rationale behind the welfare orientation of the post-colonial nationalist state and proceed to why it failed in actually providing welfare to the intended beneficiaries. I explain how this resulted in a crisis of governance in Indian society, to which the state responded with a call for emergency, thereby de-legitimizing the state and alienating people from it.

The Development of the Welfare State:
At the time of independence, Indian society was characterized by widespread poverty and underdevelopment, especially in the rural areas. As a result of this, the central government at the time considered that a centralized welfare-state approach to development would be a most practical way out for the newly independent state. Consequently, during this time, the Indian model of nation-building was characterized by a “unique party system, a rule-bound administrative and judicial structure, the planning machinery, a large network of autonomous institutions and voluntary bodies operating at various levels, and a plural basis of informed criticism and debate” (Kothari 102: 2001).

The welfare state was conceived by the post-colonial leadership as a means to synergise the concept of ‘rights of the people’ with that of ‘equality for all, which is founded on the principle of what T. H. Marshall calls ‘equal social worth’ of all agents of society (Kumar 336: 2005). At the same time, the welfare state sought to achieve the social integration of members of society who usually stand opposed to each other due to class differences arising out of the economic sphere. The welfare state aimed to bridge these class differences which created the elites in whose hands material and political wealth was concentrated and the marginalized who were deprived of the very basic means to a life of dignity.

The rationale behind the welfare state can clearly be seen from Nehru’s formulation of the same, which he articulated clearly in The Discovery of India (521: 2000)

In India, at any rate, we must aim at equality. That does not and cannot mean that everybody is physically or intellectually or spiritually equal or can be made so. But it does mean equal opportunities for all and no political, economic or social barrier in the way of any individual or group. It means a faith in humanity and a belief that there is no race or group that cannot advance and make good in its own way, given the chance to do so. It means a realization of the fact that the backwardness or degradation of any group is not due to inherent failings in it, but principally due to lack of opportunities and long suppression by other groups. It should mean an understanding of the modern world wherein real progress and advance, whether national or international, have become very much a joint affair and a backward group pulls back others. Therefore, not only must equal opportunities be given to all, but special opportunities for educational, economic and cultural growth must be given to backward groups so as to enable them to catch up to those who are ahead of them. Any such attempt to open the doors of opportunity to all in India will release enormous energy and ability and transform the country with amazing speed.

Nehru (522: 2000) clearly spells out what he means by ‘democratic collectivism’, which is closely connected with the public ownership of means of production such as land and industries. Nehru (Ibid.) was well aware that such a collective ownership would not necessarily lead to an equalization of incomes of the masses; however his rationale did not preclude a belief that such ‘public ownership’ of the means of production would remove the gap between the haves and the have-nots while at the same time improving the capacity of the country to be productive. Below is a quote Nehru from The Discovery of India, which helps to clarify his views on this topic (522: 2000),

A democratic collectivism need not mean an abolition of private property, but it will mean the public ownership of the basic and major industries. It will mean the co-operative or collective control of the land. In India it will be especially necessary to have, in addition to the big industries, co-operatively controlled small and village industries. Such a system of democratic collectivism will need careful and continuous planning and adaptation to the changing needs of the people. The aim should be the expansion of the productive capacity of the nation in every possible way, at the same time absorbing all the labour power of the nation in some activity or other and preventing unemployment. As far as possible there should be freedom to choose one’s occupation. An equalization of income will not result from all this, but there will be far more equitable sharing and a progressive tendency towards equalization. In any event, the vast differences that exist to-day will disappear completely, and class distinctions, which are essentially based on differences of income will begin to fade out.

Moreover, for Nehru (522-23: 2000), the idea of collectivism was in harmony with the traditional social patterns in India based on the ‘group’. This for Nehru (Ibid.), was especially true of the self-sustaining and self-reliant villages of India, which under British
rule, had lost their capacity to be independent, responsible and cooperating units that worked towards common goals.

Sheth (389: 2005) highlights yet another angle to the process of nation-building in which he points out that it was in the middle of the nineteenth century that the "cultural consciousness" of the Indians as one nation began to acquire political undertones, which led eventually to the formation of the Indian National Congress (INC) in the year 1885. Initially, the INC, amongst other things, articulated the needs and concerns of the Indians, but by the 1920s had become a 'political centre' that had resolved to lead India to independence from colonial rule.

The INC transformed itself, under the leadership of Gandhi and other nationalist leaders, to a forum that,

...articulated the politics of nationalism in terms of the right of the Indian people to repossess the state (Sheth 393: 2005).

Post-independence, the leadership legitimized the role of the state as the primary agency for nation-building, since the state refers to a "political unity" which is inclusive of heterogeneous communities and identities, which can flourish within this political identity (Sheth 396: 2005). Moreover, through such inclusiveness, the leadership expected that citizenship rights would become universal and that cultural identities would simultaneously, maintain their distinct identities while their members exercised their rights as citizens of the democratic polity (Ibid.).

The Indian leadership tried to achieve this by resorting to centralized planning and direct intervention within the framework of a welfare state because of the strong belief of the leadership that under British rule the Indian economy had been stifled. Since the economy was kept agrarian and development of industry was prevented, the state believed that would have to take the lead in modernizing the society and economy (Brass 12: 2001). In addition to centralized management of the economy and polity, the leaders, at this time also stressed on citizens showing loyalty to the state before other primordial factors such as community, and religion. For post-colonial India's leaders, loyalty to the
state and not religion would be the basis of the modern state and political action. For this, they believed that a strong and centralized state was the need of the hour (Ibid).

The other factor, in addition to poverty, that influenced the Indian model of development was the legacy of Gandhian tradition and values, which the leadership was unable to shake off. These values were humanist in nature in that they were characterized by freedom, democracy, self-reliance, equity and equality and service to society, particularly the poor and the marginalized. So, the welfarist approach towards nation-building adopted by the state at the time of independence had the four-fold objectives of national integration, economic development, social equality and political democracy (Kothari 112: 2001).

However, the Indian leadership had the unenviable task of achieving all these goals within a democratic framework in a society that was characterized by a highly complex and diverse social structure, economic inequalities and the concentration of power and status in the hands of a small elite.

The Weaknesses of the Welfare State:
While the state intended to carry along every segment of the heterogeneous Indian society in its model of inclusive development, the flipside of such a development process was that the traditional elites felt this to be a threat to their established privilege. This is where the political leadership failed to implement the spirit of its development model. The leadership responded to the problems of poverty, unemployment and disparities in living standards with a top-down model of development in which they believed that the results would seep down to the poorest and most disadvantaged sections of society, occupying the bottom levels. However, this remained an idea only, as the state made no effort to ensure that the top-down seepage of benefits of development and modernization would in reality occur. To add to its woes, the state had not, in its model of development, built in the concept of distributive justice.
Needless to say, such a process of nation-building was heavily tilted in favour of those who were able to identify the national prosperity that resulted from it, as their own. This included the economic elites who mainly belonged to urban India and the rural elites, i.e., the propertied peasantry. On the other hand, such a lopsided process of development also resulted in the creation of a "very wide spectrum of lower middle classes" (Kothari 119: 2001), which was accommodated in the middle and lower rungs of the state apparatus.

The state had created new programmes and institutions as a means to meet the challenges of development. However, it failed to communicate the benefits of such programmes and institutions to the established elites, who consequently perceived these to be a threat to their dominance over state policies. As a result of this, these newly established institutions and programmes for change became tools for bureaucratic control and privilege by these elites who had access to them, and exploited them for their own interests. There was no sense of participation or equity in regard to the targeted beneficiaries in programme conceptualization or implementation, for which they were originally meant. The bureaucracy also, by its very nature, did not function in an efficient or effective manner. The system was notorious for delays, non-performance, corruption, redtapism and giving in to political pressures of various forms, especially in the filling up of posts.

To cite an example of the inefficiency in governance in India, the Tenth Five Year Plan has outlined 1, 000 Central Sector and Centrally Sponsored Schemes for 51 Central Ministries and Departments, many of which are spillovers from previous Plans (NHDR 120: 2001). This shows clearly that planning at the highest levels of the bureaucracy is faulty, and results in wasteful expenditure running into crores, which remain unaccounted for. Moreover, the implementation of these new schemes would call for the setting up of more bureaucratic establishments. In this way, the power elite sustains itself by creating more opportunities for itself, while making the state and the people dependent on the successful implementation of these schemes for coming back to power in the next elections (for the state) and meeting daily sustenance needs (for the poor for whom these programmes and schemes are sketched).
This moral decline in institutions led to a concurrent increase in importance of individuals who used the state as an instrument of profit and patronage and the public arena as a means for personal aggrandizement and for solving their personal crises. Also, leaders found it difficult to strengthen political organizations due to its policy of accommodation and consensus, which contributed to a crisis in governance (Frankel 388: 1997)

In such a situation, the legitimacy of the state began to gradually erode in the eyes of the masses. The state responded through populist measures, where, by making premature promises, they sought to deal with the inadequacies of their policies, and a non-performing centralized system. Initially, the public believed the state’s promises, however, with the passage of time and with unfulfilled promises in return for increased expectations, the public felt more and more disoriented with the system, whose legitimacy continued to erode.

Gradually, when people began to realize that the state’s institutions, with its inefficient and ineffective bureaucracy, did not have the wherewithal to deliver on its promises, they stopped being taken in anymore by populist rhetoric. They realized that it was aimed only to garner votes to gain power.

Instead of dealing with these problems at the micro or grassroots level, as each level or each little village posed a different challenge, the interventionist state directed these crises to itself. This made it only easier for all blame to be leveled upon the state by the people, whose feeling of discontent against it was further fuelled by the atrocities of the elites against the poor and marginalized. A harassed state, already burdened by parallel expectations from different social, economic and political groups, was unable to handle the discontent effectively.

---

In addition to these, the state also faced challenges from the opposition party whose main aim was to displace the government, rather than draw attention to prevailing problems (Tharoor 2000; Kothari 2001). This resulted in a further erosion of the political authority of the party in power and shifting of loyalties of their members, which at one time led to frequent defections between political parties (Ibid).

**Emergency and the Crises in Indian Society:**

The incompleteness of the post-colonial state’s welfare components provided the context for widespread disenchantment in the Indian state after freedom. This was reflected in the protest movements of workers, women and the youth of the mid-1960s. However, the ultimate breakdown of the bond of trust between the state and the people occurred during the nineteen months of emergency.

The experiences of arbitrariness of the power elite including the political leaders and the bureaucrats set the stage for the sprouting of a variety of civil society formations, which aimed to create watchdogs, i.e. a space to monitor government functioning. The period of the emergency made the thinking citizen aware that like other types of states, even the post-colonial, nationalist Indian state could not be trusted when it came to choosing between the rationale of state action and freedom of the citizen.

Mrs. Gandhi’s mode of functioning was distinct in the sense that her rule was “personalized and centralized ... (and) involved unprecedented assertions of executive power in the Indian political system” (Brass 40: 2001). She changed the character of centre-state relations in states where the Congress (I) ruled. It became clear to Congress (I) party members that if they needed to curry favour with her, it would be by being personally loyal to her; thus creating an independent and sustainable base for the Congress (I) in the concerned state was not in any case a criterion to climb the political ladder. In this way, the era of idolizing a leader rather than conforming to party discipline and commitment to citizens, was firmly established under Mrs. Gandhi’s leadership. However, that is not to say that this did not deter political maneuvering by Mrs. Gandhi’s
selected few to replace each other by showing more loyalty to the supreme leader or the high command, who took all the main decisions in far away Delhi.

By the time the year 1974 drew to a close, the political situation in India had reached such a point that many people, including intellectuals, were questioning the legitimacy and viability of India's democratic experiment (Tharoor 2000; Brass 2001). In 1974, Jayaprakash Narayan or JP as he was popularly known, called for a mass-based movement against the corruption of the Congress (I) - led government, in which he challenged the authority of Mrs. Gandhi (Ibid). People's lack of faith in the democratic system's ability to meet their expectations, which has already been described in previous pages, added to the general feeling of distaste against democracy. Matters came to a head with the Allahabad Court judgement being perceived by Mrs. Gandhi as a threat to her political ambitions. So, in a sense, the declaration of emergency came at a time when people had already begun to question the relevance of democracy in the Indian context where the benefits seemed to accrue to only those who had the means, mainly education and money, to access these (Chandra, Mukherjee & Mukherjee 1999; Tharoor 2000).

According to Tharoor (203: 2000), Mrs. Gandhi's imposition of emergency was a reflection of her intention to "establish a system with fewer institutional impediments to the implementation of government directives". To meet this end, she suspended civil liberties, arrested and detained anybody who opposed her, amended the Constitution and postponed national elections that had already been scheduled.

At this juncture, I would like to pause to elucidate the Indian situation at the time that the emergency was declared in terms of the concept of Legitimation crisis as expounded by Habermas (36: 2000). Habermas explains this concept by revealing how the state's need to achieve social integration is transformed into first a social crisis, which has its origins in the economic sphere, the management of which by the state evolves finally into a political crisis, and a questioning of the legitimacy of the state as a result.
According to Habermas (ibid.), social integration refers to a form of normative integration which involves a system of shared values that hold people together. However, this is not always possible by imposing them upon the people. Thus, social integration must be brought about through a consensus amongst people on the basis of common or generic interests, which would meet the approval of the people, as a basis for coming together.

However, Habermas (ibid) again cautions that consensus-based social integration is also not an easy task in class-based societies. In class-based or capitalist societies, the fundamental interests of different classes or groups are normally material in nature and therefore usually stand in opposition to each other. Thus, the state resorts to the application of some form of coercion in such societies, in order to achieve social or normative integration and by the same token to keep the conflicts that arise out of class-based opposition latent. Habermas (39: 2000) notes that where the state successfully achieves social integration in this manner, the consensus that underlies such integration is usually ideological.

Habermas (Edgar 127: 2005) explains that the crises that arise out of class divisions are transformed into a social crisis because once the differences between classes come out in the open, thereby questioning the very ideology that brought about social integration in the first place.

According to Habermas (Edgar 128: 2005), the welfare state arises to manage this problem faced by liberal capitalist society. The welfare state does not try to dissolve class tensions through ideology-based consensus, instead preferring to prevent or lessen the blow of economic crises through direct state intervention in the economy. This is typically seen in India, especially in the aftermath of the national movement, where the welfare state envisioned by leaders used means such as regulations, subsidies and loans, redistribution of income, some form of insurance for workers against market risks and so on to prevent the social crises that they feared would arise as a result of class differences becoming more marked.
However, there being limits to which the welfare state can intervene in and successfully manage the economy, especially in regard to its attempt to distributing wealth to the underprivileged classes, it can result in underuse and in some cases, misallocation of economic resources. As the state directs all the pressure to manage the economy upon itself so that there are no deprivations in society, so when a crisis in redistribution of wealth occurs, it gets transformed into a political problem. Again, the state attempts to solve these problems through social integration – but encounters problems due to the class origin of the crisis. Now that the problem has taken on a political hue due to the intervention of the state, this makes it difficult for it to justify its (now failed) actions, and in this manner, creates for itself a legitimation deficit.

At the time the emergency was declared, Indian society was faced with several problems, among them being economic inequality, unequal access to state’s resources, non-and performing public institutions that could not meet the people’s expectations. All this created a legitimation crisis for the state, with the people losing faith in the credibility of these institutions. The Indian state responded to these problems by calling for an emergency, to diminish any form of critique of itself in, what it believed to be its genuine attempts to reduce inequalities.

According to Singh (69: 1993) the crisis in society is a consequence of the socio-economic character of India’s achievements that are a product of planned development and also because of the failure of the state in achieving the stated objectives in the economy and socio-cultural life of the people. Singh (63: 1993) opines that “people’s perception of institutional decadence in society, from the increasing disenchantment from the notions of nationalism and national ideology of development” further fuelled this crisis.

Singh (66: 1993) clarifies that India has achieved a remarkable degree of success abolishing the feudal system, preserving a liberal democracy that has secularism as one of its bases, establishing a welfare society that is based on egalitarian principles,
establishment of a powerful and active middle class comprising of the professionals and
the entrepreneurs as well as the rich peasantry, and founding a strong industrial,
technological, scientific and managerial growth. In addition to these, other indicators of
development including increased life expectancy, growth in literacy rate, decrease in
child mortality and emergence of a powerful media, in all of which the country has
advanced. In all of this, Singh (66: 1993) points out that the leadership followed the
Gandhian philosophy, by which “means were as important for the achievement of these
goals as were the ends: the means being consensual, legal and democratic in design”.

However, according to Singh (69 - 76: 1993), the “crisis of success” is weakened
considerably by the “crisis of failures”. The failures include the fact that a large section of
India’s population, especially in rural India still lives below the poverty line and the
increasing politicization, exposure and awareness of the weaker classes and castes have
resulted in transforming traditional feudal relationships to those of conflict and
competition. In rural India, the conflictual nature of the relationships has resulted in
naxalism in some states whereas in some others this has resulted in a demand for a
separate state, or even separation from the country. In addition to this, the rise in
economic status of a small section of the scheduled castes and tribes due to reservations
has not prevented their continued social and cultural discrimination.

These new patterns of relationships have replaced the cohesive social communities that
villages once were with political ones that lack an institutional framework that is
mutually recognized by the people, to integrate these changing relationships. This has
resulted in a large scale migration of villagers into the cities where they are concentrated
in employment in the informal sector. This in turn has resulted in a “structural cleavage”
between the formal and informal sector workers thereby increasing ghettoisation of
metropolitan cities where these workers are concentrated. Urban migrants tend to
maintain their links with the villages, which leads to “the iniquitous perception of the
urban life”, which spreads “discontent” to the villages as well, thereby reinforcing “social
conflict and violence” (Singh 76: 1993).
Anther monumental failure of the Indian state (Singh 74: 1993) has been in the field of literacy, where the lack of much achievement has had a negative impact in the areas of population control and health. With overpopulation, large sections of the population remain outside the realm of distributive justice and other development goals of the state. The rural crisis is compounded by the urban crisis which follows similar patterns (Singh 75: 1993).

According to Desai (140: 1975), the post-colonial state is a capitalist one. His basic premise for concluding thus is that in the Constitution, the right to property was at the time of his theory formulation, a fundamental right, while other basic rights such as those related to work, employment, education, medical aid and others which impact a majority of the people and have the greatest role in their upliftment have been assigned as directive principles without any judicial protection if they are violated (Ibid.).

To quote Desai (140: 1975),

These vital discriminatory clauses enshrined in the Constitution most eloquently establish how the Indian state is essentially a coercive apparatus elaborated to serve, protect and enhance the interest of capitalist and allied propertied classed who are the rulers of the country and who extract surplus value from the toiling masses and distribute it in the form of profit, rent and interest.

Desai’s (142: 1975) concern in this regard was whether a state that is committed to developing a ‘capitalist socio-economic order’ be able to ensure a higher standard of living for its people. This question, according to Desai (Ibid.), was even more pertinent in the event of the decline of the capitalist system in the rest of the world. Desai opined that the capitalist class was too self-serving and egoistic and interested in aggregating its own profits to secure minimum needs of the rest of the population. The problem arises when the working class refuses to accept this status quo which persists in their exploitation at the hands of the elite. Desai (143: 1975) claims, “It is in the context of this basic irreconcilable conflict between those who sell their skills and labour power and those who own the means of production that the dynamic development of Indian society could be properly understood”.

88
Desai (167: 1975) accuses the capitalist class of monopolizing the economic, political, social and cultural life of India by virtue of its control over the means of production. This is what, according to Desai (Ibid.) has resulted in a lack of conviction amongst the masses about the promises made by the political class for their upliftment, which in turn has resulted in a conflict between them and the capitalist class.

**Stage III: Emergence of Civil Society in Post – Colonial India**

The history of the development of civil society in India can be traced to the famine and drought of the mid – 1960s (Mencher 1999; Sengupta 1999; Ebrahim 2003) and to the early 1970s during the shift from the Nehruvian era to Mrs. Indira Gandhi’s rule (Oommen 2005; Gudavarthy 2008). The famine and drought resulted in the sprouting of NGOs that were funded by international donor agencies that aimed to meet the basic needs of the poor. With regard to NGOs that rose to protect peoples’ civil liberties, it is relevant to note that Mrs. Gandhi’s coming to power is concomitant with the “emergence of an authoritarian state on the one hand, and the continued expectations from a welfarist state responsive to the popular demands of the polity and it’s marginalized on the other” (Gudavarthy 31: 2008).

**Civil Society and Non Governmental Organizations:**

Post – colonial India witnessed the emergence of a wide range of NGOs, including those that emerged to remove the chronic levels of poverty that had resulted in the famine and drought of the mid – 1960s in India. Moreover, a number of NGOs mushroomed in the post – emergency period to protect the civil liberties of people and to advocate for human rights. In this section, I first trace the growth trajectory of NGOs in post – colonial India (Mencher 1999; Ebrahim 2003) and then move to the emergence of voluntary organizations that rose as a direct result of people’s distrust of the state in the post – emergency period, leading many to form associations to protect civil liberties and human rights (Sengupta 1999; Gudavarthy 2008).
Civil Society and Development NGOs

The drought and famine experienced by India in the mid-1960s resulted in development planners shifting their focus away from strategies for industrial growth to those that would meet the basic needs of poor individuals (Ebrahim 35: 2003). Several NGOs emerged during this period that focused on removing poverty amongst the rural poor in India. Though many of them were funded by international agencies, those whose programmes fit in with the central and state government's programmes and schemes such as the Integrated Rural Development Programme, were also provided government support for their work (Ebrahim 36: 2003).

In the late-1960s and 1970s NGOs began to be critical of the development approaches adopted by the state (Ebrahim 37: 2003). However, the state continued to fund these NGOs especially those that were welfare-oriented, which delivered services in areas that were drought and flood-prone, those who worked with refugees flowing to India in the aftermath of the 1971 war, and restricted to some degree activities of those whose activities tended to openly challenge and criticize state development approaches (Ibid.).

While many NGOs, the government and policy makers in the 1960s and 1970s worked to achieve the "basic needs" of the poor, the 1970s and 1980s saw the emergence of the mantra of "participatory development" amongst development planners (Ibid.). The reasons behind this were the large scale dissatisfaction with centrally planned development strategies that failed to reach the intended beneficiaries, firstly due to the excessive emphasis on the creating large industries that was characteristic of the initial First and Second Five-Year Plans and the failure of the trickle-down theory, which led to the realization that development below had greater chances of being connected with peoples needs and realities (Ebrahim 38: 2003). This period also saw an increase in the interaction of NGOs with international funding agencies.

---

The post-liberalization phase has seen a synergizing of market-based economic reforms with the notion of good governance, i.e., governance characterized by transparent, accountable and participatory decision-making (Ebrahim 47: 2003). Associated with this idea is the increasing role being given to civil society organizations such as development and rights-based NGOs that are perceived by international funding agencies as more efficient, capable, committed and likely to be accountable for their actions by their promoters than the autonomous, opaque and all-powerful state.

Several attempts have been made to identify some common characteristics of these development and service-delivery oriented NGOs that have emerged in developing societies such as India. One of the most comprehensive attempts in this regard is that of Joan Mencher, who in 1999 set down certain parameters for defining NGOs, on the basis of her experience with NGOs in India and other developing countries.

Mencher (2071: 1999) attempts to define the term “NGO” within the context of the socio-economic and political milieu in which it operates. She studies the Indian milieu as a classic case in which one sees the emergence of certain typical characteristics that are distinctive to an NGO. Mencher (Ibid.) notes that the term NGO refers to a “wide range of structures, pursuing diverse strategies, of widely differing sizes, aims or missions, and defies definition because of this diversity” and adds that the formal use of this term “derives from its recent incarnation as a highly significant vehicle for ‘development’”.

Sengupta (2921: 1999) defines NGOs as “civil society organizations working on different issues for different interest groups separately or in combination. They play the role of activists, executing programmes and delivering services and also as the mobilisers of opinions, awareness and support of the people concerned with and affected by social, economic and political problems”, who are the targeted beneficiaries of various governmental programmes and schemes for their overall development.  

---

5 Sengupta (2921 – 2922: 1999) discussed the role of NGOs in relation to the “right to development”, the implementation of which requires the active participation and cooperation of NGOs. The right to development was adopted by a universal declaration in 1986 by the United Nations and later, in 1993,
According to Mencher (2072: 1999), an NGO is set up to address issues that people believe have not been dealt with aptly by the state or it is set up to help local people improve their life situation. She adds that they function with funds from external agencies, at least when they initially begin their work and on issues that need a long-term outlook, since they cannot be solved quickly. Mencher (2075: 1999) also agrees with the view that NGOs and their development as organizations for change is a “rapidly expanding industry”, rather than a social movement that aspires to bring about a transformation in the life of the poor, the marginalized and the downtrodden.

There are different types of NGOs, according to Mencher (Ibid.), whose differences lies in a variety of factors. To name a few, these include differences in their size, composition, stated objectives, areas and issues of focus, and manner of functioning—whether grassroots based or national/international research and advocacy-based organizations. However, there is one common underlying thread that runs through all of them irrespective of their differences and this is the fact that they are all out to ‘help’ those they perceive as underprivileged, either through direct intervention or by funding smaller NGOs.

Here I highlight two major aspects of NGOs that brings out the major difference between them. One is their day-to-day functioning and the other is their funding. According to Mencher (2076: 1999), the day-to-day functioning of NGOs can be divided into two main categories:

- The first category can be understood in terms of their relationship with other social movements that are a part of their social setting. These include the women’s movement, movements against various forms of oppression, rights-based groups that relate various fundamental and human rights, or the right to

approved by the Vienna Convention. He agrees that the right to development is a human right where development refers to “economic growth with freedom, equity and justice”.

92
information and environmental movements. The latter have especially gained increasing importance in the Indian context.

- The second category relates to the responses of NGOs to national and international policies and the effects these have on remote villagers. In the Indian context, the state’s move towards liberalization in the early 1990s and its impact on ordinary Indians is an example of such a policy. An NGO can have more than one particular area of interest in which it is engaged.

In addition to the above, Mencher (2077: 1999) points out that NGOs, through their activities, inadvertently provide services to society, such as employment to the locals to carry out different activities for the NGO. However, this results in a contradiction of sorts from its (stated) objective of creating situations that empower the members of the society in which it is located, in a sustainable manner, so that its services are no longer required.

Funding is the other aspect that is crucial to the functioning of NGOs as well as the sustainability of their projects. According to Mencher (2078: 1999), there are different ways in which an NGO can be funded or funds itself. For example, an NGO can receive funds from multi- and bilateral organizations that have their headquarters in the developed world, international donor agencies, or from philanthropists.

NGOs can also receive partial funding from the national, state or local governments to perform particular tasks. There are also several NGOs and grassroots organizations that run on the basis of small voluntary donations or fees received from public spirited individuals. Mencher (Ibid.) states that these different categories cannot be considered exclusive, since there are NGOs that are funded on the basis of various combinations of the categories mentioned above.

According to Mencher (Ibid.), one of the main problems that lie with external funding is that funding agencies can demand NGOs to “tailor-make” proposals to reflect their own objectives rather than the needs of the local people. Many NGOs tend to succumb to this
demand by prioritizing to themselves the need to first raise the awareness of and empowering the local people before embarking on the programmes that they originally had in mind for the locals. The flipside is that some NGOs can also lose sight of their priorities in relation to the local people whose situation they meant initially to change.

Mencher (2080: 1999) also notes that donors prefer to fund NGOs whose areas of interest don’t result in upsetting the political leadership by confronting fundamental shortcomings that the state has not yet been able to satisfactorily overcome. It is precisely due to this reason, according to Mencher (Ibid.), that advocacy NGOs have trouble raising funds either locally or from international agencies. In addition to their controversial nature, they also don’t always conform to the stated objectives of the donor agency.

Apart from day-to-day functioning and funding, an important factor that determines the framework within which an NGO functions is its relationship to the state. NGOs differ widely in respect to their relationship with the political leadership of the day. One sees many NGOs making international headlines by protesting and voicing their disappointments at various forums including and especially the WTO Summits and the World Economic Forums, and the existence of largely “non-antagonistic but bureaucratic government agencies” (Mencher 2079: 1999).

In terms of the role played by NGOs as vehicles for ‘development’, Sengupta (2921: 1999) argues that it is in the transparent, accountable and people-oriented implementation of government programmes that civil society organizations such as NGOs play a very prominent role. Their role and relevance is accentuated by the fact that scholars of development studies in the Third World have always emphasized that civil and political rights of people cannot be fulfilled in the absence of development (as defined in Footnote 2, earlier in the chapter), and including, in addition, social and cultural rights. They have also accepted that economic, social and cultural rights cannot be attained where there are no civil and political rights and liberties.
Exercising development⁶ in a transparent and participatory manner is especially true of all programmes of governments to implement this right so that it reaches the most marginalized, downtrodden and remote sections of society. Not only must there be transparency, accountability and people’s effective participation in these programmes, but there must also be equality of access to these programmes.

NGOs, by their very nature of being civil society organizations that have a voluntary and apolitical basis, can help the government by doing what the government and political parties cannot do. Due to their nature, as defined above, these organizations win the trust of the local people more easily and can thereby raise their consciousness about this right and the corresponding duties of the government in relation to this right.

To cite more examples of what NGOs can do include the fact that their knowledge about local realities, which a centralized government agency sitting in a far away city cannot be expected to know as well, would help them identify the right target population in a particular region where the programme has to be implemented together with the appropriate methods to allow these persons access to relevant government programmes. Added to this is the neutral image of NGOs as agencies that are in the fray to help the people than to pursue the cause of a party. This neutral image would also make them a potential monitoring and evaluating agency to measure the progress, success or failure of a programme.

Dreze and Sen (312: 2001) argue that the public should be more involved in finding solutions to public interest issues such as hunger and malnutrition, rather than depend upon a paternalistic state or the market forces or even a social institution such as the family to solve these problems. In this regard, they call for ‘public action’ for social security in eliminating starvation and malnutrition.

⁶According to the Declaration on the Right to Development, United Nations, 1986, the right to development must be exercised through “transparency, accountability, effective participation and equality of access”.
Dreze and Sen (Ibid) term the concept of public action as one involving several considerations. These include the method followed in acting upon a public interest issue which must take into account the nature of the said issue as well as that of the state in respect to, not least, its administrative capabilities and commitment to the cause. Secondly, public action needs to keep in mind that the public is not a homogeneous group and is characterized by factors such as caste, class, occupation, gender and so on. Thirdly (Dreze and Sen 313: 2001), state’s response towards issues can take the form of a variety of programmes and schemes, each of which could require different forms of public action for their effective implementation – a one-size-fits-all approach might not be useful here – and an evaluation of costs and benefits of each type of programme and scheme to ensure the evolution of an overall effective programme to combat the issue.

Fourthly (Ibid), public action needs to take into account a plurality of methods that can help address an issue instead of relying exclusively on one single method. Strategies or methods can also be combined – for instance, involving certain aspects of the market forces and the state to eradicate a problem, instead of seeing them as combative forces. Fifthly (Dreze and Sen 314: 2001), public action must not also be confused with state action alone since there are other social and political organizations that can play important roles. This includes non-state activities that involve support from groups such as extended family and the community, and definitely, non-governmental groups and institutions.

Finally (Ibid), in addition to the markets, the state and the non-governmental organizations, the other important consideration in the art of public action is an enlightened public since there is a close relationship between public awareness and the nature, forms and vigour of state action. An enlightened public which understands the dynamics of the problem and the role of the state would be able to draw attention to problems that are neglected and the deficiencies in the state’s attempts to address these. Thus public action must see the public as an agent that can take the society in new directions rather than as a passive body that needs to be treated in a paternalistic manner.
According to Dreze and Sen (322: 2001), public participation in social change can take both a 'collaborative' approach on the one hand and an 'adversarial' approach on the other, both of which are positive. On the one hand, the public can collaborate with the state in implementing their development programmes and schemes. On the other hand, an aware and enlightened public can exert a great deal of pressure on the state to initiate the above-mentioned endeavours by pressing the state to act in the interest of the public.

In return for their persistence, NGOs have for the past decade largely succeeded in acquiring a larger say in public policy making. In the Indian context, this is especially true in the case of the grassroots movement that led to the enactment of the Right to Information Act 2005. NGOs played an important role in pressurizing various governments at the centre to enact and implement this Act, so much so that the United Progressive Alliance explicitly stated in its Common Minimum Programme in 2004 that the enactment of the RTI Act for access to government-held information by the masses as one of its important objectives. In addition to this, awareness generation of the public of the negative impact on the local tribals of the Sardar Sarovar Project and the consequent national and international response is mainly as a result of the role played by the grassroots Narmada Bachao Andolan.

Today, international agencies such as the United Nations Development Programme and the World Bank, which initially collaborated only with the government and its agencies, today partner with and fund projects that are left to NGOs for their implementation. NGOs are expected by these international and multilateral organizations to play a larger role by transforming realities in remote corners of the country.

The Indian development experience shows clearly that the capabilities of public institutions and agencies to meet the expectations of the people had eroded as a result of bad planning by the political leadership, which depended on a top-down approach to development. The fact that the development process had to pass several stages before 'reaching' the intended beneficiaries inevitably resulted in money meant for this process being pocketed by those who were entrusted to implement it, namely the bureaucracy.
Thus, Indian citizens have been subject to not only bad planning by its leadership but also bad governance, which has resulted in widespread and endemic corruption and the consequent violation of human rights of Indian citizens (such as denial of basic needs of citizens such as food, water and shelter).

It is in this scenario that an aware and sensitive civil society has emerged to right what many of its leaders believe are wrongs which have been allowed to become embedded as a way of functioning of Indian society and as a result of which the poor, disadvantaged and marginalized sections of society are incapable of even meeting their basic needs for sustenance, resulting in deprivation and inequalities. This is especially characteristic of the BIMARU states of North and East India, where good governance continues to be a dream in many regions, people are more or less permissive towards corruption and “development outcomes, in terms of social indicators, do not match with the available resources and the inherent potential of the people” (NHDR 116: 2001).

In the Indian context, in recent decades, the increasingly important role of NGOs has come about as a result of the activities of grassroots-based social movements that have focused on rights-based issues. What comes immediately to mind are environmental movements such as the Narmada Bachao Andolan, which highlighted the plight of the locals who would be displaced and their sources of livelihood taken away from them, if the Sardar Sarovar Project had succeeded in building a dam over the Narmada River. Similarly, another rights-based movement, i.e. the Right to Information movement began as a grassroots movement whose cause was then taken up by advocacy NGOs, and finally wound its way up to the Indian Parliament.

Both these movements had one underlying thread that ran through their activities, which was that they first raised the awareness of the locals about the intended government action, in the case of the Sardar Sarovar Project and inaction in the case of the RTI movement, where the government wanted to keep secrets from the public. In doing so, these movements highlighted the negative impact that such government behaviour would
have on them (dislocation in the case of the former and ignorance of people and abuse of power by bureaucrats through lack of access to information, in the case of the latter).

Civil Society and Human Rights NGOs

Gudavarthy (30: 2008) points out in relation to the history of the human rights movement in India that the first attempt perhaps to organize a “civil liberties organization was taken by Jawaharlal Nehru on 7 November 1936, with the founding of the Indian Civil Liberties Union (ICLU) with Rabindranath Tagore as its president.” According to Gudavarthy, the ICLU had a two-pronged approach towards the issue of civil liberties in the context of the anti-colonial struggle, in that, human rights were seen and articulated as guarantees against “arbitrary state action” on the one hand and on the other as a tool that would help foster a more “just and egalitarian socio-economic order”.

Gudavarthy (Ibid) notes for instance that it was in Bangalore in July 1972 that Jayaprakash Narayan called for a broad-based organization consisting of individuals who cherished democratic values and at the same time eschewed any interest in politics to preserve and strengthen India’s democracy. Later, in April 1974, at the end of a national conference held in Delhi, a non-political organization called Citizens for Democracy was set up to “ensure independence and autonomy, for purposes of democratic and constitutional functioning, of various institutions such as the judiciary, press, radio, bureaucracy, the office of the President, the Election Commission and the Planning Commission, among others”.

The rationale behind setting up the Citizens for Democracy was to create a pressure group to counter any non-democratic activity of the state. However, the imposition of the Emergency on 25th June 1975 put paid to this initiative. Several anti-Emergency leaders were jailed or sent to detention - Jayaprakash Narayan (JP) being one of these. Once he was released from detention, JP pressed to increase the scope of the Citizens for

7 Gudavarthy, Ajay, Human rights movements in India: State, civil society and beyond, pp. 29-42, Contributions to Indian Sociology, Volume 42 Number 1, January – April 2008
8 Ibid.
9 Article 352 of the Constitution deems that the freedom of expression of people can be curtailed on the grounds of the security and integrity of the country being threatened due to internal disturbance.
Democracy group to include protection of the fundamental rights of citizens. Thus the Peoples Union for Civil Liberties (Oommen 2005; Gudavarthy 2008) was formed in October 1976.

Ironically, this body was formed by political figures and professionals, and was not mass or grassroots-based in nature. The political members included those who were more or less committed to the ideology professed by the Janata Party and the Radical Humanist Association (Gudavarthy 32: 2008) and the professionals included lawyers and academics. In addition to these, there were also a few independent Gandhians.

Organizations such as the Peoples Union for Civil Liberties (PUCL) saw themselves as "harbingers of the emerging link between the state and civil society in a newly formed nascent democracy" (Gudavarthy 33: 2008). In this period, civil society was considered as an entity whose objective was not to counter the state but to make it responsive to citizens in terms of recognizing its constitutional obligations towards them. At the same time, it was recognized that while civil society was necessary to hold the state accountable, the state determines exactly how far the powers of people to organize themselves can reach.

Thus, civil society's project on the one hand was to effectively realize the basic freedoms and the civil, political and social rights guaranteed by the constitutional framework of the state while re-establishing (especially after the emergency) the autonomy and independence of institutions of the state and the public sphere of which civil society itself was a prominent player. Organizations such as the PUCL played an important role in emphasizing and highlighting the role and significance of civil society in effectuating a rights-based society where the media and educational institutions began to take on more prominence. It also protested against censorship of the press and advocated electoral reforms as a tool to fight discrimination, especially for the most vulnerable and marginalized groups.
According to Oommen (50: 2005), internal emergency resulted in a reassertion of democratic values amongst citizens who, through organizations such as the PUCL and the Peoples Union for Democratic Rights, collectively articulated against what they considered to be a repressive and authoritarian state. To quote Oommen (Ibid), “when the state erred, civil society stepped in to administer the necessary correctives.”

It is of relevance to note here that the PUCL is even today a fully functional civil society organization, which monitors the activities of the state in terms of accountability of its arms such as the police and the bureaucracy, and highlights and critiques human rights violation perpetuated by the state or its arms with respect to right of women and children, Dalits and tribals, religious minorities, and undertrials, to name a few. It also monitors corrupt practices in the Parliament, the Executive and the Judiciary, and highlights these as well in its monthly bulletin and its website www.pucl.org.

The *Narmada Bachao Andolan* – A Turning Point in the History of Civil Society in India:
The leaders of the *Narmada Bachao Andolan* (Movement to Save the *Narmada*) believed that the Sardar Sarovar Project (SSP) conformed to the state’s agenda of appropriating natural resources (Baviskar 198: 1995). According to them, the SSP sought to “abrogate the riparian rights of one section of the population in order to provide water or electricity to other people, mainly elites.” The important issues revolving around the SSP were that of the right to water and the issue of displacement of mainly tribal communities from their lands, passed down to them from their ancestors, and their established ways of life and livelihoods. According to Baviskar (1995), these issues, raised by the *Narmada Bachao Andolan* (NBA), which was an organized movement to protest against the construction of the dam over the *Narmada* River, drew attention to some fundamental questions relating to the implication of the SSP as a state project in terms of its “economic viability, financial implications, the distribution of its benefits, and its environmental impact” (Ibid).
A dam on the Narmada River will submerge approximately 37,000 hectares of land. According to Baviskar (200: 1995), the people affected by the damming would include not just those who occupy the area that would be submerged, but also those who are displaced by other related construction, compensatory afforestation and secondary displacement, amongst others; this would take the total of affected people to more than a million.

However, the government earned the wrath of the NBA activists since they did not classify as project-affected persons those who were not affected by the actual submergence. Thus, they were not entitled to any government compensation, and what is more, activists considered it extremely unlikely that anyone would actually be given any compensation. Also, activists were agitated by the fact that resettlement had worsened lives rather than improve them, and that “satisfactory rehabilitation” would in any case be an impossible task for the state (Ibid).

Activists were also outraged by the fact that the government had not, despite the nature of the project involved and the life-changing impact it would have on the local inhabitants, deemed it necessary to provide any information to them. In other words, the state had not respected the people’s right to know, and had thereby violated this fundamental right (Baviskar 201: 1995)10. All of this led the NBA to completely reject the SSP, with the slogan Koi nahin hatega! Baandh nahin banega! (No one will move! The dam will not be built!) (Baviskar 203: 1995).

---

10 It is important to note here that the Right to Information Act, which was subsequently enacted, made it mandatory, under Section 4 (c) for every public authority to voluntarily disclose any information relating to decisions that affect the public. Section 4 (c) of the Right to Information Act states, “publish all relevant facts while formulating important policies or announcing the decisions which affect public”. Section 4 of the RTI Act deals with obligation of the state relating to the suo motu or voluntary disclosure of information. Section 4 (2) sums up the obligation: “It shall be a constant endeavour of every public authority...to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information”
Throughout the course of its activism, the aim of the NBA has been to sensitize and seek support in various forms from three main segments: the international financial community, national and international governments and the public (Baviskar 205: 1995).

The NBA achieved this by generating awareness about the SSP through two means: mass mobilization in the valley and coordinating with three broad categories of NGOs and mass movements. These included city-based NGOs, which spread information about the NBA through various means including raising awareness in the media, lobbying, generating funds, and organizing events to demonstrate their solidarity with the NBA. Other rural based grassroots organizations also lent a helping hand by sending human resources to participate in campaigns.

The NBA sought help from western NGOs which pressurized the international financial community, mainly the World Bank, which had funded the project, to withdraw from it. Their efforts succeeded when the Bank, as a result of an independent enquiry into the Project due to the consistent lobbying from three US-based environmental NGOs, namely the Environmental Defence Fund, the Environmental Policy Institute and the National Wildlife Federation – with United States Congress, finally withdrew support from the Project. Similarly, the Japanese government, on the basis of the efforts by the Japanese office of Friends of the Earth, stopped funding the Project (Ibid.).

The NBA also filed PILs in the state courts, encouraged independent research on the SSP and its impact in terms of costs and benefits and gained the support of renowned social workers and celebrities from various fields.

In addition to actively advocating to highlight the consequences of the dam in terms of its impact upon local tribal residents of the Narmada Valley, the NBA also conducted large demonstrations as a show of strength with the people of the Valley. The first one, called National Rally Against Destructive Development was conducted in 1989 in a small town called Harsud which was located in the zone that would get submerged if the dam was built. This Rally is significant in the history of the environmental movement since it is
considered “the coming of age of the Indian environmental movement” (Baviskar 206: 1995). The rally was attended by close to 60,000 people from all over the country (Ibid.).

The aim of the rally was to show to the government the solidarity of people from all over India against the “displacement of poor communities and the plundering of their natural resources by destructive development which served the interests of elite consumers and foreign capital”. The slogan characterizing the spirit of the rally was Vikas chahiye, vinash nahin! (We want development; not destruction!) (Ibid). Many other demonstrations, including peace marches and indefinite satyagrahas were undertaken to draw the attention of an unresponsive state against the building of the dam. When the state’s apathy continued, the NBA even declared Hamaare gaon mein hamaara raj (Self rule in our villages) (Baviskar 207: 1995).

According to Baviskar (223: 1995), the NBA succeeded in bringing to one common platform grassroots-based organizations from all over the country, who recognized the fact that they had a common agenda and that coordinated action was required to succeed in a campaign such as this. The NBA, stood up to what it considered a repressive and authoritarian but mighty state, which used pressure tactics such as arrest and detainment of activists who had decided to fast unto death against the Project. In this way, it managed to succeeded in highlighting the role of grassroots movements in the development process.

Chatterjee (174: 2001), like the cultural critiques, believes that civil society is dominated by the elites as a result of the modern institutions that occupy this space. Since civil society is characterized by modern institutions it is important to move away from this through political initiatives that lie outside these institutions.

Beteille too distrusts the modern state due to its inaction in terms of preserving the autonomy of modern institutions and for not being responsible to the public. Thus, though all of these thinkers are critical of modernity (and thereby of the state, which is a modern concept), they suggest different ways of breaking out of this imposed modernity.
While Kothari (112: 2001) and Sheth (82: 2004) look to grassroots movements to find a way out of this, Chatterjee (176: 2001) looks towards the autonomous political realm. Thus, for all of them, the answer lies outside the purview of modern institutions.

According to Gupta (237: 2003), the idea of civil society has gained much prominence today not simply because of a disillusionment with the state and the failure of its various apparatuses of functioning but also importantly, because of the failure of capitalism and socialism in their strictest sense over the decades.

Mobilization for the Right to Information—A Grassroots Movement:
Public participation in decision-making is a function of democratic governance. In India, the poor and the not so well connected still suffer because of a lack of access to government information (CHOGM Report 10: 2003).

Government information is a public resource because it is collected and stored using tax payer's money. Moreover, it is a record of all the activities undertaken by the Government to benefit the citizens and therefore, contains information that is essential to people's lives.

For several decades, such vital information has been kept away from the people as "classified" records and documents. Such an attitude overlooked two underlying principles of a welfare-state democracy such as India (CHOGM Report 12: 2003):

- The obligations that democracy brings with it upon the Government, not least of which is accountability to the public it serves.

- Monopoly over information that affects the interests of the public confers a great degree of power on the Government. If such information is not shared with the public, there is every chance, as has been proved, of this power being abused.
Once people have access to public information, not only will they be able to form an opinion about decisions that affect them but they will also be able to participate in governance. The right to access information renders a corresponding obligation on the Government to communicate this information to the public. Information allows people to monitor the actions of the representatives who claim to act in the interest of the public.

Such knowledge would minimize the degree of corruption involved in government decision-making and make it more transparent. The public will consequently be able to hold their elected representatives accountable for their decisions. The right to information thus creates a participatory democracy, and an accountable governing system, thereby cementing faith in the government. The legislative embodiment of this right has long been recognized as underpinning all other forms of human rights (CHOGM Report: 13: 2003).

The Indian struggle to legislate a right to information legislation is unique because, unlike other countries where access to information legislation have been enacted, the effort was championed by illiterate villagers in the state of Rajasthan led by the grassroots Mazdoor Kisan Shakti Sangathan (MKSS) in 1994 (Mander and Joshi: 1999).

The movement began more than a decade ago in Rajasthan where the government was involved in development works such as building roads, canals, tube wells etc. But government officials denied the illiterate workers their wages by claiming that, as per government records (which were classified) these people had not worked on the said projects (Rao and Dey: 2001).

When the MKSS volunteers were first allowed access to these records by a sympathetic official, they discovered that public money meant for development projects was being routinely misappropriated. A closer scrutiny of bills, vouchers and muster rolls of expenditure incurred in the name of development works and their verification against work carried out on the ground, led to the realization that the local government officials
had been cheating them by embezzling money meant for them using means such as ghost entries on the muster rolls (Ibid).

Thus began the campaign for a social audit of the expenditure incurred by the village government. Very soon, slogans such as “the right to know is the right to live”, and “our money, our accounts”, were heard all over the village forcing the government to take notice and open themselves up for public scrutiny.

The scrutiny of these records set the stage for the first jan sunwai, or public hearing in Kot Kirana in December 1994. The jan sunwai soon emerged as a unique and potent tool for activists to make public their findings from government records, for the poor and affected citizens to voice their grievances pertaining to denial of their rightful wages in public and for public officials charged with corruption and the siphoning away of funds to present their own case.

It was in the 40-day Beawar dharna in 1996 that the struggle for the right to information in India was recognized as having the potential to be the “second war of independence”. The National Campaign for People’s Right to Information (NCPRI) was born during the Beawar dharna (Rao and Dey: 2001). The NCPRI includes eminent members of India’s civil society such as senior journalists, lawyers, concerned bureaucrats, academics and NGO activists who advocated vigorously for the removal of the Official Secrets Act, 1923 and for legislating a strong right to information Act at the Centre.

Though the Freedom of Information Act was passed by Parliament in 2002 and received presidential assent in January 2003, it was not notified, with the result that the FOI Act 2002 was never enforced.

When the United Progressive Alliance came into power in May 2004, the struggle for the right to information in India received some encouragement in the form of the Common Minimum Programme of the Government, which promised to make India’s information access legislation “more progressive, participatory and meaningful”.
To fulfill this, among other mandates, the government set up the National Advisory Council (NAC). Recommendations from the National Campaign for People's Right to Information were also received to strengthen the Freedom of Information Act 2002. Thus, the Right to Information Bill 2004 was tabled, in the winter session of the Lok Sabha from where it was referred for consideration to the Standing Committee on Personnel, Public Grievances, Law and Justice.

The final report of the Standing Committee, which contained further amendments to the information Bill was tabled in the Lok Sabha in March 2005. The RTI Amendment Bill 2005 was passed by both Houses of Parliament in May 2005, and received Presidential assent in June 2005. The Act came into force within 120 days of its enactment, i.e. on 12 October 2005.

**Strengthening Civil Society: A Comparison between the Indian and the American Traditions**

It would be insightful to study the functioning of democracy in the United States, the world's most successful democratic republic and India, the world's largest, and some would say, biggest surprise in terms of the fact that democracy has lasted six decades. I have compared these two countries simply because they share many similarities, and acknowledge their many dissimilarities as well. The dissimilarities between India and the United States of America include the very wide gap in terms of the levels of literacy, economic progress and development and a longer history of the institutionalization of freedom and democracy.

Their similarities are that both are heterogeneous societies, both have the problem of less privileged citizens – gender and race in the United States; class, caste and gender in India - vs. more privileged ones. Both countries have a fully active civil society, which can be defined more as a public sphere used as an arena of contestation, to use Chandoke’s (1995) terminology.
It is in the public sphere that women’s rights, civil rights, gay rights and labour rights activists have struggled to be recognized by the American state, whereas in India, it is through the new social movements, which have focused mainly on rights of the people and vulnerable groups such as women, Dalits and tribals and on environment issues that the Indian state has been pressurized to consider their issues as well. And most importantly, in spite of their heterogeneity and problems related to citizenship issues for vulnerable groups, both countries have tried to operate within a democratic framework, more successfully in the United States and perhaps not so successfully in the Indian context, where marginalized groups have a long way to go before being accorded in practice the status of citizens, which they have been granted only in theory.

I will first describe what, according to De Tocqueville (1899) and Oommen (2005) are the factors that contribute to the United States making such a success of its democratic experiment. According to De Tocqueville (310: 1899), there are three main factors that contribute to the maintenance of a democratic republic in the United States, which he observed when on a visit to that country. These factors are:

“i. The peculiar and accidental situation in which Providence has placed the Americans
ii. The laws
iii. The manners and customs of the people”

De Tocqueville (312: 1899) opined that apart from laws and manners, a factor that worked in their favour was the God-given fact that the territory which the Americans inhabit is “boundless” and open to their “exertions” in an atmosphere of “equality and freedom”, two values instilled in the Americans by their ancestors.

De Tocqueville (312: 1899) noted that general prosperity, as is the case in the United States, is a preferred prerequisite for a stable government. Physical factors that favour general prosperity are numerous in the United States, more than in any other space at any other time.
De Tocqueville (320: 1899) compared the American Republic to "companies of adventurers formed to explore in common the waste lands of the New World, and busied in a flourishing trade." In other words, De Tocqueville tried to explain that the American people are most moved not by political but by commercial passions and that they introduce into their political life the habits that are common to them in their business lives. It goes in their favour that the Americans also love "order" and "regular conduct", two defining values by which they conduct their business affairs. To add to these generally favourable values, it also happens, according to De Tocqueville (Ibid), that Americans prefer "the good sense which amasses large fortunes to that enterprising spirit which frequently dissipates them."

In other words, not only did the Americans place an emphasis on commercial interests, which forms the basis of their political life, but, their commercial activities were based on sound values, which also transferred themselves into the political sphere, thus helping to maintain a democratic republic in a general atmosphere of prosperity, which is again a necessary condition for a stable democracy.

Two other aspects that he added here, before going on to the laws and manners of the Americans which were favourably disposed towards a democratic republic, are the role of religion and education in that country.

The manner in which the Americans perceived religion and the impact of such perception upon American democracy was significant. According to De Tocqueville (325: 1899), no religion displayed any hostility to the public, i.e. the democratic and republican institutions. The preachings of the religious heads were harmonious with the laws of the land, and this the American people also absorbed.

According to De Tocqueville (327: 1899), all Americans, irrespective of class or rank, considered religion, which in America "facilitates the use of free institutions" to be "indispensable to the maintenance of republican institutions". Thus for the Americans,
Christianity and liberty went hand in hand and it was impossible for them to consider the one without the other.

Apart from the direct influence that religion in America had upon politics, there was also the indirect influence of religion in terms of the value of civil freedom that it passed on to its followers, while not showing any prejudice for a particular party or ideology. However, even though religion kept away from politics and laws, at the same time, it directed the manners of the community by regulating domestic life, and in this manner, it regulated the state indirectly.

In addition to religion, which played a deciding role in people’s lives and helped form their attitude towards civil liberties and freedom, both being natural components of a democratic republic, another factor that played an integral role in peoples’ lives was the instruction or education they received. According to De Tocqueville (340; 1899), though it was a rare American who could be classified as learned, it was also an equally rare American who could be considered completely ignorant. The whole population of the United States was situated between the two extremes of being “learned” and being “ignorant”. Every citizen in that country received elementary education which substantiated his or her repository of knowledge and at the same time, every citizen was also trained in their religion.

De Tocqueville (1899) firmly believed that education in the United States was favourable towards supporting a democratic republic. American citizens were, according to De Tocqueville (342: 1899) usually “well acquainted with the rules of the administration, and ... familiar with the mechanism of the laws.” However, the instruction of the American did not end there. They learnt their laws, for example, by participating in the legislative process and in governance. To quote De Tocqueville (343: 1899), “The great work of society is ever going on beneath his eyes, and, as it were, under his hands.” It helped that the aim of education in America was politics, in that, people were educated to fully participate in public life, unlike Europe, where its principal aim was to prepare people for private life.
The second most important factor, apart from these aspects, which favoured democracy in America, was the existence of sound legislations. According to De Tocqueville (1899), the laws in that country were good and needed to be credited for their contribution to the success of democracy in America. In addition to this, the manner in which the courts of justice functioned in America was remarkable in relation to the extent to which they "repress any excesses of democracy" and at the same time "check and direct the impulses of the majority without stopping its activity."

However, according to De Tocqueville (1899), both these factors were inferior to the third, and most important factor that was responsible for nurturing the Federal form of government which the Americans had adopted. And this factor was the "manners" of the American people, by which De Tocqueville (310: 1899) meant the "mores" that governed their activities. According to De Tocqueville (346: 1899), this was especially true in the Eastern states of America, where:

"Democracy has gradually penetrated into their customs, their opinions, and the forms of social intercourse; it is to be found in all the details of daily life as equally as in the laws" and "the instruction and practical education of the people have been most perfected, and religion has been most thoroughly amalgamated with liberty... these habits, opinions, customs, and convictions are precisely the constituent elements of manners."

Thus, according to De Tocqueville (1899), physical circumstances, laws and manners were the three most important factors that helped to shape American democracy, as he witnessed it.

By the same token, the Americans believe, perhaps conforming to what De Tocqueville (1899) classified as their "manners" or "mores" that opportunities for upward economic mobility are available in society while social mobility is determined not in terms of peoples' origins but their efforts. At the same time, they also believed that economic inequality is fair (keeping in mind opportunities and efforts). Complementary to this
belief is the one that recipients of state benefits tend to overstate their claims, and thereby cheat the state by not contributing to the economy, while at the same time exploiting it.

According to Lipset (111: 1963), the American political and social history shows the effect of a nation that is founded on the basis of values of equality and liberty, which are part of its definition of nationhood itself. Both the Democrats and the Conservatives of nineteenth century America considered “aristocratic, monarchical, and oligarchic” political orders as more apt in a colonial, rather than a democratic, set-up. It was the colonial order that the American revolutionaries sought to overthrow in their quest for an independent and democratic nation.

The political parties in America looked upon their country as the harbinger of a new social order, based on liberty and egalitarian values, which would be an example for the downtrodden of the world. Thus, what Lipset (112: 1963) attempts to emphasize is that American political leaders in the first half-century of American existence were “instinctively democrats”. However, Lipset (Ibid.) opines that this is not something unique to American political leaders.

He suggests that most struggles for independence have employed leftist ideologies; in the contemporary new states, for example, it was the socialist ideology that was employed. Thus, in the states that had freed themselves from colonial rule, including America of the late eighteenth century, the status of individuals would depend not on inherited, but achieved qualities, and the system would help in propagating equality by abolishing all forms of privilege and rewarding achievement (Lipset 114: 1963).

Conservative parties during the first-half of the nineteenth century in America recognized that whether they liked it or not they were operating in and thus had to conform to a social order in which egalitarian values were dominant, and that the right of the people to govern and of the competent to succeed must be accepted as sacrosanct (Lipset 115: 1963). Today, when Americans celebrate their national heritage, it is a dedication to a
nation that has enshrined the utopian conception of people’s egalitarian and fraternal relations with one another.

Thus far, this section has limited itself to the role of the political parties. In Lipset’s opinion, the Calvinist Puritanism, the creed that America inherited at the time of its Independence, is what made it easier to legitimize American democracy as the rule of law (Lipset 119: 1963). He explains that Calvinist Puritanism was not “as uncongenial to modernity as are some of the traditional beliefs inherited by new nations today”. This is manifested in a positive orientation towards savings and hard work, and the strong motivation to achieve high positions.

This, in turn, has been seen as the cause of the extraordinary economic expansion, which made possible the “legitimation of equalitarian values and democratic government”. The importance of this influence of the Puritan tradition is seen from the fact that America is a country of immigrants—from the WASPs to the Catholics, the Jews, the Italians, or the Irish (Lipset 120: 1963).

This Puritan tradition also involved a respect for learning. This resulted in the establishment of schools and universities on a large scale. The opportunities that were thus created for learning and the resultant pressures for widespread education that equalitarian values implied served only to increase literacy.

Lipset (122: 1963) points out that De Tocqueville realized that an “egalitarian and democratic” society is especially needed in order to inhibit the tyranny of the majority. According to Lipset (Ibid.), in a democracy, it is religion that can play this role of ensuring that the majority does not oppress the minority. Therefore, in a society like America, where political institutions were less coercive, it was imperative that there exists a “system of common belief to help restrict the actions of the rulers and the electorate”.

114
Lipset (123: 1963) opines that even at the time his book was written, in the mid-twentieth century, Americans very highly cherished their Revolutionary ideals of a Republic established in the belief that individuals of good could voluntarily come together "in the sanctuary of the American wilderness to order their common affairs according to rational principles" (Frank Thistlethwaite as cited in Lipset, 1963). Thus, individuals participate not by virtue of ascription but by the virtue of free choice.

What Lipset (125: 1963) is suggesting is that the "American Creed", with its emphasis on "equality and opportunity", is a dynamic aspect of American culture. It is this concern for equality, which still determines how Americans interact with one another.

The use of first names among people, who hardly know one another or are in a superior-subordinate relation for example, is according to Lipset (125: 1963), an elaborate effort to avoid hurting the feelings of others. This, points out Lipset (Ibid.), is a reflection of the fact that deeply rooted in the values of all Americans is the "mandate that all men should respect one another".

To quote Lipset,

So important an element in a social system as social character must be deeply affected by the dominant value system. For the value system is perhaps the most enduring part of what we think of as a society, or a social system (123: 1963).

The above description of post-Independent American democracy makes it very clear why it has so remarkably succeeded as a receiving society. American democracy is based on both the revolutionary ideals of liberty and egalitarianism as well as the Calvinist Puritan tradition of equality of all individuals. Therefore, even if the individual was German, or if he was Irish, the field was open for everybody in terms of equality and opportunity.

I would also like to refer here to Oommen (2005), who, in Crisis and Contention in Indian Society noted that Americans do not give much importance to the concept of social citizenship. According to Oommen (74-76: 2005), social citizenship implies for the
Americans the notion of state giving charity to citizens that they consider to be less privileged through “institutional welfare benefits”. While welfare, synonymous with charity, is looked upon as some sort of stigma, at the same time, work is considered to be sacred. By the same token, they view unemployment as an issue that arises not as a result of state action or economic problems, but consider it to be a voluntary option exercised by citizens.

In the United States, according to Oommen (Ibid), the civil citizenship, on the one hand, is synonymous with ‘contract’ and ‘independence’ whereas, social citizenship is synonymous with ‘charity’ and ‘dependence’.

The result of this relationship in the United States between social citizenship (contract) and civil citizenship (charity) is the existence of the belief amongst the citizens of that country that economic inequality is fair and social mobility is not ascribed, but, based solely on the efforts of the individual. Thus, American society places more emphasis on the duties of the poor rather than their rights vis-à-vis the welfare state (Oommen 76: 2005)

Oommen (76: 2005) notes that the though the Indian state began with a commitment to protecting the social rights of her citizens, it was not able to fulfill this commitment due to a lack of material resources. Adding to this is the liberalization process the country underwent, which resulted in ‘diluting’ (Ibid.) the commitment thereby creating tensions between the state, civil society and the market in India due to the pre-existing ‘hierarchical social structure and traditional social values’.

In India, lines between public and private (state and market, respectively) were blurred for a long time due to the interventionist policy of the Indian welfare state. Due to this, the state ended up controlling most of the economic resources in society, thereby making access to the state in which meeting political ambitions and moving up the economic ladder a bitterly contested affair (Frankel 391: 1997)
New social groups had also entered the public fray when people of higher castes gradually begun to lose their importance in terms of electoral politics. These new social groups had also been exerting their demands on the welfare state for their share of resources. In addition to this, India’s democracy being electoral in nature, differing political interests used any means that they believed would be useful to bolster their chances with the electorate. Also, in an interventionist state, business groups and the rural landed peasantry depended on the state for their resources, due to which they tried to block access to the state by competing groups. Thus, not only was the Indian state centralized and interventionist but it was also increasingly unable to meet concurrent demands from different political, economic and social groups.

According to Frankel (392: 1997), an “interventionist welfare state” can be successful only under a “resource – abundant mature capitalism”. Here, I would like to point out that De Tocqueville’s description of the United States conformed to such a situation, of being “resource - abundant” and of having adopted the capitalism, as the normal way of life for equal citizens.

The Indian situation, especially at the time of independence is best explained by a quote from Nehru (Kumar 337: 2005): “In India we have full blooded democracy but not the resources..... I think that India will advance along the particular path of democracy with a large measure of socialism – not doctrinaire socialism but practical, pragmatic socialism - which will fit in with the thinking of India and with the demands of India.” Thus, Nehru’s idea of pragmatic socialism – to be achieved by an interventionist welfare state – was in direct contravention to the existing realities in terms of what the state could achieve within its limited resources.

In the Indian context however, all sorts of social differences took on a political nature, since the interventionist state had taken upon itself the responsibility to redistribute

meager resources (which only it controlled) to every section of society, thus precipitating a political crisis, which reached its nadir in 1975.

Yet another characteristic of India’s democracy is that though on the one hand it respects civil liberties and people’s voice (through periodic elections), on the other, India’s democracy is a democracy from above. In other words, it is seen as a gift that the elite leadership gave to the masses at the time of Independence, and which today’s political elite upholds for the benefit of the masses. This concentrates power in the hands of these elite leaders (also in the economic and social spheres), thus making India’s democracy a democracy of the powerful (Frankel 1997; Tharoor 2000).

Due to the fact, that the leadership was more involved with trying to build a consensus amongst different groups that wanted access to meager resources, the process of industrialization was a slow one in India. In addition to this, the states had powers in the fields of education, agrarian reform and land revenue (Tharoor 206: 2000), which slowed down development in these areas as well, where the politics of accommodation and consensus were played out at a smaller scale. Moreover, in the centre as well as the states, in order to cover up their failings, the ruling parties resorted to populist tactics to gain voters. In this manner, India’s democracy, slowed-down rather than accelerated the process of holistic, i.e. social, economic and political development of its citizens.
Before I end this section, I would like to present a comparative table of certain selected themes which evaluate the state – civil society relationship in these two countries:

**Table 1: Evaluating State – Civil Society Relationship in India and the United States**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Theme</th>
<th>India</th>
<th>United States of America</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>State</td>
<td>The interventionist welfare state. However, in the post – reforms period, there is a broad consensus on rolling back of the state in certain areas</td>
<td>Federal state with minimum intervention in states affairs; focusing on macro issues such as defence, security and foreign policy.</td>
</tr>
<tr>
<td>2</td>
<td>Society</td>
<td>Heterogeneous and plural; marked by a wide variety of ethnic, religious, regional and linguistic groups</td>
<td>Homogeneous; predominantly Protestant and English speaking.</td>
</tr>
<tr>
<td>3</td>
<td>Civil Society</td>
<td>Space of contestation between individual and state; and between elite and poor</td>
<td>Space of dialogue between the educated elite and the state, as a result of state response to peoples' struggles in earlier phases</td>
</tr>
<tr>
<td>4</td>
<td>Social Movements</td>
<td>Ongoing; <em>Narmada Bachao Andolan</em>, movement for statehood in Telengana and some parts of North East India, the naxal movement, struggles for rights of minorities etc.</td>
<td>Civil rights and labour movements of the 1960s, women's rights movement of the 1970s, gay rights movement of the 1980s and 1990s</td>
</tr>
<tr>
<td>5</td>
<td>Volunteerism</td>
<td>Long history of volunteerism starting from the freedom movement and more recently the <em>Narmada Bachao Andolan</em>, Chipko movement, RTI movement etc.</td>
<td>Long history beginning from American civil war to the more recent Red Cross, YMCA, Peace Corps etc.</td>
</tr>
<tr>
<td>6</td>
<td>Successes</td>
<td>Enactment of the Right to Information Act 2005, a result of grassroots mobilization</td>
<td>Coloured presidential candidate, and possible female vice – presidential candidate, for the first time in American history. Attempts to mainstream those previously unrecognized – for e.g. legalizing of gay unions in some states</td>
</tr>
<tr>
<td>7</td>
<td>Challenges</td>
<td>Huge gaps in class, gender, caste, ethnicity and religion</td>
<td>Huge gaps in class, gender and race</td>
</tr>
</tbody>
</table>

**Summary**

In this section, I identify the positive role played by the state and civil society in further developing the notion of citizenship. While I initially focus on the state, civil society and citizenship and the successes therein, I also emphasize that a lot more needs to be done.
by both state and civil society to meet the challenges posed by caste, class and ethnicity in the country.

_State:_ the Indian state has developed the resilience to deal with protest and even separatist movements such as the ones witnessed in Tamil Nadu, the North East, Punjab and even Naxalism. The case study elaborated in the following chapter is an example of how a voluntary organization, the local and state governments and an international funding agency have come together to build the capacity of local women in the target district, which is also Naxal-affected, to participate in future elections to local self government. The chapter will demonstrate clearly how in spite of the difficulties that Naxalism poses to the locals, they have decided to collaborate with the NGO-government-funding agency tripartite to become empowered and active citizens.

Additionally, the efforts of the Indian state in the area of reservations have now reached the second and third stages to include women in addition to the Other Backward Castes. This has resulted in a further deepening of social justice. Caste-based reservations have occupied public policy formulation in the state since the 1980s, resulting in increased opportunities for those belonging to the traditionally marginalized castes. The increased importance given to positive discrimination in public policy has also led to the emergence of an articulate intelligentsia in this section which has generated an interest in the study of these groups. The intelligentsia has helped also to shape the debate in government circles pertaining to caste-based reservations and the best possible ways to usher in the social transformation of Indian society as per the provisions laid down in the Indian Constitution (Singh 226: 1993).

Though Singh (1993) is optimistic about caste-based reservations, other commentators such as Tharoor (2000) are not so positive about it because according to them, it is not easy to reconcile the idea of “special opportunities for some” with that of “equal opportunity of all” as laid down in the Indian Constitution. Noting that reservations cannot be a cure for all ills related to caste-based discrimination, Tharoor (110: 2000) cites the example of holding of places for Dalits and Adivasis in public institutions such
as higher educational institutes, which according to him, goes against the idea of equal opportunities for all. Tharoor (111: 2000) quotes Beteille who on one occasion has praised affirmative action thus,

[T]here are now untouchables and tribals serving as vice-chancellors at universities, as doctors, airline pilots and lawyers. Positive discrimination has brought about considerable changes in how individuals define their own personal horizon of possibilities. You see this clearly in the contrast between the expectations and ambitions of younger untouchables and those of their parents (Beteille as cited in Tharoor 111: 2000).

Civil society: Civil society remains an arena of contestation in India. According to Alam (354 – 55: 2005) most people in India have only nominal rights and even less of a capacity to seek or even have access to the public sphere. Though they are not “qualified” in terms of being able to fully use their freedom of expression, yet this is the section that wants to be a part of the public sphere by making rational demands of the state, which they do not however have the ability to engage with in a sustained manner.

With increasing participation in the public sphere by the vulnerable sections, there is now a fragmentation of this sphere with the vulnerable and the better-off communities standing in opposition (Alam 361: 2005). This results in a hindering of communication between these two groups by an obstruction of meanings to suit the selfish interest of one community over another. Such competing forms of interaction has resulted in those who have “inherited privilege” to embrace liberalization of the economy, wherein they pressure the state to give up its tradition role of “benefactor” to the vulnerable sections, thereby leaving a large majority to look after themselves.

As a result, increasing importance is given to communities, which tend to maximize benefits for themselves by lobbying with the state for their share of the economic pie (Ibid.). Alam sums up the Indian situation very well,

We therefore, have the unhealthy situation wherein civil society serves as the battle ground for self-maximisation, but shows a complete absence of intercommunity exertions for the common good, which is an important characteristic of the public sphere. We can see from all this that the conceptual baggage received from Habermas comes apart when we look at societies like India...Most of those
who stand for the universal seem to be aghast at the particularities noisily articulating their concerns in the face of the universal (Alam 363: 2005).

However, despite it being an arena of contestation, one of the major victories scored by civil society in India is in its successful grassroots mobilization of people to demand from the state that the fundamental right to information of people be respected and implemented during the tenure of the current government. India’s unique grassroots movement to secure people’s right to information began in the early 1990s and gained greater prominence with the formation of the National Campaign for Peoples’ Right to Information (NCPRI) in 1996.

The Campaign comprising of prominent civil society representatives, academicians, activists, media persons and retired bureaucrats advocated vigorously for the repeal of the toothless Freedom of Information Act 2002 (FOIA 2002). It goes to the credit of civil society organizations which buried their ideological differences and came together for this common cause by making draft recommendations to strengthen the FOIA (2002) and advocated for the addition of these recommendations in Parliament, with the media and with the public. The result is for all to see. At this stage it is also necessary to credit the state leadership, comprising of the United Progressive Alliance, which, in order to deliver on its promise to implement the RTI Act as envisaged in the National Common Minimum Programme, set up the National Advisory Council (NAC).

Though this was a success in terms of the state and civil society coming together, today there is discontent amongst civil society organizations which are disappointed at the state’s efforts to keep information to itself by expanding the scope of Section 8 of the Act, which allows public officials to reject information based on certain grounds.

Citizenship: There is an increasing level of awareness amongst people in India about their rights as citizens. This is in no small measure due to the efforts of voluntary organizations that function in the sphere of civil society, which have spread awareness about these rights amongst people. This is clear from the examples demonstrated pertaining to the
Narmada Bachao Andolan spearheaded by Medha Patkar and the Right to Information Movement of the Mazdoor Kisan Shakti Sangathan.

The effort of NGOs to spread awareness amongst people would not have been successful had it not been for the decentralization process initiated by the state with the enactment of the 73rd and 74th Constitutional Amendment Acts in 1992. The aim of this process was to create a “new framework of governance towards a fundamental restructuring of society” by eliminating the traditional hierarchies and the resulting power structures therein (HDR 81: 2002)\(^{12}\).

One of the best examples of empowering of citizens through decentralization and people’s efforts can be seen from the success of the Kerala People’s Campaign (HDR 138: 2003). Under this campaign, the state government devolved approximately 40% of the plan funds of the state to local government bodies, both in urban and rural Kerala. This campaign involved not just government functionaries but also local volunteers to help the residents and experts to assist with the implementation of the projects. The role of the volunteers was crucial to the success of the campaign because they gleaned information from the residents pertaining to their issues and needs, which they provided to the Panchayats, so that development would be need-based and from below. According to the findings of the Human Development Report 2003\(^{13}\):

> The participatory, consultative local deliberations increased resources by 10% for the projects because of material and labour donations—and delivered a larger percentage of project funds to scheduled caste and scheduled tribe communities (HDR 138: 2003).

However, the local governance systems are not without their deficiencies, specifically in the manner of delegating functions, finances and functionaries at that level, and in relation to the degree of involvement of informed and aware locals, who were rare. One of the reasons for the emergence of in rural India is as a response to these deficiencies


present in the Panchayati Raj Institutions, which tend to maintain the prevailing state—subject rather than create a state—citizen relationship between the local residents and the state.

This is also the case in urban India where the existence of a strong and independent media, clubs and associations such as the Residents Welfare Associations (RWA) which are powerful in the sense that their issues and aspirations are given a hearing since they form a potential urban vote bank, caste and cultural associations and the wide variety of advocacy NGOs whose primary purpose is to monitor government functioning in certain core areas and take up issues affecting people such as corruption, labour laws for the unorganized sector, environment and other human rights violations issues. People are active – in an informal way in some of these groups and associations such as the cultural associations and the clubs such as the Rotary Club or a book reading club, and in a more formal, pressure group sort of way in the other groups and associations such as the RWAs, the NGOs and the caste-based associations. The decentralization process in the urban areas through the 74th Constitutional Amendment Act has also served to create a space for voluntary groups and individuals to actively help further the decentralization agenda.

The combined processes of decentralization and voluntary efforts to build community capacity to participate in local governance processes have thus strengthened the hands of citizens vis-à-vis their negotiations with the state, and standing up to the might of the state where required.

Challenges: The above examples do not intend to undermine the challenges that the Indian state class, caste and ethnicity still remain issues to be contended with in India.

Gender is still a problem in the country as can be seen from current estimates (2001) that the sex ratio in India is a shocking 933 females per 1000 males, while it is 946 in rural India and 900 in urban India. Moreover, inequalities stemming from a patriarchal society, which are most manifested in the private domain, where women are less valued in terms
of the significance attached to their contribution to the family and to the larger societies, spill over into the public sphere, resulting in inequalities and differential treatment in other environments, including the work sphere. Clearly, both the state and the voluntary organizations do not seem to have worked sufficiently in this area to sensitize people about the importance of empowering the girl child. As far as the voluntary organizations are concerned, this could be partly due to the fact that most funders are mostly concerned with development, which includes women as a component. However, there is no defense for a state which has excused itself howsoever unofficially from playing a more active and conspicuous role in terms of supporting the cause of the girl child by providing the right environment for her growth and upbringing and sufficient funding in this sector.

Religion is another problem as India is a heterogeneous society with a population of 80.5% Hindus, 13.4% Muslims, 2.3% Christians, 10.9% Sikhs, 0.8% Buddhists and 0.8% Jains (2001). I would like to take here specifically the case of the Muslims and the Christians. After the 2002 pogrom in Gujarat which saw a dreadful complicity by the state in the killing of Muslims en masse, not just the Muslims of India but other minorities, especially those belonging to religions that have their origins outside India, have never felt completely secure in their individual primordial identities.

This feeling has been especially heightened after a lukewarm response by the previous and current central governments to the idea of holding the state leadership accountable through a judicial trial. Similarly, the killings of Graham Steines and his two sons, and the subsequent humiliation of nuns at the hands of certain fundamentalist religious groups have only served to further delegitimize the state in the eyes of the affected communities, as one more concerned about serving the needs of the majority, and using the minority communities only as potential vote banks or as the means to create communal conflicts to alienate communities from political parties to which they have traditionally owed allegiance.

Class disparities are ever-increasing as is clear from the rural–urban divide in this country. While 72.2% of the country’s population languish in the undeveloped rural
India, where traditional caste hierarchies play themselves out even today in the form of patron – client relationships where the “high” castes (patrons) have an unfair and imposed advantage over the traditionally marginalized and exploited “lower” castes (clients). This results in the latter being mainly landless labourers who have no control over their own labour and who are dependent on their landed employers for sustenance. The impact of such unfair power equations is doubly felt by women who are in any case relegated to an inferior position in the private and public domains on the basis of their gender. The class disparities in rural India have their spill over in urban locations where several rural migrants move for a higher income.

They usually aggregate in the unorganized labour sector in the form of hawkers, vendors and rickshaw pullers. It may also be added here that not only do they occupy the bottom rung in the economic ladder, but they also occupy a similar position in the caste hierarchy. A characteristic lack of proper planning by the state has resulted in there not being legitimate physical space that these rural migrants can occupy either to practice their vocation or to create their hearth. Thus, hawkers and vendors keep getting ousted from their open space and usually reside in huge slums, which are again not recognized as legitimate use of land by the state.

Tribals don’t fare much better especially as their land, with which they have been sharing a relationship since birth, is a source of conflict between the state and these tribals for all sorts of development projects that usually are meant to serve the requirements of not the traditional owners of the “government – occupied” land, but the elites of the society. There are ample examples of how deforestation has forced the tribals who used the land as a source of livelihood are being displaced, be they by means of state projects such as the Sardar Sarovar Project or projects that are initiated by means of an agreement between the state and a multinational which wants to use that land for profit – motive.

Thus, we see that though the state has tried to play a greater role in terms of providing social justice to the traditionally marginalized and civil society has emerged as a space of contestation in India where the voice of the marginalized and the vulnerable who have
been overlooked by the state all these years can be heard, there are still challenges that both state and civil society have to play a proactive role to counter. Be it in the form of grassroots movements that emphasise on the rights of people or advocacy groups that focus on public policy, or even in the form of removing laws that violate the basic rights of people, the state has to be more alert and responsive to the needs of the ordinary citizen (the common man to use R.K. Lakshman’s term) while civil society needs to be an alert watchdog that monitors government functioning and empowers citizens and develop their capacities to help meet their own needs and aspirations, instead of relying solely on the state.