

SOUTH ASIA TOGETHER
The International Centre, Goa

**Transforming India's Democracy through Empowerment of
the Civil Society: Potential and Limits**

Dr. Amit Dholakia

Department of Political Science
The Maharaja Sayajirao University of Baroda
Vadodara

South Asia Together
Working Group Meetings
24th -25th February 2005

Transforming India's Democracy through Empowerment of the Civil Society: Potential and Limits

- Dr. Amit Dholakia

Although democracy is one of the most commonly used terms in the social science literature and common parlance, it has defied precise definition. However, even in the absence of a precise definition, a broad agreement prevails about the fundamental elements of a democratic system. David Beetham characterizes democracy as a “mode of decision-making about collectively binding rules and policies over which the people exercise control, and the most democratic arrangement to be that where all members of the collective enjoy effective equal rights to take part in such decision making directly - one, that is to say, which realizes to the greatest conceivable degree the principles of popular control and equality in its exercise.”¹ Compared to other kinds of rule, democracy is considered a morally superior method of governing societies. It provides the widest scope to the people to participate in the legislative and executive processes and ensures accountability of those who rule over them. By securing a wide area of personal and social freedoms and enshrining them in a set of legal rights, democracy creates conditions for people’s happiness more effectively than any other political system.

Democracy in India has been a contentious issue that arouses contradictory perceptions. The very survival and growth of Indian democracy have been a veritable puzzle for the social scientists. Some regard India’s democracy as a miraculous phenomenon, especially in the context of the political experience of other developing countries that are still struggling to institutionalize and stabilize democratic institutions. Over a hundred states today follow various kinds and degrees of democratic government. However, few of them can claim safely that democracy in their states has taken firm roots and it is not being seriously challenged by authoritarian forces. India falls into a very small category of states outside the western world that have successfully operated a western-style democracy for a fairly long period and contained most threats to it emanating from different quarters. Indian experience has defied the long-standing assumption among scholars that democracy can take roots only in an economically developed country. Establishment of democratic institutions in a society marked by lack of prior democratic consciousness and movement, as well as by enormous social diversities and conflicts is itself a great achievement.

Though India ranks low on many attributes of civic culture, the value of democracy has gone deep into public consciousness.² The multiple crises that the Indian state has suffered in the past decades have not been able to shake the faith of the Indian masses and of the political parties in the utility of democracy for India.

The legitimacy of Indian democracy is deeply rooted in popular psyche. The deprived sections, which have generated forces responsible for toppling democratic regimes in other countries, have expressed their clear preference for democracy as a means of redemption of their deprivations. India has successfully held fourteen elections so far. These elections have been conducted generally in an environment of fairness and freedom. Election after election, we have seen that people's participation, especially of those at the lower strata of the socio-economic order has risen. Due to their increased influence in the electoral system and the competitive mobilization of social forces in India's polity, the segments that traditionally enjoyed low status and power are now able to identify with the working of the political system. Some of the parties largely consisting of these marginalized sections have been able to capture power in several Indian states and also share power with national parties in the coalition governments at the Centre. This has helped correct the elite bias of India's democracy at the time of independence. The civil-military relations in India have also been quite healthy and conducive to the spread of democracy further.

In terms of procedural democracy and the working of the democratic institutions, India's record is noteworthy. However, democracy is much more than a set of institutions and legal arrangement. Conventional electoral democracy lacks much of the essence of the genuine spirit of democratic governance. In such a system, citizens hand over decision-making power to a handful of elected representatives, and are rarely engaged in debating and understanding the choices that those representatives make. Many analysts of India's democratic experience, therefore, argue that what India has achieved is only a procedural democracy rather than a substantive, deliberative and vibrant democratic social and political order. Hence, "to those whose mental construct of a democracy is a society peopled by truly equal citizens, who are politically engaged, tolerant of different opinions and ways of life, and have an equal voice in choosing their rulers and holding them accountable, Indian democracy appears to be a poor candidate."³

The democratic system in India is bedeviled by multiple crises: massive corruption that is eating into the sinews of the society and the polity; growing influence of criminals in the political system and their entry into legislature; indifference and apathy towards the obligations of citizenship on the part of a large section of the educated elite; threats to fairness of electoral process from the malpractices committed by political parties and their agents; fragmentation of the party system with more than three dozen parties represented in the parliament and a slightly lesser number accommodated in the Union cabinet; decline in the executive, legislative and judicial accountability; strained federal relations due to over-centralization of power; inability of the democratic system to root out or substantially reduce socio-economic inequalities; aggravation of caste and religious conflicts etc. One of the major shortcomings of Indian parliamentary democracy has been its centralized nature. Centralization of administrative and political powers is creating strains in the federal structure of the government. Political parties have mostly ceased to function as credible mediators between the people and the government. People are beginning to lose faith in the capacity of the political parties to solve their problems and are, instead, turning to new forms of interest aggregation and articulation to achieve their ends. They rely upon civil society organizations to approach the state or make use of these organizations to achieve their goals without the state involvement. Democracy in India has also not been able to make an impact on the pathetic record of the country in the area of human development. India was ranked 127 in the Human Development Report of 2004. The basic needs of a large number of Indian citizens are still not met either by the state or by civil society organizations.

There are no quick-fix solutions to all these problems, which need multi-pronged approaches to resolve them. Several parallel processes are required to consolidate, stabilize and advance democracy in India both in the procedural and substantive way. One very important set of measures concerns the state and its institutions. Reviewing and reforming the constitution is one area of democratic reform. Reform of the election system is another area where legal-institutional measures can be implemented. However, merely introducing legal and institutional reforms may not be a very effective means of controlling the consequences of some of the negative trends mentioned above. In order to make Indian democracy more substantive, meaningful, representative and fair, participation and empowerment of civil society are imperative.

Civil society is conceived variously by the liberals, Marxists and neo-conservatives. Therefore, considerable ambiguity surrounds the understanding of the idea of civil society in the social science literature. The French thinker Alexis de Tocqueville first proposed this idea in the early 19th century. At that time it meant a political community, a society governed by law under the authority of a state.⁴ The term is used today to describe institutions that are private (i.e. independent from the government) and organized by individuals in pursuit of their own ends. It refers to a realm of autonomous groups and associations, business, interest groups, clubs and so on. Civil society consists of a network of all intermediary organizations that lie between the primary units of society such as individuals, families and ethnic groups and formal governmental institutions. In its core meaning, civil society refers to “the associations in which we conduct our lives, and that owe their existence to our needs and initiatives, rather than to the State”.⁵ . People enter into relationships of civil society by consent rather than obligation or coercion. This is the key difference between the state and the civil society. Civil society is neither organized for power, which is the key characteristic of the state, nor for profit, which is the key characteristic of a business organization.

A civil society has three main components:

1. That part of society comprising a complex of autonomous economic, religious, intellectual and political institutions which are distinguishable from the family, clan, locality or state.
2. A complex of relationships with formal and informal rules and procedures and practices to safeguard the separation of state and civil society with effective ties between them.
3. A widespread pattern of refined or civil manners.

Civil society is an essential condition for the fulfillment of democracy. Although civil society cannot be designated as a cause of democracy, it serves as a breeding ground for participation in the activities of political society, such as voting, participation in political organizations, and other activities that contribute to the health of democratic governance. By promoting justice and democratic accountability, civil society acts as a powerful means for democratic development. A strong and conscious civil society provides a check against the excesses and injustice committed by the state. It contributes positively to the government’s functioning by offering popular support to its transformational agenda. It provides for a free social space for critiquing and evaluating state action. For any democracy to prosper, civil society institutions must be autonomous from

the state. Robert Putnam has provided evidence of the nature of relationship between civil society and democracy.⁶ Putnam supplies a rigorous set of arguments about how active associations and civic engagement contribute to democratic polity and how this facilitates economic progress and prosperity. He argues that social capital, in the form of civil society, provides some of the necessary underpinnings of democracy. Describing voluntary associations as ‘schools of democracy’, Putnam suggests that participation in such associations provides the basis for involvement in political life. The people who are associated with voluntary organizations are more likely to have the skills and interest to participate in politics than the others. It is, therefore, necessary that conditions must exist for a free and lively civil society in order for democratic consolidation to take place.

Non-governmental organizations (NGOs) and non-state groups are commonly seen as representing the interests of the civil society. There has been a proliferation of NGOs worldwide over the past two decades, a trend seen as a move towards greater democratization. NGOs campaign for human rights, against corruption and for ensuring the accountability of the governments to society. In the wake of the end of the Cold War, western foundations and institutions initiated the project of democratization in Eastern Europe, which sought to strengthen the connections between liberalization, civil society and democracy. NGOs were given a prominent role in this project. Moreover, as the foreign aid budget in the US began falling from the first half of the 1990s, “funding citizen activism seemed to hold out the promise of a low-cost way to achieve large-scale effects. Thus civil society programs grew as aid budgets shrank”⁷

The awakening and growth of civil society has also led to the proliferation of voluntary sector in India which plays a very large role in our collective lives, taking over a number of activities that concern the ordinary people - from legal and human rights activism, women’s rights, and environment, to training people to participate in local self-government institutions. A large number of NGOs have come up due to the insufficiency of the state organizations to deliver minimal welfare, development and justice to the people. A recent study has calculated that the total number of non-profit organizations in India is more than 1.2 million and that 20 million people work for these organizations either in a voluntary capacity or for a salary.⁸ Many NGOs function as complementary to the state agencies, taking up tasks that the government cannot fulfill. Networking among NGOs beyond the state boundaries is also a reality today. Though it

remains restricted in scope, an inchoate networking among NGOs active in specific sectors at the South Asian level has been achieved over the last few years. South Asian regional conferences of NGOs have been organized to deliberate and work on common issues in collaborative projects.

Several NGOs in India have functioned as watchdogs of democracy. They safeguard civil liberties and seek to expose and contain the scope for electoral and executive malpractices. It is after a protracted struggle by the NGOs that the Supreme Court made the disclosure of financial assets, educational backgrounds and criminal records by candidates mandatory in 2003. The Election Commission of India also opened a window for dialogue with NGOs and other citizens' groups to promote transparency in the electoral process. Consequently, prominent organizations worked to update the electoral rolls. At another level, some NGOs engaged with candidates and attempted to sensitize them to people's needs.

The Planning Commission of India issued a document in 1994 titled an 'Action Plan to Bring About a Collaborative Relationship between Voluntary Organizations and Government'. This document suggested that the objective of NGOs should be to mobilize and organize the poor with a view to empowering them, breaking the culture of silence and dependence and converting the lowest strata of society from passive recipients of doles to active participants in the process of planned development. NGOs were accordingly given the responsibility of looking after community forestry, education, health, and other kinds of service delivery. It is not surprising that the NGO sector expanded dramatically in India as a result of these developments. The 10th five-year plan currently in operation in the country has strengthened this thrust. States the document of the 10th five-year plan: 'With the acceptance of market liberalism and globalization, it is expected that the State yields to the market and the civil society in many areas where it, so far, had a direct but distortionary and inefficient presence...It also includes the role of the State as a development catalyst where, perhaps, civil society has better institutional capacity. At the same time, with the growth of markets and the presence of an aware and sensitive civil society, many developmental functions as well as functions that provide stability to the social order have to be progressively performed by the market and the civil society organizations. It means extension of the market and civil society domain at the *expense of the State* in some areas''⁹ Accordingly, the tenth plan strengthens the role of voluntary organizations and makes them partners in the development process.

The shift from the political to the civil society organizations is a welcome development for several reasons. The civil society organizations are qualitatively different from the centrally controlled, bureaucratic, hierarchical, and oligarchic political party structures whose sole aim is to win the next election. NGOs are also generally free from the rigid and tiresome constraints that characterize conventional forms of representation. They exhibit greater flexibility and are more receptive to innovation than political parties. They are able to identify and respond to the needs of the grass roots because they are in close touch with their constituencies.

In view of the growing role of civil society in democratization and development, it is high time its relevance is recognized in the peace process in South Asia. Lately, civil societies have also begun playing a critical role in conflict avoidance and resolution efforts. The civil society organizations employ a wide spectrum of approaches and non-formal methods of intervention to bring about reconciliation. One of the reasons for the success of confidence building in Europe in the East-West context during the Cold War was the involvement of society in the peace process. Popular pressure and public education helped the political leadership move forward towards reconciliation. A remarkable recent case of the efficacy of civil society's intervention in conflict resolution process is the settlement of Irish conflict. Human rights groups, church, research institutes, private peace initiatives etc. facilitated and strengthened the political efforts to formalize the peace agreement. The peaceful end of apartheid in South Africa was also largely due to the participation of various civil society organizations. Empowerment and active participation of civil society are, therefore, essential for the success of confidence building between India and Pakistan. As the sources of this conflict are societal and psychological, it makes sense to search the potential of conflict resolution within the Indian and Pakistani societies.

Efficacy of the civil society efforts for peace in South Asia is predicated on a change in the quality and pattern of the policy-making process. Both in India as well as in Pakistan, policy making on security issues is not permeated by inputs from civil society. It is wholly under the control of experts, military strategists and political executive. Neither the elected representatives and legislative institutions nor the civil society groups and individuals have much latitude to put across to policy makers their perceptions on national security. National security is too critical a matter to be left to experts alone. Ultimately it is the people who pay for these decisions, both in

financial and human terms. If the common people were made adequately aware and educated about foreign policy and national security issues, their capacity to have some bearing on decision-making through institutional and non-institutional channels would improve.

When governments negotiate and implement agreements for cooperation in social and cultural sphere, they do so in a competitive rather than cooperative spirit. In comparison, NGOs are not weighed down by considerations of popularity or votes and are less prone to organizational constraints that limit the options available to politicians and diplomats. Hence, the non-military confidence building measures in economic, social and cultural spheres between India and Pakistan can be implemented more effectively through the participation of NGOs rather than the government agencies. If NGOs - especially those active in areas like environmental protection, human rights, women's and children's welfare, rural development, healthcare, academic and educational activities etc. - are involved in the conceiving and executing of non-military CBMs between India and Pakistan, this will give added strength and legitimacy to peace-building efforts. Environmental degradation, malnutrition and mortality among children, injustice and unfair treatment to women, inadequate healthcare facilities, AIDS, population explosion etc. are problems common to India and Pakistan. These are also non-political and non-contentious issues in which a large number of NGOs are active in both the states. Cooperation among them should be of great benefit not only in improving social and economic conditions of the people but also in reducing the resistance from civil society to the normalization of India-Pakistan relations. The involvement of NGOs will also expand confidence building from the elites to the masses.

The critical role of civil society and its linkages with democracy, development and peace processes sketched above do not detract from the inherent limitations associated with the conceptualization and working of civil societies. Civil society is not the panacea for all the ills of India's democracy. Civil society can also become elitist and defeat the participation of ordinary people. It can also cause conditions of instability by engaging in a continuing confrontation with the state. Besides, over-privileging of the civil society vis-à-vis the state and the market can also be counter-productive. As exemplified by the experience of the Nazi Germany, civil society can be a fertile ground for organizing totalitarian regimes. Moreover, it would be unwise to recognize only particular kinds of organizations as constitutive of civil society. Formal organizations such as business associations, development NGOs, churches, clubs and so on are an integral part of

the civil society. International development agencies view NGOs as a key, and indeed 'natural', component of any civil society so that where they are absent, they should be created. However, organizations created through external assistance lack social support and legitimacy. Such NGOs cannot become vehicles of social and political change. Such preoccupation with the conception of NGOs as civil society can hinder understanding of the complexity of social forces, which underpin processes of social and political transformation and the relative significance of different types of organization in mobilizing political support. Even informal associations based on kinship that are normally interpreted as belonging to the traditional and the backward realm can sometimes be an important means of promoting the goals of democratization. Carothers, therefore, urges that the complexities of social and political life in different contexts should be appreciated and the socially and politically significant organizations, which do not neatly correspond to mainstream understanding of civil society, should also be included in the project of democratization.¹⁰ In the complex and traditional society like India, the many layers of clans, tribes, castes, village associations, peasant groups, local religious organizations, ethnic associations, and the like also need to be appropriately amalgamated with the scope of civil society activism.

¹ David Beetham, "Liberal Democracy and the Limits Democratization", in David Held (ed), *Prospects for Democracy; North, South, East, West* (Stanford: Stanford University Press, 1993), p. 55.

² Atul Kohli (ed.), *The Success of India's Democracy* (Cambridge: Cambridge University Press, 2001), p. 1.

³ Nirja Gopal Jayal, "Introduction: Situating Indian Democracy", in Nirja Gopal Jayal (ed.), *Democracy in India* (New Delhi: Oxford University Press, 2001), p. 3.

⁴ Andrew Heywood, *Politics*, 2nd edn., (Hampshire and New York: Palgrave, 2002), p. 8.

⁵ R. Dahrendorf, "A Precarious Balance: Economic Opportunity, Civil Society, and Political Liberty", *The Responsive Community: Rights and Responsibility*, Vol. 5, No. 3, pp. 13-39, 1995.

⁶ See Robert Putnam, "The Prosperous Community: Social Capital and Public Life", *The American Prospect*, Vol. 13, Winter 1993; Robert Putnam, "Bowling Alone: America's Declining Social Capital", *Journal of Democracy*, Vol. 66, No. 1, pp. 65-78. 1995.

⁷ Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve* (New York: Carnegie, 1999), p. 209.

⁸ PRIA (Participatory Research in Asia) and John Hopkins University, *Invisible yet Widespread: The Non-Profit Sector in India* (Delhi, PRIA, 2003), pp. 5-11.

⁹ *Tenth Five Year Plan 2002-2007, Vol. 1, Governance and Implementation* (New Delhi: Government of India, Planning Commission, 2003), p 181.

¹⁰ Thomas Carothers, *op. cit.*, pp. 248-49.