

IGNOU's Relevant Chapters

Government and Politics in India



Topics Covered:

Governance

Indian Constitution

Issues in Polity

UNIT 1 THE CONSEQUENCES OF COLONIALISM

Structure

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1.0 OBJECTIVES

To understand the challenges faced by India properly after Independence, it is necessary to study the consequences of colonial rule. Understanding the multiple and contradictory nature of consequences is itself an engrossing exercise. But the making of modern India is still more fascinating. After reading this unit, you should be able to:

- understand how India came to become what it was at the time of Independence; and
- grasp political, social and economic processes which took place in India after Independence.

1.1 INTRODUCTION

The British built in India the largest colonial empire anywhere in the world. But it was a different kind of colony from most others. Many of the colonies especially in Latin America, with the exception of Dutch East Indies (now called Indonesia), were built with either slaves or indentured labour. Most of the Indians that we find in Fiji (and many other places) today were taken as indentured labour. The British built their colony in India with peasants and freely recruited labour. There was also no white “settler population” in India like for example in Kenya or Zimbabwe which took control of land and became the edifice of colonial domination. While the peasant and the labour were coerced, the larger landowners and social notables were won over to the British side; sometimes after wars but nonetheless most of them eventually came over to the British side. They also created new groups to cooperate with them by granting them Zamindaries or other land rights by displacing the old ones. India therefore was a colony built on collaboration of “natives”.

The British ruled India by drawing a lion’s share of surplus out of the Indian

economy through heavy exactions on peasantry in the shape of revenue demands, indirect taxation plus some tribute; in the earliest period there was plunder as well but this very soon stopped. How all this was done? What were ways in which it was done? Who were the gainers and losers among the classes and strata? What were the result for India? And finally, how did Britain gain out of it? Answers to these will tell us a fascinating story. A story which is our history. A history which is still alive for us.

Before we do that let us take a brief pause and be clear about what colonialism was. Today there is imperialism and neo-colonialism but colonialism has come to an end.

1.2 DEFINING COLONIALISM

Colonialism as a system started emerging at the very beginning of the modern era, that is, the sixteenth century. To understand its distinctive character one difference from earlier eras has to be noted. Colonies had always been there. The Greeks had established colonies in the pre-Christ era. The Indians had colonies; for example, the Cholas went overseas and established colonies in Indo-China and Indonesia; the famous Angkor Vat temple in Cambodia or the recital of Ramayana in Bali is surviving instance of the influence. Foreign domination is also as old as military conquest. But we never used the word “colonialism” for that period. So the question that needs to be asked is: what was it that was new in the 16th to 18th century colonisation that led to the term colonialism?

What we witnessed from the 16th century onwards was the forced incorporation by one small part of the world of the rest of the globe. A few countries like Spain, Portugal, Holland, Britain and France established political domination over the rest of the world. Unlike earlier when the balance kept shifting between different powers, colonialism established an enduring pattern of rule and domination of a few countries over the entire world. This led over a short period of time to the economic integration of the colonised world into the needs of the economies of conquering powers through a process of deeply inequitable trade. Some people like Wallerstein have called it the emergence of a “world system”. Nevertheless, there arose an interdependent world. But there is a peculiarity to this interdependence; it was from its very inception a dependent interdependence, unequally titled in favour of some against the rest. This is a feature of the international system which still persists to the disadvantage of the underdeveloped world; for example, the interdependence of say Germany on USA is not disadvantageous to any of the two. But one cannot say the same for the relationship of India or Brazil with USA or Germany.

One last point needs to be made before we round up the discussion on this point. Before the rise of colonialism the level of development of many countries like India or China or some Arab countries was as high or higher than that of the colonising powers. In fact the Mediterranean or the Indian Ocean trade was controlled by the Arabs. What gave the advantage to the European powers was a technological edge on a few counts like the invention of the mariner’s compass or the iron hull for their ships which made it easy for them to subdue other ships on the high sea and establish their hegemony. We must remember that the “industrial revolution” was still

far off. India was conquered beginning with 1757, much after Latin America. Industrial revolution began a few decades later with the invention of steam engine, spinning jelly, etc., only during the 1780's and onwards. It was therefore only with the colonisation that the decline of countries like India begins. In a few decades the west had established absolute supremacy in most fields over the countries of what now are called the "third world". Some writers like Andre Gunder Frank have called this as the process of the "development of underdevelopment."

Check Your Progress Exercise 1

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) What was new to the 16-18th century colonisation?

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2) Can you identify the main features of Colonialism?

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3) How was India different from Latin America as a colony?

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1.3 CONSEQUENCES OF COLONIALISM

The defeat of Siraj-ud-Daula in 1757 at the battle of Plassey can be taken as the beginning of the colonial rule. After the battle of Buxar in 1765 the Diwani of Bengal passed into the hands of the British. (Bengal revenue circle then comprised what are now West Bengal, Bangladesh, Bihar and Orissa). The East India Company under the charter of British parliament was given the monopoly of trade with the East including India. After these battles they also acquired sole control over the collection of land revenue over the conquered territories. The British used their political control to bring the economy under their direct command. Rapidly the direction of Indian economy was changed to serve the interests of the British economy. Trade and revenue were then the two direct means through which they exercised their control to exploit the Indian economy and transfer the surplus to Britain which was soon to enter on the stage of a long Industrial revolution. All of this had very disastrous repercussions for India.

1.3.1 Nature and Phases of the Colonial Empire

Given that the main objective of colonialism is the exploitation of the colony and the appropriation (to take possession of) of its surplus for enriching the metropolitan society, the nature of colonialism can best be seen in terms of how this is effected. Methods of exploiting the colony went through different phases. The phases can be seen either in terms of the general tendency or in terms of the tendency combined with mechanism and instrumentalities. Either way there were drastic changes in the way the surplus was appropriated. Therefore, colonial exploitation was not a constant; it was ever changing. We will get two slightly different patterns depending on which of the two procedures we employ. Bipan Chandra relying on the general tendency argues that colonialism went through three stages, each a result of the changes in the metropolitan economy, society and polity. The first stage he identifies as “monopoly trade and revenue appropriation” which was marked by the ‘element of plunder and direct seizure of surplus’ and absence of any significant import of manufactures. The second stage he considers as one of “exploitation through trade” wherein the colony became the market for (industrial) goods and a supplier of raw materials—the best known mode of colonial exploitation thereby converting the colony into a “subordinate trading partner”. The third stage he calls the period of “Foreign investments and competition for colonies” during which surplus metropolitan capital was exported into the colonies for the direct exploitation of raw material by establishing industry and taking away the profits.

We can notice in the above classification the basic mode of exploitation changes. The earlier ones do not disappear but continue in subsidiary way; that is, monopoly over revenue collection remains but it is supplemented by unequal trade and trade surpluses. The same remains the case in the next stage where profit expropriation (to dispossess one of ownership) becomes the key mode but unequal trade continues as a secondary mode. Whichever way we look at the phases, such a pattern can be easily discerned.

By combining the nature and source of political domination with mechanisms and instrumentalities of exploitation we get a slightly different picture of the phases of colonial rule, as we will find with Amiya Bagchi. The first period stretches from 1757 to 1858 beginning with the defeat of the Nawab of Bengal by Robert Clive to the Great Rebellion or the First War of Independence. This was the period when political power was exercised by the East India Company on a charter granted by the British parliament which also appointed the Governor-General. The second period extends from 1858 to 1947; that is the direct acquisition of power by the British parliament to the Independence of the country accompanied with the Partition.

The first phase itself can be divided into two periods. The first sixty years, that is, from 1757-65 to 1813 was a pure merchantile period (in which the merchants were the dominant class controlling long distance trade). Britain was still to enter into the industrial revolution and therefore there was no question of large-scale exports of manufactured goods. During this period the East India Company enjoyed a monopoly of trade with the East including India and China. Then begins a different, a fresh period, when in 1813 the monopoly of the Company for trade with India was abolished (and in

1834 with China too). By this time Britain had settled in as a leading industrial nation of the world and a different type of mechanism of exploitation was the need of the time. The Company's position was taken over by a small number of "agency houses" which later became "managing agencies". These controlled all external trade (barring a portion of trade in western India) and much of the wholesale internal trade especially in exportable commodities, badly needed by the metropolitan economy. The period following 1813 can be called one of exploitation through free trade.

1858 saw power pass directly into the hands of Crown or the British parliament. The Governor general now also became the Viceroy. Though 1858 saw a legal change in the nature of political control, not much changed in the methods of exploitation. The period 1858 to 1914-18 saw the climax of exploitation based on free trade. But this period saw the opening up of Indian economy thoroughly to the influence of world capitalist market and its full integration in the world capitalist economy. Without a change in the mode of exploitation, the integration into world capitalist economy provided with many different levers for the appropriation of domestic surplus. The development of railways and transport infrastructure also saw the blending of diverse internal economies into an integrated economic network, all of which was directed towards world capitalist economy but principally towards Britain. This went on but the second decade of the 20th century, around the period leading to the first world war, saw a new phase of exploitation which continued till 1947 but with political Independence did not cease to operate. In fact, in many, disguised forms it continues even today.

Let us call it the "neo-colonial" mode of exploitation. Capitalism in Britain had developed to a relative level of saturation. There was excess capital for investment then was possible in the British economy and likewise other developed capitalist countries. There was a rush to export capital to other countries. India became one of the important destinations. Capital from advanced capitalist countries but largely British capital started flowing into India in mining and industry. India saw a considerable growth of industry in certain regions; large-scale modern industry grew in certain enclaves like Calcutta, Bombay, Madras, Ahmedabad, and many other places on a smaller scale. By using easily available raw material (instead of importing to England) and using locally available cheap labour the idea was to produce goods in India (instead of exporting them from Britain). The super profits which were made were expropriated to Britain. This mode of industrialisation is also known as "import substitution". What also came along with this growth of modern industry was the rapid expansion in the ranks of Indian bourgeoisie and change in its status from one of being merchants to those of industrialists. This process got a big boost after the First World War when Indians forced the British, in relative decline to America, to modify free-trade and grant concessions and some protection to the Indian industrialists. Capitalism under the Indian capitalist got a great boost with this.

In looking at the nature of colonialism and its different phases, one thing becomes clear. It is not the needs or requirements of the colony or home economy which determines the policies or choices made by the colonial powers. Much rather its is linked to the needs of the metropolitan economy in terms of the development of capitalism there. It is the requirements of the British capitalism that become the determining influence. So whatever

happens in India, let us say in terms of “development”, is simply consequential. No favour was ever done by the colonial authorities to the Indian society.

Thus having seen the nature of colonialism and its phases it will be much easier to understand now the detailed consequences. The remaining part of this unit will deal with the consequences of colonialism in India.

1.3.2 Impact: The First Phase—The Peasantry and Its Impoverishment

We have all heard how colonialism destroyed the Indian agrarian economy which led to the impoverishment (the process by which one is made to become poor) of peasantry. It has also been pointed out by many writers that the British retained many of the features of Mughal land revenue system perfected by Todar Mal. We have earlier seen in this unit that during the 18th century there was little export of manufactures from Britain, so the handicrafts could not have been ruined putting pressure on the hand. So how did this happen? In other words, how did impoverishment start? This is an important question, a key point in all our further understanding of the process of the making of Indian poverty.

While the British retained much of the Mughal revenue system, they made some drastic changes of detail within its overall structure. The first, though a minor one, was they raised the share of revenue collected enormously. It has been estimated that the total revenue collected from the Bengal Diwani in the first few years of British rule doubled—whereas for the last 100 years it had remained the same. This was a huge increase. It is important to remember that this led to severe famines, a third of the population perished, but it is important to note that the revenue collected continued to grow. As an aside, it is important to remember that under the Mughals a part of the revenue collected was reinvested to help the economy and the growth of local product but very little came back under the British.

Let us look at the changes they made in what they retained of the Mughal revenue system. One fundamental change they made was to make the revenue calculable on the total land entitled to cultivate rather than the land actually cultivated. This was crucial; therefore, let us be clear through an example. Under the Mughal if the peasant was entitled to cultivate, for instance, 100 acres of land but actually cultivated only 55 acres, the revenue collected was only for 55 acres but the British assessed and collected the revenue for the entire 100 acres of land. Now imagine the enormous burden it may have put on the peasants because barring a few nobody cultivated the entire land one was entitled to cultivate. In other words, the assessment under the Mughals can be said to be based on the produce and not on holdings and therefore there was a flexibility in-built into the system. Secondly, it has also been noted by many that the actual rent in full was not always collected and considerations were given to the difficulties of the peasants. Thirdly, under the Mughals the revenue was calculated in cash but more often it was collected in kind so the peasant did not have to go for distress sale. Finally, and very significantly, the failure to pay in time or repay other kinds of debt did not lead to the loss of land under the Mughals. The British forced the auction of land in case of failure to pay the revenue or other debts and for the first time allowed non-peasants to buy up land.

not alienate peasant lands. So some transfer used to take place within the peasantry.

It should be obvious from the above that the system introduced by the British was inflexible in relation to the vagaries of agrarian economy in conditions like those prevailing in our tropical climate dependent on monsoon. It gave rise to the beginning of the conversion of land into a commodity like entity, even though land cannot become a commodity in the way cloth can be. Nevertheless massive alienation of land became a feature of the agrarian relations. A repercussion of this was, one, the ability of the superior holders or the money-lenders to confiscate the land of the peasants for realisation of arrears due to whatever reasons and, two, even the land of the superior holders, like Zamindars, could be taken over the moneylender for failure to repay debt and the interest accumulated on it. The consequence was the emergence of absentee landlords as a sizeable proportion of land owners who then would let out land on back breaking rent or share-cropping.

Lest it should be misunderstood, a clarification is necessary here. This was not confined to the Diwani of Bengal and the system of land tenure introduced there. But this was a common feature for the whole of India under the British administration, whichever land tenure system we look at. Look at the Permanent Settlement created by Cornwallis in Bengal, where the government gave over the right of revenue collection to a small number of large Zamindars who had powers over cultivators now reduced to tenants. The Zamindars had to pay to government fixed amount which was fixed forever but no restriction on rent rates till late in the 19th century. Or look at the Ryotwari of Elphinstone in Bombay presidency and of Munro in Madras presidency where direct settlements were made with the peasant-proprietors and periodic revenue assessment was made every 20-30 years. The new features disadvantageous to the peasantry mentioned above were common. The ruin of the peasantry was only a question relative to the extent of pauperisation (Pauper is one who has to beg to live).

Check Your Progress Exercise 2

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) What were the new measures introduced by the British in the area of revenue administration?

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2) What were the results of these for the peasantry?

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3) Where in History can we locate the origins of Indian poverty?

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1.3.3 Impact: The Second Phase-De-industrialisation and its Effects

During this phase the colonialism had dual impact on Indian political economy—the destructive and developmental.

The Destructive Role

India for long before the British came had a large and widely spread industry or secondary manufactures. In fact during the time of Akbar, it is said, that a Mahkamai Karkhanai (Department of Industry) was started. The manufactures were largely organised under either the artisans working from within their households or handicraftsmen working in the guilds. Except for a few technological advantages gained by some countries in western Europe, as noted earlier, the national well-being or the wealth in possession of rulers in our country was not any less; in fact, some estimates suggest that it was higher here. What, however, is more important here is that the (pre-capitalist) manufactures in India were spread all over the country and in many instances, with the exception of guilds, were closely tied up within the agrarian economy; the relation between the agriculture and manufactures was mutually beneficial. Much of the secondary manufactures were destroyed during the course of the first half of the 19th century and during this period no new industry grew in India. This process has been called by economists as de-industrialisation. We will briefly look at this process and note its larger impact.

The beginning of this process of de-industrialisation started, to link up with a point made earlier, with the ending of the monopoly of trade of East India Company in 1813 which itself overlapped with the Industrial Revolution gaining full momentum in Britain. India, beginning with around 1800, entered into a classical mould of colonial exploitation, popularly also rightly perceived as “import of raw material and export of finished goods” by the metropolitan economy or vice-versa if looked at from India’s or any other colony’s point of view. How did this de-industrialisation happen? And what were its consequences?

Before going into this one comment in passing may be appropriate for it can be a source of many an insights. Through the last quarter of the 18th century Britain was investing about 7 per cent of its gross domestic product on its industrialisation. During the same period, in fact beginning earlier from 1765, Britain was drawing out 6 to 7 per cent of the gross domestic product from Bengal out of which over 4 per cent was invested in Britain (by transfer to Britain as unrequited surplus), this contributed enormously to rapid industrialisation of Britain; while the remaining was used for waging wars of conquest on other parts of India. So the conquest of India after the first victories did not cost Britain anything, it only impoverished some parts of India more because they paid for the conquest of other parts. (For details

From around the first decade of the 19th century one-way free-trade was introduced. (That is exports of goods from Britain would be exempt from custom duties). Let us look at one particular commodity, cotton textiles, for the quality of whole production India was famous all over and which it used to export in large quantities. Within a few decades cotton textiles completely disappeared from the list of India's exports. There was a ruinous decline in the production of textiles in India. In place of this there was an excessive increase of cotton manufactures in the list of its imports. In the wake of industrial revolution Britain had become the leading producer of cotton textiles in the world. Indian market had become crucial for the expanding British industry. For example in the 1880s, one of the peak points of textiles production, India alone accounted for 40 per cent of Britain's world share. In exact figures calculated by Bagchi, in 1885 total exports of cotton goods from Britain came to 69 million Pounds and of this India's share was 28 million Pounds. Cotton goods produced in India had to pay a higher duty than those imported from Britain.

The story was the same for a number of manufactures. For silk goods, the British forced the weavers under its control to give up weaving and replaced it with the production of raw silk as the sale of raw silk in Europe was found to be more profitable. Britain also monopolised the manufacture and sale of salt, opium (a key item in trade with China), indigo (very important in the bleaching of cotton goods), etc. Many other manufactures were also decimated. For example, with the loss of political power, the gun-making industry (important in pre-colonial India) was destroyed and with that there was large-scale closure of iron foundries.

By the second half of the 19th century de-industrialisation was complete. Its consequence on agriculture, to note in passing, was extremely damaging. People thrown out of secondary manufactures were thrown in on the agriculture for direct sustenance, land had to support so many more millions of people. This led to a further ruination of an already, as we have seen earlier, impoverished peasantry. As the number of people on land went on increasing, the relations of peasants with the landlord (or the superior owners) were worsening on the one hand and the number of landless agricultural labourers increasing enormously. The result of this process was immediately of a two-fold character: there was first the absolute reduction in the wages of workers in agricultural operations and then there was secondly the increase in the rent the peasants were forced to pay (rack-renting became a common feature) and in failure to pay rents fully or on time. This led to the easy eviction of the tenants as share-croppers. Poverty, not in a relative sense but of an absolute kind became wide-spread. The countryside in India till today reeks of terrible suffering for those who have little or no land.

Developmental Impact

The colonialism had following developmental impact on Indian political economy.

First, the British, beginning with the 19th century, set up a modern administrative apparatus and subsequently a judicial system and together with merchantile firms. This was a social infrastructure of a new kind for India. Large number of Indians were needed to run it. The British also therefore set up a new type of educational system to run these institutions both public and private. After much debate, from 1830's a complete shift to English both in

administration and education was effected. A new class of Indian well versed in English emerged. In the beginning they were mostly drawn from the Hindus and largely from among the three upper castes who established a monopoly first over the jobs and then over profession like lawyers. Doctors, engineers, journalists, company executives, and so on; a kind of highly privileged group among the Indians. The upper stratum of this was the new Indian elite. Their hegemony continues even today causing resentment among lower castes like the Dalits and the Backward Castes and sometimes among the Muslims who lagged behind in education from the beginning of the colonial rule.

The second very important development during this period was the beginning of the construction of railways. Starting in 1854 the first two-truck routes were started and then its construction was taken up in a big way. By 1914, 34,000 miles of railways were constructed linking all the major areas of India. By comparison with China we can see how extensive was this network. In China a much larger country, at the end of semi-colonial control it had a railroad network of a mere 12,000 miles. The railways by making the easy mobility of goods and people across India contributed enormously to the development of trade and capital. It thus brought about the integration of various local economic zones into an interacting economy. It also facilitated the development of a pan-Indian market. Today the railways remain the one physical infrastructure which plays the most significant role in the movements of goods and people and trade and commerce and supply of inputs to the rapidly expanding Indian industrial economy.

But the railways also surprisingly contributed to a greater integration of Indian economy into the metropolitan one and thus contributed to the augmentation of India's economic exploitation. It did so by a peculiar route alignment and fare-structure. Apart from the trunk routes linking the main cities to the capital, the railroad primarily were so aligned so as to link the interiors to the port cities from which finished goods were exported into India and raw material was taken out, facilitating the to and for trade between India and Britain. The fare for goods were higher if transported between two interior places, e.g., between Indore and Gwalior but much lower (almost half) if the same were to move from interior to the port cities, e.g. from Gwalior or Indore to Bombay or Calcutta. So that these would discourage internal trade but help external trade with Britain. That is how the process of "finished goods for raw material" got a huge spurt and so was the exploitation of India augmented. Such were the developments to which the great nationalist economist and freedom fighter Dadabhai Naoroji gave the name of 'drain theory'.

The third important change to which reference has to be made is the development of modern irrigation networks. Around the same time as the development of railways, there also took place rapid expansion in irrigated areas. The construction of vast irrigation networks were undertaken though confined to a few areas but this was also accompanied by the neglect of traditional irrigation works like wells and village ponds. So the gross command area did not equal the net increases in the irrigated area. By 1914, 25 million acres came under irrigation. The earlier traditional system was under the control of the farmers so they could control crop mixture and rotation of crops. The modern networks made the peasants at the compassion of scarcely concerned landlords who controlled the government public works like

the canals for instance. This resulted in the relative increase of the power of landlords over the agrarian economy and also therefore a miserable existence for the peasantry.

One important feature of investment in irrigation is worth remembering. Almost the entire investment went into two, three areas of the British India, and the out of these bulk of it went into Punjab. Estimates show the 3/5 of the entire investment (in the earlier period but marginally declining later yet remaining a sizeable proportion) went into Punjab, the remaining being divided between some coastal areas of Madras presidency and some around a few areas in Bombay presidency. These then were the areas which witnessed considerable increases in productivity. It is not as if farmers in these areas are more hard working, as the modern myth about the Punjab farmers seems to suggest, but they put more labour and capital in these regions because of assured production. The skewed nature of this investment gave rise to a new type of disparity among the various regions of India.

Two important results followed with the development of irrigation, a brief mention of these is important. Irrigation led to some significant changes in the cropping pattern. It helped the growth of exportable food grains and commercial crops, by direct impact in the irrigated areas but also by showing the nature of profitable agriculture to other areas. These new exportable food grains marginalised the production of millets (a sturdy cereal requiring little water and the staple food of the poor) and the pulses (the chief and the only source of protein for the poor). The entire nature of a development in agriculture was of a very uneven nature between regions and different classes. Among the peasantry leading to the emergence of a stratum called the rich peasants emerged. Also to note is that by 1914, an area approximately 25% of the total cropped area came under the cash crops, many of these are also for the nature of inputs for industry, viz., tobacco, jute, cotton, sugarcane (by displacing the production of jaggery and crude brown sugar in favour of refined sugar), etc. Modern agriculture in India, since 1947, has changed a lot but the basic structure has remained quite strikingly similar.

Together with railways, irrigation with the development of cash crops, and large-scale mining gave a big push to the growth of trade both within India and between India and other countries especially Britain. Therefore by 1880's fairly sizeable Indian capitalist class was getting formed and was present in many areas but largely concentrated in and around the port-towns. This led in small ways to the beginning of capitalism under Indian entrepreneurs and a slow growth of modern Industry. This was a feature of far reaching significance for future.

Check Your Progress Exercise 3

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

- 1) Why did the British shift the emphasis of exploitation to "export of raw material and import of finished goods?"

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2) What did it do to the Indian economy?
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3) How did de-industrialisation effect the agrarian economy?
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1.3.4 Impact: the Third Phase—Imperialism and Industrialisation

In the last decades of the 19th century the nature of capitalism was changing. Different types of capital like the industrial and the banking capitals were getting merged. This gave rise to large financial oligarchies within advanced capitalist countries like Britain, Germany, France, USA, etc., with excess of capital to export. There was intense competition among these countries to export capital to countries like India, for example, and establish industries. Infact such competition gave birth to the first world war. The idea of such competition was to make huge profits and export these to the home countries. This was a way of capturing the domestic market of the colonies, along other countries, for the benefit of metropolitan economy. A famous liberal economist called Hobson and the well known revolutionary Lenin came to the same conclusion that capitalism now has entered, what they termed, the phase of Imperialism. (Imperialism is therefore not the same as colonialism, it continued even after colonialism came to an end and is with us even today under the new name of Globalisation).

By the turn of the century and before 1914 India had developed a pretty good industry. These industries were not wide-spread but were concentrated in certain enclave like the Jute Textiles around Calcutta, Cotton Textiles around Bombay, etc. Other industries, viz., rice-mills, for making refined sugar, cement and so on also started coming up. Tatas (the only Indian allowed to do so) had also established a heavy industry for making steel.

This process got a big push after the first world war. The important feature, in this period, was that the Indian capitalist who had accumulated large capital through trade started establishing industries on their own. After the war, Britain's position relatively declined within the advanced capitalist world and it faced strong competition from other industrial powers. The Indian capitalist wrested large concessions from Britain to start industries and also forced it to modify the one-way free-trade, with the result that Indian industrialist got some state protection. The rise of the mass-based national movement also helped the aspiring Indian industrialist to bargain better with Britain.

For the first time since the establishment of the British colonial control, the assets of the Indian capitalist in industry grew faster than those of the British capitalists. There was no state assistance for Indian industry but Britain was forced to grant protective tariff to Indian industry vis-a-vis other imperialist powers, although its own goods continued to enjoy preferential treatment. By the time of the second world war, India had achieved a good measure of self-sufficiency in, apart from Industries mentioned above, consumer goods as also in crude and intermediate goods like pig-iron, steel, cement, etc. Much of what was imported from Britain earlier was being produced within the country itself; this pattern of industrialisation has been referred to by the economists as “import-substitution” industrialisation.

One important feature of this industrialisation has to be emphasised before we end this discussion. The colonial mode of development imposed a serious disjunction, as pointed out by Bagchi, between industry and agriculture. Most areas which developed industry remained agriculturally backward and those which became agriculturally advanced like Punjab remained industrially backward. The result was that the agricultural areas became hinterlands for the industry. This is very unlike the pre-colonial pattern where industry and agriculture were closely tied in a mutually beneficial relationship. This was to result in a peculiar pattern of uneven development all over India. Also almost all the areas where Muslims constituted a majority of the population did not develop any industry and remained as hinterlands. No large Muslim bourgeoisie also developed. This too contributed to the Muslim separatism which as we know led to the partition of the country and the creation of Pakistan—a complex story which cannot be gone into here.

Check Your Progress Exercise 4

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) What led to the growth of modern industry in India?

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2) Where and in what sectors did industry grow?

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3) What were the main social forces which emerged in India?

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4) What is “import substitution” industrialisation?

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1.4 LET US SUM UP

When India gained Independence, industrially it was the most developed outside the advanced capitalist countries. It had the largest capitalist class well-versed in influencing politics from behind as well as the largest and most accomplished middle class and numerically a huge proletariat with a large concentration of skilled workers. It paradoxically also had the highest incidence of poverty both urban but especially rural with all that goes with it; undernourishment, ill-health, illiteracy, lack of shelter quite apart from the fact that the means to become what we are capable of being were so thinly spread in the society. The colonialism was very decisive in the making of modern India.

1.5 KEY WORDS

Colonialism: A system where a country dominates and exploits another country in all aspects of life, especially economic.

Neo-colonialism: It is a system in which the economy of the colony gets integrated with that of the metropolitan country by development of infrastructure like railways and transport.

De-industrialisation: A process of ruination of the traditional industries of the colonies due to the competition with the modern industries of the metropolitan countries.

1.6 SOME USEFUL BOOK AND ARTICLES

Bagchi, Amiya Kumar, *Political Economy of Underdevelopment*, CUP, Cambridge, 1982; an Indian edition is also available. See especially Ch. 4 and Chs. 2, 6 & 7. And see also his “Reflections on Patterns of Regional Growth in India During the Period of British Rule”, *Bengal Past and Present*, Vol. XCV, Part 1, No. 180, January-June 1976.

Chandra, Bipan, *Essays on Colonialism*, Orient Longman, Delhi, 1999; see Chs. 3 & 4.

Habib, Irfan, “Colonisation of the Indian Economy, 1757-1900”, *Social Scientist*, March 1975; also in his, *Essays in Indian History: Towards a Marxist Perspective*, Tulika, New Delhi, 1995.

Sarkar, Sumit, *Modern India*, Macmillan, Delhi, 1983.

Pavlov, V., “India’s Socio-Economic Structure from the 18th to mid-20th Century”, in Pavlov, V., Rastannikov, V. and Shirov, G. *India: Social and Economic Development*, Delhi, 1975.

1.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) The new feature of the 16-18th century colonialism was that unlike the earlier colonialism it saw the forced incorporation of the major part of world by a small part of it.
- 2)
 - i) Forced incorporation of the major part of the world by a small group of countries.
 - ii) Exploitation of the resources of the colonies by a small number of metropolitan countries, and ruination of the economy of the colonies.
- 3) Latin America was conquered much before India. In India it was followed by the industrial revolution, which adversely affected Indian economy.

Check Your Progress 2

- 1) They raised the share of revenue. The rent was collected on the basis of the land held by the peasant, not on the basis of the area sown.
- 2) It resulted in the extraction of rent from the peasants. Failure to pay rent led to their eviction from land. The peasants became pauper.
- 3) It can be located in the colonial period.

Check Your Progress 3

- 1) They wanted market for the goods produced in England.
- 2) It ruined the traditional economy of India, which is known as the process of de-industrialisation
- 3) Due to de-industrialisation, the traditional industries and crops related to Indian agriculture got ruined. It pauperised the Indians.

Check Your Progress 4

- 1) In the wake of the first world war the position of Britain declined in relation to other advanced countries. It gave an opportunity to Indian industrialists to get concessions (protective tariff policy) from the British government. It helped in the growth of modern Indian industry.
- 2) In Jute textiles, cotton textiles, refined sugar, cement, etc.
- 3) Middle classes, landlords, a small group of industrialists.
- 4) "Import-substitution" means an economic system in which the goods which are imported are produced in the country itself. There is no need for import of such goods.

UNIT 2 RESPONSES OF INDIAN SOCIETY

Structure

- 2.0 Objectives
- 2.1 Introduction
- 2.2 India and the Colonial Experience
- 2.3 The World of the Peasantry
- 2.4 The Tribal Response
- 2.5 Middle Class, Intelligentsia and Social Reform
 - 2.5.1 The Ideas and Vision of New Class
 - 2.5.2 Social Reformers and Public Debate
- 2.6 Reform Movements
- 2.7 Reform or Revival?
- 2.8 Social or Political Reform?
- 2.9 The Intelligentsia, Reforms and the Colonial State
- 2.10 Critique of Colonialism
- 2.11 Let Us Sum Up
- 2.12 Some Useful Books
- 2.13 Answers to Check Your Progress Exercises

2.0 OBJECTIVES

This unit is about the responses of Indian society to the arrival colonialism in India. After reading this unit, you will be able to understand:

- The response of the peasantry to the colonial policies;
- The reaction of the tribals to it;
- The reaction of the middle classes and intelligentsia to it; and
- The context of the rise of the social and cultural movements during the colonial period.

2.1 INTRODUCTION

Colonialism radically changed the face of Indian society. It also resulted in a churning within that society. The society responded to colonialism in multiple ways. The responses were, however, influenced by the context in which people lived, the way they perceived the colonial rule and their vision of a future society. In this unit we shall try and examine these various responses in their proper historical context. This will enable us to view properly the historical development of our society, and the manner in which this society responded to the range of forces it encountered over the past two hundred years or more.

2.2 INDIA AND THE COLONIAL EXPERIENCE

You have read in unit 1 that the trading companies from Europe, i.e., Great Britain, France, Spain, Portugal and Holland, entered India during the sixteenth

Company received the Dewani of Bengal, Bihar and Orissa, when its armies defeated the combined forces of the Nawabs of Bengal and Oudh and the Mughal prince Shah Alam. By the first decades of the nineteenth century, a mere trading company established its authority over a vast tract of the Indian subcontinent.

While on the one hand, colonialism impoverished the society and used political power to exploit it economically, it also unleashed the force of ideas to usher in an entirely new age. The British brought with them the message of the English (1688) and French (1789) revolutions.

The notion of freedom, equality and a scientific world-view, derived from the scientific revolution and the enlightenment ideas of the seventeenth and eighteenth centuries Europe, also travelled to India with the colonial powers. Colonialism, therefore, presented itself as the purveyor of ideas for a radical social reorganisation, even though it changed the economic, political and cultural mosaic of the subcontinent in a fundamental way.

2.3 THE WORLD OF THE PEASANTRY

In the areas occupied by the British new land revenue systems, such as the Permanent Settlement in Bengal and the Ryotwari system in other areas, were introduced. Both these were alien to the subcontinent, and implied the superseding of the traditional rights of the village community over their land. Two forms of property now came into being. In Bengal where the Permanent Settlement was implemented, Zamindars became the intermediaries between the state and the peasants. In other areas, the peasants were directly burdened with very high taxes.

The company began to extract revenue with a vengeance. In Bengal alone the total revenue collected doubled from Rs. 63.4 lakh in 1762-63 to Rs. 147.0 lakh in 1765-66. R.C. Dutt, who studied the impact of colonialism on the Indian economy, estimated the extraction to have increased from Rs. 2.26 crore in 1765-66, to 3.7 crore in 1769-70. Even the severe famine caused no decline in the taxation, reflecting the unscrupulous greed of the new rulers. This created a severe crisis for the old Zamindars, who were now reduced to the status of revenue farmers. The new land revenue arrangements also affected the class of people dependant on State patronage, such as traditional scholars, fakirs, artists, etc. The revolts of the Zamindars and other dispossessed people formed the earliest responses to colonial power.

The peasantry was the worst victim of the new system. The peasants reacted in the form of protest against the colonial oppression. The section provides some examples of the peasant's response. The peasant reaction came in many forms. Titu Mir's (1782) rebellion was one such early response to the British rule. Titu Mir led the poor peasants near Barasat in 24 Parganas (Bengal) against the Zamindars, both Hindus and Muslims. He instructed his followers to follow pure and simple Islamic practices. The movement began to spread into the adjoining districts of Nadia and Faridpur. Its popularity finally forced the colonial authorities to kill Titu Mir and suppress his movement. In November 1831 Titu Mir's headquarter at Narkulbaria in Barasat district was destroyed. He and fifty of his followers were killed, and several hundreds of his followers were arrested.

The more widespread Farazi movement of Haji Shariatullah (1781-1840) in eastern Bengal followed this. Shariatullah asked his poor peasant followers to strictly observe the duties (far'iz, hence far'izi) enjoined by the Quran and Sunna (Islamic law), and to maintain God's unity. He stressed that so long as the British rule Bengal the congregational prayers on jumma and Id should not be performed, as according to tradition they must only be performed in a misr aljami (a town where an amir and a qazi, properly appointed by an independent Khalifa are stationed). This was one of the strongest indictments of British rule. Under his son Duda Mian (1819-1862), the impoverished and landless peasants, artisans and weavers joined the Farazi ranks. The Farazis attacked both the landlords in the area, who incidentally were Hindus, as well as the British Indigo factory owners. The colonial authorities tried very hard to suppress the Farazis and to rescind Shariatullah's indictment of British rule. It was finally in the last decades of the nineteenth century that the movement's new leaders asked the population to extend loyalty to the British. The anti-British feeling was so strong that people were not allowed to seek redressal of grievances in the British courts without permission from the Farazi leaders.

In 1859-60, the peasants in Nadia district of Bengal heard that the new Lt. Governor was sympathetic to their condition. They refused to accept the advance paid by the indigo planters coercing them to grow indigo. The movement spread through the delta region. Indigo planters were attacked and soon the entire system began to collapse. The active interest of the intelligentsia in Calcutta focussed the attention of the colonial authorities too on the oppression of the Indigo planters. As a result of this revolt, the indigo cultivation system came to an end in the area. In the 1870s, there were protests in Pabna (Bengal). The peasants organised themselves into agrarian leagues here. In 1873, a large-scale movement of the peasantry in Pabna and the adjoining areas was another strong indictment of colonial rule.

In the Ryotwari areas, the peasantry came under increased pressure of revenue demanded in cash. The situation was aggravated with the introduction of commercial crops such as cotton. This further increased the monetary requirements of the peasant; at the same time it diminished his self-sufficiency. The moneylenders in Bombay Presidency were mostly outsiders in the local peasant communities. They began approaching law courts for the settlement of debts. This resulted a massive alienation of peasantry from their lands. Community bonds among the peasantry against the moneylenders strengthened, and they rose against the moneylenders in 1875 in the districts of Ahmednagar and Poona.

2.4 THE TRIBAL RESPONSE

A significant number of people in the subcontinent for centuries lived in socio-cultural and economic worlds different from other social formations based on caste or other principles of hierarchy. The word tribe, an import from the European language and knowledge systems, was used to describe these people. The relationship between the two formations varied from context to context. Colonialism created spaces and conditions for non-tribal outsiders to move in large numbers into the habitat of the tribal people. The colonial rule brought about other fundamental changes in the life of tribals.

Living in relative isolation, the tribal population had, over the centuries, evolved social, cultural and political patterns differently. The colonial state facilitated penetration of revenue farmers, forest contractors and Christian missionaries in a large number into the tribal habitat. The British with little knowledge of the communities living in forests and hilly terrain like Chhota Nagpur and Santhal Parganas acknowledged the outsiders who had established themselves in the area as the ruling potentates over the tribal lands too. They entered into revenue arrangements with them. The latter in turn transformed their customary gifts and tributary relationship with the tribals into a compulsory revenue relationship. The new legal system forced this relationship on the tribal people, with the colonial masters as the supreme revenue lord. Thus, the tribal people were deprived of their traditional rights over the land, forest and all that they were familiar with for centuries. With little knowledge of the new legal system, which had no notion of the rights of tribal people, the latter found no sympathy with the rapidly penetrating agricultural communities too.

The central Indian tribes, particularly those living in the Chhota Nagpur and Santhal Parganas area, were the worst sufferers in the new situation. When the British began penetrating the Jangal Mahals and Chhota Nagpur after 1780, thikadars and other intermediaries also entered into the system. The heightening of certain internal differences within the tribes in the colonial perception precipitated these changes. The colonial system and the outsiders began treating individuals within tribes like the Pahan (priests) or the Munda (leader) or the Munda tribe, whose status was that of one amongst equals, as landlords or political and social leaders. This attached the relatively egalitarian structure of communities such as that of the Mundas and the Oraons in Chhota Nagpur. The coming of the missionaries and the large scale conversions, particularly in the last decades of the nineteenth century, also created new inter and intra-tribal differentiation. The arrangements evolved over centuries between the tribal differentiation. The arrangements evolved over centuries between the tribal population and the neighbouring communities were also distributed. The Ghatwals in the Jangal Mahals were traditionally the police force of the local ruling potentates in Chhota Nagpur. The abolition of this arrangement resulted in the famous Chuar rebellion of the Chatwals in the 1790s. Similarly, the reservation of forest land for colonial purposes altered the tribals relationship with the forest and his habitat. But the most radical change came in the shape of the large-scale intrusion of the outsiders.

The most powerful expression against the outsiders, who mostly came as moneylenders, revenue contractors, lawyers and landlords, was the famous Hul rising of the Santhals in Damni-I-koh (modern day Santhal Pargana district). In 1855 under the leadership of Sidho and Kanu, the Santhals attacked the colonial authorities as well as outsiders whom they called dikus. In 1832-33 the Bhumiji in the Jangal Mahals revolted against the colonial authorities, while in the 1850s the tribal leaders called Sardars in Ranchi district revolted against the rapid land alienation.

The Christian missionaries in the Chhota Nagpur area provided a helping hand to the exploited tribal people. They not only opened hospitals and schools, but also enlightened the colonial authorities about the tribals and their problems, taking up their cause with the administration. On the question of land, however, neither the colonial authorities nor the missionaries had

any intention of intervening. A large section of the tribal people in Chhota Nagpur, therefore, began to see the missionaries as no different from the colonial matters. It is in this context that Birsa Munda and his Ulgulan (the great tumult) emerged in Ranchi district in 1899-1900. The followers of Birsa attacked all visible symbols of colonial authority like police stations. The entire tribe participated. When Gaya Munda and his men returned from an attack on the Khunti police station, the Munda women gave them a traditional welcome reserved for men returning from a hunting expedition.

Assam came under British rule only in 1826, and the colonial penetration in the Naga hills and in the Manipur area was relatively late. In Assam, Vaisnavism had exerted a great influence on the local population over the centuries. Contact with Calcutta opened the area to new influences. One such influence was an alternative to the available mode of Hinduisation. Kalicharan Mech of Dhubri was inspired by a Hindu sanyasi of Calcutta and started a new faith, eschewing the expensive rituals attached to the prevailing hinduising modes in the area. The new converts, called Brahmas, engaged themselves in the eradicating illiteracy of their tribes. There was also a move towards abstinence from rice, beer, meat, etc.

The forces of change were too large and too rapid for the tribal people to adjust. For inspiration, therefore, they looked back to their past. All their revolts were characterised by a conscious invocation of a lost but golden past. Sidho, Kanu and Birsa Munda, all of them painted a glorious picture of their tribe in a bygone age, Satjug, vis-a-vis the tribe's present suffering Kalijug. Birsa blamed the white fathers, the black fathers (the converted tribals), and the colonial authorities for the miseries of his tribe, which had lost its land and religion and had become a victim of overall degeneration. This consciousness provided the ideological basis for solidarity behind all these movements. Attempts to revive community memories of the pre-Christian days by those who were disturbed by the growing divide between the Christian and non-Christian world-views. This was combined with an attack against the outsiders and British rule in the last decades of the 19th century. The Khasi tribe made such an attempt.

The ongoing national movement influenced the tribal movements in the early decades of 20th century. The Tana Bhagat movement of Gumla in Ranchi district, and the Zeliangrong movement in the Naga hills were two such instances. Jadonang (1905-1931), who set up the Haraka religious cult with three basic objectives started the complex Zeliangrong or Haomei movement in 1925. The first aimed at reformation of the tribes, particularly the Zemi, Liangmei and Rangmei, to enable them to face the onslaught of Christianity. Secondly, the overthrow of the exploitative colonial laws by attacking British rule. And third, establishment of the Naga Raj. The movement was also aimed against the Kuki tribe, the "outsider". From 1927 onwards, influenced by Gandhi, Jadonang began a civil disobedience movement in the area. On 13 June 1931, Jadonang was arrested and sentenced to death, and finally hanged on 29 August 1931. Gaidinliu a teenaged girl, took over the leadership of the movement. In March 1932, the entire village of Bopuguanmi in the Naga hills was burnt down by the government forces, in retaliation to the attack on the Assam Rifles outpost by Gaidinliu's followers. Finally the seventeen year old leader, called Rani Gaidinliu by Nehru, was arrested on 17 October 1932, and sentenced to life imprisonment. Thus, when she

was set free in 1947 on Nehru's personal insistence, she had already spent all her youth in jail.

Check Your Progress Exercise 1

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) How did the peasant respond to the colonial rule?

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2) What were the symbols of tribal reaction against the colonial rule?

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2.5 MIDDLE CLASS, INTELLIGENTSIA AND SOCIAL REFORM

The colonial rule saw the emergence of a new class whose members came mostly from the newly educated sections and the professionals created by the colonial establishment. This class was not attached to any royal court or religious establishment and was entirely on its own, except that it depended on the new colonial economy for its sustenance. Well versed in their own traditions, this class encountered the full blast of the new ideas shaping the west, equipping them to view their own society and its institutions on their own merit. They found that infanticide, polygamy, sati, practice of untouchability, prohibition of female education and widow remarriage, and absence of any critical knowledge system characterised their society. Further, religious and social practices were inseparable, thus, legitimising all inhuman practices through recourse to religion. Education in the classical mode imparted in Sanskrit, Arabic or Persian was devoid of any critical component. It was also based on caste and gender discriminations-non-Brahmins and women were not allowed Sanskrit education. The first generation of intellectuals and reformers, particularly the father of the Indian reform movement Raja Rammohun Roy (1772-1833), realised their unusual predicament very early in their careers. While they had to defend the societies, religions and traditions of India against the evangelical and utilitarian attacks, they also had to eradicate the evil and inhuman practices that prevailed in the society. The evangelists had been criticising Hindu and Muslims practices and institutions as inhuman, and had presented Christianity as the means of deliverance. The educated class was the first to face this onslaught on their religion and society. A large section of the educated was converted to Christianity. Those like Raja Rammohun Roy who did not think conversion was the answer, worked towards reforming their own society. Their vision of a new society was informed by the ideas of freedom, equality and fraternity, and a religious universalism, which advocated a common core among the world's religions.

2.5.1 The Ideas and Vision of New Class

The ideas and vision of this new class was articulated best in the work of Raja Rammohun Roy. With sound knowledge of Persian Arabic, Sanskrit, Hebrew and several European and Asian Languages, Rammohun Roy acquired a deep insight into different religious traditions. He was well versed with the movement of ideas taking place in Europe. He realised that a critique of tradition was necessary for removing wide spread illiteracy, ignorance and practice of inhuman and cruel practices like widow burning, infanticide, excessive ritualism, polygamy, and prohibition on remarriage of Hindu widows. These practices were legitimised by invoking religious texts and traditions. Ram Mohun Roy and later Vidyasagar in Bengal, Veershalingam in Andhra and Krishna Shastri Chiplunkar in Maharashtra studied the shastras themselves to prove that the Hindu religion never sanctioned such practices, which were based on the wrong and often false interpretations of the Brahmins. They were also clear that tradition had to face the test of reason and social good. And that social good was to be based on notions of equality, liberty and fraternity. Rammohun Roy was the forerunner in this.

2.5.2 Social Reformers and Public Debate

The reformers never rejected traditions but rather put them to critical evaluation. Such a critique required engagement of an informed and critical mass of people. Thus, the reformers made it a point to engage in public debate through newspapers and journals, as Ram Mohun Roy did through *Mirat-ul-Akhbar*, Keshub Chandra Sen through Indian Mirror and *Sulabh Samachar*, Bal Shastri Jambhekar through *Darpan* (1832), Lokhitadi through *Prabhakar*. Almost all issues related to social reforms were debated publicly, reflecting a core democratic principle, which came to fruition during the national movement, gaining ground during this time. A significant result of these literary outpourings was that the vernacular languages were enriched. Bengali, Assamese, Marathi, Gujarati, Tamil, Telgu and other major languages were enriched by this. The reformers indirectly contributed to the growth of linguistic communities, which was recognised clearly in the 1890s and in the long run contributed to the demand for a separate Orissa, Andhra, etc.

The reformers also realised that to defend their society against missionary and colonial criticism and also for permanent reform, it was important that education be imparted not only to all sections of men, but to women too. They campaigned for a critical and scientific education system. What India required was “not the revival of Sanskrit learning”, Rammohun Roy argued, “but promotion of a more liberal and enlightened system of instruction, embracing Mathematics, Natural Philosophy, Chemistry and Anatomy with other useful subjects.” It was Lord Macaulay, the Law Member in the Viceroy Council, whose decisive intervention was crucial in winning the case for English education. Though Lord Macaulay’s intention was to produce a class of Indian in colour but British in taste, yet Rammohun Roy and others wished to bring the fruits of new knowledge into India and infuse Indians with these new ideas and spirit.

Check Your Progress Exercise 2

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) In which way the middle class/intelligentsia was different from the peasantry and tribals?

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2) In which way did they respond to colonialism?

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3) How did the intelligentsia generate public debate?

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2.6 REFORM MOVEMENTS

The ideas and their propagation soon produced the desired result. There were efforts to bring changes in the caste system, position of women and the system of education. The reforms for which Rammohun Roy stood were eradication of the kulin system (marriage of young girls to higher subcaste Brahmins, often much older, resulting in the practice of polygamy), stopping the sale of young girls in marriage, abolition of cast system, introduction of widow remarriage and abolition of sati. Sati was a prevailing practice among the high caste Hindus where the widow had to die, at times forcibly, along with the dead husband on the latter's funeral pyre. Rammohun Roy considered this cruel practice to have no sanction in the shastras. He and his friends led an agitation, which finally resulted in Sati being banned by Legislative Council Act of 1928.

Rammohun Roy also engaged the Christian missionaries in public debates over their attacks on oriental religions. He criticised the missionaries for presenting a caricatured version of Christianity and distorting its essence. This attack was from the standpoint of religious universalism. He established the Brahmo Samaj in 1828 to provide space for all those who believed in nonsectarian religion. He did in 1833 in Bristol, England. The Brahmo Samaj became the nucleus of reform activities in Bengal and throughout India.

Ishwar Chandra Vidyasagar, who became the principal of Sanskrit College, opened the gates of Sanskrit learning to non-Brahmin students. He worked tirelessly for widow remarriages and education for the girls. It was through his efforts that in 1856 widow remarriage was made legal. Keshub Chandra Sen, one of the most gifted successors of Rammohun Roy, took the latter's message across the country. His visit to Bombay and Madras in 1864 and N.W.F.P in 1868 resulted in the formation of Prarthana Samaj in Bombay

Maharashtra, with a strong tradition of reforms dating back to the days of the Bhakti saints in the medieval period, produced Bal Shastri Jambhekar and Gopal Hari Deshmukh who assumed the name Lokahitawadi. They criticised the privileges of the Brahmins, and the devaluation of women and lower castes from a rationalist viewpoint. Gopal Ganesh Agarkar and Krishna Shastri Chiplunkar, a Sanskrit pandit with an extremely critical perspective on the challenges facing Hindu religion and society, joined them. The Scientific and Literary Society formed in Bombay in 1848 and the Prarthana Samaj (1864) became the centers of the reform movement.

The new ideas soon swept the Parsi community of Bombay Presidency. Cursetjee Nusserwanjee Cama, Nowrojee Furdonjee and Sorabjee Shapoorjee Bengalee took the lead in this. The emphasis was on the status and education of women. Cursetjee Cama started regular schools for girls and Sir Jamshetjee Jeejibhai opened four schools for Parsi girls, which were taken over by the Parsi Girls Association in 1856. Furdonjee's Gujarati periodical Vidyasagar and Bengalee's Jagatmitra and the Dyan Prakashak Mandali disseminated new social and literary ideas. Dadabhai Naoroji's journal *Rast Gofstar* (1851), best reflected the reforming trends within the community.

Engulu Veerswamiah in Andhra wrote in 1857 that there was no recognition of untouchability in the shastras, and conversions to Christianity were taking place due to this practice. Samineni Murthoonarsimiah Naidoo of Rajamundry wrote *Hitasoochane* in which he focussed on the social inequities related to marriage and female education. It was however, kandakri Veereshalinan (1848-1919) who gave the reform process in Andhra an organised and dynamic form. His journal *Vivekardhini*, (1974) criticised the orthodoxy by taking fairly rationalist stance, and also attacked caste inequities and the disabilities of women in society. He started a number of schools for women, in addition to those of the Christian missionaries. From 1883 he began to publish *Satihitabodhini*, which addressed issues concerning women, inaugurating an era of women's journals in Andhra. Meanwhile, Keshub Chandra Sen's Visit in 1864 and establishment of the Brahma Samaj boosted the efforts of the reformers. Chembeti Sridharalu Naidu of Cuddalore became the first Anusthanic Brahma (1869) in south India when he began officiating Brahma ceremonies in Kakinada. The raja of Pitharapur set up schools for girls.

In Assam, attacks were directed against kulinism and the practice of sati. Jadrum Barua propagated widow remarriage, himself marrying a widow. Gunaviram Barua and Hem Chandra Barua later attacked these practices with renewed vigour. In Bibhaha Paddhati and Tin Ghaini, Hem Chandra Barua attacked polygamy and its associated evils, while his Bahire Rang chang Bhitare Koa Bhatari exposed the irreligious acts of the priestly class.

Assumption of power by the British effected the Muslim aristocracy in northern India the most. The aforementioned British land revenue system impoverished the Peasantry in Bengal, who were predominantly Muslims. The responses in different regions, therefore, were varied. The earliest response was one of extreme antagonism towards the British rule. The lack of an anti-colonial critique led to its expression on religious terms as exemplified by the Wahabi movement of Syed Ahmed of Rai Bareilly (1786-1831) and Farazi movement of Shariatullah.

The mutiny and the retribution meted out to sections of the Muslim aristocracy in northern India brought a change in attitude. Reconciliation to British rule rather than antagonism was thought to be prudent to bring reforms to Muslim societies. In Bengal, Syed Abdul Lateef (1828-1893) and Ameer Ali (1849-1928) made efforts to impart English education to the Muslims. It was Syed Ahmed (1817-1898) who realised that any reform within the northern Indian Muslim communities required addressing the changed circumstances of the Muslim aristocracy. He felt that the aristocracy needed to be equipped with a modern education to regain their sense of confidence and leadership. In 1875, he started the Mohammedan Anglo-Oriental College in Aligarh, as the harbinger of reforms of the Muslims in India. The women in Muslim communities were better placed because they were never denied literacy like their Hindu or Parsi counterparts. The recitation of Quran provided them with elementary literacy, but it was only in the first decades of the 20th century that efforts were made to bring Muslim women into schools outside the home. Begum Rokeya Sakhawat Hussain (1880-1932) of Bengal established a Girls school in Calcutta in 1911. The effort of the families of Badruddin Tyabji and H.S. Bilgrami, and the royal family of Hyderabad is worth mentioning in this regard.

In all the attempts to reform societies, efforts were made to engage critically with tradition. But there also existed a stream of thought, which attacked existing traditions in toto and presented alternative traditions. In Poona, a gardener's son Jyotiba Phule (1827-90) having personally experienced caste oppression, presented in alternative history of the community he termed the Bahujan Samaj. He saw the Brahmins as the outsiders who captured the land of the Bahujan and reduced them to the status of untouchables and lower castes. He criticised all traditions, including Bhakti saints like Ramdas as legitimising these inequities. Ambedkar later developed this powerful stream of thought. Pandita Ramabai's (1858-1922) 'The High Caste Hindu Woman' focussed on the strong patriarchal character of Brahmanical orthodoxy, and engaged with larger question of the sanctity of tradition and perpetuation of caste and gender inequalities. In Madras, Ramaliagnaswami represented a very powerful rationalist line.

2.7 REFORM OR REVIVAL ?

There were perceptible changes in the intellectual life of the subcontinent during the second half of the nineteenth century. The writings of Bankim Chandra Chatterjee, Akshay Kumar Sarkar, Rajendra Lal Mitra, Bhudev Mukherjee in Bengal, and Vishnu Shastri Chiplunkar, Balgangadhar Tilak and Bhandarkar in Maharashtra displayed a new sense of confidence, culminating in Vivekananda's championing of Vedanta. It was the confidence of a society over the rediscovery of its glorious past. It was also a reaction to the racial arrogance displayed by the British after the mutiny. The revivalist reaction was aimed at reforming society on the basis of the glorious Hindu past, and hence critical of reforms inspired by western ideas. Vishnu Shastri Chiplunkar, whose father Krishna Shastri Chiplunkar was one of the early reformers, espoused such revivalism. Another stream opposed any state or legislative involvement in the matter of social reform. Rammohun Roy had to face opposition from Radhakanta Deve, one of the early proponents of this stream.

Revivalists were not necessarily against reforms. While the early intellectuals retained a critical relationship with the ancient past, it was replaced now by the revivalists' sense of assertion of the past. Dayananda Saraswati, born as Moolshankar in Kathiawar, made the social arrangements in the Vedas as the basis for reform. He tried to counter western criticism against the iniquitous Hindu society, and do away with a lot of unnecessary and cruel practices in Hinduism itself. To propagate reform based on these ideas, he established the Arya Samaj in Bombay in 1875. The Theosophical Society also espoused the greatness of the religious traditions of India, and posited these against western traditions. Vivekananda emphatically proclaimed the superiority of the Vedantic religion.

2.8 SOCIAL OR POLITICAL REFORM ?

Nationalism had taken an organised and assertive tone in the last quarter of the nineteenth century. A debate over the priority of social or political reform began to take centre-stage. Bal Gangadhar Tilak (1856-1920) prioritised political over social reform, and caused the Indian Social Conference to be held outside the Congress session in 1893. Gopal Krishna Gokhale (1866-1915), however, thought that both social and political reform must go together. The ascendancy of extremists in politics, and of those who resisted any state or legislative intervention in social matters, gradually brought a separation between social and political reform. The massive opposition to the Age of Consent bill (1893) and the removal of the Social Conference from the Congress sessions indicated that social change and reform had become secondary to the nationalist cause. The emergence of Mahatma Gandhi brought together the social and political question once again.

2.9 THE INTELLIGENTSIA, REFORMS AND THE COLONIAL STATE

The vision that moved the early reformers was that of equality, freedom and an enlightened society, and the British were seen as the harbinger of these principles. This shaped the reformers' perception of colonial rule. The pre-Mutiny British administrators also showed their keenness to assist the reformers. According to Jyotiba Phule, "the British Government made it possible for me to speak out and express my thoughts." It is significant that when the intelligentsia emerged among the lower castes or in the Muslims communities, they too looked towards the colonial state for help in bringing reforms. Between 1820 and 1870, however, changes in the nature of colonial rule and the colonial state occurred. Its reformative role was exhausted, and the reformers were dealing with a state run along racial lines, which began to resist any organised efforts against its existence. But there were significant differences. Aware of the strong reactions of the Muslim society in North India as seen in Syed Ahmed Bareilly's movement and other anti-British and anti-modern trends, the process of reform started by Syed Ahmed had an upper class perspective. Reformers like Rammohun Roy had to face opposition from his own class or the aristocracy. Thus, the assistance sought by each from the colonial state was directionally different. Syed Ahmed had to face opposition from those sections of the society opposed to the British—the ulama. Thus, in the 1880s when Syed Ahmed and others assumed a progressive mantle, they stood against the ulama who retained their anti-British character.

2.10 CRITIQUE OF COLONIALISM

Rammohun Roy and the early reformers were conscious of the colonial exploitation of the country. However, the positive role of the colonial rule overwhelmed this knowledge. A section of the intelligentsia in the second half of the nineteenth century realised that colonialism, more than containing the seeds of societal regeneration, was fundamentally harming Indian society. Dadabhai Naoroji (1825-1917) - the grand old man of India, Justice Mahadev Govinda Ranade (1842-1901), Romesh Chander Dutt (1848-1909), G.V. Joshi (1851-1911) and others began to question the colonial assertion of developing and modernising India. They asked if the colonial rule made a positive contribution, how was it that Indians were becoming poorer day by day, and famine struck villages, while manufacturing industry and artisans were being ruined year after year. Dadabhai Naoroji propounded the 'drain theory', explaining how large amount of resources drained from India found their way to England. This was in the form of salaries and pensions of civil and military officials of the colonial state, interest on the loans taken by the Indian government, and huge profits of the British capital employed in India. The latter meant 5% guaranteed profit on investment in railways, and the cost of administration in England. This drain not only deprived India of her present resources but also of the surplus for future investment. To the contention that the railways signified the commencement of the industrial revolution in India, Naoroji responded that the railways merely enabled the colonial rule to penetrate the Indian interior for getting cheap raw material for British industries and for bringing back the finished goods of the British industry. Thus, it helped the industrial revolution in Britain by providing all benefits to the British manufacture. This diagnosis was propagated through public debate, publications, etc., and helped shatter the myth of British benevolence. Naoroji and others advocated modernisation of India in real terms, and industrialisation with the help of Indian capital.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of the unit.

1) What were the problems which social movements sought to eradicate?

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2) What was main point in the debate about social and political issues?

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3) What do you mean by 'drain theory'?

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2.11 LET US SUM UP

Different sections of the society responded to colonialism in India. Their responses depended on the nature of issues relating to them and the impact of colonialism on them. The peasantry reacted by protest against colonial policies about the land and revenue system. The tribals protested against the British and their Indian allies. The middle classes and intelligentsia appealed to Indian tradition in countering the British. A large number of them were influenced by the ideas of equality, liberty and fraternity. The British policies towards India were guided by the colonial interest rather than by benevolence.

2.12 SOME USEFUL BOOKS

Chakravarti Uma, *Rewriting History : The Life and Times of Pandita Ramabai*, Delhi, 1998.

Chandra Bipan, *Nationalism and Colonialism in Modern India*, Delhi, 1979.

Desai A.R., *Peasant Struggles in India*, Delhi, 1979.

Hardy, Peter, *The Muslims of British India*, London, 1972.

Heimsath, Charles, *Indian Nationalism and Hindu Social Reform*, Princeton, 1964.

Natarajan, S. *A Century of Social Reform in India*, Bombay, 1959.

Singh, K. Suresh, *The Dust Storm and the Hanging Mist*, Calcutta, 1966.

Singh, Sita Ram, *Nationalism and Social Reform in India 1885 to 1920*, Delhi, 1968.

2.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The peasants protested against the colonial rule. They attacked both the landlords and indigo planters.
- 2) They revolted against the colonial rule by invoking their traditional symbols.

Check Your Progress Exercise 2

- 1) It was different in the sense that while the peasantry and tribals were directly related to the land and social structures, it was more entrenched in non-land economic structures. Besides, it revolted against the British because it was more enlightened than the peasantry and the tribals.
- 2) They responded to the colonial rule by invoking Indian traditions, and calling for reforming the Indian society.
- 3) They generated public debate through the newspapers, magazines and literature

Check Your Progress Exercise 3

- 1) They sought to eradicate caste discrimination, ban on widow remarriage, tradition of sati, sale of young girls, etc.
- 2) Debate was about the question whether the social reforms should be given the priority over the political or vice-versa. Balgangadhar Tilak gave the priority to the political issues but Gopal Krishna Gokhale wanted both issues to be taken up together.
- 3) Propounded by Dadabhai Naoroji the 'drain theory' explains how large amount of resources drained from India found their way to England.

UNIT 3 NATIONAL MOVEMENT

Structure

- 3.0 Objectives
- 3.1 Introduction
- 3.2 Early Nationalist Activities
 - 3.2.1 Indians Realise Colonial Discrimination
 - 3.2.2 Demand for Increase in Indian Representation
- 3.3 Extremist Nationalist Phase
- 3.4 Ghadar and the Home Rule Movement
 - 3.4.1 Ghadar Movement
 - 3.4.2 Home Rule Movement
- 3.5 Coming of Gandhi and the Non-Cooperation Movement
 - 3.5.1 Gandhi and Peasantry
 - 3.5.2 Protest against the Rowlett Act
 - 3.5.3 Non-Cooperation Movement
- 3.6 Rise of the Peasantry, Working Classes and the Left
 - 3.6.1 Gandhi-Ambedkar Debate
 - 3.6.2 Arrival of Marxism
 - 3.6.3 Growth of Communalism
- 3.7 Civil Disobedience Movement and its Aftermath
 - 3.7.1 The Simon Commission
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- 3.8 The War and the Quit India Movement
- 3.9 Post-War Upsurge
 - 3.9.1 The Indian National Army
- 3.10 Communal Riots, Independence and Partition
- 3.11 Let Us Sum Up
- 3.12 Some Useful Books
- 3.13 Answers to Check Your Progress Exercises

3.0 OBJECTIVES

The legacy of the Indian National Movement affected politics in India in more ways than one. An understanding of the Indian National movement will enable you to understand the politics of contemporary India better. After going through this unit, you will be able to:

- Understand the role of leaders with varying ideological background in the India's national movement;
- To know the contribution of various classes like the peasantry and working class;
- To establish the line between certain developments which preceded the achievement of Independence, and contribution of politics to it; and
- To analyse the unfinished task of the national movement;

3.1 INTRODUCTION

The Indian National Movement and the Chinese revolution of 1949 were two significant mass movements in world history, which influenced the destiny of millions of people. The former articulated the desire for freedom of millions of Indians, and inspired movements in colonised Asia and Africa. The Indian National Movement passed through several phases.

3.2 EARLY NATIONALIST ACTIVITIES

As you have studied in the units 1 and 2 the British exploited the Indians in several ways and different sections of society responded to it in different ways.

3.2.1 Indians Realise Colonial Discrimination

There was a gradual realisation of the exploitative and discriminating character of British rule. The writings of Dadabhai Naoroji, Badruddin Tyabji, K.T. Telang, Gopal Krishna Gokhale, R.C. Dutt and M.G. Ranade clearly laid the responsibility for the growing poverty and unemployment among the people on the colonial state. They also criticised the colonial authorities for not associating Indians with the country's administration. When Surendra Nath Banerjee (1848-1925) was disqualified from joining the civil services on a flimsy ground, he travelled across the country and educated his countrymen regarding the discriminating nature of colonial rule. In 1883, the Illbert bill attempted to empower an Indian judge to preside over the trial of European. The vehement and organised protests of the British and European public against the bill, which they thought was subverting the racial hierarchy, opened the eyes of a large section of Indians to the essentially racial character of the state. It made them conscious of their position as subject people, and as not entitled to the equality promised in the Queen's proclamation (1858), or which they had hoped to acquire through education.

3.2.2 The Demand for Increase in the Indian Representation

As a result of this realisation, the Madras Native Association, Poona Sarvajanik Sabha (1870), Indian Association (1877) in Bengal, and Madras Mahajan Sabha (1884) were formed. They demanded increased Indian representation in the Legislative bodies and viceroy's Executive Councils, and increasing the age of eligibility for Civil Service examinations and the government budget on education and other developmental activities. Newspapers like Amrita Bazar Patrika, The Bengalee, The Hindu, and the Tribune were started, to express the concerns of the people. The Indian National Congress organised by Allan Octavian Hume (1829-1912), which was a product of this need, held its first conference in Bombay from 25-28 December 1885, to take up issues of national importance.

Early Nationalists like Firozshah Mehta, Gopal Krishna Gokhale, M.G. Ranade, Surendra Nath Banerjee, P. Ananda Charulu, and S. Subramaniam Iyer strongly believed that the common interests and well being of Indians were being thwarted by the exploitative acts of the colonial state, such as the draining of resources from India. They, however, stressed that the colonial state was amendable to reasons, and once cognisant of its mistakes it would ultimately give Indians their due. They were also conscious of the existence

of heterogeneity of community and society in India. It was the measures of the British administration, new communication channels and English education that made it possible to unite people into a collective community called nation. But this consciousness was not equally developed and strong among all segments of the population. Thus, while demand for reforms was to be articulated for the nation, simultaneously, efforts were needed to concretise and collectivise disparate sections into the fold of the nation. The nationalists tried to inform public opinion along these lines.

3.3 EXTREMIST NATIONALIST PHASE

There was a heightened sense of colonial and racial arrogance in the last decade of the 19th century. This was at a time when several non-European people were exhibiting signs of assertiveness. Abyssinia defeated Italy in 1896, while tiny Japan defeated powerful Russia in 1905. In India, Annie Besant, Rajendralal Mitra, Bal Gangadhar Tilak, Bankim Chandra Chatterjee and above all Vivekananda asserted the superiority of the Indians and their glorious past. This new confidence was represented by a fresh generation of leaders; Bipin Chandra Pal, Aurobindo Ghosh and Ashwini Kumar Dutt in Bengal; Ajit Singh and Lala Lajpat Rai in Punjab; Bal Gangadhar Tilak in Maharashtra; and G. Subramaniam Iyer, N.K. Ramaswamy Iyer, C. Vijayaradgavachariar, T. Prakasham and M. Krishna Rao in Madras. They criticised the moderate tone of the Congress leaders. Instead of prayer and petition, they advocated passive resistance, boycott, adoption of Swadeshi and national education as new modes of protest.

The solidarity of the Indians was shown when Bengal was partitioned in 1905, and east Bengal was amalgamated with Assam to create a new province. It was said that Bengal was too large and unwieldy for efficient administration. But the regular pronouncements of different officials since 1930 made it known that the real reason behind the partition was to weaken the growing nationalist sentiments in Bengal, particularly those of the 'Bengali babus'. The protest against the partition soon took an organised shape, and finally the Swadeshi Movement officially commenced from 7 August 1905. Boycott of foreign goods and government schools became the prime modes of protest. National schools and Swadeshi manufacturing units were opened. On 16 October 1905, when partition was to become operative, many people in Bengal fasted, and at Tagore's suggestion tied Rakhi on each other's wrist as a mark of solidarity. Processionists around the cities sang songs written by Rabindranath Tagore and others. The Swadeshi movement spread to other parts of the country, and provided the first spurt of nationalist activity in Assam, Orissa and Punjab.

The new leaders demanded a more assertive Congress, which the early nationalists saw as disastrous not only for the Congress but also for the reform process initiated by the Congress. Their political vocabulary did not include faith in public agitation and movements. However, this was not because they belonged to the educated or middle class. It was more due to their different perception of the colonial state and their lack of understanding of the current political mood.

At the annual session in Banaras in 1905, the new leaders succeeded in making the Congress adopt Swadeshi, boycott and national education as

its policies. In 1906, achievement of Swaraj in terms of Dominion status within the British empire was adopted as the goal of the Congress. The new extremist leaders tried to push the moderates out of the Congress. This disastrous move finally led to the split in Congress at Surat in 1907, where the extremists were pushed out of the party. The colonial state, taking advantage of the situation, suppressed the extremist leaders with heavy hands. Tilak was imprisoned and sent to Mandalay jail in Burma. Moderate leaders began losing popular sympathy, and henceforth lived with the hope that they were leading the country towards liberation through constitutional reforms.

The Swadeshi movement brought into the national movement new forces like students and urban youth, and places like Assam and Orissa into the mainstream. Bengal, Punjab and Maharashtra, however, remained the centre of activities. Individual acts of terrorism, displaying a high sense of patriotism and sacrifice, by Khudiram Bose, Aurobindo and Barindra Ghose, Rashbehari Bose and Sachin Sanyal, Ajit Singh and Madanlal Dhingra, and Damodar Savarkar, captured the imagination of the country's youth. Khudiram Bose and Prafulla Chaki who hurled a bomb at the Muzzafarpur Magistrate Kingsford's carriage but unfortunately killed two innocent ladies (1908), became household names when Khudiram was hanged. Rashbehari Bose and Sachin Sanyal (1912), in a state procession, threw a bomb that hurt the Viceroy Lord Hardinge who was seated on an elephant.

Notwithstanding their unalloyed sense of patriotism, the extremists used cultural symbols like Shivaji, Ganesha or Goddess Kali for organisational and inspirational purposes. They also lacked concern for the peasantry, and the absence of any social programme later acted as an impediment both to its own ideological development and to the growth of the movement.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of the unit.

- 1) What was the outcome of the realisation by Indians about the exploitative nature of colonial rule?

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- 2) What according to the early nationalists was the contribution of the colonial administration, their exploitative and discriminatory nature?

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- 3) What were modes of protest suggested by the extremist leadership?

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3.4 GHADAR AND THE HOME RULE MOVEMENT

3.4.1 Ghadar Movement

Ramnath Puri, G.D. Kumar, Taraka Nath Das and others, with the help of Indian settled in north America, since 1905-06 had been circulating ideas advocating free Hindustan. With the arrival of Lala Hardayal in 1911, the Ghadar (revolution) movement centered in the west coast of USA began, named after a newspaper. It became the focus of the anti-colonial sentiments of the large Indian population settled there and in East Asian countries. The Ghadar revolutionaries invited Rashbehari Bose to organise the scattered revolutionaries and lead the revolution in India. Bose came to Punjab and after organising people, fixed the date for revolution on 21st February 1915, later changed to 19th February 1915. But the government obtained prior information and suppressed the Ghadar revolutionaries. Forty-five people were hanged while hundreds were imprisoned. The revolutionary vision of the Ghadar and the Ghadarites, however, left a permanent imprint on the minds of people in Punjab and India.

3.4.2 Home Rule Movement

At the time of the First World War, the Home Rule movement led by Annie Besant and Tilka tried to inspire the scattered nationalist forces into action. Influenced by the Irish movement for Home rule, it demanded home rule on the ground that Indians had now come of age. Home Rule Leagues of Tilak (1915) and Besant (1916) enlisted volunteers and published pamphlets in which the demands, reasons and modes of Home Rule were articulated. By 1917, Tilak's leagues in Karnataka, Central Provinces, Bengal and United Provinces had 14000 volunteers, while Annie Besant's League, which propagated ideas through New India and Commonwealth, had 7000 volunteers. A number of future leaders of India including Jawaharlal Nehru, Shankarlal Banker and Byomkesh Chakravarty learned their first political lessons as volunteers of these leagues. The government was not happy with the popularity and radicalism of the movement. Besant was arrested in 1917, raising a storm of protest. She was released in September, and on the request of Tilak was elected the president of Congress.

Tilak and Besant wanted to revive the Congress by involving it with the Home Rule movement. Home Rule volunteers came in large numbers to the Lucknow session of the Congress in 1916, where the Congress and Muslim League met. Tilak played a crucial role in bringing the Congress-League pact for electoral/communal representation. It seemed like a radical solution at the point but proved to be a stumbling block in the development of the national movement.

3.5 COMING OF GANDHI AND THE NON-COOPERATION MOVEMENT

Industrial working class. The breach of faith by the British agitated the Muslim intelligentsia. The former had promised to recognise the Ottoman emperor as the Khalifa or the spiritual and temporal head of the Islamic world, in lieu of the support of the Indian Muslims towards the British War efforts. It was around this time in 1915 that Mohandas Karamchand Gandhi, born in 1869 in Kathiawad in Gujarat, returned to India after spending twenty years in South Africa, where he organised the poor Indian coolies and others against the racial and discriminating policies of the South African government. It was here that he tried his methods of Satyagraha and non-violence as political weapons.

3.5.1 Gandhi and Peasantry

In 1917, Indians witnessed the first test of Gandhi's methods of agitation at Champaran in Bihar, where the European indigo planters forced the peasants to pay illegal rent and other exactions. When Gandhi reached Champaran, the District Commissioner ordered him to leave the district, which he refused. It was a new event in the history of the national movement. Gandhi and his associates recorded the exact and detailed complaints of the peasants, and placed these before the government. The government unable to ignore the enormous facts finally forced the planters to return 25% of the illegal exaction to the peasants. This destroyed the planters' prestige and the peasants' fear of them. Gandhi also led the workers in Ahmedabad against the mill owners, and the Kheda peasants against the colonial administration. By the end of 1918, he had established himself through his unique protests against exploitation and injustice. His simple and austere life led the common masses to identify with him.

Muhammad Ali, Shaukat Ali, Abdul Kalam Azad and sections of ulama particularly from Firangi Mahal, Lucknow, were at this time engaged in the Khilafat agitation. When they approached Gandhi, they found him sympathetic to their cause. Gandhi appealed to the Congress to side with the Khilafists against what was a serious breach of trust by the British. At this juncture, the government hurriedly passed the Rowlatt Act. The Act provided for imprisonment of Indians without trial, and soon became the rallying ground for the movement.

3.5.2 Protest Against the Rowlett Act

Gandhi suggested formation of Satyagraha Sabhas to protest against this draconian law. An all India hartal was planned for 30 March 1919, which was put off till 6th April 1919. Hartal was observed in Orissa, Assam, Madras, Bombay and Bengal. On the Baisakhi day of 13 April 1919, the police under General Dyer opened fire on a peaceful gathering at Jallianwala Bagh in Amritsar, and killed an official estimate of 379 unarmed and defenceless people. Subsequently, martial law was clamped, and people were even made to crawl on their belly before Europeans. The Jallianwala Bagh incident incensed the country. Rabindranath Tagore returned the Knighthood conferred by the British crown. Instead of questioning General Dyer, the British people presented a purse to him. The Hunter commission inquiring into the incident published, in the words of Gandhi, "page after page of white wash."

3.5.3 Non-Cooperation Movement

In November 1919, the All India Khilafat Committee met at Allahabad, and Gandhi's proposal of a non-violent Non-Cooperation movement was accepted. The movement soon engulfed the country. Abul Kalam Azad, Maulana Akram Khan and Muniruzamman Islamabadi popularised the movement in Bengal. Akram Khan's Mohammadi propagated the spirit of Swadeshi and Boycott. Mohammad Ali's Hamdard and Comrade, and Abul Kalam Azad's Al Hial were powerful organs in spreading the message of the movement. Meanwhile, Gandhiji tried to make Congress accept the idea of a non-violent Non-Cooperation movement. He thought the Punjab and Khilafat wrongs should be made the basis for non-Cooperation. In the special Congress session convened at Calcutta in September 1920, there was some opposition to this. In December 1920, however, the Congress at its annual session at Nagpur unanimously accepted the Non-Cooperation resolution.

Khilafat and Non-Cooperation together produced India's first powerful mass upheaval. Schools, courts and foreign cloths were boycotted, and charkha and Swadeshi cloth were adopted throughout the country. The Congress had already announced in Nagpur that Swaraj was to be attained by peaceful and legitimate means. There was a new enthusiasm regarding the impending freedom, which Gandhi promised within a year. The peasants joined the movement in Oudh, Bengal, Madras, Bombay, Bihar and Assam. A new leadership, largely from rural areas, emerged. Gandhiji's movement and message also influenced the tribal movements in Bihar and Manipur hills. But on 4 February 1922, a group of people in Chaurichaura in Gorakhpur, when provoked by the police attacked the police station and burnt the policemen alive. Gandhi suspended the movement, and despite the criticism by most leaders he remained unmoved. He refused to sacrifice or delute the principle of non-violence.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) What was the result of Gandhi's participation in the peasant movement in Champaran?

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2) Why did the British government pass Rowlett Act?

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3) What mode of protest was used in the non-cooperation and Khilafat movement?

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3.6 RISE OF THE PEASANTRY, THE WORKING CLASS AND THE LEFT

The sudden suspension of the Non-Cooperation movement created a sense of helplessness. C.R. Das (1870-1925) and Motilal Nehru (1861-1931) led the Swarajists who wanted to enter the legislative assemblies and wreck them from within. Gandhi's programme had no place for electoral battle. So, while the Swarajists fought elections and made impressive forays into the Legislative assemblies of Central Provinces, Bengal, and also in the Central Legislative assembly, Gandhiji and others concentrated on their social agenda of constructive work. This involved village reconstruction works, upliftment of artisans, propagation of Charkha and removal of untouchability. For Gandhiji, social and political movements were inseparable, and here he differed from those for whom nationalism meant just freeing the country from the foreign rule.

3.6.1 Gandhi- Ambedkar Debate.

Gandhiji launched his biggest social movement against the practice of untouchability. He argued against the notion of occupational hierarchy, which gradually had come to define the varna system. Because some works were considered inferior, the performer of those essential jobs came to be regarded as untouchable. He wished to destroy this notion of hierarchy, so that the varna system regained its pure and indiscriminate form. Ambedkar opposed Gandhi, and argued that untouchability was legitimised by the varna system. Unless the caste system itself was abolished, caste oppression would not go. Gandhi, however, did not agree because the institution of caste had endured for centuries, and it was merely its cancerous growth that needed to be removed. Both argued vehemently, but true to the democratic ethos of the national movement, respected each other's opinion and tried to convince each other of the merit of their respective positions. Temple entry movements at vaikom and Guruvayur in Kerala using Satyagraha as the weapon and the country wide movement for the upliftment of lower caste people were the direct result of Gandhiji's constructive programme.

3.6.2 Arrival of Marxism

A large number of people, particularly the youth, began to gravitate towards Marxism in the 1920s. The Russian Revolution had inspired their imagination. Kazi Nazrul Islam the Bengali poet, gave powerful expression to the new vigour that socialist thought had brought into the minds of nationalists. His Sarvahara (the proletariat) and Bisher Banshi (flute of venom) were proscribed, and he was sentenced to a year's imprisonment. M.N. Roy was the tallest leader of the socialist youth. Labour and Kisan parties were organised by Singaravelu, Hemanta Sarkar, Muzaffar Ahmad, S.A. Dange and Shaikat Usmani in Madras Bengal and Bombay and the Kirti Kisan Party was

established in Punjab. Later on, they were brought under the banner of the Peasants and Workers party. The latter worked within the Congress and wanted to make it a people's party. Trade union activities helped organise the labour, and articulate labour issues at the national level. Formation of the Communist Party of India (1925) provided a focus to the socialist movement and also a radical orientation to the national movement.

Acts of individual heroism, however, still moved the revolutionary terrorists. But the revolutionaries were organised keeping sight of a larger social programme. This new thinking was reflected in the acts of Surya Sen, Bhagat Singh, Jatin Mukherjee (Bagha Jatin), Jadu Gopal Mukherjee, Bhagwat Charan Vohra, Yashpal and Chandrasekhar Azad. The 'Philosophy of the Bomb' written by Sachindra Sanyal was the best statement of this change. The Hindustan Revolutionary Army was formed as a result.

Born in 1907 and nephew of the famous revolutionary Ajit Singh, Bhagat Singh (1907-1931) best symbolised this change. He founded the Punjab Naujawan Bharat Sabha in 1926. Bhagat Singh understood the role of the masses for any revolution. He also realised the increasing danger of communalism to society. In 1928 itself, he and his friends opposed entry of members of any religious or communal organisation into Naujawan Sabha, a decision taken by the Congress only in 1938. At the age of 22, while in jail he wrote the famous tract 'Why I am in Atheist.' He could see that the forces of change were located in Indian fields and factories.

Popularly known as Masterda, Surya Sen (1894-1934) was another brilliant revolutionary terrorist. Surya Sen and his followers unsuccessfully raided the two armories located in Chittagong, on 18 April 1930. Sen was arrested in 1933 and was hanged on 12 January 1934. Women participated in large numbers in the Chittagong armory raid. In the post-Non-Cooperation phase, a number of women including Pritilata Wadedar, Kalpana Dutt, Shanti Ghose, Suniti Choudhury, Mina Das, Manikuntala Sen and Ashalata Sen played a crucial role in the national movement and in organising peasants and labour.

3.6.3 Growth of Communalism

Some of the greatest leaders parted company with either the Congress or the nationalist cause during the 1920s. Mohammed Ali Jinnah with implacable secular credentials, left the Congress as a reaction of Gandhian politics. Lajpat Rai, V.D. Savarkar, Asutosh Lahiry and many other patriots began to view the popular phase of the national movements as harmful to the cause of the Hindu community. The post-non-Cooperation communal riots at Kohat in NWFP, Malabar and Calcutta (1926) added to the heightening communal perceptions. The Ali brothers, close colleagues of Gandhi during the Khilafat days, accused Gandhi of betraying the Muslims. Communal ideas and organisations rapidly proliferated. The most important reasons for this was the success of the national movement's programme and vision in inspiring peasants, labourers and masses to join the movement. The loyalists and upper classes were alarmed by this radical turn of the national movement and the Congress. This also partially explains why most communal organisation like Muslim League and Hindu Mahasabha were thoroughly anti-Congress.

3.7 CIVIL DISOBEDIENCE MOVEMENT AND ITS AFTERMATH

3.7.1 The Simon Commission

It was at this juncture of the movement that the British sent the Simon Commission, with an Indian representative in it, to recommend the future reforms for India. Congress, in its 1927 session, resolved to boycott the Commission. The Commission was greeted with hartal everywhere it went. The authorities challenged the Indian leaders to produce a commonly agreed constitution. The Congress set up a committee under Motilal Nehru, which produced the Nehru Report. Jinnah recommended amendments, which would have changed the very character of the polity suggested in the Report. Subhash Bose and Nehru also attacked the report for not recommending complete independence for the country.

3.7.2 Civil-Disobedience Movement

With Independence as its official goal, 26 January 1930 was observed as Independence day. The session also authorised the working committee to launch a civil disobedience programme. Gandhi sent an ultimatum to the Viceroy, writing in detail his programme, and asking the government to go ahead and prevent him from breaking the salt laws. On 12 March 1930 he along with 78 volunteers began the 240 km. march from Ahmedabad to the coast of Dandi, and on 6 April 1930 they symbolically broke the salt laws. The entire country plunged into the Civil Disobedience movement. In Bengal, volunteers from Abhay Ashram in Comilla, east Bengal, went to Contai, the Midnapur coast in West Bengal, to break salt laws. C. Rajagopalachari marched from Trichinapally to Vedaranyam on the Tanjore coast, while on the Malabar coast, K. Kelappan made salt. A new centre of Civil Disobedience emerged in the shape of the North West Frontier Province, where Khan Abdul Gaffar Khan and his followers - the Khudai Khidmatgars - began non-violent civil disobedience. When ordered to shoot at them, the Garhwali soldiers refused to obey orders and were later imprisoned. Large scale incidents of picketing of liquor and foreign cloth shops, refusal to pay taxes and giving up of legal practices symbolised the movement. Peasants in Bihar and Bengal resisted the Chowkidari tax. Anti-forest law campaigns began in Puri district of Orissa. Gandhi was arrested on 4 May 1930. There were countrywide strikes and demonstration in protest. The movement was suspended when the Gandhi-Irwin pact was signed, and Gandhi agreed to participate in the Second Round Table Conference in Britain. Nothing was achieved at the conference as the authorities branded the Congress as one of many voices and openly patronised the princes, reactionaries, depressed class leaders and communal leaders against the Congress.

The dilemma of a mass movement entering into electoral politics, and then accepting office became acute during the 1937 elections won by the Congress in many provinces. After much review and debate, the Congress decided to form ministries in six provinces, and introduced its social and economic programme. This created apprehensions in some quarters, such as the landlords in United Provinces. The Muslim League too began to attack the Ministries for its atrocities upon Muslims. Though never substantiated, these propagandist allegations were used to paint the future shape of a Congress ruled Hindu



Raj. Some of the Congress ministries, like those of Madras and Bombay, worked to suppress the communists and other radical groups.

Check Your Progress Exercise 3

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

- 1) What were the basic differences between Gandhi and Ambedkar?

- 2) What was the most important reason for the rise of communalism?

3.8 THE WAR AND THE QUIT INDIA MOVEMENT

The Second World War was declared in Europe on 1st September 1939. The Indian Government, without consulting public opinion in India, declared war on Germany. The war became inevitable due to several reasons, but primarily due to the emergence of Hitler and Nazism. Hitler eliminated almost six million Jews because he believed that they belonged to an inferior race and were the cause of all ills of Germans society, including its defeat in the First World War. Mussolini in Italy, General Franco in Spain and the emerging military dictatorship in Japan provided an authoritarian and fascist phalanx to the Nazi aggression. For the Indians, war provided the opportunity to revive the anti-colonial movement. However, the Indian leaders were not in favour of such opportunism, as it would harm the cause of the democratic, anti-fascist forces. But the British, despite declaring war as a fight for democracy, showed no concern for Indians and their cause. After careful consideration, Gandhi decided to launch a low-key individual Satyagraha on 17 October 1940, with carefully chosen individual Satyagrahis. The first individual was Vinoba Bhave, and the second Jawaharlal Nehru. Individuals had to make public speeches against cooperation with the war effort, and thereafter court arrest.

Japan joined the war in December 1941 and threatened the Indian borders. The news of retreating British forces, leaving Indians and others to the mercy of the Japanese, created a sense of anger and helplessness in India. Army atrocities and war-time crises made the people restive. Gandhi understood this growing unrest and, despite strong reservations of most leaders, decided to launch a movement. On 8th August at 1942. at Bombay, he gave the call of 'Do or Die' and asked the British to 'Quit India'. Gandhiji and other leaders were arrested that night. From the next day, people across the country came out in the open, and a massive anti-colonial movement began. Government property was damaged, and parallel governments were set up in recent bases in Balasore in Eastern UP, Midnapur in Bengal and

Satara in Maharashtra. Jayaprakash Narayan, Ram Manohar Lohia (1910-1967), Achyut Patwardhan, Aruna Asaf Ali made heroic contributions. Aruna Asaf Ali operated an underground radio. The authorities suppressed the movement with heavy hands.



3.9 POST-WAR UPSURGE

3.9.1 The Indian National Army

After the war was over, the leaders were freed in July 1945 and an election was declared. Meanwhile, the Indian National Army (INA) had captured the popular imagination. Mohan Singh and others of the British India Army, who were made Prisoners of War by the Japanese, formed it in 1940. Subhash Chandra Bose leaving the country in a dazzling display of courage, took the lead in organising the army afresh. Facing all sorts of discrimination at the hands of the Japanese army, the soldiers braved the difficult terrain and reached the Kohima border. But soon the Japanese reversal began, the INA's hopes of hoisting the Indian flag atop the Red Fort were shattered. The INA soldiers were taken prisoners by the British and tried for treason in 1945. The first trial began in November in the Red Fort. In November 1945 and in February 1946, the entire country angrily protested against the trials and sentences of these heroes of Indian Independence.

It was amidst this nationalist wave that elections to Provincial and Central legislatures were held. Though the right to vote was limited to a small section of the population, the election was a test of the ideologies of nationalism and its opponents. Congress candidates won unprecedented victories, while the Muslim League won all Muslim seats. This vindicated its claim of being the sole representative of the Indian Muslims. Large number of Pirs and Sajjadanashins canvassed for the League in Punjab and Sindh. The body of ulamas, Zamaitul-ulama-I-hind, which opposed the Pakistan demand, openly supported the Congress. The Hindu Mahasabha, which claimed to be the sole representative of the Hindus, was badly routed, with its leader Syama Prasad Mukherjee getting only 146 votes against his opponent's 6,000 in the Calcutta seat.

Check Your Progress Exercise 4

Note: i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) What was the Individual Satyagrah?

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.....
.....
.....

2) What was the Quit India Movement?

.....
.....
.....
.....

3.10 COMMUNAL RIOTS, INDEPENDENCE AND PARTITION

The mutiny by the Naval Ratings at Bombay and Karachi made apparent the signs of disaffection within the army. A demoralised bureaucracy was also evident. It was clear that Britain could not hold India any longer. The Muslim League, with active patronage of the bureaucracy, opposed any move by the British to quit India without first granting Pakistan. The Cabinet Mission was sent in 1946 to recommend future arrangements. The Mission rejected Pakistan as a viable alternative, but its recommendation of a grouping system of provinces was taken by the League as endorsement of its Pakistan demand, which the Congress leaders like Nehru firmly rejected. To force its demand of Pakistan, the League rejected the Cabinet Mission recommendations and declared Direct Action Day on 16 August 1946. With no anti-colonial programme, direct action against the congress or those who opposed Pakistan was implied. The result was a communal carnage in Calcutta claiming more than 5000 lives, where the Muslim League Chief Minister had declared 16 August a holiday. A reaction in the form of anti-Hindu violence broke out in Noakhali, which was a major outpost of the peasant movement since the Non-Cooperation/Khilafat days. Communal ideology by now had a complete sway. Counter reactions began in Bihar, where villages were burnt down and Muslims killed in thousands with such ferocity, causing Nehru to threaten that he would bomb the area if rioting did not stop. The colonial masters were not ready to take responsibility for a situation they had assiduously helped create. They now decided to quit India, betraying the essentially irresponsible character of colonialism, which left most colonised societies in a state of chaos either by partitioning or dividing them from within.

The realisation dawned that if Independence was so near, Pakistan too was not very far. Both were inevitable. The consequences of not having Pakistan were visible from the riots of Calcutta, Noakhali and Bihar. Thus, when the Congress leaders and Gandhi accepted partition, they were accepting the inevitable. It was hoped that partition would solve the problem of communalism forever. On 15th August 1947, India became free.

3.11 LET US SUM UP

Independence was the conclusion of a long struggle against colonialism. The early nationalists and extremists inculcated a high sense of patriotism among the people. Gandhi under the aegis of the Congress brought peasantry, labouring classes and the exploited masses into the vortex of nationalism. The social programmes of the nationalists aimed at more than a mere political liberation of the people. But the idea of the early nationalists that India was a nation in the making proved to be true because partition displayed the lack of a strong foundation of the Indian nation. The force of nationalism that caused the British to quit, was now to be employed to resolve social questions of poverty, illiteracy and development, with the help of a democratic and secular polity.

3.12 SOME USEFUL BOOKS

Banerjee, Surendra Nath, *A Nation in the Making*, Calcutta, 1963

Bondurant, Joan V, *Conquest of Violence*, Barkeley, 1971

Chandra Bipan et. al. (eds.), *India's Struggle for Independence*, Delhi, 1989

Dutt, R. Palme, *India today*, Delhi, 1949

Nehru, Jawaharlal, *An Autobiography*, Delhi, 1934

Prasad, Rajendra *India Divided*, Bombay, 1947

Sarkar, Sumit, *Modern India 1885-1947*, Delhi, 1983

Verma (ed.), Shiv, *Selected Writings of Shaheed Bhagat Singh*, New Delhi, 1986

3.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) They became conscious of their position and organised protest against the British.
- 2) The early nationalists believed that the common interest and well-being of the Indians were being hampered by the colonial state, mainly due to the draining of resources from India.
- 3) It advocated the followings as the made of protest: passive resistance, boycott, adoption of swadeshi and national education.

Check Your Progress Exercise 2

- 1) As a result of Gandhi's participation in the Champaran movement the government forced the planters to return 25% of the illegal exaction to the peasants.
- 2) It passed the Rowlatt Act, as it would have provided for the imprisonment of Indians without trial.
- 3) Non-violent Non-Cooperation movement.

Check Your Progress Exercise 3

- 1) Gandhi believed that the occupational hierarchy could be destroyed by regaining the purity of the varna system. Ambedkar on the other hand believed that hieararchy and untouchability existed because of the Hindu varna system; this could be removed by destroying the Varna system.
- 2) The success of the programmes and vision of the national movement in inspiring peasants, laboures and masses to join the movement. This alarmed the upper classes who encouraged communalism.

Check Your Progress Exercise 4

- 1) It was an individual low-key satyagrah which was launched on October 17, 1940. Individual leaders participated in it by making public speeches against colonial powers and by courting arrest.
- 2) It was launched under the leadership of Gandhiji on August 8, 1942, by asking the British to a quit India and giving the call to the Indians to 'do or die' for the cause of Indian Independence.

UNIT 4 EMERGENCE OF NEW CLASSES

Structure

- 4.0 Objectives
- 4.1 Introduction
- 4.2 Factors Leading to the Emergence of New Classes
- 4.3 Old Classes in New Milieu
- 4.4 The New Classes
 - 4.4.1 Zamindars
 - 4.4.2 Tenants
 - 4.4.3 Peasant-proprietors
 - 4.4.4 The Kisan Movement, Main Land Marks
 - 4.4.5 Modern Indian Intelligentsia
 - 4.4.6 The Capitalist Class
 - 4.4.7 The Rise of the Working Class
- 4.5 Let Us Sum Up
- 4.6 Some Useful Books
- 4.7 Answers to Check Your Progress Exercises

4.0 OBJECTIVES

This unit deals with the rise of new classes which emerged during the colonial period. After going through this Unit, you will be able to:

- Understand the reasons for the rise of new classes;
- Understand conditions of the old classes; and
- Establish a link between these classes and the following units in rest of the blocks.

4.1 INTRODUCTION

The Indian society witnessed the emergence of many new classes after the advent of the British rule. There emerged classes of Zamindars, tenants, peasant-proprietors, moneylenders, agricultural laborers, etc. in rural areas; in the urban areas the classes of capitalists, workers, small traders, etc., appeared. There also emerged an educated middle class. Gradually these classes acquired national character, which manifested in the formation of all India organisation by them. The capitalist class formed the Federation of Indian Chambers of Commerce and Industry. The workers built All India Trade Union Congress. The peasant-proprietors, tenants and agricultural laborers built All India Kisan Sabha. The creation of a national economy and state system out of almost unconnected local economies and congeries of state by the British provided the impulse among the new classes to organise and struggle on an all India basis. The pre-British India was marked with the absence of an all India economy and a unified administrative system. That is why there were no all India classes. These new classes started struggling for the promotion of their sectional interests. The enlightened sections of these classes started understanding the true nature of British rule, they could see the clash of interests of the Indian people with British interests

in India. They also realised that the general prosperity of India society would create better conditions even for promotion of their sectional interests. They also realised this general prosperity could only come with freedom. This realisation galvanised the progressive classes to join the united nationalist freedom struggle.

The emergence of new classes did not follow any uniform pattern everywhere and among all the communities. The new economy causing the rise of new classes was introduced in the areas, which came under the British control. The conquest of India was not achieved in one stroke. It was done in bits and pieces. The part of country coming under British control early witnessed the early rise of the new classes. Bengal was the first to usher in the two new classes the Zamindars and the tenants because British conquest started from Bengal and it was in Bengal where for the first time the permanent settlement, which gave birth to the zamindars and the tenants, was introduced. Even the industrial enterprises which gave rise to the class of industrialists and workers were first set up in Bengal and Bombay areas. The professional and the educated middle class also came into being in these areas much ahead of the other areas. It was because of the introduction of a new administrative apparatus and the modern educational system. Gradually the whole country came under the British control. So the economic system, the administrative set up and the modern education system introduced by the British enveloped the whole of country. This is how the emergence of the new classes became a countrywide phenomenon.

Even among the different communities the emergence of new social classes was not uniform. Baniyas and Parsis were first to be drawn to the commerce and banking so they blossomed into capitalist class. Similarly the Brahmins were first to take the modern education introduced by the British. That is why they largely constituted the class of professionals and the intelligentsia. The Muslims witnessed late emergence of the new classes because they stayed away from the trade and commerce and looked at the modern system of education with suspicion and they lived in northern India, which came under the British subjugation at a much later stage. Bengal had a very large Muslim population.

4.2 FACTORS LEADING TO EMERGENCE OF NEW CLASSES

The altering of the economic arrangement like introduction of new land relation, opening of Indian society for commercial exploitation by the capitalists world, introduction of a new administrative arrangement, a modern education system and the establishment of modern industries were the factors largely responsible for the emergence of the new social classes. The creation of private property in land by the permanent and Ryotwari settlements gave birth to the new classes in the form of large estate owners, the zamindars and peasant proprietors. The class of tenants and sub-tenants were born with the creation of the right to lease land. The right to private property in land and the right to employ labourers to work on land created classes like absentee landlords and agricultural labour. There also emerged a class of moneylenders.

classes. Under the British rule the production, both industrial and agricultural became for the market. This created opportunity for people whose role was to import and export goods from and into India. These people came to be known as merchants. Even in Pre-British India there existed the class of merchants because both internal and foreign trade had existed but it was very small in scale and volume. This class did not carry enough weight in society. The accumulation of profit in hands of the trading class, a section of zamindar and the wealth among the professional classes formed the capital for the rise of textiles, mining and other industries owned by Indians. This led to the emergence of the native capitalist class. Thus completely new classes appeared; one, the industrial capitalist who owned the mills, mines and other capitalist enterprises; two, workers who worked in factories, mines, railways and on plantations.

The new social, economic and state system introduced by the British needed a class of Indians having acquired modern education in professional fields like law, technologies, medicines, economics, etc. The introduction of modern education system all over the country was done with this objective in mind. This ever-expanding class of professionals was the creation of the new socio-economic and administrative arrangement. This professional class was absent in the pre-British India. These professional classes had acquired modern knowledge in the fields of science and arts. The legal system introduced by the British provided opportunities to those who studied law. Those who studied medicine were absorbed in government hospitals and medical colleges.

4.3 OLD CLASSES IN A NEW MILIEU

India had undergone a transformation on the capitalist line under the British rule but this transformation was not as thorough as it was in France, England or the United States of America. This meant stunted industrial development. Consequently some of the old classes continued to survive. The classes of village artisans and urban handicraftsmen were such classes. But the context within which they were functioning had changed because of the development of capitalist economy. Now village artisans unlike in the past were no more servants of the village community. They started sending goods manufactured by them to the market. The urban handicraftsmen who had earlier worked for nobles, princes or wealthy merchants now started selling their products in the market. Another important class for the pre-British period, which managed to survive, was that of the princes they ruled over nearly one third of Indian Territory. They survived because after 1857 the British had abandoned the policy of annexation because by and large the princes had remained loyal to the British during the revolt of 1857. But for the survival the princes had to accept the British paramountcy. All the vital powers of these states were surrendered to the paramount British power. Through Residents the British started interfering in the internal affairs of these states. The condition of the general people was miserable in these princely states. Democratic liberties were almost non-existent. The land revenue and taxation were very high and most of the revenue raised was spent on luxurious life styles of the princes. The introduction of the new economy gave opportunity to the princes to invest in commercial, industrial and financial ventures at times even outside the territory of their princedoms. From the nobles of the medieval times they had transformed into capitalists bound with national capitalist economy.

4.4 THE NEW CLASSES

4.4.1 Zamindars

The permanent settlement of 1793 made by Lord Cornwallis in Bengal and Bihar created the class of zamindars, an aristocratic class, at the top of the agrarian hierarchy. By creating this class the British aimed at creating support base for their rule in India. This was a political necessity for the stability of the British rule. As the zamindars owed their very existence to the British rule, they became their loyal supporters. In return the British gave them representation in various constitutional schemes introduced by the government and other favours. Another motive behind the creation of this class was the stability of income. The company was faced with perpetual financial crisis. The land revenue raised from Bengal had to finance the expansionist wars of the company; it had to meet the establishment costs of the company in Bengal, Madras and Bombay. From this money the company also had to pay for Indian commodities bought for exports. The problem faced by the company was that the revenue collection was erratic and was not enough to meet its needs. The permanent settlement of 1793 had answer to both these problems. It guaranteed stable income and also maximised company's income from land revenue. The permanent settlement also made the task of revenue collection easier. Earlier the company had to directly deal with lakhs of peasants. Now they dealt with the zamindars who became the intermediaries between the Government and peasants.

These zamindars were the agents of the British. In exchange of their commitment to pay a fixed amount of revenue to the government they got the right of collecting as much rent as they could from the defenceless, economically emaciated tenants. If the tenants could not pay revenue on time they were evicted from their land. In case of any dispute the zamindars had the courts and the machinery of government on their side. As a result the condition of the tenants deteriorated immensely in zamindari areas. The agriculture also suffered because the tenants had hardly any surplus left to spend on seeds or manures. The zamindars did not do any thing for improvement of agriculture. The zamindars formed their political organisation, i.e., the British Indian Association. It was a conservative body. This class was always anti-democratic. When Indian National Congress was fighting for democratic rights, administrative reforms or swaraj and organised struggles for these things the zamindars were always on the side of the government. This class was afraid of democratic struggles because the success of such struggles posed threat not only to their interest but also to their very existence. The British used the zamindars as a counter-weight against the rising tide of nationalism.

4.4.2 Tenants

The permanent settlement did not give birth to the class of zamindars alone. It also created a class of tenants in the countryside. They were subjected to exorbitantly high rent. Those who failed to pay rent even due to reasons beyond their control faced ejection. The zamindari arrangement resulted in general impoverishment of the tenants. The Bengal tenancy acts of 1859 and 1885, which aimed at the improvement in the condition of the tenants, could not deliver much and their condition continued to deteriorate. In course of time the tenants became politically conscious which manifested in the

formation tenants unions in U.P., Bihar, Bengal and other areas. The tenants also came under the influence of the Kisan Sabha started by N.G. Ranga and Swami Sahajanand. In UP these were mobilised Baba Ram Chand. These were not only critical of the British rule they were also critical of the Indian National Congress for showing leniency towards the interest of zamindars. Their main demands included reduction of rent, abolition of illegal dues collected by the zamindars. The kisan sabha opposed the zamindars and the zamindari system.

4.4.3 Peasant-Proprietors

In south and south central India where the Ryotwari settlement was introduced, there emerged a class of peasant proprietors. In these areas the cultivators were recognized as the owners of their plots in return to their payment of land revenue. The general condition of this class worsened mainly because of excessive land tax, fragmentation of the size of holding and heavy indebtedness. The condition of some of the peasant proprietors improved and they joined the ranks of rich peasants but most of them fared miserably and joined the rank of poor peasants and tenants of the absentee landlords. Some of them even joined the class of land laborers. The peasant-proprietors became politically conscious much ahead of the tenants. It was because they were in direct contact with the foreign ruler while in Zamindari areas the Zamindars mediated between the government and the tenants. The peasant proprietors did not have difficulty in recognizing their enemy, the British rule. The tenants saw the Zamindars as their enemy not the British rule. The consciousness of the tenants was also blunted because of the Gandhian approach of class harmony. Gandhi emphasized the need of unity between the Zamindars and the tenants for the achievement of Swaraj. The leaders of kisan sabha like N.G. Ranga and sahjanand pressurized the Indian national congress to formulate a programme of the demands for the tenants. They also held that the congress was aligning with Zamindars against the interest of tenants in some areas.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

1) Identify the factors which gave rise to the new classes.

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2) Why did the British create a class of Zamindars?

.....

3) How were the tenants exploited by the Zamindars?

4.4.4 The Kisan Movement, Main Landmarks

The formation of the U.P. Kisan Sabha in February 1918 marked a watershed development in the history of peasant movements in India. Around this time the kisans started exhibiting political consciousness. They began taking part in nationalist struggles. Their organizations emerged under their own leadership for the achievement of their programmes and objectives. It does not mean that before 1918 there were no peasant movements. In fact there were many. But these movements had narrow and local aims and were devoid of any proper understanding of colonialism or any conception of an alternative society. A conception that could unite people in a common struggle on an all India basis and sustain any long term political movement was absent.

Among the major peasant movements of the nineteenth century was the Indigo Revolt of 1859-60. Indigo was used as a dye for the cotton clothes manufactured by factories in England. Almost all the indigo planters were Europeans and they forced the peasants to grow indigo on the best part of their land. Most of the magistrates were also Europeans and in case of any dispute they used to side with the planters. The indigo revolts enveloped all the indigo-growing districts of Bengal by 1860. The peasants joined together to raise funds to fight court cases filed against them. The planters succumbed to combined pressure and closed their factories. The role of intelligentsia in the indigo revolt was to have a lasting impact on the nationalist intellectuals. Din Bandhu Mitra's play *Neel Darpan* became famous for its vivid description of the exploitation by the planters.

Between 1870 to 1880 large part of East Bengal witnessed agrarian unrest caused by efforts of zamindars to enhance rent beyond legal limits. This they were doing to prevent the tenants from acquiring occupancy rights under Act X of 1859. To achieve this objective they used coercive methods like forced eviction and seizure of crops. In May 1873 an agrarian league was formed in Pabna district to resist the demands of the zamindars. The tenants refused payment of enhanced rent and raised funds to challenge the zamindars in courts. Many of the disputes were settled partly due to government pressure and partly due to zamindar's fear of being dragged into long drawn legal battle by the united peasantry. The 1885 Bengal tenancy act was an attempt to address the worst aspects of the zamindari system.

Poona and Ahmednagar districts of Maharashtra became theatres of major agrarian unrest in 1875. In these areas cotton prices had gone up in 1860s due to American civil war. When the civil war ended cotton prices crashed. A fifty percent increase in rent by the government and a series of bad harvests further compounded the woes of the peasants. The peasants had no option but to go to the moneylenders. The moneylenders used this opportunity to tighten their grips on the peasants and their lands. The peasants organized a complete social boycott of the moneylenders. They attacked the houses of the moneylenders and also burnt the debt records. In response to this unrest the government brought the Deccan Agriculturists

Relief Act in 1879. Among other important peasant movements in other parts of the country in the nineteenth century were the Mappila outbreak in the Malabar region and the Kuka revolt of Punjab.

Peasant movements in the twentieth century were distinct from those of nineteenth century. Now both the peasant movements and the freedom struggle started influencing each other. Three major movements emerged in the second and third decades of the twentieth century. The kisan sabha and Eka movement in the Avadh area of U.P., the Mappila rebellion in the Malabar region and the famous Bardoli Satyagraha in Gujarat. In U.P. the peasants were faced with the problems of exorbitant rent, illegal levies, begar [unpaid labour] bedakhli [ejectment]. The hefty increase in the prices of essential commodities after the war had further added to their problems. The U.P. kisan sabha was formed in 1918 and by June 1919 it had set up 450 branches in the province. An alternative Oudh kisan sabha was set up in 1920, which succeeded in integrating all the grassroots kisan sabhas of Avadh. This Avadh kisan sabha appealed to the kisans to refuse to till bedakhli land and not to do begar. The Avadh rent act of 1921 attempted to address to some of these demands. Towards the end of 1921 another movement grew in some areas of Avadh under the name of Eka [unity] movement. The main cause of discontent was that the rent in these areas of Avadh was 50% higher than recorded rent. Severe repression by the government brought this movement to an end. The Malabar area of Kerala, which had witnessed disturbance even in the nineteenth century in August 1921, witnessed rebellion by Mappila [Muslim] tenants. Nambudri Brahmins landlords exploited the Mappila tenants. This rebellion had started as an anti-government anti-landlords affair but acquired communal colours. It was crushed ruthlessly by the government. Another important struggle of the peasantry broke out in 1928-29. A thirty percent increase in rent was recommended in the Bardoli taluka of the Surat district in 1926. The peasantry fought under the able leadership of Sardar Patel the peasants fought and forced the government to withdraw the increase in rent.

The 1930s witnessed a countrywide awakening of Indian peasants. The economic depression of 1929-30 and consequent drastic fall in prices of agricultural commodities had badly hit the income of the peasants. But the government and the Zamindars refused to bring down tax and rent. There was a spurt in peasant movements in U.P., Andhra and Bihar. The left ideology propagated by J.L. Nehru, Subhash Bose and the communists was gaining in influence. The leftists underlined the need of an independent class organization of peasants. The All India Kisan Sabha was formed in 1936 with Sahjanand, the founder of Bihar Kisan Sabha as president and N.G. Ranga, the founder of Andhra kisan movement as secretary. The birth of an all India organization representing the aspirations and common demands of peasants from all over the country was a development of great significance.

The Indian national congress shied away from raising the issues concerning the peasants more particularly the tenants living in the zamindari areas. According to Bipan Chandra Congress did not want to weaken Indian nationalism, by dividing our people in political groups based on different economic interests. In 1930 the eleven-points submitted to the British government by Gandhi did not include the main demands of the peasants like reduction of rents and redemption of agricultural indebtedness. The

formation of the Congress ministries in a majority of the provinces raised the expectations of the peasants. These ministries brought many legislations aiming at debt relief, restoration of land lost during depression and security of tenures to the tenants. These steps did not affect the conditions of peasants belonging to lower strata. Many kisan leaders were arrested and their meetings banned. The congress was accused of being anti-peasant. The radical elements within the kisan sabha accused the congress of siding with the capitalists and zamindars.

After the end of world war second when independence appeared imminent the peasants started asserting their rights. The demand of zamindari abolition was raised with a great sense of urgency. In Telangna the peasants organized themselves to resist the landlord's oppression and played an important role in the anti Nizam struggle. In 1946 the Bengal provincial Kisan Sabha led the movement of the share croppers who wanted to pay only one third and not half share of their crop any more to the jotedars. This movement came to be known as Tebhaga movement.

4.4.5 Rise of Modern Indian Intelligentsia

In the early decades of the nineteenth century the number of the educated persons were very small. The spread of modern education was largely the work of the British government. But the Christian missionaries and a large number of enlightened Indians had also established schools and colleges all over the country. Around the middle of the nineteenth century there emerged a large section of intelligentsia. They assimilated western democratic culture and understood the complex problems of the incipient Indian nationhood. They led many social and religious reforms movements to integrate Indian people into a modern nation. The intelligentsia was the first to acquire national consciousness. The people who led the nationalist movement during its different phases may have believed in different ideologies but they all belonged to the same class, the intelligentsia.

Leaders like Gopal Krishna Gokhle, Dadabhai Naoroji, M.G. Ranade and others led the moderate phase of the nationalist movement. In the militant phase the trio of Lala Lajpat Rai, Bal Gangadhar Tilak and B.C. Pal together with Aurobindo Ghose were main leaders. When the freedom struggle acquired a mass base after the non-cooperation movement of 1919 its leadership passed into the hands of leaders such as M.K. Gandhi, Motilal Nehru, Ballabh Bhai Patel, J.L. Nehru, S.C. Bose and intellectuals with socialist and communist leanings. All of them were products of the modern education system. This class was fired with a modern rational, secular, democratic and nationalist vision they were imbued with ideas of democracy, equality, liberty and justice. They fully realized the negative impacts of the British rule and could grasp the contradiction between British interest in India and the Indian interest according to Bipan Chandra it would be wrong to think that the nationalist movement was a product of modern education system launched during the British rule. In fact Indian nationalism was born out of and sustained by conflict of interests between India and Britain. The modern education system helped to understand the nature of conflict in a better way. This class, which included scientists, poets, historians, economists and philosophers, had a dream of a modern, strong, prosperous and united India. Most of the progressive social, religious and political movements were organized by them during the British rule. Their role was crucial because

they had to spread consciousness among illiterate, ignorant, superstitious masses.

The middle class, which comprised of lawyers, doctors, professors, journalists, government employees, students and others, was the product of modern education system. In the second half of the nineteenth century their number swelled because of the expansion in the number of schools and colleges. But the growth in the numbers of educated Indians was not matched with corresponding increase in number of jobs. The economic policies followed by the government failed to create adequate number of jobs that could absorb the educated persons produced by the academic institutions. The discontent among the educated unemployed was the main factor behind the rise and growth of militant nationalism led by Lala Lajpat Roy, Bal Gangadhar Tilak, Bipan Chandra Pal and Aurobindo. This was true also about the growth of revolutionary terrorist movements.

4.5.6 The Capitalist Class

The emergence of the capitalist class was the result of the opening up of the Indian economy to the world capitalist system, the process of industrialisation and the growth of the banking sector. Thus the mercantile, industrial and financial capitalists were born. The accumulation of sufficient savings in the hands of Indian merchants, princes, zamindars and moneylenders provided the basis for the emergence of the Indian industries. The industrialisation of the country started with the setting up of cotton textiles, jute and coal mining industries in 1850s. But most of these industries were owned by the British capitalists because investment in India offered them the prospect of high return due to availability of raw material and labour at cheap rate. Besides, they could count on an oblong colonial government and bureaucracy. But the Indian capitalists had to suffer hostile trade, tariff, taxation and transport policies of the government. In its infancy Indian industries needed protection for rapid growth. All other industrialised countries had protected their infant industries by imposing heavy customs duties on imports from foreign countries. A policy of free trade was imposed upon India to suit the interest of British industries because India was not a free country.

From the beginning most of the cotton textiles industry was owned by the Indians. The Swadeshi and Boycott movement launched by the Indian National Congress in 1905 gave a fillip to the expansion of the Indian industries. The period of the first world war [1914-1918] proved to be a boon for the Indian industries. The diversion of shipping to the war needs had made imports difficult. Therefore, to cater to the war needs many industries were established. Between 1914 to 1947 the Indian capitalist class grew at a faster pace and encroached upon areas of European domination. Towards independence Indian capitalist class owned around seventy percent of the market and eighty per cent of deposits in the organized banking sector.

The rising capitalist class had become quite powerful and conscious by 1905. This class supported the Swadeshi and Boycott movement launched by the Indian National Congress because the objective of the movement suited their class interest. After the First World War and more particularly after 1919-20 the influence of this class started increasing in the nationalist movement and the Indian national congress. According to Bipan Chandra it is true that the congress accepted funds from the capitalist class but inspite



of this the congress maintained its independent position on policy and ideological matters. According to A.R. Desai the capitalist class was attracted towards congress because of Gandhi's leadership, his theory of social harmony, his opposition to the idea of class struggle and his concept of trusteeship.

The capitalist class was aware of the contradiction the interest of the colonial government and their own independent growth. They realized that a national government would provide better atmosphere for their growth. The Indian capitalists were making efforts since 1920s towards forming a national level organization of Indian commercial, industrial and financial interests. These efforts culminated in the formation the Federation of Indian Chambers of Commerce and Industry in 1927. The F.I.C.C.I. was very soon recognized as national guardian of trade commerce and industry. It pledged its support to the Indian freedom struggle since its inception.

During the 1930s the congress was getting increasingly radicalized under the leadership of Nehru and the socialists. The fear of radicalization did not push the capitalist class to align with the imperialists. The Post War Economic Development Committee set up by the capitalists in 1942 drafted the Bombay Plan, which attempted to accommodate socialist demands like equitable distribution of property, partial nationalization and land reforms without capitalism surrendering its basic features.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

1) Comment of the role of education in rise of modern Indian intelligentsia.

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2) What was the nature of relationship between the Indian National Congress and the Indian capitalists?

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4.4.7 Rise of the Working Class

The modern working class made its appearance in India in the second half of the nineteenth century with the growth of modern industries, railways, post and telegraph network, plantation and mining. In the beginning the Indian working class was formed out of popularised peasants and ruined artisans. The peasants were pauperized because of high land tax, fragmentation of holdings and growing indebtedness. The artisans were forced to join the rank of workers because their products could not compete with the cheaper machine made goods from England. The workers were living in inhuman and degrading condition without any trace of even the minimum duties performed

by the authorities towards them. S.V. Parulekar, who was the Indian delegate at the International Labour Conference held at Geneva in 1938 described the situation of the Indian workers in these words- in India the vast majority of workers get a wage which is not enough to provide them with the meanest necessities of life. According to R.P. Dutt under the enlightened protection of the civilized British Raj filth ridden conditions, limitless exploitation and servitude of the Indian workers were zealously maintained.

The labour movements started in an organised way only after the end of the First World War. Before the war there were strikes and agitations mostly sporadic, spontaneous, lacking long term objectives, devoid of class consciousness, and based on local and immediate grievances. The worsening economic condition of the workers due to the economic crisis that followed the war, the socialist revolution in Russia, the Non-cooperation and Khilafat movement in the country formed the background in which All India Trade Union Congress [A.I.T.U.C.] was borne in 1920 mainly due to the efforts of leaders like N.M. Joshi, Lala Lajpat Roy and Joseph Baptista. Its stated objective was to coordinate activities of all organizations in all the provinces of India to further the interests of Indian labour in economic, social and political matters. The Indian National Congress at its Gaya session in 1922 welcomed the formation of the A.I.T.U.C. and formed a committee of prominent congressmen to assist in its works. According to Bipan Chandra early nationalists paid relatively little attention to the question of labour despite their wretched condition because taking up the issues of labour versus indigenous employer would have weakened the common struggle against imperialism. Another reason for not taking up the issues of worker was the belief of the early nationalists that industrialisation could solve the problems of poverty.

In the second half of the 1920s there was a consolidation of left ideological forces in the country. There developed a left wing leadership even with the trade union movement. In 1928 the left wing including the communists succeeded in acquiring dominant position inside the A.I.T.U.C. The old leadership represented by the Joshi group became in minority. This led to a split in A.I.T.U.C. The workers participated in large numbers in strikes and demonstrations all over the country under the influence of the communists and the radical nationalists. They also participated in Simon boycott demonstration. The government implicated almost the entire radical leadership in the Meerut conspiracy case.

Before the elections for the provincial government in 1937 the Congress had promised to take steps for settling the labour disputes and securing rights to form union and go on strike. The civil liberties had increased under the Congress government. It reflected in the phenomenal rise in the trade unions. There were some charges of undemocratic and pro-capitalistic legislations like Bombay Trade Dispute Act and there were cases of banning labour meetings and imprisonment of labour leaders. When the Second World War started in 1939 the working class of Bombay was amongst the first in the world to hold anti-war strike in which 90,000 workers participated. With the Nazi attack on the Soviet Union in 1941 the communists argued that the character of the war had changed from imperialist war to people's war. They were of the view that the working class should now support the allied powers and dissociate themselves from the Quit India Movement of 1942.



Inspite of the indifference of the communists towards it, the Quit India Movement had its impact on the workers. After the arrest of Gandhi and other leaders there were strikes all over the country. There were strikes between 1945-47 in support of the I.N.A. prisoners in Calcutta when their trial began. There were strikes by Bombay workers in solidarity with mutiny of the Naval Ratings in 1946.

The emergence of the new classes in India proved to be an event having far-reaching implications. Generally the enlightened sections of these classes strengthened the freedom struggle but there were reactionary trends also. The reactionary section of the intelligentsia spread distrust among different communities, which manifested in growth of communalism. The abolition of zamindari was essential for the improvement in the condition of the rural masses. The Indian capitalist class never supported this demand. Another important fact was that while these classes combined together to win independence their vision of post-Independence India, and the form of state the socio-economic structure were divergent.

Check Your Progress Exercise 3

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

1) What was the attitude of the working class towards the Simon Commission?

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2) What was the attitude of the provincial governments led by the Congress towards the working class?

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4.5 LET US SUM UP

During the colonial period several new classes emerged in India. These included Zamindars, tenants, peasant-proprietors, moneylenders and agricultural labourers in the rural areas, and the capitalists, modern intelligentsia and working class in the cities. They were borne out of the development of capitalist system, new administrative structure and education system. These classes played roles in the national movement depending on their class positions and interests.

4.6 SOME USEFUL BOOKS

Desai, A.R., *Social Background of Indian Nationalism*, Bombay, 1976.

Dutt, R.P. *India Today*, Calcutta 1970.

Misra, B.B., *The Indian Middle Class*, London, 1961.

Chandra, Bipan, et. al. *Colonialism, Freedom Struggle and Nationalism in India*, Delhi.

4.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Introduction of capitalist system, new administrative structure and a modern education system.
- 2) To protect their interests by creating a loyal class, which could provide them revenue and other kinds of support to dominate India.
- 3) By extracting rent, eviction from the land and physical torture.

Check Your Progress Exercise 2

- 1) It inculcated the ideas of rationalism, equality, democracy.
- 2) The Indian capitalist class funded the Congress, they supported the national movement led by the Congress.

Check Your Progress Exercise 3

- 1) They opposed it.
- 2) The Congress governments took steps in settling the labour disputes, and securing the rights of the working class. However, in provinces like Bombay it took anti-working class measures.

UNIT 5 THE MAKING OF INDIAN CONSTITUTION

Structure

- 5.0 Objectives
- 5.1 Introduction
- 5.2 The Meaning of Constitutional Government
- 5.3 The Roots of the Constituent Assembly of India
- 5.4 The Cabinet Mission Plan
 - 5.4.1 A Constituent Assembly
 - 5.4.2 The Federal Formula
 - 5.4.3 A Three-Tier Federation
 - 5.4.4 An Odd Procedure
 - 5.4.5 No Way Out of a Group
- 5.5 The "Grouping" Controversy
- 5.6 Composition of the Proposed Constituent Assembly
- 5.7 An Interim Government
- 5.8 The Constituent Assembly and Partition
- 5.9 Parties in the Constituent Assembly
 - 5.9.1 Congress Dominance
 - 5.9.2 Leadership of the Constituent Assembly
 - 5.9.3 The Opposition in the Constituent Assembly
 - 5.9.4 The Fence-Sitters
- 5.10 Work of the Constituent Assembly
- 5.11 Status of the Constituent Assembly
- 5.12 Let Us Sum Up
- 5.13 Some Useful Books
- 5.14 Answers to Check Your Progress Exercises

5.0 OBJECTIVES

The Unit deals with the processes, factors and people relating to the framing of our constitution. After going through this unit, you will be able to explain:

- The meaning of a constitutional government;
- How and why India decided to frame its Constitution;
- Which body of people framed this Constitution; and
- How the Constitution was framed.

5.1 INTRODUCTION

Modern democracies are based on the theory of constitutional government. The Indian Constitution established a republican democracy. Its authority is derived from the people and it is the supreme law of the land.

5.2 THE MEANING OF CONSTITUTIONAL GOVERNMENT

There are broadly two kinds of Constitution in the democratic world:

- a) The Constitutions that have grown gradually over decades and centuries through customs, conventions, legislative enactments and judicial decisions - as in the United Kingdom and the British Dominions like Canada, Australia and New Zealand.
- b) The Constitutions that were framed by representative assemblies—usually after revolutions—to make a fresh start of a new regime. These representative

assemblies have been variously named as National Assemblies, Constitutional Conventions and Constituent Assemblies.

In both these types of constitutions, however, the Constitution means a body of fundamental laws, that cannot be easily changed and that have to be respected by all governments and all citizens.

5.3 THE ROOTS OF THE CONSTITUENT ASSEMBLY OF INDIA

The idea of a Constituent Assembly to frame a Constitution for a country was alien to the British imperial practice. It was first demanded by the Indian National Congress in 1934. The Muslim League was opposed to it because it suspected that a Constituent Assembly elected by adult franchise would be dominated by the Congress whom the League considered to be a Hindu party.

5.4 THE CABINET MISSION PLAN

In January 1946 there were elections to the provincial legislatures. In March, the same year, a committee of the British Cabinet, known as the Cabinet Mission, led by Sir Pethick-Lawrence, visited India to assess the Indian political situation and frame a scheme for making a constitution for India. The Cabinet Mission held a conference at Shimla to bring about an understanding among the major political parties but failed to achieve it. So the Mission issued its own plan.

5.4.1 A Constituent Assembly

The plan made by the Cabinet Mission recommended for a Constituent Assembly consisting of the representatives of all the major groups. The Cabinet Mission thought that, though the ideal way to form it would be through election on the basis of adult suffrage, there was no time left for that. Earlier that year provincial legislatures had been elected on the basis of a limited franchise and communal electorates. The Cabinet Mission proposed that the Constituent Assembly be elected by those provincial assemblies.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of the unit.

1) What do you mean by a constituent assembly?

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2) What was Cabinet Mission and what was its plan?

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5.4.2 The Federal Formula

The Cabinet Mission held that, as the Muslims were apprehensive of a unitary, Hindu-majority state, the constitutional structure should be federal. The provinces should have maximum autonomy and the Central government should have minimum power—such as on foreign affairs, defence and communication. The Union could raise necessary financial resources required for the administration of such subjects.

The Union would include not only the British Indian provinces but also the princely states so long under the paramount power of the British Government. All the residual powers — that is, powers not given to the Union, — would belong to the provinces and states.

The Union should have an executive and a legislature consisting of representatives of the provinces and the states. Any question raising a major communal issue in the legislature should require for its decision a majority of the representatives present and voting of each of the two major communities, that is, Hindu and Muslim.

5.4.3 A Three-Tier Federation

The Cabinet Mission made an extraordinary proposal: 'Provinces should be free to form groups with executives and legislatures, and each group could determine the provincial subjects to be taken in common'. This would create a third-tier of government between the Union and the provinces hitherto unknown to the federal practice.

5.4.4 An Odd Procedure

More extraordinarily, the Cabinet Mission itself laid down a procedure for the Constituent Assembly that would necessarily create groups in a communal way. According to that procedure provinces would sit in three sections as determined by the Mission. Two of such sections would be Muslim-majority and the third section would be Hindu-majority. The Hindu-majority section - Section A - would be made up of the provinces of Madras, Bombay, United Provinces (now Uttar Pradesh:UP), Bihar, Central Province (now Madhya Pradesh:M.P) and Orissa. Section B would comprise Punjab, Baluchistan, the North-West Frontier Province and Sind. Section C would be made up of Assam and Bengal. Assam itself was not a Muslim-majority province. But Bengal and Assam together would be a Muslim-majority section (Section C).

The third extra-ordinary phenomenon was a partial application of the communal veto. No decision on a major communal issue could be taken in the Constituent Assembly without a majority of the members of the two major communities (General and Muslim) agreeing to it. This principle, however, would not apply to the sections where a simple majority was enough to take any decision.

5.4.5 No Way Out of a Group

The fourth extraordinary phenomenon was the formula that, once a section formed a group constitution, no province would be free to withdraw from the group it was in. A province could leave such a group only after the first general election held under the group constitution.

5.5 THE 'GROUPING' CONTROVERSY

The groups, as a result, would be the most important level of government. The group constitution would effectively take precedence over the provincial as well as the Union constitution. The sections would first frame the provincial constitutions and their own constitutions before sitting together to frame the Union Constitution. The

provincial "freedom" was thus a farce. The provinces were free only to join the groups as pre-determined by the Cabinet Mission. They were free to leave the group only if the group constitution left scope for it.

The Congress party feared that the groups would frame the election rules in such a way that, after the elections, the provincial legislatures would be so constituted as to make such withdrawal impossible. This would satisfy the Muslim League's demand of Pakistan and would be unjust to the provinces like Assam and the North-West Frontier Province where the Congress was dominant.

5.6 COMPOSITION OF THE PROPOSED CONSTITUENT ASSEMBLY

The 292 Constituent Assembly seats were allotted to the governors' provinces according to the strength of their population. The Chief Commissioners' provinces were to be represented by four members. Ninety three seats were allotted to 566 princely states. It was later agreed between the Negotiating Committees of the Constituent Assembly and the Princes that half the members representing the princely states would be elected and the rest nominated by the Princes.

5.7 AN INTERIM GOVERNMENT

The Cabinet Mission proposed that, while the work of Constitution making would proceed, the government should be carried on by the Governor-General with the help of representatives of the major parties. There was some difference between the Congress and the Muslim League on the composition of the Interim Government. But they were sorted out. A new Executive Council was set up first with mostly Congress members and then including Muslim Leaguers.

5.8 THE CONSTITUENT ASSEMBLY AND PARTITION

The difference on the grouping plan for the Constituent Assembly, however, could not be resolved. The Congress agreed to sit in the sections but refused to join the groups that the sections might decide upon. The Muslim League would not join the Constituent Assembly unless the Congress agreed to the grouping arrangement set by the Cabinet Mission Plan. Ultimately, when the Constituent Assembly was convened by the Governor-General, Lord Mountbatten, on 9 December 1946, the Muslim League members were absent. They did not join the Assembly until after the decision to partition British India was taken. When this happened on 14 July 1947, only 23 Muslim Leaguers arrived at the Constituent Assembly of India. The others went to the Constituent Assembly of Pakistan.

5.9 PARTIES IN THE CONSTITUENT ASSEMBLY

Partition, in fact, reduced the strength of the Constituent Assembly of India by about a third. All parties lost their members though the Congress strength was proportionately increased. A few more members were later added following arrival of refugees from Pakistan. Most of the representatives of the princely states joined the Constituent Assembly of India.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of the unit.

1) What was the proposal of the Cabinet Mission Plan on the Interim Government?

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2) What was the relationship of the Muslim League with the Constituent Assembly?

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5.9.1 Congress Dominance

In this Constituent Assembly Congress had an overwhelming majority. But the Congress party had nominated several members from outside the party's fold. Many of them were legal experts and leading legislators in the previous British Indian legislatures. Several brilliant officials of the British Indian government, led by Sir B.N. Rau, were drafted for the work of the Constituent Assembly. Experts from outside were frequently consulted. Precedents of the foreign Constitutions were carefully studied.

5.9.2 Leadership of the Constituent Assembly

There were two broad types of leadership in the Constituent Assembly: (1) political and (2) technical. Because of the predominance of the Congress party the political leadership naturally vested in its leaders. The top of this leadership consisted of Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad and Dr. Rajendra Prasad. Granville Austin calls the Nehru-Patel-Azad-Prasad team 'the oligarchy.'

Below this level there were the cabinet ministers at the centre, provincial prime ministers, former Congress presidents like Pattabhi Sitaramaiya and important Congress leaders like K.M. Munshi, Thakurdas Bhargava, A.V. Thakkar and Sri Prakasa.

Outside the party's pale there were the legal luminaries of the time and statesmen of the liberal tradition like Alladi Krishnaswami Ayyar, N. Gopalaswami Ayyangar, B.R. Ambedkar, K.M. Panikkar, Pandit Hriday Nath Kunjru (Who was not a member of the constituent Assembly) and, in the early days, B.L. Mitter. Of these leaders K.M. Munshi within the Congress and B.R. Ambedkar from outside combined their technical brilliance with statesmanship as did some Congressmen like K. Santhanam and T.T. Krishnamachari whose association with the party was not long. Krishnamachari, a critic of some aspects of the Draft Constitution, was actually included in the Drafting Committee in late 1948.

5.9.3 The Opposition in the Constituent Assembly

The shape of the opposition in the Assembly was, however, unstable. The Cabinet Mission had divided the Indians into three communities — the General, the Muslims and the Sikhs. The Congress party overwhelmingly dominated the 'General' section and had come into an agreement with the Sikh *Akal Panth*. It also had nominated a few nationalist Muslims like Abul Kalam Azad and Rafi Ahmed Kidwai.

The strength of the Muslim League had been drastically reduced after partition. To cap it all, after Gandhiji's assassination, the Muslim League in India dissolved itself and most of its members joined the Congress Party. Sir Mohammad Saadullah, among them, was included in the Drafting Committee of the Constituent Assembly. Only the Madras provincial unit of the Muslim League decided to retain its identity and acted as a consistent but negligible opposition.

The only Communist member of the Constituent Assembly, Somnath Lahiri, lost his membership after the partition of Bengal. So did B.R. Ambedkar, leader of the Scheduled Castes Federation, who had first been elected to the Constituent Assembly from Bengal. He was nominated by the Congress from Bombay in the vacancy created by the resignation of the liberal Hindu Mahasabhaite, M.R. Jayakar. He later became Chairman of the Drafting Committee.

5.9.4 The Fence-Sitters

The Congress had nominated not only two Hindu Mahasabha leaders — M.R. Jayakar and Syama Prasad Mukherjee — but also two socialists and two Forward Bloc members. In early 1948 the Socialists and the Forward Bloc severed their connections with the Congress and directed its members to resign from the Assembly. The members declined and continued in the Constituent Assembly.

Such people, as several Congressmen, were critical of several aspects of the Constitution, but could not be called consistent 'oppositionists'. At the end of the Constituent Assembly's work most of them expressed satisfaction. Some Muslim Leaguers and the Akali member, Sardar Hukum Singh, however, remained strong critics of the Constitution for its denial of political status of the minorities to the Muslims and the Sikhs.

5.10 WORK OF THE CONSTITUENT ASSEMBLY

The Constituent Assembly set up a large number of committees on procedural and substantive matters. Some of the Committees consulted outsiders besides discussing issues thoroughly. After preliminary works were completed and the reports of the committees were discussed in the Constituent Assembly, they were forwarded to the Drafting Committee for incorporation of the recommendations in the Draft Constitution. The Draft Constitution was moved in the Constituent Assembly. There were three readings of the Draft Constitution in the way all legislations have. Some of the draft provisions were discussed again and again. The debate was thorough and intensive. After nearly three years of work the Constituent Assembly of India produced the world's biggest written Constitution. It was authenticated by the Chairman of the Constituent Assembly, Dr Rajendra Prasad, on 29 November 1949 and came into force on 26 January 1950. Meanwhile, 554 princely states merged with a republican India.

5.11 STATUS OF THE CONSTITUENT ASSEMBLY

This authentication of the Constitution by the Chairman of the Constituent Assembly had a great legal significance. The Constituent Assembly had been set up not as a sovereign body. It was expected to draft a Constitution for enactment by the British Government. Partition was a result of the British refusal to treat the Constituent Assembly as a sovereign body. The Indian Independence Act, 1947, authorised the Governor-General of India to give assent to the Constitution. The Constituent Assembly did not do even that and got the Constitution authenticated by its own chairman. It was an assertion of the sovereign authority of the Constituent Assembly.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of the unit.

1) How many types of leadership were there in the Constituent Assembly? Discuss.

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2) Into how many communities were Indians divided by the Cabinet Mission Plan?

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5.12 LET US SUM UP

A Constituent Assembly is a body of people that frames the fundamental laws of a country. The Constituent Assembly of India was summoned by the British Governor-General. The limitations on the powers of the Constituent Assembly ended after the partition of British India. Most of the princely states joined the Constituent Assembly of India. The Constituent Assembly was virtually dominated by the Congress party led by Nehru, Patel, Azad and Rajendera Prasad. But there was a great deal of consensus on the basic structure of the Constitution. The Constituent Assembly worked for nearly three full years through committees and general sessions. It produced the world's largest Constitution. The Constitution was authenticated by the Chairman of the Constituent Assembly.

5.13 SOME USEFUL BOOKS

Austin, Granville, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, 1966.

Chaube, Shibani Kinkar, *Constituent Assembly of India: Springboard of Revolution*, New Delhi, Manohar, 2000

Chaube, Shibani Kinkar, *Colonialism, Freedom Struggle and Nationalism in India*, Delhi, Book Land, 1996.

5.14 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) A constituent assembly is the body of experts which makes the constitution of any country.
- 2) It was a Committee of the British Cabinet. Its purpose was to assess the political situation in India and to frame a scheme for making a constitution for India.

Check Your Progress Exercise 2

- 1) It recommended that while the process of constitution making would continue, an interim government would be formed under the Governor-General with the help of representatives of parties.
- 2) The Muslim league did not join the Constituent Assembly.

Check Your Progress Exercise 3

- 1) Two types of leadership : (1) Political and (2) Technical.
- 2) Into three communities – the General, the Muslims and Sikhs.

UNIT 6 BASIC FEATURES

Structure

- 6.0 Objectives
- 6.1 Introduction
- 6.2 Government of India Act, 1935
- 6.3 Constituent Assembly
- 6.4 Essential Features
 - 6.4.1 Sovereign, Democratic, Republic
 - 6.4.2 Union of States
 - 6.4.3 Fundamental Rights
 - 6.4.4 Directive Principles of State Policy
 - 6.4.5 Fundamental Duties
 - 6.4.6 The Union: Executive, Legislature and Judiciary
- 6.5 Emergency Provisions
 - 6.5.1 General Emergency
 - 6.5.2 Declaration of Constitutional Emergency
 - 6.5.3 Financial Emergency
- 6.6 Federalism
 - 6.6.1 Centre-State Relations
- 6.7 Relative Flexibility
- 6.8 Let Us Sum Up
- 6.9 Key Words
- 6.10 Some Useful Books
- 6.11 Answers to Check Your Progress Exercises

6.0 OBJECTIVES

In this Unit we shall discuss the salient features of the Indian Constitution in the backdrop of the relevant events that preceded the coming into force of the Constitution. After going through this unit you should be able to:

- List out the essential features of the Indian Constitution; and
- Highlight the significance of the salient features.

6.1 INTRODUCTION

The Constitution of India is the will of the people of the country. It sets the broad functional parameters of governance. The Constitution was prepared after lengthy deliberations in the Constituent Assembly, which began on 6 December 1946 and came into force on 26 January 1950.

6.2 GOVERNMENT OF INDIA ACT, 1935

The precursor to the Indian Constitution was the Government of India Act of 1935, usually referred to as the 1935 Act. The Indian Independence Act, 1947 held that until a new Constitution came into force, the 1935 Act would be the Constitutional Law of India.

The 1935 Act was the product of the Report of a Joint Select Committee that was discussed in the British Parliament before finally receiving the assent of the Queen, on 2 August 1935. Some of the features of the 1935 Act, with modifications though, were later incorporated in the Constitution of India. These include a federal structure

in the form of a Union government and State government(s) [Centre and State(s)] and the division of powers between them [Union List, State List and Concurrent List] bicameral Legislature—the Lower House and the Upper House [Lok Sabha and Rajya Sabha at the Union level; and State Legislative Assembly and State Legislative Council, at the State level], Federal Court [the Supreme Court].

6.3 CONSTITUENT ASSEMBLY

For the purpose of writing a constitution, a Constituent Assembly was convened. Constitution making was no easy task. The Constitution had to live up to the aspirations of the people who had been exposed to several centuries of injustice, social exploitation and discrimination, as well as two centuries of colonial dominance. Moreover, if it were to be applicable and acceptable to diverse religious, political and regional sections, it had to embody their interests. The motto with which the constitution-making exercise was undertaken was 'consensus', rather than the 'majority principle'. In this, representatives from diverse ideological backgrounds, and several of them with a legal background, worked together. At the head of the exercise was Dr. Rajendra Prasad, a veteran of the freedom movement who was later to hold the office of the President of India for two successive terms, and the leading light was the first Prime Minister of Independent India, Jawaharlal Nehru. Renowned members of the Assembly included T T Krishnamachari, Dr. B R Ambedkar, Alladi Krishna Swami Iyer and Gopalaswami Aiyangar, Shyama Prasad Mukherji, J B Kriplani, Vallabhai Patel and Pattabhi Sitaramayya.

There were to be 381 members in the Constituent Assembly. They represented the various political parties and belonged to the Congress Party, Communist Party of India, Praja Party, Krishak Praja Party, Scheduled Castes Federation, Non-Congress Sikhs, Unionist Muslims and the Muslim League. Besides, independent Members and representatives from the Governor's Provinces and the Princely States were also represented in the Assembly. There never was this full strength of the Assembly.

The provisions of the Constitution were extensively debated upon in the several Committees that were formed for the purpose before being presented to the Assembly for its consideration. On the basis of the deliberations in the Assembly, the Drafting Committee, which was constituted on 29 August 1947, prepared the draft text of the Constitution. Dr. B R Ambedkar was the chairman of the Drafting Committee. The final document, after making amendments to the draft Constitution, was signed on 26 November 1949, and two months later it came into force. We have examined the constitution-making exercise in greater detail in Unit 5 of Block 2.

It is, indeed, creditable that the Members of the Constituent Assembly completed the exercise of preparing a Constitution within a period of three years and appended their signatures to the document while it took many more years for other countries to have their first Constitution. Also, it goes to the credit of the country and is a testimony to the broad vision of the Constitution makers that the Constitution of India was never abrogated, and a new one introduced. The Indian Constitution was never seriously questioned since the time it came into force. The changing requirements were attended to through effecting amendments to the Constitution while its essential features were retained; they occasionally came under strain, though.

6.4 ESSENTIAL FEATURES

The essential features of the Constitution of India are as follows: The Constitution is supreme; The sovereignty of India cannot be surrendered or pledged; India is a Republic and cannot be turned into a monarchy; Democracy is a way of life than merely providing for adult franchise; Secularism and independent judiciary are two



pedestals of this democracy. Amendments to the Constitution can be made without altering its essentials. We shall discuss some of these features.

6.4.1 Sovereign, Democratic, Republic

The 'Preamble' to the Constitution declares that the people of the country are the sovereigns. In other words, 'sovereignty' rests in the people and is exercised through the institutions that have been created for that purpose. The sovereignty of the country can not be pledged, i.e., India can not be turned into a colony or a dependency of another country. The entire course of the Freedom Movement was on this quintessential principle of sovereignty.

In the Preamble it is also stated that the country shall be a Republic and shall adhere to a democratic form of government. In a Republic there is no scope for a Monarch to reign over the people, but the people themselves rule the country through their elected representatives.

6.4.2 Union of States

An important feature of the Constitution is that it has constituted India as a Union of States (Art 1). There is also scope in the Constitution to create new States as well as to admit new ones. Notable examples of these are the formation of States, for the first time after in 1956 by bifurcating some of the then existing States on a linguistic basis—Andhra Pradesh, Tamil Nadu, Karnataka and Kerala. Through the bifurcation of the Bombay State Maharashtra and Gujarat were formed. More recently, in the year 2000, three new States—Uttaranchal, Chattisgarh and Jharkhand- were created. An example of the admission of new States into the Indian Union is the admission of Sikkim, in 1975, till then a protectorate of India, into the Union. The provision for admitting new States should also be understood in the context that some of the Princely States were yet not ready by the time the Constitution would come into force to become part of India. The Nizam's State of Hyderabad is one such example. And, besides, there were French and Portuguese colonies—Pondicherry and Goa that remained to be integrated with India.

The Constitution, thus, provides for creating new States and admitting new territories. Once they become part of India they do not have the right to secede.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Try to write the answers in your own words.

1) What was the principle that formed the constitution making exercise in India.

.....
.....

2) Which was the state admitted into the Indian Union in 1975?

.....
.....
.....

3) Republic is a form of government in which

.....
.....
.....

6.4.3 Fundamental Rights

The Fundamental Rights provided for in the Constitution could be summarised as Right to Equality, Right to Freedom, Right Against Exploitation, Right to Religion, Cultural and Educational Rights and the Right to Constitutional Remedies. The Right to Property was made a legal right through the Forty Fourth Constitutional Amendment Act, and is hence, not a Fundamental Right now. In the larger interests of the country, the property belonging to any person can be acquired by paying a 'compensation'.

The Fundamental Rights are enshrined in Part III of the Constitution, and their implementation is guaranteed by the Supreme Court. In other words, Fundamental Rights are justiciable. Indeed, some of the Fundamental Rights, it might be noted, are applicable only to the citizens of the country and not to foreigners. Article 20, Article 21 and Article 22 are, however, applicable to all. At the same time, it should also be borne in mind that what is applicable is the 'restriction' on the Right.

Except during an 'Emergency', Fundamental Rights cannot be suspended. However, even during an Emergency Article 20 Article 21 cannot be withheld. The Constitution was amended by the Forty Fourth Amendment Act and through Article 359-1A it was stated that Article 20 and Article 21 cannot be suspended even when a proclamation of Emergency is in operation.

Right to Freedom

The Constitution also ensures the Right to Freedom under Articles 19 to 22. Article 19 guarantees the right to freedom of speech and expression, right to peaceful assembly, right to form associations, right to visit and reside in any part of the country and the right to profess and practice ones religion. These rights too, are subject to any reasonable restrictions that can be imposed by the state under clauses 2 to 6 of Article 19.

Article 20 guarantees that no person shall be punished on the basis of laws that are enacted after a crime has been committed (protection from *ex post facto* laws), protection from being punished more than once for the same offence (protection from double jeopardy) and protection from standing trial against oneself (protection from self-incrimination). Article 21 ensures the protection of 'personal life and liberty'. In other words, the state does not have the right to take away the life of a person, except through the procedure established by law. Article 22 prohibits detention of person's without trial. However, preventive detention of a person up to three months and, in some cases, beyond that is permitted.

Right to Equality

Article 14, guarantees the Right to Equality before the Law and the Right to Equal Protection of the Laws. In other words, this article ensures that all persons can be tried in a court of law and every person can approach the courts for justice and that no person shall be discriminated against in the application of laws, nor can any person claim special privileges and favouritism.

Article 15 guarantees protection from discrimination on the basis of 'religion, race, caste, sex or place of birth', and provides for equal access and thus the Right against Discrimination. It also, however, states clearly that the state can make special provisions for the uplift of certain categories of people like socially and culturally backward classes and Scheduled Castes and Scheduled Tribes. An example in this context is the reservation provided in educational institutions and in the public services to the disadvantaged sections of the society. As one commentator observed, "the framers of the Indian Constitution sought to shape an overarching Indian identity even as they acknowledged the reality of pluralism by guaranteeing fundamental rights, in some cases through specific provisions for the protection of minorities."

Article 16 provides for the Right to Equality of Opportunity in employment. Continuing with its desire to ensure equality of all citizens, the Constitution also abolished 'Untouchability' whose practice is a crime under Art 17, while Article 18 abolished Titles.

6.4.4 Directive Principles of State Policy

The Directive Principles of State Policy (DPSP) are an adaptation from the Irish Constitution. These are broad guidelines which have to be borne in mind while enacting laws and in implementing them. Unlike the Fundamental Rights, the DPSP are not justiciable. Simplistically understood the DPSP have a 'welfare' connotation. The Constitution does not provide for their guarantee and, therefore, their enforcement can not be questioned in a court of law.

Fundamental Rights and the DPSP "together, not individually" form the core of the Constitution; "the true conscience". The DPSP prescribes that the state shall ensures (a) adequate means of livelihood for all, (b) distribution of wealth and control over it, rather than concentration, in the common good, (c) equal pay for equal work for both men and women (d) non-abuse of the health of all workers and (e) the protection of the children of the country from exploitation and their growth in an atmosphere of freedom and dignity.

6.4.5 Fundamental Duties

The Fundamental Duties enshrined in the Constitution are intended to obligate all the citizens to strive for the common benefit of all. They are expected to accord respect to the Constitution, the National Tri-colour and the Anthem. They are called upon to strive for upholding the unity and integrity of the country and work for a harmonious society setting aside all divisive tendencies. The citizens of the country have a duty to protect its resources both natural and material and work towards higher levels of achievement.

6.4.6 The Union: Executive, Legislature and Judiciary

There are, as all students of Political Science know, three organs or branches of government, i.e., legislature, executive and judiciary. A harmonious functioning among the three is vital for the furtherance of a country.

Legislature

At its Independence, India chose to adopt a parliamentary form of government. In such a form of government, the President is the Head of the State while real executive power is exercised by the Head of Government, the Prime Minister, in association with his Council of Ministers, all of who are collectively responsible to Parliament.

Executive

In India, the legislature and the executive are drawn from one another, while the judiciary is an independent body. The legislature comprises of the House of People (Lok Sabha), Council of States and the President of India. A member of the Union Council of Ministers has necessarily to be a member of either of the lower house, the Lok Sabha or the Upper house, the Rajya Sabha.

President

Both the houses of Parliament and the legislatures in the States elect the President by means of a 'single transferable vote'. The Office of the President, its functions, powers tenure, method of election and re-election, impeachment, and the qualifications

required to hold the office are enunciated in Articles 52 to 62. All activities of the state are carried out in the name of the President as the executive power is vested in the President (Art 52). As in the United States, in India, too, the President is the Supreme Commander of the Armed Forces. The President summons both the houses of Parliament and addresses its joint sessions. He has the power to remit sentences and grant reprieve. He appoints all the important functionaries of the state such as the Prime Minister and the Council of Ministers, Judges of the Supreme Court and High Courts, the Attorney General, Governors of States, Chairpersons of Commissions like the Election Commission of India and heads of organisations like the Comptroller and Auditor General of India (C&AG).

Prime Minister and Council of Ministers

The Prime Minister is the Head of Government and presides over the meeting of the Union Council of Ministers. It needs to be kept in mind that there is a difference between the Cabinet and the Council of Ministers; the Cabinet is composed of Ministers of Cabinet rank and Ministers of State, while the Council also includes the Deputy Ministers. The Council of Ministers is collectively responsible to Parliament. Activities of the Ministries are brought under scrutiny by the opposition during the two-hour long Question Hour at the beginning of each day of the Session in Parliament. The Council of Ministers makes recommendations to the President, in what is called 'aids and advises', in the affairs of the country. Important among the recommendations that we should be aware are those relating to dissolution of the Lok Sabha, declaring war or declaring a 'state of Emergency'.

Legislature/Parliament

The Indian Parliament is the supreme law-making body of the country. It is a bicameral legislature as in the United Kingdom, the United States and several other countries. The upper house is known in Hindi as the Rajya Sabha and in English as the Council of States. It comprises the Chairman, who is also the Vice-President of India, the elected members and 12 nominated members, each holding a term of six years, with one-third of its membership retiring every two years.

A significant aspect and point of difference between the Rajya Sabha and its equivalent, the American Senate is that the membership of each State in it is proportional to its population, whose legislative assembly elects the members of the Rajya Sabha. Thus, all States of the Indian Union do not send an equal number of representatives.

The lower house of Parliament is the House of the People, better known as the Lok Sabha. Its members are elected for single term of five years or less directly by all eligible voters by means of 'universal adult suffrage' from territorially delimited constituencies.

The Rajya Sabha has little power over money bills. These can not be introduced in the Rajya Sabha. It has to return such bills to the Lok Sabha with its recommendations within 14 days, and it is for the Lok Sabha to accept or reject any of its recommendations. In case of a deadlock over a non-money bill between the Lok Sabha and the Rajya Sabha, the President convenes a joint sitting of the two houses to debate and vote on the bill.

A bill takes the form of an Act only after the President gives his assent to the same. The President is empowered to withhold assent to a bill passed by both houses of Parliament or refer it to Parliament with his suggestions. There have been very few occasions when the President withheld his assent, but of course, on the premise that the bill ran in contradiction with 'public opinion'. One such instance was the Postal Bill that was thought to be infringing on the privacy of the people.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Try to write the answers in your own words.

1) What rights do Article 20 and 21 deal with? Can these rights be restricted or temporarily suspended?

.....
.....

2) What are the Fundamental Duties enshrined in the Indian constitution?

.....
.....

3) The Union Cabinet consists of

- a) The Prime Minister, Ministers of Cabinet rank and Ministers of State.
- b) Cabinet rank Ministers and Ministers of State
- c) Prime Minister and Cabinet rank Ministers

Judiciary

The third and very important organ of the government is the Judiciary. The highest court of appeal is the Supreme Court. The Supreme Court has both appellate and original jurisdiction, as do the High Courts in the respective States.

The Supreme Court is the custodian of the Constitution. Laws enacted by the legislature can be declared invalid by the Supreme Court, if it is of the opinion that they are not in conformity with the provisions of the Constitution. This power is known as the power of 'judicial review'. Besides, the Supreme Court and the High Courts can also issue writs to the government and its agencies. A well-known example is the Writ of Habeas Corpus. By pleading for the issuance of such a writ an applicant asks the Supreme Court to direct the concerned police authorities to present before the court a person who is missing and is believed to be under their custody.

The President of India appoints all Judges of the Supreme Court and High Courts and the Chief Justices. The Constitution also clearly lays down the procedure for impeaching the Judges and Parliament alone can impeach a Judge of the Supreme Court. The instance of initiating the impeachment of a Supreme Court Judge occurred just once, when Justice K Ramaswamy was sought to be impeached, but the motion failed to succeed.

The Supreme Court and Parliament have on occasion entered into a tug. This was finally resolved with the Constitution Amendment Act stating that the Supreme Court has the power only to state whether an Act was in contravention of the provisions of the Constitution or not.

6.5 EMERGENCY PROVISIONS

Emergency Provisions are enshrined in Part XVIII of the Constitution under Articles 352 to 360. There are three types of Emergency that can be declared.

6.5.1 General Emergency

An emergency can be proclaimed when the security of the country is under threat or is under the danger of a threat from hostile countries during times of war or

external aggression or armed rebellion. (Article 352). Emergency was declared under this provision for the first time in the wake of the war with China on October 26, 1962. It continued upto January 10, 1968. Another proclamation of emergency took place on December 3, 1971, in the wake of the India-Pakistan war. During its continuation, a third Emergency was declared was on June 25, 1975. It was revoked in 1977. Critics argue that the third emergency was intended more to retain Mrs. Indira Gandhi in power than there was the actual threat. It was the darkest period for Indian democracy as there were arbitrary detentions for a prolonged period of time and accusations of widespread infringement of Fundamental Rights.

6.5.2 Declaration of Constitutional Emergency

The most contentious and abused emergency provision is Article 356. If the President receives a report from the Governor of a State stating that the constitutional machinery has broken down or that the administration of the State can no longer be carried out in accordance with the provisions laid down in the Constitution of India, an emergency can be declared in that State. The President may do so even if he is otherwise satisfied of a constitutional breakdown in a state. The provision allows dismissing the State government and bringing it under President's Rule or Central Rule. Under such a condition, the Governor of the State assumes all functions and carries out the administration in the State, on behalf of the President, i.e. the Centre, with the aid of his advisors appointed by the President upon the recommendation of the Union Council of Ministers.

There were several instances when Article 356 was brought into force in various States. The first instance of dismissing a State government by invoking Article 356 even while it continued to enjoy the confidence of the State Legislature occurred in 1959, in Kerala, when the Communist government of the day was dismissed. It generated a major controversy and it was argued that it was a wrong decision as the government commanded a majority on the State Assembly. On the other hand, the supporters of the decision held that public dissatisfaction manifest in the form of agitation against the government and its policies was reason enough to conclude that there, indeed, was a break down of law and order, and, hence, it was correct to impose President's Rule.

Other instances include the dismissal of State governments en masse twice, in 1977 after the Janata Party swept the general elections and subsequently in 1979 when the Congress Party returned to power. Other contentious occasions on which invoking the provision was resorted are in 1984 in Andhra Pradesh and later in Karnataka when the S R Bommai government was dismissed, and the court later subsequently held that the decision was incorrect.

6.5.3 Financial Emergency

Financial emergency can be declared under Article 360 in conditions in which the financial stability or credit of the country or any part of the country is threatened. However, as provided for in the Forty Fourth Constitutional Amendment Act of 1979, such a proclamation needs to be approved by the both the Lok Sabha and the Rajya Sabha within two months from the date of its proclamation, or, if the Lok Sabha is at that time dissolved, within 30 days from the date it (the new house) is reconstituted.

6.6 FEDERALISM

At the time of Independence the diversity of the country was such that the Constitution makers thought it fit to have a strong Union government (Centre) within a federal framework. Provisions relating to Centre-State relations are enumerated in Part XI

of the Constitution. The Indian Constitution provides for governments with specified powers in the various States, too. India's Constitution thus has both centralising and de-centralising features.

For more than a decade and a half after Independence, the Centre and the States had almost no problems. Scholars attribute this to the existence of Congress governments in most of the States in the country as well as at the Centre, the towering personality of the then Prime Minister, Jawaharlal Nehru, and also the leadership in the States as well as at the Centre that was less prone to schism, but guided more by idealism. The balance in relations tilted more in favour of the Centre when Indira Gandhi was the Prime Minister of the country. This was due not only to the Emergency that was imposed in 1975, but also because of weak leaders at the State-level whose survival in political power was dependent on the clout that they could wield at the Central level.

By the 1990s, at least a few of the States came to exercise greater leverage vis-à-vis the Centre. A Central government that lacked an absolute majority in Parliament had to depend on the support of its regional allies—the Dravida Munnetra Kazhagam and the All-India Anna Dravida Munnetra Kazhagam in Tamil Nadu, the Telugu Desam in Andhra Pradesh, Shiv Sena in Maharashtra, National Conference in Jammu and Kashmir, the Asom Gana Parishad in Assam, and the more recent splinter groups of the erstwhile Janata Party that have established themselves in the different States.

6.6.1 Centre-State Relations

Problems in Centre-State relations came to the fore after non-Congress governments came to power in several States—Orissa, West Bengal, Kerala, Punjab, Uttar Pradesh and Bihar in the late 1960s.

Financial Relations

Another contentious issue is the sharing of financial resources between the Centre and the States and allocation of Central grants to various States. While States have since long been demanding the allocation of larger portions, a new proposition suggested is allocation on the 'basis of performance'.

Governor's Rule

Yet another point of difference is the 'imposition of Governor's Rule on a State and his/her role while in office, besides that of his/her abrupt removal. Governors are generally appointed with the concurrence of the Chief Minister of the concerned State, and the Sarkaria Commission, too, in 1988, recommended the same. The recommendation, however, has not always been adhered to, as. The Sarkaria Commission sought to herald co-operative federalism. However, most of its recommendations await implementation.

6.7 RELATIVE FLEXIBILITY

The Indian Constitution provides room for amendment. In this sense, the Constitution is not rigid unlike that in some other countries. As has been noted by several scholars, a Constitution is a living document and, hence, it has to reflect the changing times. An amendment to the Preamble made the principle of secularism an integral feature of the Constitution.

When a Constitution is amended it is expected that it would bring a change for the better. In other words, it would 'give more' than 'take away any'. Article 368, together with other articles, empowers Parliament to make amendments to the Constitution. In fact, the occasion for debate, on what the fundamental features of the

Constitution are, was created when certain amendments were made to the Constitution. The amendment procedure laid down in the Constitution is both rigid and soft for different articles. While some need only a simple majority, most need a majority of two-thirds present and voting in both the Houses of Parliament and the assent of the President. The toughest amendment procedure prescribed requires, besides the two-thirds present and voting and requirement, also the consent of at least half the number of Legislatures in States in the country. And further more, it also requires the assent of the President.

Two of the most vehemently contested aspects were one, on the authority of Parliament to effect amendment itself to any article of the Constitution and two, on who holds supremacy of decision over an amendment.

While the Indian Parliament held that it was the supreme authority and had, therefore the right to amend any article in the Constitution, its critics said it was the Constitution that is supreme and not Parliament, whose creation Parliament was as much as any other institution. It was, in the final analysis, resolved that Parliament is rightfully authorised to amend the Constitution, but only so long as it did not amend the 'basic features of the Constitution. Besides, the Supreme Court has the power to decide whether an amendment to the Constitution, indeed, were against the basic features of the Constitution or not.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.

i) Try to write the answers in your own words.

1) What is habeas corpus?

.....

2) Examine the Parliaments powers to amend the Constitution of India.

.....

3) Can the Indian Parliament amend the basic structure of the Constitution?

.....

6.8 LET US SUM UP

The Indian Constitution is a successful document and it has sought to foster the best democratic tradition. The tradition that it had established had the resilience to correct occasional anomalies, which itself is proof of its success. The Constitution incorporates federalism, guarantees the fundamental rights of the people of the country, a system of checks and balances through the institutions of President, Council of Ministers, Parliament and the Supreme Court.

6.9 KEY WORDS

Constitutional guarantee of Rights : The protection that the Constitution explicitly offers from being violated by the state.

Council of Ministers : It comprises of the Prime Minister, Cabinet Ministers, Ministers of State and Deputy Ministers.

Amendment	:	A definitive and formal process of Constitution change
Bicameral	:	A Parliament that has two Houses (an Upper House and a Lower House).
Enactment	:	The point at which a Law, as expressed in an Act of Parliament, comes into force.
Executive	:	Those from within the Government who define and implement policy, and who are answerable to Parliament for their administration.
Ex post facto	:	From or by an after act, or thing done afterward; in consequence of a subsequent act; retrospective.

6.10 SOME USEFUL BOOKS

Austin, Granvill, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, 1996.

Bakshi, P. M., *The Constitution of India (with special comments by the author)* University Law Publishing House, 1999.

6.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Decisions based on consensus.
- 2) Sikkim.
- 3) People themselves rule through their elected representatives.

Check Your Progress Exercise 2

- 1) Article 20 guarantees fair trial and Article 21 protects an individual's life and liberty. While restrictions can be placed on most Fundamental Rights under certain circumstances, the 44th Amendment stated that Article 20 and Article 21 cannot be restricted even during an Emergency.
- 2) Citizens are obligated to strive for the common benefit of all, uphold the; unity and integrity of the country, work for a harmonious society and protect the country's resources.
- 3) A.

Check Your Progress Exercise 3

- 1) It's a writ issued by the court to the state authorities to 'produce the body' or person before the court.
- 2) Parliament can amend some articles of the Constitution with a simple majority, but most amendments require the approval of two-thirds of the members sitting and voting and the assent of the President. A few even require the additional consent of at least half of state legislatures.
- 3) Since the Constitution and not the Parliament is supreme, the Parliament cannot amend or alter the basic feature of the Constitution.

UNIT 7 VISION OF SOCIAL TRANSFORMATION

Structure

- 7.0 Objectives
- 7.1 Introduction
- 7.2 Significance of a Written Constitution
 - 7.2.1 Constitution as a Positive Law
 - 7.2.2 Its Contractual Nature
 - 7.2.3 Philosophy of a Constitution
 - 7.2.4 Constitution and Justice
- 7.3 Preamble to a Constitution
- 7.4 The Indian Vision
 - 7.4.1 The Anti-Imperialist Legacy
 - 7.4.2 Movements for Social Justice
 - 7.4.3 The Nationalist Programme
- 7.5 Rights as the Core of the Nationalist Programme
 - 7.5.1 Influence of Socialism
 - 7.5.2 Poverty Relief and Planning
 - 7.5.3 Role of the Leftist Groups
 - 7.5.4 Opposition to Caste Oppression
- 7.6 Ideological Limitations
 - 7.6.1 Class Character of the Indian National Congress
 - 7.6.2 Stress on Politics
- 7.7 The Congress Consensus
 - 7.7.1 The Parliamentary Tradition
 - 7.7.2 Federalism
 - 7.7.3 Welfarism
- 7.8 Unfolding of the Socio-Economic Programme
 - 7.8.1 The Strategy
 - 7.8.2 The Specific Objectives
- 7.9 The Congress Resolution on the Objectives of the Constitution
- 7.10 The “Objectives Resolution” of the Constituent Assembly
- 7.11 Structural Limitations
- 7.12 Let Us Sum Up
- 7.13 Some Useful Books
- 7.14 Answers to Check Your Progress Exercises

7.0 OBJECTIVES

The leaders of the Indian National movement had a vision of social transformation. The Constituent Assembly, representing various groups of the society incorporated this vision in the Constitution of India. After going through this unit, you will be able to understand:

- the outlook and the philosophy of the Indian Constitution;
- the ideas and the dreams of the leaders of the Indian freedom movement;
- the way they were articulated; and
- the extent of consensus as well as conflict that worked behind the making of the Indian Constitution.

7.1 INTRODUCTION

In the unit 6 we have seen the evolution of the idea of a Constituent Assembly in India during the freedom movement and the way the leaders of India framed a

Constitution. That Constitution is not only the world's largest Constitution, it also reflects a great vision for the future of India as a sovereign democratic republic where justice, liberty and equality will build a firm unity and integrity of the nation.

7.2 SIGNIFICANCE OF A WRITTEN CONSTITUTION

There are four points about a written Constitutions:

7.2.1 Constitution as a Positive Law

A constitution derives its authority from itself. It is, therefore, *future - oriented*. As a body of supreme laws the Constitution takes precedence not only over all other laws but also over all customs, traditions and faiths. Such customs and traditions, etc., are valid as long as they do not conflict with the Constitution. In other words, no provision of the Constitution can be challenged on the plea that it is inconsistent with the tradition, belief and faith inherited from the past.

7.2.2 Its Contractual Nature

Further, a democratic Constitution is a kind of contract among the people or, at least, the bulk of the people. It is based on consensus — a product of bargain among several persons and groups. Such a contract cannot satisfy all persons fully. But it does satisfy most of them partly. In other words, it is a kind of common minimum programme of a majority of the people which does not harm the minority interests.

7.2.3 Philosophy of a Constitution

Every democratic Constitution has a philosophy and a vision which can be summed up as *growth with stability*. These two concepts are inter-related. Without growth no stability can be ensured and without stability no growth can be achieved.

7.2.4 Constitution and Justice

Integrally connected with the concept of growth with stability is the concept of justice. No unjust system can make people happy. And an unhappy people cannot work either for stability or for growth of a country.

7.3 PREAMBLE IS A CONSTITUTION: ITS PURPOSE

In all the written democratic constitutions one finds a Preamble which presents a vision for the future. All such visions tend to reject the shortcomings and prejudices of the past social and political order and promise to build a future that is just, happy and dignified. Democracy is essentially transformational. The vision of social transformation is reflected in the preamble of the Constitution of India is given below:

“We the people of India, having solemnly resolved to
Constitute India into a Sovereign Socialist Secular
Democratic Republic and to secure to all its citizens:
Justice, social, economic and political;
Liberty of thought, expression, belief, faith and worship;
Equality of status and of opportunity; and to promote among
Them all..
Fraternity assuring the dignity of individuals and the unity
and integrity of the Nation.

In our Constituent Assembly; this twenty-sixth day of November, 1949, do Hereby Adopt, Enact and Give to Ourselves This Constitution.”

7.4 THE INDIAN VISION

Such a vision of transformation is embedded in popular aspirations. It develops historically. The vision of the Constitution of the United States of America, for instance, developed out of the War of Independence of 1776 which, in turn, sprang from the liberal democratic environment of the eighteenth century.

7.4.1 The Anti-Imperialist Legacy

In India this vision developed out of her struggle against the British empire and was nourished by the liberal democratic thinking in the developed world. It was first expressed by the critiques of colonial rule in the late nineteenth century by people like Dadabhai Naoroji, M.G. Ranade and R.C. Dutt. End of imperialism was seen to be the basic pre-condition of India's progress. In the twentieth century such critiques grew into the freedom movement.

7.4.2 Movements for Social Justice

Side by side with this broad anti-imperialist struggle grew the demands for social justice. Jyotiba Phule enlarged the social reform agenda of the earlier nineteenth century thinkers and activists like Rammohan Roy, Iswar Chandra Vidyasagar and Dayananda Saraswati.

7.4.3 The Nationalist Programme

The Indian National Congress was born through a moderate effort to unify all sections of Indians though, initially, it was elitist. In the twentieth century its anti-imperialist content was gradually unfolded. Simultaneously, it tried to stress not only communal unity but also the need for social and economic justice in the Indian nation, Indian nationalism was a product of all these forces.

7.5 RIGHTS AS THE CORE OF THE NATIONALIST PROGRAMME

The resolution on Fundamental Rights that was passed at the Karachi session of the Indian National Congress in 1931 was the first comprehensive, though not complete, statement of the social and economic goals of the freedom movement.

7.5.1 Influence of Socialism

Since the Bolshevik Revolution (1917) the idea of socialism was catching the imagination of the Indians. Within the Congress its strongest advocate was Jawaharlal Nehru who, however, did not approve of the authoritarian trend of the Soviet polity. Gandhiji did not approve of the socialist doctrine of class conflict but worked for social and economic justice.

7.5.2 Poverty Relief and Planning

After the passage of the Government of India Act, 1935, several provincial governments granted relief to the poor peasants. The Congress President appointed a National Planning Committee. After World War II the Congress adopted the programme of and reform including the abolition of Zamindari system.



7.5.3 Role of the Leftist Groups

In the 1930s leftist parties and groups arose within the Congress and outside it. They were strong advocates of socialism and land reform. Even the Krishak Proja Party of Bengal and a section of the All-India Muslim League were supporters of socialism and land reform.

7.5.4 Opposition to Caste Oppression

Dr. B.R. Ambedkar shared the belief in socialism and land reform but was more concerned with the welfare and progress of the people oppressed by the caste system.

In short, by the time of Independence, in India the outlines of the principles of growth with justice had become fairly visible.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of this unit.

1) How did the vision of social transformation develop in India?

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2) What was the first comprehensive statement on the vision of social transformation?

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3) Comment on the influence of socialism on Indian imagination.

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7.6 IDEOLOGICAL LIMITATIONS

In the realisation of such a vision, however, there were two limitations.

7.6.1 Class Character of the Indian National Congress

The Indian National Congress which dominated the Constituent Assembly of India was not a socialist party. Nor was it a party of social reform devoted to the abolition of caste system. Such ideas were subsidiary to the primary concern of the Indian National Congress which was political freedom.

7.6.2 Stress on Politics

The Constituent Assembly of India was engaged in preparing a Constitution for the governance of India. That Constitution, essentially, was to be a political document. In fact, when two members of the Constituent Assembly (Syed Hasrat Mohani, a Muslim Leaguer, and K.T. Shah, a Congressman) moved for incorporation of the term 'socialist' in the Preamble to the Indian Constitution, the Drafting Committee turned it down on the plea that a Constitution need not enshrine a social philosophy. Dr. B.R. Ambedkar, Chairman of the Drafting Committee, voiced the same opinion on the floor of the Constituent Assembly.

7.7 THE CONGRESS CONSENSUS

The broad ideas of the Indian National Congress about the Constitution could be summed up as :

- a) a parliamentary government;
- b) a politically centralised but culturally diversified federal state; and
- c) a dynamic social order.

7.7.1 The Parliamentary Tradition

The tradition of parliamentary government had been developing ever since the introduction of the Montague-Chelmsford reforms in 1919. Though the Congress did not take part in it, the Liberals did. There was even an indirect participation in them by the Congress through the Swarajya Party in 1923 even though the Swarajya Party never accepted office. The Muslim League had similar experience with the 1919 reforms. Both the Congress and the Muslim League of course accepted office under the Government of India Act, 1935. By that time the Liberals had lost their influence and mostly joined the Congress. In the Constituent Assembly very few members desired a presidential system of government.

7.7.2 Federalism

The idea of a federation sprang from the devolution of powers by the Government of India Act, 1935, too. The All-Parties Conference of 1928 had earlier suggested a federal form of government to manage the religious and linguistic diversities of the country. The Partition weakened the case of federalism on religious ground. But the Congress was committed to linguistic provincialism since at least 1920. The federal idea, therefore, was not given up.

7.7.3 Welfarism

The Indian freedom movement was a mass movement and required the participation of the broadest section of the masses that were made up of poor, uneducated and backward people. The idea of a mass welfare, however, varied from person to person and section to section of the political leadership. Here lay the major ideological differences.

7.8 UNFOLDING OF THE SOCIO-ECONOMIC PROGRAMME

There was a common realisation that freedom would be the threshold of socio-economic prosperity. The manifesto of the Congress Party for the Provincial Assembly elections of early 1946 promised the following:

Industry and agriculture, the social services and public utilities must be encouraged, modernised and rapidly extended.

7.8.1 The Strategy

For this purpose the Congress suggested necessary strategy which aimed:

- a) to plan and co-ordinate social advance in all fields,
- b) to prevent concentration of wealth and power in few hands,
- c) to prevent vested interests inimical to society from growing, and
- d) to have social control of the mineral resources, means of transport and principal methods of production and distribution in land, industry and in other departments of national activity.

7.8.2 The Specific Objectives

The specific objectives mentioned in the Congress manifesto were:

- a) Reform of land system in order to remove intermediaries between the state and the peasants — on payment of equitable compensation - was urgently necessary.
- b) Promotion of educational opportunities and health services was needed.
- c) Improvement of the workers' condition in industry and removal of rural indebtedness were promised.
- d) The party looked forward to international cooperation and friendship.

7.9 THE CONGRESS RESOLUTION ON THE OBJECTIVES OF THE CONSTITUTION

This broad humanitarian and welfarist programme with the flavour of democratic socialism - was concretised step by step. The Congress leaders were aware that the Constitution was primarily a political document. So it must state the political structure first. The broadest outline of this structure was spelt out in the Congress resolution on the objectives of the Constitution passed on November 20, 1946, twenty days before the Constituent Assembly met.

According to this resolution the Congress stood for an independent sovereign republic wherein all powers and authority are derived from the people. It further wanted a Constitution wherein social objectives are laid down to promote freedom, progress and equal opportunity for all the people of India. It would enable this ancient land attain its rightful and honoured place in the world and make its full contribution to the promotion of world peace and the progress and welfare of mankind.

7.10 THE "OBJECTIVES RESOLUTION" OF THE CONSTITUENT ASSEMBLY

The 'Objectives Resolution' that was moved by Jawaharlal Nehru in the Constituent Assembly on December 13, 1946, spelt out the goal of social transformation further: According to this resolution the Constitution would guarantee to all the people of India:

- 1) justice, social, economic, and political;
- 2) equality of status, of opportunity and before the law;
- 3) freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and
- 4) adequate safeguards for minorities, backward and tribal areas, and depressed and other backward classes.

In course of the nearly three years of its working the Constituent Assembly worked out a Constitution in which these objectives of social transformation were sought to be enshrined in the Preamble, in the Fundamental Rights, in the Directive Principles of State Policy and several special provisions for the backward and underprivileged sections of the people. The process did not stop at the making of the Constitution. Amendments have been made and are foreseen for the furthering of these objectives.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of this unit.

1) Identify the limitation in the realisation of the vision of social transformation.

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2) What is the relationship of the idea of federalism with the Government of India Act, 1935?

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3) What were the goals mentioned in the "Objectives Resolution"?

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7.11 STRUCTURAL LIMITATIONS

A Constituent Assembly can only give shape to a transformation that has been brought about by a social or political revolution. A Constituent Assembly cannot make a revolution.

Besides, a liberal democratic constitution cannot itself provide for radical social transformation. It merely provides for a democratic political structure

Neither was it in the powers of the Constituent Assembly nor was it its intention to set up a socialist state. It was argued that a Constitution does not lay down an economic system. But it could permit the creation of a certain socio-economic order. In fact, it was realised by the leadership that the social objectives of the Constitution remained unfulfilled. Dr. Rajendra Prasad, Dr. B.R. Ambedkar and others warned that if these objectives were not soon achieved the political structure created by the Constituent Assembly would not be stable.

7.12 LET US SUM UP

A Constitution is a positive law which is future-oriented. It dictates the future affairs of the country and is above all other laws, customs and beliefs. It is also a contract

among the multitude of the people. It partly satisfies every one. There is a vision for every democratic constitution — to ensure freedom, growth and justice. The Indian freedom movement was long committed to such goals. The primary business of the Constitution is political. Yet, it sets up such goals for a polity in the Preamble and the body of fundamental rights. The Indian Constitution laid down both, rather elaborately. It, further, included the Directive Principles of State Policy.

7.13 SOME USEFUL BOOKS

Austin, Granville, *The Indian Constitution: Cornerstone of a Nation*, Oxford University Press, 1966.

Chaube, Shibani Kinkar, *Constituent Assembly of India: Springboard of Revolution*, New Delhi, People's Publishing House, 1973.

Chaube, Shibani Kinkar, *Colonialism, Freedom Struggle and Nationalism in India*, Delhi, Book Land, 1996.

7.14 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) It developed out of her struggle against the British empire, which was nourished by the liberal democratic thinking developed in the world.
- 2) It was first expressed by the critique of colonial rule by people like Dadabhai Naoroji, M G Pandae and R. C. Dutt.
- 3) As a result of its impact there developed a socialist bloc within the Congress.

Check Your Progress Exercise 2

- 1) Class character of the Indian National Congress and stress on politics.
- 2) It sprang from the devolution of powers enshrined in the Government of India Act, 1935.
- 3) Mainly justice, equality, freedom of all section of society.

Structure

- 8.0 Objectives
- 8.1 Introduction
- 8.2 What is Citizenship?
 - 8.2.1 Citizenship and Individualism
 - 8.2.2 Citizenship and Multiculturalism
- 8.3 Citizenship and Rights in the Indian Constitution
 - 8.3.1 Who are the Citizens of India?
 - 8.3.2 Recognition of Community in Indian Citizenship
 - 8.3.3 Directive Principles of State Policy
 - 8.3.4 Rights and Franchise
 - 8.3.5 Duties of Citizenship
- 8.4 Tensions in Citizenship
 - 8.4.1 Citizenship and Gender
- 8.5 Pathways to Citizenship
- 8.6 Let Us Sum Up
- 8.7 Key Words
- 8.8 Some Useful Books
- 8.9 Answers to Check Your Progress Exercises

8.0 OBJECTIVES

The constitution of India is a comprehensive document giving details about the rights and citizenship. When you finish reading this unit you should be able to understand the legal-formal aspects of citizenship as incorporated in Part II of the Constitution of India. Reading it with Part III, IV and IVA of the Constitution on Fundamental Rights, Directive Principles and Fundamental Duties respectively, you should also be able to comprehend the nature of citizenship as envisaged by the constitution makers. After going through this unit you should be able to explain:

- the meaning of citizenship
- the specific nature of citizenship in India
- citizenship and rights in the constitution of India
- the elements of citizenship
- pathways to citizenship
- paradoxes / tensions and criticisms of citizenship

8.1 INTRODUCTION

Citizenship presents a range of issues and questions viz., what is citizenship? Is it a legal status allowing the enjoyment of certain rights or does it involve also duties and responsibilities? What are the elements of citizenship? Who is a citizen? What is the relationship between the citizen and the state? These and other questions have been at the core of what may be called a 'theory of citizenship'. It must be borne in mind that while citizenship aims to assure equality, socio-economic categories of gender, class, caste, race, nationality etc., determine the extent to which we enjoy our rights of citizenship, have access to the various conditions essential for the full development of our personalities, or even the extent to which we can exercise our duties of citizenship. While technological advances and globalisation have brought peoples of the world and within states closer, there is also a growing awareness of cultural differences among them. Important questions pertaining to inequalities among

nation-states in the world and within them along lines of gender, class, caste, ethnicity, nationality etc., have been raised. While one may have grown up thinking that citizenship has to do with individual rights and duties, there has been a growing realisation that cultural / religious communities, while participating in the common national life, have also the right to maintain their own cultures. Rights of citizenship therefore, also have to cater to the needs of specific cultural groups. Issues of community rights have thus acquired much significance in recent scholarship and policy decisions. When we proceed to the other sections we must keep in mind the issues raised here viz., issues of individual and community rights and the various factors which determine the enjoyment of citizenship rights, in other words, citizenships' relationship to caste, class, gender, ethnicity and national identity.

8.2 WHAT IS CITIZENSHIP?

Perhaps the most widely accepted definition of citizenship is 'full and equal membership in a political community'. This definition was given by the English Sociologist T. H. Marshall in his work *Citizenship and Social Class* written in 1949. The philosophical roots of this definition can be traced to the Greek and Roman conceptions of *man as a political being* and citizenship as *the capacity to govern and to be governed*. While the former is indicative of the primacy accorded to a man's identity as citizen (restricted only to free native-born men) requiring active participation in the political community (city-states), the Roman tradition brought in the idea of citizenship as a legal / juridical status implying equality before the law. The *janapadas* of ancient India with their unique system of participatory decision-making in popular assemblies of the people (the *sabhas* and *samitis*) which in some instances also elected the king, draw affinity with elements of Greek citizenship in that both are associated with autonomous, self-governing communities requiring active participation of citizens in the governance of the community.

8.2.1 Citizenship and Individualism

It was, however, the French Revolution and the 'Declaration of the Rights of Man and Citizens' that established the notion of the citizen as a 'free and autonomous individual' entitled to take part in making decisions that all are required to obey, combining thereby the classical notions of citizenship with individualism. With the development of capitalist market relations and the growing influence of liberalism in the nineteenth century, the notion of the citizens as individuals with private and conflicting interests gradually gained primacy. The ideas of citizenship as a primarily civic activity, public spiritedness and active political participation in a community of equals were now being seen as belonging to the past.

8.2.2 Citizenship and Multi-culturalism

In much of liberal theory till most of the twentieth century, the bias in favour of the individual citizen continued and citizenship was seen as a legal status indicating the possession of rights which an individual citizen held equally with others. The dominant liberal model of citizenship has, however, been criticised precisely on these grounds. The idea that the (individual) citizen can enjoy rights independent of the community to which he/she belongs, has been questioned. Given that modern societies are multicultural, the specific contexts, cultural, religious, ethnic, linguistic, etc., of citizens are being seen as determining citizenship in significant ways. In most western societies ethnic, religious and racial communities have pressed for rights which would look at their special needs and would thereby substantiate the formal equality of citizenship. There is a growing effort to redefine citizenship by giving due importance to cultural differences among individuals and strike a balance between the numerous cultural, religious, ethnic, linguistic identities while constructing a common political

identity of the citizen of the nation. A notion of 'differentiated citizenship' has therefore gained currency to accommodate the needs of specific cultural groups.

8.3 CITIZENSHIP AND RIGHTS IN THE INDIAN CONSTITUTION

In this section we shall study the definition, nature and scope of citizenship in India. The enforcement of the Constitution on 26th January 1950 made an important difference to the status of the people of India. They were no longer British subjects, but citizens of the Republic of India and derived their status as such from the Constitution, which they, in their collective capacity as the 'people' of India (through their 'representatives' in the Constituent Assembly) enacted, adopted and gave to themselves. Implicit in the Preamble is the commitment to 'secure' to all its citizens, justice, liberty, equality and fraternity — ideals, which set the grounds for giving substance to citizenship.

8.3.1 Who are the Citizens of India?

Part II of the Constitution (Articles 5 to 11), titled *Citizenship*, answers the question 'Who is a citizen of India?' at the time of the commencement of the Constitution on 26 November 1949, i.e. the date on which the Constitution was *adopted* by the Constituent Assembly. While the Constitution came into full force only on 26 January 1950, provisions dealing with citizenship (Articles 5 to 9), became operative on the date of its commencement. The distinction between the Indian citizen and the non-citizen (alien) thus became effective on this date. While a citizen enjoys certain rights and performs duties which distinguish him/her from an alien, the latter has certain rights of 'personhood' which s/he possesses irrespective of the fact that s/he is not a citizen. Under Articles 5 to 8 of the Constitution the following categories of persons became the citizens of India at the date of the commencement of Constitution:

- a) those domiciled and born in India;
- b) those domiciled, not born in India but either of whose parents was born in India;
- c) those domiciled, not born in India, but ordinarily resident in India for more than five years;
- d) those resident in India, who migrated to Pakistan after 1 March 1947 and returned later on resettlement permits;
- e) those resident in Pakistan, who migrated to India before 19 July 1948 or those who came afterwards but stayed on for more than 6 months and got registered;
- f) those whose parents and grandparents were born in India but were residing outside India.

Through Article 11 the Constitution authorised the Parliament to make laws pertaining to acquisition and termination of citizenship subsequent to the commencement of the Constitution. The Citizenship Act (LVII of 1955) made elaborate provisions specifying how citizenship could be acquired by birth, descent, registration, naturalisation or through incorporation of territory. The Act was amended in 1986 to deal with large-scale migration from Bangladesh, Sri Lanka and some African countries. Unlike the United States of America (U.S.A.) where citizens have dual citizenship, national citizenship and that of the federal unit (states), Indians do not have separate citizenship of the states. Unlike some countries which allow its citizens to hold simultaneously the citizenship of two countries (e.g., multiple citizenship is permitted in Italy), an Indian citizen loses her/his citizenship if s/he acquires the citizenship of another country.

8.3.2 Recognition of Community in India's Citizenship

We mentioned in the previous section that the notion of citizenship as prevalent in the nineteenth century and understood thereafter, was largely a system of rights and obligations that defined the relationship between nation-states and their individual members. The defining parameters of this relationship was constituted by equality and freedom. Equality hinted at an identity and sameness as against iniquitous systems based on ascriptive hierarchies of race and caste. Freedom read with equality would then imply a freedom to pursue individual aims and aspirations to the best of one's capacities in conditions where social differences have been negated or minimised. The citizen in liberal theory was thus the 'floating individual' shorn of all characteristics of his / her social context. It may be pointed out, however, that these defining principles of citizenship were not seen as commensurate with the kind of social relations which existed in non-western societies e.g., India, where religion and caste were seen as the basis of social life. This so called 'difference' in the organisation of the social structures in the West and East was sought by the colonisers as a justification for subjecting the colonised population(s) to imperial rule. We also saw that liberal theory in the eighties is increasingly seeking ways to accommodate itself to multicultural societies in the West and the realisation that community membership forms a significant determining factor of the individual member's needs and capacities.

If one reads carefully Part III of the Constitution of India enumerating the Fundamental Rights of the citizens of India, one notices that both the individual and the community have been made the subjects of these rights. One can say therefore, that there exists two languages of rights in the constitution, one catering to the individual citizen and the other to the community. By and large Articles 14 to 24 appear to give to individual citizens the various rights of equality and freedom while Articles 25 to 30, seem to cater to the specific needs of religious-cultural communities. A closer reading of the Articles would, however, show that there is in fact no compartmentalisation and some seemingly individual-catering rights are interwoven with a commitment to community rights. If, for example, one looks at Articles 14 and 15, one sees that they assure equality before the law for every citizen and seek to substantiate this equality by prohibiting discrimination based on caste, religion, race etc., thus mitigating differences provided by social contexts. The articles, however, also reserve for the state a commitment to community-ship, in other words, allowing for certain rights in favour of Scheduled Castes, Scheduled Tribes and Other Backward Classes. Thus Article 15 lays down that 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them' and then in clause (4) reserves for the state the right to make 'any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes'. Similarly Article 16 which guarantees equality of opportunity for all citizens in matters of public employment, also provides for compensatory discrimination in favour of certain communities. Article 17 abolishes untouchability, a debilitating condition imposed on the Scheduled Castes. Articles 25 to 30 concern themselves with freedom of religion and minority rights assuring freedom of conscience, the freedom to religious communities to establish and maintain religious institutions and to 'manage their own affairs in matters of religion', to acquire and administer property, impart religious education, preserve their language, script, culture etc. This cluster of rights deals explicitly with the rights of religious and cultural communities and minority groups and also forms the basis of the rights of religious communities to administer themselves in civil matters by their own 'personal laws'. A significant factor in this cluster of rights is the scope given to the Indian state to regulate, reform and in some cases administer these communities and institutions. Thus, while the (individual) citizen of liberal theory persists as a subject of rights, the Constitution gives significance to the community as a relevant collective unit determining the circumstances of the lives of individuals. The Indian Constitution has thus made community membership a relevant consideration for differentiation among citizens, so

that equality among citizens could be made more substantive. It has introduced thus a 'differentiated-citizenship' to assure that Communities (e.g. Scheduled Castes or Dalits) which had in the past been victims of social discrimination and continue to be disadvantaged, were able to compete on equal terms with the rest of society. Social equality was also substantiated by assuring that while the claims of each community to be culturally difference could be preserved, there would at the same time be an assurance of sameness or equality among communities. The rights of the various communities to preserve their cultural heritage was therefore recognised in the Constitution and the state was to assure non-discrimination. Thus, social and religious communities were given the right to be culturally different and the state was to assist them in preserving their difference. At the same time, the notion of social equality also required that historical disabilities were compensated and equality was made substantive by assuring equality of opportunities. Thus caste communities were compensated for past discriminations and segregation by including them in the body politic as equal citizens. This equality was assured by giving them special provisions to overcome circumstantial disabilities. A policy of reservations in public employment was therefore envisaged. (Gurpreet Mahajan, *Identities and Rights, Aspects of Liberal Democracy in India*, OUP, Delhi, 1998, Chapter: Introduction: Negotiating Differences Within Liberalism):

8.3.3 Directive Principles of State Policy

Part IV of the Constitution, titled Directive Principles of State Policy, contains certain non-justiciable rights. These rights, unlike the ones in the preceding section, are not enforceable by courts, but are in the nature of reminders or directives for lawmaking, to usher in conditions in which the rights enumerated in the previous section become more meaningful. Like the previous section, however, the rights in this section too, show a 'simultaneous commitment' to both 'community-ship' and 'citizen-ship', in other words to both the community and the individual citizen. Article 38 for example directs the State to commit itself to 'promote the welfare of the people' by promoting a 'social order' in which 'justice, social, economic and political, shall inform all the institutions of the national life'. To achieve this the state is asked to 'strive to minimise inequalities of income' and also 'eliminate inequalities in status, facilities and opportunities'. The significant reminder, however, is that this justice and equality is to be achieved 'not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations'. Article 46 likewise instructs the States to 'promote with special care the educational and economic interests of the weaker sections of the people and in particular, of the scheduled Castes and Tribes' and 'protect them from social injustice and all forms of exploitation'. By and large the Directive Principles envisage an active role of the state in providing a range of socially ameliorative or welfare rights ranging from access to an adequate means of livelihood, equal pay for equal work, health and strength of workers, living wage for workers, provision of just and humane conditions of work, right to work, to education, to public assistance, to equal justice and free legal aid, to adequate nutrition and health etc.

Article 44 of the Directive Principles enjoins the State to 'secure for all its citizens a uniform civil code throughout the territory of India'. This article needs special attention because it encapsulates what we earlier mentioned as the Constitution's 'simultaneous commitment' to individual and community rights. It moreover, provides a window into the tensions which inform citizenship, and its criticism from some quarters, especially the feminists. We shall take the article and its implications in detail in the following section.

8.3.4 Rights and Franchise

Apart from the provisions in these Parts, other sections of the Constitution, are also interspersed with provisions which give substance to citizenship. Provisions pertaining

to 'elections' and 'franchise' are especially important in the context of the long history of deprivation of political rights under colonial rule. It is significant that the Constitution made 'universal adult franchise' the basis of elections to the Lok Sabha and the Legislative Assembly of States. Article 326 of the Constitution conferred voting rights to all citizens above the age of 21 (changed to 18 by the Constitution 61st Amendment Act of 1988, with effect from 1 April 1989). It is crucial that the Constitution did not lay down any property and education criteria. Women, who in most western countries were enfranchised only in the present century, were also enfranchised on equal footing with men.

8.3.5 Duties of Citizenship

The constitutional provisions of citizenship and rights discussed so far might lead one to believe that citizenship is only about a legal status, defining who are the citizens of India and what are their rights or the conditions in which these rights might be enjoyed. A growing body of scholarship believes, however, that such a legal-formal conceptualisation of citizenship as status, is at best a passive notion, answering the question, who is a citizen, only partially. They would want us to move beyond these 'basic structures' (of equality and social justice) which the Constitution seeks to establish, to concentrate also on the notion of citizenship as a function of 'responsible' participation. Citizenship then, would transcend its passive connotation to become also a measure of activity. The basis of a citizen's sense of belonging to the national community, would come then from the attitudes and qualities of responsibility and virtues which distinguish her/him as a 'good' citizen. Responsible participation would manifest itself in diverse social situations viz., how citizens view or act amidst potentially competing forms of national, regional, ethnic, or religious identities; their ability to tolerate and work together with others who are different from themselves; their desire to participate in the political process in order to promote the public good and hold political authorities accountable; their willingness to show self-restraint and exercise personal responsibility in their economic demands and personal choices which affect their health and environment etc. Such citizenship qualities, it is said, make a democracy stable and governable. Various voluntary institutions and organisations within society including schools, environmental groups, unions and associations are regarded as inculcating these virtues of citizenship. By an amendment (42nd Amendment Act, 1976) a list of Fundamental Duties of Citizens of India was inserted in the Constitution in the form of Article 51A in Part IVA. The legal status of Fundamental Duties, which are addressed to the citizens is quite like the Directive Principles, which are addressed to the State, in the sense that there are no provisions for their direct enforcement. It may be pointed out here, however, that the Supreme Court has held the Fundamental Duties to be obligatory in nature and although there is no provision in the constitution for their enforcement, any law seeking to implement them may be 'reasonable' under the law. The list of duties, which are 10 in number, nonetheless, gives an insight into what might be seen as constituting 'good' citizenship. Some of them enjoining citizens to strive towards 'excellence' and developing 'scientific temper' or safeguarding 'public property' appear generally to instill sincerity and responsibility. A general slant is, however, towards imbibing a sense of national commonality. It is thus a duty of every citizen of India to respect symbols of national unity like the national flag, the Constitution and the National Anthem and sources of common heritage like the 'national struggle for freedom' and the tradition of 'composite culture'. Citizens are also expected to preserve the 'sovereignty' and 'unity' of the country not only by pledging to 'defend' the country and offer 'national service' but also by spreading a feeling of 'common brotherhood'.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of this unit.

1) What is citizenship? Describe modern notion of citizenship.

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2) How has the constitution sought to balance individual and community rights?

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3) What are the “non-justiciable” rights?

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8.4 TENSIONS IN CITIZENSHIP

It has often been pointed out that the Preamble, Fundamental Rights and Directive Principles embody the value of freedom and equality, made complete and substantive by ideals of economic and social justice. Criticisms coming from various quarters point out, however, that the nature of citizenship in the Indian Constitution and the manner in which it has unfolded over the years, have shown that the values of freedom and equality have been largely elusive. Studying the nature of empowerment of citizens within the Constitution, A.R.Desai, a Marxist scholar points out the precarious nature of rights in the Constitution. He emphasises that not only are rights not reserved to the people, there is no preservation of the Fundamental Rights already guaranteed to them. The Constitution itself permits and provides the procedure for their amendment and over-riding by the State. Further, the Directive Principles are not addressed to the people, which means that the people cannot move the courts to instruct the government to provide conditions in which their rights could be made more meaningful. Again, asserts Desai, while there does not appear to be any explicit system of accountability for the State, the people are given some ‘fundamental duties’. Desai feels that in the absence of any similar obligations for the State, the provisions relating to Fundamental Duties could be used to abridge the basic rights of citizens. Finally, the fact that certain basic rights such as the rights to work, shelter, education and medical amenities are not Fundamental Rights indicates the class and gender biases of the Constitution-makers. Under such conditions large sections of ‘toiling’ citizens i.e. the socially and economically underprivileged, including women, are forced to live in conditions in which their empowerment as citizens remains unrealised.

8.4.1 Citizenship and Gender

A major lacuna relating to the citizenship rights of women lies in the fact that a crucial provision relating to the removal of discrimination against women, conditions in which substantive citizenship rights can be enjoyed by women are listed only as Directive Principles. Article 39 for example provides that the State shall ‘direct its policies towards securing’, (a) that the citizens, men and women equally, have the right to an adequate means of livelihood; and (c) that there is equal pay for equal work for both

men and women. Although the courts have in certain cases intervened to provide equal pay for equal work, substantive economic equality for women remains elusive.

Legally too, women face numerous disabilities. The provisions of Article 44 of the Directive Principles advising the State to 'secure for the citizens a uniform civil code throughout the territory of India' has been particularly in focus in recent years. Various women's groups have demanded that this directive be implemented to rectify women's subordinate position in matters pertaining to marriage, dowry, divorce, parentage, guardianship, maintenance, inheritance, succession etc., which are presently determined by the 'personal laws' of specific religious communities. While there is a diversity of opinion among women's groups, they have by and large, demanded a system of gender-just laws which would help them realise their potential as citizens.

8.5 PATHWAYS TO CITIZENSHIP

Towards the beginning, we defined citizenship as 'full' and 'equal' membership in a community, understood in the modern context as the nation-state. We have seen that social / economic contexts (caste, gender, class, religion) are important factors determining the extent to which a person is able to realize this 'full' and 'equal' membership. The Constitution, as we have seen, holds out the promise of assuring this realisation for all sections of people, by removing debilitating circumstances or providing enabling conditions. The previous section, however, also shows us that at any given moment, the realisation of citizenship is mediated by class, gender, religion, caste etc., in mutually incompatible or even antagonistic set of alignments. The State itself may fail in its promise of providing the resources for the realisation of citizenship and alternatively, it may, through its institutions even become an aggressor and violator of citizens' rights. This, however, does not mean that citizenship is a static category. The history of the origins of citizenship as a system of equality against hierarchical and ascriptive inequalities has shown that citizenship has always been a mosaic of struggles. People's movements have historically been conducive to the enhancement of citizenship rights. The suffrage movements in western countries succeeded in getting the right to vote for women. Workers movements worldwide have contributed towards the regulation of work hours, amelioration of work conditions and welfare measures for industrial workers. A range of popular movements and struggles seeking to redefine or enlarge the frontiers of citizenship have also occurred in India. Almost all of them had roots in local situations but the issues they raised stranded up with similar issues raised elsewhere, and agitated the minds of a wider public. The women's movement, the dalit movement, the environmental movement, the peasant movement etc., not only highlight the manner in which citizenship is eroded but also have important bearings on the definition of the nature and substance of citizenship rights. The struggles by the people of Narmada valley against the building of Sardar Sarovar Dam, for example, highlights the claims of the people of the Narmada valley to the right to protest against their marginalisation at the hands of the government. At the very basis of the struggle, however, is also the consistent refusal of the people of the valley to give up their identity, their history, their culture and means of livelihood, which they derived from generations of living as a self-sustaining community in the region. The struggle thus aspires to check the erosion of the rights of people by the developmental policies of the State and also demands the provision of social conditions which would make their rights substantive.

Over the years a number of governmental institutions have also contributed towards the broadening of the scope of citizens' rights. In recent years the Supreme Court has positively responded to the Social Action Litigation (SAL) / Public Interest Litigations (PIL) brought by Non Governmental Organisations (NGOs) or concerned individuals, adding facets to citizen's rights. In several ways decisions by courts have also



augmented the notion of citizen to bring certain marginalised sections into the orbit of rights. From the late 1970s, for instance, the Supreme Court reversed the existing legal attitude towards prisoners to give them 'all rights enjoyed by free citizens except those which explicitly taken away by the terms of their sentence'. (Charles Sobraj vs. Superintendent, Central Jail, Tihar, AIR, 1978, SC, 1514).

Similarly, the National Commission for Women, set up in 1992, under a Parliamentary Act (The National Commission for Women Act, 1990) has, through wide ranging investigative and recommendatory powers, concerned itself with matters relating to women's rights under the constitution and issues of women's socio-economic conditions, health and violence against them. Over the years the Commission has taken up cases of violence, torture and harassment of women (including molestation, rape, dowry related violence, custodial rape and death, torture and harassment within family, in the workplace, and issues of women's legal and political rights for investigation and redemption. The National Human Rights Commission is another institution established by an Act of Parliament (The National Human Rights Act, 1993) to inquire into violations of people's rights. Institutions like the National Commission for Women and National Human Rights Commission, when effectively used or pressurised by the people, could contribute towards substantiating citizenship.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) What are the major limitations of Indian Constitution concerning citizenship rights of women and other under privileged sections?

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2) In what way do the institutions, like National Commission for Woman and the National Human Rights Commission help us enhance our citizenship rights?

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8.6 LET US SUM UP

The Indian Constitution gives rights to both the individual citizen and the community. It creates thus the free and equal (individual) citizen and also attempts to preserve the identity of cultural communities. Frequently, however, community rights may actually

restrict citizenship rights of some sections primarily that of women. The particular contexts of individual citizens (caste, class, gender etc.) greatly condition the extent to which rights may be enjoyed by people. Citizenship is, however, not a static category and there are various ways in which the scope and substance of these rights can be enhanced, through popular / individual initiative and struggle or through recourse to courts and institutions catering to public grievances.

8.7 KEY WORDS

- Ascriptive Hierarchies** : A hierarchy denotes a pyramidal system of inequality - a vertically organised structure — where those at the top dominate the rest. Ascriptive hierarchies would refer to systems where conditions of birth would determine the hierarchical organisation of people. Caste system is an example of ascriptive hierarchy.
- Citizens** : Citizens are full and equal members of a political community which in the present dominant global form of political structure is the nation-state.
- Citizenship** : A relationship between the individual and the state based on reciprocal rights, duties and responsibilities.
- Community** : A collection of people or social group distinguished by a strong collective identity based on bonds of comradeship, loyalty, duty as well as by ties of emotion and kinship.
- Differentiated citizenship** : The concept advocates the incorporation of members of certain (cultural) groups not only as individuals but also as members of groups, their rights depending in part on this group membership catering to their special needs.
- Domicile** : Domicile refers ordinarily to a persons residence, generally of a fixed and legally recognised nature. The Indian Constitution does not define domicile. A Supreme Court decision in 1966 (Md. Raza vs State of Bombay, AIR, 1966 SC 1436) has established that a permanent residence and the intention to reside there indefinitely are two important constituents of domicile.
- Ethnicity** : Ethnicity is commonly understood as a form of distinctive cultural identity encompassing values and traditions. It involves a sentiment of loyalty towards a population, cultural groups or territorial area.
- Gender** : Unlike sex which points at biological difference, gender refers to social and cultural distinction between men and women. According to feminists gender discriminations take place when biological differences become the basis for different, dependent and subservient social roles and positions for women.

- Globalisation** : It refers to the web of interconnections / interdependence between the local, regional, national and international events, processes and decisions which conditions the lives of individuals worldwide.
- Janapadas** : Territorially determined communities of people in ancient India formed on the basis of ethnicity, dialect, social customs, geographical location and socio-political status. According to Puranic sources 165 janapadas distributed over seven regions existed in ancient India.
- Political community** : A political community emphasises political allegiances and civic loyalties within the community rather than cultural/emotional identity. Citizenship has frequently been seen as a manifestation of this allegiance which holds people together in a shared identity as citizens.
- Preamble (to the Constitution):** A document setting out the ideals, aims and objects which the Constitution makers intended to realise through the constitution.
- Race** : A scientifically and politically controversial category, race refers to biological (genetic) differences which supposedly distinguish one group of people from another. For long, race has been used to explain cultural differences among people, and the attribution of civilisational inferiority and backwardness to some and superiority to others.
- Suffrage** : The right to vote, or the exercising of that right.

8.8 SOME USEFUL BOOKS AND ARTICLES

D.D.Basu, *Introduction to the Constitution of India*, Wadhwa and Company, Nagpur, latest edition (chapters dealing with Citizenship, Fundamental Rights and Directive Principles).

A.R.Desai, 'Empowering the Sovereign Citizens of India: Some Constitutional Obstacles' in Abha Avasthi ed. *Social and Cultural Diversities*, D.P. Mukerji in Memorium, Rawat Publications, Jaipur, 1997.

Niraja Gopal Jayal, *Democracy and the State*, OUP, Delhi, 1999, (Chapter 4, Section IV: Citizenship in the Narmada Valley).

Subhash Kashyap, *Citizens and the Constitution*, Publications Division, Government of India, Delhi, 1997.

Gurpreet Mahajan, *Identities and Rights, Aspects of Liberal Democracy in India*, OUP, Delhi, 1998, (Chapter: Introduction: Negotiating Differences Within Liberalism).

8.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1)
 - The ability to govern and be governed
 - Free and autonomous individual entitled to take part in the decision-making.
- 2) By giving provisions for the protection of rights of the individuals and of the specific religious and cultural communities.
- 3) The Directive Principles of state policy.

Check Your Progress Exercise 2

- 1) The constitutional rights given to the citizens, especially the under-privileged are not properly guaranteed.
- 2) They raise the issues relating to the rights of women and other citizens through various means including the public Interest litigation and social Action Litigation.

UNIT 9: WHAT IT MEANS TO BE A PARLIAMENTARY DEMOCRACY

Structure

- 9.0 Objectives
- 9.1 Introduction
- 9.2 Evolution
 - 9.2.1 Features of Parliamentary System of Government
- 9.3 Parliamentary System in India
- 9.4 Let Us Sum Up
- 9.5 Some Useful Books
- 9.6 Answers to Check Your Progress Exercises

9.0 OBJECTIVES

The parliamentary system-institutions and practices-evolved in Britain and have been adopted with modifications by many countries. This unit examines the features of a parliamentary system with particular reference to India. After going through this unit, you should be able to:

- Explain the meaning of a parliamentary democracy,
- Trace the evolution of parliamentary system of government,
- Identify the features of parliamentary system of government, and
- Evaluate the parliamentary system prevailing in India.

9.1 INTRODUCTION

The term parliamentary system is used in two main senses. In a broad sense, it denotes all political systems where there exists an assembly of elected representatives of people having the responsibility for legislation, including finance. The word 'parliament' is derived from the French expression 'parle' which means to speak or parley. This term was also used to describe conferences such as those held between the King of France and the Pope in 1245. Gradually, the term began to be applied to the body of persons who gathered to discuss and approve government policies and finances. Nearer to the people and public opinion than the other two organs of the government, the parliament has claimed to represent the sovereign will of the people. More commonly, the term parliamentary system or 'parliamentary government' refers to a system which is distinguished from the presidential system of government. Unlike the presidential system of government, which is based on the principle of separation of powers, the parliamentary system involves the fusion of the executive and legislative organs of the government. Before we examine the features of a parliamentary

government, let us see how parliamentary system evolved in Britain.

9.2 EVOLUTION

The origins of the British parliament can be traced to thirteenth century when King John of Great Britain called together a few discreet knights and other nobles to advise him on the necessity and methods for tax collection. These meetings were also used to advise the king on particular issues of public importance. These meetings were called *parliament*. During the reign of Edward I, a model parliament was summoned. It was termed as model because it gave representation to across section of the British society. In their struggle against the Pope and the Spanish kings, the Tudor dynasty sought the approval of the Parliament to legitimise their actions. In the process, the practice of seeking Parliament's approval for laws, taxes, religious and foreign policies gained wide acceptance. During the Stuart rule, there ensured a tussle between the kings and the parliament over religious and foreign policies that led to a civil war resulting in the execution of King Charles (1649) for treason and the disposing of King James II in the Bloodless Revolution (1688). The monarchs had to accept that no law can be passed or tax imposed without the consent of the Parliament and that the king owned his crown to the Parliament.

During the reign of King George I in the early eighteenth century, the institution of cabinet began to take shape. Being of German origin, King George could not speak English and was disinterested in British politics. He was inclined to turn the actual tasks of governing over to his chief ministers or administrators who began to meet regularly to advise the king. These ministers were chosen from the members of parliament so that they would manage the body and get the necessary laws or proposals for taxes passed. They collected themselves into what is today known as the Cabinet, a kind of collegial executive group. The members of parliament were instructed and advised by the Cabinet, and soon the parliament and Cabinet together became the government of Britain. King George II, also of German origin continued this practice. When King George III, a British born and English speaking monarch ascended the throne, the parliamentary system was well established.

Within the Cabinet, the king had begun to rely on one individual called the Prime Minister, to preside over the cabinet meetings and conveyed its decisions to

him. Sir Robert Walpole (1721-42) was the first to be designated as the Prime Minister. The pre-eminence of the post was consolidated by the abilities of Prime Ministers like Pitt the elder, Pitt the Young, Disraeli and Gladstone. With the rise of Liberal and Conservative parties following the realignment of political forces after the 1832 Reforms on the one hand and the extension of franchise on the other, the position of the Prime Minister got strengthened. The Prime Minister became the leader of the nation and the head of the government.

The British parliamentary system, also known as the Westminster government (as the Parliament is located in Westminster in London) has some unique features. First, there is no single document referred to as the constitution. The institutions and practices have developed through conventions. Secondly, in the absence of a written constitution there are no special amending procedures. The British parliament enjoys great flexibility. Often described as parliamentary supremacy, the British parliament has an unlimited authority, recognised by the judiciary, to make any law or to amend any law already made. No other body or court has the right to overrule or set aside its legislation. However, very few of the world's legislatures, including those that have been modelled after the British system, are free in this sense of all constitutional limitations. What are the features of parliamentary democracies modelled after the Westminster government? What does it mean to be a parliamentary democracy?

9.2.1 Features of Parliamentary System of Government

What does it mean to be a parliamentary democracy or parliamentary system? What are the important features of this system of government? Parliamentary democracy is characterised by the fusion of executive and legislative powers into a single body. The executive, the cabinet ministers, sit as members of parliament and play a double role in the fusion of executive and legislative powers. Those who recommend legislation as members of the cabinet also vote on the same legislation as members of the governing legislature. Typically, the government is the Cabinet and the rest of the members of the majority party or coalition of parties in the parliament. The government, in a sense, has an automatic majority and most decisions are made from among these groups. Since the executive is selected on the basis of majority support in the parliament and not directly elected, the government is accountable only to the

parliament.

Secondly, the executive branch of government is divided into a largely formal head of state (the monarch) and the head of the government (the Prime Minister) who exercises most of the executive powers and is responsible to the parliament. The function of the head of the state is not to govern but to see that there is a government. When a crisis occurs, either through the break down of a coalition government or through some national emergency, the head of the state has the responsibility to select an individual to form a government and get on with the business of governing. The Prime Minister is the head of the government, whose function is to make policy and suggest laws through his or her subordinates. The Prime Minister leads the Cabinet and therefore the government. The head of the state 'reigns but does not rule'.

Parliamentary democracy means collegial executive. Although the Prime Minister is the chief executive, he or she is not a singular executive. The collegial executive is a collection of ministers (Cabinet) who must make decisions as a group and must be in general agreement before legislation is recommended or policies are proposed. The ministers are both individually and collectively responsible to the parliament for their actions.

Parliamentary democracy also means a democracy based on party responsibility. As we saw, the majority party or a coalition of parties commanding majority in the parliament forms the government. The political parties in a parliamentary system have a clearly defined platform and on which the position of the party with regard to a wide variety of issues is stated. The party platform is adhered to with as much consistency as possible. When the cabinet suggests a piece of legislation that would fulfil a pledge made in the party platform, all members of the majority platform must vote for that particular law. Not to do so is to invite the wrath of the party and the subsequent failure to be nominated in next election to run under that party's ticket. The government in a parliamentary system, therefore, has a built-in majority on most issues and its will generally prevail. The minority party may debate the issues, the laws and the proposals, and they may even succeed in causing minor changes through suggested amendments. However, the minority can never defeat a bill initiated by the majority so long as the rule of party responsibility holds.

Check Your Progress Exercise-1

Note: I) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What is the single most important feature of a parliamentary system of government?

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2) What the term collegial executive mean?

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PARLIAMENTARY SYSTEM IN INDIA

As India was preparing to become an independent democratic republic forsaking all relations with colonialism, there began, almost simultaneously the search for a model of polity upon which our institutional structures were to be based and political processes made to function. The search was made difficult by the complex nature of our social reality reflecting different classes, caste groups, ethnic and religious minorities—all having diverse interests and aspirations.

Almost all thinkers and activists of the time were keen on evolving a polity that suited the interests and aspirations of all sections of the Indian society. Jaya Prakash Narayan, for example, while articulating a plea for reconstruction of the Indian polity emphasised the need for a rational and scientific model that suited Indian conditions and realities. In other words, he argued for a syncretic model that would give due consideration to the practices of the ancient Indian polity that, unlike the pure western model, was organised in tune with the social nature of man and the scientific organisation of the society. He argued for a social and political life that would assure the preservation of human values.

Disapproving big state structures, Mahatma Gandhi favoured the establishment of decentralised structures whose social and political rules are informed by ethics. He felt that what we consider the Mother of Parliaments is morally impotent to do any good to the English society at large. The parliament, according to Gandhi, remains under the control of ministers who constantly change. Furthermore, for Gandhi, the development of the party system and the assessment of issues by party members guided by a mob-psychology rhetorically

called party discipline have led to the ruin of the parliament. However, this derision of English Parliament does not indicate Gandhi's apathy towards the institution of Parliament *per se*. He wanted the people to choose a parliament with fullest power over finance, armed forces, courts and educational institutions. In short, he aspired for parliamentary *swaraj* in accordance with the wishes and needs of the people of India.

However, the compulsions of economic development, coupled with the need to ensure political integration of varied elements and interests under a corporate collectivity of "*The People*" our leaders set upon an agenda of building a big modern state with elaborate structures, institutions and political processes. In their search for a democratic government that would remain accountable to the wishes of the people and duly represent their diverse aspirations, the builders of our modern state chose to look to various countries and their political experiments. The choice of a federal parliamentary system was the result of a colonial legacy and experience. The legislative experience since the colonial rule began in the early eighteenth century, with modifications in the method and nature of representation in subsequent years, had a profound influence in articulating the normative structure of our post-independent system of governance.

In independent India, a parliamentary form of government was adopted as the institutional device through which the democratic spirit was sought to be realised. The institutional set up is headed by the President who is the head of the state and the executive, functioned through the Prime Minister, who is the head of the government, and the judiciary, by the Supreme Court, while the Parliament is entrusted with the exercise of legislative powers. These institutions function within the framework of parliamentary government based on the union of the legislative and the executive wings of the government. The executive, the Council of Ministers headed by the Prime Minister, comes from the legislature and is collectively responsible to it. In other words, it is through the members of parliament that the people of India exercise control over the executive.

The main principles of this form of democracy was the presence of a popular check upon the government through periodic elections based on adult franchise; granting of liberties to its citizens; and the presence of an independent judiciary to safeguard those liberties. The government is not irremovable and is periodically open for anybody who gets the support of the people and enters it as

an individual or as a member of some party. The method of election is affected through persuasion, conversion, and change of mind, change of opinion performed through secret ballot. Moreover, the underlying assumption of our parliamentary democracy is the faith on liberal democratic and individualistic principles.

The process of making this elaborate parliamentary structure functional depends upon the political parties, which constitute the crucial elements in any parliamentary form of government. However, the presence of political parties of all hues and ideologies in the polity, sometimes with antagonistic and diverse conceptions of socio-economic order, renders the functioning of our parliamentary processes difficult. Thus, questions about the feasibility of parliamentary democracy in a country with no stable conventions or rules to regulate the relationship between the various offices created by the constitution and the inability to function as a welfare state under conditions of economic depravity are being increasingly raised. These questions are being buttressed with proposals for alternative forms of government like the presidential system replacing the cabinet form of government. However, we must remember that in choosing the 'Westminster model' with some modifications, the framers of the constitution were motivated by the need for a responsible government to that of a stable government to be found in the Presidential system of government.

Though ideally any democratic executive must satisfy the conditions of stability and responsibility, in practical circumstances a balancing of both has been difficult. A non-parliamentary government is not dictated by its dependence on a parliamentary majority for continuing in office. By assuring a fixed tenure, a non-parliamentary system tends to value stability rather than responsibility. The government's dependence on parliamentary majority makes it incumbent upon the parliamentary government to be responsible in its functions. In our parliamentary democracy, the parliament plays a vital deliberative role as a forum for national debate thereby constituting a popular check upon governmental authority and functions. The individual members of parliament and the opposition during question hour, amendment processes and general debates, have amply demonstrated the deliberative importance of the parliament. Furthermore, the restraint upon government activities and policies is maintained through the introduction of no-confidence motions, cut motions, adjournment motions and

calling attentions. Thus, a popular authority of the parliament in our political system is reinforced both through the continuous and periodic assessment of governmental responsibility. It is continuously assessed by the members of the parliament and periodically by the people during general elections. This is unlike the feature in presidential systems where this assessment is only periodic and is limited by the tenure of the executive, making the legislature literally ineffective during normal times. Thus, any assessment of the effectiveness of our parliamentary system must take cognisance of the wishes of the framers to value responsibility over stability

The parliamentary structure has also been replicated at the level of the states that respects their autonomy and the federal spirit that legitimises the unity of the Union. Consequently, at the level of the states we have elaborate structures that pursue the parliamentary spirit in choosing their leaders and administering government activities. by The adoption of parliamentary system to the requirements of large federal states means that the legislative powers of the parliament are limited. Since the federal and the state governments have separate law-making authority that is derived from the constitution, the Indian situation is characterised by constitutional supremacy rather than parliamentary supremacy. The supremacy of the constitution is further reinforced by constitutional provision of guaranteeing fundamental rights and empowering the judiciary with the power to act as a custodian of these rights.

In short, in our parliamentary democracy, the legitimacy to rule is vested in the parliament, which it derives from the willing consent of the '*people*' who make up the electorate. It is the collective personality of the parliament that imposes a code upon the conduct of both, individuals and political parties; the parliament is the protector of individual liberty and the foundation of Indian laws.

An important feature of our parliamentary system, like other parliamentary democracies, is that it clearly demarcates the position and powers of the head of the state and the head of the government, thereby, in a sense establishing dual executives. The head of the government is appointed from the party or a coalition of parties that enjoys majority in parliamentary seats. This Council of Ministers, headed by the Prime Minister is collectively responsible to the Parliament. This principle of collective responsibility puts the idea of accountability in the government and restricts governments from taking decisions that it cannot justify before the Parliament. This not only indicates that the

hallmark of parliamentary system is a government that is collective but also implies that executive powers are collegiate in nature helping the maintenance of pluralism of opinions that forms the bulwark against authoritarianism. Moreover, unlike the Westminster model, the head of the state in India is elected and exercises his powers within the express provisions of the constitution. He is also not merely a titular head. The constitution empowers the parliament to impeach the President for the violation of the constitution. This implies that the President is empowered to discharge certain functions on his own for which he is liable. The President is also an integral part of the Parliament and is vested with powers by the constitution that helps to check parliamentary impropriety in case of the inability of political parties to secure parliamentary majority or its loss at any given time. The importance of presidential authority was exhibited on numerous instances of crisis that was confronted by the Parliament. For example in 1979, the President rejected the request of Morarji Desai to form a government after having resigned as Prime Minister. It was in 1979 that the President insisted that Charan Singh, the successor to Desai seek confidence of the Parliament. The failure of Charan Singh to gain that confidence subsequently resulted in elections. Though these acts of the President were mired in controversies, it is asserted by eminent jurists and writers that the President acted in a manner consistent with parliamentary conventions. Similarly in 1987, the President used his constitutional authority to return the Indian Post Office (amendment) bill to the Parliament. Thus, the President of India is a potential political counterweight to the Prime Minister, the Council of Ministers and the elected leadership.

In the Indian parliamentary system, as in other parliamentary systems, the government governs in and through the Parliament thereby fusing the legislative and executive branches. The Indian constitution in Article 75(5) emphasises this peculiar fusion by maintaining that if a minister is not a member of any house within a period of six months he shall cease to be a minister. In other words, only a member of the Parliament, which is the legislative body, can become a minister of the government or a member of the executive. The Council of Ministers is, therefore, said to be the hyphen that links the legislative branch of the state to the executive branch.

In a parliamentary system, which is sometimes referred to as the 'Prime Ministerial form' or 'Cabinet form' of government, the Cabinet comprising of a

few leading ministers headed by the Prime Minister makes all important policy decisions. The members of the Cabinet are allowed to play important political roles in rendering policy directives but under the overall supervision and authority of the Prime Minister. However, since the time of Lal Bahadur Shastri, the Prime Minister's Office or the PMO has emerged as an important alternative source to the power of the Cabinet. The authority of the PMO was subsequently re-enforced under Mrs. Indira Gandhi and its role enlarged in actual decision-making. This authority of the Cabinet or the PMO has to some extent encroached upon parliamentary prerogatives and its legislative process most notably through the frequent passage of legislation by Ordinance issued in the name of the President. Today the PMO is a significant centre of authority in the political structure, which not only emphasises its authority in actual decision-making but also in monitoring and co-ordinating policy implementation by the other ministries of the government.

However, governance is not merely dictated by the institutional structure that is established but is dialectic of the interaction of the institutions and the political culture with each having an impact on the other. Immediately after independence, the presence of a single dominant political party with very little opposition had undercut the principle of political pluralism that formed the basis of any parliamentary structure. In a situation where the government had majority control in the Parliament, the legislature was reduced to little more than a 'talking shop'. Parliamentary processes were clouded by the charisma of Jawaharlal Nehru who according to Ashish Nandy had himself become the opposition criticising his ministers for lapses or extolling them to implement policies for development. Though, during this period the authority of the Prime Minister attained supremacy and position of primacy in the Indian political system, the essence of parliamentary democracy and needs of a federation functioned well with state and central politics remaining largely autonomous. During this period, according to political scientist Paul Brass, a strong central government coexisted with strong states in a mutually bargaining situation. Furthermore, during this phase, the firm grip of civilian control over the military was strongly asserted and a political executive responsible to the Parliament provided clear and effective policy guidance.

After the death of Nehru and the power struggles within the Congress, a party enjoying pre-eminent dominance in Indian politics, there was erosion in the

values associated with parliamentary democracy and the federal spirit was undermined. The Congress party's efforts to retain that dominant position led to centralising tendencies within the party and even to the imposition of what may be termed as 'elective dictatorship' under the government of Mrs. Indira Gandhi. However, during this period as well the importance and need of the parliament was demonstrably justified. The crisis and power struggle in the Congress party resulted in a vertical split of the party in 1969 over the Congress nominee for the Presidency of India and the election of Mrs Gandhi's candidate, V.V.Giri, as President. Mrs. Gandhi was expelled from the Congress party, but this expulsion did not effect her position as the Prime Minister since she retained her support in and among the members of the parliament. Thus, a leadership crisis in the party having majority in the parliament did not affect the functioning of the government effectively reflecting the importance of the parliamentary processes. This importance of the parliamentary process was again demonstrated in 1979, when a section of the Janata Party members in the parliament expressed dissatisfaction with Morarji Desai, resulting in his resignation.

However, parliamentary legitimacy and sanctity suffered tremendous challenges during the regime of Mrs Gandhi. In 1973-74, for example, food shortages, rising prices coupled with the highly personalised and authoritarian style of functioning by Mrs Gandhi resulted in major political demonstrations in many parts of the country. This was precipitated by a court verdict holding Mrs Gandhi's 1971 election as invalid. Mrs Gandhi responded in a manner that undermined parliamentary democracy. The fundamental principles of parliamentary democracy like freedom of expression, enjoyment of civil liberties, a free press and opposition were gagged through the imposition of emergency under Article 352. Furthermore, the argument of parliamentary supremacy was used to justify the undermining of parliamentary norms and procedures. This was done through the passing of new electoral laws superseding the laws under which the Allahabad High Court declared Mrs. Gandhi's election as invalid. This act of the Parliament had the effect of undermining the process of judicial review that was meant to act as a bulwark against parliamentary authoritarianism. This excessive executive power and undermining of judicial independence continued during this period with the choice of Chief Justices and Judges committed to the ruling political party without respect for established norms and procedures.

In fact, the electoral reversals suffered by the Congress party led by Mrs. Gandhi in the 1977 general elections reflected the firm and deep roots of parliamentary democracy in India. The '*people*' of India have reflected enough maturity in exercising their franchise periodically by reversing their mandate and trust vested in a particular party. For example, Rajiv Gandhi, who led the Congress party to a massive victory, securing nearly 80 per cent of the seats in the Parliament in 1985, suffered a humiliating defeat in 1989.

The Indian parliamentary system saw its breakdown for a brief interregnum in 1975, restored in 1977, survived the fall of the Janata government in 1979 and the return to power of Mrs. Gandhi. The unprecedented majority won by Rajiv Gandhi in 1985 was followed by the defeat of the Congress and the installation of the V.P.Singh government in 1989 and later that of Chandrasekhar in 1990. The 1991 general elections saw the return of the Congress government under P.V.Narasimha Rao, which survived its term through methods that are now being examined by the judiciary. The consequent bribery trial has thrown up challenges for our parliamentary processes with questions as to whether acts within the parliament are subject to judicial interpretation or not.

The fractured verdict of the 1996 general elections led initially to the installation of a 13 days government of Atal Bihari Vajpayee, the 13 months government of Devegowda and the installation of I.K.Gujral government in 1997. The general elections in 1998 again resulted in a fractured verdict, leading to the formation of the Vajpayee government that lost its majority soon, after a coalition member withdrew support. In the event where no other political party was able to stake claim for the formation of the government, parliament was dissolved and general elections were notified. The 1999 general elections reflected the polarised psyche of the electorate and the inability of any party to secure absolute majority in the parliament. This led to the formation of the National Democratic Alliance (NDA), a coalition of thirteen different parties under the leadership of Vajpayee and its claim to form the government.

However, though all these instances lead to instability in governmental functioning, it did not have any negative affect upon the transition of political power. The instability in government functioning did not lead to instability or assertion of radical political claims for the usurpation of parliamentary authority by the other organs of the government or the imposition of any form authoritarianism. This shows that the parliamentary spirit has been deeply

embedded in the political consciousness of all the actors in our polity thereby enhancing the necessity and importance of our parliamentary democracy.

The Indian parliamentary structure thus matured through these trials and tribulations, from being an institution dominated by a single party to the emergence of a fractured polity with highly polarised political opinions and mandate. Though, we as a parliamentary polity underwent numerous crises with unstable and frequently changing governments, the authority and legitimacy of our parliamentary structures have only matured in the process. Though demands for restructuring the political structure have gained momentum due to these unstable moments, it has been met with immense opposition. This opposition is justified on the basis of claims that any change in the political set up might augment the process of authoritarianism, which will not only harm the effective functioning of political pluralism but will affect the basis of our tolerance respecting diverse religions, ethnic, tribal or other affiliations.

Check Your Progress Exercise-2

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) The parliamentary government is more a responsible government than a stable government. Explain.

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2) What are the two factors that establish constitutional supremacy rather than parliamentary supremacy in India?

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LET US SUM UP

The parliamentary system, also known as the Cabinet form or Prime Ministerial form of government, historically led the struggle against the kings for

popular rights. We saw that although parliamentary government evolved in Britain, it has been adopted by many countries, both in the developing and developed nations with suitable modifications. Some of the fundamental features of parliamentary system in India are as follows:

- A government formed as a result of parliamentary elections based upon the strength of party representation or a coalition in the parliament;
- The fundamental feature of the system is political pluralism that allows the presence of competing political parties with diverse ideologies and goals reflecting the interests and aspirations of a heterogeneous polity;
- Ministers or the members of the real executive (government) are drawn from parties in the parliament that have majorities in the parliament or are party to the coalition;
- The government is responsible and accountable to the parliament, in the sense that it rests upon the parliament's confidence and can be removed in case of loss of that confidence;
- The government can recommend dissolution of the parliament and call a general election in case no party is in a position to form the government , meaning that electoral terms are usually flexible within a maximum limit;
- The parliamentary executive is collective and the nature of power diffusion is collegial;
- The posts of the head of the government and the head of the state are separate with the President being the constitutional figurehead and the Prime Minister, leading the Council of Ministers, the real executive.

SOME USEFUL BOOKS

Jaya Prakash Narayan, 'A Plea for reconstruction of Indian Polity' in Bimal Prasad (Ed) *A Revolutionary's Quest: Selected Writings of J.P.Narayan*, by, Delhi. OUP. 1980.

Anthony J.Parel (Ed), *Gandhi—Hind Swaraj and other Writings*, Cambridge Texts in Modern Politics, N.Delhi. Cambridge University Press. 1997.

Paul Brass, *The Politics of India since Independence*, Cambridge University Press, first corrected Indian edition .1992.

A.R.Desai, *State and Society in India: Essays in Dissent*, Popular Prakashan, Bombay 1975.

Andrew Heywood, *Key Concepts in Politics*,. Macmillan Press Ltd. Great Britain 2000.

ANSWERS TO CHECK YOUR PROGRESS EXCERSISES

Check Your Progress Exercise-1

1) The parliamentary system involves the fusion of the executive and legislative organs of the government whereas the presidential system of government is based on the principle of separation of powers among the three organs of the government.

2) It means that the executive is plural. The Prime Minister may be the head of the Cabinet, but the decisions taken should have the collective backing of the Cabinet as the ministers are not merely individually, but collectively responsible to the legislature.

Check Your Progress Exercise-2

1) The parliament plays a deliberative role as a forum for national debate. This itself checks governmental authority, though the government being part of the legislature is held directly accountable through various parliamentary devices. This ensures a responsible government, though not necessarily a stable government. Non parliamentary system may not be responsible, the executive being assured of a fixed tenure. Further, it is difficult to ensure the accountability of the excusive to the people except at the polls.

2) One is the federal division of law-making powers between the Central and state governments and the other is the provisions in the constitution that guarantee fundamental rights.

Unit 10: Legislature

Structure

- 10.0 Objectives
- 10.1 Introduction
- 10.2 Indian legislature historical background
- 10.3 Union Legislature
 - 10.3.1. The President
 - 10.3.2 The Parliament: Lok Sabha
 - 10.3.3 The Parliament: Rajya Sabha
 - 10.3.4 Special Powers of Rajya Sabha
- 10.4 The Presiding Officers
 - 10.4.1 The Speaker
 - 10.4.2 The Chairperson of Rajya Sabha
- 10.5 Legislative Procedure
 - 10.5.1 Money Bills
- 10.6 Parliamentary privileges
- 10.7 parliamentary devices to control the executive
 - 10.7.1 Parliamentary Committees
- 10.8 State Legislature
- 10.9 Decline of Legislature
- 10.10 Let Us Sum Up
- 10.11 Some Useful Books
- 10.12. Answers to Check Your Progress Exercises

10.0 OBJECTIVES

This unit examines the evolution, structure and functioning of the Indian Parliament. After going through this unit, you should be able to:

- Trace the evolution of modern legislature in India;
- Discuss the organisation and functions of the Parliament; and
- Explain parliamentary procedures

10.1 INTRODUCTION

The term legislature has been derived from the Latin word *lex*, which means a distinct kind of legal rule mainly of general application. This rule is named legislation, and the institution, which enacts it on behalf of the people, is known as legislature. Essentially, there are two models of legislative structure: the Parliamentary and the Presidential. In the parliamentary model, the executive is selected by the legislature from among its own members. Therefore, the executive is responsible to the legislature. The Presidential system is based on the theory of separation of powers and does not permit any person to serve simultaneously in both executive and legislature.

The Parliament of India, which is the creation of the Constitution, is the supreme representative authority of the people. It is the highest legislative organ. It is the national forum for the articulation of public opinion.

10.2 INDIAN LEGISLATURE HISTORICAL BACKGROUND

Indian Parliament did not emerge overnight; it evolved gradually during the British rule, particularly since 1858 when the British Crown assumed sovereignty over India from the East India Company. By the Government of India Act of 1858 the powers of the Crown were to be exercised by the Secretary of State for India assisted by a Council of India. The Secretary of State, who was responsible to the British Parliament, governed India through the Governor-General, assisted by an Executive Council consisting of high government officials. There was no separation of powers; all the powers--legislative, executive, military and civil-- were vested in this Governor-General in Council.

The Indian Council Act of 1861 introduced little bit of popular element as it included some additional *non-official* members in the Executive Council and allowed them to participate in the transaction of legislative business. The Legislative Council was neither deliberative nor representative. Its members were nominated and their role was limited only to the consideration of legislative proposals placed by the Governor-General.

Indian Councils Act of 1892 made two important improvements. First, non-official members of the Indian Legislative Council were henceforth to be nominated by the Bengal Chamber of Commerce and the Provincial Legislative Councils, while the non-official members of the Provincial Councils were to be nominated by certain local bodies such as universities, district boards, municipalities. Secondly, the Councils were empowered to discuss the budget and address questions to the Executive.

Indian Councils Act of 1909, based on Morley-Minto Reforms, for the first time, introduced both representative as well as popular features. At the Centre, election was introduced in the Legislative Council though the officials still retained the majority. But in the Provinces, the size of the Provincial Legislative Council was increased by including elected non-official members so that the officials no longer constituted the majority. This Act enhanced the deliberative functions of the Legislative Councils and provided them opportunity to move resolutions on the Budget and any other matter of public interest barring certain specified subjects, such as the Armed Forces, Foreign Affairs and the

India States. The Government of India Act of 1915 consolidated all the previous Acts so that the executive, legislative and judicial functions could be derived from a single Act.

The next phase of legislative reforms emerged out of the Government of India Act of 1919 brought further legislative reforms in the form of responsible government in the Provinces. At the Centre, the legislature was made bicameral and elected majority was introduced in both the Houses. However, no element of responsible government was introduced at the Centre. The Governor General in Council continued to be responsible as before to the British Parliament through the Secretary of State.

The Government of India Act of 1935 came into being after several parleys between the Indian national leaders and Britain. It contemplated a federation consisting of British Indian Provinces and native states. It introduced bicameral legislatures in six Provinces. It demarcated legislative power of the Centre and the Provinces through three lists: the Central List, the Provincial List and the Concurrent List. However, the Central Executive was not made responsible to the legislature. The Governor General as well as the Crown could veto bills passed by the Central Legislature. The Governor-General besides the Ordinance-making powers had independent powers of legislation or permanent Acts. Similar limitations existed in case of Provincial Legislatures existed as well.

The international political scene and the conditions in India and Britain led the British government to an unequivocal acceptance of India's claim to freedom. The Indian Independence Act of 1947 was passed setting up two independent dominions, India and Pakistan. The legislature of each dominion was to have full legislative sovereignty. The powers of the legislature of the dominion were exercisable without any limitations whatsoever by the Constituent Assembly formed in 1946. This Constituent Assembly adopted the Constitution of India, which received the signature of the President on 26th November 1950.

Check Your Progress Exercise-I

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

- 1) The important legislative reforms introduced by the Government of India Act of 1919 are.....
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- 2) Division of powers between the Centre and component unit was first introduced by

10.3 UNION LEGISLATURE

Under the provision of Article 79, the Parliament of India consists of the President and the two Houses - the Lower House or Lok Sabha (House of the People) and the Upper House or Rajya Sabha (Council of States). While the Lok Sabha is subject to dissolution, the Rajya Sabha is a permanent chamber which cannot be dissolved. The office of the President also never remains vacant.

10.3.1 The President

While the American President is not a part of the Legislature (Congress), the President of India is an integral part of the Indian Parliament. However, he cannot sit and participate in the deliberations in any of the two Houses.

The President of India performs certain important role vis-à-vis the Parliament. The President summons and prorogues the House from one session to another and has the power to dissolve the Lok Sabha. No bill passed by both the Houses can become a law without the President's assent. Further certain bills can be introduced only after the recommendation of the President has been obtained. The President also has the power to promulgate Ordinances when both the Houses are not in session. These Ordinances, though temporary in nature, have the same force and power as a law passed by Parliament. In Unit 12, we will examine the position and powers of the President of India in detail.

10.3.2 The Lok Sabha

The Lower House or the House of the People is popularly known as Lok Sabha. Its members are directly elected by the people. The maximum number of members to be elected which was fixed by the Constitution at 500. It was raised to 520 members by the Seventh Constitutional Amendment (1956) and to 545 members by the 42nd Constitutional Amendment (1976). This includes not more than 525 members chosen by direct election from territorial constituencies in the States and not more 20 members to represent the Union Territories. In addition,

the President may nominate two members of the Anglo-Indian community if he is of the opinion that the community is not adequately represented in the Lok Sabha.

The distribution of seats among the States is based on the principle of territorial representation which means each State is allotted seats on the basis of its population in proportion to the total population of all the States. For election purpose, each state is divided into territorial units called constituencies which are more or less of the same size with regard to the population.

The election to the Lok Sabha is conducted on the basis of adult franchise; every adult who has attained 18 years of age is eligible to vote. The candidate who secures the largest number of votes gets elected. The Constitution provides for an independent organisation known as the Election Commission to conduct elections. The normal life of the Lower House is five years, though it can be dissolved earlier by the President.

To be a member of the Lok Sabha, a person should be an Indian citizen, must have completed 25 years of age and must possess all other qualifications that are prescribed by a law of the Parliament. A candidate seeking election to the Lok Sabha can contest from any parliamentary constituency from any of the States in India.

The Constitution has laid down certain disqualifications for membership. No person can be member of both Houses of Parliament or member both of Parliament and of a State legislature. The candidate may contest from several seats, but if elected from more than one, he has to vacate all except one according to his choice. If a person is elected both to the State legislature and the Parliament and if he does not resign from the State legislature within the specified time period, he will forfeit his seat in Parliament. A member should not hold any office of profit under the Central or State government except those that are exempted by a law of Parliament, and should not have been declared as an insolvent or of unsound mind by a competent court. A member also gets disqualified when he remains absent from the meetings of the House for a period of sixty days without prior permission or when he voluntarily acquires the citizenship of another country or is under any acknowledgement of allegiance to a foreign state.

10.3.3 The Rajya Sabha

The Rajya Sabha or Council of States consists of not more than 250 members of which 12 members are nominated by the President from amongst persons having 'special knowledge or practical experience in literature, science,

art, and social service.' The remaining members are elected by the members of the State Legislative Assemblies in accordance with the system of proportional representation by means of single transferable vote. Thus, unlike Lok Sabha, Rajya Sabha adopts the method of indirect election. For the purpose of this election, each State is allotted a number of seats, mainly on the basis of their population. The Rajya Sabha, thus reflects the federal character by representing the States or the units of the federation. However, it does not follow the American principle of equality of State representation in the Second Chamber. Whereas every State of the United States sends two representatives to the Senate, in India, the number of representatives of the States to the Rajya Sabha varies from one (Nagaland) to 34 (Uttar Pradesh) depending upon the population of a state.

Rajya Sabha is a continuing chamber as it is a permanent body not subject to dissolution. One third of its members retire at the end of every two years and elections are held for the vacant positions. A member of Rajya Sabha has a six-year term, unless he resigns or is disqualified.

10.3.4 Special Powers of Rajya Sabha:

The Rajya Sabha has hardly any control over the ministers who are individually and jointly responsible to the Lok Sabha. Though it has every right to seek information on all matters which are exclusively in the domain of Lok Sabha, it has no power to pass a vote of no-confidence in the Council of Ministers. Moreover, the Rajya Sabha has not much say in matters of money bills.

Nevertheless, the Constitution grants certain special powers to the Rajya Sabha. As the sole representative of the States, the Rajya Sabha enjoys two exclusive powers which are of considerable importance.

First, under Article 249, the Rajya Sabha has the power to declare that, in the national interest, the Parliament should make laws with respect to a matter enumerated in the State List. If by a two-thirds majority, Rajya Sabha passes a resolution to this effect, the Union Parliament can make laws for the whole or any part of India for a period of one year.

The second exclusive power of the Rajya Sabha is with regard to the setting up of All-India Services. If the Rajya Sabha passes a resolution by not less than two-thirds of the members present and voting, the parliament is empowered to make laws providing for creation of one or more All-India Services common to the Union and the States.

Thus, these special provisions make the Rajya Sabha an important component of Indian Legislature rather than just being an ornamental second chamber like the House of Lords of England. The constitution makers have designed it not just to check any hasty legislation, but also to play the role of an important influential advisor. Its compact composition and permanent character provides it continuity and stability. As many of its members are "elder statesmen" the Rajya Sabha commands respectability.

10.4 PRESIDING OFFICERS

Each house of Parliament has its own presiding officers. The Lok Sabha has a Speaker as its principal presiding officer and a deputy speaker to assist him and officiate as presiding officer in his absence. The Rajya Sabha is presided over by the Chairperson, assisted by a deputy chairperson. The latter performs all the duties and functions of the former in case of his/her absence.

10.4.1 The Speaker

The position of the Speaker of the Lok Sabha is more or less similar to the Speaker of the English House of Commons. The office of the Speaker is symbol of high dignity and authority. Once elected to the office, the speaker severs his party affiliation and starts functioning in an impartial manner. He acts as the guardian of the rights and privileges of the members.

The Speaker is conferred with a number of powers to ensure an orderly and efficient conduct of the business of the House. He conducts the proceedings of the house, maintains order and decorum in the house and decides points of order, interprets and applies rules of the house. The Speaker's decision is final in all such matters. The Speaker certifies whether a bill is money bill or not and his decision is final. The Speaker authenticates that the house has passed the bill before it is presented to the other house or the President of India for his assent. The Speaker in consultation with the leader of the house determines the order of business. He decides on the admissibility of questions, motions and resolutions. The Speaker will not vote in the first instance, but can exercise a casting vote in case of a tie. The Speaker appoints the chairpersons of all the Committees of the house and exercises control over the Secretarial staff of the house.

The Speaker's conduct cannot be discussed in the house except in a substantive motion. His salary and allowances are charged to the Consolidated Fund of India so that the independent character of the office is maintained.

A special feature of the Speaker's office is that even when the House is dissolved, the Speaker does not vacate his office. He continues in office until the new House elects another Speaker. In the absence of the Speaker, the Deputy Speaker presides over the House.

10.4.2 Chairperson of Rajya Sabha

The Vice-President of India is the ex-officio chairperson of the Rajya Sabha; but during any period when the Vice President acts as a President or discharges the functions of the President, he does not perform the duties as a presiding officer of the Rajya Sabha. The Vice-President is elected by the members of both the houses of Parliament assembled at a joint meeting, in accordance with the system of proportional representation by means of single transferable vote and the voting at such elections is by secret ballot. The Vice President is not a member of either house of Parliament or of a house of legislature of any State. He holds office for a term of five years from the date on which he enters upon his office or until he resigns his office or is removed from his office by a resolution passed by a majority of members of the Rajya Sabha and agreed to by the Lok Sabha. The functions and duties of the Chairperson of the Rajya Sabha are the same as those of the Speaker of the Lok Sabha.

Check Your Progress-2

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What are the qualifications and disqualification for a member of Indian Parliament?

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2) The powers of the Speaker of Lok Sabha are.....

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10.5 LEGISLATIVE PROCEDURE

Law making is the primary function of the legislature. As modern society is very complex in nature, law making also becomes a complex process. The Constitution of India prescribes the following stages of legislative procedure.

The first stage of legislation is introduction of a bill which embodies the proposed law and is accompanied by the "Statement of Objects and Reasons". The introduction of the bill is also called the first reading of the bill. There are two types of bills: ordinary bills and money bills. A bill other than money or financial bill may be introduced in either House of Parliament and requires passage in both the Houses before it can be presented for the President's assent. A bill may be introduced either by a Minister or a private member. Every bill that is introduced in the House has to be published in the Gazette. Normally, there is no debate at the time of introduction of a bill. The member who introduces the bill may make a brief statement indicating broadly the aims and objects of the bill. If the bill is opposed at this stage, one of the members opposing the bill may be permitted to give his reasons. After this the question is put to vote. If the House is in favour of the introduction of the bill, then it goes to the next stage.

In the second stage, there are four alternative courses. After its introduction, a bill (I) may be taken into consideration; (II) may be referred to a Select Committee of the House; (III) may be referred to a Joint Committee of both the Houses; (IV) may be circulated for the purpose of soliciting public opinion. While the first three options are generally adopted in case of routine legislation, the last option is resorted to only when the proposed legislation is likely to arouse public controversy and agitation.

The day one of these motions is carried out, the principles of the bill and its general provisions may be discussed. If the bill is taken into consideration, Amendments to the bill and clause by clause consideration of the provisions of the bill is undertaken. If the bill is referred to the Select Committee of the House, it considers the bill and submits its report to the House. Then the clauses of the bill are open to consideration and amendments are admissible. This is the most

time-consuming stage. Once the clause by clause consideration is over and every clause is voted, the second reading of the bill comes to an end.

In the third stage the member in charge moves that "the bill be passed". At the third reading, the progress of the bill is quick as normally only verbal or purely formal amendments are moved and discussion is very brief. Once all the amendments are disposed off, the bill is finally passed in the House where it was introduced. Thereafter, it is transmitted to the other House for its consideration.

When the bill comes up for considered by the other House, it has to undergo all the stages as in the originating House. There are three options before the House (I) it may finally pass the bill as sent by the originating House; (II) it may reject the bill altogether or amend it and return to the originating House; (III) it may not take any action on the bill and if more than six months pass after the date of receipt of the bill, this means rejection.

The originating House now considers the returned bill in the light of the amendments. If it accepts these amendments, it sends a message to the other House to this effect. If it does not accept these amendments, then the bill is returned to the other House with a message to that effect. In case both the Houses do not come to an agreement, the President convenes a joint-sitting of the two Houses. The disputed provision is finally adopted or rejected by a simple majority of vote of those who are present and voting.

A bill that is finally passed by both the Houses is presented with the signature of the Speaker to the President for his assent. This is normally the last stage. If the President gives the assent, the bill becomes an Act and is placed in the Statute Book. If the President withholds his assent, there is an end to the bill. The President may also return the bill for the reconsideration of the Houses with a message requesting them to reconsider it. If, however, the Houses pass the bill again with or without amendments and the bill is presented to the President for his assent for the second time, the President has no power to withhold his assent.

Thus, law-making is a long, cumbersome and time-consuming process; it becomes difficult to pass a bill within a short time. Proper drafting of the bill saves time and skillful soliciting of opposition support makes the task easier.

10.5.1 Money Bills

Financial bill may be said to be any bill which relates to revenue and expenditure. But the financial bill is not a money bill. Art. 110 states that no bill is a money bill unless it is certified by the Speaker of the Lok Sabha. A money

bill cannot be introduced in the Rajya Sabha. Once a money bill is passed by the Lok Sabha, it is transmitted to the Rajya Sabha. The Rajya Sabha cannot reject a money bill. It must, within a period of fourteen days from the date of receipt of the bill, return the bill to the Lok Sabha which may thereupon either accept or reject all or any of the recommendations. If the Lok Sabha accepts any of the recommendations, the money bill is deemed to have been passed by both Houses. Even if the Lok Sabha does not accept any of the recommendations, the money bill is deemed to have been passed by both the Houses without any amendments. If a money bill passed by the Lok Sabha and transmitted to the Rajya Sabha for its recommendations is not returned to it within fourteen days, it is deemed to have been passed by both the Houses at the expiry of the said period in the original form.

10.6 PARLIAMENTARY PRIVILEGES

For free and efficient functioning of the members of Parliament it is important that they are granted some privileges. There are two types of privileges for the members of Parliament: enumerated and unenumerated. The important privileges a member enjoys under the enumerated category are: i) Freedom of speech in each House of the parliament; ii) Immunity from proceedings in any Court in respect of anything said or any vote cast; iii) Immunity of liability in respect of publication by or under the authority of either house of Parliament of any report, paper, votes or proceedings; iv) Freedom from arrest in civil cases for duration of the session for a period of 40 days before and after the session; and v) Exemption from attending as a witness in a Court.

In the unenumerated category fall similar privileges and immunities which are granted to the members of the House of Commons of British Parliament. Like the House of Commons, the Indian Parliament has power to punish a person, whether a member or a non-member, in case of contempt of Parliament.

10.7 PARLIAMENTARY DEVICES TO CONTROL THE EXECUTIVE

As observed, one of the important functions of the Parliament is to control the executive. A number of mechanisms are available to it for this purpose.

The rules of procedure and conduct of business in parliament provide that unless the presiding officers otherwise direct, every sitting begins with the Question Hour, which is available for asking and answering questions. Asking of questions is an inherent parliamentary right of all the members, irrespective of their party affiliations. The real object of the member in asking the question is to point out the shortcomings of the administration, to ascertain the thinking of the government in formulating its policy and where the policy already exists, in making suitable modifications in that policy.

In case the answer given to a question does not satisfy the member who raised it and if he feels the need for detailed 'explanation in public interest' he may request the presiding officer for a discussion. The presiding officer can allow discussion, usually in the last half an hour of a sitting.

Members can, with the prior permission of the presiding officer, call the attention of a Minister to any matter of public importance and request the Minister to make a statement on the subject. The Minister may either make a brief statement immediately or may ask for time to make the statement at a later hour or date.

Members can take the government to task for a recent act of omission or commission having serious consequence by resorting to adjournment motion. This motion is intended to draw the attention of the house to a recent matter of urgent public importance having serious consequences for the country and in regard to which a motion or a resolution in the proper notice will be too late. Adjournment motion is an extraordinary procedure which, if admitted, leads to setting aside the normal business of the house for discussing a definite matter of public importance. Adoption of an adjournment motion amounts to the censure of the government.

Besides these devices, Parliament exercises control over the executive through various house committees.

10.7.1 Parliamentary Committees

The accountability of the executive to the Parliament and the Parliament's right to oversee and scrutinise the way in which the executive functions are accepted as axiomatic. But in practice due to some unavoidable factors, such as the pressure on Parliament and its operational procedures, it is difficult for parliament as a body to undertake thorough scrutiny of the multifaceted and complex details of day to day administration and its financial transactions.

Parliament has solved the problem by establishing a series of committees with necessary powers to scrutinise the working of the different departments of the government.

Among the important Committees, which scrutinise the government's works, particularly in the area of public finances, two committees need special mention: Public Accounts Committee and Estimates Committee. These and other Committees are expected to keep the executive on its toes. They ensure an effective and comprehensive examination of all the proposed policies. Often, Committees provides an ideal context for discussing controversial and sensitive matters in a non-partisan manner, away the glare of publicity. They provide a useful forum for the utilisation of experience and ability that may otherwise remain untapped. They also constitute a valuable training ground for future ministers and presiding officers.

10.8 STATE LEGISLATURE

In most respects, state legislatures are similar to the Parliament of India. However, the choice of unicameralism or bicameralism was left to the states, depending on how they weighed the functions of the second chamber compared to the costs involved in running it. Very few states have opted to have bicameral legislature consisting of the Legislative Assembly (Vidhan Sabha) and the Legislative Council (Vidhan Parishad).

The Legislative Assembly of each State is composed of members chosen by direct election on the basis of adult suffrage from territorial constituencies. The size of the Assembly varies from a minimum of 40 to no more than 500. The duration of the Legislative Assembly is for five years.

The membership of the Legislative Council shall not be less than 40 but not more than one-third of the total membership of the Assembly. The House is composed of partly elected and partly nominated members. Normally, 1/6 of total members are nominated by the Governor and the rest are indirectly elected on a complicated formula involving graduates, educators and members of the Assembly.

The position of the Council is inferior to that of the Assembly so much so that it may well be considered as unnecessary. A) The very nature of composition

of the Legislative Council makes its position weak, being partly elected and partly nominated, and representing various interests. B) Its survival depends on the will of the Assembly, as the latter has the power to abolish the Second Chamber by passing a resolution. C) The Council of Ministers are responsible only to the Assembly and not to the Council. D) As regard any ordinary bill originating in the Assembly, the Council's position is very weak for it can only delay its passage for a limited period. Hence, the second chamber of the State legislature is not a revising body, but a mere dilatory body.

The legislative process in the State Assembly is similar to that in the Parliament with one significant exception. The Governor can reserve any bill passed by the State legislature for the consideration of the President. Particularly in one case, it is obligatory on the Governor to reserve the bill, i.e., when the bill is derogatory to the powers of the High Court. If the President directs the Governor to return the bill for reconsideration, the Legislature must reconsider the bill within six months and if it is passed again, the bill is presented to the President again. But it shall not be obligatory on the President to give his assent. Thus, it is clear that once the Governor reserves a bill for the President, its subsequent enactment remains with the President and the Governor has no further role in it. Since the Constitution does not put any time limit upon the President either to declare his assent or withhold, the President can keep the bill in cold storage for an indefinite period without revealing his intention.

10.9 DECLINE OF LEGISLATURE:

At present there exists a strong tendency indicating decline of legislature and corresponding enhancement of power of the executive. Several factors have contributed to this decline of the prestige and functioning of the Parliament.

Parliament is simply not able to devote its entire time to the details of the legislative measures. It could at best lay down broad policy and leave the rest to be taken up by the executive. Hence all bills contain a clause empowering the government to frame necessary regulations and bye laws. Thus, delegated legislation robs the Parliament to a great extent, the law making power, resulting in the decline in the prestige of the Parliament.

The ever-changing political and moral conditions in India are also responsible for the decline of the prestige of the Parliament. Dominance by the

party, the lack of party organisation, the malaise of political defections, corruption and the decline of the morale of politician have all contributed to the erosion of the prestige of the Parliament. A major threat to Parliament in India is posed by the growth of diverse and divisive forces in all the political parties. Both the ruling and opposition parties are prompted more by considerations of expediency and political motives than ideology. The ineffectiveness of the opposition and the lack of a strongly articulated public opinion have added to the erosion of Parliaments position vis a vis the executive headed by the Prime Minister. In theory, we have a parliamentary system where the executive is controlled by the legislature, but in reality, the powers of the legislature have passed into the hands of the executive.

Check Your Progress Exercise-3

Note: I) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What is Question Hour?

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2) Bring out the significance of adjournment motion.

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10.10 LET US SUM UP

The Parliament of India, the supreme legislative organ in the country, has a long historical background. While legislature in some form came into being during the days of the East India Company, it was only when the Company rule was replaced by that of the Crown that the powers of the Union Legislature as well as its democratic base began to gradually grown.

The Parliament consists of the President, the Lok Sabha and the Rajya Sabha. To get elected to the Parliament, one has to fulfil certain qualifications prescribed by the Constitution and the Parliament. Members of the Parliament have certain privileges to enable them to function better. Each house has its own presiding officer to conduct the meetings of the House and to protect the dignity and honour of the House.

The primary function of the Parliament is to enact laws. In addition, it holds the Council of Ministers responsible for its policies and criticises the policies wherever necessary. It also has the powers to amend the constitution and to impeach the President. There are several Committees appointed from among its members for effective functioning. Devices like the question hour, adjournment motion, calling attention motion, etc. are available for Parliament to check the government. Passing of the budget, an important function of the Parliament, provides it with an opportunity to scrutinise the activities of the government.

There is a declining trend in the position of the legislature all over the world. Delegated legislation, ascendancy of the executive over the other organs of the government, emergence of strong party system, etc. are some of the reasons for such a trend. Despite these trends, the Parliament still commands respect and is able to maintain its position vis a vis the other organs of the government.

10.10 SOME USEFUL BOOKS

Basu, Durga Das, 1983, *Commentary on the Constitution of India*, Prentice Hall, New Delhi.

Granville Austin 1964, *India's Constitution-Cornerstone of a Nation*,

Mukherjee, Hiren, 1978, *Portrait of Parliament: Reflections and Recollections*, Vikas, New Delhi.

ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-I

- 1) Bicameral legislature at the Centre- For the first time, elected majority was established in legislature.
- 2) The Government of India Act of 1935 which introduced federalism in India.

Check Your Progress Exercise-2

1) To be a member, the person should be 25 years (for Lok Sabha) or 30 years (for Rajya Sabha) and other qualifications prescribed by the Parliament. A member disqualifies if absent from meetings for more than 60 days without permission, if he holds a office of profit under Government of India, if found to be of unsound mind, if declared insolvent or acquires citizenship of another country or is under any acknowledgement of allegiance to a foreign state. A member elected to the State Assembly, forfeits his membership of Parliament if he does not resign from the State Assembly within a specified period.

2) Has wide and extensive powers-presides over the sitting of Lok Sabha, conducts proceedings, maintains order in the house and determines the order of business in the house- acts as spokesperson of the house-interprets and applies rules of the house-authenticates bills- certifies money bills- etc

Check Your Progress Exercise-3

1) The first hour of the sitting of a house which is available for asking and answering of questions.

2) It is an extraordinary procedure to call the attention of the house to a matter of grave importance and affecting the whole country. Normal business is set aside to discuss the motion. And adoption of this motion amounts to censure of the government.

Unit–11: Executive

Structure

- 11.0 Objectives
- 11.1 Introduction
- 11.2 President of India
 - 11.2.1 Qualifications
 - 11.2.2 Method of Election
 - 11.2.3 Term of Office and Removal of the President
- 11.3 Powers of the President
 - 11.3.1 Emergency Power
- 11.4 The Prime Minister
 - 11.4.1 The Council of Ministers and the Cabinet
 - 11.4.2 Collective Responsibility
- 11.5 The Cabinet and the Parliament
 - 11.5.1 Sources of Prime Minister's Power and influence
- 11.6 The President and the Prime Minister
- 11.7 Let Us Sum Up
- 11.8 Some Useful Books
- 11.9 Answers to Check Your Progress Exercises

11.0 OBJECTIVES

As in all parliamentary systems, India has both a nominal and real executive. This unit examines the office of the President of India and the Council of Ministers headed by the Prime Minister. After going through this unit you should be able to:

- Describe the powers the President of India.
- Explain the procedure for the election of the President of India.
- Describe the composition and functions of the Council of Ministers
- Identify the sources of power and influence of the Prime Minister
- Discuss the position of the President and Prime Minister in the Indian political system.

11.1 INTRODUCTION

The executive power of the government of India is vested in the President of India, who is both the formal head of the state and the symbol of the nation. The Constitution of India, however, bestows authority and dignity to the office of the President without providing adequate powers to rule. Instead, the President performs essentially a ceremonial role. The Prime Minister exercises real executive power. While the President is the head of the state, the Prime Minister is the head of the government. The President carries out the actual functions of the government only with the aid and advice of the Prime Minister. As one political scientist observed, for a President to use the executive powers formally vested in the office would be to misuse and abuse the trust reposed in the highest dignitary in the land. How are the incumbents of these two important offices of the executive elected or selected? What is the position of the President and the Prime Minister in the Indian political system?

What is the relationship between the executive and legislature in a parliamentary system such as one prevailing in India? These are some of the questions that we seek to address in this unit.

11.2 PRESIDENT OF INDIA

The constitution has made detailed provisions to see that the President, the head of the state, is a ceremonial head and that he did not arrogate to himself any real power. The President is indirectly elected for term of five years and can be removed on the basis of impeachment proceedings brought against him by the Parliament. The Constitution also provides for the post of a Vice President, also indirectly elected, who would serve as head of the state in the event of the President's incapacity or death.

11.2.1 Qualifications

Articles 58 and 59 of the Constitution of India lay down the qualifications for the office of the President of India. A candidate for the office of the President should be a citizen of India, must have completed 35 years of age and possess other qualifications which are necessary to become a member of the Lok Sabha. He/she should not hold any office of profit under the Union, State or local governments at the time of his election, nor should he be a member of either house of Parliament or state legislature. Besides, the candidate should possess such other qualifications as may be prescribed by the Parliament from time to time.

11.2.2 Method of Election

The Constitution prescribes an indirect election through an electoral college (composed of the elected members of Parliament and the elected members of the state legislative assemblies) on the basis of proportional representation and by means of single transferable vote. Based on the system of principles of uniformity among states and parity between the centre and the states, the election procedure is designed to ensure the election of a truly national candidate.

To ensure uniformity among states, the value of the votes of elected members of the state assemblies is calculated on the basis of the total population of the state. The value of a state elector's vote is worked out by dividing the total population of the state, by the total number of elected members in the assembly. The quotient obtained is divided by 1000 to obtain the value of the vote of each member of the assembly in the presidential election. The value of the vote of a member of Parliament is obtained by dividing the total number of votes given to all the elected members of the

states assemblies by the total number of elected members of both the houses of the Parliament.

Voting is by single transferable vote, with electors casting first and second preferences. A candidate who receives an absolute majority of votes cast by the Electoral College is declared the winner. In case no candidate secures absolute majority in the first counting, the second preference votes of the lowest polling candidate are transferred to the other remaining candidates until such time as one candidate crosses the threshold of 50 percent of the votes cast.

This method of election was intended to make the Presidential election broad based to achieve political balance between the Centre and the states. Consequently, the President represents not only the Union but also the States. This is in keeping with the federal character of the Indian polity.

11.2. 3 Term of Office and Removal of the President

The term of the office of the President of India is five years. His tenure commences from the date on which he assumes office after taking an oath administered by the Chief Justice of India. Though the constitution is silent, the President can seek a second term. For instance, Rajendra Prasad was elected as the President twice, though Jawaharlal Nehru, the Prime Minister was not in favour of Rajendra Prasad's second term. But the latter was supported by a large number of Congress leaders

The President remains in office until his successor enters office. However, if the President wishes to resign, he could send his resignation letter to the Vice President. If the post of the President falls vacant, the Vice-President takes over the charge. But the election for the post of President must be conducted within six months from the date of occurrence of vacancy.

Articles 56 and 61 deal with the procedure for impeaching the President of India. In this regard, the constitution lays down 'violation of the Constitution' as the ground for removal. The process of impeachment can be initiated in either house of parliament and must be passed by not less than two-thirds of the total membership of the house in which it has been moved. If the other house investigates the charge and two-thirds majority of that house find him guilty, then the President stands impeached from the office from the date of passing of the resolution. Thus, the procedure of removal of the President is difficult and has been made so to prevent misuse of this power by the Parliament. Till date, no President has been impeached.

11. 3 POWERS OF THE PRESIDENT

Article 53 deals with the executive powers of the President of India. The powers of the President are broadly divided into two types, namely, ordinary and emergency powers. The ordinary powers of the President can be grouped as executive, legislative, financial and judicial powers.

The executive powers of the Union are vested in the President. Article 53 vests all executive powers in him and empowers him to exercise these powers directly by himself or through officers subordinate to him. Article 75 requires the Prime Minister to communicate to the President all decisions of the Union Council of Ministers. Article 77 holds that all executive powers of the Union government shall be exercised in the name of the President.

The President has both administrative and military powers. The President has the power of appointment and removal of high dignitaries of the State. The President appoints the Prime Minister and, on the latter's advice, the council of ministers, the Attorney-General, the justices of the Supreme Court and High Courts, members of special commissions (such as the Union Public Service Commission and the Election Commission); and the governors of states. The choice of the Prime Minister is not a discretionary prerogative of the President but is usually dictated by the party commanding a majority following in the Lok Sabha.

The President of India is also the Commander-in-Chief of the Defence Forces. He appoints the Chiefs of the Army, the Navy and the Air Force. He has the power to declare war and conclude peace. But all these powers have to be exercised by him subject to the ratification of the Parliament. As pointed out, he exercises he exercises all the executive powers only with the aid and advice of the Council of Ministers headed by the Prime Ministers.

Even though the President is not a member of either house of Parliament, Article 79 states that the President is an integral part of the Union Parliament. As we saw in Unit 11, the President has the power to summon both the houses of Parliament, nominate twelve members to the Rajya Sabha, has the right to address either house or their joint session at any time and the power to dissolve the Lok Sabha. All money bills to be introduced in the Parliament have to obtain the recommendation of the President. Such a prior recommendation is also necessary for introducing bills regarding the formation of new states, alteration of areas, boundaries, names of the existing states, etc. Finally, when any bill is passed by the Parliament, it can become an Act only when it has the assent of the President. The President can withhold or return a non-money bill for the reconsideration of the Parliament. However, if

the same is passed by both the houses with or without modifications and returned to the President, the latter is bound to give his assent.

When the Parliament is not in session, the President can promulgate ordinances in public interest. These ordinances have the same force and effect as the laws passed by the Parliament. However, they have to be placed before the Parliament within a period of six weeks from the day of the reassembling of Parliament. Without the Parliament's approval, the ordinance will become invalid.

Article 254 empower the President to remove inconsistencies between laws passed by the Parliament and state Legislatures and the subjects included in the Concurrent list. Another legislative function President having a bearing on states is that the Governor of a state can reserve certain bills passed by the state Legislatures for the consideration of the President.

The judicial powers of the President of India include the appointment of the justices of the Supreme Court and High Courts, and the power to grant pardon, reprieve, suspension, remission or commutation of punishment or sentence of court. These powers of granting pardon are given to the President for removing the extreme rigidity in the criminal laws and for protecting the persons on humanitarian considerations. The President also has the right to seek the advice of the Supreme Court on some important constitutional, legal and diplomatic matters. In 1977, the President sought the advice of the Supreme Court for creating Special Courts to try the emergency excesses.

11.3 1 Emergency Power

With the intention of safeguarding the sovereignty, independence and integrity of Union of India, the constitution bestows the President of India with emergency powers. The President is empowered to declare three types of emergencies, namely, a) national emergency arising out of war, external aggression or armed rebellion, b) emergency arising due to the break down of the constitutional machinery in the States and c) financial emergency.

The President can make a proclamation of national emergency at any time if he is satisfied that the security of Indian any part of the country is threatened by war, external aggression or armed rebellion. This proclamation must be submitted to the Parliament for its consideration and approval. It must be accepted within one month by both the houses of Parliament by two-third of the members present and voting. If the Parliament fails to approve the proclamation bill, it ceases to operate. If approved, it can continue for a period of six months. However, it can continue for any length of time if the President

approves the proclamation for every six months. The Parliament however, has the power to revoke the emergency at any time by a resolution proposed by at least one tenth of the total members of the Lok Sabha and accepted by a simple majority of the members present and voting. National emergency under Article 352 was proclaimed for the first time in 1962 when the Chinese aggression took place. The second proclamation was made in 1971 during the Bangladesh war. On 26th June 1975, for the first time, the President proclaimed, on the advice of the Prime Minister, emergency in the name of grave danger to internal security.

When there is a breakdown of the constitutional machinery in the state, the President can impose emergency in that state. Article 356 provides that if the President, on receipt of a report from the Governor of a state or otherwise, is satisfied that a situation has arisen in which the government of the state can not be carried on in accordance with the constitutional provisions, he may proclaim constitutional emergency in the state. He can also declare state emergency if the state government refuses or fails to carry out certain directives given by the central government.

The proclamation of this type of emergency, popularly called as President Rule, can remain in force for a period of six months. By the 44th Amendment, the Parliament can extend the duration of the state emergency for a period of six months at one instance. Ordinarily, the total period of such emergency cannot exceed one year unless there is a national emergency in force. However, the total period of state emergency cannot go beyond three years.

The President can impose financial emergency. Article 360 states that if the President is satisfied that a situation has arisen where the financial stability or credit of India or any part of the country is threatened, he may declare financial emergency. Like the National emergency, such a proclamation has to be laid before the Parliament for its approval.

On its face value one can say that the President enjoys formidable powers. In reality however, he can exercise his powers only on the aid and advice of the Council of Ministers, headed by the Prime Minister. In this respect, the President's position is more like that of the British Monarch rather than that of the President of the United States of America. While the President of India may be the head of the state, the head of the government is the Prime Minister.

Check Your Progress Exercise-1

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) Explain within three sentences how the President of Indian Republic is elected.

.....

2) What are the legislative powers of the President of India?

.....

3) What are the effects of the emergency powers of the President?

.....

11.4 THE PRIME MINISTER

The real executive power under the constitution vests with the Union Council of Ministers with the Prime Minister at its head. The President is obliged to act according to the advice of the Council of Ministers which is responsible in the real sense of the term, not to the President but to the Lok Sabha.

As in Britain, the Prime Minister is usually a member of the lower house of Parliament. When Mrs Indira Gandhi was selected as a Prime Minister in 1966, she was a member of the Rajya Sabha. By getting elected to the Lok Sabha, she strengthened the convention of the Prime Minister being a member of the lower house.

The Prime Minister is appointed by the President. However, the President has hardly any choice in selecting the Prime Minister. He can only invite the leader of the party in majority in the Lok Sabha, or a person who is in a position to own the confidence of the majority in the house. The Prime Minister holds office during the pleasure of the President. The 'pleasure' of

the President in this regard is related to the unwavering majority support which a Prime Minister receives in the Lok Sabha.

The President appoints the other members of the Council of Ministers on the advice of the Prime Minister. A minister may be chosen from either house and has a right to speak and take part in the proceedings of the other house, though he can vote only in the house to which he belongs. Even a person who is not a member of either house of Parliament can be appointed as minister but he has to qualify for it by being elected or nominated to either house within a period of six months.

11. 4.1 The Council of Ministers and the Cabinet

The term 'cabinet' is used interchangeably with that of Council of Ministers. But they are different. The Council of Ministers, or the Ministry, consists of different categories of ministers. At the time of independence, there was no such institution as a cabinet in India. What existed then was the Executive Council. On 15 August 1947, the Executive Council was transformed into a Ministry or Council of Ministers that is responsible to the Parliament.

The term 'cabinet' was used thereafter as an alternative to the Council of Ministers. At this stage, all the members of the ministry or the cabinet except the Prime Minister had the same status. But the situation changed once junior ministers were appointed to the Council of Ministers. In 1950, based on the recommendations of the Gopalswamy Ayyangar's report, a three-tier system of the ministry was established: with the cabinet ministers at the top; ministers of the state at the middle and deputy ministers in the lowest rung.

The **Cabinet**, composed of the 'senior most ministers' whose responsibilities transcended departmental boundaries into the entire field of administration, is a smaller body and the most powerful body in the government. The Cabinet serves three major functions: i) It is the body which determines government policy for presentation to the Parliament; ii) It is responsible for implementing government policy; iii) It carries out inter-departmental coordination and cooperation.

The cabinet meets regularly, as it is a decision-making body. It is assisted by the cabinet secretariat that is headed by a senior member of the civil services, the cabinet secretary. To manage the volumes and complexities of work that comes before it the cabinet members have developed standing and ad hoc committees. There are four Standing Committees which are permanent in nature. These are the defence committee, economic committee,

administrative organisation committee and parliamentary and legal affairs committee. Ad-hoc Committees are constituted from time to time.

Next in rank are the **ministers of state** who hold independent charge of individual ministries and perform the same functions and exercise the same powers as a cabinet minister. The only difference between such a minister of state and a cabinet minister is that he/she is not a member of the cabinet, but attends cabinet meetings only when specially invited to do so in connection with the subject that he/she is given charge of. There are other ministers of state who work directly under cabinet ministers.

At the bottom of the hierarchy are the **deputy-ministers** who do not have specific administrative responsibilities. But their duties include: i) Answering of questions in parliament on behalf of the ministers concerned and helping to pilot bills, ii) Explaining policies and programmes to the general public and maintaining liaison with members of parliament, political parties and the press, and iii) Undertaking special study or investigation of particular problems, which may be assigned to them by particular minister.

From the above it is clear that the Cabinet is the nucleus of the Council of Ministers. Precisely because of this reason Walter Bagehot calls the Cabinet 'the greatest committee of the legislature'. It is the 'connecting link between the executive and legislative power'.

11.4.2 Collective Responsibility

The Council of Ministers function on the principle of collective responsibility. Under this principle, all ministers are equally responsible for each and every act of government. That is, under collective leadership each minister accepts and agrees to share responsibility for all decisions of the cabinet. Doubts and disagreements are confined to the privacy of the cabinet room. Once a decision has been taken, it has to be loyally supported and considered as the decisions of the whole government. If any member of the Council of Ministers is unable to support government policy in the Parliament or in the country at large, then that member is morally bound to resign from the Council of Ministers.

Even if the Council of Ministers is formed as a result of a coalition of various political parties, a minimum common programme becomes essential for maintaining the solidarity of the ministry, and the various political parties forming the coalition government have to stand behind that programme. Unless they do so the Cabinet cannot survive. Unity within Council of Ministers is not only essential for its very survival, but is also necessary for its

efficiency and efficacy, on the basis of which alone can it continue to enjoy the confidence of the people. Minister of State Mohan Dharia was dismissed from the Council of Ministers in 1975 because of public dissent from the government policy on how to handle the people's movement launched by Jayaprakash Narayan. Open bickering between members of the Janata government on matters of public policy was the prelude to the collapse of the government in 1979.

11.5 THE CABINET AND THE PARLIAMENT

The core of the parliamentary government is the accountability of the Prime Minister and the Cabinet to the Parliament. The Parliament does not govern but critically examines the policies and acts of the government, and approves or disapproves of them as the representative of the people. The very existence and survival of the Prime Minister and the Council of Ministers depends upon the support they receive in the Parliament. As we observed, the Council of Ministers is collectively responsible to the Parliament. Thus, the general feeling is that the Parliament controls the Executive. But in reality, the Prime Minister with his majority support controls the very working of the Parliament.

11.5 1 Sources of Prime Minister's Power and influence

Though the constitution does not enumerate the powers and functions of the Prime Minister, the Prime Minister in practice enjoys a wide range of powers as a leader of the Council of Ministers and the Lok Sabha.

The Prime Minister's prerogative of constituting, reconstituting and reshuffling the ministry as well as chairing the meetings bestows the office with considerable influence over the members of Parliament. It must however be noted that the Prime Minister's freedom to select his colleagues is subjected to his/her own position within the party. For example, India's first Prime Minister, Nehru, could not ignore Sardar Patel who was very powerful in the Congress party. He was therefore appointed as the Deputy Prime Minister and Home Minister. Some of Patel's followers were also made members of the ministry. Similarly, Mrs Indira Gandhi in the early years of office has to accommodate powerful leaders in the party in her ministry. Emerging as an all-powerful leader after the 1971 mid-term elections, she had complete freedom in choosing and reshuffling ministers. In coalition governments, the Prime Ministers were did not have much choice in choosing ministerial colleagues. In the Janata government, Morarji Desai had many ministers whom he never knew before. In case of H.D.Deve Gowda and later

I.K. Gujral governments, the ministers were selected not by the Prime Minister but by the leaders of the 14 regional parties who formed the United Front.

The Prime Minister also derives power and influence from the fact that he/she is the leader of the majority party and sometimes even the leader of the parliamentary wing of the party. As a leader of the Lok Sabha, the Prime Minister has enormous control over parliamentary activities. The Prime Minister advises the President on summoning and prorogation of the sessions of Parliament. The Speaker consults the Prime Minister in finalising the agenda of the Lok Sabha. With the Council of Ministers sponsoring majority of the bills presented to the Parliament and with the Prime Ministers deciding on the strategies for presenting the bills before the Parliament, the Prime Minister's influence over the legislature gets reinforced. Moreover, the Prime Minister enjoys enormous legislative power in the form of recommending Ordinances to the President for promulgation when the Parliament is not in session. But the most important power of the Prime Minister with regard to Parliament is to recommend dissolution of Lok Sabha. The President has to accept the advice of the Prime Minister who is backed by the majority of the Lok Sabha. This is the power by which the Prime Minister controls even the opposition.

As the head of the government, the Prime Minister enjoys the power of patronage. All the major appointments of the Central government are made by the Prime Minister in the name of the President, which includes justices and judges of the Supreme Court and High Court, the Attorney-General, the Chiefs of the army, navy and air force, Governors, ambassadors and High Commissioners, the Chief and members of the Election Commission, etc. Further, the Prime Minister's control over the administration, including the intelligence agencies and other administrative wings of the government enhances his/her influence over other members of parliament and administration.

Apart from these structural factors, there are other factors that increase the power and authority of the Prime Minister. To begin with, in the post-Second World War period, the rise of executive has been a universal phenomenon, irrespective of the political system. Moreover, the general elections in most democratic systems have virtually become an election of the leader, and it is being interpreted as a popular mandate. Sometimes a leader derives strength from his/her charisma. Leaders like Jawaharlal Nehru and

Indira Gandhi had undisputed control over the party on account of their charisma. This enabled them to exercise enormous power and influence over national affairs, which were not clearly envisaged by the Constitution.. The cumulative effect of all these factors has undoubtedly contributed to the enhancement of the power and prestige of the office of the Prime Minister.

Check Your Progress Exercise-2

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) The three most important functions of a Cabinet are

.....

2) What is collective responsibility?

.....

3)Parliamentary system contains structural factors which contribute to the Prime Ministers power and influence. Identify these factors.

.....

11.6 THE PRESIDENT AND THE PRIME MINISTER

Article 78 enumerates the duties of the Prime Minister. The Prime Minister is to: a) communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation; b) furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for and; c) if the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council. These duties of the Prime Minister seem to suggest that the President is the real executive with vast powers. But as we saw, the President can exercise his powers only with the aid and advice of the Council of Ministers. The Prime Minister, heading the Council of Ministers, is therefore the real executive. The

President is a constitutional head performing a ceremonial role. However, there have been occasions when the President had differences of opinion with the Prime Minister on the policies of the government.

The first President of India, Rajendra Prasad, tried to break from the British convention that the head of the state is always bound by the advice of the Prime Minister and the Cabinet. For instance, he was unhappy with the Nehru government's attempt to reform Hindu personal law. Again in 1959, he declined to give his assent to the state emergency in Kerala. In these cases, he was prevailed upon in the end to accept the convention even in Indian conditions. On one occasion (28 November 1960, address to the India Law Institute, New Delhi) he remarked "there is no provision in the Constitution which in so many words lays down that the President shall be bound to act in accordance with the advice of the Council of Ministers". A few days later Prime Minister Nehru replied at a Press Conference "the President has always acted as a constitutional head. We have modelled our constitution on the parliamentary system and not a presidential system, although we have copied or rather adopted many provisions of the US Constitution, because ours is federal one. Essentially, our constitution is based on the UK parliamentary model. That is the basic thing. In fact, it is stated that whenever it does not expressly say anything, we should follow the practice of the House of Commons in UK".

In the 1960s, the theory of Independent Presidency gained some ground. KM Munshi who developed the theory argued that there is no provision in the constitution of India which expressly lays down that the President is bound by the advice of the Council of Ministers. Further, the President is elected by the Parliament as well as state legislatures. As such he is expected to protect the interests of the states. He also takes the oath to defend, protect and preserve the constitution. In other words, he safeguards the provisions of the constitution from violation and encroachment from any quarters including the government. As if to prevent such ideas from gaining ground, the 42nd Amendment act was passed which stipulated that the President shall be bound by the advice of the Council of Ministers. Thus, ended all misgivings about Independent Presidency. However, the 44th Amendment act, passed during the Janata government, restored the earlier position. Further, it also stated that the President is empowered to ask the Council of Ministers to reconsider its advice on any matter.

In 1987, a political stir was created when President Zail Singh withheld his assent to the Indian Postal (Amendment) Bill, despite its having been passed by both the Houses of Parliament. The President won public support for himself and for the office by open expression of displeasure over a bill which would expand enormously the government's power to tamper with private correspondence. The bill never came back for the reconsideration of the President.

One of the reasons for this tension was partially a reflection of bad personal relations. While all Prime Ministers have taken great care to observe protocol in being formally deferential to the President, for example, by keeping him informed of government matters regularly, Rajiv Gandhi failed to maintain such communication and caused offence to the President. While the Prime Minister maintained in the Rajya Sabha that he had kept the President informed of all important matters of the state, President Singh claimed that he had been ignored and slighted by Rajiv Gandhi and kept in the dark about many important state issues in violation of established constitutional conventions. When the Speaker refused to permit a discussion of the controversy in the Lok Sabha, opposition parties staged a walkout in March 1987. Though Rajiv Gandhi repaired his relations with Zail Singh and ended the controversy, such public constitutional crisis was quite a departure from the discrete attempts by President Rajendra Prasad and Prime Minister Nehru to define the roles and jurisdiction of their respective offices.

Though there have been differences between the President and the Prime Minister, these did not assume serious proportions culminating in any constitutional crisis. Whenever such differences arose they were attempted to be resolved informally or through the party functionaries. On the whole, the President has always worked only as constitutional head. As in Britain, some of the constitutional conventions and practices in India have been defined only as a result of tussles between different parts of the government.

Check Your Progress Exercise-3

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) Explain the doctrine of Independent President.

.....

.....

.....

.....

11.7 LET US SUM UP

Following the pattern of British Westminster model, India evolved its own system of parliamentary form of government in which the executive is responsible to the legislature. The executive power of the government of India is vested in the President of India, who is both the formal head of the state and the symbol of the nation. The President is endowed with authority and dignity without adequate powers. The President can exercise his authority only with the aid and advice of the Council of Ministers headed by the Prime Minister. It is the Prime Minister who exercises real executive power in the Indian political system. As the head of the Council of Ministers, the leader of the majority party in the Lok Sabha and often the leader of the Parliament, the Prime Minister enjoys considerable power and authority. Though the Prime Minister is appointed by the President and holds office with the pleasure of the President, the Prime Minister is in reality responsible to the Parliament. The Council of Ministers and the informal cabinet headed by the Prime Minister work on the principle of collective responsibility. As we saw, there have been differences between the President and the Prime Minister, these did not assume serious proportions culminating in any constitutional crisis. The President on the whole, worked only as a constitutional head.

11.8 SOME USEFUL BOOKS

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Jennings, Sir, Ivor, 1969, *Cabinet Government*, Cambridge University Press, Cambridge.

Patnaik, Raghunath, 1996, *Powers of the President and Governors of India*, Deep and Deep, New Delhi.

Kashyap, Subhas, 1995, *History of the Parliament of India*, Vol. 2, Shipra Publications, New Delhi.

11.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-1

1) The President is elected by the members of the Electoral College on the basis of proportional representation and by means of single transferable vote. The Electoral College comprises the elected members of the Union Parliament and State Assemblies.

2) To summon and prorogue the Parliament- To dissolve the Lok Sabha-power to promulgate Ordinances-summon and address the joint sitting of the two houses of Parliament-veto of non-money bills-powers to nominate members to the Parliament etc

3) The Parliament will have the power to make laws on all subjects including those in the state list- The Central government can issue directions to the state government- Fundamental rights can be suspended –Normal term of the Lok Sabha can be extend by one year, etc

Check Your Progress Exercise-2

1) To determine government policy for presentation to the Parliament; ii) Implement government policy; iii) Carry out inter-departmental co-ordination and co-operation.

2) The Council of Ministers functions on this principle. Each member accepts and agrees to share responsibility for all decisions of the cabinet. It's necessary for efficiency and efficacy but also for the very survival of the cabinet system of government.

3) In a parliamentary system, the Prime Minister is the head of the Council of Ministers, leader of the majority party in the Lower House and head of the government.

Check Your Progress-3

1) This doctrine was enunciated by KM Munshi. He argued that there is no provision in the Constitution that lays down that the President is bound by the advice of the Council of Ministers. Moreover, since the Parliaments as well as state legislatures elect the President, he is expected to protect the interests of the states. Also, the President takes oath to defend, protect and preserve the constitution.

Unit 12: JUDICIARY

Structure

- 12.0 Objectives
- 12.1 Introduction
- 12.2 Evolution and Development of Judiciary in India
- 12.3 The Supreme Court
 - 12.3.1 Composition and Appointments
 - 12.3.2 Tenure
 - 12.3.3 Salaries
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- 12.4 Jurisdiction of the Supreme Court
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- 12.5 The High Court
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- 12.11 Answers to Check Your Progress Exercises

12.0 OBJECTIVES

This unit deals with the structure, composition, jurisdiction and functions of the Indian judiciary. After going through this unit, you should be able to:

- Trace the evolution of the judicial system in India;
- Describe the composition of the courts in India;
- Explain the functions and jurisdiction of the Supreme Court, High Court and the Subordinate Courts; and
- Explain the concept of judicial review and its importance in safeguarding fundamental rights.

12.1 INTRODUCTION

In a political system based on constitutional government, the functions of rule making, rule enforcement and rule interpretation are separated into the three institutions of the legislature, the executive and the judiciary. A judiciary that is independent of and acting as a check on the arbitrary exercise of legislative and executive power is an essential feature of a constitutional government. The judiciary is also the final arbiter on what that constitution itself means. In a federal system, the judiciary also serves as a tribunal for the final determination of disputes between the union and its constituent units. Given the tremendous importance of the role and functions of the Supreme Court and the High Courts, various measures have been adopted to ensure the independence of the judiciary. Let us first trace the evolution of the modern

judicial system in India and then examine the various constitutional provisions relating to its powers and functions.

12.2 EVOLUTION AND DEVELOPMENT OF JUDICIARY IN INDIA

The development of judiciary in general can be traced to the growth of modern nation-states. This was the stage when it was assumed that power and administration of justice was prerogative of the state.

During the ancient times, administration of justice was not considered a function of the state as it was based on religious law or dharma. Most of the kings courts dispensed justice according to dharma, ‘a set of eternal laws rested upon the individual duty to be performed in four stages of life (ashrama) and status of individual according to his status (varna)’. The king had no true legislative power, the power to make ordinances “on his own initiative and pleasure”. Even if a law has been enacted and royally recognised, an individual to whom custom applies may disobey it on the ground that it conflicts the precepts of dharma. At the village level, the local/village/popular courts dispensed justice according to the customary laws.

However, during the medieval times, the king arrogated to himself an important role in administering justice. He was the highest judge in the land.

With the advent of the British rule in India, judicial system on the basis of Anglo-Saxon jurisprudence was introduced in India. The Royal Charter of Charles II of the year 1661 gave the Governor and Council the power to adjudicate both civil and criminal cases according to the laws of England. But it was with the Regulating Act of 1773 that the first Supreme Court came to be established in India. Located at Calcutta, the Supreme Court consisted of Chief Justice and three judges (subsequently it was reduced to two judges) appointed by the Crown and it was made a King’s court rather than a Company’s court. The court held jurisdiction over “his majesty’s subjects” wherever the Supreme Courts were established. Supreme Courts were established in Madras and in Bombay later.

Judicial system during this period consisted of two systems, the Supreme Courts in the Presidencies and the Sadr courts in the provinces. While the former followed the English law and procedure, the latter followed regulation laws and personal laws.

Subsequently, these two systems were merged under the High Courts Act of 1861. This Act replaced the Supreme Courts and the native courts (Sadr Dewani Adalat and Sadr Nizamat Adalat) in the presidency towns of Calcutta,

Bombay and Madras with High Courts. The highest court of appeal however was the judicial committee of the Privy Council.

At this stage of development of the Indian legal system, we see the beginning of a new era in the emergence of a unified court system.

The Federal Court of India was established in Delhi by the Act of 1935. This was to act as an intermediate appellant between the High Courts and the Privy Council in regard to matters involving the interpretation of the Indian constitution. In addition to this appellate jurisdiction, the Federal Court had advisory as well as original jurisdiction in certain other matters. This court continued to function until 26 January 1950, the day the independent India's constitution came into force.

12.3 THE SUPREME COURT

The entire judicature has been divided into three tiers. At the top there is a Supreme Court, below it is the High Court and the lowest rank is occupied by session's court.

The Supreme Court is the highest court of law. The Constitution says that the law declared by the Supreme Court shall be binding on all small courts within the territory of India. Below the Supreme Court, are the High Courts located in the states. Under each High Court there are District Sessions Courts, Subordinate Courts and Courts of Minor Jurisdiction called Small Cause Courts.

Given the importance of the judiciary in a federal system resting on limited government, the Supreme Court was designed to make it the final authority in the interpretation of the Constitution. While framing the judicial provisions, the Constituent Assembly gave a great deal of attention to such issues as the independence of the courts, the power of the Supreme Court and the issue of judicial review.

12.3.1 Composition and Appointments

The Supreme Court consists of the Chief Justice of India and such other number of other judges as is provided by the law. When the Supreme Court was inaugurated, it had only eight judges. Its strength has risen to twenty five judges. The President of India, who is the appointing authority, makes these appointments on the advice of the Prime Minister and the Council of Ministers.

The Constitution stipulates in Article 124 (2) that the President shall appoint judges of the Supreme Court under his hand and seal after consultation with such of the judges of the Supreme Court as the President

may deem necessary. In the case of the Chief Justice of the India, the President shall consult such judges of the Supreme Court and of the High Courts as he may deem necessary. In spite of this clear constitutional provision, the appointment of the Chief Justice of India has become a matter of political controversy. Here it may be worth recalling the issues that were raised in 1973 when the Government of India appointed Justice SS Ray as the Chief Justice of India superseding four other judges, against the recommendations of the outgoing Chief Justice, SM Sikri.

To eliminate politics in the appointment of judges, high minimum qualifications have been prescribed. For appointment to the Supreme Court, a person should be a citizen of India, a judge of the High Court for at least five years, or should have been an advocate of High Court for at least ten years or a distinguished jurist in the opinion of the President of India.

12.3.2 Tenure

Once appointed, a judge holds office until he attains 65 years. A judge of the Supreme Court may resign his office or may be removed in case of misbehaviour or incapacity. According to the procedure laid out in the Constitution, each house of the Parliament will have to pass a resolution supported by two third of the members present and voting. The motion of impeachment against a judge was table in Parliament for the first in 1991. This involved Supreme Court Justice V Ramaswami. When an audit report revealed several irregularities committed by the judge during his tenure as the Chief Justice of the Punjab and Haryana High Court, a three man judicial committee was set up with a serving and a retired Supreme Court judge and the Chief Justice of the Bombay High Court. The Committee concluded that there had indeed been a wilful and gross misuse of official position and intentional and habitual extravagance at the cost of the public exchequer which amounted to 'misbehaviour'. Justice Ramaswami, however, maintained that there were procedural irregularities in the notice of the motion, the constitution of the committee and its functioning. The impeachment motion moved in May 1993 failed with 196 out of 401 voting for it and the remaining 205 abstaining. But accepting reality, the judge subsequently resigned.

12.3.3 Salaries

A very important element that determines the independence of the judges is the remuneration received by them. The salaries and allowances of the judges are fixed high in order to secure their independence, efficiency and impartiality. Besides, the salary, every judge is entitled to a rent-free official

accommodation. The Constitution also provided that the salaries of the judges cannot be changed to their disadvantage, except in times of a Financial Emergency. The administrative expenses of the Supreme Court, the salaries, allowances, etc., of the judges are charged on the Consolidated Fund of India.

12.3.4 Immunities

To shield judges from political controversies, the Constitution grants them immunity from criticisms against decisions and actions made in their official capacity. The Court is empowered to initiate contempt proceedings against those who impute motives to the judges in the discharge of their official duties. Even the Parliament cannot discuss the conduct of the judge except when a resolution for his removal is before it.

Check Your Progress Exercise-1

Note: I) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

- 1) What are the qualifications required for appointment as a judge of the Supreme Court?

.....

- 2) What is the procedure for removing a judge of the Supreme Court.?

.....

12.4 JURISDICTION OF THE SUPREME COURT

Article 141 declares that the law laid down by the Supreme Court shall be binding on all courts within the territory of India. The different categories into which the jurisdiction of the Supreme Court is divided is as follows: 1) Original Jurisdiction, 2) Appellate Jurisdiction, 3) Advisory Jurisdiction, 4) and Review Jurisdiction.

12.4.1 Original Jurisdiction

The Supreme Court has original jurisdiction firstly as a federal court. In a federal system like that in India, both the Union and the State governments derive their powers from and are limited by the same constitution. Differences of interpretation of the Union-States distribution of powers, or conflicts between States governments require authoritative

resolution by a judicial organ independent of both levels of government. Under Article 131, the Supreme Court is given exclusive jurisdiction in a dispute between the Union and a State or between one State and another, or between a group of States and others. When we say that the Supreme Court has an exclusive jurisdiction, we mean that no other court in India has the power to entertain such disputes. Similarly, the original jurisdiction of the Supreme Court will mean that the parties to the dispute should be units of the federation. Unlike the Supreme Courts in Australia and the United States, the Indian Supreme Court does not have original jurisdiction to decide disputes between residents of different states or those between a State and the resident of another State.

The Supreme Court also has non-exclusive original jurisdiction as the protector of Fundamental Rights. Article 32 of the Constitution gives citizens the right to move the Supreme Court directly for the enforcement of any of the fundamental rights enumerated in Part III of the Constitution. As the guardian of Fundamental Rights the Supreme Court has the power to issue writs such as Habeas Corpus, Quo Warranto, Prohibition, Certiorari, and Mandamus. Habeas Corpus is a writ issued by the court to bring before the court a person from illegal custody. The court can decide the legality of detention and release the person if detention is found to be illegal. By using the writ of Mandamus, the court may order the public officials to perform their legal duties. Prohibition is a writ to prevent a court or tribunal from doing something in excess of its authority. By the writ of Certiorari, the court may strike off an order passed by any official of the government, local body or a statutory body. Quo warranto is a writ issued to a person who authorisedly occupies a public office to step down from that office. In addition to issuing these writs, the Supreme Court is empowered to issue appropriate directions and orders to the executive.

12.4.2 Appellate Jurisdiction

The Supreme Court is the highest court of appeal from all courts in the territory of India. It has comprehensive appellant jurisdiction in cases involving constitutional issues; civil and criminal cases involving specified threshold values of property or a death sentence; and wide ranging powers of special appeals.

Article 132 of the Constitution provides for an appeal to the Supreme Court from any judgement or final order of a court in civil, criminal or other proceedings of a High Court, if it involves a substantial question of law as to

the interpretation of the Constitution. The appeal again depends upon whether the High Court certifies, and if does not, the Supreme Court may grant special leave to appeal.

Article 133 of the Constitution provides that an appeal in civil cases lies to the Supreme Court from any judgement, order or civil proceedings of a High Court. This appeal may be made if the case involves a substantial question of law of general importance or if in the opinion of the High Court the said question needs to be decided by the Supreme Court.

Article 134 provides the Supreme Court with appellate jurisdiction in criminal matters from any judgement, final order, or sentence of a High Court. This jurisdiction can be invoked only in three different categories of cases: a) if the High Court on appeal reverses an order of acquittal of an accused person and sentenced to death. b) if the High Court has withdrawn for trial before itself any case from any court subordinate to its authority and has in such a trial convicted the accused person and sentenced him to death, and c) if the High Court certifies that the case is fit for appeal to the Supreme Court.

Finally, the Supreme Court has the special appellate jurisdiction. It has the power to grant, in its discretion, special leave appeal from any judgment, decree sentence or order in any case or matter passed or made by any court or tribunal.

12.4.3 Advisory Jurisdiction

The Supreme Court is vested with the power to render advisory opinions on any question of fact or law that may be referred to it by the President. The advisory role of the Supreme Court is different from ordinary adjudication in three senses: first, there is no litigation between two parties; second, the advisory opinion of the Court is not binding on the government; finally, it is not executable as a judgement of the court. The practice of seeking advisory opinion of the Supreme Court helps the executive to arrive at a sound decision on important issues. At the same time, it gives a soft option to the Indian government on some politically difficult issues. A case in point is the controversy surrounding the Babri Masjid complex in Ayodhya. The government decided to refer aspects of the dispute to the Supreme Court for an opinion. Since there was no legal point at issue, the referral to the Supreme Court had had the potential for politicising the judiciary instead of resolving what was essentially a political problem.

12.4.4 Review Jurisdiction

The Supreme Court has the power to review any judgement pronounced or order made by it. This means that the Supreme Court may review its own judgement order.

From the above it is clear that the Supreme Court in India is far more powerful than its counterpart in the United States of America. The American Supreme Court deals primarily with cases arising out of the federal relationship or those relating to the constitutional validity of laws and treaties. The Indian Supreme Court apart from interpreting the Constitution, functions as the court of appeal in the country in matters of civil and criminal cases. It can entertain appeals without any limitation upon its discretion from the decisions not only of any court but also of any tribunal within the territory of India. The advisory jurisdiction of the Indian Supreme Court also is something absent from the purview of the American Supreme Court.

Despite these powers, the Indian Supreme Court is a creature of the Constitution and depends for the continuation of these powers on the Union legislature which can impose limitations on them by amending the Constitution. Moreover, all these powers can also be suspended or superseded whenever there is a declaration of emergency in the country.

12.5 THE HIGH COURT

The constitution provides for a High Court at the apex of the State judiciary. Chapter V of Part VI of the Constitution of India contains provisions regarding the organisation and functions of the High Court. By the provision of Article 125 which says “there shall be a High Court for each state”, every state in India has a High Court and these courts have a constitutional status.

The parliament has the power to establish a common High Court for two or more states. For instance, Punjab and Haryana have a common High Court. Similarly, there is one High Court for Assam, Nagaland, Meghalaya, Manipur and Tripura.

In case of Union Territories, the Parliament may by law extend the jurisdiction of a High Court to, or exclude the jurisdiction of a High Court from any Union Territory, or create a High Court for a Union Territory. Thus, Delhi, a Union Territory, has a separate High Court of its own while, the Madras High Court has jurisdiction over Pondicherry, the Kerala High Court over Lakshadweep, the Mumbai High Court over Dadra and Nagar Haveli, the Kolkota High Court over Andaman and Nicobar Islands, the Punjab Haryana High Court over Chandhigarh.

12.5.1 Composition of the High Court

Unlike the Supreme Court, there is no minimum number of judges for the High Court. The President, from time to time will fix the number of judges in each High Court. The Chief Justice of the High Court is appointed by the President of India in consultation with the Chief Justice of India and the Governor of the State, which in actual terms mean the real executive of the State. In appointing the judges, the President is required to consult the Chief Justice of the High Court. The Constitution also provides for the appointment of additional judges to cope with the work. However, these appointments are temporary not exceeding two years period.

A judge of a High Court normally holds office until he attains the age of 62 years. He can vacate the seat by resigning, by being appointed a judge of the Supreme Court or by being transferred to any other High Court by the President. A judge can be removed by the President on grounds of misbehaviour or incapacity in the same manner in which a judge of the Supreme Court is removed.

12.5.2 Jurisdiction

The original jurisdiction of a High Court includes enforcement of Fundamental Rights, settlement of disputes relating to the election to Union and State legislatures and jurisdiction over revenue matters. Its appellant jurisdiction extends to both civil and criminal matters. In civil matters, the High Court is either a first appeal or a second appeal court. In criminal matters, appeal from decisions of a session's judge or an additional sessions judge where sentence of imprisonment exceeds seven years and other specified cases other than petty crimes constitute the appellant jurisdiction of a High Court. In addition to these normal original and appellant jurisdictions, the Constituent vests the High Courts with four additional powers. These are:

- The power to issue writs or orders for the enforcement of the Fundamental Rights. Interestingly, the writ jurisdiction of a High Court is larger than that of the Supreme Court. It can not only issue writs not only in cases of infringement of Fundamental Rights but also in cases of an ordinary legal right.
- The power of superintendence over all other courts and tribunals except those dealing with the armed forces. It can frame rules and also issue instructions for guidance from time to time with directions for speedier and effective judicial remedy.

- The power to transfer cases to itself from subordinate courts concerning the interpretation of the constitution.
- The power to appoint officers and servants of the High Court.

In certain cases, the jurisdiction of High Courts is restricted. For instance, it has no jurisdiction over a tribunal and no power to invalidate a Central Act or even any rule, notification or orders made by any administrative authority of the Union, whether it is violative of Fundamental Rights are not.

Check Your Progress Exercise-2

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) In what areas does the Supreme Court have original jurisdiction. Which area is an exclusive preserve of the Supreme Court?

.....

2) The writ jurisdiction of a High Courts is wider than that of the Supreme Court and can issue writs.....

.....

12.6 SUBORDINATE COURTS

Under the High Court, there is a hierarchy of courts which are referred to in the Indian constitution as subordinate courts. Since these courts have come into existence because of enactments by the state government, their nomenclature and designation differs from state to state. However, broadly in terms of organisational structure there is uniformity.

The state is divided into districts and each district has a district court which has an appellant jurisdiction in the district. Under the district courts, there are the lower courts such as the Additional District Court, Sub-Court, Munsiff Magistrate Court, Court of Special Judicial Magistrate of the II Class, Court of Special Judicial Magistrate of I Class, Court of Special Munsiff Magistrate for Factories Act and Labour Laws, etc. At the bottom of the hierarchy of Subordinate Courts are the Panchayat Courts (Nyaya Panchayat,

Gram Panchayat, Panchayat Adalat etc). These are, however, not considered as courts under the purview of the criminal courts jurisdiction.

The principle function of the District Court is to hear appeals from the subordinate courts. However, the courts can also take cognisance of original matters under special status for instance, the Indian Succession Act, the Guardian Act and Wards Act and Land Acquisition Act.

The Constitution ensures independence of subordinate judiciary. Appointments to the District Courts are made by the Governor in consultation with the High Court. A person to be eligible for appointment should be either an advocate or a pleader of seven years standing, or an officer in the service of the Union or the State. Appointment of persons other than the District Judges to the judicial service of a State is made by the Governor in accordance with the rules made by him in that behalf after consultation with the High Court and the State Public Service Commission.

The High Court exercises control over the District Courts and the courts subordinate to them, in matters as posting, promotions and granting of leave to all persons belonging to the State judicial service.

12.7 JUDICIAL REVIEW

Literally the notion of judicial review means the revision of the decree or sentence of an inferior court by a superior court. Judicial review has a more technical significance in public law, particularly in countries having a written constitution, founded on the concept of limited government. Judicial review in this case means that Courts of law have the power of testing the validity of legislative as well as other governmental action with reference to the provisions of the constitution.

In England, there is no written constitution. Here the Parliament exercises supreme authority. The courts do not have the power to review laws passed by the sovereign parliament. However, English Courts review the legality of executive actions. In the United States, the judiciary assumed the power to scrutinise executive actions and examine the constitutional validity of legislation by the doctrine of 'due process'. By contrast, in India, the power of the court to declare legislative enactments invalid is expressly enacted in the constitution. Fundamental rights enumerated in the Constitution are made justiciable and the right to constitutional remedy has itself been made a Fundamental right.

The Supreme Court's power of judicial review extends to constitutional amendments as well as to other actions of the legislatures, the

executive and the other governmental agencies. However, judicial review has been particularly significant and contentious in regard to constitutional amendments. Under Article 368, constitutional amendments could be made by the Parliament. But Article 13 provides that the state shall not make any law which takes away or abridges fundamental rights and that any law made in contravention with this rule shall be void. The issue is, would the amendment of the constitution be a law made by the state? Can such a law infringing fundamental rights be declared unconstitutional? This was a riddle before the judiciary for about two decades after India became a republic.

In the early years, the courts held that a constitutional amendment is not law within the meaning of Article 13 and hence, would not be held void if it violated any fundamental right. But in 1967, in the famous *Golak Nath Case*, the Supreme Court adopted a contrary position. It was held that a constitutional amendment is law and if that amendment violated any of the fundamental rights, it can be declared unconstitutional. All former amendments that violated the fundamental rights to property were found to be unconstitutional. When a law remains in force for a long time, it establishes itself and is observed by the society. If all past amendments are declared invalid, the number of transactions that took place in pursuance of those amendments become unsettled. This will lead to chaos in the economic and political system. In order to avoid this situation and for the purpose of maintaining the transactions in fact, the past amendments were held valid. The Supreme Court clarified that no future transactions or amendments contrary to fundamental rights shall be valid. This technique of treating old transactions valid and future ones invalid is called prospective over-ruling. The Court also held that Article 368 with amendments does not contain the power to amend the constitution, but only prescribes the procedure to amend. This interpretation created difficulty. Even when there is a need to amend a particular provision of the constitution, it might be impossible to do so if the amendment had an impact on fundamental rights.

In 1970, when the Supreme Court struck down some of Mrs Indira Gandhi's populist measures, such as the abolition of the privy purses of the former princes and nationalisation of banks, the Prime Minister set about to assert the supremacy of the Parliament. She was able to give effect to her wishes after gaining two-thirds majority in the 1971 General Elections. In 1972, the Parliament passed the 25th Constitutional Amendment act which allowed the legislature to encroach on fundamental rights if it was said to be

done pursuant to giving effect to the Directive Principles of State Policy. No court was permitted to question such a declaration. The 28th Amendment act ended the recognition granted to former rulers of Indian states and their privy purses were abolished.

These amendments were challenged in the Supreme Court in the famous Kesavananda Barathi Case (otherwise known as the Fundamental Rights Case) of 1973. The Supreme Court ruled that while the parliament could amend even the fundamental rights guaranteed by the Constitution, it was not competent to alter the 'basic structure' or 'framework' of the constitution. Under the newly evolved doctrine of 'basic structure', a constitutional amendment is valid only when it does not affect the basic structure of the constitution. The second part of Article 31C (no law containing a declaration to implement the Directive Principles contained in Article 39 (b) and (c) shall be questioned) was held not valid because the amendment took away the opportunity for judicial review, which is one of the basic features of the constitution. The doctrine of basic features gave wide amplitude to the power of judicial review.

Later history shows the significant role played by this doctrine in the review of constitutional amendments. For challenging the election to Parliament of a person who holds the office of Prime Minister, the 39th Constitutional Amendment provided a different procedure. The election can be challenged only before an authority under special law made by Parliament and the validity of such a law shall not be called in question. The Supreme Court held that this amendment was invalid as it was against the basic structure of the Constitution. It argued that free and fair elections are essential in democracy and to exclude judicial examination of the fairness of the election of a particular candidate is not proper and goes against the democratic ideal that is the basis of our constitution.

In a later case, the *Minerva Mill Case*, the Supreme Court went a step ahead. The 42nd Constitutional Amendment of 1976, among other things, had added a clause to Article 368 placing a constitutional amendment beyond judicial review. The Court held that this was against the doctrine of judicial review, the basic feature of the constitution.

One of the limits on judicial review has been the principle of *locus standi*. This means that only a person aggrieved by an administrative action or by an unjust provision of law shall have the right to move the court for redressal. In 1982, however, the Supreme Court in a judgement on the

democratic rights of construction workers of the Asian Games granted the Peoples Union of Democratic Rights, the right of Public Interest Litigation (PIL). Taking recourse to epistolary jurisdiction under which the US Supreme Court treated a post card from a prisoner as petition, the Supreme Court of India stated that any 'public spirited' individual or organisation could move the court even by writing a letter. In 1988, the Supreme Court delineated the matters to be entertained as PIL. The categories are: matter concerning bonded labour, neglected children, petition from prisoners, petition against police, petition against atrocities on women, children, Scheduled Castes and Scheduled Tribes, environmental matters, adulteration of drugs and foods, maintenance of heritage and culture and other such matters of public interest.

Since the granting of the right to PIL, what some claim to be the only major democratic right of the people of India, and granted not by the Parliament but by the judiciary, the courts have been flooded by PILs. While the flood of such litigation indicates the widespread nature of the deprivation of democratic rights, they also pose the danger of adding to the pressure on the courts that are already overloaded.

12.8 JUDICIAL REFORMS

The most striking criticism against administration of justice is the large number of pending cases and the delay in the dispensation of justice. In the early 1990s, there were more than two crore cases pending in different courts. Reasons for the piling of a large number of cases can be attributed to structural and procedural flaws in the judiciary. The availability of multiple remedies at different rungs of the judicial ladder also enables dishonest and recalcitrant suitors to abuse the judicial system. This leads to the piling up of cases as well as delay in the dispensation of justice.

Another weakness of the judicial system is cumbersome procedures and forbidding cost of justice. Suggestions for judicial reforms have come up, to help achieve a new order and bring economic, political and social justice.

In fact, the Tenth Law Commission had invited suggestions for judicial reforms. One suggestion was to reduce the workload of the Supreme Court of India which accepts nearly one lakh cases every year (whereas the US Supreme Court accepts only 100 to 150 cases of the five thousand filed). Among the suggestions to reduce the load of the Supreme Court, one was to establish a Constitutional Court to deal exclusively with constitutional matters and another was to establish Zonal Courts of Appeal in the country.

Check Your Progress Exercise-3

Note: I) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What is the significance of the Keshavananda Bharati Case of 1973?

.....

2) What is PIL?

.....

12.9 LET US SUM UP

As we saw, the existing judicature in India can be traced to the British period. The Royal Charter of the Charles II (1661), the Regulating Act of 1773, the Indian High Courts Act of 1861 and the Act of 1935 are the important milestones in the evolution of modern judicial system in India. The Constitution of India has designed the Supreme Court as the highest court of law. The law declared by the Supreme Court has been made binding on all small courts, that is, the High Courts and the Subordinate courts

Given the importance of judiciary as a federal court and as a guardian of fundamental rights of the citizen, the framers of the Indian Constitution gave great deal of thought to such issues as the independence of the courts and judicial review.

Judicial review is a technique by which the courts examine the actions of the legislature, the executive and the other governmental agencies and decide whether or not these actions are valid and within the limits set by the constitution. The foundation of judicial review is (a) that the constitution is a legal instrument, and (b) that this law is superior in status to the laws made by the legislature that is itself set up by the constitution. It is now well established in India that judicial review constitutes the basic structure or feature of the Constitution of India.

12.10 SOME USEFUL BOOKS

Kirpal B.N, Desai, Subramaniam, et al (eds.) (2002), *Supreme but not infallible: Essays in Honour of the Supreme Court of India*, Oxford University Press, New Delhi

Baxi, Upendra, (1976), *Sociology of Law*, Satvahan,

Babu, D.D., (1972), *Limited Government and Judicial Review*.

Lingat, Robert (1973), *The Classical Law of India*, translated by JDM Derette, Thomson Press, New Delhi

Stokes, Eric, (1959), *The English Utilitarian & India*, Cambridge, London.

12.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-1

- 1) A person to be appointment as a judge of the Supreme Court should be a citizen of India, should have been a High Court judge for at least five years, an advocate of High Court for at least ten years or a distinguished jurist.
- 2) A Supreme Court judge can be removed for misbehaviour or incapacity. Each house of the Parliament has to pass a resolution supported by two third of the members present and voting.

Check Your Progress Exercise-2

- 1) It has original jurisdiction as a guardian of Fundamental rights and as a federal court. As a federal court it has exclusive jurisdiction in disputes between the Union and a State or between one State and another, or between a group of States and others.
- 2) Not only to enforce fundamental rights but also any legal right.

Check Your Progress Exercise-3

- 1) The Supreme Court evolved the doctrine of basic structure or features of the constitution which gave wide amplitude to the power of judicial review.
- 2) PIL is a democratic right which allows any 'public spirited' individual or organisation to move the court to seek justice on behalf of the victims of state and societal forces.

UNIT 13 BUREAUCRACY IN INDIA

Structure

- 13.0 Objectives
- 13.1 Introduction
- 13.2 Meaning and Concept
- 13.3 Features
 - 13.3.1 Hierarchy
 - 13.3.2 Chain of Command
 - 13.3.3 Adherence to Rules and Regulations
 - 13.3.4 Impersonal/Faceless and apolitical
- 13.4 History
 - 13.4.1 India's Independence and Bureaucracy
- 13.5 Statutory Bodies for Recruitment and Other Related Matters
 - 13.5.1 The Union Public Service Commission (UPSC)
 - 13.5.2 Special Provisions for Deprived Sections
 - 13.5.3 Controversy Over the Policy of Reservation
 - 13.5.4 State Public Service Commissions (SPSCs)
- 13.6 Post-Independence Bureaucracy Up to the Commencement of Globalisation
 - 13.6.1 1967 State Assembly Elections: A Watershed
 - 13.6.2 Churning Within the Congress Party
 - 13.6.3 The Idea of a Committed Bureaucracy
 - 13.6.4 Bureaucrat-Politician-Businessmen Nexus
- 13.7 Indian Bureaucracy in the Era of Globalisation
 - 13.7.1 Attitude of the Indian Bureaucracy
- 13.8 Some Controversies/Problems Associated with the Bureaucracy
 - 13.8.1 Ministers Versus Civil Servants
 - 13.8.2 Generalists Versus Specialists
 - 13.8.3 Under-Representations of the Minorities
- 13.9 Let Us Sum Up
- 13.10 Some Useful References
- 13.11 Answers to Check Your Progress Exercises

13.0 OBJECTIVES

This unit deals with bureaucracy, particularly with reference to India. After going through this unit you will be able to:

- Explain the meaning of bureaucracy and discuss its salient features;
- Trace the evolution of bureaucracy in India;
- Discuss the composition, nature and functioning of statutory bodies of bureaucratic recruitment such as Union Public Service Commission (UPSC);
- Describe the nature and functioning of bureaucracy in the post-Independence India up to the commencement of globalisation; and,
- Discuss the impact of globalisation on bureaucracy.

13.1 INTRODUCTION

Bureaucracy is the executive arm of the government. In traditional classical literature on organs of government, one studied the legislature, the executive and the judiciary with bureaucracy being subsumed under the executive (which comprises the political establishment and the bureaucracy). Now, one finds that bureaucracy is being treated separately and this is indicative of its growing importance. In this unit, we shall be focussing on bureaucracy with special reference to India.

13.2 MEANING AND CONCEPT

Most of you must be familiar with the word 'bureau' which means office. Bureaucracy takes off from this only. In essence, bureaucracy is an organised body of persons who deal with office procedures, rules and regulations. Bureaucracy popularly refers to government officials. Generally, it should be mentioned here that when one talks of the bureaucracy, one refers to the **civilian** bureaucracy also known as the civil services (the sense in which bureaucracy is treated in this unit). This point is being mentioned because the military also has a bureaucracy and the corporate world too has one. Indeed, bureaucracy exists in every organisation. Therefore, it is important to remain focussed on the fact that in this lesson, when we mention bureaucracy, we have the civilian bureaucracy (civil services) in our mind.

13.3 FEATURES

Bureaucracy anywhere has certain, well-established features. Alternatively, an organisation is bureaucratic if it has these features. Some of the better known features are : (i) Hierarchy (ii) Chain of command (iii) Adherence to rules and regulations (iv) Impersonal/faceless and apolitical (v) Recruitment through statutory bodies specifically created for the purpose, etc. These features are briefly described below. We should mention here that these features are, by and large, not mutually exclusive but run into each other.

13.3.1 Hierarchy

Essentially, bureaucracy is hierarchical. It is based on rank. Each rank or position is subordinate to some and superior to some other. The bottom to the top, generally, makes

for a pyramidal structure with the lower ranks concentrated at the bottom and the higher ranks at the top.

13.3.2 Chain of Command

This feature is intimately linked with the one above. In any hierarchical body, there is a chain of command flowing from the top to the bottom. Normally, the command chain is not broken. To give an example from the Indian context, in a Department of the Central Government in Delhi, the chain of command is as follows:

Secretary → Additional Secretary → Joint Secretary → Deputy Secretary →
Under Secretary → Section Officer → other lower ranks.

13.3.3 Adherence to Rules and Regulations

A classic feature of bureaucracies all along has been their rigid adherence to rules and regulations. This has, in fact, led to the adjective “bureaucratic” being coined for any person/organisation insisting too much on rules, regulations and procedures.

13.3.4 Impersonal/Faceless and Apolitical

A bureaucracy is supposed to be impersonal. This basically means that a bureaucrat is expected to be guided by objective (as against subjective) considerations while following rules and regulations in the course of implementing various policy measures and directives. In other words, a bureaucrat or a civil servant or a government official- whatever name we choose to call him by – is not supposed to be guided by his personal whims and fancies, biases and prejudices in the discharge of his official duties.

As regards the ‘faceless’ aspect, you perhaps are aware of the fact that any civilian bureaucracy is subordinate to the political executive. The political leadership is the face of the administration, while the bureaucracy works behind the scenes. It of course does not always happen but that is how it has been envisaged.

Bureaucracy, strictly, is also supposed to be apolitical. This basically implies that a bureaucrat is not to have a political agenda of his own but rather, faithfully implement the policies of the government of the day. It also has another and possibly more important meaning and that is: a civil servant’s loyalty and commitment should be to the constitution of the land and not to any political party, politician, etc.

Check Your Progress Exercise 1

Note: (I) Use the space below for your answer.

(II) Check Your answers with the model answers given at the end of this unit.

1. What do you understand by bureaucracy?

 2. Enumerate the salient features of bureaucracy and describe any two features.

13.4 HISTORY

Bureaucracy in some form or the other has existed from times immemorial. In ancient India when monarchy was the predominant form of government, the various categories of courtiers constituted the bureaucracy. Modern bureaucracy in the sense of a body of persons being recruited through an open public competitive examination conducted by an independent, statutory body is credited to People's Republic of China (PRC).

In India, Lord Cornwallis is credited with creating the bureaucracy, as we know it today. The Indian Civil Service (ICS) was the culmination of steps initiated by him. This service as well as branches of colonial bureaucracy, to start with, had Indians only in the lower echelons. They were, in fact, debarred from holding higher positions. From the 1850s onwards, the doors to higher ranks were opened for Indians and many of them made their mark. One can cite names such as that of Netaji Subhash Chandra Bose, K.P.S. Menon Senior, T. N. Kaul among others who distinguished themselves in the ICS. Some of them, in fact, went onto play a crucial role in post-independent India as well.

It should, however, be always remembered that the ICS was essentially a colonial creation designed to serve colonial ends. Though the Indians in the ICS were occasionally sympathetic to the 'natives' (the Indian masses), by and large they followed the line of their colonial masters. It was for this reason that the nationalist leadership fighting for independence from British rule was highly critical of the role played by the 'steel frame of the British Empire' – the popular name of the ICS (also known as the heaven born service). Jawaharlal Nehru, in particular, was its staunch critic.

The colonial bureaucracy in India largely performed what are called 'maintenance' functions, viz., maintaining law and order, collection of taxes/revenue, etc. The concept of developmental administration was not much heard of then. Fundamentally, the bureaucracy was a policing/tax collecting machinery and very far removed from being a citizen friendly administration. The colonial bureaucracy was time and again employed

by the British to crush the freedom movement. This was the broad scenario at the time of India's independence.

13.4.1 India's Independence and the Bureaucracy

The situation obtaining as regards the bureaucracy in the period leading up to India's independence has been described above. After attaining freedom from the British rule, the major issue at hand was the type of civilian bureaucracy the newly independent country should have; viz. what kind of structure, method of recruitment and other related questions. There was also the prickly and thorny issue of the fate of the Indian officers in the erstwhile ICS. These matters were resolved the following way: despite their criticism of the ICS, the post-independent leadership decided to let those Indian officers continue in the civilian bureaucracy constituted after August 15, 1947 who still had service years left. However, instead of being absorbed in the newly created Indian Administrative Service (IAS) – the successor to the ICS – quite a few of these officers were directly drafted into the other newly created Central Government service, viz., the IFS (Indian Foreign Service) which was to implement India's non-aligned foreign policy. For instance, KPS Menon Senior and T.N. Kaul joined the foreign service and went on to render distinguished service.

Regarding recruitment, as before it was to be through an open competitive examination conducted by an independent, autonomous statutory body. This was to be the Union Public Service Commission (UPSC) headquartered in Delhi, the country's capital.

Check Your Progress Exercise 2

Note: (I) Use the space given below for your answers.

(ii) Check your answers with the model answers given at the end of this unit.

1) Discuss the nature of Indian bureaucracy during the colonial time.

13.5 STATUTORY BODIES FOR RECRUITMENT AND OTHER RELATED MATTERS

13.5.1 The Union Public Service Commission (UPSC)

The Union Public Service Commission or the UPSC to use its popular abbreviated form is an autonomous body created by the Constitution to recruit – personnel (officer and other ranks) for the various Central Government services. Thus, it conducts not only the

annual civil services examination (for the IAS, IFS, IPS Allied Services Group A and B) but also other Central Government services such as the Indian Forest Service, the Indian Economic Service and the Indian Engineering Service. In fact, the UPSC conducts the recruitment of not only the civilian bureaucracy, but also of the defence services of the country. Thus, it conducts the examinations for the National Defence Academy (NDA) and the Indian Military Academy (IMA). The UPSC has been conducting the various examinations since 1947. It is, in fact, not only responsible for recruitment, but also acts as an advisory body regarding all career matters of the recruited personnel.

13.5.2 Special Provisions for Deprived Sections

It is important to note that as regards recruitment to bureaucratic positions in India, there is provision for reservation of a certain percentage of posts for deprived sections of society. Thus, from the onset of independence, 22.5% of post have been reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs). In addition, since the implementation of the Mandal Commission recommendations, an additional 27% of posts have been reserved for the Other Backward Castes (OBCs).

Also, the various state governments have their own state-wise quotas for government jobs. Some of the Southern Indian States – Karnataka and Tamil Nadu for instance – have always had very high quotas for which there have been historical and socio-political reasons.

13.5.3 Controversy over the Policy of Reservation

The policy of reservation which is based on the principle of affirmative action has been controversial from the beginning. While it has always found favour with the sections for whom it is meant, the others have not been too well disposed towards it. While this section some how reconciled itself towards reservation for the Scheduled Castes and Scheduled Tribes, it found it difficult to accept a similar treatment to the OBCs after the announcement of the Mandal Commission recommendations. This is because it was felt that the OBCs really do not have a history of religion-sanctioned social oppression the way SCs and STs and especially, the SCs have. There is merit in this argument, but as of today the recommendations have come to stay and the possibility of a change in the status quo is extremely remote, if not impossible. In fact, since government jobs are increasingly being reduced in the wake of globalisation, there has been now talk of reserving jobs in the private/corporate sector for the marginalised sections of society. This demand, though not concretised as yet, has further widened the split between those benefited by reservation and those outside the reserved slot.

13.5.4 State Public Service Commissions (SPSCs)

Our point regarding the recruitment of the Indian Bureaucracy will not be complete without a reference to the State Public Service Commissions. As the very nomenclature indicates, a state public service commission is responsible for recruitment to government service at the state level. In terms of organisation and functioning, State Public Service Commissions correspond to the UPSC at the central level. However, in terms of credibility, a wide gulf exists between the State Public Service Commissions and the UPSC. In recent times, a lot of State Public Service Commissions have come under a cloud for their partisan, biased and politicised functioning. It, certainly, is a fact that the members of State Public Service Commissions are, generally, political appointees and therefore, susceptible to extraneous pressures.

After having examined aspects like recruitment, etc., we can go to an overview of the bureaucracy in India after independence up to the era of globalisation. The post-globalisation era has been treated separately for obvious reasons.

Check Your progress Exercise 3

Note: (I) Use the space below for your answers.

(ii) Check your answers with the model answers given at the end of the unit.

1) Write a short note on the Union Public Service Commission (UPSC).

2) What is the controversy regarding the policy of reservation?

13.6 POST-INDEPENDENCE BUREAUCRACY UPTO THE COMMENCEMENT OF GLOBALISATION

Bureaucracy after independence set about implementing the agenda of its political masters (as it is supposed to do). Following achievement of Independence, the Congress headed by prime minister Jawaharlal Nehru assumed the reigns of power. The Congress Party was broadly committed to democratic socialism, secularism and non-alignment (in its foreign policy). The bureaucracy set about implementing this. Since the country was a fresh, newly independent nation free after centuries of colonial rule, initially there was a lot of enthusiasm amongst the political leadership as well as the bureaucrats, by and large,

exhibited high standards of professional and personal conduct. Of course, even then as now, they had 'Burra Sahib' attitude but rarely were they accused of professional and personal misconduct (unlike now). Though professionally, the desire to get ahead was there, the desire for personal aggrandisement was rare.

13.6.1 1967 State Assembly Elections: A Watershed

The year 1967 to be precise marked a watershed in Indian Politics and administration. This was the year in which the Congress Party's hegemonic hold over India's politics was broken. It lost power for the first time in several assembly elections to the non-right anti-Congress forces basically put together by the late Prime Minister Chaudhary Charan Singh. This had a tremendous impact on national politics and on the society. It was recognised by the political class as well as the common citizenry that the all powerful Congress Party which had spearheaded India's fight against colonial rule could be defeated. It was not possible earlier. The recognition of this fact had far reaching implication for India's politics, society and administration. The impact of 1967 can be felt in the times that we are passing through now.

The support base of the political forces that had dealt a massive electoral and psychological blow to the Congress and which was largely consolidated by Charan Singh comprised, essentially, the Other Backward Castes. These forces got a filip after the 1967 elections. Their fairly impressive representation in the bureaucracy today, an offshoot of the Mandal Commission Recommendations, can be traced back to the watershed elections of 1967. Indeed, the setting up of the Mandal Commission itself- which in the last decade has affected India's polity so decisively was a recognition of the growing power of socio-political forces unleashed in the wake of the 1967 Vidhan Sabha elections.

13.6.2 Churning Within the Congress Party

There was a great churning within the Congress itself. The then prime minister Indira Gandhi who ever since assuming power in 1966 had been facing a tough time from the old guard (the Syndicate) within the Congress found her position further weakened. To reclaim her position as well as that of her party, she then undertook a series of steps that were to overwhelmingly change India's political landscape as well as the world of civilian bureaucracy. The Congress Party split in 1969 with the Syndicate getting marginalised. The party's official nominee in the presidential elections N. Sanjeeva Reddy was defeated after Mrs. Gandhi herself put her weight behind V.V. Giri. A series of populist radical measures endearing Indira Gandhi to the Indian Left, such as the nationalisation of banks and the abolition of privy purses of the Indian princes followed

which helped Mrs. Gandhi and her party to become popular once again. Later on, in 1971, her slogan of 'Garibi Hatao' and victory in the Indo-Pak war helped the Congress under Mrs. Gandhi to win the Lok Sabha elections by a landslide margin. Thus, the wheel had come full circle. However, the intervening four years led to new ideas such as the one of a committed bureaucracy emerging.

13.6.3 The Idea of a Committed Bureaucracy

The idea most fundamentally, entailed that a bureaucrat should be hundred percent committed to the policies and programmes of the political party in power. By extension, this also implied full commitment to the individual politicians holding power. A bureaucrat was not to be guided by any other consideration. This development was, essentially, a consequence of the belief in the Congress circles that the electoral debacle the party had suffered in 1967 was in no small measure due to the fact that the civil bureaucracy had not faithfully delivered on the party's programmes, thus alienating the voters from the party. Whatever may be the merits of this argument, the idea of a committed bureaucracy gathered momentum and eventually, became a part and parcel of Indian public administration.

This had very far reaching and basically negative consequences. Once the idea gained legitimacy, bureaucrats began currying favours from their political masters. Plum postings were offered to those who did the bidding of their political bosses, while those who insisted on following an independent line based on professional opinion were punished. Punishment took the form of arbitrary transfers, postings to insignificant departments and in some cases, even suspension from service. A system of rewards and punishments got institutionalised in due course of time with civil servants being rewarded and punished on the basis of their loyalty and commitment to politicians or parties and not on the basis of their professional performance. As indicated above, over a period of time, the politician-bureaucrat nexus grew into a powerful force immensely benefitting both the parties, but spelling a blow to the concept of development and citizen friendly administration. This was, in fact, the 'politicization of the bureaucracy' about which we hear so much laments now.

13.6.4 Bureaucrat – Politician – Businessman Nexus

A parallel – though not always – development was the addition of the businessman to the unholy combine of the politician and the civil servant. In the democratic socialist or the Nehruvian Socialist to be more correct, framework of development that India followed after independence, government permission or licence was required for every small and big thing necessary for setting up a business. The discretionary power rested with the

bureaucrat who could grant the licence against favours granted by the concerned businessman or alternatively, withhold the permission on the concerned party's refusal to please the government official. Very often, the bureaucrat and the political boss to whom he reported shared in the spoils, as the ultimate sanctioning authority was the politician. This was the genesis of the notorious 'Licence-Permit-Quota Raj' which in about 20-30 years from independence completely derailed India's socialist pattern of development. The planning process, the mixed economy, all got off track because of the immensely powerful and corrupt troika of the officer-politician-businessman often contemptuously described as the "Babu-Neta-Bania' syndrome.

The ineffective and inefficient mixed economy brought about by the licence-permit-quota raj coupled with the politicisation of the bureaucracy remained the contexts of India's civilian bureaucracy till the onset of globalisation. The globalisation era going back to the 1990s marked another watershed in the world of Indian bureaucracy, just as the 1967 elections had done. It is to this that we turn our attention now.

Check Your Progress 4

Note: (i) Use the space given below your answer

(ii) Check your answers with the model answers given at the end of unit

1. What is committed bureaucracy? What were its consequences?

2. Write a short note on the bureaucrat-politician-businessman nexus

13.7 INDIAN BUREAUCRACY IN THE ERA OF GLOBALISATION

The era of globalisation worldwide commenced about one and a half decades back; sometime around the mid to the late 1980s. What is accepted, generally, as globalisation today is actually the spread of the process of liberalisation of the economy on a global scale. By liberalisation of the economy is meant freeing a national economy from governmental control and letting it run as per the market forces. It is against this definitional context that we have discussed the bureaucracy in this section.

In India (as indeed in many other countries), it was increasingly felt that the democratic socialist model of development had failed to deliver the goods. Of course, it is **debatable** whether there was something **intrinsically** wrong with the democratic socialist framework or it had gone wrong as regards the implementation part. Whatever may be the truth, the fact was that liberalisation of the economy entailing a slackening, if not total elimination, of governmental regulation over the economy gained currency. This process

was of course actively encouraged by the US influenced bodies such as the IMF (International Monetary Fund) and the World Bank.

Once liberalisation of the economy was accepted, changes in the bureaucracy were inevitable. In India (as elsewhere) in the last more than ten years, there has been a slackening of governmental rules and regulations, which certainly has been a welcome development. We may mention here that in this unit, we are not debating the merits and demerits of globalisation. You will read about globalisation in unit 29. In this unit, we are only concerned with the impact of globalisation on the bureaucracy and that too in the Indian context.

As already mentioned, in the era of globalisation or alternatively, Economic Reforms, there has been a doing away of the plethora of government rules and to this extent, the developmental process has been speeded up. However, it is still not clear if it has brought down corruption arising from the acts of commission and omission of the Bureaucrat – Politician-Businessman combine. Even as the process of economic reforms consequent to liberalisation has been on, there have been consistent reports of India continuing to be amongst the most corrupt countries of the world. This naturally raises questions about the very rationale of liberalising the economy. Be that as it may, the process of liberalisation is currently very much on in the country.

13.7.1 Attitude of the Bureaucracy

Subsequent to the structural adjustment of the economy consequent to liberalisation, there have been perceptible shifts in the attitude of the bureaucracy. When liberalisation first commenced, a lot of bureaucrats were openly hostile to it as they obviously felt that in a regime of slackening governmental control, the quantum of power wielded by them as well as their importance would come down. This has indeed happened. The ‘redeeming’ feature in that over the years, some bureaucrats have seen the writing on the wall, and become ‘facilitators’ rather than obstructers of development. The Indian media in the last few years has carried quite a few lead stories on the personal initiatives of the post-90s bureaucrats in the domain of citizen friendly administration. A lot of the comparatively younger bureaucrats have grown up in the new, liberalising India and are, therefore, more amenable to the new ideas of development. However, in so far as corruption is concerned, as we have already stated above, it is difficult to say whether it has gone down, up or remained at the pre-economic reforms level.

Check Your Progress 5

Note: (i) Use the space given below your answer

(ii) Check your answers with the model answers given at the end of unit

1. What has been the impact of globalisation on the Indian bureaucracy.

13.8 SOME CONTROVERSIES/PROBLEMS ASSOCIATED WITH THE BUREAUCACY

The Indian Bureaucracy has had some continuing problems/controversies associated with it from the very beginning. It may be mentioned that these problems are to be found in bureaucracies worldwide.

13.8.1 Minister Versus Civil Servants

The inter-relationship between the political (ministers) and the permanent (government officials) executive in India (as elsewhere) has been complex, to say the least. To a great extent, this is because of the inherent nature of the relationship between the ministers and the civil servants. In any form of government and more so in a democracy, such as India's, the civil servants are subordinate to the ministers. However, this is not always the case. Where the minister is ignorant and incompetent, the officers under him have a field day doing exactly as they please with the minister unable to do a thing. On the other hand, when the minister is powerful the officers are generally too willing to do the minister's bidding; often in contravention of all rules and regulations.

Also, as we have already pointed out, ministers and bureaucrats in India have often enjoyed a highly mutually beneficial relationship based on a quid pro quo basis; i.e. a relationship based on mutual exchange of favours. The net result of all this has been a highly politicized bureaucracy and this fact, has not changed much even in the post-globalisation era.

13.8.2 Generalists Versus Specialists

This again is a controversy that has plagued the bureaucracies the world over. Each country has tried to find its own solution to the problem.

In India, the genesis of the problem can be traced back to the days of Lord Cornwallis who is credited with laying the foundation of the civil services in India. The Britishers needed English knowing Indians and general awareness to man the lower ranks of the bureaucracy. No specialist knowledge was required. This set the precedent for Indians from the pure stream of Arts and Humanities and later on Sciences and Commerce (though not to the same extent) making it to the civil services. Professionals and Specialists (medicos, engineers, etc.) very rarely thought of a career in the bureaucracy. However, this has changed over the years. As governance has become more complex, need has been felt of 'candidates with a more specialised background. This is because civil servants with a generalist background have increasingly been found unequal to the task. The recruiting bodies such as the UPSC have also been encouraging aspirants with a specialist background, viz., medicos, engineers, lawyers, chartered accountants, etc.

The controversy is mainly centred on the fact that one school of opinion holds that a person with a general background (especially in Humanities/Social Sciences) is better suited for the task of civil administration as s/he can take an overall, macro view of the tasks and the issues at hand. The other school, however, holds that in the present globalised era with a lot of emphasis on I.T. (information technology) and on issues of economic and commercial significance, a specialized background is more conducive to effective and productive administration. The solution perhaps lies in effecting a grand mix of the two approaches and in India, this has been attempted. For instance, the department of science and technology has often been headed by professional scientists rather than career bureaucrats, even though one has to mention that the bureaucrats have resented this.

13.8.3 Under-representation of the Minorities

The minorities, especially, the Muslims-India's largest minority – have often complained of their poor representation in the country's premier civil services such as the IAS and the IPS. However, there is no hard core evidence to support that this has been deliberately the case. Poor levels of education and motivation have been a major cause. Solutions such as a separate quota for the minorities have been suggested, but it requires a consensus amongst the political class.

Check Your Progress 6

Note: (i) Use the space given below your answer

(ii) Check your answers with the model answers given at the end of unit

1. Discuss some of the controversies/problems associates with the bureaucracy in India.

13.9 LET US SUM UP

In this unit, you have read about the bureaucracy in India. Some form of bureaucracy has existed from times immemorial. Modern bureaucracy is attributed to people's Republic of China which was the first country in the world to conduct an open, competitive examination for recruitment to the civil services. Bureaucracy basically means a body of government officials.

In India, bureaucracy as we know it today is traceable to Lord Cornwallis. Colonial bureaucracy which had the Indian Civil Service (ICS) at its top basically served the ends of India's colonial masters. After independence, in the early years there was a lot of enthusiasm amongst both the political leadership and the bureaucracy regarding nation building. However, over a period of time things went down. The politician-bureaucrat-businessman combine, the idea of a committed bureaucracy, all these spelled the doom of the civil services. Today, the bureaucracy is in the era of globalisation and trying to come to grips with a loss of power in a regime of slackening governmental control over the economy.

13.11 SOME USEFUL REFERENCES

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Nehru, Jawaharlal, *An Autobiography*, Badley Head, London, 1955

13.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

1. Your answer should include the following points:

- (a) Executive arm of the government
 - (b) Body of government officials
2. Your answer should comprise the following:
- (a) Features – hierarchy, chain of command, adherence to rules and regulations, impersonal/faceless and apolitical
 - (b) Any two features of your choice

Check Your Progress Exercise 2

1. Your answer should consist of the following:
- (a) Lower ranks largely of Indians; doors to the ICS opened later
 - (b) Created to serve colonial ends
 - (c) Nationalist leadership critical of the ICS
 - (d) Maintenance functions

Check Your Progress Exercise 3

1. Your answer should include:
- (a) Autonomous, statutory body created by the constitution
 - (b) Recruitment of civilian/military bureaucracy
 - (c) Advisory body for career matters
2. Your answer should comprise:
- (a) Reservation for SCs/STs versus that for OBCs
 - (b) Possibility of reservation in the private sector

Check Your Progress 4

1. Your answer should include:
- (a) Commitment to politicians/parties in power
 - (b) Politicisation of the bureaucracy
2. Your answer should comprise:
- (a) Result of licence permit requirement
 - (b) Relationship of mutual favours and in contravention of rules and regulations

Check Your Progress Exercise 5

1. Your answer should mention:
- (a) Comparatively less red tapism
 - (b) Level of corruption not significantly reduced
 - (c) Positive change among some bureaucrats

Check Your Progress Exercises 6

1. Your answer should include the following points:
- (a) Ministers Versus Bureaucrats
 - (b) Generalists Versus Specialists
 - (c) Under- representation of Minorities

UNIT 14 NATURE OF INDIAN FEDERALISM

Structure

- 14.0 Objectives
- 14.1 Introduction
- 14.2 Nature of a Federation
- 14.3 Federalism in India
 - 14.3.1 The Structure of the Indian Federation
 - 14.3.2 Territories of the States
 - 14.3.3 Structure of Government
 - 14.3.4 Division of Powers
- 14.4 The Union-state Relations
 - 14.4.1 The Financial Powers of the Union and the States
 - 14.4.2 The Finance Commission
 - 14.4.3 The Planning Commission and National Development Council
- 14.5 The Union Territories
- 14.6 Let Us Sum Up
- 14.7 Some Useful Books
- 14.8 Answers to Check Your Progress Exercises

14.0 OBJECTIVES

This unit deals with the nature of Indian federalism. It explains the way in which the Indian federalism is different or similar to some major federations in other countries.

After reading this unit, you will be able to:

- Explain the meaning of the concept of federalism;
- Understand federalism in the light of politics in India;
- Identify the issues which are related to federalism in India; and
- Understand the relationships among different units of Indian federal system.

14.1 INTRODUCTION

Federalism is a form of government in which the sovereign authority of political power is divided between the various units. This form of government is also called a "federation" or a "federal state" in the common parlance. These units are Centre, state and panchayats or the municipalities. The centre also is called union. The component units of the union are called variously as states (in the United States of America), Cantons (in Switzerland), Prouinee (in Canada), Republics (in the former Union of Soviet Socialist Republic). Literally, the word 'federal' means contractual. A federal union is a contractual union. A federal state is a state brought into being through a contractual union of sovereign states. The union of states by conquest cannot be called a federal union.

14.2 NATURE OF A FEDERATION

A federation is basically formed on the basis of principles of a contract. It means that the sovereign units—union, states or local units, form a federation on the basis of mutual and voluntary agreement. This kind of voluntary union/ federation is possible

only in a democratic framework. It also means that the extent of union is limited. The contracting parties never surrender their complete authority/power. Thus, when two or more sovereign states unite voluntarily, they retain their internal/local autonomy and unite only on matters of common interest. More than a hundred years ago, therefore, James Bryce declared that 'A federal state is a political contrivance intended to reconcile national unity and power with the maintenance of state rights.'

In actual practice, however, not all-federal states have been born through union of sovereign states. Many of them have been products of devolution of powers by a centralized authority of a union government to the lower units. Indian federation is one such example.

14.3 FEDERALISM IN INDIA

Federalism in India has some similarities with that of U.S.A. The Constitution of India like the Constitution of U.S.A, which is the oldest federation, nowhere uses the term "federation" or "federal union". Both countries have dual polity - one for the Central / Union government, and another for the state government. But there are two main differences between them. A person in USA has dual citizenship, one of the states where he resides, and another the citizenship of his/her country U.S.A. There is no dual citizenship in India. An Indian citizen has only one citizenship - Indian. There is no separate citizenship for the state where a person resides. Besides, apart from the constitution for the USA, each state has its own constitution. But these are loosely interrelated. In India there is only single constitution for the whole country, with the exception of the state of Jammu and Kashmir.

The Article 1 of the Constitution of India describes India as a "Union of states" for Indian federalism. The word "Union" has been used because according to Ambedkar the "federation in India was not a result of an agreement between different states to join a Federation". As mentioned earlier, the federation in India is the result of the devolution of power, not the result of an agreement. This does not give a state the right to secede from India. But the pattern of division of power under the Constitution renders it a federal character. This federal character was given by the framers of the Constitution primarily for two reasons:

- 1) A federal state is more effective than a unitary one when the size of its territory is as large as India.
- 2) A federal state is more effective than a unitary one when diverse groups of its population live in a discrete territorial concentration as in India.

14.3.1 The Structure of the Indian Federation

The Constitution of India is written and relatively rigid. Several provisions of the Constitution can be amended only with the consent of a majority of the state legislatures. The Constitution divides power between the Union and the states. The Supreme Court of India has original jurisdiction to decide disputes between:

- a) The Union and a state or a group of states;
- b) One state and another state or a group of other states; and
- c) One group of states and another group of states.

14.3.2 Territories of the States

It is said that the USA is an 'indestructible union of indestructible states'. It means that the states of the USA cannot be split, merged or altered in size, but they may not leave the union. But in India boundaries of States can be altered by a law

enacted by parliament. It is in this context that in India territorial reorganisation has been going on till the year 2000 and further reorganisations are possible. In the year 2000 the number the number of states stands at 28, the number of Union territories at seven.

According to Article 3 of the Constitution of India, Parliament has power to separate territories from states and Union territories to create new states or Union territories, to merge two or more states or/and Union territories, split a state or a Union territory into two or more states or/and Union territories and to unite parts of states and Union territories to create new states or Union territories. The views of the concerned state legislatures will have to be taken beforehand but not necessarily respected.

14.3.3 Structure of Government

The Union and states have separate governments, both based on parliamentary systems. Like President at the Centre, the Institution head of government at State level is Governor. However, although the President is elected indirectly by the people, the Governors of the states are appointed by the President (i.e., the Union Government). Both the President and the Governors are advised by their Councils of Ministers.

But there is no strict division of public services in India. The Union and the state officials administer both the Union and state laws simultaneously. There are state civil services. But there are also All-India Services whose members serve both the Union and the state government.

The Indian judiciary is, however, integrated. It is headed by the Supreme Court of India, which is also the federal court.

14.3.4 Division of Powers

The Indian Constitution lays down an elaborate division of legislative powers between the Union and state government in the Seventh Schedule. The executive powers of the Union and state governments co-exist with their legislative powers. The powers of the Union and state governments are enlisted in three lists known as: The Union list, the State list and the Concurrent list.

In List I, the Union List, the powers of the Union government are mentioned; it contains 97 subjects; in List II, the State List, 61 subject are mentioned on which State legislatures will enact laws. In List III, the concurrent List are mentioned the powers that are to be concurrently exercised by the Union and the state governments and 47 subjects are mentioned in this. The residual powers, not mentioned in any of these lists, belong to the Union. There are, however, three conditions attached to this division:

- 1) If on a concurrent list subject the Union and a state's laws conflict, the Union law will prevail.
- 2) If the Council of States, or Rajya Sabha by a majority of two-thirds of its members, decide by a resolution that a certain subject belonging to the state list is of national importance the Parliament will be able to legislate on it.
- 3) When a proclamation of emergency is in operation the Parliament may legislate on any of the state subject. The force of such law will lapse six months after the proclamation ceases to operate.

Broadly speaking, all subjects relating to defence, security, external affairs, communication, currency, banking and insurance, inter-state river and river valleys,



inter-state trade and commerce, major industries, development and regulation of oilfields and mines declared by Parliament necessary to be controlled by it, census and universities and other institutions declared by Parliament to be of national importance are under the Union's control. Public order, police, prisons, local communication, land, agriculture, public health, local government, mines not under the Union's control, intoxicating liquor and betting and gambling are under the state's control.

The concurrent jurisdiction of the Union and the state extend to criminal law and criminal procedure, preventive detention, education, forests, inland shipping and navigation, factories, boilers, electricity, newspapers, books and printing presses, weights and measures and price control.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer

ii) Check your answers with the model answers given at the end of the unit.

1) Who exercises the residual power in Indian federation?

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2) Why is India referred to as a "Union of states" rather than federation?

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14.4 THE UNION-STATE RELATIONS

A federal state has often been described as a union without unity, meaning that there is division of power along with cooperation between the partners. This cooperation has been sought to be established by the Constitution in different ways:

- i) In the first place there is a directive of the Constitution that the states should legislate on subjects belonging to their jurisdiction and the Union can legislate on subjects belonging to its jurisdiction. But, as we have seen, Parliament may legislate on state subjects in some special cases (See 14.3.4. above).
- ii) The Governors, on the other hand, have been given the power to withhold assent to a bill and reserve it for the President's assent. The matter becomes complicated by the fact that the Governors are appointed by the President and hold office during the pleasure of the President (i.e., the Union government).
- iii) The Parliament may delegate power to legislate on any Union subject to a state legislature. Two or more states may also delegate the power to legislate on any of the state subjects. But this can be done only if these states request the

Rajya Sabha (the Council of States) to pass a resolution empowering the parliament to legislate on the matters in the state list. Even without the request of the two or more states, the Parliament can legislate on the state issue, if two third members present in Rajya Sabha pass resolution to this effect.

- iv) The states have been directed to exercise their executive power in compliance with the laws of the Parliament and any existing law in operation on the state. The Union has executive power to issue directions to the state to ensure such compliance.
- v) The Union has the power to issue directives to the state to exercise their executive power without prejudicing the executive power of the Union and the Union can issue directions to ensure this restriction.
- vi) The Union has power to protect the states from external aggression and internal disturbance
- vii) The failure of a state to give effect to any of the directives may lead to a declaration of constitutional breakdown in a state.

These generally healthy provisions, it should be noted, have sometimes been misused to the detriment to state autonomy.

14.4.1 The Financial Powers of the Union and the States

Like the legislative and the executive powers financial powers are divided between the Union and the states in such a detailed and complicated way that most commentators on the Indian federal system have chosen to use the phrase 'financial relations' rather than 'division of financial power'. This is mainly due to two reasons. Politically speaking the revenues of the Union are far greater than the revenues of the states making the states dependent on federal subsidies. Constitutionally, on the other hand, the Indian Constitution makes a distinction between the power to levy taxes and the power to appropriate them. There is no concurrent jurisdiction in the matter of taxation.

Further, the division of financial powers has been subjected to four amendments: the 3rd (in 1954), the 6th (in 1956), the 46th (in 1982) and the 80th (in 2000). These amendments have enhanced the Union's power to levy taxes but not necessarily to appropriate them. There are three kinds of taxes in the Constitution, as a result:

- 1) Taxes and duties collected and appropriated by the states.
- 2) Taxes and duties collected by the Union on behalf of the states and assigned to them.
- 3) Taxes and duties collected by the Union and distributed among the states according to principles laid down by the Parliament.

Besides these taxes and duties the Union has unlimited power to give grants-in-aid to the states.

The States impose land revenue, agricultural income tax, succession duties and estate duty on agricultural land, taxes on lands and buildings, taxes on mineral rights subject to any limitations imposed by Parliament by law relating to mineral development, excise duties on alcoholic liquors, opium, Indian hemp for non-medicinal purpose, taxes on entry of goods for consumption and sales, taxes on consumption and sale of electricity, sales tax on goods other than newspapers exchanged within the State, taxes on advertisements except those on newspapers, radio or television, taxes on goods transported by roads or inland waterways and vehicles on road, taxes on animals and boats, tolls, taxes on professions, trades, callings and employments, capitation taxes, taxes in luxuries, amusements, betting and gambling and fees in respect of any of the matters in the State List.

The net proceeds of taxes and duties that the Union levies, after being distributed among the states as above, all loans received by the Union and all its receipts in repayment of loans form the Consolidated Fund of India. All revenues, loans and receipts in repayment of loans by a state government form the Consolidated Fund of the State.

Such stamp duties and such duties of excise on medicinal and toilet preparations as are mentioned in the Union list are levied by the Union government but collected and appropriated by the states (Art. 268).

Taxes on sale and purchase of goods other than newspapers and taxes on consignment of goods, where such sale or purchase or consignment takes place in course of inter-State trade and commerce, shall be levied and collected by the Union but assigned to the states according to the principles of distribution formulated by the Parliament (Art. 269).

The other taxes and duties allowed under the Union list—tax on non-agricultural incomes, customs including export duties, excise duty on tobacco and medicinal and toilet preparations containing alcohol, opium and narcotic drugs, corporation tax, taxes on capital value of non-agricultural assets of individuals and companies and capital of companies, estate and succession duties on property other than agricultural land, terminal taxes on goods or passengers carried by railways, sea or air, taxes on railway fares and freights, taxes other than stamp duties on transactions in stock exchanges and futures market — are levied and collected by the Union. A percentage of their proceeds will go to the Union government according to the order of the President (i.e., the Union government) after considering the recommendations of the Finance Commission. The rest will be distributed among the states according to the prescription of the President after considering the recommendations of the Finance Commission (Art. 270).

This leaves the Union with the power to charge fees on any matter relating to the subjects in the Union list for its wholesale appropriation. Stamp duties other than duties and fees collected by means of judicial stamps and fees imposed on the subjects included in the Concurrent List but not including fees taken in any court are collected concurrently. Taxes on the residual subjects are exclusively under the Union's jurisdiction.

At the same time, the property of the Union and the purchase and storage of water and electricity by the Union are free from taxation of a state. The property and income of a state is, on the other hand, free from Union taxation. Any tax imposed by a state on a Union property before the commencement of the Constitution would continue to be collected by the state until the Parliament otherwise provides. Further, Parliament, by law, may provide for imposition of tax on a trade or business carried on by a state.

There is a special provision for grant in lieu of export of jute to the states of Assam, Bihar, Orissa and West Bengal (Article 273). All other grants-in-aid are governed by Article 275.

14.4.2 The Finance Commission

Every five years the President appoints a Finance Commission. The Parliament by law determines the qualification required for appointment to the Commission (Art 280). The Commission recommends to the President:

- i) the distribution of the net proceeds of taxes between the Union and the states and the allocation of shares of such state proceeds among the states;
- ii) the principles which should govern the grants-in-aid of the states revenues from the Consolidated Fund of India; and

- iii) the measures needed to augment the Consolidated Fund of a state to supplement the resources of the panchayats in the states.

The President causes the recommendations to be presented to the Parliament (Art. 281). It should, however, be noted that the recommendations are not mandatory. The President, that is, the Union government, is the final authority to decide on such recommendations.

14.4.3 The Planning Commission and National Development Council

Unlike the Finance Commission, the Planning Commission is not a statutory body. It was set up by a formal resolution of the Union Cabinet in March 1950. The Planning Commission plays an important role in the formulation of India's economic policies. The Prime Minister is the chairman of the Planning Commission. Some of the important members of the Planning Commission are Union Council of Ministers, Cabinet Secretary and other distinguished persons. It is an extra - constitutional agency and works as an advisory body. It is responsible for the Five Year Plans of the country.

The plans finalised by the Planning Commission are discussed by the National Development Council (NDC). It is the highest reviewing and advisory body in the field of planning. It was constituted in 1952. The member of the NDC are Prime Minister, Chief Ministers of all states, members of Planning Commission and all Union cabinet ministers. It is an intermediary body between the Union, state and local government. Five Year Plans become operational after the approval of the NDC.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers at the end of the unit.

- 1) How many types of taxes are there in the Constitution of India?

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- 2) Discuss the functions of the Finance Commission.

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- 3) What is the relationship between the Planning Commission and the National Development Council?

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14.5 THE UNION TERRITORIES

The Union territories are small and special areas directly under the administrative control of the Union government. Many of the former Union territories have been promoted to the status of states.

The President appoints an administrator for a Union territory, sometimes designated as Lieutenant-Governor. The President may also appoint the Governor of an adjacent state as the administrator of a Union territory. Such Governors, while administering the Union territories, are not advised by the Council of Ministers of their own states.

In 1962 Parliament created a legislature and a Council of Minister for some Union territories. All of them, except Pondicherry, have by now become states. In 1991 Delhi was given a special status as a Union capital territory with a large autonomy.

14.6 LET US SUM UP

Federalism is a union without unity in political terms. In India this union is a result of devolution of power from the central government to the state governments. The Constitution divides legislative, executive and financial powers between the Union and the states with a tilt towards the Union. The Indian judiciary is integrated but the highest court is also the federal court of the country. The state boundaries are not firm and there are occasional Union-state and center-state tensions.

14.7 SOME USEFUL BOOKS

D. Basu, *Introduction to the Constitution of India*, New Delhi, Prentice-Hall.

Economic Reforms: The Role of States and the Future of Center-State Relations, New Delhi, Observer Research Foundation, 1996

Ian Copland and John Rickard (eds.), *Federalism: Comparative Perspectives from India and Australia*, New Delhi, Manohar, 1999.

14.8 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The Union
- 2) Unlike in the federation, which is result of the agreement between the constituent units, in the "Union of States" the constituent units of the Indian union have no sight to secede.

Check Your Progress Exercise 2

- 1) Three types of taxes; collected and appropriated by the states, collected by the Union on behalf of the states and assigned to them, and, collected by the union and distributed among the states according to the principles laid down by the constitution.
- 2) To recommend to the President distribution of taxes between the Union and states, principles governing the grant-in-aid of the state revenue from the Consolidated Fund of India, and measures to augment the Consolidated Fun of India.
- 3) Plans finalised by the Planning Commission are discussed by the National Development Council (NDC).

UNIT 15 SPECIAL PROVISIONS FOR NORTH-EAST, J & K, ETC.

Structure

- 15.0 Objectives
- 15.1 Introduction
- 15.2 Special Provisions
 - 15.2.1 Article 370 Regarding Jammu and Kashmir
 - 15.2.2 The Sixth Schedule for the North - East
 - 15.2.3 The Fifth Schedule for the Scheduled Areas
- 15.3 Why Special Provisions?
 - 15.3.1 Jammu and Kashmir
 - 15.3.2 The North - East
 - 15.3.3 The Scheduled Areas
 - 15.3.4 Special Category States (SCS)
- 15.4 Politics Relating to the Special Provisions
 - 15.4.1 Jammu and Kashmir
 - 15.4.2 North - East India
- 15.5 Let Us Sum Up
- 15.6 Key Words
- 15.7 Some Useful Books
- 15.8 Answers to Check Your Progress Exercises

15.0 OBJECTIVES

After going through this unit, you will be able to:

- Identify the areas which are distinct from most other parts of the country;
- Know the special constitutional provisions meant for these regions;
- Give reasons for introduction of the special provisions; and
- Understand the different perceptions of the special provisions within these regions.

15.1 INTRODUCTION

The Constitution of India provides for uniform rule over the whole country. But certain regions of the country are governed by special provisions. These provisions ensure the protection of cultural identities, customs and economic and political interests of the original inhabitants of these areas. These regions include the tribal hills of the North Eastern States, i.e., Assam, Arunachal Pradesh, Manipur, Nagaland, Mizoram, Meghalaya and Tripura, the state of Jammu and Kashmir and the regions known as the "Scheduled Areas".

"The Scheduled Areas" are those tribal inhabited areas which are located in other parts of the country than the North-East India. These areas are located in the states of Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Himachal Pradesh, Madhya Pradesh, Jharkhand, Maharashtra, Orissa and Rajasthan. Besides these areas, some other regions of the country also are governed by the special provisions.

Furthermore, some states have been clamouring to be accorded Special Category States (SCS), though there are no special provisions for them in the constitution. Placement in such category would entitle them to get special assistance to development - like increase in the grant-in-aid in comparison to the loan. While the loans have to be repaid to the lender, the grant-in-aid has not to be re-paid. Orissa, Bihar and the newly created state of Uttaranchal have demanded to be included in the SCS.

15.2 SPECIAL PROVISIONS

Our Constitution has the following special provisions:

15.2.1 Article 370 Regarding Jammu and Kashmir

No law passed by the Parliament regarding the state of Jammu and Kashmir can be applied to the state without the Order of President of India in concurrence of the state government. No such conditions exist in the case of other states. In the original Constitution of Jammu and Kashmir, the provisions of Article 370 were described as "temporary" measures. Under the agreement of 1975 signed between Shiekh Abdullah and Indira Gandhi it was agreed upon that Abdullah will give up the demand for plebiscite and special status of Jammu and Kashmir will continue; it would no longer remain a temporary measure. But the agreement could not be implemented owing to the differences and the Order of the President could not be issued. Jammu and Kashmir is the only state in the country having a Constitution of its own within the framework of Indian Union. The important provisions of the Constitution of Jammu and Kashmir can be summarised as follows :

- i) Territory of Jammu and Kashmir consists of all those areas which were under the sovereignty of erstwhile ruler. These areas include that territory which is at present under the occupation of Pakistan.
- ii) Out of 123 assembly seats of Jammu and Kashmir, 25 allotted to the Pakistan-occupied portion of Kashmir, remain vacant because the situation is unsuitable for the election there;
- iii) Though the executive and legislative powers of the State government cover the entire state, yet these powers do not apply to those areas which come under the jurisdiction of Parliament;
- iv) The "permanent residents" of Jammu and Kashmir enjoy all rights which are guaranteed in the Constitution of the Country.
- v) A majority of not less than two-thirds of the members of the house can amend the Constitution by passing a bill. But the bill can not make the changes in provisions relating to the relationship between the state and the Union.

15.2.2 The VI Schedule for the North - East

According to Article 244 of the Constitution the VI Schedule lays down special provisions for the protection of the interest and cultural identities of the hill tribes of North. The most important provision of the VI Schedule is creation of the Autonomous District Councils. While tribals of some of the North - Eastern states have the Autonomous District Councils, Arunachal Pradesh, Nagaland and greater part of Mizoram do not have this. The Inner Lines Regulation exist for three states, i. e., Arunachal Pradesh, Mizoram and Nagaland, and North Cachar district of Assam.

The modern institution of the Autonomous District Councils are elected bodies. They are controlled by the new generation which has benefited from modern means of education. This placed the new elite in confrontation with the traditional elite who have considered it as an encroachment on their position. In fact, they have been demanding its abrogation. Also a section of the non-tribals have been seeking the removal of the Autonomous District Councils. They argue that the VI Schedule was introduced to protect the interests of the tribals while they would be constituents of Assam. But with the formation of separate states there was no need for the Autonomous District Councils. Besides, there is no clear demarcation of the jurisdiction of the ADCs, which result in overlapping of the jurisdiction of the ADCs, state legislature and the village councils. This causes inconvenience to the people.

Since the British days a system of Inner Line was drawn up under the Bengal Eastern Frontier Regulation, 1873. It prohibits the travel of outsiders into the area beyond the Inner Line without the government's permission. Aimed primarily at protecting the people of the covered area from the exploitation of the plainsmen, this also preserved the British control there and hindered the integration of the people of the hills and plains. The Inner Line is a subject of hot controversy in northeast India.

15.2.3 The V Schedule for Scheduled Areas

For the protection of the interests and cultural identity of the tribals residing in parts of the country other than hills of the North-East, there are special provisions in the Constitution of India. These areas are known as the Scheduled areas and the provisions regarding them are enshrined in the V Schedule of our constitution. Parliament has powers to change these by ordinary legislation without amending the constitution. The main provisions are as follows:

- i) The executive power of the states extend to the scheduled areas;
- ii) The Governor of these states has to submit the report to the president regarding the administration of such areas on the annual basis or whenever required to do so;
- iii) Tribes Advisory Councils have to be constituted to advise the government on the matters relating to the welfare and advancement of the Schedules Tribes - these matters are those which may have been referred to the councils by the Governor;
- iv) The Governor is authorised to direct the state government not to apply in the Scheduled Areas any Act of Parliament of or the state Legislature or apply it subject to exceptions or modifications;
- v) The Governor is authorised to make regulations to prohibit or restrict transfer of land by or among the members of Scheduled Tribes, to regulate the allotment of land and the business of money-lending. All such regulations made by the Governor must have the assent of the President;
- vi) The President may appoint a Commission to report on the administration of the Scheduled Areas and Scheduled Tribes in the state. As it was obligatory to appoint such Commission at the end of first ten years of the implementation of the Constitution, the first Commission was appointed in 1960. The Commission submitted its report in 1961.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of the unit.

1) Mention the special provisions which are meant for the North - East India.

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15.3 WHY SPECIAL PROVISIONS?

15.3.1 Jammu and Kashmir

The whole state of Jammu and Kashmir enjoys special status among the states in India under Article 370 of the Constitution. This state enjoys special position because of the special circumstances under which it was brought under the governance of the Union of India. During the British period the state of Jammu and Kashmir was ruled by a hereditary king. Like many rulers Maharaja Hari Singh joined Dominion of India by signing the Instrument of Accession on October 26, 1947. India agreed to accept the accession of Jammu and Kashmir on the request of Maharaja, who had found it necessary following the attack of the Azad Kashmir forces in the wake of the formation of Pakistan. Accordingly the subjects of Defence, External Affairs and Communication in respect of Jammu and Kashmir like other states which joined India as per the Instrument came under the jurisdiction of Dominion of India. With the implementation of the Constitution in 1950, the state of Jammu and Kashmir was included in the Part B of the first Schedule.

Despite being a member of the Part B states, the part in which the erstwhile big Princely states were placed, special provisions were devised for the governance of the state of Jammu and Kashmir. These provisions were different from those meant for other states of the part B. These were incorporated in the Article 370 of the Constitution. According to the provisions of this article, the state of Jammu and Kashmir was given a separate Constituent Assembly. It consisted of the representatives of people of the state. The aim of the Constituent Assembly was to write the constitution of the state and demarcate the jurisdiction of Union of India over the state of Jammu and Kashmir. The provisions of the Constituent Assembly were applied as interim arrangements.

Even as in the cases of erstwhile princely states, the Government of India was empowered to exercise control over all issues mentioned in the Union List, in this case the Government of India had given public assurance that the Accession of this state to the Union of India would be subject to the confirmation by the people of Jammu and Kashmir. The Government of India in turn put the condition on the Maharaja that following the accession the Maharaja would introduce a popular government. It meant that he would abolish the hereditary rule. The accession was confirmed by the people of Jammu and Kashmir through their representatives in the Constituent Assembly of state. But it was done on the condition that Jammu and Kashmir would be governed by different rules to be framed by the Constituent Assembly. The suggestions of the Constituent Assembly of Jammu and Kashmir were incorporated in Article 370 of the Constitution of India. The continuation, amendment or the suspension of this article can not be done without support of a majority not less than two thirds of the membership of legislation Assembly of Jammu and Kashmir, which means people of the state. The President of India assented the recommendations of the Constituent Assembly by making Constitution (Application to Jammu and Kashmir) Order, 1950, in consultation with the Government of Jammu and Kashmir. This Order specified that the Parliament of India would be competent to make laws relating to three areas — Defence, Foreign Affairs, Communication, i.e., issues agreed upon in the Instrument of Accession. All other issues were to be administered according to the Constitution of Jammu and Kashmir.

Again, in 1952, an agreement was signed between the state government and the Union of India. This agreement brought all issues mentioned in the Union List, not only three issues of Defence, Foreign Affairs and Communication, under the jurisdiction of the Union Government, pending the decision of the Constituent Assembly of Jammu and Kashmir. In 1954, the Constituent Assembly of the Jammu and Kashmir ratified the Accession to India as well as the agreement between the

state government and the Union of India. The President in consultation with the state government made the Constitution (Application to Jammu and Kashmir) Order, 1954. This Order implemented the agreement of 1952 signed between the state government and the Union government and ratified the Constituent Assembly. This Order also superceded the earlier Order of 1950.

The Order of 1952 expanded the scope of jurisdiction of the centre from just three subjects of Defence, Foreign Affairs and Communication mentioned in the Instrument of Accession of Jammu and Kashmir to all subjects mentioned in the Union subjects in the Constitution of India. This Order was amended seven times between 1963 and 1974. The amended Order brings the entire constitutional position of the state of Jammu and Kashmir within the framework of the Constitution of India, excluding the Constitution of Jammu and Kashmir which was made by the Constituent Assembly of the state.

The state of Jammu and Kashmir is the only state in the country which has its own Constitution. It is also the only state, which had a Constituent Assembly, which drafted the constitution of the state. The Constituent Assembly of Jammu and Kashmir, was elected by the people of the state. The Constituent Assembly met for the first time on October 31, 1951.

The Constituent Assembly of Jammu and Kashmir performed two main functions:

- i) It abolished the hereditary rule of Maharaja and replaced it with the elected head, *Sadar-I-Riyasat*, this post later was changed into the governor's post. As per the conditions of the Instrument of Accession, the Maharaja introduced a popular interim government, after inviting Sheikh Abdulla, President of the All India Jammu and Kashmir Conference to form the interim government. Later the interim government changed into a full-fledged cabinet, and Sheikh Abdulla became its first Prime Minister. But Sheikh Abdullah was not satisfied with it. He wanted the Maharaja Hari Singh to resign. Since abolition of the hereditary post was one of the conditions of the Government of India in the Instrument of Accession, in June 1949, the Maharaja abdicated in favour of his young son Yuvaraj Karan Singh. The Constituent Assembly elected the Yuvraj as 'Sadar-I-Riyasat' on October 3, 1951. However, by the Constitution of Jammu and Kashmir, 6th Amendment Act, 1965, the post of Sadar-I-Riyasat was abolished.
- ii) It framed the Constitution of the state. The Draft Constitution of the Constituent Assembly for state was adopted on November 17, 1957 and given effect from January 26, 1957.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answer with the model answers given at the end of the unit.

- 1) Mention the subjects which fell under the jurisdiction of the Government of India following the signing Instrument of Accession.

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15.3.2 The North - East

The VI Schedule of the Constitution of India created Autonomous Districts within Assam in order to preserve tribal autonomy and protect the cultural and economic interests of the hill tribes. The hill regions of North - East India have a history of

being governed by different criterion in comparison to the rest of India. While most of India with the exception of the princely states was governed by the standard colonial administration, the hill regions of Assam were ruled by the British indirectly. The British did not interfere with their the traditional system of authority. The issues relating to land, inheritance, forest, dispute resolutions, etc., were dealt with according to the customary laws, and through the arbitration of clan and tribal chiefs. They were declared "backward areas" according to the Government of India Act, 1919. The Government of India Act, 1935 turned them into , "excluded" and "partially excluded" areas. There was some difference between the "excluded" and "partially excluded" areas. The former were not represented in the legislature of Assam, though they were located in the province of Assam. The "partially excluded" areas were privileged to have some legislative experience within the state of Assam. The "excluded areas" were administered by the Governor -in- Council as his " reserved" jurisdiction. On the "partially excluded" areas there was some authority of the provincial legislature. Jurisdiction of the courts of British India was limited in such areas.

The British India government placed the hill region of Assam in the "excluded" category because of the expediency of their policy-orientation. Finding the cost of administration not being compensated by the revenue returns, the British found it more expedient not spend on running the administration of this region. Rather the hills were left to be governed by their traditional rule, which did not cost them anything. Besides, the people in this area had been averse to the notion of any outsider ruling over them. Any intrusion or its apprehension into their affairs was met with opposition and hostility.

In order to retain their distinctness, the British mooted a plan to bring all areas of the North-East along with hills of Burma under a "Crown Colony". The plan to create a "Crown colony" was a secrete plan and was known as the "Coupland Plan" named after -Reginald Coupland. This suggestion was rejected by the Indian National Congress. But the need to retain the distinctness of this region was recognised by providing special provisions regarding their governance. These provisions were included on the basis of the recommendations of the North-East Frontier (Assam), Tribal and Excluded Area Sub- Committee of the Advisory Committee of the Constituent Assembly of India. The sub-committee was known as Bordoloi sub-committee named after its chairman Gopinath Bordoloi, a member of the Constituent Assembly, and the then Prime Minister of Assam.

The main recommendation of Bordoloi Sub-committee was establishment of the Autonomous District Councils and Regional Councils in for the tribal areas within the state of Assam. With the commencement of the Constitution on January 26, 1950, Autonomous District Councils came into existence in the hill districts of Assam except the Naga Hills (suffering from the separatist violence) and extremely backward Frontier Tracts. After the reorganisation of North-East India there was a restructuring of the District Councils. In 1984 the VI Schedule was extended to Tripura (You will read about the story of reorganisation of North-East India in Unit 17.6.4)

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.

ii) Check Your answer with the model answers given at the end of the unit.

1) What were the reasons for introducing the special provisions for the hill areas of North-East India?

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15.3.3 The Scheduled Areas

As you have seen in this unit earlier the "Scheduled Areas" are those tribal-inhabited areas which are located in states other than those of North - East India. Like the tribals of the hills of the North - East, they are also protected by the Special Provisions as enshrined in the V Schedule of our Constitution. This Schedule provides the safeguards to their cultural identity and economic interests.

15.3.4 Special Category States (SCS)

The Special Category States are a purely administrative category and not the constitutional ones. The states which are backward in terms of the development of the infra-structure or which have suffered due to the national disasters like drought or flood demand to be categorised as the Special Category States. Acceptance or rejection of such demands also depends on the political factors.

15.4 POLITICS RELATING TO THE SPECIAL PROVISIONS

Despite the existence of special provisions for different areas, there has been dissatisfaction on their relevance or inefficiency in almost all such regions of the country where such provisions exist. Some oppose these provisions describing them to be inadequate, others oppose them as unnecessary and violative of the minority rights.

15.4.1 Jammu and Kashmir

The accession of Jammu and Kashmir was opposed by the pro-Pakistan forces known as the "Plebiscite Front". Sheikh Abdullah also joined the movement of "Plebiscite Front". He was incarcerated from 1955 and released in 1964. But he was arrested again in 1965, and exiled from the state in 1971. He was released in 1975 following an agreement between Sheikh Abdullah and Indira Gandhi, the "Plebiscite Front" and the Union government. The National Conference led by his son Farooq Abdullah has been demanding that in case of Jammu and Kashmir the pre - 1953 position be restored. That means the central government should have jurisdiction on only three subjects which were mentioned in the Instrument of Accession- Defence, Communication and Foreign Affairs. Recently the Jammu and Kashmir Legislative Assembly passed a resolution demanding autonomy of the state. This resolution has been rejected by the central government led by the NDA, of which the BJP is the largest party and National Conference is a partner. The BJP is opposed to the continuance of the Article 370.

15.4.2 North-East India

Similarly there are reservations on the VI Schedule from various quarters. In fact, Naga separatists had refused to accept the VI Schedule, as they thought that the VI Schedule was an instrument of the integration of their district with India and Assam.

The introduction of the Autonomous District Councils weakened the position of the erstwhile ruling chiefs of the tribal society. The District Councils are controlled by the new generation of leadership. Therefore, the opposition to the Councils came from them. Thirdly, there are people who feel that the Autonomous District Councils are constrained by limitations; their position should be strengthened. There is overlapping of the jurisdiction of the District Councils, village Councils and the state government. These bodies are also being accused as breeding ground for corruption. Autonomous District Councils are primarily representative bodies, which have legislative power over certain issues like management of unreserved forests, inheritance of property, marriage and social customs, and Governor may confer

upon these Councils power to try certain suits or offences. The Councils have power to assess and collect land revenue and to impose certain taxes which are specified. It is obligatory to get the assent of the Governor for the laws made by the Councils. The non-tribals consider these bodies to be unnecessary. They allege that these are being used by the tribal vested interests to harass them. A large section of them want their abrogation.

15.5 LET US SUM UP

After reading this unit you must have come to know that there are certain regions in India, which are governed by special provisions under the Constitution. These areas are the hill regions of the North-East India, Jammu and Kashmir, and the Scheduled areas hill areas other than the North-East. The VI Schedule, article 370 and the V Schedule of our Constitutions are embodied with the Special Provisions for the hill area of North-East India, Jammu and Kashmir and the regions within the Scheduled areas respectively. The hill regions of the North - East which fall within the jurisdiction of the VI Schedule in the states of Assam, Arunachal Pradesh, Manipur, Nagaland, Mizoram, Meghalaya and Tripura. "The Scheduled Areas" are located in the states of Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa and Rajasthan. The Special Provisions are meant to protect the cultural identities and rights of the residents of the concerned regions, especially from the encroachment of outsiders. According to these provisions, outsiders can not sell or purchase the property of their residents, their affairs are governed by their customary laws. In case of the North-East India, the Autonomous District Councils and The Inner Lines Regulations are promulgated on the basis of the VI Schedule. Jammu and Kashmir is the only state in the country, which has its own Constitution. Any Act passed by India parliament which is related to Jammu and Kashmir can not become a law unless it is passed by the President of India in consultation with the state assembly. However, there are some controversies regarding the need and efficiency raised by both the supporters and opponents of the Special Provisions from every concerned region. Nevertheless, these provisions have helped in serving the purpose they were meant for.

15.6 KEY WORDS

- Special Provisions** : Special provisions enshrined in the Constitution of India which are meant for the certain regions of the country on account of cultural, historical, economic and political consideration.
- Autonomous District Councils** : District councils set up in the tribal regions of North - East India under the VI Schedule of the Constitution for the protection of cultural identities and political interests of the tribals inhabiting these regions.
- Sadar - I- Riyasat** : An elected head of the state of Jammu and Kashmir which had replaced the hereditary rule of the Maharaja. Later on it changed into the governor's post.

15.7 SOME USEFUL BOOKS

Chaube, S.K., *Hill Politics in North-East India*, Orient Longmen, New Delhi 1999.

Basu, D.D., *Introduction to the Constitution of India*, Printice Hall, New Delhi, 1985.

Bakshi, P.M., *The Constitution of India* (with selective comments by the author).

Universal Law Publishing Company, Delhi, 1999.

15.6 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The VI Schedule : Autonomous District Councils; Inner Lines Regulations.

Check Your Progress Exercise 2

- 1) Defence, External Affairs and Communication.

Check Your Progress Exercise 3

- 1) Preservation of identities of the inhabitants of these regions — cultural, social and historical, and protection of their political and economic interests.

UNIT 16 ISSUES IN CONFLICT AND COOPERATION IN INDIAN FEDERALISM

Structure

- 16.0 Objectives
- 16.1 Introduction
- 16.2 Federalism and Centralisation
 - 16.2.1 Centralisation
 - 16.2.2 Changing Environment
- 16.3 Role of Governor
 - 16.3.1 Appointment of Governor
 - 16.3.2 Discretionary Powers of Governor
 - 16.3.3 Reservation of Bills for Consideration of President
- 16.4 Use of Emergency Powers
 - 16.4.1 Emergency Under Article 356
 - 16.4.2 Conflict Over President's Rule
- 16.5 Financial Relations
 - 16.5.1 Taxation Powers
 - 16.5.2 Issue of Grants
 - 16.5.3 Economic Planning
- 16.6 Use of Electronic Media
- 16.7 Demand for Autonomy and Cooperation
 - 16.7.1 Demand for Autonomy
 - 16.7.2 Steps Towards Cooperation
 - 16.7.3 Sarkaria Commission
 - 16.7.4 Inter- State Council
- 16.8 Let Us Sum Up
- 16.9 Key Words
- 16.10 Some Useful Books
- 16.11 Answers to Check Your Progress Exercises

16.0 OBJECTIVES

This unit deals with the areas of tension and cooperation that have emerged in India due to constitutional provisions and more so working of federal system during last more than fifty years. After studying this unit you will be able to:

- Understand reasons and environment leading to emergence of conflicts cooperation in union-state relations.
- Recognise the areas of tensions between union and states, their nature and implications.
- Understand various suggestions and recommendations made for improvement or changes in the union-state relations to reduce conflicts and tensions.
- Appreciate the emerging trends in the working of Indian Federalism.

16.1 INTRODUCTION

You have already read in unit 14 that though Indian Federal system was described as one of "Cooperative Federalism", it was in fact a federation with a strong centre and significant unitary features. It was so structured as to establish supremacy of the union government while providing autonomy of the states in certain fields. The scheme of distribution of powers in the legislative, administrative and financial fields

under the seventh schedule of the Constitution was so effected as to make the Union Government more powerful than the states. In addition the residuary powers were also conferred on the Union government. In the name of emergency provisions even sweeping powers were given to the centre to exercise overriding legislative and executive authority to enable it to transform the federal system into virtually a unitary system. At the time of framing of the Constitution (in the interest of national unity and development) centralisation of powers was considered necessary. During the working of the Constitution the central government not only used the provisions of the Constitution enormously but also kept on consolidating and increasing its powers. After some time particularly from mid 1960s there started emerging questions about nature of Indian federalism. We are here discussing all these issues in the context of their background, implications and future trends.

16.2 FEDERALISM AND CENTRALISATION

The political elite which inherited power after independence was much in favour of a strong centre, strong enough not only to implement centre's policies but also to maintain the national elite's position as definitely superior. Therefore, even the centralised federation provided by the Constitution was considered or found insufficient by them and the rulers at the centre augmented powers further by means fair or foul. The fact of one party in power both at the centre and in almost all states helped in this augmentation.

16.2.1 Centralisation

The main justification provided for centralisation at the Centre was that with the experience of partition to maintain the unity and integrity of the country a strong centre was necessary. Also for a balanced and planned development of newly independent country centralised efforts were required. In practice attempts to centralise were two; one to keep the dominant party in power in as many states as possible and, two to consolidate the central leadership's authority within the party. For this purpose various constitutional and extra-constitutional methods including the use of governors office and emergency provisions were used. The Centre developed the role of a patriarch controlling and running the States through party Chief Ministers. At times, some of the union's extraordinary powers like imposition of President's rule under Art. 356 were used to settle intra-party problems. During the era of one-party dominance the Centre-State relations were merely a reflection of relations between the state branches of the Congress and its central leadership. The federal structure never had a chance to operate, nor the states to enjoy their constitutional autonomy.

As a whole in the background of freedom movement which itself was a unifying force, the trauma of partition, one-party dominance, strong charismatic leadership, national planning and perception of the national political elite, the Constitution itself was designed to centralise power. It was implemented in almost a unitary form. The result was that Centre became superior in all domains. It felt free to hold up its sanction to the States projects. It became a monitor of the law and order situation in the States. It started asserting a right to veto state bills. It dismissed state governments as and when it so wanted. It distributed grants to States at will. It even imposed Chief Ministers. Many observers suggested that in effect federalism was converted into a unitary form of government with States as subordinate agencies of the union government.

16.2.2 Changing Environment

The system of centre's pre-dominance and process of centralisation worked without much difficulty or opposition till there was one party's rule at the Centre and in

almost all the states and Congress was controlled by a set of leaders who because of their role in the freedom struggle were respected as national leaders. There was also expectation among masses of fulfillment of their hopes of development. From the mid 1960s, however, situation started changing. The charismatic leaders started disappearing from the scene. The planned development's failure to fulfil peoples aspiration started becoming clear. There had emerged a powerful middle class with varying political ambitions and conflicting economic interests. As a result of introduction of democracy, some land reforms and agricultural development there also rose a rich farmer class interested in protection of their interests at State level. All this culminated in the change of party system. The Congress started losing its image as a nationalist movement. In addition to the so-called national parties becoming faction- ridden there also emerged new regional parties. In 1967 general elections Congress not only became weak at the central level but also did not get the majority party in eight states. With this came up a new debate on Union-state relations. The non-Congress governments in States, were not prepared to blindly accept the dictates of the centre. Some state governments like those of Kerala, West Bengal and Tamil Nadu, in particular emphasised the need for maintaining intact the principle of state autonomy. The victories on non-Congress parties in several states also intensified factional disputes within Congress and therefore questioning of the control by central leadership.

To begin with debate on union-State relations was limited. By 1972 the Congress party and the Union government regained their predominance. However, the situation was not as before 1967. Now the process of centralisation became more severe. The Central government adopted increasingly interventionist practices in the States. Not only a more centralised but also personalised process was set in. From 1977 onwards with the change in parties in power and coming of coalition governments at the central level there had been emerging new debates and processes in Union-State relations. But in general, in spite of challenges and new developments, Union governments have continued with the idea of predominance of centre, its right to intervene in State's affairs and misuse of the office of governor and power to impose President's rule. Thus the general trend has been that of centre encroaching steadily upon the state's domain. This increasing centralisation and intervention of the central government has caused some major tension areas in Union-State relations. Important of these are:

- 1) Role of Governor
- 2) Imposition of President's rule
- 3) Reservation of Bills for the consideration of the President
- 4) Sharing of Finances
- 5) Use of electronic Media

16.3 ROLE OF GOVERNOR

Governor has been described as the linchpin of the constitutional apparatus of the State having key role in Union-State relations. The Constitution empowers the Centre to appoint Governors in states to work as Centre's representative and to maintain coordination between the Centre and the States. However, in practice, the position and role of Governor has become a substantial issue of tension between the Centre and the States.

16.3.1 Appointment of Governor

The starting point of tension between Union government and states with regard to office of Governor is that centre appoints the Governor as if he/she was just a representative of the centre in the State. In fact ruling party at Centre has found

the office of Governor as an effective instrument to recapture power for itself. The result is, as Soli Sorabjee puts "It will not be an exaggeration to say that no institution or constitutional office has suffered greater erosion or degradation than the office of the Governor". To make sure that Governors act on behalf of the Central Government the trend of appointing Governor after consulting State Chief Ministers has also been relegated. At present there are some pressures for following this tradition or consulting the Chief Minister before appointing the Governor of that State. So far, it seems, that the Union Government has followed no particular principle and there is no fixed criterion for the appointment of Governors.

The Sarkaria Commission in its report has suggested that a person to be appointed as Governor should satisfy the following criteria: he should be eminent in some walk of life, he should be a person from outside the State: he should not be intimately connected with the local politics of the State and he should be a person who has not taken too great a part in politics generally, and particularly in the recent past. However, even after the submission of the report of the Sarkaria Commission the Governors continue to be appointed from the active politicians of the ruling party and without prior consultation with the Chief Ministers.

16.3.2 Discretionary Powers of Governor

Apart from the normal functions, which the Governor exercises as a constitutional head, he exercises certain discretionary powers. Some of them have been expressly conferred on him while some others flow by necessary implication. As far as the discretionary powers by implication are concerned, these are significant particularly in three matters. One is with regard to the appointment of Chief Minister when neither a single party nor a combination of parties emerges from the election with a clear majority. Related to this is also the question of dismissal of Chief Minister on the loss of majority support or otherwise. The second matter is with regard to making a report to President under Article 356 about his satisfaction that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution, thereby recommending the imposition of President's rule. The issue of proclamation of President's rule itself has become a matter of serious tension between union and state governments. This we will discuss separately in para 16.4 of this unit. The third power is with regard to reservation of bills for the consideration of President.

16.3.3 Reservation of Bills for Consideration of President

Article 200 of the Constitution provides that certain types of bills passed by the State legislature may be reserved by the Governor for the consideration of the President. The President may either give his assent or may direct the Governor to send it back for reconsideration by the State legislature along with his comments. But even after the bill has been passed by the State legislature for the second time the President is not bound to give his assent.

The main purpose of this provision is that the Centre can keep watch on the legislation in the national interest. But Governors, and through them the Central Government have used this provision to serve the partisan interests. The opposition ruled States have from time to time raised a hue and cry against the misuse of these provisions. This has specially been so in case where the Governor has reserved a bill against the advice of the State Ministry, presumably under the direction of the Central Government. In its memorandum to Sarkaria Commission, the Bharatiya Janata Party alleged that the bills have been reserved for consideration of the President in order to create difficulties for the State governments. The West Bengal government in its reply to the Sarkaria Commission's questionnaire felt that Articles 200 and 201 either should be deleted or Constitution should clarify that the Governor would not act in his discretion but only on the advice of the State Council

of Ministers. At the opposition party's conclave held at Sirinagar in 1983, the opposition parties demanded that legislatures should be empowered to enact laws on subjects for which they constitutionally have responsibility without having to seek the President's assent. In recent years with regional parties having gained importance and playing an important part in the formation and continuation of Central Government the Governors are not using this power extensively. Nevertheless the issue remains one of contention in Union-State relations.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.

ii) Check your answer with model answer given at the end of the unit.

- 1) Describe the factors that led to new debates in Union-State relations after the 1967 elections.

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- 2) How far is the role of Governor an area of tension between Centre and States.

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16.4 USE OF EMERGENCY POWERS

You have already read that the Constitution provides for three types of emergency that can be proclaimed by the President. This in practice means the powers of the central government. You have also read that proclamation of any type of emergency affects the powers of the states. In practice so far financial emergency has not been declared. National emergency has been declared twice due to external threats (1962 and 1971) and for internal law and order situation once (1975). While the emergency due to external aggression has not raised any controversy as it is linked with the National Security, proclamation of Internal emergency has become a question of serious controversy both in terms of working of democracy in the country as a whole as also in terms of union -State Relations. The real issue of tension between the Centre and the States has become emergency under Article 356 that gives Centre power to dismiss a state government on the ground of failure of constitutional machinery in the States.

16.4.1 Emergency Under Article 356

You have already read that the Proclamation of emergency under Article 356 means that President assumes to himself all or any of the functions of the Government of the State including those belonging to the Governor or any other authority. It is because of this that this emergency is popularly called "President's rule". Article 356 as such gives extensive powers to the union government to interfere in the working of the State Governments. It has been suggested that provision for imposition of President's rule in States was made to deal with the serious situations as a life

saving device to be used as a measure of last resort. However, in practice the way and number of times this provision has been used, it has become the most contentious issue in Union-State relations. The provisions, apart from genuine cases of instability or national interest, have been used for:

- a) Dismissing the state governments having majority in the Assembly.
- b) Suspending and dissolving the Assemblies on partisan consideration.
- c) Not giving a chance to the opposition to form government when electoral verdict was indecisive.
- d) Denying opportunity to opposition to form government when ministry resigned in anticipation of the defection on the floor of the House.
- e) Not allowing the opposition to form government even after the defeat of the ministry on the floor of the House.

This use of powers under Art.356 has generally been described as unjustified by most observers and criticised by the States.

16.4.2 Conflict Over President's Rule

The Sarkaria Commission drawing attention to the repeated abuse of Article 356 has pointed out that during the period from 1951 to 1987 on 75 occasions when the President's rule was imposed, only in 26 cases was President's rule inevitable, 18 cases were typical instances of wholesale misuse of Article 356 for political purposes, extraneous to the one for which the power has been conferred by the Constitution. As early as 1953, Dr. B.R. Ambedkar said in the Rajya Sabha apropos the imposition of President's Rule in the PEPSU, that, "the people got a very legitimate ground for suspicion that the government is maintaining their own party in office in all parts of India. This is a "rape of the constitution". How lightly this emergency provision has been taken can be seen from the situations that soon after coming to power in 1977, the Janata government dismissed Congress Governments in nine States at one go and in 1980, Mrs. Gandhi on returning to power repeated the performance in nine States governed by the Janata Party. During 1980s use of Article 356 was made so frequent that it almost showed an intolerant attitude of the Central Government towards the non- Congress (I) State Governments. In Punjab, President's Rule continued for almost five years (May 1987 to February 1992) at a stretch. Consequently Article 356 has become the most abused and criticised clause of the Constitution. In spite of the safeguards provided by the 44th Amendment Act, it continues to be so and has become a sore and serious tension area in Centre-State relations.

The Supreme Court of India on March 11, 1994 in the Bommai case, gave a significant judgement on the application and use of Article 356. The Supreme Court unanimously and full-throatedly upheld the dismissal of the BJP state governments of Madhya Pradesh, Rajasthan and Himachal Pradesh in December 1992 because their anti-secular actions were inconsistent with the secular Constitution. But the majority held as unconstitutional the Centre's use of Article 356 in Nagaland (1998), Karnataka (1989) and Meghalaya (1991).

In the Bommai case, breaking radically with past interpretations of the constitutional provision, the apex court laid down new, demanding and enforceable standards for the application of the knife against elected State governments with a majority and against functioning State Assemblies. Thus the "President's power to issue under Article 356 proclamation must be understood to be a conditional power; action under the provision is judicially reviewable; the Presidents' satisfaction, which is necessarily subjective, must be formed on relevant material which can be scrutinised by the courts; no irreversible action like dissolution of legislative assembly, is permissible unless both Houses of Parliament approve the proclamation; until then

the most the central executive can do is to keep the assembly in suspended animation; and even after parliamentary approval, the courts can, in fit cases, restore the status quo ante. The Supreme Court's decision, thus, has placed significant restrictions on powers to proclaim President's rule. This has given some leverage to President. For instance President K.R. Narayanan first in October 1977 in case of Uttar Pradesh and again in September 1998 in case of Bihar, using his power to ask the cabinet to reconsider its decision, sent recommendations back for reconsideration by the cabinet. It is hoped that both the Supreme Court's decision and President Narayanan's action in sending back cabinet recommendations will put reasonable check on the Central Government's tendency to misuse powers under Art. 356 for partisan purposes.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answer with model answers given at the end of the unit.

1) How have powers under Art. 356 been misused by Central Government

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2) What safeguards are suggested against the misuse of powers to proclaim President's rule in states?

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16.5 FINANCIAL RELATIONS

The Financial dimension of Indian Federal Polity is also one of the major issues in Centre-State relations. The demand of the States for greater fiscal autonomy has now become one of the most debated issues. The tension on this arises because of: a) comparative powers of taxation, b) statutory versus discretionary grants; and c) economic planning.

16.5.1 Taxation Powers

Sources of revenue of the Centre are relatively elastic and expansive as against those of the States. The Centre also controls vast resources generated through deficit financing, loans from organised money markets in the country as well as huge funds of foreign aid. The residuary powers of taxation are also vested with the central government. In addition to this, Constitution also authorises the Centre to collect surcharges on taxes to raise additional funds in times of emergency. In practice surcharge has become a permanent feature of income tax structure. Another loophole in taxation system on account of which states suffer is the corporate tax, which keeps on expanding and is the exclusive purview of the centre. The gap between State revenues and their expenditure has been increasing. Of course one reason for this is the State's own inability to mobilise even those resources which they can, as also incurring wasteful expenses through populism. There is also the central twist. The States, therefore, have to be dependent on Central assistance.

16.5.2 Issue of Grants

For devolution of funds from the Centre to the States there are four methods: (i) obligatory sharing of Union taxes on income; (ii) permissive sharing of Union excise duties; (iii) assignment of certain Union duties and taxes wholly to the States; (iv) provision for giving financial assistance to the States in the form of grants and loans. With regard to sharing of resources and assignment of certain resources entirely to the States, Articles 280 and 281 provide for the appointment of an independent statutory Finance Commission every fifth year or earlier as the President of India desires. The provision for Finance Commission was in order to regulate, co-ordinate and integrate the finances of the Government of India and the State Governments. Originally, the Finance Commission was intended to cover all the financial transfers from the Centre to States. However, slowly the Planning Commission has also been brought in for the purpose and now it plays a rather important part in devolution of resources from the Centre to the States. Since the Planning Commission is a completely central institution and is politically influenced, the States have a sense of discrimination in allocation of grants. In addition, provision for grants-in -aid by the Centre is purely a political and arbitrary means of devolution and Centre has been making use of this more and more and that too in a controversial manner.

Centre gives grants-in-aid to States under Article 281 on its discretion for undertaking schemes, meeting natural calamities or for removal of disparities etc. There is a general feeling that the Centre discriminates between States being ruled by different political parties. H.A. Ghani points out that a close scrutiny of the Central relief to the States affected by natural calamities indicates that no well-considered norms were followed in this regard. The central teams pre-occupied by political considerations have always assessed the damage done by droughts, flood, etc. in an adhoc perfunctory manner.

The States, therefore, have sharply questioned the need for the Centre to wield heavy financial clout in the shape of discretionary grants. There are misgivings about the inherent danger of their being used as a political weapon against a State that happen to be out of favour with the centre. The States want more resources to be earmarked for statutory devolution so that the trend of increasing allocations through discretionary grants can be curbed.

16.5.3 Economic Planning

It is generally agreed that the process of planning in India has tended to push the political system to greater centralisation due to both the central control over resources for development and the preponderance of the centralised planning machinery. R.K. Hedge points out that the gravest and most harmful consequence of the atrophy of the State's domain in the economic field is in regard to industries and economic planning. For example the scheme of the Constitution is perfectly clear that industries are essentially a state subject. Only those industries are to be regulated by the centre the control of which by the Union is declared as expedient in the public interest by Parliament. But without an amendment to the constitution industries have been virtually transferred into a Union subject. More than 90 per cent of the organised industries in terms of value put have been brought under the domain of the Union. In practice, the regulation of industrial activity by the Union government has on several occasions inhibited the setting up of new industries. Similarly, it is alleged that in the name of national planning, the Centre for political considerations, has been inordinately delaying viable and important State projects. On the contrary, Centre has been super imposing its schemes on the States which were deemed by State governments to be irrelevant to the conditions prevailing in the State. Owing to this and other reasons the opposition conclave held at Srinagar in October 1983 in a consensus statement said that the present authority of the Planning Commission

and Union Ministry of Finance who offer discretionary grants to the States must be drastically reduced.

16.6 USE OF ELECTRONIC MEDIA

Electronic Media — the radio and T.V. are most powerful media of publicity and propaganda these days. The world over governments and political parties use these for political purposes both positively and negatively. In India as per the Constitution legislative powers to control and regulate broadcasting rest with the Union government. It has been alleged that the government and party in power at the Centre has used the media on the one hand to black out anything critical of its performance and on the other to malign the state governments being ruled by other parties. Particularly during the 1980, the opposition parties raised hue and cry against the blatant misuse of the All India Radio and Doordarshan for partisan purposes. It had been alleged that the media had been the mouth piece of the union government.

With the arrival of private channels and establishment of Prasar Bharti that provides, some autonomy to Radio and Doordarshan the governmental control and Centre's monopoly over media has been reduced. Also in a situation of coalition governments in which Regional parties are playing an important role the central government can no longer ignore them. Still the powers to legislate, control and regulate the media rest with the Union government and complaints about use and misuse of AIR and Doordarshan for partisan purposes remain.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.

ii) Check your answers with model answer given at the end of the unit.

- 1) What are the areas of conflict between Union and State Governments on issue of grants?

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- 2) How has planning become an area of tension between Centre and State.

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16.7 DEMAND FOR AUTONOMY AND COOPERATION

From the above discussion it becomes clear that there are many areas and issues of tensions between Centre and States. The framers of the Indian Constitution hoped that federalism in India will be based on consensus and cooperation. They clearly defined the powers of Union and State governments and expressed that emergency powers given to the Union government will be used rarely in the overall national interest. Unfortunately the expectations of Constitution makers have been eroded and the Union-State relations seem to have developed into politics of confrontation

rather than that of cooperation. Right from the beginning there had been a trend towards centralisation and it has continued inspite of changes in governments at the Centre. The states have been developing a feeling of deprivation. As already mentioned till the time there was one party in power both at the Centre and in almost all the States there was not much of a problem. But with the emergence of different party governments, success of regional parties, arrival of new groups and sections in politics and non-fulfilment of peoples expectations about socio-economic development and transformation there had started a process of questioning and even challenging central governments domination and interference.

As a result there had emerged demands by various States and political parties for grant of more powers or autonomy to States as also efforts to remove areas of tension and increase cooperation between the two levels of government.

16.7.1 Demand for Autonomy

Immediately after 1967 elections in the view of Congress losing power in eight States, non-Congress governments that came to power started questioning the erosion of constitutional provisions with regard to Union-State relations. On the other hand the ruling party at the Centre began further misusing the office of the Governor and emergency provisions under Article 356 in order to capture lost power. There emerged a strong criticism of the union government. In fact between 1967 and 1972 federalism in India witnessed a period of significant tension. In many states, replacing the Congress the regional parties had come to power. These parties in particular raise the issue of Union-State relations at various levels.

In 1969, the Tamil Nadu government appointed a committee called Rajamannar Committee to go into the Question of Centre-State relations. That committee submitted its report in 1971. The major recommendations included readjustment of schedule VII of the Constitution, to transfer residuary powers to the States, repeal of Article 249, modification of Finance Commission and Planning commission and review of Article 356.

In December 1977, the Left Front in West Bengal Government published a memorandum on Centre-State relations. This memorandum emphasised that in a country like India, with such diversities in race, religion, language and culture, national integration can be achieved only through conscious voluntary efforts; devolution of powers was necessary to ward off fissiparous tendencies. The memorandum demanded that the word 'Federal' should replace the word 'Union' in the Preamble of the Constitution. It also suggested the repeal of Articles 356, 357 and 360. According to the Memorandum, the State's consent should be made mandatory for the formation of new states and alteration of areas, boundaries or names of existing states.

In 1978 the Akali Dal released the revised version of Anandpur Sahib resolution, originally adopted in 1973. According to this resolution, Centre's authority should be confined only to Defence, Foreign Relations, Communications, Railways and Currency; Entire residuary powers should be vested in the States. In the 1980s with regional parties having become significant, demand for State autonomy has been put more vigorously. Regional and some national parties separately and collectively had attacked the central government for encroaching upon the powers of the States. It is suggested that the process of centralisation of powers and distortion of the Constitution are dangerous for national integration. In general supporters of decentralisation of powers and autonomy of states argue that the preservation of national unity and the process of consolidating the forces of national integration presuppose the acceptance of the manifold diversities present in the nation and the urgent need for realistic and logical attempts to handle these diversities at the local level, by harnessing local initiatives and utilising local talent. Any attempt to tackle these diversities from a central point of control would only serve to heighten the tensions in the system.

There are those also who feel that for integration and unity of India there is need for a strong centre. The fact however is that a strong centre and centralisation of powers are two different things. Events both in India and in other parts of the world have shown that it is the process of centralisation which triggers off the process of disintegration whereas decentralisation aims at fulfilling the hopes and aspirations of the people in a more purposive and meaningful manner. All over the world the trend is towards decentralisation. In India also various studies and reports of committees and commissions have pointed towards that.

16.7.2 Steps Towards Cooperation

Soon after 1967 elections when Union-State relations started becoming areas of tension and debate there started academic, political exercises also to study various aspects of the issues involved, make policy suggestions and efforts to reduce the tensions and achieve cooperation. The Union government, in view of the widespread criticism also started looking into the matter. To begin with it asked the Administrative Reforms Commission (appointed in 1967) to look into the Centre-State administrative relations also. The Commission recommended that powers should be delegated to the maximum extent to the States. It also expressed the opinion that centralised planning had tended towards excessive interference in the freedom of States to work out their policies and programmes. The Commission made some recommendations with regard to the office of Governor and also suggested the need to establish an Inter-State Council under Article 263 of the Constitution.

The recommendations of the Commission, however, remained on paper and the process of centralisation continued. In fact in 1971-72 with the Congress coming back to power in many States, the process of imposing Central control attained new heights. It is pointed out that the States were reduced almost to the status of dignified Municipalities. The Chief Ministers were imposed from above. They had no freedom to choose their colleagues. As for the non-Congress ruled States there was continuous criticism by the Centre both at the party and the governmental level.

During a short period of Janta Party rule (1977-79), though the Union government was verbally committed to decentralisation the party leaders showed that if allowed to have their own way, they would rather have had the same sort of centralised rule. The decade of the eighties in particular witnessed a struggle to get the federal issue on the nation's agenda. When the political challenge assumed new dimensions and tensions between the centre and the states grew further, it became necessary to ease the situation somewhat. The Government of India on March 24, 1983 announced the appointment of a Commission to examine and review the working of existing arrangements between the Union and the States in regard to powers functions and responsibilities in all spheres and recommend appropriate changes and measures. The Commission came to be known as the Sarkaria Commission on Centre-State Relations after the name of its Chairman, Justice (Retd.) R.S. Sarkaria.

16.7.3 Sarkaria Commission

The Sarkaria Commission was asked to review the working of existing arrangements between the Union and States keeping in view the social and economic developments that have taken place over the years as also the scheme and the frame-work of the Constitution and the need for the unity and integrity of the country. The Commission, after talking to various state governments, political parties and other interested and concerned quarters finally submitted its report on October 27, 1987.

The Sarkaria Commission favoured a strong Centre as the only safeguard to national integrity which was being threatened severely in the light of recent fissiparous tendencies in the body politics. But the Commission did not equate strong centre with centralisation of powers. In fact, it viewed centralisation as dangerous for the

national integration. The Commission observed, "Many a time, the actions of the centre, its discretionary approach towards some States, its lack of understanding of local problems, its abject insensitiveness and the blatant misuse of authority vis-à-vis the States have all distanced it from the people. This in turn has, it is believed, reversed the process of national integration, the divisive tendencies have been further compounded by such a short-sighted approach.

The Sarkaria Commission's recommendations are primarily based on the premise that the existing constitutional principles and arrangements are sound and what is needed is to build a mechanism to ensure a system of collective decision-making. It was not concerned with the politics of Centre-State relations but only with the administration. It made a total of 265 recommendations classified subject-wise under twenty areas. It also emphasised the need for amendments to allow the Indian Polity grow in federal principles.

Among the major recommendations are those with regard to appointment and working for the Governor, use of Article 356 and division of economic resources. The commission recommended that a person only of high integrity should be appointed as the governor of a state. He should not, on demitting his office, be eligible for any other appointment or office of profit. Article 356 should be used very sparingly in extreme cases as a measure of last resort when all available alternatives fail. Safeguards should be incorporated in Article 356 to enable Parliament to review continuance in force of a proclamation.

The Commission recommended a review in the operational feasibility of the scope for levying taxes and duties, a constitutional amendment to make corporation tax sharable between the Union and the States, reforms in taxation and consideration of the potential for resources mobilisation by the Union and the States. It also suggested that the Inter State River Water Disputes Act may be amended to make it mandatory on the Union government to constitute a tribunal within one year of receipt of an application from a State and to make the award of the tribunal effective within five years.

The Commission also recommended that the Planning Commission and the National Development Council be reformed assuring at the same time of full and effective consultation with the States at all stages of the planning process. The National Development Council should be renamed and reconstituted as the National Economic Development Council. It should be made to function more effectively and emerge as the highest political level inter-governmental body for giving a direction and thrust to planned development of the country. The Commission, recommended the establishment of a permanent Inter-State Council under Article 263 of the Constitution as a forum to discuss many of the problems of common Union-State interests.

Many observers feel that recommendations of Sarkaria Commission are limited and, inspite of being in favour of decentralisation remain biased towards Centre. Yet, it is expected that if the Sarkaria Commission's recommendations are implemented sincerely much tension in Union-State relations can be reduced. However, so far much has been done in this direction except the establishment of the Inter-State Council. Of Course, with regional parties having become strong and a part of coalition governments at the Centre, the Central government is not able to interfere much in State's affair. At the same time the active role by the President and judiciary has also put some check on the Union's discretion. But there are no constitutional or structural changes as yet. The federal system as a whole remains under strain.

16.7.4 Inter-State Council

From the above discussion it comes out that in the very nature of federalism there are possibilities of differences and tensions between two levels of government. Content Digitized by eGyanKosh, IGNOU



ensure cooperation between them there can be various mechanisms including the Constitutional. The Indian Constitution provides for such a mechanism through Article 263 making provision for an inter-state council. The union government did not appoint such a council for many years. The Administrative Reforms Commission in its report submitted in 1969 recommended the setting up of an Inter-State Council. But the Central Government did not bother about this warning. One of the major complains of various states before the Sarkaria Commission was non-appointment of such a council. The Sarkaria Commission in its report recommended that an Inter-State Council charged with duties set out in clauses (b) and (c) of Article 263 should be formed. The commission felt that it was essential to avoid repeated references to the President for piecemeal orders under Article 263 by authorising the Council to deal with specific issues as and when they crop up. The then Union government remained lukewarm to the Sarkaria Commission's recommendations in general. Therefore, no efforts were made to establish such a council.

The National Front formed before 1989 elections in its manifesto promised to undertake a comprehensive review of Union-State relations in consultation with all Chief Ministers. In pursuance of this promise the National Front Government established the Inter- State Council through a presidential notification on May 25, 1990. The Council was to consist of the Prime Minister, Chief Ministers of all States, Chief Ministers or Administrators of Union Territories and six ministers of cabinet rank of the Union Government. The Council is headed by the Prime Minister and in his absence by the cabinet minister nominated by him. The council prepares guidelines for identifying issues to be brought before it and meets at least thrice every year. Its meetings are held in Camera. It arrives at decisions by consensus which are final and binding. The council for its effective functioning, has constituted a sub-committee consisting of some Union Ministers and Chief Ministers.

Needless to say that establishment of Inter-State Council is an important step towards cooperation in Union-State relations. But the fact remain that till now India remains a highly centralised state system. From the appointment of the Governor and the imposition of President's rule to the very large number of subjects included in the Union list, or in the concurrent list, it is basically a centralised structure. As already mentioned, with regional parties having become significant and playing an important role in formation and continuation of coalition governments at the centre as also the growth of regional movements, the Centre's tendencies to interfere in a State's affairs and impose itself has reduced. The demand from various parties and states for necessary amendments in the Constitution to make Union-State relations more amicable continue to be made. But what is important is acceptance of a federal spirit and develop necessary conventions keeping in view the needs of fulfillment of aspirations of various communities, groups and regions, a people-centred development and overall national interests.

Check Your Progress Exercise 4

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of the unit

1) Why have the States been demanding Autonomy for themselves.?

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2) Name some of the steps that have been suggested for improvement in Union-State relations.

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3) Why was Särkaria Commission constituted and what major recommendations has it made.

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4) What is the role and utility of Inter-State Council.?

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16.8 LET US SUM UP

In this unit you have studied the working of Federalism in India. While the framers of the Constitution expected development of cooperative federalism, the central government from the very beginning saw federalism more in terms of a powerful centre. Moreover the powers given to the Union government for emergency situations were often used for partisan purposes. When monopoly of one party rule at the Centre and in almost, all states came to an end in the mid -1960s there started questioning of the central government's interference and use and misuse of powers. This has led to strains and tensions in Union-State relations, emergence of regional movements and demands for decentralisation and Autonomy. Suggestions were made at various levels including by the Administrative Reforms Commission to make necessary changes in the Constitution as well as practices. Somehow the Union government did not pay much attention to these suggestions and process of centralisation and resultant tensions has continued. In the 1980s, the situation seems to have become grave. In 1983 the then Union government appointed a Commission under the Chairmanship of Justice R.S. Sarkaria to review Union-State relations fresh and make necessary recommendations. The Sarkaria Commission made significant recommendations with regard to appointment of the Governor, use of emergency provisions under article 356, distribution of financial resources and many other aspects including establishment of an Inter-State Council as provided by Article 263 of the Constitution. Most of the recommendations of Sarkaria Commission also remain in cold storage. The Government, however, established an Inter-State Council in 1990. This is still working and is being considered as an important step in normalisation of relations. With regional parties having gained importance and playing significant role in the coalition governments at the centre tendency of Central government to interfere in states and imposing its will has reduced. A need for

constitutional changes and developing healthy conventions for cooperation between Centre and State is felt.

16.9 KEY WORDS

Autonomy : Independence to take decisions on subjects and matters in jurisdiction of a person, institution, state or country without other's interference.

Corporation Tax : Tax levied on the income of companies.

Finance Commission : A statutory commission appointed by President every five years or early to recommend the criteria for distribution of revenues between Union and States.

Fissiparous Tendencies: Tendencies for disintegration or separation

16.10 SOME USEFUL BOOKS

Abdulrahim P. Vijapur (ed.) *Dimensions of Federal Nation Building*. Centre for Federal Studies and Manak Publication, New Delhi, 1998.

A.S. Narang, *Indian Government and Politics*, Gitanjali, New Delhi, 2000

16.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Your answer should develop following points.
 - a) End of monopoly of Congress rule in States.
 - b) Failure of planning to achieve desired results.
 - c) Emergence of new groups and classes in politics.
- 2)
 - a) Controversial role of the Centre in appointment and dismissal of Chief Minister in cases of doubts about majority.
 - b) Using discretionary powers in reservation of bills for the assent of President.
 - c) Interfering in day to day administration of government.
 - d) Reporting to President for proclamation of emergency under Article 356.

Check Your Progress Exercise 2

- 1) Powers under Article 356 have been misused to:
 - a) Dismiss the state governments on partisan grounds.
 - b) Deny opposition parties chance to form government.
 - c) Settle internal party conflicts.
 - d) Settle scores with parties or state governments not liked by the party in power at the centre.
- 2)
 - a) Reasons for proclamation of President's rule should be made public.
 - b) State assembly should not be dissolved till proclamation is approved by the Parliament.
 - c) Judiciary has the power to review the proclamation.
 - d) Constitution should be amended to put restrictions on the use of provisions in the article.

Check Your Progress Exercise 3

- 1) a) Sources of revenue of the Centre are relatively elastic and expansive than those of states.
b) Grants of states are given on partisan considerations.
c) A part of the Finance Commissions powers have been abrogated by the Planning Commission.
- 2) a) Centre imposes its decisions about projects and schemes on states irrespective of their needs or requirements.
b) It has been used by the Centre to interfere in State subjects.
c) It has given enormous powers to the Centre to distribute grants to States on partisan lines.

Check Your Progress Exercise 4

- 1) See section 16.7.1
- 2) a) Establishment of Inter-State Council.
b) Making necessary amendments to the Constitution.
c) Developing healthy conventions with regard to appointment of governors. use of article 356 and use of discretionary powers.
d) Decentralisation of powers.
- 3) a) Sarkaria Commission was appointed to review the working of Union-State relations in the context of socio-economic and political developments.
b) The Commission had made 265 recommendations for improvement in various areas. For these see Sub-section 16.7.3.
- 4) a) Article 263 of the Constitution provides for the establishment of Inter-State Council to discuss various issues of differences and cooperation between Union and States.
b) The Council is a useful forum to discuss various issues and achieve Consensus between States and Unions.
c) It also provides a continuous process to settle disputes and achieve cooperation.

UNIT 17 AUTONOMY MOVEMENTS AND STATES REORGANISATION IN INDIA

Structure

- 17.0 Objectives
- 17.1 Introduction
- 17.2 The Theoretical Issues
 - 17.2.1 Territoriality Versus Culture
 - 17.2.2 Government in a Multi-cultural State
 - 17.2.3 Cross-cutting Cleavage
- 17.3 The Colonial Experience
 - 17.3.1 'British' and 'Native' Indians
 - 17.3.2 From Presidencies to Provinces
 - 17.3.3 Religion Versus Language
- 17.4 India after Partition
 - 17.4.1 From Provinces to States
 - 17.4.2 The Backward Tracts
- 17.5 Linguistic Reorganisation of States
 - 17.5.1 Creation of Andhra State
 - 17.5.2 States Reorganisation, 1956
 - 17.5.3 Creation of New States
 - 17.5.4 Reorganisation of North-East India
 - 17.5.5 Upgradation of Union Territories
- 17.6 Analysis and Conclusion
 - 17.6.1 Power and Benefits of Statehood
 - 17.6.2 Identity and Statehood
- 17.7 Let Us Sum Up
- 17.8 Some Useful Books
- 17.9 Answers to Check Your Progress Exercises

17.0 OBJECTIVES

The objective of the present unit is to explain to you the reasons and processes related to the reorganisation of states in India. After going through this unit, you will be able to understand:

- The nature of this interconnection;
- Some of the issues concerning the delimitation of the boundaries of a state;
- The reasons why people seek statehood; and
- The way new states are created and state boundaries are altered in India.

17.1 INTRODUCTION

The Constitution of India empowers the Union government to create new states out of existing states or two merge one state with other. This process is called reorganisation of the states. The basis of reorganisation could be linguistic, religious, ethnic or administrative.

17.2 THE THEORETICAL ISSUES

Modern states are mostly large states with several cultural and economic problems. Historical experiences add complexity to their problems. One of the most difficult

Challenges to statecraft lies in rationally organising them to suit the needs of government and, conversely, to adjust the process of government to meet the complexity.

17.2.1 Territoriality Versus Culture

One of the major problems of state management today is the incongruity between the territorial limits and the cultural frontiers of modern states. Modern states are mostly large states and contain several religious, linguistic and ethnic (tribal) groups. In some cases they are mixed as in the United States of America. In some cases they are concentrated in distinct regions as in Canada or Switzerland. When the religious, the linguistic or the tribal groups are concentrated in particular geographical areas, they may be formed into provinces or states and granted local autonomy. This may be called the process of provincialisation or regionalisation.

Even when such provincialisation or regionalisation is possible, there always remain in every province or region sections of population belonging to other cultures. This is particularly true of the border areas of a province or a region.

The problem becomes acute in the countries formerly under colonial rule. The colonial rulers annexed territories whenever and wherever they ruled. While governing such territories they paid little attention to the cultural or ethnic specificities of the people under their rule. Most of the provinces under their rule remained multi-lingual, multi-religious and multi-tribal.

17.2.2 Government in a Multicultural State

A state where different cultural, linguistic and social groups live is known as a multicultural state. Even the colonial rulers had to deal with people. They could not perpetually ignore the people's cultural and ethnic aspirations. So they had to adjust the provincial boundaries to the cultural frontiers of the groups they lived under their authority.

In an independent, democratic state such adjustment becomes all the more essential. A government which runs with the consent of the people cannot ignore their aspirations for long. As democracy takes firmer roots, such aspirations also grow. The hitherto neglected sections of the populations realise their own importance, demand new provinces or states, want new borders and secure autonomy.

17.2.3 Cross-cutting Cleavage

A common problem for a colonial government and a free democratic government is what is known as 'Cross-cutting cleavage'. Religious divisions cut across linguistic divisions and even tribal divisions. How, then, does the supreme government draw the provincial or state boundaries? This is a problem that India faced throughout the first half of the twentieth century and finally led to the partition of the country. The most common cross-cutting cleavage is between language and religion. People speaking the same language may profess different religions. People professing the same religion may speak different languages.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of this unit.

1) What is the major problem of state management today?

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2) What is the most common cross cutting -cleavage?
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17.3 THE COLONIAL EXPERIENCE

The British annexed India in stages and by parts. Till they left the country they could not annex the whole of the sub-continent. Consequently, they evolved a variegated style of administration and control.

17.3.1 'British' and 'Native' Indians

Till that time India was divided into 'British India' and 'native India'. British India was split into Governor's Provinces and Chief commissioner's Provinces. Native India was split into two types — i) 566 princely states of different sizes and in different kinds of subordination to the British rulers, and ii) 'tribal areas' outside the north western and the north eastern borders of British India. Though outside British India the 'tribal areas' were very much under the control of the Governor-General of British India, there were several backward districts in British Indian provinces like Assam, Bengal, Bihar and Orissa where distinct tribal groups lived. Several districts were formed with multiple tribal groups. And, as with the provincial boundaries, the district boundaries also cut across several tribal groups.

17.3.2 From Presidencies to Provinces

The British administration, initially, was organised through what they called 'Presidencies', i.e., properties of the President of the Board of Trade of the East India Company. There were three 'Presidencies' Bengal, the largest, Madras and Bombay. As annexation went on, the British government constituted new provinces.

The Bengal Presidency comprised today's West Bengal, Bihar, Orissa, a part of Assam and Bangladesh. In 1904 Lord Curzon, Governor-General of British India, decided to split this Presidency for administrative convenience. He put Western Bengal including Bihar and Orissa into one province and joined eastern Bengal (roughly, today's Bengali speaking population) into two parts. The government justified its action on the ground of religion. Eastern Bengal was Muslim-majority, Western Bengal Hindu-majority.

17.3.3 Religion Versus Language

Bengali feelings were seriously hurt. The Indian nationalists saw it as an attempt to divide the Indian nation into rival religious groups. There was a powerful anti-partition agitation based on linguistic sentiment and the government had to annul the Bengal partition. However, it separated Bihar and Orissa from Bengal and constituted them into a united province. In 1936, Bihar and Orissa were separated into two linguistic provinces.

Around the same time, however, the government separated the province of Sindh from Bombay mainly on religious ground. The British continued to regard religious division as more important than any other division and partitioned India on that ground.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of this unit.

1) Into how many provinces was India divided during the colonial period?

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2) On what basis was Bengal partitioned in 1905? Elaborate.

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17.4 INDIA AFTER PARTITION

The partition of 1947 sent parts of the provinces of Assam, Bengal and Punjab and the whole provinces of Sind, Baluchistan and North-West Frontier Province into Pakistan. On the other hand, 554 princely states joined India. One 'tribal area' to the northeast was joined with India.

17.4.1 From Provinces to States

The Constitution of India, in 1950, regrouped the provinces which existed during the colonial period into "states". It created four kinds of 'states' within the federal state of India. The former Governor's provinces were declared Part A states. The Chief Commissioner's Provinces of Ajmer, Coorg and Delhi, along with some of the former princely states that had been taken over for better administration, were made part C states. The other former princely states and groups of princely states became part B states and the extremely backward, Andaman and Nicobar islands were made a Part D state.

Part A states were placed under Governors while Part B states were placed under Rajpramukhs. They would have legislatures. Part A states would have Councils of Ministers responsible to the legislatures while the Part B states would have Executive Councils. Part C and Part D states would be centrally administered. As the Governors and Rajpramukhs would follow the advice of their Councils of Ministers in the Part A and Part B states, they would have the highest amount of autonomy. The centrally-administered states would have the least or no autonomy.

17.4.2 Backward Tracts

In British India the Backward Tracts inhabited by tribal people were specially administered under the personal authority of the Governors. Under the Government

of India Act, 1935. they were classified into 'Excluded' and 'Partially Excluded' Areas. They were wholly or partially excluded from the jurisdiction of the provincial legislatures and provincial minister'.

The 'Tribal Areas' the 'Excluded Areas, and the 'Partially Excluded Areas' were all wholly or mostly inhabited by the tribal people. But the 'Tribal Areas' were outside British India and almost autonomous. The 'Excluded Areas' and the 'Partially Excluded Areas' were within British India and very much under government control.

Check Your Progress Exercise 3

Note:i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) Into how many types of "states" were the provinces created according to Constitution of India in 1950?

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17.5 LINGUISTIC REORGANISATION OF STATES

During the work of the Constituent Assembly demands for linguistic reorganisation of states were raised. But the leaders thought that, immediately after Partition, creation of linguistic states might create further tension. So the decision was postponed. But Parliament was given the power to create new states or merge old states or parts of such states or alter their boundaries in future.

17.5.1 Creation of Andhra State

Shortly after the making of the Constitution the agitation for an Andhra State began. Potti Sriramalu, a respected Andhra Congress leader, fasted unto death demanding creation of Andhra State on the linguistic basis. As a result on October 1, 1953 the Andhra State was carved out of the State of Madras.

17.5.2 States Reorganisation, 1956

This led to further agitation's for linguistic reorganisation. Therefore, the government set up a three-member States Reorganisation Commission in 1953. The commission was supposed to examine the reorganisation of the states of the Indian Union taking into consideration the historical background, the contemporary situation and the language, etc. The Commission consisted of Fazul Ali, H.N. Kurjru and K.M. Pannikar. The Commission recommended creation of new states in south on the basis of language. The Commission submitted its report in 1955. In 1956 the States Reorganisation Act was passed.

The States Reorganisation Act, however, did not make a drastic reorganisation. The former Part B State of Hyderabad was joined with Andhra State to form a larger Andhra Pradesh State. The former Part B State of Mysore turned into a larger State of Karnataka with additional territories transferred from the States of Madras (Tamil Nadu) and Bombay. The former Part B States of Madras (Tamil Nadu) and Bombay. The former Part B State of Travancore-Cochin was turned into the State of Kerala with new Territories acquired from the State of Madras.

You have read in sub-section 17.4.1 of this unit that the Constitution of India, in 1950, created four types of states. In 1956, these states were reduced into two types - (1) States and (2) Union territories. The autonomy of states was larger than that of the Union territories.

17.5.3 Creation of New States

It will be seen that the states Reorganization Commission of 1955 did not create any new state. The Commission actually integrated several former Princely States on the basis of language. The Commission was not in favour of many states though it recommended the creation of one new state — Vidarbha-by uniting contiguous territories of Madhya Pradesh and the then State of Bombay. That recommendation was not accepted by the government. On the other hand Bombay state was enlarged by transfer of territory from Madhya Pradesh.

Creation of new states started shortly thereafter. In 1960 the Bombay state was partitioned into Maharashtra and Gujarat. In 1966 Punjab. A chunk of the territory of the former Punjab state was joined with the Union territory of Himachal Pradesh to constitute it into a State.

There are, at present, a few statehood movements like those for Vidharbha, Gorkhaland Harit Pradesh and Bhilwara — in different parts of India.

In the year 2000 three new states were created: Chhattisgarh, out of the hill area of Madhya Pradesh, Jharkhand, out of the hill areas of Bihar and Uttarakhand, out of the hill areas of Uttar Pradesh. There was a time the hill areas of Bihar and Madhya Pradesh were dominated by people who are now called Scheduled Tribes. Industrialisation and migration have turned them into minorities. Uttaranchal is almost entirely non-tribal.

All the new states carved out of the old ones since 1972 can, therefore, be called 'hill states'.

17.5.4 Reorganization of North-East India

Meanwhile in northeast India autonomy movements became powerful among peoples of several hills. In 1960 an Interim Government was set up for the Naga hills. In 1963 the State of Nagaland was created. In 1969 Meghalaya became an 'autonomous state' within Assam. In 1972 Meghalaya became a full-fledged state. Two Union territories - Arunachal Pradesh and Mizoram - were created out of the territories of Assam, while Manipur and Tripura were promoted to full statehood. All the new political entities had populations with large proportions of scheduled tribes. The scheduled tribes themselves are, however, many.

17.5.5 Upgradation of Union Territories

No new state was created between 1972 and 2000 but Sikkim joined India in 1974. In 1986 Arunachal Pradesh and Mizoram became full-fledged states. In 1987 Goa was administratively detached from Daman and Diu and made a state while Daman and Diu remained a Union territory.

Check Your Progress Exercise 4

Note:i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) Discuss the factors which resulted in the formation of linguistic states in South India.

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2) Summarise the process of reorganisation of the North -East India.

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17.6 ANALYSIS AND CONCLUSION

The reasons for demand of statehood appear to be related to mainly two considerations— power and benefits, and identity.

17.6.1 Power and Benefits of Statehood

Under India's federal set-up great political power has been vested in states. The states control vital areas of the economy. They also appoint large numbers of officers, subordinate staff and teachers besides creating several political positions like Ministers, MLAs and MLCs, Councilors, Committee members and Panchayat functionaries. They control local trade and business including banking. Statehood, therefore, is a major aspiration of any collectivity.

17.6.2 Identity and Statehood

As statehood is a collective aspiration the collectivity itself has to be identifiable. A collective identity is a cultural identity. The two major streams of culture are religion and language. After the Partition of 1947 language became the main vehicle of culture. Language is also an instrument of hegemony. The language group, which feels dominated by another group, therefore, demands autonomy in the form of statehood.

17.7 LET US SUM UP

In the colonial period territorial administration was based mainly on the rulers' convenience and not cultural affiliation of the people. The two broad streams of culture are religion and language which often cut across each other. The colonial rulers of India gave greater importance to religion than to language and partitioned the country in 1947. The Indian nationalists gave greater importance to language than religion. They undertook linguistic reorganization of India, which, by now, is almost complete. However, in the inter-state borders and tribal belts statehood demands persist. Statehood is a political issue because it is a source of power and benefits.

17.8 SOME USEFUL BOOKS

Paul R. Brass, *Language, Religion and Politics in India*. New Delhi. Vikas Publishing House, 1975.

Shibani Kendar Chaube, *Constituent Assembly of India: Springboard of Revolution*. Manohar, 2000

_____, *Hill Politics in Northeast India*, Calcutta, Orient Longman, 1973.

_____, 'Ethnicity and Dynamics of Federalism in India' in Amal Kumar Mukhopadhyaya (ed.), *the Political Miscellany: Essays in Memory of Professor Ramesh Chandra Ghosh*, Calcutta, K.P. Banchi & Co., 1986.

17.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Cultural frontiers and territorial limits are incongruous.
- 2) The most common cross-cutting cleavage is between language and religion.

Check Your Progress Exercise 2

- 1) India was divided into two types of provinces, i.e. "British India" and "Native India".
- 2) In 1905 Bengal was partitioned on the religious basis.

Check Your Progress Exercise 3

- 1) Into four types of "states" - A states, B states, C states, and D states.

Check Your Progress Exercise 4

- 1) Fast unto death by Pottli Sriramalu and Recommendation of the States Reorganisation Commission in 1955.
- 2) See Sub-section 17.5.4 of this unit.

UNIT 18 LOCAL SELF-GOVERNMENT INSTITUTIONS: RURAL AND URBAN

Structure

- 18.0 Objectives
- 18.1 Introduction
- 18.2 Historical Background of Rural Self - Government in India
- 18.3 Panchayati Raj in Post-Independence India
- 18.4 The 73rd Constitutional Amendment Act, 1992
 - 18.4.1 Panchayats (Extension to the Scheduled Areas) Act, 1996
- 18.5 The Panchayati Raj Institutions in the Post-73rd Amendment Era: The Case of UP
 - 18.5.1 Gram Panchayat
 - 18.5.2 Kshetra Panchayat
 - 18.5.3 Zila Panchayat (Zila Parishad)
 - 18.5.4 Relationships Between the PRIs and DRDAs
 - 18.5.5 The PRIs: An Assessment
- 18.6 Urban Local Self-Government
 - 18.6.1 Historical Background
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- 18.8 The Municipal Finance
 - 18.8.1 Tax Revenue
 - 18.8.2 Octroi
 - 18.8.3 Non - Tax Revenue
 - 18.8.4 Grants-in-Aid
 - 18.8.5 Borrowings and Loans
- 18.9 Let Us Sum Up
- 18.10 Some Useful Books
- 18.11 Answers to Check Your Progress Exercises

18.0 OBJECTIVES

The institutions of local-self governance are indication of the existence of the grass-root level democracy. After reading this unit, you will be able to understand:

- The evolution of Local Self-Government (LSG) in India;
- The structure and working of the LSGs in rural and urban areas of India;
- Changes in the scope and powers of the LSG; and
- Relationships of the LSG with the central and state governments.

18.1 INTRODUCTION

The political power in India is shared by three vertical units of governance — the central government, the state government and the local government. The local government includes the Panchayati Raj Institutions (PRIs) in the villages and the Municipal and Metropolitan Councils in the cities. These are known as the institutions of local self-governance (LSG). Local self-government is democracy at the grass-root level. The 73rd and 74th Constitutional Amendments have widened the scope of local self-governance.

18.2 HISTORICAL BACKGROUND OF RURAL SELF-GOVERNMENT IN INDIA

The panchayati raj, albeit in different forms, had a considerably long history going back to the ancient period when the rural communities organised institutions to manage their own affairs. The village autonomy was considerable in Mughal era and therefore the impact of the Mughal era on the local communities was minimal. But the formal structure of the rural self-government was introduced in 1882 according to Ripan's Resolution. Its main purpose was to provide the institutional backing of the local Indian elites to the colonial administration. Contemporary local self-government in India can be deemed to be more a continuation of the system introduced under British rather than in pre-British era. Several provincial Acts on local bodies were passed and they provided framework for many other provincial and central legislations. The local self-government in the rural areas known as the village panchayat, was set up in the villages according to the recommendations of the Royal Commission of Decentralisation in 1907. It aimed to decentralise the power and associate the people with local administration through the institutions of village panchayats. Unit of panchayat was to be single village; only in case of very small villages it was to be several contiguous villages. Panchayats were not to be placed under the control of local boards but under the deputy commissioner. The villages panchayats enjoyed certain Judicial and administrative powers. They also were entitled to a portion of land cases and special grants.

The Rural self-government Bill, 1925, provided for a nine-member village authority elected on the basis of restricted adult franchise. A successful village authority was to be given more powers. The panchayat could include more than one cadastral village. It could be entrusted with certain functions such as water supply, medical relief, and sanitation. Single member village authority could also be put in place where no recognised forms of village organisation existed.

18.3 PANCHAYATI RAJ IN POST-INDEPENDENCE INDIA

In January 1957 the Planning Commission appointed the Committee on plan Projects headed by Balwant Rai G. Mehta. Named after its chairman, the Committee was known as Mehta Committee. The Mehta Committee aimed to:

- i) Give report on the possible linkages between village panchayats and higher level popular organisations for efficiently implementing Community Projects and National Extension service.
- ii) To determine in advance the stages of reorganisation of district administration; it would help the democratic bodies to take over the entire general administration and development of the districts, or sub-division.

The Mehta Committee conducted a nationwide survey and observed that the Community Projects and the National Extension Services did not involve people. They functioned in an ad hoc manner. To overcome this lacuna the Mehta Committee recommended the establishment of representative and democratic institutions in the villages - the village panchayats. The Mehta Committee Report also recommended the village panchayats should be vested with adequate powers and assigned appropriate finances. The Mehta Committee Report thus highlighted the need to give financial teeth of the rural institutions way back in 1957 as a means to evoke local interests, and initiatives albeit from the point of view of development. However, it envisaged them as agents of the state government in implementing special developmental schemes. Such an emphasis clearly underlined the overriding and understandable concern with implementation of the state-devised and state-sponsored scheme for local development. The emphasis on the role of local bodies as institutions of local democracy and self-governance was rather muted despite recommendations

to transfer certain vital administrative and other functions to them. The Mehta Committee Report, however, cautioned against the pitfall of excessive government control while emphasising the guiding role. The latter, however, had all possibilities of degenerating into petty interference.

The Mehta Committee Report suggested that functions of local bodies should cover the development of agriculture in all its aspects - the improvement of cattle and local industries, public health, welfare work, administration of primary schools and collection and maintenance of statistics and act as an agent of state government in executing special schemes of development entrusted to it.

To preserve the relative autonomy of the village communities the Mehta Committee Report suggested that the relationship between the state and the Panchayati Raj bodies 'must not be cramped by too much control by government and government agencies. It must have the power to make mistakes and to learn by making mistakes, but it must also receive guidance which will help it to avoid making mistakes'. The structures that evolved, however, were those which chiefly performed development functions.

One school of thought argues that Panchayat Raj has not only failed to contribute much to rural development, but on the contrary has also hindered it. These institutions are primarily engaged in power politics and distribution of developmental patronage. They have also disturbed the village harmony through factional conflicts. On the other hand, some academics feel that there is no inherent problem and rather the failures of the Panchayat Raj are because of the lack of finances, lack of co-operation from government departments, half-hearted policies and defective structure created for the implementation.

18.4 THE 73RD CONSTITUTIONAL AMENDMENT ACT, 1992

As you have studied in section 18.3, the introduction of Panchayat Raj Institutions followed the implementation of the Community Development and National Extension Services programmes. Based mainly on the Gandhian philosophy, the Community Development Programme aimed at achieving the all round development of rural India. The programme created a large number of the government functionaries like the Block Development Officers (BDOs) and Village Level Workers (VLWs). But the results of the Community Development Programmes were far from satisfactory.

Balwant Rai Mehta Committee recommended measures for "democratic decentralisation" in order to meet the deficiency of the Community Development Programmes and Extension Services Programmes. It suggested that the power for development should be located at the intermediate level- the Panchayat Samiti. The Mehta report envisioned creation of links between the panchayat samities and village level Panchayats through the services of the Village Level Workers (VLWs) or Gram sewaks. The Mehta Committee Report became the basis of extension of the PRIs all over India. But the PRIs as established by Mehta Committee Report, suffered from the factionalism within its members, feud in the villages and corruption. The elections to the PRIs were not held for long. By second half of the 1970 the inefficiency of the PRIs had reached its zenith.

Efforts to revitalise the PRIs were made again in 1970s; the Central Government led by the Janata Party appointed Ashok Mehta Committee to assess the functioning of the PRIs and recommended measures for their improvement. Though Ashok Mehta Committee like the Balwant Rai Mehta Committee Report gave more emphasis to the delivery mechanism than to development, it made some new suggestions. These included need to allow the political parties to contest panchayat

elections, women to participate in the PRIs. The Ashok Mehta report drafted 43rd Constitution Amendment Bill (1977) in order to incorporate its recommendations in the law. But the Ashok Mehta report was ignored after the fall of the Janata Government. However, some state governments ruled by the non-Congress parties initiated move to activate the PRIs - Karnataka, West Bengal, Andhra Pradesh. The recommendations of Ashok Mehta Report, however, were taken into consideration by the Congress from the 1980 onwards. They found a place in the 73rd and 74th Constitution Amendments though with some modifications.

The 73rd Amendment provides for more democratisation, empowerment of disadvantaged groups and betterment of the functioning of the Panchayats in the country. The 74th Amendment provides for similar guidelines regarding the urban areas. These Amendment Acts provided a framework and guidelines to all states to formulate their policies regarding the devolution to the Panchayats and the urban bodies. All states, were asked to make changes in the provisions regarding the Panchayats.

The main features of the 73rd Constitutional (Amendment) Act are:

- a) A three-tier system of Panchayati Raj at village, block (intermediate level) and district levels for all States having population of over 20 lakhs;
- b) Panchayat elections regularly every 5 years; elections to be held within six months after the term of the existing Panchayati Raj expires;
- c) Reservation of seats for Scheduled Castes, Scheduled Tribes, women (33%) and general seats;
- d) To appoint State Finance Commission to make recommendations as regards the financial powers of the Panchayats; and
- e) To constitute District Planning Committee to prepare draft development plan for the district as a whole.

The Constitution empowers the state legislatures to enact laws in order to enable the Panchayats to enjoy the powers which are necessary for the devolution. It can help the Panchayats to work as institutions of self-governance. The deviation of powers to Panchayats is mainly related to:

- a) the preparation of plans for economic development and social justice; and,
- b) the implementation of such schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule. The Eleventh Schedule consists of 29 subjects, relating to agriculture, land reforms, minor irrigation, rural infrastructure, poverty alleviation, women and child development, welfare of the weaker sections and primary, secondary and non-formal education.

The Panchayats can be authorised by the law enacted by the state legislature to:
i) levy, collect and appropriate such taxes, duties tolls and fees collected by the state government; ii) avail of taxes, duties, tolls and fees collected by the state government; and iii) to get grant-in-aid from the Consolidated funds of the state.

The financial relations between the state and the Panchayats are governed by the State finance Commission. The state Finance Commission is supposed to review the financial conditions of the Panchayats, and determine the share of Panchayats in the levy, tolls, taxes, duties and fees.

18.4.1 Panchayats (Extension of Scheduled Areas) Act, 1996

The provisions of the 73rd Amendment do not apply to the Scheduled Areas, the states of Nagaland, Meghalaya and Mizoram, the hill areas the state of Manipur



and the hill areas of district of Darjeeling (West Bengal). However, the provisions of the 73rd Amendment were extended to the Scheduled Areas as well by the Panchayats (Extension of Scheduled Areas) Act, 1996.

The provisions of the Panchayats (Extension of the Scheduled Areas) Act, 1996 have come into force on 24th December 1996. The Act extends Panchayats to the tribal areas of eight states of India, namely, Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Orissa and Rajasthan. It intends to enable the tribal society to assume control over their own destiny, to preserve and conserve their traditional rights over natural resources. The state governments were required to enact their legislations in accordance with the Provisions of the Act before the expiry of one year, i.e. 23rd December 1997.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with model answers given at the end of the unit.

- 1) Explain the difference in the nature of Panchayati Raj during and before the British period.

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- 2) Why was Balwant Rai Mehta Committee set up, and what were its recommendations?

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- 3) Identity the main features of the 73rd Amendment Act regarding the disadvantaged groups.

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18.5 THE PANCHAYATI RAJ INSTITUTIONS IN THE POST - 73rd AMENDMENT ERA: THE CASE OF UP

Most of the states covered by the 73rd Amendment Act have passed the conformity Acts and have set up PRIs in the light of the provisions of the Act. Nirmal Mukherjee and Balveer Arora consider the PRIs as the third layer of federalism - an extension of the two-layer federalism between the Centre and states.

Even before the confirmation and implementation of the 73rd Amendment Act five state governments had introduced the PRIs, i.e., western States of Maharastra and

Gujarat; eastern state of West Bengal, southern States of Andhra Pradesh and Karnataka.



Though there are slight variations in the nomenclature of the structures of the PRIs. At various levels, the 73rd Amendment provides the common framework for them. This section deals with the structure of PRIs in UP as one of the examples. The PRIs in UP consist of the following structure:

18.5.1 Gram Panchayat

It consists of the gram sabha and members of the village panchayats directly elected by the electorate, headed by the Pradhans. The body which consists of all adults of the villages is known as gram sabha (village council). The law enjoins the gram sabha to hold general meetings annually. It can make recommendations and suggestions to the gram panchayat on various aspects, statement of account of the gram panchayat on various aspects related to the functioning of the panchayats. The gram panchayat's Jurisdiction covers all 29 subjects mentioned in the 11 Schedule. The panchayats are supposed to consist of several committees to help it in performing various duties. Therefore, the gram panchayat has a wide sweep of functions, if not powers. Each gram panchayat is expected to function through four committees, viz. Samata Samiti (welfare of women and children and interests of SCs/STs and backward classes), Vikas Samiti (agriculture rural industry and development schemes), Shiksha Samiti (education) and Lok Hita Samiti (Public health, public work). The village panchayat has also a village pradhan, who is elected indirectly by the members of the village panchayat.

18.5.2 Kshetra Panchayat

Membership of the Kshetra Panchayat, the intermediate tier, comprises all the elected pradhans of the gram panchayats from within the block; members elected by direct elections from the territorial constituencies in the panchayat area, apart from MLAs and MLCs, and representatives of zila parishad (Zila panchayat).

18.5.3 Zila Panchayat (Zila Parishad)

Like kshetra panchayats, zila parishad includes elected members chosen directly in territorial constituencies, MLAs and MLCs along with the Parnukhs of all kshetra panchayats in the district.

The primary functions entrusted to the zila parishads are to supervise the activities of gram panchayats and Kshetra Samitees, to classify fairs and festivals, and to classify roads as village roads, district roads, etc., for maintenance. The zila parishads are enjoined to prepare an annual district development plan incorporating those of the kshetra panchayats which in turn incorporate the ones prepared by the gram panchayats.

An overwhelming majority of states have direct elections of the office bearers of gram panchayats, and indirect ones to that of zila panchayats and the intermediary level. However, there are a few exceptions. For example, in Goa the elections for all the tiers are direct.

18.5.4 Relationships between the PRIs and DRDAs

The nature of relationships between the panchayats and administrative structure is an important aspect of the PRIs. The UP government had set up Bajaj Committee in 1995 for suggesting measures to strengthen the relationship between the DRDAs (District Rural Development Authorities) and the Panchayats. The committee suggested the functional integration of the Zila Panchayat and DRDAs, as the merger was not feasible. In a significant move to devolve powers, it made the zila

parishad Chairman also as the chairperson of the DRDAs, and the District Magistrate as the Deputy Chairman. The District Magistrate has also been excluded from the structure of the panchayat; instead, the Chief Development officer (below the rank of District Magistrate) has become the chief Executive Officer of Panchayat. The Bajaj Committee also made recommendations for functional integration of two cadres of village level functionaries- GPAs (Gram Panchayat Adhikaris) and the VDOs (Village Development officers), and representation of the Block Pramukhs in the DRDAs. But these recommendations have not been yet made effective.

18.5.5 PRIs: An Assessment

The performance of the PRIs needs to be assessed in the context of the social, economic and political milieu in the villages. The PRIs have contributed to the overall development of the village society to a significant. But their performance has varied in different circumstances. Nevertheless, their most significant contribution has been in raising the level of political consciousness of the people.

Rajni Kothari warns, "merely setting up local-self government committees does not necessarily amount to the advancement of democratic politics. On the contrary, such an attempt may prove to be counter-productive. The basic issue is: how should decentralized systems enhance the powers originally given to them, in turn, contain power of dominant groups and muscle power used for manipulating the election process? The failure to understand such imperatives has often led to the growth the 'mafia' phenomenon on in local governance which keeps the weak away from the political process."

One of the main hindrances in the performance of the PRIs has been the lack the will on the part of many state governments to devolve power to them. In states other than Andhra Pradesh, regular election was not conducted to the village panchayats. Panchayats in the states like Karnataka, West Bengal, Kerala and Tamil Nadu have shown better performance much before the introduction of the 73rd Amendment. The TDP government in Andhra Pradesh and the state government in Karnataka introduced reservation of seats in the PRIs for SCs, STs, Backward classes and women in 1987 and 1985 respectively. The panchayats have a played pivotal role in the implementation of land reforms and rural development in West Bengal.

Following the confirmation of the 73rd Constitutional Amendment by them, a large number of states have attempted to devolve powers to the local bodies in the 1990s. Madhya Pradesh, Rajasthan, Andhra Pradesh and Kerala have made special efforts to involve people in planning, decision-making and implementation of the state policies. In the era of globalization, signified by a collaboration between the NGOs, panchayats and the DRDAs the PRIs in these states have contributed to the development of village communities, in rural development, education, health, etc. Because of the usage of the internet in the functioning village panchayats in Rajasthan, Andhra Pradesh and Madhya Pradesh, the PRIs are involved in e-governance also.

As mentioned earlier, though reservation for the SCs, STs, OBCs and women in the PRIs was introduced even earlier in some states, it has become mandatory in all states following the passage of 73rd Constitutional Amendment. Those states, which have been sincere in holding the election to the PRIs, have enabled SCs, STs, OBCs, and women to be participants in, and leaders of the local bodies. The PRIs, however, have been facing serious challenges i.e. factionalism, casteism, corruption, which thwarted their democratisation, have been their bane. While before the 73rd Amendment the dominant communities in most states hijacked the PRIs, in the following period in most cases the women panchayat members have become proxies of the male members of their families. Transfer of important subjects like education to the PRIs has resulted in the politicisation of the issues especially in West Bengal.

Kerala, Madhya Pradesh. It has adversely affected the process of decentralisation and governance.



18.6 URBAN LOCAL SELF - GOVERNMENT

18.6.1 Historical Background

The urban local government owes its genesis to Samuel Laing, member of the Viceroy's Council who proposed that local services should be based on local resources. Lord Mayo's Resolution of 1870 introduced the concept of elected representatives in the municipalities. Even as the local government in the rural areas are called panchayats, the local government in towns and cities is called Municipal Government. The local institutions of governance in the cities were introduced almost two centuries before they were introduced in the rural areas.

Municipal bodies in Indian cities were the creation of the British. Till the passage of 74th Amendment there have been existing five types of urban governments - Municipal Corporations, Municipal Councils, Town Area Committees, Notified Area Committees and Cantonment Boards. Madras was first to have the Municipal Corporation in 1687; it was followed by Bombay and Calcutta in 1762. Lord Mayo's Resolution of 1870 encouraged the introduction of an elected president in the municipalities. The present form and structure of the institutions of local governance owe their existence to Lord Ripon's resolution on local self-government, adopted on 18 May 1882. There were about 200 municipalities in the British India by 1870.

18.7 THE POST - 74TH CONSTITUTIONAL AMENDMENT (1992): URBAN LOCAL SELF-GOVERNMENT BODIES

The Government of India passed 74th Constitution on Amendment Act in 1992 to make the institutions of urban governance more representative, accountable, efficient and transparent. The 74th Constitutional Amendment Act was enacted on the basis of recommendation of the Rural - Urban Relationship Committee. As mentioned earlier in the previous section of this unit, before the commencement of this Act, there had existed five types of bodies of urban governance. The 74th Amendment replaced the five urban bodies with three - Nagar Panchayats for areas in transition from rural to urban clusters; Municipal Councils in smaller urban settlements, and Municipal Corporations in larger urban areas. The decision as to which type of the urban body has to be introduced in a city is taken by the state government. The Municipal areas with population more than three lakhs also will have the ward committees, apart from the municipalities. This makes urban governance a two-tier system.

The municipal bodies include - elected representatives from the electoral wards; members of the Lok Sabha and State Legislative assemblies covering wholly or partly the municipal area concerned; the members of the council of states and the state legislative council who are registered as voters within the municipal area; chairpersons of the committees of the municipal authorities; and, persons having special knowledge or experience in municipal administration sans right to vote in the council.

The seats are reserved in the municipal bodies for the weaker sections of the society - OBCs SCs, women. The percentage of seats reserved for women is 33. The ward committees which exist for the municipal areas covering more than three lakh population consist of the members nominated by the state government; elected members of the council who represents the ward belonging to the ward committee.

The tenure of the municipalities is five years. In case these are dissolved or superseded, they have right to be heard. Within six months of supersession or dissolution of the municipalities the elections should be held. The twelfth schedule of the 74th amendment contains 18 items which are:

- 1) Urban planning, including town planning
- 2) Regulation of land use and construction of buildings
- 3) Planning for economic and social development
- 4) Roads and bridges
- 5) Water supply for domestic, industrial and commercial purposes
- 6) Public health, sanitation conservancy and solid waste management
- 7) Fire services
- 8) Urban forestry, protection of environment and promotion of ecological aspects
- 9) Safeguarding the interests of weaker sections of society, including the disabled and mentally retarded
- 10) Slum improvement and upgrading
- 11) Urban poverty alleviation
- 12) Provision of urban amenities and facilities such as parks, gardens, playgrounds
- 13) Promotion of cultural, educational and aesthetic aspects
- 14) Burials and burial grounds, cremations, cremation grounds and electric crematoriums
- 15) Cattle pounds; prevention of cruelty to animals.
- 16) Registration of births and deaths
- 17) Public amenities including street lighting, parking lots, bus stops and public conveniences
- 18) Regulation of slaughter houses and tanneries.

The state governments enjoy discretion regarding the taxes, duties, tolls and fees which have to be levied by municipal bodies, and the grant-in-aid to be given to them. The state government is supposed to appoint a finance commission, every five years. The finance commission is supposed to give recommendations regarding principles of sharing of the state taxes, duties, tolls and fees between the state government, municipalities and its distribution between the municipalities.

The state finance commission would also recommend the principle of the grant-in-aid to be given from the consolidated Fund of the state. The state governments were enjoined to adopt the 74th Constitutional Amendment Act with regard to their respective municipal bodies. The new amendment provided for a direct election of the Mayor from the municipal area for a period of five years. A motion of no confidence cannot be moved against the speaker or Mayor within a period of two years from the date on which he or she enters office. It cannot be moved if the remaining period of a corporation is less than six months and needs a majority of two-thirds of the elected councillors present and voting if such a majority is more than half of the total number of elected councillors. In case of the Mayor, it needs a majority of more than two-thirds of the elected councillors, i.e., more than two-thirds of the total number of elected councillors.

The Municipal Corporation can deal directly with the state government whereas the Municipalities are answerable to the District Collector and Divisional Commissioner. The General Body of the Municipal Corporation consists of councillors, who are

elected for a term of three to five years. They are either directly elected or nominated councillors with some specialised knowledge in municipal functions.

Statutory Committees are set up by the statute which constitutes the Corporation, such as executive committee, standing committee, planning committee, health committee and education committee. Non-Statutory Committees include transport committee, women and child welfare committee, etc. The Standing committee of the Corporation acts as the steering committee exercising executive, supervisory, financial and personnel power.

The Council elects, from among the councillors, a President whose term may be co-terminus with that of the council. In certain states Presidents are elected directly by the citizens. He enjoys considerable authority and power both in the deliberative and executive organs of the municipality. He convenes and presides over the meetings of the Council, gives his rulings on all controversial matters and executes its decision as its Chief Executive Officer. His power depends on the support of the majority. Committees can be formed by the Municipal Council. The Standing Committee is the most important of all committees. The powers and functions of the Municipal Council Committees are the same as those of the Municipal Corporation. Cantonments are predominantly military-occupied areas along with a sizeable civil population that necessitates the municipalisation of its administration. The Cantonment Board is special form of urban government, constituted under the Cantonments Act, 1924.

Local Bodies are responsible for the efficiency of programmes and services, raising local resources and providing meaningful planning and services at the local level. The functions, duties and responsibilities of the municipal government are both obligatory and discretionary. Obligatory functions include supply of potable water; construction and maintenance of public streets; lighting and cleansing of public streets, sewers etc.; maintaining public hospitals; establishing and maintaining primary schools; registration of birth and naming streets and numbering houses. Discretionary functions may include securing or removing dangerous buildings or places; construction and maintenance of public parks, gardens, libraries, museums, rest houses, leper homes, orphanages and rescue homes for women, etc.; planting and maintenance of roadside and other trees; housing for low income groups; organizing public receptions, public exhibitions, public entertainment, etc. Compulsory Primary Education is the responsibility of the local bodies in a large number of states.

18.8 THE MUNICIPAL FINANCE

There is no separate list of taxes for municipal bodies. This fall within the discretion of respective state governments. Many bodies like the Local Finance Inquiry Committee (1951) and Taxation Inquiry Commission (1953-1954) have been set up from time to time to look into the issue of municipal finance. Municipal Revenues are basically of the following types:

Tax revenue;

Octroi;

Non-tax revenue;

Grants-in-aid;

Borrowings or loans.

18.8.1 Tax Revenue

Major taxes levied by urban local government are the following:

Tax on property including service levy for water supply;

Conservancy, drainage, lighting and garbage disposal;

Tax on Professions;

Tax on vehicles (other than motor vehicles).



The scope of taxation of Municipal Corporations is broader; the Municipal Corporations are generally empowered to impose or increase taxes within the limits laid down in the State Acts. Property tax is one example of such tax. Generally property tax is the largest single source of revenue for municipal bodies in the states where there is no provision for octroi. Property tax is levied on buildings and land on the basis of rental value.

18.8.2 Octroi

Tax on entry of goods into a local area for consumption or sale therein is popularly known as octroi. Octroi is the most traditional tax and a major source of local revenue. It accounts for about 60 to 80 per cent of total revenue of the urban local bodies where it is imposed.

18.8.3 Non-Tax Revenue

Municipal Acts provide for issuance of licenses. Every local authority is empowered to charge and collect fees both regulatory (for license issued) and for services provided. A user fee is to be charged for public utilities, parking, entry fees for play ground, swimming pools, etc.

18.8.4 Grants-in-Aid

An important element of municipal finance is grants-in-aid. There are two types of grants: a General-Purpose Grant (GPG) and a Specific purpose grant (SPG). The former augments the revenue of the local bodies for discharging their normal functions. The latter is used for specific purposes, e.g., the increase of wage bills due to inflation, education grants, public health, road maintenance etc. Grants are ad-hoc and discretionary in nature.

18.8.5 Borrowings and Loans

Municipal bodies can borrow from the state government and other agencies under Local Authorities Loans Act. (1914). They can borrow for development activities and for repayment of debt. These borrowings can be for the purposes of:

- Construction:
- Provision of relief and relief work during scarcity or famine:
- Outbreak of any epidemic:
- Land acquisition:
- Repayment of outstanding loans.

With the addition of eighteen functions in the Twelfth Schedule after the 74th Amendment, the functional responsibilities of municipalities have increased. They participate in the preparation of plans for local development and in the implementation of development projects, apart from providing civic amenities. Thus they require increased financial allocations.

Check Your Progress Exercise 2

- Note: i) Use the space given below for your answer.
- ii) Check your answers with model answers given at the end of the unit.

1) What is the composition of a gram panchayat?

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- 2) Identify the urban bodies of local self-governance which existed before and after the 74th Constitutional Amendment.

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- 3) Identify the types of municipal revenues?

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18.9 LET US SUM UP

Local Self- Government is of broadly two types - rural and urban. The rural self-government in India goes back to the ancient period but was remodeled by the British rulers. Independent India launched the drive for its democratisation and empowerment. The 73rd amendment integrated it with the constitutional system. Modern urban LSG began with the British rule. It is now elaborate and varied in structure according to the size of an urban unit. The 74th Amendment has constitutionalised the system of urban local self-governance.

18.10 SOME USEFUL BOOKS

Jha. S. N. and Mathur. P. C., (eds.), *Decentralization and Local Politics*, Sage Publications, New Delhi, 1999.

Licthen, G.K. and Srivastva, Ravi, *Unequal Partners: Power Relations, Devolution and Development in Uttar Pradesh*, Sage Publications, New Delhi, 1999.

Pinto, Marina, *Metropolitan City Governance in India*, Sage Publications, New Delhi, 2000.

18.11 ANSWER TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Though the Panchayati Raj system had existed even before the British period, the British made it different from earlier system in the sense that they had formalised it.
- 2) To review the functioning of the Community Development Programmes and National Extension Services Programmes.

It recommended setting up village Panchayati with adequate political and financial powers with the aim to bring out the overall development of the village society.

- 3) It introduced reservation for women (33%), OBCs, SCs & STs and the general categories to ensure their representation in the PRIs.

Check Your Progress Exercise 2

- 1) A gram panchayat consists of the gram sabha and elected members of the village panchayats. It is headed by the village pradhan. A gram panchayat has also an indirectly elected up - pradhan.
- 2) There existed five types of municipal bodies before the introduction of the 74th Constitutional Amendment - Municipal Corporations, Municipal Councils, Town Area Committees, Notified Area Committee and the Cantonment Boards. The 74th Amendment has reduced them into three - Nagar Panchayats, Municipal Councils and Municipal Corporations.
- 3) Tax revenue, Octroi, Non-tax revenue, Grants-in-aid and Borrowings or loans.

UNIT 19 NATURE OF PARTY SYSTEM IN INDIA

Structure

19.0 Objectives

19.1 Introduction

19.2 Nature of Party System—First Two Decades After Independence

19.2.1 Evolution from Political Centre

19.2.2 Dominant Party System: Basic Characteristics

19.2.3 Centrality of Congress

19.3 Changed Socio-Economic Profile: Dislocation of Political Centre

19.4 Party Systems After 1967

19.5 Loss of Centrality of Congress and Emerging Party System

19.6 Contemporary Party System

19.6.1 Party System at the Central Level

19.6.2 Party System at the State Level

19.7 Let Us Sum Up

19.8 Some Useful Books and Articles

19.9 Answers to Check Your Progress Exercises

19.0 OBJECTIVES

This unit deals with the nature of the party system in India. It aims at familiarising the student of Indian politics with the fundamental features underlying the evolution of the party system in the post-independence period. After studying this unit, you should be able to:

- Understand the nature of the party system in India and identify its various characteristics;
- Analyse the changing nature of the party system and explain the emerging patterns; and
- Discuss the socio-economic and the political factors underlying the changing nature of party politics.

19.1 INTRODUCTION

Indian party system is unique. It does not fit in any kind of classification that is generally used to categorise the party systems. It is defined by the singular nature of Indian politics on the one hand and the nature of the state-society relationship on the other. In the last two decades, there has been a substantial change both in the nature of politics as well as in nature of relationship between the state and the society. One of the very important manifestations of change is visible in the context of the politicisation of greater number of people, especially those belonging to the less privileged sections of society. That explains the change in the nature of the party system as well. The distinctive features that defined the party system of India in the first two decades after independence are no more to be seen at present.

In order to understand the present nature of the party system, it is important to trace its history and to refer to its political logic in the context of the changing state-society relationship.

19.2 NATURE OF PARTY SYSTEM – FIRST TWO DECADES AFTER INDEPENDENCE

19.2.1 Evolution from Political Centre

Rajni Kothari has argued in his 'Politics in India' that the party system evolved from an identifiable political centre. This political centre, carved during the nationalist movement, was comprised of the political elite sharing common socio-economic background i.e. educated, urban, upper-caste people belonging mainly to middle and upper classes.

The common social background of the elite resulted in the homogeneity that became a defining feature of the political centre as well as of the party system. The ruling party and the opposition, both coming from the same social background, shared the social perceptions and converged on many issues. A consensus, therefore, existed within the system around the basic values.

The Indian National Congress was the institutional manifestation of this political centre. Not only was it an important expression of the nationalist movement but was also a dynamic political organisation that formed the indigenous base for the political system. Accommodating almost all-political groups of political importance, it provided a very crucial political space for political negotiations and bargaining.

19.2.2 Dominant Party System: Basic Characteristics

- 1) The party system during the first two decades after independence was termed as the Single Dominant Party system. It was a multi-party system where the ruling party played an overwhelmingly dominant role. Although a number of other political parties existed and operated politically, yet the central space of politics was occupied by the Indian National Congress only. The dominance of the Congress was determined by its immense organisational strength as well as its capability to capture large number of seats both in the Union Parliament and the state legislatures.
- 2) Dominance of the Congress as the ruling party did not mean absence of competition. The numerous parties in opposition provided competition. Yet, such competition did not result in effectively challenging the dominant position of the ruling party. Morris-Jones aptly described this phenomenon as 'dominance co-existing with competition but without a trace of alteration'. In electoral terms, it implied that although a number of opposition parties entered the electoral arena but none of them singly or in combination could secure substantial number of seats to replace the Congress as the ruling party. These parties were fragmented and poorly represented in the Union and the state legislatures. Congress continued to return its candidates in large numbers, in fact, in proportionately large numbers than the votes polled in its favour.
- 3) Due to their inability to provide an alternative to the ruling party or even to challenge its position of dominance, the opposition parties did not play the traditional role of opposition. On the contrary, their role was limited to that of constantly pressurising, criticising the ruling party. The parties in opposition, therefore, operated as the parties of pressure.
- 4) One of the important features of the Congress party that helped it to sustain its position of dominance was its capacity to represent divergent social groups and interests. As it drew its support from different sections of society, it played the

role of a great umbrella party. During the nationalist movement it had accommodated diverse groups into its fold and had stressed on the need for their unity within the same organisational structure. It had therefore assumed the character of a broad coalition. In the post-independence period, it continued to absorb the dominant social elements and balance different interests that helped it to maintain its unchallenged position of power. Through its accommodative and adaptive politics, it could curb the role and relevance of opposition.

- 5) Being a plural party representing diverse interests and ideologies, the Congress had a number of factions. Of these, some were relatively more dominant and played important role in the decision making of the party. Others were the dissident factions. Several of these factions of the Congress were also ideologically closer to some of the opposition parties. The reason for this being, that almost each of the party in opposition had been a part of the Congress at one time or the other and while choosing to form an independent party outside it, had left a faction of similar ideological orientation within it. Therefore, there always remained continuity between the politics of the Congress and that of the opposition parties. This continuity made it possible for the opposition parties to put pressure on the Congress and influence its decision making.
- 6) The party system, therefore, worked on the basis of a consensual model. It was a politics of broad consensus round the political values shared by all the political actors whether operating from within the ruling groups or from the opposition. Ideological divisions within the Congress or outside it were blurred.

19.2.3 Centrality of Congress

Due to the unique position of dominance of the Congress party, it was known to be the central institution of Indian politics. The Centrality of Congress was reflected at various levels:

- i) At one level, it occupied the most central space of electoral politics, thereby monopolising it and not allowing other parties to seriously challenge its position of power in the centre and the states.
- ii) At another level, its centrality was outlined in its occupation of the pivotal space between the state and society. Representing diverse interests of society, it remained the most important formal mediating institution of the state. It therefore, provided the most crucial space for political negotiations and bargaining.
- iii) At the third level, the centrality of the Congress was reflected in its ideological standpoint. Being an umbrella party it had space for all kinds of ideological groups. Hence, it pursued a 'centrist' ideology even when it contained ideological viewpoints of the 'left' and 'right'.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of this unit.

- 1) What was the socio-economic background of the political elite at the time of India's independence?

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2) What is meant by 'dominance coexisting with competition but without a trace of alteration'?

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3) Why were the opposition parties known mainly to be the parties of pressure before 1976?

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4) Why was the Congress party called an umbrella party?

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5) What is meant by 'Centrality of Congress'?

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19.3 CHANGED SOCIO-ECONOMIC PROFILE: DISLOCATION OF POLITICAL CENTRE

Change in the nature of party system in the decades after 1960s, according to Rajni Kothari, was the consequence of the 'changed socio-economic and demographic profile of the polity'. Such a change in the profile of the polity was a consequence of the political mobilisation of the masses as well as the emergence of new political classes. The political mobilisation of the masses was a logical consequence of the electoral politics based upon the principle of universal adult franchise. Frequently held elections helped in increasing the political consciousness of mass of Indians, especially those belonging to the backward and lower castes.

The emergence of the new political classes was directly related to the rise of the proprietary peasant class in rural India in the backdrop of the land reforms. By the beginning of the seventies, the land-owning socially dominant sections belonging mainly to the backward castes had attained sufficient economic strength to demand a share in political power. The entry of these castes into the competitive power politics had far-reaching consequences for the Indian politics. Firstly, there was an increase in the number of those aspiring for a share in power. The domination of the traditional

political elite, therefore, was seriously challenged. Secondly, there was also greater manifestation of a variety of conflicting interests. These new entrants did not share the political blues of the traditional elite. They had not only different demands and different expectations from the political system but they also used a different political language. This had the effect of posing a serious threat to the consensual politics of the traditional political elite in general and that of the Congress, in particular. Unable to integrate and balance varied interests, the Congress was dislocated from its position of centrality.

The changed context of politics was also the result of the assertion of the lower castes. In the politics of numbers, the lower castes and Dalits were brought into politics, initially, in the context of the patron-client relationship. As clients of the locally dominant castes, their numerical strength was used in the interest of their patrons. However, as the momentum to the participatory politics was created, the nature of lower caste politics was also changed. The lower castes and Dalits started acquiring more autonomous role in politics and their mobilisation now came to be related to their political interest. In terms of party politics, this led to the formation of parties reflecting the support and interest of these newly mobilised castes. Formation of the BSP, Samajwadi Party and Janata Dal are the examples of such political formations. These parties clearly reflected the interest of the Dalits and the Backward castes.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.

ii) Check your answers with the model answers given at the end of this Unit.

1) What was the impact of the electoral politics based on the principle of Universal Adult Franchise on the politics of India?

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2) Why was the Congress party not so successful in integrating various interests for 1967?

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3) Give some examples of the political parties that were formed for pursuing the particular caste interests.

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19.4 PARTY SYSTEM AFTER 1967

The nature of the Indian polity as well as the party system underwent a substantial change after 1967. This change has been described in varied terms. According to Kothari, this was the beginning of the decline of the dominant party system. While Morris-Jones attributes this to the emergence of 'a market polity' in which the number of opposition parties were brought 'fully into the market place, and competition that had previously occurred within the Congress, was now brought into the realm of inter-party conflict.' A number of new political forces and formations started emerging-making the electoral politics more competitive. All this led gradually to the decline of Congress.

The change in the nature of party system, initially, was much more visible at the state level where the hegemony of the Congress party was challenged through the formation of a number of non-Congress government. The Fourth General election led to the beginning of the politics of coalitions. This election produced truncated majorities of the Congress party. Hence, coalitions were formed in many states with Jana Sangh, SSP, CPI, CPI (M), and a number of regional parties joining the government.

Meanwhile the Congress also started showing signs of its weakness at the central level. One of the initial indicators of the weakness of the Congress was the changing nature of factionalism and the sharpening of the dissidence within the party. Acute factionalism ultimately led to the split of the Congress in 1969. This split, though an internal affair of the party has far reaching consequences for the Party system of India. One of the major consequences of the split was *the decline of the consensual model of Indian politics* and of the party system. The old organisational structure of Congress that was relatively more democratic and with greater linkages at the societal levels, was replaced by a more centralised organisational set-up. This new set up was *pyramidal* in nature. The decision making within the organisation was personalised and there was no space for democratic dissent. All this had the effect of rendering the Congress organisationally very weak.

The decline of the consensual model of Indian politics was not only a manifestation of the organisational problems of the Congress party but also of the changing nature of the state-society relationship. The homogeneity that earlier characterised the nature of the elite was no more available after the mid-sixties. This was also the time when the new classes had started becoming more assertive, specifically claiming a share in political power. It was the impact of such a changed context of elite politics that the Congress failed to maintain its electoral dominance in a number of states.

By the end of the decade of the seventies, the party system both at the central level as well as the level of the states was marked by flux. This was due to the fragmentation that was taking place in political parties. It was a process that was to continue for quite some time. Yet, despite the flux, the competitiveness was a distinct feature of the party politics. The number of political parties that entered the electoral arena was also increased. All this meant that the period of the dominance of the single party was already over. A multi-party system, instead, has evolved.

At the central level of politics, the new context of politics was reflected in the emphasis on consolidation of the opposition parties against the Congress. With the split of the Congress, a 'Grand Alliance' was formed between the Congress (O), SSP, Jana Sangh and the Swatantra. The logic of the alliance was the unity of non-Congress parties with a view to challenge its position of power. This logic led to the formation of the Janata Party in 1977. This party was itself a coalition of five erstwhile parties, the Congress (O), the Jana Sangh, Socialist Party, the Bharatiya Lok Dal (BLD), CFD. This new party was successful in breaking the continuity of the

Congress in power in the Centre for the first time, after the sixth general elections held in 1977. This had the effect of further bringing about substantial changes in the nature of the party system. The position of the Congress party further declined and its organisational structure was further weakened. It was no more capable of integrating varied social groups. Its organisational structure was fast decaying due to lack of inter-party democracy, on the one hand, and its insensitivity towards the changing context of civil society, on the other. Although it was still the only major institution of political bargaining (and the only party capable of capturing power and retaining it in the Centre, at least for another decade), yet its position of power was very precarious.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of unit.

1) What was the outcome of the 1967 elections at the state level?

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2) What was the impact of Congress split on the party politics of India?

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3) What was the major change brought out by the 1977 parliamentary elections?

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19.5 LOSS OF CENTRALITY OF CONGRESS AND EMERGING PARTY SYSTEM

It was in the period starting with the 1989 parliamentary elections that the Congress was displaced from its position of centrality. Such displacement of Congress from the position of the centre has various implications:

1) Firstly, Congress has ceased to be the dominant political party. It is no more the single major political party that dominates the political scenario. A number of other political formations have also had their effective presence. For the last two decades, there has been an ascendance of non-Congress political formations. The major non-Congress formations that have been playing a crucial role in Indian politics include the Bharatiya Janata Party (BJP), the Left Parties, and a

number of other national and regional parties. The central political space, earlier dominated by the Congress party, is now being shared by a number of political parties.

- 2) The loss of centrality of the Congress, in another perspective implies a decline in its capacity to represent a consensus. It is no more capable of accommodating varying interests. As the nature of state-society relationship has changed and consequently emerging interests have been sharpened, the societal conflicts and contradictions have become more pronounced. The central space needed for defusing such conflict is not available with the Congress. The traditional methods of co-option or bargaining that helped it to deal with the conflicting interests do not work any more.
- 3) The decline of Congress has not led to the emergence of an alternate national party that could occupy the central space. In other words, the single party dominant system has not been substituted by a two-party system. The rise of the BJP in the early eighties had led some analysts to hope that it might work as an alternate national party and that there might develop a bi-party system with a direct competition of power between the Congress and the BJP. Yet, it could not be possible. While the Congress continued to decline from its position of strength, the BJP could not attain the majority on its own.
- 4) Failure of the large national parties like the Congress and the BJP to get majority of seats in Parliament has brought numerous smaller parties to the central stage of Indian politics. The large parties have been depending upon these smaller parties for the formation of governments. Instead of single party majority governments, we have been having minority coalitions. In 1991, the minority government of Congress was installed [which attained majority subsequently]. The 1996 Parliamentary elections led to the formation of a minority coalition of thirteen parties of the United Front, supported by Congress and the Left Front. This coalition was replaced in 1998 by another coalition led by the Bharatiya Janata Party (BJP). The 1999 Parliamentary elections again resulted in the coalition government of the National Democratic Alliance (NDA) with BJP as the largest member of the coalition.

19.6 CONTEMPORARY PARTY SYSTEM

19.6.1 Contemporary Party System – Party System at the Central Level

- 1) The party system as it is operating at present is based upon *multiplicity of political parties*. As already observed, since 1989, there has been a definite increase in the number of political parties entering the political arena. Numerous regional and small parties have filled in the vacuum created by the Congress. The strength of the major national parties has been decreasing and that of the smaller parties has been increasing. The composition of Parliament since 1989 is a reflection of the changed party scenario.
- 2) The kind of the party system that is available at present is not hegemonic but *competitive with sufficient scope for alternation*. However, due to the inability of any single party to attain majority, the alternation takes place not between the individual parties but between the groups of political parties.
- 3) The compulsion of the electoral mathematics and the requirement of coalition governments have resulted in the politics of *alliance*. Alliance takes place among a number of political parties that come together for contesting elections and forming the government.

- 4) The politics of alliance has had a number of consequences for the nature of party politics. The *competitive political space has been widened* with greater number of political parties having a bearing on power politics. Rather than one party hegemonising power (as in case of pre-1967 level of politics), or even two or three parties making serious claims on political power, there are a number of political parties which enter the political arena. As part of the one or the other alliance structure, these numerous political parties have a serious stake in the process of elections and in the formation of government. Politics of alliance, therefore, has its direct consequence on the nature of government. Governance is based upon a *wider dispersal of power* among the alliance partners.
- 5) The nature of alliance to begin with, was simply on the basis of exigencies of power politics. Gradually, over the period a pattern seems to have evolved in this context. Rather than the alliances formed after the election, now there is almost the accepted practice of having pre-poll alliances. Initially, alliances were amorphous with members having come together without any common objectives, except the one related to power. But of late, there has been some kind of effort at drawing some *common minimum programme* acceptable to all partners of the alliance.
- 6) Acceptance of common programme among the alliance partners does not necessarily mean that the alliance partners share common ideology. Ideological cohesiveness, in fact, does not characterize the nature of alliance. Ideological position of the parties that come forward to join an alliance, at times, is quite paradoxical. What causes these ideologically dissimilar parties to form an alliance is the logic of political power. Otherwise, these are *non-ideological political fronts*.
- 7) The politics of alliance has led to the *polarisation of parties*. In the initial years, such polarization took the shape of three alliance structures. Political parties, in the period after 1989 seemed to be organizing themselves around three poles, the one led by the Congress, the second led by the BJP and the Third, which was termed as the Third Front/United Front. The third pole was later weakened. Comprising of the Janata Dal, the Telgu Desam, the Left Parties and many other regional and state parties, it had been successful in forming the government in 1989 but it could not sustain either its unity or its political strength for long time. It was very soon fragmented and its number in the Parliament was substantially reduced. Many of the parties representing the Third Front regrouped around the Congress or the BJP. The way alliances have been formed in last few Parliamentary elections, there has emerged a *bi-polarity*. The Congress and the BJP are the two parties around which varied political parties have been grouped in recent elections.
- 8) The contemporary *party system is a reflection of the complexity and the heterogeneity that prevails with the Indian society*. It is a representation of the diversity of political interests and opinions. It also reflects the wider reach of the participatory politics that has politicized diverse groups and articulated their political voice. This extensive nature of politicization has resulted in an accommodative nature of party politics. The power politics is no more dominated by the big and hegemonic parties. On the contrary, there is sufficient *importance of smaller parties*. As partners in multiparty governance, these small parties have developed their bargaining power. That is the reason that these parties not only share power but also get a voice in the political decision-making. As representatives of diverse groups including those who have been hitherto excluded from power politics and minorities, these smaller parties also help *create more democratic political space*.
- 9) Seen from this perspective, there is a greater *federalised context of party system*. This federalized context has been provided by the complex relation be-

tween the national and the regional party system and signifies assertion of the regional parties, on the other. In the past two decades, a number of regional parties with their focus on regional demands have emerged. These regional parties, besides occupying significant political space at the state level are also playing crucial role in the central politics. It is due to their active presence at the national level of politics, that the party system is really acquiring a federal character. As the national parties are dependent upon the regional parties for the formation of government, the latter have increased their bargaining power. With the result, there has been *mainstreaming of regional parties*. The distinction that existed earlier between the regional and the national party has also been blurred. The National parties have become regional in character and the regional parties are increasingly participatory in national politics and thereby acquiring national stature. The Congress and the BJP, the two national parties, for a long time now, have 'regional' rather than 'national' sphere of influence.

- 10) As the 'national' parties are acquiring regional character, *the regional parties are playing important role in setting the national agenda*. What is more important, the regional demands are being forcefully voiced in the national space of Indian politics. Earlier, this was not possible because the regional demands were placed in opposition to the national demands, and therefore, were considered as a threat to the national unity. With the entry of the regional parties at the national level of politics, this is no more the case. The regional and the federal issues are an important part of the political agenda at the national level of party politics. Region or the regional assertions are no more treated as dangerous for the nation.
- 11) This has important implications for the Indian federal structure. With the shift from the single-centred dominant party system to a multi-party system with lot of space for smaller parties located in the states, there is also a definite shift in the centre-state relations. The emerging party system has an *essential component of partnership between the national, regional and the state level parties*. There is, therefore, a basis for a more egalitarian relationship between the centre and the states. Party system itself is providing the institutional set up for the representation of the interest of the states. Many of the regional parties that are playing important role in party politics have been demanding a reorganisation of the centre-state relationship with greater autonomy for the states. With their ascendance, there has developed greater sensitivity towards the regional issues and there has emerged greater consensus on federalism. Even those national parties that have been traditionally favouring a strong centre have been forced to accept the logic of federalism. The dependence of the BJP on Akalis, DMK, TDP, Trinamul Congress, Samta Party and the National Conference, for instance, has resulted in its flexible attitude towards the issues related to centre-state relations.

19.6.2 Party System at the State Level

The federal context of the party system makes it imperative not only to emphasise the complexity underlying the relation between the national and the state level party system, but also to analyse the nature of party system at the state levels. Although some similarities can be perceived between the national and the state levels of party politics, yet it is important to note that each of the state may be having its own peculiarities.

At the level of the states, there has been, for quite some time, a keen competition for political power. Yet, there are variations in the way this competition operates. In many states, there is an alternation of power between at least two parties. The party

politics, in these states may be described as the two-party politics. In many other states, politics is not neatly divided between the two parties. There is a multiplicity of parties with the parties bunching themselves in two groups/poles. The party politics of these states may be defined in terms of bi-polarity. There are other states also having a multi-party system but which cannot be neatly classified either as two-party system or systems of bipolarity.

There is, therefore, a lot of fluidity in party politics at the state level. This fluidity operates not only in the nature of party competition but also in the way the political parties are placed in the states. Regional parties are important political actors at the level of the states but that does not mean that national parties do not operate at the level of states. There are different patterns of competition between the regional and the national parties. In some of the states, regional parties are very crucial political actors, but in other states, regional parties do not play that important role. There are some states where national parties do not have significant presence. In some states, party competition takes place mainly among the national parties while there are states where the power alternates between a national and a regional party. In some of the states, the national parties have acquired a regional character and compete with the national or the regional parties. Tamil Nadu, West Bengal, Assam, Punjab, Kerala, Jammu and Kashmir, are the states with a strong tradition for regional parties, while UP, Himachal Pradesh, MP, Karnataka, Orissa and Rajasthan have been the states where the competition has been taking place between the national parties. Regional parties have also made strong inroads in Maharashtra and Andhra Pradesh.

Check Your Progress Exercise 4

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) What do we mean by Bi-Polarity in terms of party politics?

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2) Why is the contemporary party politics more representative and more plural?

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3) Why have the regional parties gained more bargaining power?

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4) What is the impact of the contemporary party system on the centre-state relations?

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19.7 LET US SUM UP

The party system in India has undergone major transformation in the last five decades. As a legacy of the National Movement, the Party System in 1947 was characterised by an overwhelming dominance of the Congress party. As the central political institution of India, the Congress completely controlled the power politics for the first two decades after independence. The strength of the Congress lay in its organisational structure and in its ability to accommodate diverse political interests. This peculiarity of the Congress was linked with the homogeneous nature of the political elite whether belonging to the Congress or the opposition.

The party system changed substantially after 1967 with the change in the nature of the socio-economic profile of Indian polity. With the politicisation of the masses as well with the assertion of the new socio-economic groups, mainly the middle peasantry, the backward castes and the Dalits, the party system also changed. The inability of the Congress to accommodate conflicting interests and the erosion of its organisational structure led to its decline. By the end of the 1980s, the Congress had lost its centrality. A multi-party system replaced the Congress System.

The contemporary party system is defined by its multiplicity. A number of national and regional parties have filled in the vacuum created by the withdrawal of Congress from its central position. The regional parties have become more assertive as they have joined the national politics as the allies of the national parties. This also has strengthened the federal structure of India.

19.8 SOME USEFUL BOOKS AND ARTICLES

Morris-Janoes, 'Dominance and Dissent: Their Inter-Relation in the Indian Party System', in Morris-Jones, *Politics Mainly Indian*, Orient Longman, Madras, 1978.

Kothari Rajni, *Politics in India*, Orient Longman, Delhi, 1970.

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Manor James, 'Parties and the Party System', in Atul Kohli, *India's Democracy: An Analysis of Changing State-Society Relations*, Orient Longman, Delhi, 1988.

Pai Sudha, 'The Indian Party System Under transformation: Lok Sabha Elections 1998'. *Asian Survey*, vol.XXXVIII No.9, Sept. 1998.

19.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) They shared common socio-economic background, i.e., educated, urban, upper middle class belonging to the middle and upper classes.
- 2) Existence of the congress as a dominant party along with a large number of parties.
- 3) They were not able to provide alternative to Congress. Rather they were more parties of pressure.
- 4) It drew support from different state of the society
- 5) It occupied the central position in the party system of India.

Check Your Progress Exercise 2

- 1) Political mobilisation of the masses.
- 2) New groups established their own parties.
- 3) The Janta Dal, the Samajwadi party and the BSP.

Check Your Progress Exercise 3

- 1) Decline of the Congress and emergency of the competitive politics.
- 2) Decline of the consensual model of Indian politics.
- 3) United the non-congress parties, and further eroded the organisation of Congress.

Check Your Progress Exercise 4

- 1) Polarisation of the party alliances between two major parties — The BJP and the Congress.
- 2) It is more reflective of the heterogeneity in the society.
- 3) Due to the active presence in the national politics
- 4) The regional and federal issues have become an important part of the political agenda.

UNIT 20 NATIONAL AND REGIONAL PARTIES

Structure

- 20.0 Objectives
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20.0 OBJECTIVES

This unit deals with the national and regional political parties in India. After going through this unit, you will be able to:

- Know the meanings of the regional and national political parties;
- Understand their ideologies, social bases and the organisational structures; and
- Their significance in the politics and society of our country.

20.1 INTRODUCTION

Political parties play crucial role in the functioning of Indian democracy. Democratic systems can not function in the absence of political parties. They work as link between state and people. Political parties contest elections and aim at capturing political power. They function as a link between people and government in a representative democracy. If a political party fails to form government, it sits in opposition. The role of the opposition party is to expose the weaknesses of the ruling party in order to strengthen the democratic processes.

20.2 MEANINGS OF A NATIONAL AND A REGIONAL PARTY

India has a multi-party system. There are both national and regional parties. The Election Commission recognises a party as a national party, if it fulfils one of the two conditions: (1) it secures 3.33% of votes or seats in elections to the legislative assemblies, and (2) it secures 4% of votes or seats in Lok Sabha election of four states. The national parties can also be called All India parties. Their programmes,

policies, ideologies and strategies have a national focus. They have their presence in most of the parts of the country in terms of maintaining organisational structures and contesting elections. A regional party is limited to a geographical region which may cover a state or a couple of states. They come into being to defend and preserve religio-cultural identity of a region. They may also come into being on the issue of neglect of a region which causes its economic backwardness. Regional parties are often seen promoting regionalism -giving primacy to narrow local interest. Some people see them as a threat to the idea of a strong nation but at the same time there are people who do not have such a negative approach towards them. They believe the strong regional parties ensure that the region they represent gets a fair deal by the central government. The year 1989 ushered in the phase of multi- party system at the centre. This has meant a definite role for regional parties in the national politics.

20.3 THE NATIONAL PARTIES

The period from the 1960s onwards has been significant in Indian party system because of the existence of a large number of national and regional parties. The earlier decades were known the phase of the one party dominance, i.e., the dominance of the Congress. In this unit you will study some national parties – the Congress (I), the Bharatiya Janata Party, the Communist Party of India, Communist Party of India (Marxist), and the Bahujan Samaj Party. You will also study the main regional parties – the National Conference, the DMK, the AIADMK, the Akali Dal, the Assam Gana Parishad, the Jharkhand Party and the Telugu Desam Party.

20.3.1 Congress (I)

The Congress (I) has emerged from the Indian National Congress which was born in 1885 in Bombay. The latter had succeeded in bringing together different classes of Indian society in the Indian National Movement. In the beginning Congress was an elite organisation and under the Gandhian leadership it became a mass organisation. The Non-Co-operation, Civil Disobedience, and the Quit India Movements were the important milestones in the history of Congress Party during the pre- Independence period. The provision of Provincial Autonomy under the government of India act 1935 provided an opportunity to the Congress party to acquire some training in the art of running the administration between 1937-1939.

After the Independence the Congress Party became the ruling party as the British transferred power to this party. Between 1947-1967 the Congress Party dominated the Indian political scene. The outcome of the fourth general election, which was held in 1967, dented the Congress dominance in a big way. The Congress party was voted out of power in eight states. Even at the centre it could secure only a slender majority in the Lok Sabha. In the year 1969 the Congress party split for the first time into a new Congress led by Indira Gandhi and an old Congress led by S. Nijalingappa. The new Congress led by Indira Gandhi swept the parliamentary elections of 1971 and assembly elections of 1972 in most of the states. The sixth general election in 1977 resulted in the defeat of the Congress Party and comfortable majority for the Janata Party. The defeat of the Congress party was seen as a rejection of Indira Gandhi's style of politics. After the defeat in 1977 election there was another split in the Congress Party. There emerged two Congresses - one led by Indira Gandhi and the other led by Swaran Singh. This is how the congress led by Indira Gandhi or the Congress (Indira) or the Congress (I) was born in 1978. Generally the Congress (I) and Congress are used synonymously. The Janata experiment at the centre failed within two years mainly due to personality clashes among the leaders and factional fights. In 1980 the Congress (I) returned to power restoring Congress dominance with two third majority in the Lok Sabha. After Indira Gandhi's assassination in 1984, Rajiv

Gandhi became the Prime Minister. In 1985 General Election he led the party to an unprecedented victory. The Congress Party together with its allies won four hundred and fifteen Lok Sabha seats. The ninth general election witnessed a tough fight between the National Front, a combination of opposition parties and the Congress (I) in alliance with the AIADMK and the National Conference. The National Front entered into seat adjustment with both the left parties and the Bharatiya Janata Party in their areas of influence. This ensured straight fights in most of the constituencies. The Congress (I) emerged as the single largest party getting 197 seats. No party could secure clear majority in the Lok Sabha. In 1991 Lok Sabha election there was a triangular battle among the Congress (I), the Janata Dal-National Front combine and the BJP. The Congress (I) won 232 seats. Rajiv Gandhi was killed during electoral campaign. P.V.Narasimha Rao became the Prime Minister. In 1996 and 1998 Lok Sabha elections the number of seats won by the Congress (I) came down to 140 and 141 respectively. In 1999 the number of seats won by the Congress (I) in the Lok Sabha came down to 114.

The Ideology

The Congress Party has been committed to socialism, secularism and democracy. It subscribed to the idea of democratic socialism that is why economic policy of the Congress Party introduced state control of the commanding heights of the economy like basic industries, banking and insurance. The party stood for rural and urban land ceiling. It was against the monopolies and was for promotion of medium and small industries. At Avadi session in 1956 Congress proclaimed its commitment to socialistic pattern of society. In 1971 election the Congress gave the slogan of *Garibi Hatao* (remove poverty). Even the 20 -point programme under emergency had a strong socialistic component. In the 1980s Congress shifted to the right. The 1984 manifesto did not mention socialism or the need of curbing monopolies. The 1989 election manifesto emphasised the need to empower people through Panchayati Raj. In 1999, the Congress election manifesto advocated the need of a capitalist economy integrated with world capitalist system. It also favoured abolition of public monopolies except in the fields of defence, and encouragement to the private sector. In 1999 the election manifesto of the party reaffirmed its commitment to secularism and strengthening Panchayati Raj Institutions. It also promised doubling expenditure on poverty alleviation. In foreign policy the party has stood for the Non- Alignment.

The Social Base

The party had started as an elite organisation of the educated urban middle class. In the 1920s it acquired a mass base. In spite of a mass base the leadership of the Congress was in the hands of upper caste big landowners, urban intelligentsia and businessmen. After independence the Congress Party won three general elections without much of a challenge. This was because of the support it enjoyed among rural and urban, educated and uneducated, upper caste and lower caste, rich and poor almost all over the country. It was the shift of the middle caste votes, especially from the later half of the 1960s onwards, away from Congress that led to its losing elections in many states. The main support base of Congress has been the upper caste more particularly the Brahmins, Scheduled Castes and the Muslims. In 1991 the Congress was virtually wiped out from Gangetic belt - UP and Bihar. The BSP and the Samajvadi Party in UP have snatched the Scheduled Caste and Muslim votes from the Congress. Similarly in Bihar the Muslims and lower castes have shifted to the RJD, while the upper caste votes in both these states have shifted to the BJP.

Organisation

The constitution of the Congress party provides for an elaborate organisational network. The party president heads the organisational set up of the party. There is a working committee to assist the president. The All India Congress Committee, which is a

deliberative body, supplements their functions. The central office of the party is situated in New Delhi. The central office supervises the functions of the Pradesh Congress Committees, District Congress Committees and Block Congress Committees. The District Congress Committees maintain records, raise funds and recommend candidates.

20.3.2 The Bharatiya Janata Party

The Bharatiya Janta Party came into being in 1980 in the wake of split in the Janata Party on the issue of the dual membership, i., e., whether those members of the Janata Party who also were the members of Rashtriya Swayamsevak Sangh (R S S) should simultaneously retain their memberships of both these organisations or not. The controversy on this issue resulted in the exit of the Bharatiya Jana Sangh constituent or the RSS members from the Janata Party. After leaving the Janata Party, the Bharatiya Jana Sangh constituent launched the Bharatiya Janata Party (BJP). The B J P is aptly seen as reincarnation of the Bharatiya Jana Sangh. Syama Prasad Mukherjee founded the Bharatiya Jana Sangh in 1951. The RSS founded by Keshav Baliram Hedgewar in 1925 has been an organisational backbone earlier for the Bharatiya Jana Sangh and then the Bharatiya Janata Party. In 1984 the first Lok Sabha election after its birth the B J P got only two seats but in 1989 it obtained 88 seats. In 1991 election this party secured 120 seats and emerged as the second largest party in the Parliament. In 1996 Lok Sabha election the BJP emerged as single largest party securing 162 seats. The President invited Atal Behari Vajpayee to form the government. The government lasted for only thirteen days as it could not face the Parliament because it did not have the majority. In 1998 Lok Sabha election the BJP made strategic alliance with regional parties and secured 180 seats. The BJP formed the government but the government did not last long. There was another election in 1999. The BJP contested this election as a partner of the National Democratic Alliance (NDA).

The Ideology

In the beginning the BJP attempted to project a different image from the Bharatiya Jana Sangh. Atal Behari Vajpayee, the first President of the BJP, had linked the emergence of the BJP with Jay Prakash Narayan's vision of a glorious India in the first convention of the party held at Bombay. The BJP is also seen as a reincarnation of the erstwhile Bharatiya Jana Sangh, the Hindu Nationalist Party founded by Shyama Prasad Mukherjee in 1951. The Jana Sangh aimed at rebuilding Bharat (India) as a modern democratic society according to religious precepts. Ideologically the BJP is committed to five principles— nationalism and national integration, democracy, positive secularism, Gandhian socialism and value-based politics. The BJP proclaimed to make these policies the core of its development strategy and to build national consensus around them. The party rejects both capitalism and socialism because they promote concentration of economic powers either in the hands of private individuals or state officials. In 1984 the party laid stress on the development of both agriculture and industry. It also emphasised reduction of taxes and introduction of employment guarantee programme and recognition of right to work as a fundamental right. In 1996 the BJP kept repeating its commitment to swadeshi economy but it actually appropriated the Congress (I)'s slogan of liberalisation. In 1993 while addressing the Confederation of Indian Industries, L.K.Advani said that if the BJP came to power the basic direction of the economic policy would remain unchanged. The BJP's policies as senior coalition partner in the NDA government gave clear indication of its acceptance of the policies of liberalisation. In 1999 at its Chennai meeting the BJP gave clear indication of leaving behind the agenda of aggressive Hinduism and swadeshi. The BJP has accepted the principle of justice to all by agreeing to reservation on caste lines. It promises 33% reservation to women in parliament and state assemblies.

The Social Base

The BJP, like its predecessor the Bharatiya Jana Sangha, has enjoyed support base in the Hindi belt. It also has strong presence in Gujarat and Maharashtra. Since 1989 the party has been trying to penetrate into south India. BJP's traditional support base was among upper castes, small and medium traders and shopkeepers. Among minorities it gets votes largely from the Sikhs. It is mainly seen as a Hindu Party. From the 1990s, its base has broadened in rural and urban areas, and among the larger numbers of social groups.

The Organisation

At the national level the BJP has a Party President and the National Council and party plenary or special session. At the state level the party has a Council and the State Executive followed by Regional Committees, District Committees and Block Committees. The BJP also has front organisations like Bharatiya Janata Yuva Morcha and Bharatiya Janata Mahila Morcha. They function according to the guidelines of the National Executive.

20.3.3 The Communist Parties

The main communist parties which exist in India are: the Communist Party of India (CPI), the Communist Party of India (Marxist) or the CPI(M), and several Naxalite groups. The CPI was founded in Kanpur in 1925. At the time of Independence there emerged two political lines within the Communist Party of India about the nature of the Indian state, the freedom struggle and the question of how to bring revolution in India according to the tenets of Marxism and Leninism and the future course of action. One line advocated by then the secretary of the CPI, P.C. Joshi viewed the Independence as real and thus wished that the Communist Party should support Nehru. The other line held by B.T. Ranadive and Gautam Adhikari held that this was not real independence. Real independence could only be achieved under the leadership of the Communist Party of India. So they were of the view that the Party should fight against the Congress Party. In the early 1950s a change could be noticed in the Soviet Union's attitude towards Nehru and the Congress government. This change was also reflected in the attitude of the Communist Party of India. A draft party programme of the CPI called for building a broad anti-feudal and anti-imperialist front embracing nationalist bourgeoisie led by the working class. In 1962 with the Chinese attack on India the two lines within the party came to the surface again. A group within the CPI even refused to condemn the Chinese aggression in the name of proletarian unity while the other group supported the stand of the Government of India. Finally in 1964 the CPI split into Communist Party of India and Communist Party of India (Marxist). After 1964 the CPI was seen closer to the Communist Party of Soviet Union and the CPI(M) to the Communist Party of China. A group within the CPI(M) approving the path of armed revolution broke out from the CPI(M) in 1968. They were called Naxalites because they started their experiment of capturing power through armed revolution from a place called Naxalbari in Bengal. The Naxalites led by Charu Mazumdar formed another Communist Party known as Communist Party of India (Marxist-Leninist). Not all the Naxalite factions joined this party.

The CPI started participating in elections from the very first election held in 1952. The Communist Party of India continued getting around 9% of votes in general election. Even after the division in 1964 the two Communist Parties together continued to poll around the same percentage. The CPI(M) secured 33 and 35 seats respectively in 1989 and 1991 elections. The CPI won 12 seats each in both these elections. In 1996 elections the CPI(M) secured 33 seats while the CPI got only 13. In the last Lok Sabha election held in 1999, the CPI(M) secured 32 and the CPI got only five. So

far as the state assembly elections are concerned the left parties have done well in three states Kerala, West Bengal and Tripura. The CPI came to power in Kerala after 1957 election. The left front led by the CPI-M has been ruling West Bengal for almost twenty years.

The Ideology

The Indian communist parties believe that only the establishment of a socialist society according to the revolutionary principles of Marxism and Leninism can enable the country to overcome the problems of backwardness, inequality, ignorance and poverty. This goal can be achieved if the working class captures political power. They believed that to achieve this goal India needed an anti-imperialist and anti-feudal democratic revolution. In the light of this understanding the CPI assessed the Nehru government and supported Indira Gandhi government even during emergency. The electoral debacle in 1977 election made the Communist Party of India reassess its role in the Indian politics and its attitude towards the Congress Party. In the post-1977 phase the anti-Congressism became an essential part of CPI'S policy. In line with its goal of National democracy the CPI even joined the coalition government at the centre in 1996. The CPI(M) believes in complete destruction of the Indian state and establishment of People's Democracy. Establishment of a front led by the working class could achieve this objective. This front will also include agricultural labourers the poor peasants and middle peasants. At its Vijaywada Congress in 1982 the CPI(M) decided to work for an anti-authoritarian front including even the BJP. The party has taken note of the danger posed by Communalism. It has emphasised the need of an India as a self-reliant economy, free from the clutches of the World Bank and IMF. In the 17th Congress of the CPI(M) held at Hyderabad in March 2002, the party has called for building the People's Front as a secular democratic alternative to the NDA at the centre. The CPI(M) has decided to co-operate with the Congress Party without having an alliance with it. The Party has also held that minority fundamentalism is not the correct response to majority fundamentalism.

The Social Base

Apart from their strongholds of Kerala, West Bengal and Tripura the Communist Parties have pockets of influence in some other states like Bihar, Andhra Pradesh, UP, Punjab, Maharashtra and Tamil Nadu. The Communist parties get support largely from the working class, middle classes, agricultural labour and small peasants.

The Organisation

All India Party Congress is the supreme party organ for the CPI and CPI(M). In the case of the Communist Party of India it is convened by the National Council and in case of the CPI(M) it is convened by the Central Committee. The Party Congress discusses and acts on the report of the National Council in case of the CPI and the Central Committee in case of the CPI(M). The Party Congress also decides the Party line. Between the Party Congresses the National Council and the Central Committee are the top most executive bodies respectively for CPI and CPI(M). To work between the two sessions of the Central Committee, it elects a Polit Bureau from its members. Similarly the National Council of the CPI elects a Central Executive to carry on with the work of the National Council between its two sessions. The National Council of the CPI and the Central Committee of the CPI(M) also elect a secretary each for the two communist parties.

20.3.4 The Bahujan Samaj Party

Kanshi Ram founded the Bahujan Samaj Party (BSP) on April 14, 1984. The party claims itself to be the party of the majority section or the Bahujan Samaj. The

assumption behind this claim is that that Scheduled Castes, Scheduled Tribes, Backward Castes and minorities constitute 85% of India's population. They constitute the majority or the Bahujan Samaj of India. The BSP argues that the minority high castes have been using the votes of the Bahujan Samaj to rule over them. Since, in democracy the majority should rule, the BSP strives to establish the regime of the Bahujan Samaj. Before actually taking the form of a party, the BSP existed in the form of social and cultural organisations like the BAMCEF (All India Backward and Minority Employees Federation) and DS4 (Dalit Soshit Samaj Sangharsh Samiti). The BSP contested election in 1985 when its candidate Mayawati fought a by-election from Bijnore Lok Sabha constituency in Uttar Pradesh. The BSP candidate came third after the Congress and Janata Dal candidates. But the BSP candidate's showing was quite encouraging. She polled 61,504 votes against Congress candidate's 1.28 lakh and Janata Dal candidate's 1.22 lakh. In the U P assembly election that year the BSP did not win any seat but it polled four percent of the popular votes. In 1989 UP assembly election the BSP won only 13 seats but it polled 9.33% of the popular votes. Gradually the BSP has become one of the important players in the political life of the country in general and the politics of states like UP, Haryana, MP, Punjab and Rajasthan in particular. In 1996 Lok Sabha election this party secured 20% votes in UP. 8% in MP and 3% in Rajasthan. This party won five Lok Sabha seats from UP and one from Haryana in 1998 Lok Sabha election. The BSP won 14 seats from UP in the 1999 Lok Sabha election. This party has been widening its base by giving tickets not only to the dalits but also to backward Muslims and even the upper castes. In the 2002 UP assembly election this tactic of the BSP has paid rich dividends. The party has secured 98 out of 403 assembly seats.

Check Your Progress Exercise 1

Note:i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) What has been the social base of the Congress (I)?

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2) In which way the name of Jaya Prakash Narayan is associated with the BJP?

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3) Narrate the background of the split in the CPI in 1964.

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20.4 REGIONAL PARTIES

The factors that give rise to regional parties may be cultural, economic and political. Which of these factors play more important role depends on the political circumstances. It may vary from case to case and time to time. India is a multi-lingual, multi-religious and multi ethnic country. The cultural minorities may harbour the fear of being absorbed in majority culture and losing their distinct identity. A desire to maintain this cultural distinctness has been at the roots of the regional movements led by the Dravida Munnetra Kazhagam (DMK), All India Anna Dravida Munnetra Kazhagam (AIADMK), the Akali Dal, the Jharkhand Mukti Morcha (JMM) and the AGP. The realisation that developmental needs of any region have been ignored for a long time may also give birth to regionalism and regional parties. Politically, the regional parties may be seen as a movement against centralisation and in tune with the spirit of a true federation.

20.4.1 The Dravida Munnetra Kazhagam (DMK) and The All India Anna Dravida Munnetra Kazhagam (AIADMK)

The origin of the D M K is traced to the anti-Brahmin movement in the Madras presidency in the early part of the last century. The Congress was seen as an instrument in the hands of the Brahmins to perpetuate their domination in administration and other professions. There was a realisation among the non-Brahmins that for their social advancement the Brahminical dominance had to be checked. The Non-Brahmin Manifesto of 1916, South India Peoples' Association of 1917 and the birth of the Justice Party in 1923-24 to contest election against the Congress Party were result of such consciousness. E.V. Ramaswamy Naicker founded the Self-Respect Movement in 1925. This movement touched the masses in a big way. The Justice Party and the Self-Respect Movement merged to create the Dravida Kazhagam under the leadership of Naicker. A section of the youth was alienated because of its opposition to the Congress, anti-north India feeling and the desire to celebrate the independence as a day of mourning. These alienated people broke away from Dravida Kazhagam and formed the DMK under the leadership of C. N. Annadurai in 1949. Since its beginning the focus of the DMK has been the interests of the lower castes and classes. It has also donned the mantle of the vanguard of the Tamil identity. The DMK blamed the Aryans, the north Indians for the backwardness of the Tamils. It has been against imposition of Hindi. The DMK entered the Lok Sabha for the first time in 1956. It won the assembly election making Hindi imposition as an election issue. In 1972, the DMK split over the issue of the expulsion from the party, of MGR, a Tamil film hero and the party treasurer. This paved the way for the formation of AIADMK in the memory of Annadurai. It followed the principle of electoral alliance with national party and won the 1977 assembly election. It won twelve seats in the 1984 Lok Sabha elections. This did not mean political oblivion for the DMK. Power kept alternating between the two Tamil parties. The DMK is now being led by M. Karunanidhi.

Under the MGR's leadership the AIADMK followed the policies of assuaging the Tamil pride and populist measures of doling out largesse to the poor. After the death of MGR in 1988 the AIADMK also faced splits. In the 1989 assembly elections the DMK led by Karunanidhi became victorious. The unification of AIADMK splinter groups under the leadership of Jayalalithaa and an alliance with the Congress Party returned it to power in 1991 assembly election. In 1996 election the DMK won the election. Jayalalithaa faced many corruption charges but in spite of these charges, her party became victorious in 2001 election to the state assembly.

The Shiromani Akali Dal (SAD) emerged in the 1920s as a movement of the Sikhs against the corrupt practices of the Mahants in the Gurudwaras. In 1925 the government passed the Sikh Gurudwara Act. This Act gave the right of management and control of Gurudwaras to Shiromani Gurudwara Parbandhak Committee (SGPC). The Akali Dal tried to keep a firm grip over the SGPC arguing that in Sikh tradition the Church has not been separated from the state. The SAD projected itself as the sole spokesman of the Sikh interest devoted to their upliftment and fighting against injustices done to them first by the British and then by the Indians. The partition and independence in 1947 provided the Sikhs with an opportunity to organise on the territorial lines; there was also dream of a free Punjab with Sikh majority. The SAD leadership wanted a state where Sikh religion would be safer. In 1966 Master Tara Singh as a spokesman of the SAD demanded the Punjabi Suba. The central government created a Sikh majority state in November 1966 by separating Haryana from Punjab. Among the other issues raised by the SAD from time to time have been the demands for full regional autonomy to Punjab, protection and promotion of the interests of rich farmers, better deal in distribution of river waters and declaration of Amritsar as a holy city. The main focus of the Anandpur Saheb declaration of 1973 was more autonomy to Punjab. This declaration demanded that the central government should have power only over defence, foreign affairs, communication and currency; rest of the powers should be given to the states. A section of the Akali Dal even supported the idea of secession from the Indian Union. The Operation Blue Star and the anti-Sikh riots in the aftermath of Indira Gandhi's assassination wounded the Sikh psyche. The Rajiv-Longowal Pact could not assuage the hurt feelings of the Sikhs. The SAD split between Badal and Tohra factions both of them putting forward identical demands like the transfer of Chandigarh to Punjab and the release of the Jodhepur detenus. The disintegration of Akali Dal continued as United Akali Dal was born headed by Joginder Singh, the father of Bhindrawale. Similarly, the 1989 Lok Sabha election was fought by Akali Dal (Mann) headed by Simaranjeet Singh Mann. This outfit openly espoused the cause of militancy and won ten out of thirteen seats in Punjab. In 1997, the Akali Dal in alliance with the BJP won the assembly elections. The Akali Dal led by Badal has lost 2002 assembly election and the Congress Party won the election. Captain Amrinder Singh of the Congress Party has become the new Chief Minister.

20.4.3 The National Conference

The origin of the National Conference can be traced to the political ferment in the state of Jammu and Kashmir in the 1920s and 1930s when a Hindu Maharaja ruled it. An organisation in the name of Anjuman-e-Islamia came up in 1921 with the objective of promoting educational and social welfare of the Muslims. In 1931 the Muslim Conference was born to articulate the interest of the majority community in the state – the Muslims. Under the influence of the nationalist leaders, Sheikh Abdullah opened the doors of Muslim Conference for non-Muslims also in 1939 and the name of the party also changed to All Jammu and Kashmir National Conference. Later it was again renamed as the National Conference. Sheikh Mohammed Abdullah emerged as the most powerful leader of this party who resisted Pakistani tribal invasion and played a key role in Jammu Kashmir's accession to the Indian Union in 1948. The National Conference (NC) government came to power in the same year. Among the major successes of the National Conference was the abolition of big landed estates and inclusion in the constitution of India article 370 giving Jammu and Kashmir almost a quasi-autonomous position within the Indian polity. In 1965 the National Conference and the Congress Party merged. After his release from prison in 1975, as a part of the Indira-Sheikh accord, Abdullah revived the National Conference. The NC formally

denounced the two- nation theory, affirmed its faith in secularism, socialism and democracy. In the style of dynastic succession before his death in 1982, he got his son Farooq elected to the Presidentship of the National Conference. After the death of his father Farooq became Chief Minister. G. M. Shah the son-in-law of the Sheikh joined hands with the Congress Party in toppling Farooq's government. In 1984 parliamentary election and 1987 assembly election Farooq led National Conference and displayed its continued hold over the Kashmiri people. In 1990 President's rule was imposed in Kashmir and Farooq Abdullah's government was dismissed. The National Conference recaptured political power in the state in 1996 after winning the assembly elections.

20.4.4 The Telugu Desam Party

The Telugu Desam Party (TDP) was established in 1982 by the matinee idol N T Ramarao (NTR) in Andhra Pradesh. In 1983 assembly election it came to power in state assembly elections. The dramatic rise of the TDP was possible on account of the general disenchantment of the people with the Congress due to the imposition of unpopular Chief Ministers in the state by the central leadership, large-scale corruption and the charismatic leadership of N T Ramarao. The rise of the TDP is also seen as a political ascendance of the Kamma caste at the cost of the Reddies and Brahmins in Andhra politics. Taking a leaf from EV Ramaswamy Naicker in Tamil Nadu, NTR talked of restoration of the Telugu pride which was eroded under the Congress rule. N. T. Ramarao felt that there was the need of a regional party to understand the complexities of the problems faced by the state. He supported land reforms, favoured ceiling on urban income, low priced rice and other populist measures. The Telugu Desam has never talked of separation of Andhra from the Indian Union. In 1989 it became part of the National Front government at the centre. It lost assembly elections in the same year and it won only one of the twenty two Lok Sabha seats. In 1994 and 1999 assembly elections the party defeated the Congress party. In 1995 Chandrababu Naidu the son-in-law of NTR became the Chief Minister. The electoral alliance with the BJP benefited the TDP in winning the 1999 assembly election and improving its performance in terms of Lok Sabha seats. In the era of coalition politics the TDP has emerged as a major player even in national politics.

20.4.5 The Assam Gana Parishad

The Assam Gana Parishad (AGP) is a product of a vigorous student movement led by All Assam Students Union (AASU) and its political wing the All Assam Gana Sangram Parishad (ASGPC). The students raised the issue of large-scale migration to Assam by Muslim Bengalis from East Pakistan, which became Bangladesh in 1971 and also by the Nepalese and Biharis. They developed the fear of being swamped in their own land by migrants. They were disenchanted with the central government and the Congress party for treating the migrants as vote banks. The AASU and the AAGSP became the symbol of the aspirations of the Assamese educated middle class. They found the possibility of upward mobility clogged due to Bengali dominance in the bureaucracy and the Marwari dominance in the business. In 1985 the central government signed an accord with AAGSP which stated that constitutional, legislative and administrative safeguards as may be appropriate shall be provided to protect preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people. The Assam Gana Parishad was formed in 1985. It contested and won the assembly election in 1986 under the leadership of Prafulla Kumar Mohanta. The AGP and BJP alliance won the 1996 assembly election. In 2001 assembly elections the AGP won only 20 seats while the Congress returned to power winning 71 seats.

20.4.6 The Jharkhand Party



The roots of the Jharkhand Party can be traced to the Adivasi Mahasabha founded in 1938 for the preservation of the ethnic identity and protection and promotion of the economic interest of the Adivasis. According to their understanding the reason of their social and economic backwardness was firstly the British rule. They also put the blame on the moneylenders and contractors for their exploitation. The government was also to blame for its apathy towards their genuine problems. The Adivasi Mahasabha was transformed into the Jharkhand party in 1950 with the objective of forming a separate state for the tribals. The Party emerged as the main opposition Party in Bihar legislative assembly in 1952, 1957 and 1962 elections. The merger of Jharkhand Party with the Congress Party in 1963 proved to be a big blow to the Jharkhand Movement. Several splinter groups and individuals attempted to reorganise the party to fight strongly to achieve the long cherished goal of separate state but they could not unite them. In the post -1963 phase there emerged many parties-Jharkhand Party of India, All India Jharkhand Party, Hul Jharkhand Party, Jharkhand Mukti Morcha and the Jharkhand Coordination Committee. The Jharkhand Mukti Morcha has emerged the main party. In 1980 general election it won most of the seats it had contested. The JMM regrouped with the Jharkhand Party to renew the struggle for a separate state. In the year 2000 the state of Jharkhand including the tribal areas of Bihar, was created.

Check Your Progress Exercise 2

Note:i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of this unit.

1) What are the main demands which the Shiromani Akali Dal has raised from time to time?

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2) What were the reasons for the birth of the Telugu Desam Party in Andhra Pradesh?

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3) Which factors led to the foundation of the AGP?

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20.5 LET US SUM UP

You have read about four sets of national political parties and six regional parties in this unit. These national parties are the Congress (I), the Bharatiya Janata Party, the Communist Parties and the Bahujan Samaj Party. The regional parties discussed in this unit are DMK and the AIADMK, the SAD, the NC, the TDP, the AGP and the Jharkhand Party. Committed to the principles of socialism, secularism and democracy, the Congress (I) has a social base largely consisting of the high castes, minorities and the Scheduled Castes. There has been a shift in its social base recently. A successor of the Bharatiya Jana Sangh, ideologically, the BJP is committed to five principles – nationalism and national integration, democracy, positive secularism, Gandhian Socialism and value based politics. The communist parties believe in the establishment of a socialist society based on the revolutionary principles of Marxism and Leninism. This is possible if the working class captures political power. The social bases of the communist parties mainly consist of the working class, middle classes and the poor peasants and the agricultural labourers. The BSP believes in empowering the majority section of the society or the Bahujan Samaj consisting of the dalits, OBCs and the minorities.

The regional, cultural and developmental factors play more determining roles in the programmes and mobilisation strategies of the regional parties.

20.6 SOME USEFUL BOOKS

Kothari, Rajni, *Politics and People*, New Delhi, Ajanta Publications, 1989.

Hartman, H., *Political Parties in India*, Meerut, Meenakshi Prakashan, 1982.

Banerjee, K., *Regional Political Parties in India*, New Delhi; B.R. Publication, 1984.

Narang, A.S., *Indian Government and Politics*, New Delhi, Geetanjali Publishing House, 2000.

20.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The social base of the Congress (I) largely consisted of the rural and urban poor, the Scheduled Castes, the upper castes and the Muslims.
- 2) Atal Behari Vajpayee, the president of the BJP had linked the rise of the BJP with the Jay Prakash Narayan's vision of a glorious past of India at its first convention held in Bombay.
- 3) Two political lines within the CPI – one, which viewed Independence as real, and advocated by P C Joshi wished to support the Congress, another, which held the Independence was not real, advocated by B T Randive and Gautam Adhikari wanted to oppose the Congress; their different understandings of the Soviet Union and China provided background to the split in the CPI in 1964.

Check Your Progress Exercise 2

- 1) These are full regional autonomy to Punjab, protection and promotion of the interests of rich farmers, better deal in distribution of river waters and declaration

of Amritsar as a holy city. Some of the main demands — especially more autonomy to Punjab was included in the Anandpur Saheb declaration of 1973. This declaration demanded that the central government should have power only over defence, foreign affairs, communication and currency; the rest of the powers should be given to the states.

- 3) The general resentment of the people with the Congress due to imposition of the unpopular chief ministers by the central leadership, large scale corruption and the charismatic leadership of N T Ramarao.
- 4) The large scale migration of Muslims — Bengalis, from east-Pakistan, Nepalis and Biharis, deconomic domination of the Marwaris, fear of being swamped by the outsiders, their disenchantment with the central government and the Congress.

UNIT 21 ELECTIONS

Structure

- 21.0 Objectives
- 21.1 Introduction
- 21.2 Election System in India
 - 21.2.1 Who is Allowed to Vote?
 - 21.2.2 Who Can Contest Election?
- 21.3 History of Indian Elections
- 21.4 Who Conducts Elections?
- 21.5 Election Procedure
- 21.6 Increasing Number of Candidates
- 21.7 How Does the Voting Take Place?
- 21.8 Voter Turnout in India Elections
- 21.9 Who Forms the Government?
- 21.10 Elections and Social Change
- 21.11 Let Us Sum Up
- 21.12 Some Useful Books
- 21.13 Answer to Check Your Progress Exercises

21.0 OBJECTIVES

After going through this unit you will be able to understand:

- The significance of elections in India and its relationship with democracy;
- Election system in India;
- The factors which smoothen and hamper the election processes in India;
- The role of caste, class, religion, etc., in the elections;
- The issues in the elections; and
- The changing social profiles and elections.

21.1 INTRODUCTION

Elections are the most significant means of realising the aspirations of the people in a democracy. These enable every adult citizen of the country to participate in the process of the government formation. In India those who have attained the age of 18 are eligible to vote and elect their representatives. This was not possible before the implementation of our Constitution. Earlier only the privileged sections of the society had the role in the formation of the government in our country. The grant of voting rights to all adult citizens belonging to all social groups – castes, sects, tribes, religions and genders has enabled them to elect their representatives, and indirectly participate in the process of governance. All sections of the society have participated in the elections by contesting as the candidates or as the voters. Reservation of the seats to various legislative bodies for the SCs, STs and following the passage of the 73rd and 74th Constitutional amendments for women (33%) and OBCs in the institutions of local governance has further deepened the democracy in India. You have already read in unit 10 about the strength of the Lok Sabha and Rajya Sabha.

21.2 ELECTION SYSTEM IN INDIA

Elections to the Lok Sabha and the Vidhan Sabha are carried out using the first-past-the-post electoral system. The country is divided into different geographical areas, known as the constituencies. Different political parties contest the election, though there is no ban on independent candidates for contesting the election. During election different political parties put up their candidates and people can cast one vote each for a candidate of their own choice, to elect their representatives. The candidate, who gets the maximum number of votes, wins the election and gets elected. So election is the means by which the people elect their representatives.

21.2.1 Who is Allowed to Vote?

While there is no maximum age prescribed for the voter, as per the original provisions of the Indian Constitution, all Indian citizens, above the age of 21 years are entitled to vote at the time of elections. The minimum voting age of the citizens was reduced to 18 years by the constitution 61st amendment act in the year 1988, by the then Prime Minister, Rajiv Gandhi, which came into effect since 28th of march 1989. Besides to be registered as a voter in any constituency, one should not be disqualified under the law on grounds of non-residence, or a person of unsound mind or disqualified on the grounds of crime or corrupt or illegal practice.

21.2.2 Who Can Contest Election?

You have already studied in unit 10 as to who is eligible to contest election for the Lok Sabha, Vidhan Sabha, Rajya Sabha and the Vidhan Parishad. All contesting candidates have to make a deposit of Rs. 10,000 if contesting for the Lok Sabha election and of Rs. 5,000 if contesting for the Vidhan Sabha elections. This is considered as the security deposit of the candidates. The security deposit for candidates belonging to either the Scheduled caste or the Scheduled tribe community is Rs.5,000, if contesting the Lok Sabha election and Rs. 2,500 for contesting the Vidhan Sabha elections. This security deposit is returned to all those candidates who get more than one-sixth of the total number of valid votes polled in that constituency. All other candidates lose their security deposit.

Further, the nomination must be supported by at least one registered voter of the constituency from which the candidate wishes to contest, in case of the candidate being sponsored by any registered political party, and at least by ten registered voters in case of independent candidate.

21.3 HISTORY OF INDIAN ELECTIONS

In India, we have a federal form of government, where we have two sets of government, the Central Government at the national level and the State government at the state level. As you have read in unit 18, under the Constitutional 73rd Amendment Act, 1992, the local self-government had also been given the constitutional status for the third-tier of government. At the moment, we also have the third tier of government in the form of Village Panchayat in the rural areas and the Municipality in the urban areas. All these three levels of government are the popularly elected government, and people vote to elect their representatives for all these three bodies, the Parliament, the Assembly and the Village Panchayat. Here we would concentrate only on the Parliamentary and the Assembly Elections held in our country.

As per the provisions of the Indian Constitution, the routine election should take place after every five years, but in case of the untimely dissolution of the house (Lok Sabha in case of Parliament or Vidhan Sabha in case of State Assembly) for whatever reasons, the next election should take place as soon as possible. The first general elections (Parliamentary Elections) were held in our country in the year 1952. Since then there have been 13 General Elections (Lok Sabha elections) till 1999. Though most of the Lok Sabha elections have been held after the completion of the five years of term of the house, yet there have been elections much before the schedule. When elections are held much before the scheduled, it is considered as the "Mid-term Election". The Lok Sabha elections of 1980, 1991, 1998 and 1999 were the mid-term elections held much before the schedule. Though the 1971 Lok Sabha election was held only four years after the 1967 Lok Sabha elections, this was not a mid-term election. In the history of Indian Elections, only the 1977 Lok Sabha elections was deferred for about two years on account of the proclamation of the National emergency in the country.

Most of the states were created at the time of independence, but there are states, which have been created even after that. As you have read in unit 17 the most recent addition to the list of states had been that of Uttaranchal, Chattisgarh and Jharkhand created out of the states of Uttar Pradesh, Madhya Pradesh and Bihar. At present there are 28 states and 7 Union Territories in India.

In some of the states, there is the bi-cameral house, the Lower house is called the Vidhan Sabha and the Upper House is called the Vidhan Parishad. The states, which have bi-cameral legislature, are Bihar, Jammu and Kashmir, Karnataka, Maharashtra and Uttar Pradesh. In all other states, the state legislative assembly constitutes of one single house the Vidhan Sabha. As per the constitutional provisions, the total number of seats in the lower house in any state assembly should not exceed 500, and at the same time the house should not be less than 60 members. The states of Sikkim, Mizoram and Goa are exception to this as the number of seats in the Vidhan Sabha is less than 60 in all these three states.

As per the total number of members in the upper house in the state assembly (Vidhan Parishad), it should not be more than one third of the total numbers of members in the lower house (Vidhan Sabha), but at the same time it should not be less than 40 members (Article 171). While the members of the Vidhan Sabha are directly elected by the people, the members to the Vidhan Parishad are indirectly elected by an electoral college.

The total strength of the Vidhan Sabha varies from state to state. The Uttar Pradesh has the largest number of 403 Vidhan Sabha seats in the assembly and the lowest number is that of in the state of Sikkim, which has the total of 32 seats in the Vidhan Sabha.

If we look into the State Assembly elections, there have been 263 state assembly elections held in this country till the year 2002.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of the unit.

1) What did the 61st Constitutional Amendment envisage?

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2) What do you mean by 'Mid-term Election'?

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21.4 WHO CONDUCTS ELECTION?

The Election Commission of India is the highest constitutional authority to conduct elections in India. The power of superintendence, direction and control of the preparation of the electoral rolls for conducting all elections to Parliament and to the Legislature of every state and also of the election to the office of the President and the Vice-President are vested with this constitutional authority.

The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, as the President may from time to time fix and make appointment. As per the elections laws, if the Election Commission becomes the multi-member body, the Chief Election Commissioner has to act as the Chairman of the Election Commission.

From the beginning, the Election Commission consisted of the Chief Election Commissioner only. But it was only in the year 1989, few weeks before the 9th Lok Sabha elections, the Election Commission was made a multi-member body by the then Congress government. The National Front government amended the rules in the year 1990 to again make the Election Commission, a single member body. But in the year 1993, when Congress came back to power, it promulgated an ordinance to again make it as a multi member body. The two Election Commissioners were appointed and since then, the Election Commission had remained to be a three-member body. Till date, there had been 12 Election Commissioners in India. Mr. Sukumar Sen, was the first Election Commissioner of India. At present Mr. J.M. Lyngdoh, is the Chief Election Commissioner of India, who succeeded Dr. M.S.Gill in June 2001.

Besides, the Election Commission of India, there is one Chief Electoral Officer in each state, who is the overall in-charge of conducting the elections in the state.

21.5 ELECTION PROCEDURE

The entire election procedure takes a couple of months to be completed. Though the schedule for holding the election is announced by the Election Commission of India well in advance, the actual process begins by a formal declaration by the Election Commission of India calling upon a constituency to elect its representative. This is what is referred as the Notification.

The second stage is that of *Filling of the Nomination* by those desiring to contest elections. Earlier, ten days period was given to all the candidates for filling of their nomination papers. But with the constitutional 40th amendment act, 1961, the total number of days for filling of nomination had been reduced to seven. As of now, the 7th day from the day of notification is the last day for filling of the nomination papers. In case the 7th day is a holiday, the day immediately after that is considered as the last day for filling of the nomination papers.

The third step is the *Scrutiny of Nominations*. Earlier the second day after the nomination was fixed for scrutiny of nominations, but with the constitutional 47th amendment act, 1966, the day immediately after the nomination is fixed for the scrutiny of the nominations.

The next step is *Withdrawal of Candidates*, which was earlier fixed for the third day after the scrutiny of the nominations, but later amended in the year 1966. At present, the second day after the scrutiny is the last date for the withdrawal of the candidates. In case that day happens to be a holiday the day immediately after that is fixed as the last day for withdrawal.

The next stage of election before the voting takes place is that of *Campaigning*. This is the time when the political parties put forward their candidate and arguments with which they hope to persuade people to vote for their candidates and parties. Earlier the campaign period lasted for three weeks, but since 1996, the time of campaign period had been reduced to only two week's time. As of now, the official campaign lasts for two weeks from the date when the final list is put up by the Election Commission and officially ends 48 hours before the polling takes place. During the campaign period, the political parties and contesting candidates are expected to abide by a model code of conduct evolved by the Election Commission of India on the basis of a consensus among political parties. The model code lays down broad guidelines as to how the political parties and contesting candidates should conduct themselves during the election campaign. It is intended to maintain the election campaign on healthy lines, avoid clashes and conflicts between political parties and their supporters and to ensure peace and order during the campaign and till the results are declared. The campaigning is carried out in the form of slogan shouting, distributing pamphlets and posters, rallies and meetings in the constituency. During this period, the candidates try to travel through their constituency, to influence as many voters as possible to vote in his favour.

In the recent times, the Election Commission had granted all the recognised National and State parties, free access to the state owned electronic media, the All India Radio (AIR) and the Doordarshan to do their campaigning. The total free time is fixed by the Election Commission, which is allotted to all the political parties keeping in view, their performance during the last election in the state.

Though the Election Commission provides free access for a limited time to all the recognised National and State parties for their campaign, yet this does not mean that political parties do not spend anything on their election campaign. The political parties and the candidates contesting election spend large sum of money on their election campaign, but there is a legal limit on how much a candidate can spend on his election campaign. For most of the Lok Sabha constituencies, the legal limit for expenditure campaign has been fixed for Rs.15 Lakhs though in some states the limit is of Rs.6 Lakhs. The legal limit for campaign expenditure for the Vidhan Sabha election had been fixed for Rs. 6 Lakhs and in some states it has been fixed for Rs.3 Lakhs.

The final stage of election is the Voting. With regard to polling, the earlier practice had been to have single day polling, but the recent practice have been for the phased polling in which polling takes place on more than one day with a gap of couple of days between the two days of polling. This facilitates the movement of security forces from one place to another, which is engaged in managing the law and order situation during the polling.

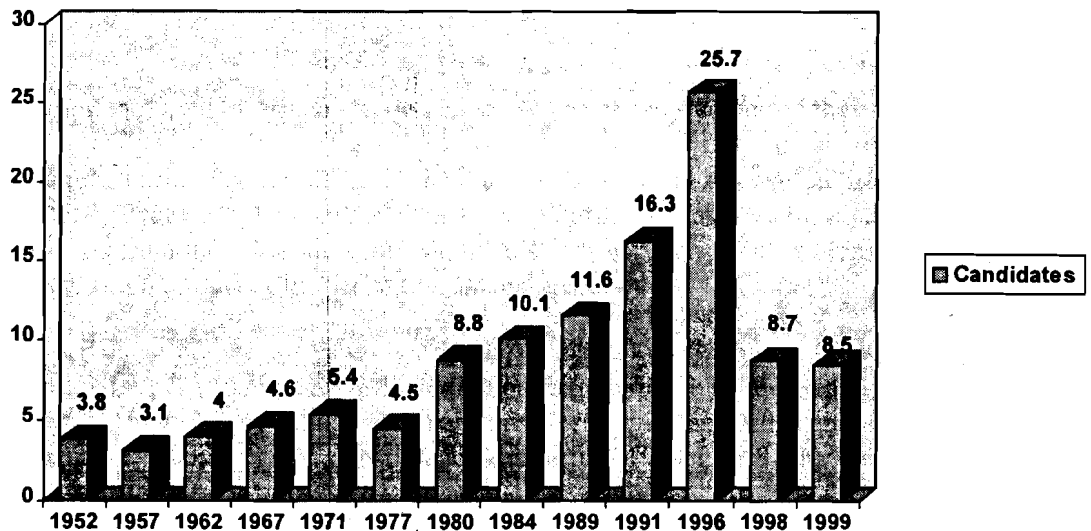
21.6 INCREASING NUMBER OF CANDIDATES

It should also be noted that, during the past fifty years, there had been enormous increase in the number of candidates contesting the Lok Sabha elections in India.

During the first Lok Sabha election only 1874 candidates contested the election, which went up to 13,952 during the 1996 Lok Sabha elections. But during this due to some changes in the election law, like increasing the security deposit etc. there had been a steady decline in the number of candidates during the last two Lok Sabha elections. The total number of contesting candidates was 4753 in 1998, which, further went down to 4648 during the 1999 Lok Sabha elections.

The average number of candidates contesting the Lok Sabha election was only 3.8 candidates per constituency, which did not increase much till the year 1977, but went up to as high as 25.7 candidates per constituency. It has further gone down to 8.5 candidate per Lok Sabha constituency during the 1999 Lok Sabha elections.

Graphic 1: Average number of candidates per constituency in Lok Sabha elections, 1952-1999



Source: CSDS Data Unit

21.7 HOW DOES THE VOTING TAKE PLACE ?

We, in India, have the system of secret ballot, which implies that the vote of all the voters is kept secret. The traditional pattern of voting had been the use of the ballot papers and the ballot box, which in the recent times are being replaced by the use of Electronic Voting Machines (EVM).

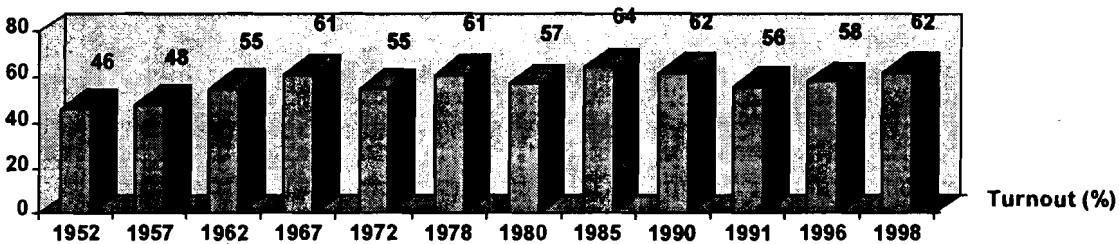
It is the duty of the Election Commission to make all necessary arrangements so that the voters can cast their vote. The Election Commission tries to ensure that a polling booth is located not more than a distance of 2 kilometres of every voter and the polling booth should not have more than 1200 registered voters. On the polling day all the polling booths are expected to be open for at least 8 hours. When the voters go to vote, the entry of his name in the voters list is checked and then allotted a ballot paper and a rubber stamp. The voters are required to stamp the symbol of the candidate they would wish to vote, fold the ballot paper and then put the ballot paper in the ballot box. Once this process is completed, the voter had cast his vote. In the recent times, with the introduction of the EMV, the voter is required to push the button for the symbol of the candidate one wishes to vote and his vote is registered.

21.8 VOTER TURNOUT IN INDIAN ELECTIONS

Though all the eligible voters whose names appear in the electoral rolls in a particular constituency are expected to vote during the time of voting, practically that does not

happen and the large number of registered voters who do not vote due to different reasons. The percentage of those who vote is referred to as the polling percentage popularly called the "Turnout of Voters". If we look at the figures of the last 13 Lok Sabha elections held in our country, we would find that the voters turnout has increased to a great extent in the 80's and 90's compared to the elections held during the early days. The lowest voters turnout of only 45.7 per cent was recorded during the first Lok Sabha elections held in the year 1952 and the highest turnout of 64.1 per cent was recorded in the year 1984 when the Lok Sabha election was held following the assassination of the then Prime Minister Mrs. Indira Gandhi. During the last two Lok Sabha elections held in the year 1998 and 1999 the turnout had been fairly high as 62 and 60 per cent respectively. There is no uniform trend in the voter's turnout in the state assembly elections. While some states do register the voter's turnout as high as 90 per cent, we do have assembly elections when the voters turnout remains as low as nearly 45 per cent. Generally the smaller states, and specially the North Eastern hill states had shown higher voter turnout compared to other states.

Graphic 2: Turnout (%) in Lok Sabha Elections, 1952-1999



Source: CSDS (Centre for the Studies of Developing Societies, New Delhi), Data Unit

After the polling is over all the votes are counted constituency wise. Earlier, when only ballot paper was used, all the votes were manually counted and the counting of about 5 lakhs votes for one Lok Sabha constituency used to take couple of days, but with the introduction of the electronic voting machines, the counting has become much simpler and faster.

On counting the votes, one, who gets the maximum number of vote, gets elected given the system of first past the post, which we have adopted in our country. The majority vote is not required in order to win an election either for the Lok Sabha or for the Vidhan Sabha. There are few candidates who win election polling more than 50 per cent of the valid votes.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answer.
 ii) Check your answers with the model answers given at the end of the unit.
- Mention the stages through which the election process passes.

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2) What is the alternative to the traditional pattern of voting – use of ballot paper and ballot box?

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21.9 WHO FORMS THE GOVERNMENT?

The political party which has a simple majority, which implies that the party should have won at least one seat more than half the total number of seats in the Lok Sabha in case of the Centre or in the Vidhan Sabha in case of the State forms the government. The results of the 13 Lok Sabha elections held in our country indicates that it is the Congress party which won the majority of seats in Indian election on many occasions, but the party has never managed to get more than 50 per cent of the valid votes polled in the election. The most spectacular victory for the Congress party had been in the 1984 Lok Sabha election when the party won the highest tally of 415 seats, but still it could manage to poll only 48 per cent votes. In fact that had been the best ever performance of any political party in the electoral history of this country.

But there has been a major shift in the trends in Indian politics especially in the 1990s. There had been four Lok Sabha elections in India during last decade, but no political party managed to get the majority. The best performance even during these elections was that of the Congress party during the 1991 Lok Sabha elections, when it won 244 Lok Sabha seats and polled 36.6 per cent of the popular votes. When no political party gets the majority of seats in the house, it is considered as the “Hung House”. Under such circumstances, two or more parties jointly form the government or the political party, with the maximum number of seats, forms the government and is supported by other smaller political parties from outside. When two or more parties jointly form a government, it is considered as the Coalition Government. You will read about the coalition government in unit 23. But, if a party forms the government even if it does not have the majority and gets out side support from other political parties, it is considered as the Minority Government.

21.10 ELECTIONS AND SOCIAL CHANGE

You will study in the unit 31 that the elections- periodic elections voters’ turn out and large scale participation of the people have deepened the democracy in India. Reservation of seats for the SCs, the STs at all levels of the legislative bodies – national, state and the local, and with the passage of the 73rd and 74th Constitutional Amendments has enabled even the women and the OBCs to get elected to the seats reserved for them in the village panchayats and municipalities. These sections have not only been elected to various legislative bodies but have become the Chief Ministers, ministers and the President of the country Political Scientist Ashutosh Varshney has argued that with the entry of the groups like dalits and OBCs into the electoral processes, India has become more democratic. However, women’s entry has not been a smooth process. In fact, in large number cases, especially in the village panchayats, the women elected members are the proxies of male members of their families.

But the democratic essence of the elections get hampered due to the social and economic inequalities, crimes and corruption. Those who do not possess the resources,

have no connections with the criminals, etc., find it difficult to contest elections or some time vote. Generally the candidates are given tickets by the political parties on the considerations whether the candidates can muster the support of numerically larger castes and communities and possesses enough resources. Even the electorates vote on the caste and communal lines. A large number of elected representatives have criminal background or have criminal cases registered against them. The relationship between the politicians and criminals exists in the elections at all levels – parliamentary, state legislative assemblies and councils, and panchayats and municipalities. Such nexus became conspicuous, especially since the 1990s. This is a reflection of erosion in the credibility of the democratic values. You will also read in unit 32 that the V N Vohra sub-committee also pointed out that there exists a nexus between criminals, bureaucracy and politicians. Because of the decisive role of the crime, caste, communalism and corruption, the real problems of the people – law and order, development- health, education, basic needs of the people are relegated to the secondary position. Though these issues are also raise by the politicians in every election, it is mainly done as a rhetoric.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of the unit.

1) What impact have the elections in India had on the weaker sections of the society?

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2) What are the main constraints of the electoral politics in India?

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21.11 LET US SUM UP

Elections form an integral part of the democratic polity. In India every adult citizen, who has attained the age of 18 has the right to participate in the elections. The elections are conducted by the Election Commission of India. From 1952 several elections have been held in Independent India for electing the representatives to the parliament, state assemblies and councils as well as the local bodies. These have enabled all sections of the society including dalits, STs, OBCs and women to elect their representatives and to get elected as the representatives. This is an indication of the positive relationship between the elections and the social change. But the democratic essence of elections in India is marred by the increasing role of the crime, money and other unfair means. On the whole, elections in India have made tremendous contribution to the social change.

21.12 SOME USEFUL BOOKS

Bhambhri, C.P., *Elections 1991: An Analysis*, B R Publishing Corporation, Delhi, 1991.

Mitra, S. K. and Chiriyankandath, James (eds.), *Electoral Politics in India: A Changing Landscape*, Segment Books, New Delhi, 1992.

Mitra, S. K. and Singh, V.B. (eds.), *Democracy and Social Change in India: A Cross Sectional Analysis of the Electorate*, Sage Publications, New Delhi, 1999.

21.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The 64th Constitutional Amendment reduced the voting age of citizens to 18 years.
- 2) When election are held much before the schedule, it is called the 'Mid-term Election'.

Check Your Progress Exercise 2

- 1) The election process passes through the following stages in an order: notification, filling of the nomination, scrutiny of nominations, withdrawal of candidates, campaigning and voting.
- 2) It is the Electronic Voting Machines (EVM).

Check Your Progress Exercise 3

- 1) The elections in India have enabled the weaker sections like the SCs, STs, OBCs and the women to participate in the democratic Decision-making by electing their representatives, and by getting themselves also elected as the representatives. It has deepened the democracy in India.
- 2) The main constraints of the electoral politics in India are – crime, black money, corruption, and social and economic inequalities.

Structure

- 22.0 Objectives
- 22.1 Introduction
- 22.2 What is Caste?
- 22.3 Main Features of Caste
- 22.4 Dynamic Relationship
- 22.5 Regional Variations
- 22.6 Caste and Class
- 22.7 Stratification within Caste
- 22.8 Pressure Group: Caste Association
- 22.9 Political Parties
- 22.10 Caste in Voting Behaviour
- 22.11 Let Us Sum Up
- 22.12 Some Useful Books
- 22.13 Answers to Check Your Progress Exercises

22.0 OBJECTIVES

The purpose of this unit is to acquaint you with (a) nature and role of caste in Indian politics and (b) in the process how both caste and politics undergo changes. After going through this unit, you should be able to understand:

- To what extent and in what ways caste influences politics;
- Interrelationship between caste and politics; and
- How politics influences caste.

22.1 INTRODUCTION

Theoretically speaking caste and democratic political system stand for opposite value systems. Caste is hierarchical. Status of an individual in caste-oriented social system is determined by birth. It has religious sanction by various holy texts, reinforced by priests and rituals. Traditionally, upper castes enjoy certain privileges not only in religious sphere but also in economic, education and political spheres. Customary laws differentiate individual by birth and sex. That is, certain rules are harsh to women and Shudras and soft to males and Brahmins. On the other hand, democratic political system advocates freedom to an individual and equality of status. It stands for rule of Law. No one irrespective of status is above law. Indian democratic system under the Constitution stands for liberty, equality and fraternity among all citizens. It strives to build egalitarian social order.

However, politics notwithstanding the ideals in any society does not function in vacuum. It operates within social milieu. Therefore, it cannot be devoid of the prevailing social forces. At societal level, politics is related to struggle for and distribution of political power and resources. One of the important functions of politics is to govern society. This calls for resolving conflict among various interests. It identifies needs of society at a given point of time. Needs are prioritised: what is important and immediate to attain and what can wait. In order to meet the needs of society, nature of production system has to be decided – whether the factories, farms or mines are owned privately

by individual for profit or they be owned and managed by community or state or combination of the both. For that rules are made and executed. In short who gets what, when and how in society is the central concern of politics. Though such decisions are taken by the state, people get involved in decision making process in democratic system. They elect their rulers. While electing their representatives people express their material and non-material needs, expectations and aspirations for today and tomorrow. Their expectations are for themselves and also for community - immediate primordial group, caste and larger society that include region, and country. People also build pressure on decision-makers through organised or unorganised struggles, personal contacts and many other ways. Political leaders cannot ignore social forces, as they themselves are part of them. It is imperative for the decision-makers in democratic system to seek and extend support of the constituents for obtaining and preserving their political power.

It however, does not mean that politics is just a proxy or a blueprint of societal forces. It sets goal and priorities. It has a vision for change, a better social order than the existing for the larger good. Politics introduces new values such as equality and freedom; institutions such as political parties and trade unions; government policies like abolition of zamindari system or untouchability undermines the traditional social order and value system. It shifts location of power in society from one group to another. Moreover competitive politics like elections encourage several individuals from a group to aspire for political positions. They compete among themselves so the caste members also get divided. In the process caste cohesiveness gets weaken; and new formation takes place. Thus, not only caste influences politics but the political system also influences caste and induces changes in it. There is no one way traffic. Both influence each other. It is to be seen: to what extent and in which way politics attain its objective of social transformation and to what extent it is influenced by prevailing social forces, particularly caste?

India became a Republic in 1950. For the first time in history all adult citizens of the country have gained the right to vote and elect their representatives for decision making bodies from village Panchayat to Lok Sabha. They also have the right to contest elections so as to become rulers. As a result, large number of social groups who were hitherto deprived of political power began to realise that they could compete with traditionally dominant power elite and also wield power so as to express their grievances, needs, priorities and aspirations. Thus they decide their destiny. Politics has become competitive and open. Moreover, the state has undertaken a number of social and economic programs, which have developed monetary and contractual relationship affecting traditional social ties and monopoly of privileges. And, judicial authority of caste panchayat has been replaced by state judiciary system.

22.2 WHAT IS CASTE?

Caste is an English translation of Indian word Jati. As Indians we all know what is Jati because we all have a tag of Jati by birth. This applies to non-Hindus also. But meaning of Jati is not the same among the Hindus and non-Hindus. Caste does not have religious sanction among the non-Hindus. It is a social stratum. Among the Hindus, it is believed that one's Jati is due to one's Karma (deeds) in previous birth. This is not so among the non-Hindus.

Meaning of Jati for oneself and for others is not always uniform and consistent among all. It varies from purpose to purpose for which the tag is used. Jati has a specific social meaning identifying one's place in social order in village society where one interacts everyday with other members of the local community. For instance in a village in central Gujarat its inhabitant, say Mr. X identifies himself as Khant when he interacts with another villager of neighbouring locality who calls himself a Bareeya

for inter-dining purpose. Mr. X would introduce himself as Kshatriya when he attends political party meeting at taluka or district place. He would call his caste as OBC (Other Backward Caste) when he visits government office to get loan or subsidy for government sponsored program or to get scholarship for his son. There is one meaning of Jati for matrimonial and kinship relationship, a different meaning for economic interaction and a third meaning for political purpose. One does not necessarily have the same meaning when one exercises vote for village panchayat than Lok Sabha elections.

Thus it is difficult to give precise meaning of caste applicable in all situations. It is partly a subjective category. Social construct of caste by actors and observers varies from context to context.

22.3 MAIN FEATURES OF CASTE

Notwithstanding difficulties in arriving at precise definition of caste as a unit, there is a consensus among the scholars regarding general characteristics of caste system as a social order. Most sociological writings on caste conclude that homo hierarchicus is the central and substantive element of the caste system. The phrase is used by a French sociologist Louis Dumont to differentiate Hindu social system from other social systems - particularly that of the western society. Hierarchy is the central core of the caste social order. It includes hierarchy of status, values, customs and behaviour on the basis of purity and impurity, interpersonal relationship among individuals in terms of blood, food and occupation; and rituals divided into two orders: pure and impure. Certain occupations or type of food are considered as pure for certain castes and the same are impure therefore forbidden for other castes. It is obligatory for each Hindu to confine relationship and interaction within the restricted circle called Jati, as to maintain purity in marriage relationship; exchange of food and pursuing caste based occupation. There are four essential features of the caste system. They are: (1) hierarchy; (2) commensurality; (3) restrictions on marriage; and (4) hereditary occupation.

22.4 DYNAMIC RELATIONSHIP

No social system remains static. Social system changes from time to time with the changing social, economic and political circumstances. This is also true for the caste system. At the empirical level the caste hierarchy has never been static throughout history. Theoretically, all Jatis are hierarchically placed within a prescribed social status. Some Jatis enjoy high status and some occupy low status. Place of the Jati in the social order in the hierarchy is determined by its ritual status based on the observance of customs for interpersonal relationship. Some scholars believe this value system - acceptance of one's station in the life is the result of previous birth - has consensus among all Hindus including the Untouchables. But it is not true. Though the upper castes try to maintain their higher status, the middle and lower castes have successfully tried to change their status. Having improved their economic condition, a dominant section of some of the low castes, including the groups, which were at one time treated as untouchables, imitated customs and norms of the upper castes residing in their vicinity. Sociologists call this process as sanskritisation. One also comes across instances of some castes or even individuals who have succeeded in improving their status even without adhering to the norms and rituals of the upper castes. Acquiring political authority facilitates not only power holder - ruler - but also his kin and relatives to enjoy higher social status in caste hierarchy. One can cite instances in history, which show that Shudras and ati-shudras having occupying position of power have acquired status of Kshatriyas even without following the path of sanskritisation.

The process of sanskritisation which was prominent among the lower castes at one point of time, particularly in the 19th and early 20th century, has been slowed down in the 'sixties and 'seventies'. Earlier many castes hesitated to be called 'backward' despite the poor economic condition of the members. They feared that they would not be able to improve their social status by identifying themselves as 'backward'. But this is no longer true now, as the State has provided certain benefits to the backward castes. These castes have realised that they could improve their status by improving their economic condition rather than observing rituals followed by the upper castes. Now there is competition among the castes to be called 'backward'. Even some of the Brahmin and Rajput Jatis have approached the Government to be classified as 'backward'. The Kolis of central Gujarat followed the rituals of the Rajputs and struggled for three decades to be acknowledged as Kshatriyas. In the past, they used to feel insulted if they were called Kolis. But now they have started calling themselves as Kolis so that they could get material benefits which is the surest way to improve social status. Social status based on the observance of the rituals has increasingly become redundant.

Traditionally caste members have been forbidden to accept cooked food from persons belonging to the Jatis that they considered lower than theirs. These rules have been weakened, particularly in public spheres in urban areas during the last five decades. In their bid to gain broad support base the political elites at district and state level do not hesitate to take food with the caste members belonging to lower strata.

Most of the Jatis are endogamous. A few follow hypergamy generally within the caste cluster. The earlier restrictions on marriage have become flexible. Marriage circles are expanding in some castes. With education and urbanisation, instances of inter-caste marriages among the upper and middle castes have somewhat increased though such cases are still exceptions.

22.5 REGIONAL VARIATIONS

Caste structure in terms of hierarchy and boundary for interaction between the social groups is more or less neat and identifiable at the village level. But it is not so at regional level. And to draw empirically based macro picture of castes at the national level is all the more difficult and hazardous. Caste structure has not developed uniformly in all regions of the sub-continent. Assam has developed a loose caste structure with less rigid hierarchy than that of Uttar Pradesh or Bihar. It is the same regarding observation of caste specific rules.

The number of castes also varies from region to region. Gujarat has a larger number of castes than West Bengal. Different historical experiences have contributed to shaping of the present day socio-political processes in different regions. Moreover, there is and had been uneven economic development in the country and also within the states. Some regions had zamindari and some had royatwari land tenure system. Generally, Rajputs in Rajasthan or Brahmins in Tamilnadu were enjoying dominance in the farmer and peasant castes like Marathas in Maharashtra and Patidars in Gujarat were dominant castes. All castes do not have uniform numerical strength and spread. Some have a larger number of members and some are very tiny. Some are scattered throughout the region and some are heavily concentrated in a few geographical pockets. Hence, the role and position of caste in relation to politics varies from time to time, area to area and caste to caste.

22.6 CASTE AND CLASS



According to some scholars, caste system is essentially a class system. It was essentially so in the early formative years. The classes were: Rajanyas or the Kshatriyas, the aristocracy, the Brahmins, the priests, the Vaishyas, the people at large, mainly peasants and traders, and the Shudras, the service communities. There are various theories of the origin of the system. Some believe that the system was created by the Divine Power for maintaining harmony in society. Accordingly, one gets birth in a particular caste because of one's karma of the previous birth. Others believe that the system has been evolved in course of time with the development of economic surplus. It came into existence with economic divisions; or the invaders to subjugate the local tribal population created it.

A number of village studies of different parts of the country carried out in the post-independent period show a certain amount of overlap between twin hierarchies of caste and land. M.N. Srinivas observes, "The village community consisted of hierarchical groups, each with its own rights, duties and privileges. The caste at the top had power and privileges, which were denied to the lower castes. The lower castes were tenants, servants, landless labourers, debtors and clients of the higher castes." Data from two Tamilnadu villages collected by Sivkumar and Shivkumar in the late seventies show that 59 per cent of Mudaliyars (upper castes) and 4 per cent of Palli (untouchable castes) are rich peasants or landlord households. No Mudaliyar is engaged as an agricultural laborer, whereas 42 per cent of Palli households earn their livelihood as farm labourers. A study of six Rajasthan villages carried out by K.L.Sharma in the 'seventies offers a similar pattern'. "Only 12.5 per cent of the lower class households belong to upper castes, 60 per cent of the higher class households belong to the upper castes, 24 per cent of the upper castes belong to the higher class, whereas among the intermediate and lower castes only 6.2 per cent and 1.3 per cent belong to high class respectively."

The Anthropological Survey of India in its Project on "People of India" has studied 4635 communities/castes. The study confirms that the highly placed castes are marked by "(i) a higher position in the regional socio-ritual hierarchy, (ii) better control over land and other resources, and (iii) non-commercial relations with other communities of inferior status.... (The low castes) are placed at the bottom due to their : (i) abject poverty caused by less possession of land and less control over economic resources (ii) socio-ritual degradation based on the notion of purity and pollution, and (iii) traditional engagement in occupations which are considered ritually unclean.

Aggregate data at regional and national level on caste and occupation\land holding give us a similar picture. Table 1 presents caste and occupation data collected by the National Sample Survey (NSS) collected in 1952, analysed by K.N.Raj. The data shows that there is a positive relationship between caste and occupational status. The small and marginal farmers and agricultural labourers mainly belong to the low or backward castes and ex-untouchable (scheduled) castes. There is a marginal diversification of occupations among the members of low and the lowest castes in rural areas. However, one should not ignore that a small proportion of lower and scheduled caste households are rich peasants who hire labour and produce marketable surplus. According to the survey carried out by Centre for Social Studies, Surat in Gujarat, 10 per cent of the lower caste and 5 per cent of the scheduled caste households own more than 15 acres of land. The reverse is also true. According to the NSS data 1 per cent of the upper castes and 12 per cent of the middle castes are agricultural labourers. Moreover it may also be noted that there are a few upper castes in some parts of the country whose majority members do not belong to the upper class. Rajputs (upper caste) of Gujarat are a case in point. Their condition in terms of land ownership and other occupation is not significantly different than many OBCs.

**Table 1: Occupational Distribution of Different Caste-Groups ++
Among Hindu Rural Households**

(Millions)

Occupation*	Upper castes	Middle castes	Lower castes	Scheduled castes	Total
Agriculture Farmer	1.09 (24.38)	0.93	1.69 (6.95)	0.18 (1.54)	3.80 (7.35)
Cultivator	1.96 (43.91)	6.52 (53.30)	10.20 (41.79)	3.19 (27.05)	21.67 (41.35)
Share cropper	0.17 (3.91)	0.76 (6.18)	1.51 (6.17)	1.00 (8.50)	3.44 (6.50)
Agri. Labour	0.05 (1.09)	1.46 (11.91)	4.11 (16.85)	4.27 (36.19)	9.89 (18.70)
Forestry, Fishing & Livestock +	0.02 (0.62)	0.17 (1.39)	0.81 (3.31)	0.28 (2.38)	1.28 (2.42)
Total: Agriculture	8.29 (73.91)	9.84 (80.35)	18.32 (75.07)	8.92 (75.66)	40.37 (76.33)
Others@	1.17 (26.09)	2.39 (19.65)	6.09 (24.93)	2.87 (24.34)	12.52 (23.67)
Total: All	2.26 (100.00)	12.23 (100.00)	24.41 (100.00)	11.79 (100.00)	52.89 (100.00)

Notes: Figures in brackets represent percentage of All-India average in each case.

* The main farming occupations are classified into four groups:

- a) Farmer – a tiller who cultivates his own land, mainly with hired labour; (b) Cultivator – one who cultivates land mainly owned by him and sometimes land taken on lease or sharecropping system, with the help of other household members and partly with hired labour; (c) Sharecropper – one who mainly takes up cultivation of others' land on a sharecropping basis and cultivates without hired labour; and (d) Agricultural labourer – one who cultivates others' land either for wages or for customary payment.

+ Includes wood cutters, plantation labour, gardeners, fishermen, animal breeders, cattle grazers and herdsmen.

@ Includes households in the rural sector engaged in administrative and professional services, teaching and medicine, manufacturing – specially of food products and textiles – trade and commerce, transport and communication, construction and sanitation, and mining.

++ According to the NSS, “The upper castes were defined as those who, according to custom, used the sacred thread, the middle as those from whom the Brahmins take water by tradition and the lower as the other castes who were not scheduled.”

22.7 STRATIFICATION WITHIN CASTE

Industrialisation and penetration of market economy in rural areas have affected traditional occupation of several castes. In most of the castes some members have

given up their traditional occupation. As early as 1950, F.G. Bailey observed in a village situated in a relatively backward state like Orissa, "Not every person works at his traditional occupation. The distillers do not touch liquor. The Knod potters (?) do not know how to make pots. The fishermen do not fish. The warriors are cultivators. Everywhere there is a scope for practising a hereditary occupation not all members of caste engage in the work ". In the 1950s, Kathleen Gough also observed a similar pattern in Tamilnadu. She noted, "The caste community is no longer homogeneous in occupation and wealth, for caste is today a limiting rather than a determining factor in the choice of the occupation. Exactly half of Kumbarpettai's adult Brahmins are now employed in towns as Government servants, schoolteachers or restraint workers. Of the remainder, some own up to thirty acres of land, others as little as three. One runs a grocery store and one a vegetarian restaurant. Among the non-Brahmins, the fisherman, toddy-tapers, Marathas, Kallans, Koravas and Kuttadis have abandoned their traditional work ". Village studies carried out in the fifties and sixties from different parts of the country bear out the same trend. And, diversification of occupation in non-farm sector has increased within most of the castes with the spread of the green revolution.

But there are still several Jatis whose members have more or less similar economic condition. One can find such instances among several Scheduled Castes and numerically small other backward castes. Such castes have still less than 10 per cent rate of literacy and all the households depend on manual labour for their livelihood. On the other hand there are number of castes which are internally stratified. There are three types of economic differentiation within different castes: (1) A caste characterised by sharp polarisation; (2) A caste having a majority of members from upper strata; (3) A caste with a majority members belonging to poor strata. Rajputs and Thakurs of Rajasthan, UP and Gujarat fall in the first category. A few households own large estates and factories and a large number are agricultural labourers. Most of the households of the several upper castes such as Brahmins, Baniyas, Kayasthas are well off. On the other hand a large number of the Backward castes have overwhelming majority households who are small and marginal farmers, tenants and agriculture labourers. Economic stratification affects their cohesiveness on political issues. Dominant stratum projects its interests as the interests of the caste; and gives it priority while bargaining with the government.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of the unit.

1) What are the main features of caste?

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2) What is the relationship between caste and land ownership in rural India?

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3) Give example of one caste showing intra-stratification.

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4) What is the difference between social caste and political caste?

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22.8 PRESSURE GROUP: CASTE ASSOCIATIONS

Numerical strength of a group is important in a democratic polity. All the Jatis do not have equal numerical strength and spread in a geographical region - village, cluster of villages, taluka or district. A few are very large, some are small and some are minuscule. Some are concentrated in a village/taluka and some are scattered in four to five households in a village. Numerically large Jatis have an edge over others in political bargaining with the government and political parties. Jatis confined to endogamous character alone cannot muster a very large number at district levels and beyond for political activities. Some of the leaders of such Jatis form caste associations called Sabha or Sangam consisting of cluster of Jatis having similar social ranking in a region. A few caste associations are also consist of multi -castes having different social ranking in traditional order. They may be called caste "federation".

It should be remembered that caste association is not the same as caste panchayat or council. Generally the office bearers of caste council enjoy hereditary position. This is not the case with association. Often the latter has written constitution specifying power and responsibilities of different office bearers. The former has judicial authority dealing with ritual and social aspects related to marriage, divorce and other family disputes of the members. Its decisions are binding to all caste members. Caste associations carry out economic, educational and political programmes. All caste mates are not members of the Sabhas. The decisions of the Sabha are not binding on all caste members. It is not so with caste panchayat. In that sense caste association is closer to voluntary organisation. Many caste associations though hold an objective "to promote and protect the interests and rights of the community," do not necessarily directly involve in electoral politics. Some caste associations are active in electoral politics at one time or another. Rudolph and Rudolph call the participation of caste associations in politics as "the democratic incarnation of caste". Kothari calls it "democratisation" of castes.

The history of caste associations goes back to the late 19th century, though their number has increased after Independence. They are found in all states. Let us take a few illustrations. As the Government decided in the early 1880s to debar Kulmis as Kulmis of Uttar Pradesh from being recruited in the police service. The government servants belonging to Kurmis formed the "Sardar Kurmi Kshatriya Sabha" in 1884 to protest against the decision. Another example can be cited of Nadars of Tamilnadu. In order to enhance their economic development, the wealthy Shanars of Tamilnadu formed the Nadar Mahajan Sangam in 1895. In Gujarat, the Rajputs after independence

having lost political power as rulers and ownership of land under land reforms realized a need for a larger numerical support base, as they constituted only 4 per cent of the population. Some of the political aspirant Rajputs formed Gujarat Kshatriya Sabha. The caste organisation embraced various Jatis of Kolis who aspired Kshatriya status. Caste pride and sentiments were invoked through various ways among the Rajputs and the Kolis as the Kshatriyas brethren. Caste associations make representation to the government demanding educational facilities, land ownership and its distribution, government jobs etc. for their caste members. Some of them submit memoranda or organise public meetings demanding infrastructure facilities like irrigation, electricity, loan and subsidy for fertiliser for agriculture development.

22.9 POLITICAL PARTIES

Several castes join together and launch movements. Non-Brahmin movement in Tamilnadu and Maharashtra are the examples. Jyotirao Phule started Satyashodhak Samaj in 1873 challenging Brahminical hegemony. In Tamilnadu several peasant castes such as Vellala, Gaunda and Padayachi, trading castes such as Chetri, artisan castes - Tachchan (Carpenter), Kollan (Blacksmith), and Tattan (Goldsmith), individually and jointly initiated non-Brahmin movement. The movement followed several caste associations such as Parayan Mahajan Sabha, Adi-Dravin Mahajan Sabha in the 1890's. In 1916 the Non-Brahmin manifesto was brought out highlighting dominance of the Brahmins in government services and injustice to non-Brahmins who constituted a vast majority. The formation of the Justice party followed in 1916. The party sent a delegation to England in 1919 to present the non-Brahmin case before the joint Parliament Committee which was responsible for preparing the Government of India Bill. DMK is its offshoot. Two factions Vanniyaakkula Kshatriya Sangam of the Nadars formed Tamilnadu Toilers' Party and Commonwealth Party and fought the 1952 elections. They then bargained with the Congress for positions in the state cabinet. Scheduled Caste Federation was formed in the forties by Dr. Ambedkar and the Republican Party formed in 1956 by Dalit leaders. They primarily remained the parties of and by the Dalits. Jharkhand Party formed by Adivasi leaders of Bihar, has primarily remained a party of Adivasis. Bahujan Samaj Party launched by Kanshiram is a party of Dalits aiming at forming alliance of Dalits, minorities and OBCs.

After Independence some caste associations were formed with political objectives to compete in elections. In Gujarat some of the leaders of the Kshatriya Sabha contemplated in the early fifties to form the party of the Kshatriyas. They soon realised that they could not muster enough support to contest elections only on the strength of the Kshatriyas. Similarly, political elite of the Kurmis, Yadavas and Koeris formed the Bihar State Backward caste Association in 1947 to contest elections. The plan did not take-off thanks to the resistance of the Congress leaders belonging to these castes.

Such caste associations are asserted with different leading political parties to see that their caste members get party tickets in elections. These parties initially resisted such pressures because of the counter pressure from the dominant castes that controlled the party. The latter accused the former as castiest or communal. But as the competition among the parties intensify and as the caste association successfully mobilised the members for political activities, all parties began to woo leading aspirants of the caste who could mobilise caste votes. Such political aspirants join different political parties. As they are primarily interested in gaining political positions for themselves rather than serving social or ritual interests of the caste, they either launch a new association or split the existing one. For them caste association is among several instruments to gain political power.

Some of the political parties identify with certain castes for nomination of the party candidates and mobilisation in elections. Bha:atiya Kranti Dal evolved an alliance of

four major peasant castes of UP in 1969 elections. The alliance was called AJGAR; that is, Ahirs, Jats, Gugars and Rajputs. In 1977 in Gujarat the Congress (I) formed KHAM alliance of Kshatriyas, Harijans, Adivasis and Muslims. Lok Dal was identified with Jats in Uttar Pradesh in 1977 and 1980 parliamentary elections. Samajwadi Party in Uttar Pradesh was identified with Backward castes in general and Yadavas in particular in 1997 state assembly elections. BJP is generally identified with upper castes and the Congress with the middle and backward castes. That reflected in their support base in the eighties in Gujarat and Maharashtra. In the nineties the BJP has followed the strategy of the Congress of accommodating the backward caste candidates in the elections and successfully getting support of their caste fellows.

There are three consequences of such interaction between caste associations and political parties. One, caste members particularly poor and marginalised who were hitherto remained untouched by the political processes got politicised and began to participate in electoral politics with an expectation that their interests would be served. Second, caste members get split among various political parties weakening hold of the caste. Third, numerically large castes get representation in decision-making bodies and strength of the traditionally dominant castes get weaken. This explains the rise of middle and backward caste representations in most of the state assemblies. Table 2 presents caste composition of MLAs in Gujarat Assembly from 1957 to 1990. The table shows that the strength of Brahmins and Vaniyas has declined considerably over a period of time, whereas the Kolis and Rajputs together as the Kshatriyas increased their strength by double. In Uttar Pradesh proportion of the upper castes in the State Assembly has gone down from 42 per cent to 17 per cent between 1967 and 1995; whereas the members of the OBCs have increased from 24 per cent to 45 per cent during the same period.

Table 2: Caste Composition of the MLAs in Gujarat Assembly from 1957 to 1995

Caste	First 57-62	Second 62-67	Third 67-72	Fourth 72-75	Fifth 75-80	Sixth 80-85	Seventh 86-90	Eighth 91-95
Brahmin	18(16)	25(18)	20(14)	17(12)	14(8)	20(10)	14(8)	10(6)
Vania	19(17)	16(12)	21(15)	17(12)	26(14)	13(10)	13(7)	7(4)
Patidar	26(24)	27(27)	32(23)	35(25)	49(27)	37(20)	39(22)	44(27)
Kshatriya (Rajput and Kolis)	13(12)	14(10)	19(20)	24(17)	32(18)	38(21)	44(25)	40(25)
Muslims	4(4)	9(7)	3(3)	3(2)	5(2)	11(6)	7(4)	3(2)
SCs	10(9)	11(8)	11(8)	1(8)	14(8)	13(7)	13(7)	14(9)
STs	15(14)	21(15)	22(15)	22(15)	27(15)	29(16)	29(16)	30(19)
OBCs	5(5)	3(2)	3(2)	9(7)	14(8)	16(9)	18(10)	14(9)
N.A.	22	18	26	30	1	-	5	20
Total.	132	154	154	168	182	182	182	182

22.10 CASTE IN VOTING BEHAVIOUR

Role of caste in elections has two dimensions. One is of the parties and candidates and the second is of the voters. The former seeks support of the voters projecting themselves as champions of particular social and economic interests, the latter while exercising their vote in favour of one party or candidate whether people vote on caste consideration. And if so, how exclusive is it?

As mentioned above different parties accommodate certain castes in distributing party tickets. While nominating candidates parties take into consideration caste of the aspirant candidate and numerical strength of different castes in a constituency. Caste leaders also mobilised their followers on caste lines so that they could show their strength. In the fifties wherever caste associations were able to maintain their unity and did not formally align with any one party they appealed to their members to vote for their caste fellows irrespective of their party affiliation. In Rajasthan Meenas were asked "Do not give your daughter or your vote to anyone but a Meena." Similar slogan was used in Tamilnadu: "the Vanniya vote is not for anyone else". But wherever caste association aligned with a particular party the caste leaders asked caste members to vote for that party. The Kshatriya leaders of Gujarat in 1952 elections asked Kshatriya voters that it was their Kshatriya dharma to vote for the Congress because it was "the great institution and working for the development of the country". In the subsequent elections as the caste leaders split some Kshatriya leaders appealed, "It is our pledge that the Kshatriya of Gujarat vote for the Congress, and not for anyone else." The others appealed that it was the dharma of the Kshatriyas to vote for the Maha Gujarat Janata Parishad (a regional party).

Though there is a trend among the caste members to vote for a particular party, there is never a complete en bloc caste voting. Some castes identify with a particular party as their party. It was expected that it would protect their interests. Jats in Western UP identified Lok Dal as their party just not only because the leaders of the party were the Jats, but also the party raised the issues concerning the peasants. But all the Jats did not vote for the party because there were some who were traditional supporters of the Congress, or they perceived their interests differently than other Jat peasants which the Jats predominantly are. In UP 51 per cent of the SC voters voted for the BSP in the 1998 state assembly elections. 18 per cent voted for the BJP. The vast majority of the BSP SC voters belonged to poor strata and of the BJP from the middle class. While analysing the election data, Pushpendra observes, "Occupationally, the BSP's voters are mainly unskilled workers, agricultural and allied workers, artisans, and small and marginal farmers. Persons engaged in business and white collar jobs constitute only 2.6 and 1.6 per cent of the BSP voters (in UP)."

In the National Election Survey of the 1972 carried out by Center for the Study of Developing Societies a question was asked, "What was your considerations for voting this candidate/party/symbol?" For a very insignificant number of respondents (less than 1 per cent) candidate's caste was the main consideration. Some of the respondents might have voted for persons who happened to belong to their caste. But it was not caste voting. They voted for the candidate not because he/she was of their caste irrespective of his party and ability. They voted for him/her because he/she was the candidate of the party to which the respondent felt closer for variety of reasons including the feeling that the party would "protect his/her" interests or the party had done good work for the people like him/her. Or, they were in touch with the candidate who might have helped them or they feel that he would help them when they need. Their primary consideration is their perception of their interests. In a given alternative parties/candidates they consider as to who would serve their interests better than others. If the candidate happens to be of their own caste and his/her party is the party, which they identify as theirs, they vote for him/her. If they feel that the candidate

belongs to that party which is either not able to serve their interests or hostile or insignificant in electorate politics, they do not vote for that candidate even if he belongs to their caste. That is the reason why several caste leaders lose the elections in the constituency predominantly because of their caste members at one time or another when they change the party or their party loses popularity. Therefore there is no one to one relationship between candidate's caste and that of the voter's caste.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answer.

ii) Check your answer with the model answers given at the end of the unit.

1) What is the difference between caste panchayat and caste sabha?

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2) Explain "democratic incarnation of caste".

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3) How does caste influence voting behaviour?

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4) Give names of three parties, which are closer to particular caste.

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22.11 LET US SUM UP

Politics does not function in vacuum. It operates in society in which it is influenced by social forces. Politics influences social forces and change them. If political institutions and political leaders make conscious effort in intervening in social forces they can influence and bring changes in social order and relationship to a considerable extent. Democratic politics in India has been influenced by caste but it also changed the traditional caste system and its values. While participating in electoral processes at different levels structure and functions of caste has changed. Its traditional aspect of

purity and impurity has been considerably weakened. Caste has provided institutional mechanism to the poor and traditionally deprived groups for political participation. Caste has been politicised to pursue economic and social rather than ritual concern of the members. In that sense it is a democratic incarnation of caste. But this process has reached an impasse and caught into vicious circle. Political leaders use caste consciousness for mobilisation but do not pursue vigorously, economic and social problems that the majority members of the caste face. Caste framework has its own limitations. It is divisive and hierarchical. This is a challenge before the caste-oriented politics.

22.12 SOME USEFUL BOOKS

Beteille, Andre, *Essays in Comparative Perspective*, Chapter 4, Delhi, Oxford university Press, 1992,

Centre For Social Studies, *Caste, Caste Conflict and Reservation*, Chapters 1,2 and 8, Delhi, Ajanta Publication, 1985

Kothari, Rajni, *Caste and Politics in India*, Hyderabad, Orient Longman 1970.

Rudolph L.I. and Rudolph S.H. *The Modernity of Tradition*, Delhi, Longman , 1961.

Shah, Ghanshyam, *Caste in Indian Politics*, Delhi, Permanent Black 2000.

22.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) These are four, i.e., (1) hierarchy, (2) commensurality, (3) restriction on marriage, and, (4) hereditary occupation.
- 2) There is a positive relationship between caste and land. The main trend about this relationship shows that the low or the backward castes and the ex-untouchables belong to the agricultural labourers, small and marginal farmers, and the high and intermediate castes belong to the rich and middle peasants. However, there are instances where the high castes belong to the poor agricultural classes, and the low castes to the rich and middle peasants.
- 3) One example of intra-caste stratification is that of the Rajputs and Thakurs of Rajasthan, UP and Gujarat. Majority of them belong to the upper strata, some own land and a large number of them are agricultural labourers.
- 4) The social caste denotes the operation of the caste at the social level – its role is confined to the social and cultural spheres. When caste becomes the symbol of mobilisation either in elections or for any other political purpose it becomes a political caste.

Check Your Progress Exercise 2

- 1) All members of a caste are members of the caste sabha; its leadership is hereditary; it has judicial authority dealing with rituals and other social aspects like marriage, divorce and other disputes in the family. Not all members of a caste on the other hand are members of the caste associations; its leadership is not hereditary; its decisions are not binding on all members of the caste; these have economic, educational and political programmes.

- 2) The participation of the caste associations in politics is termed as “the democratic incarnation of caste” by Rudolph and Rudolph.
- 3) The influence of caste in the voting behaviour can be visible in two ways – by allotment of tickets to the candidates, and by casting of the votes by the voters on the caste lines. Generally voters of a caste vote for a party or the candidate on the consideration of caste. But there is never a complete en block voting.
- 4)
 - i) The Congress (I) in Gujarat was identified with the KHAM – an alliance of Khatriyas, Harijans, Adivasis and Muslims,
 - ii) The Bharatiya Kranti Dal in UP was identified with the AJGAR – an alliance of Ahirs, Jats, Gujars and Rajputs; and,
 - iii) Bahujan Samaj Party is identified with the dalits.

Structure

- 23.0 Objectives
- 23.1 Introduction
- 23.2 Forms of Coalition Politics
- 23.3 Coalition Behaviour
- 23.4 Coalition Government: A Comparative Study
- 23.5 Coalition Politics in India (1947-1967)
- 23.6 Emergence of Coalition Governments in India (1967-1977)
- 23.7 Emergence of Coalition Government at the Centre (1977-1979)
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- 23.9 Coalition Governments and Coalition Politics (from 1989)
- 23.10 Working of the Coalition Governments in India
- 23.11 Let Us Sum Up
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23.0 OBJECTIVES

After going through this unit, you should be able to:

- Understand the meaning of coalition;
- Discuss different forms of coalition politics; and
- Discuss the nature and emergence of the coalition governments at the state level after 1967 assembly elections.

23.1 INTRODUCTION

The term coalition has been derived from the Latin word 'Coalitio' which is the verbal substantive of "Coalescere"-co together, and 'alescere'-to grow up, which means to grow or together. Coalition, thus, means an act of coalescing, or uniting into one body: a union of parties. In the specific political sense the term coalition denotes an alliance or temporary union of political forces for forming a single Government. As such coalitions are direct descendants of the exigencies of a multi-party system in a democratic regime. Coalition governments are commonly contrasted with single party Governments, in which only one party forms government.

A coalition is a grouping of rival political actors brought together either through the perception of a common threat, or the recognition that their goals cannot be achieved by working separately. In general terms a coalition is regarded as parliamentary or political grouping which is less permanent than a party or faction or an interest group.

23.2 FORMS OF COALITION POLITICS

Constitutional framework and electoral system of a country determines the forms that coalition politics takes. These are three in nature: parliamentary, electoral and governmental.

Parliamentary coalition may occur in a situation when no single party enjoys an overall majority. The party which is asked to form a government makes an attempt to rule as a minority government, relying upon an arrangement with other party or parties for its survival. The Janata Dal government led by V.P. Singh in 1989 was such a government. Such a government may seek support from the opposition political parties for different items of legislation or the government may survive merely because the opposition may not like to defeat the government either to gain political advantage or not to be deprived of their existing political base. The Congress government led by Narasimha Rao in 1991 was such a government in its early tenure.

Electoral coalitions represent two or more than two political parties who enter into an agreement which provides for a mutual withdrawal of candidates in an election so that the concerned parties can avoid splitting of votes in the constituencies where they are strong respectively. Such coalitions are difficult to be formed when the parties having strong local base and organisation do not wish to surrender their rights to put up a candidate. Such electoral coalitions have become common in India in recent past in the form of formation of United Front and National Democratic Alliance.

Coalition governments are commonly contrasted with single party government, in which one party holds office. Such governments should also be distinguished from non-partisan governments, within which the members of the Council of Ministers do not act as representatives of political parties. Coalition governments are the party governments. The membership of a coalition government is conventionally defined as those parties that are represented in the Cabinet. Some parliamentary governments, however, also consistently co-operate with parties that are not represented in the Cabinet.

At the government level, there can be different types of coalition. The first type is the national government in which most, if not all, of the main parties join together to meet a national emergency arising out of war or economic crisis. The rationale behind the formation of such a government is that national crisis necessitates the suspension of party strife and requires the concentration of all forces in a common direction. The coalition governments led by Asquith and Lloyd George during the First World War and by Winston Churchill during Second World War in United Kingdom were the examples of national governments.

Power-sharing coalition governments are formed when two or more than two political parties which are not able to secure majority of their own join together to form a majority government. United Front as well as BJP -led coalition governments in the nineties were such coalition governments. Power-sharing coalition governments strive to implement such policies and programmes as agreed upon among the coalition partners. Continental European countries have experienced such Governments quite often.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.

ii) Compare your answers with the model answers given at the end of the unit.

1) Briefly explain the meaning of coalition.

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2) Explain the different forms of coalition politics.

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23.3 COALITION BEHAVIOUR

A study of coalition behaviour puts forth the following questions: What are the distinct circumstances which lead to different political parties joining coalitions? Why does a particular party prefer to enter into coalition with other parties? What are the advantages a political party can expect to gain by its entering into a coalition?

A comparative study of the coalition behaviour drawn from the historical experiences of coalition politics in different countries and at different times reveal the following trends:

First, all the political parties who enter into a coalition always aim to maximise their long term influence over decision-making process.

Second, because of the awareness concerning the re-distributive consequences of a coalition, the member parties often compete against each other over the allocation of redistribution benefits.

Third, the competition among the coalition partners is restricted by the degree to which each partner is willing to tolerate competitive demands on the part of the allies.

Fourth, in a situation where the tolerance among the coalition partners remain of high level, competitiveness is rewarded with disproportionately high returns in terms of political influence.

23.4 COALITION GOVERNMENTS: A COMPARATIVE STUDY

In pure or modified two party political systems, such as the United Kingdom, New Zealand and Canada, coalition governments are rare in the peace time. In the countries with multiparty systems, such as Belgium and the Netherlands, almost all the governments have been coalitions. There are other European countries with multiparty system like Denmark and Sweden where the governments alternate between coalitional or single-party (often minority) one. In the normal circumstances the coalition governments are formed by two to five parties. However, the countries like India in the recent past have seen the coalition government being formed on the basis of as many as eighteen parties i.e. Vajpayee led Government in 1998. Switzerland is a unique case where all major parties are regularly included in the coalition governments.

Coalition governments are essentially features of parliamentary form of governments, but they have been formed also in the countries like France and Switzerland which have 'modified' parliamentary or 'semi-presidential' system. In the developed countries almost all the parties follow centrist ideology. Power sharing is mostly the main basis of the formation of such governments. However, in the developing countries like India and Sri Lanka the coalition governments have been formed on ideological basis. Some developed countries like Italy, Denmark, France and Sweden have also experienced coalition governments formed on the basis of ideological homogeneity.

Despite the widespread presence of coalition governments in both developed and developing countries, there are not sufficient constitutional provisions regarding the process of formulation and dissolution of coalition governments. German constitution is a significant exception which has provisions which make it impossible for irresponsible parliamentarians to overthrow a government without being ready to support an alternative. In Sweden, 1974 instrument of government attempts to describe the process of formation of coalition government in some details.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answer.

ii) Compare your answer with the model answers given at the end of the unit.

1) What are the different trends in the coalition behaviour?

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2) Are there any constitutional provisions regarding the process of the formation and dissolution of coalition governments? Explain.

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23.5 COALITION POLITICS IN INDIA (1947-1967)

Indian politics in the period between 1947 to 1967 was coalitional in nature. This was at the level of political parties or political formations. Functionalist political scientists like Rajni Kothari, Morris-Jones and Myron Weiner developed a theoretical model for this level in the late sixties through the idea of a one-party dominant system or Congress system. The dominance of Congress was reflected both in terms of the number of seats that it held in parliament at centre and the governments it formed in the states as well as in terms of its formidable organisational strength outside the legislative bodies. Thus in the first three general elections Congress won around forty five per cent of the votes and seventy five per cent of the seats in the parliament. The Congress barring brief interludes continued to rule in almost all the states and at centre. The Congress system, argued Morris Jones, reflected 'dominance co-existing with competition but without a trace of alternation'. Such a colossal dominance of Congress of the political system reduced other parties to marginality.

It follows that the Indian political system during this period could not be understood in accordance with the standard textbook format of government and opposition. It was the big Congress versus small and fragmented forces of opposition at the State as well as the national level. Congress successfully defined Maurice Duverger's law-which expected two party system to emerge in a plurality electoral system by incorporating political competition and consociational arrangements within its boundaries and yet holding it together through a delicate management of factions. Creating and sustaining such a broad coalition of factions was greatly helped by the complexities and ambiguities of Indian society which did not allow polarisation or the formation of

contradictions that might have fractured such an all-embracing alliance. It was also helped, according to Myron Weiner, by traditional values and roles of conciliation that Congress party astutely took up. In a similar vein, Rajni Kothari has also highlighted the consensual politics based on pluralism, accommodation and bargaining followed by Congress party.

Thus, around a central disproportionately large party of consensus were arranged much similar opposition parties of pressure, which imposed a coalitional logic on both the ruling party and the opposition parties and groups. The enormous organisational size, regional spread, and ideological diversity of the Congress transformed congress in a loose organisation with ideologically diverse groups. These ideologically and regionally divergent groups played the role of opposition in tandem with the opposition parties with whom they shared homogeneity in terms of ideology and interests. The small size of the opposition parties ensured that they could influence the political system only by functioning more like indirect pressure groups. As Kothari argues 'Congress system has always been a system of coalition multi-group in character, and informed by a continuous process of internal bargaining and mobility'. The coalition logic was not only imposed on the groups inside the Congress but on the opposition parties also. During this period the Governmental policies came to be decided more by cross party blocs rather than by inner party voting or a conventional division lines of Government and Opposition.

The coalitional nature of Indian politics was evident when the Congress leadership at the centre often 'transferred a decision from the space within the party to the space of the political system as a whole if they were sure of the support of winning coalition'. It was in this manner that Congress crises were solved as Max Zins's study of Congress reveals.

23.6 EMERGENCE OF COALITION GOVERNMENTS IN INDIA (1967-1977)

The 1967 elections witnessed the coalition politics in another form, now involving the non-congress opposition parties. Opposition parties were able to defeat congress in the assembly elections in six States by joining into an electoral coalition. The economic difficulties, the declining legitimacy and the fact that Congress had never received an absolute majority in terms of votes polled explains the setback to Congress.

1967 elections, according to Morris-Jones, led to the emergence of a 'market polity' leading to a 'pretty regular and continuous defectors market'. Thus the formation of power sharing coalition by the opposition parties and the defection of the congress factions led to the formation of non-congress coalition Governments in nine States.

However, the coalition technique which worked so well for Congress did exactly the opposite in case of the opposition parties. This can be explained by the fact that the opposition parties with divergent ideologies did benefit electorally from the widened support base. However the same factor led to the crisis in governance leading to the failure of coalition governments.

Congress, thus was able to come back to power in most of the States where it had lost power in 1967 elections. However, the post-1967 congress followed a new political process which was marked by the replacement of consensual politics by the confrontationalist politics towards opposition. This had to do both with the 'marketisation' of polity as well as the over-centralisation of power in the party. The Congress thus adopted a plebiscitary mode of electoral politics which led to the institutional decline in the party. This explains the inability of the State leaders of congress who were 'nominated' rather than 'elected' in holding the political equilibria

in the States by creation and manipulation of interest coalitions and factional politics. Destruction of State-level Congress organisations by an over centralised political leadership led to the emergence of genuine competition to the congress at the State level.

Although the Congress led by Indira Gandhi reached an unprecedented electoral victory in the 1971 election it was initially seen as the restoration of the Congress dominance, in retrospect it is obvious that the apparent continuity of the Congress was deceptive. The Congress that Indira Gandhi led to power in 1971 was in many ways a new party that had to negotiate a new terrain of electoral politics marked by the presence of a great many new entrants from the 'middle' peasant castes and the regional groups into the game of electoral politics turning it into truly competitive.

It follows that Congress was no longer a single dominant party but throughout the 1970 and 1980's it continued to be the natural party of governance, the pole around which electoral competition was organised. Thereafter, the success or the failure of the attempts by the opposition parties to put up an electoral coalition against Congress made a decisive difference to the electoral outcome.

23.7 EMERGENCE OF COALITION GOVERNMENT AT THE CENTRE (1977-1979)

The third phase in the evolution of coalition politics was marked by the defeat of the Congress in 1977 parliamentary as well as assembly elections (in as many as six States). The introduction of populist, bureaucratic and authoritarian mode of politics in the party had led to the emergency imposed by the Congress government. Both the emergency and a hastily assembled coalition of opposition parties were the main factors responsible for electoral debacle of Congress both at the central and state level.

Janata Party was formed after four opposition parties-the Congress (O), the Jana Sangh, the Bhartiya Lok Dal and the Socialist Party merged. Janata Party subsequently entered in a coalition with the opposition parties at the regional level like Akali Dal to fight the 1977 General elections on a common election symbol and a single list of contesting candidates.

The coalition government led by Morarji Desai could not last its full term as the constituent factions within the party retained their ideological differences – a legacy of their pre-merger days. With the twin objectives taken during emergency being fulfilled once the coalition government was formed and amendment bills were passed - the ambitions of its leaders saw the split in the party and the government fell in 1979.

Defections – an offshoot of the marketisation of Indian polity introduced since 1967 elections-from the Janata Party led to the formation of a coalition government of Lok Dal and Congress (S) led by Charan Singh with the outside support of the left parties as well as Congress. This coalitional arrangement was again marked by ideological incompatibility and it was no surprise that the government fell within three weeks of its formation as Congress withdrew its support.

Check Your Progress Exercise 3

Note:i) Use the space given below your answer.

ii) Check your answer with the model answers given at the end of the Unit.

- 1) Explain the coalitional nature of politics during the one party dominant system in India.

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- 2) What was the nature of the coalition Governments which were formed in the states after 1967 assembly elections?

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- 3) Why did not Janata coalition government complete its full term?

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23.8 THE DECLINE OF COALITION POLITICS (1980-1989)

The failure of coalition experiment in the form of failure of Janata coalition government to complete its full term gave an opportunity to Congress-recovering from a split in 1978- under the leadership of Indira Gandhi to capture power in the 1980 elections. Congress received a massive victory in 1984 general elections also. Thus for a decade the coalition politics came to an end at the centre. At the state level, however, the coalition politics continued. Congress, for instance, entered in to an alliance with National Conference in J and K and with the DMK in 1980 and with AIADMK in 1984 elections in Tamil Nadu. The left parties-led coalition governments were formed in the States of Kerala, Tripura and West Bengal during this period.

It was during this period that the seeds of future coalition politics emerged. Congress despite its electoral triumphs in the plebiscitory elections was continuously losing its ideological and institutional base. As such it was unable to respond adequately to the demands and aspirations of the democratically awakened rural social groups who had been becoming increasingly aware of the significance of their electoral power. Moreover, the over centralisation of power in Congress led to the heightened level of Centre-State tensions.

The ruralisation and regionalisation of Indian politics led to the emergence of regional parties which were supported by the numerically strong and economically powerful rich peasant castes. Telugu Desam in Andha Pradesh, Akali Dal in Punjab, AGP in Assam were among the regional parties which ensured a freer competition between political parties and increased alternation of a tendency towards personalised control of parties and fragmentation of the parties into splinter groups etc. All these factors paved the way for the end of the Congress dominance at the State level.

What emerged in the States was a bipolarity as along with the regional parties Congress even now retained a salience in the party system. It was because Congress continued to command greater popular support than any other party at the national level and also that it was the core around which the party system was structured. That bipolarity at the state level did not, however, yield a bipolarity at the National level as well as became evident from 1989 General elections.

23.9 COALITION GOVERNMENTS AND COALITION POLITICS (FROM 1989)

In the run-up to the 1989 elections another hastily assembled coalition was formed in the form of formation of Janata Dal which came into existence as a result of the merger of several parties like the Janata Party, Lok Dal (A), Lok Dal (B), Janata Dal, subsequently formed an electoral alliance with the parties like DMK, Congress (S), AGP, CPI, CPI (M) and other small regional parties. This electoral coalition came to be called National Front which entered into an agreement with the BJP on sharing seats in the 1989 parliamentary elections. As the Congress and its allies did not stake claim to form the Government it was the National Front led by Janata Dal which was invited by the President to form the coalition Government of National Front led by V.P. Singh which was supported from outside by BJP and left parties who did not join the Government.

National Front minority Government was the first real coalition Government at the Centre as the Janata Government was a coalition Government by Proxy and Charan Singh led coalition Government Lok Dal and Congress (S) fell before proving its majority in the Lok Sabha.

National Front Government failed to laydown a strong foundation of consensual polity, based on democratic power sharing at wider level. It suffered from internal crisis because of change of leadership in Haryana Janata Dal Government. The external crisis built up over the confrontation with the BJP over Ayodhya issue. The intense competition for leadership within Janta Dal finally led to the split in Janta Dal. The newly formed Janata Dal (S) formed a minority Government led by Chandra shekhar with the outside support of Congress after the National Front Government was defeated in the confidence vote in the Lok Sabha after the withdrawal of support of BJP. Janata Dal (S) minority Government fell as Congress withdrew its support in 1991.

The Parliamentary elections in 1991 again produced a 'hung' Lok Sabha. Congress emerged as the largest party but nowhere near the majority mark. With no coalitions being possible, Congress formed a minority Government led by Narasimha Rao. The minority Government displayed a great skill in Parliamentary Manoeuvres in order to stay in power. After effecting a split in the Janata Dal in its favour as well as victories in the by elections the Government was able to secure a majority of its own.

However, the assembly elections between 1993 to 1995 decisively brought to an end the one party dominant multi-party system of an earlier era. Congress no longer remained the core around which the party system was structured. These elections marked the intensification of the process of bipolar consolidation all over the Country barring few States like Kerala and West Bengal where coalition politics still survived. Thus in as many as twelve States, non-Congress Government ruled by the end of 1995.

Increasing tendency towards a bipolar polity at the State level led to a situation that a two-party system at the national level became improbable. With the effective marginalisation of the Congress from the real arena of competition in U.P. and Bihar

– the two largest States – it was now obvious that Congress on its own could no longer hold its position in the centre (both in the sense of occupying and defining the middle ground and being most significant) of the Indian political system. With the emergence of distinct regional party systems in the States signalled the rise of parties like Bahujan Samaj Party, Telugu Desam Party, Asom Gana Parishad, Dravida Munnetra Kazhagam, Akali Dal at the regional level, the Congress was now one of the many parties with a position in several of those regional systems. It was no longer a pole against which every political formation was defined. Even in those States where there was a direct race between the Congress and its rival, the Congress was no longer the natural party of governance.

The above tendencies were confirmed in the parliamentary elections of 1996. The BJP made a strong showing in the Northern and Western States especially in Bihar and U.P. and emerged as the largest party in the Lok Sabha. The party formed a minority Government which barely lasted two weeks before losing vote of confidence in Lok Sabha. The regional parties i.e., TDP, DMK, AGP and the Tamil Manila Congress in alliance with Janata Dal formed National front comprising of the communist parties. The resultant United Front-was able to form a coalition Government led by H.D.Devegowda first and then by I.K.Gujral with the outside support of the congress and the left parties (CPI for the first time in Parliamentary history joined the Government). The UF coalition Government collapsed after the withdrawal of support from Congress in 1998.

BJP taking a lesson from its 1996 experience entered into electoral coalition with the regional parties like AIADMK in Tamil Nadu, Samata Party in Bihar, Trinamool Congress in West Bengal, Akali party in Punjab etc. Subsequently these parties (eighteen in number) formed a coalition Government which lasted barely for one year as AIADMK withdrew its support in 1999. The 1999 parliamentary elections say that the two parties Congress and BJP, had electoral alliance with the regional parties in such a manner that coalition Government became inevitable to emerge.

A comparative study of the results of the 1996 elections and the 1998 or 1999 elections reveals a major difference between the two. The 'hung' Parliament which emerged after 1996 elections was not just a matter of no single party getting a majority but rather of no party or a clear alliance of parties being in a position to govern. In 1998 and 1999 elections, however, BJP and Congress have shown that despite no party getting a majority on its own, two 'poles' have become visible-the Congress and the BJP- within the regionalised multi-party system. It is natural then that both have been gradually accepting the imperatives of coalition politics and alliance building.

Check Your Progress Exercise 4

Note: i) Use the space given below for your answer.

ii) Check your answers with model answers given at the end of the Unit.

1) What factors contributed in the emergence of the regional parties?

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2) What are the new trends visible in the coalition politics after 1993-1995 assembly elections?

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23.10 WORKING OF THE COALITION GOVERNMENTS IN INDIA

It has been traditionally, accepted that the principles of collective responsibility, homogeneity and secrecy have been a must for effective functioning of Government. Coalition Governments formed in India especially at Centre have been found lacking in this respect. The working of the Coalition Governments has been affected by the need to secure inter-party Consensus. The heterogeneity of the Coalition partners in terms of their social basis and ideologies often has been resulting into disagreements between the Cabinet ministers on political and departmental matters. This has been hampering the deliberative and decision-making process of the Cabinet. The parties entering into coalition either under the umbrella of United Front or National Democratic Alliance had been confronted with a situation of preserving the unity of Government as well as their separated identity as a partner in the Coalition. The Coalition Governments at centre have been formed, not on the positive basis of ideological or programmatic homogeneity but on the negative basis of capturing power (like BJP led coalition Government in 1998) or to keep Congress and BJP out of power (like United Front Government in 1996). This factor has contributed to the lack of efficacy as well as stability of these Governments. The presence of regional parties in the Coalition has also led to a perception that the national outlook has often sought to be overshadowed by a regional outlook and also that personal or party gains have often received precedence over collective ones. The Steering Committee of the Coalition partners, rather than Cabinet often acts as the de-facto deliberative body thus undermining the process of Governance. The Governance also has suffered because of the weakened position of the Prime Minister in the coalition Governments formed in the recent years. Prime Minister has been in no position to choose those as ministers in the Council of ministers who do not belong to his own party as they are chosen by their respective party leaders. This has undermined the authority of the Prime Minister more so as he feels constrained even to dismiss them without inviting the wrath of the concerned party.

In the recent past the coalition governments have been formed on the basis of a common agreement by the coalition partners to implement a Common Minimum Programme (CMP). However, the bickering among the coalition partners has been often obstructive to the process of its implementation. Moreover the very fact that the elections in 1996 and 1998 threw up unwieldy, unstable and short-lived coalition Governments was to a great degree responsible for non-implementation of the CMP.

23.11 LET US SUM UP

The coalition politics operates in two ways – one, by the coalition of the political parties outside the government; two, formation of the government by two or more political parties. The latter is known as a coalition government. The basic aim of a coalition government is to ensure majority control of the legislative assembly/ parliamentary as well as the implementation of common minimum programme. Coalition

Governments may receive support from outside also. The party system and the political system in India in the first twenty-five years or so after Independence was completely dominated by Congress both in the electoral and organisational sense. Congress acting on its historical legacy represented a broad-based social coalition. The 'Congress system' was based on coalition in political sense also as it followed coalition logic in its relationship with the opposition parties in the process of governance. The period from the later half of the 1980s onwards witnessed the erosion of the central role of the Congress in maintaining and restructuring political consensus. Thus the process of political mobilisation and political recruitment heralded the imitation of a more differentiated structure of party competition. Rapid mobilisation and politicisation of new regional and social groups resulted in to the growth of a new genre of parties and alignments, many of these focusing on individual leaders, who were able to identify with specific castes and communities. The 1990s in particular witnessed a decisive end to the dominant multi-party system of the earlier years. It signified a move towards a competitive multi-party system both at the central and state levels. The General elections in 1989 and the State assembly elections of 1993-1995 confirmed this trend. Along with an upsurge of new social groups and identities the growing regionalisation of the national parties (not excluding the Congress and BJP) also explains the formation of a large number of parties. Consequently, there has been a blurring of lines between the national and state party system, and the process of 'federalisation' in the party system. In this complex and interlocking relationship between the national and state party systems, the change in the latter have been increasingly influencing the former. The coalition politics and the coalition Governments are related to the ongoing process of transformation from a single dominant to a region based multi-party system. Thus there has been an emergence of a bipolarity at the Centre supported by the regional parties - the Congress and the BJP being the two 'poles' - in an increasingly regionalised multi-party system.

23.12 SOME USEFUL BOOKS

Bogdanor, Veron, *The Blackwell Encyclopedia of Political Institutions*, Blackwell Reference, Oxford, 1987.

Chatterjee, Partha., *State and Politics in India*, Oxford University Press, New Delhi, 1998.

Karuna Karan, K.P., *Coalition Government in India*, Indian Institute of Advanced Studies, Shimla, 1975.

Kothari, Rajni, *Politics in India*, Orient Longman, Bombay, 1970.

23.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Coalition means a union of parties. In political sense it the term alliance denotes an alliance or temporary union of political forces to form the government.
- 2) There are three types of coalition – parliamentary, electoral and governmental. Parliamentary coalition is formed when no single party enjoys the majority to form the government. Electoral coalition is formed when two or more political parties mutually agree to withdraw candidates in an election in order to avoid splitting of votes in the constituencies where they are strong respectively. This type of coalition is made when political parties form the government in a situation

of national emergency in a country. In such case the parties strive to suspend their differences for a common nation cause.

Check Your Progress Exercise 2

- 1) These are: all parties form a coalition; members of the coalition compete with each other over the allocation of redistribution benefits; the competition among the coalition partners is restricted to a degree; and, competitiveness of the coalition partners is rewarded with disproportionately high returns in terms of political influence.
- 2) There are no such provisions, with the exception of German constitution.

Check Your Progress Exercise 3

- 1) During this phase the Congress was the dominant party both at the centre and in the states. The nature of the coalition of that period can be explained in the light of the nature of the Congress. According to Rajni Kothari it was consensual based on pluralism, accommodation and bargaining.
- 2) This period saw the formation of the coalition of the non-Congress coalition governments in nine states. Unlike the coalition of the Congress system, this type of coalition was formed by the parties with divergent ideologies and support bases.
- 3) The Janata coalition did not complete its terms because of the following reasons: ideological differences between the members of the coalition, and the ambitions of leaders of constituent parties.

Check Your Progress Exercise 4

- 1) The ruralisation and regionalisation of Indian politics gave rise to the emergence of regional politics. The regional parties have supported largely the rural rich who have large numerical strength.
- 2) These are- end of the one party dominant multi-party system; intensification of bipolar consolidation in most part of the country; and, emergence of distinct regional parties.

Unit 24: WOMEN

STRUCTURE

- 24.0 Objectives
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- 24.2 Reforms for women in the 19th and early 20th centuries
 - 24.2.1 Against “Sati”
 - 24.2.2 Widow remarriage
 - 24.2.3 Rehabilitation of the prostitutes
 - 24.2.4 Arya Samaj
 - 24.2.5 Prohibition of Child Marriage
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 - 24.3.2 Women for Rights
 - 24.3.3 Women for Women
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 - 24.4.2 Women’s initiatives in politics
 - 24.4.3 Women “terrorists”
- 24.5 Major Issues confronting women’s unity or united movement
 - 24.5.1 Communalism and Casteism
 - 24.5.2 Daily encounters with oppression
 - (i) against alcohol
 - (ii) against dowry
 - (iii) against sexual abuse
 - 24.5.3 Environment and livelihood
- 24.6 Women in politics or politics ‘by’ women
 - 24.6.1 Telengana movement
 - 24.6.2 Bodh Gaya movement
 - 24.6.3 Dalit women’s movement
 - 24.6.4 Adivasi women’s movement
 - 24.6.5 Movement through literature, theatre ad other forms of expression
- 24.7 Key words
- 24.8 Some useful books
- 24.9 Answers to check your progress exercises

24.0 OBJECTIVES

The Unit deals with the role and contribution of women in the various social and political movements in India. After going through this unit, you will be able to know:

- The historical background of women's movement in India.
- Major issues confronting women's unity; and
- Role of the women in Politics.

24.1 INTRODUCTION

It will be easier to understand the role of women in the social and political movements of India if we divide the study into the following categories

First, we shall try to have a panoramic view of the role of women in the 19th and the 20th centuries, i.e. in the pre and post- colonial era.

We shall next, look into these movements from two broad angles, viz, (i) "for" women and (ii) "by" women. (i) The period of reforms and nationalist struggle can be categorised as "for" women since all the benefits and opportunities for advancement were fought for and gifted by social reformers who, inevitably, were men. Women had eager and sincere participation in India's struggle for freedom, but the leadership was in the hands of men only. Yet, this period is extremely significant as the "beginning of freedom" for women.

(ii) In the post-independence period women concentrated on their own freedom. The foundation for this movement had been laid in the anti-British Raj days when women had started discovering their identity through literature and their activities as "terrorists". They slowly became part of the world's women's movement and their role in the social and political movements in their own country started becoming more and more prominent.

24.2 Reforms for women in the 19th and early 20th centuries

The 19th century could well be called an age for women. Their rights and the wrongs done to them, as well as their capacities and potentials, used to be the subjects of heated discussions in Europe and even in the colonies. By the end of the century, feminist ideas were in the minds of the "radicals" in England, France, Germany and even Russia. In India, the wrongs against women began to be deplored by social reformers. Such movement of 'for' women, 'by' men originated in Bengal and Maharashtra.

24.2.1 Against Sati

The Indian bourgeois class, that was born out of Westernisation, sought to reform the society by initiating campaigns against caste, polytheism, idolatry, animism, purda, child-marriage, sati and the like. These, to them, were elements of 'pre-modern' or primitive society. The foreign missionaries had branded these as examples of "Hindu barbarism" thus creating enough grounds for the colonial powers to rule. Ram Mohan Roy and Bidyasagar managed to receive the required administrative and legal support because of this. In 1817, Pandit Mrityunjay Bidyalankar declared that sati had no

“Shastric” sanction. One year later Governor William Bentinck prohibited Sati in his province, viz, Bengal. It took 11 years for this prohibition to get extended to other parts of India as the Sati Prohibition Act of 1929.

24.2.2 Widow Remarriage

In 1850s Pandit Ishwarchandra Bidasagar, like Pandit Mrityunjay, proved from the Shastras that the re-marriage of a widow is allowed. His was a long, difficult journey through debates with orthodox pandits and banter from some of the pillars of then Hindu society. The Vernacular (Bengali) press got filled with songs and satires both in support and against. Such verses appeared in the designs of the woven cloths. They created turmoil in society. Bidasagar submitted a petition to the Governor General in 1855.

A Widow Remarriage Association had started in Madras in 1871, but was short lived. In 1878, Virasalingam started the Rajamundri Social Reform Association, focusing mainly on widow re-marriage. In 1892, the Young Madras Party or the Hindu Social Reform Association was launched. Aryan Brotherhood Conference, of which Ranade and N.M. Joshi were members, once declared in one of its meetings, “let us no longer live in a fool’s paradise in the fond belief that because we have managed to survive so long .. under our present social arrangement, we will be able to survive for ever...”

Forty odd years since the Act was passed, there had been 500 widow re-marriages only, though social reform organisations, championing the cause, had mushroomed all over India. The majority of them were child or virgin widows. Widows from the upper caste, who were not virgins, could not and did not- re-marry.

24.2.3 Rehabilitating of Prostitutes

Other notables, who fought for reforms in anti-woman socio religious customs, were Jyotiba Phule, Dayanand Saraswati, Karve and women like Pandita Ramabai, Sister Nibedita and Tagore’s sister Swarnakumari Devi. Bengal had witnessed rebellious spirits like Madhusdan Datta and Henry Derozio. They both were powerful poets also. They had invited the wrath of the reformers even by attacking male morality. Madhusdan organised the prostitutes and inspired them to choose the profession of acting, instead.

According to a report in Amrita Bazar Patrika of 1869, 90% of Calcutta’s prostitutes were widows, of whom a large number came from Kulin Brahmin families. The “Kulins” were the most detestable group of Brahmins whose socially sanctioned livelihood was to go on marrying and collecting dowries. Their day to day living was also totally free as they kept on visiting their wives’ paternal homes as these ‘married’ women had to continue living in their fathers’ house. The number of such ‘wives’ could very well exceed 100. So, with a single stroke of death (of one husband) at least 100 widows were available in the market as prostitutes.

We must make special note of the fact that Bidasagar, the first and the greatest protagonist of widow re marriage felt a moral repugnance towards this scheme of rehabilitation of the prostitutes and did not think of stopping this abhorrent practice of polygamy. Strangely, he could not realise that the number of widows will drastically decline and thus the problem will become much less formidable if polygamy could be strictly stopped.

24.2.4 Arya Samaj

Swami Dayanand was rather revolutionary for his time. He disowned the caste system and prescribed equal treatment to women quoting from the shastras. His Arya Samaj did not impose any duties or obligations on women, which could not be applied to men according to the Hindu lawgivers. In his representative book, “*Satyartha Prakash*” Dayanand insisted that polygamy, child marriage and the seclusion of women did not exist in Aryan India. He called for compulsory education for boys and girls both and that there should be equal stress on tradition and modernity through the compulsory learning of Sanskrit and English. He raised the age of marriage for girls and boys to 16 and 25, respectively.

But Arya Samajis like Lala Lajpat Rai and Lal Chand opposed higher education for women. They believed that if at all, ‘the character of girls’ education should be different, because ‘the education we give to the girls should not unsex them’ Apart from basic literacy, Arithmetic and some poetry, Arya Samaj religious literature, sewing, embroidery, cooking, hygienic, drawing and music were the subjects taught. The Brahma Samaj that started as a protest against idolatry and the backward pulling norms and rituals of Brahminical Hindusim, was not free of this stereotype notion about girls and women. The notion continued till the latter stages of our freedom movement. They only dissident voice was of Subhas chandra Bose. Herin lies the justification behind dividing the ages into “for” and “by” women. The women, at that time, had neither the awareness nor the sensitivity to demand everything that were allowed to or given to men.

24.2.5 Prohibition of Child Marriage

In 1860 an Act was passed fixing the age of consent at 10. Behram Malabari, himself not a Hindu, (a Parsi) started a campaign in support of this Act towards the end of the century. He could manage to convince a good number of lawyers, doctors, teachers and public servants. They believed, which was echoed in the statement by the Jessore Indian Association, that “early marriage weakens the physical strength of a nation; it stunts its full growth and development, it affects the courage and energy of the individuals and brings forth a race of people weak in strength” and determination. In 1891, Tilak had led an agitation against the Act and a modern visionary like Tagore had opposed in words and deed!

Reform movements were so strong in the Bombay-Poona cultural belt that a few had the courage to question even Brahminism the very base of Hinduism G.H. Deshmukh, a socio-religious reformer for example, had argued in the 1840s that the “Brahmins should give up their foolish concepts; they must accept that all men are equal and that everybody has a right to acquire knowledge...”. But in 1871, he succumbed to threat to outcaste him. As a consequence, he mellowed down.

CHECK YOUR PROGRESS 1

Note: i) Use the space below for your answers
ii) Check your answers at the end of the unit

1. Why can the 19th century be called the age for women?

 2. What do you know about the various attempts enforce widow re-marriage.?

3. What was Dayanand Saraswati's contribution?

24.3 EDUCATION FOR WOMEN AND WOMEN EMERGING WITH IDENTITY

24.3.1 Women in Literature and Literature by Women

By the late 19th century, social reform movements were beginning to show effects; confidence and determination started getting observed in the life and work of some women. Novelists like Nirupama Devi and Anurupa Devi started getting referred to in the Bengali literary circles and were even given memberships of literary clubs which were dominated by men. Tagore's novels and short stories are full of women characters who excel their husbands and other male admirers. A few examples are "Gora" and "Gharey Bairey" by Tagore, "Anandamath" and "Debi Choudhurani" by Bankimchandra and "Pather Debi" by Sharatchandra. In Tagore's "Char Adhyay", a nationalist woman, seeking identity, is criticised and crushed by male leadership-typical of politics even today, which has largely remained a male domain. Almost all women activist were literary writers also; literature and writings with literary flavour were commonly used as side weapons with most of the male freedom fighters also. Some of the noted names among women were Nagendrakala Mustafi, Mankumari Basu and Kamini Roy. Kashibai Kanitkar was the first woman novelist from Maharashtra. Others were Mary Bhore, Godavaribai Samaskar, Parvatibai and Rukminibai. In South, Kamala Sathinandan, the editor of Indian Ladies Magazine, was a writer also. Sarala Debi, Kumudini Mitra and Madame Cama had made marks in Journalism to promote the cause of revolution.

24.3.2 Women for Rights

Madame Cama had the honour of unfurling a 'Bande Mataram' flag at 1907 Congress of the Socialist International at Stuttgart, and, in 1913, Kumudini Mitra, more known as a "terrorist", was invited to the International Women's Suffrage Conference at Budapest, Hungary. Sarojini Naidu waited upon the committee, headed by Montague and Lord Chelmsford to demand a series of reforms in the condition of the Indian women. Sarala Debi made representations before the committee on behalf of Bharat Stree Mahamandal. At the sixth National Social conference in 1892, Hardevi Roshanlals, the editor of "Bharat Bhagini" insisted that this platform was 'more important' than Congress, because the former understood that:

The woman's cause is man's
They rise or sink together,
Dwarfed or god-like, bound or free.

Anandibai Joshi was the first woman doctor. She and Kantibai were stoned when they dared wearing shoes and carrying umbrellas on the streets. These were symbols of male and caste authority. Was women's position better than that of the lower castes or the untouchables? In 1882, Tarabai Shinde's book, *Stree Purush Tulana* generated heated discussions all over. She insisted that the faults, commonly ascribed to women, such as superstition, suspicion, treachery and insolence, could be as much found in men. She suggested to the women that, by the strength of their firm will, they remain always well behaved, pure as fire and unblemished internally and externally. Tarabai also suggested that men would have to hang their heads down in shame.

Mai Bhagawati, an "upadeshika" of the Arya Samaj had the confidence to speak in a large public gathering in Haryana. In 1881, Manorama Majumdar, educated at home by her husband, was appointed dhama pracharika by the Barisal Brahmo Samaj. As expected, lot of heated debate followed questioning the 'wisdom' of carrying the issue of women's equality a little too far. Regular participation in the nationalist campaigns and organisations had generated such a spirit that a group of Brahmo women walked through the streets of Calcutta singing and speaking against the evils of purdah. These are indisputable instances of initiatives or movements "by" women. But Indian National Congress and other political parties were not yet prepared to acknowledge that potential among women. Though the women delegates were allowed to sit on the dias, they were not allowed to speak or vote on the resolutions.

24.3.3 Women for Women

Rabindranath Tagore's sister Swarnakumari Debi launched "Sakhi Samiti" with the aim of training widows to learn, to teach and thus become the most powerful agents of spreading education among women. The Samiti organised crafts fairs in order to promote women-centric cottage industries as a means of developing self-confidence (atmashakti) and nationalism. Congress discovered great value in this kind of "meals", but the male leaders could not think beyond organising a separate women's section.

Swarnakumari Debi's daughter, Sarala Debi, was strikingly rebellious. She wanted to flee the 'cage' or 'prison' of home and establish her right to an independent livelihood like men. She started a gymnasium in 1902, where women were trained in the use of sword and 'lathi'. She can be called the architect of militant nationalism or even revolutionary terrorism.

24.3.4 Women in Nationalist Struggle

The 1905-8 Swadeshi movement in Bengal reflects the beginning of a women's participation in nationalist activities on a larger scale. Many of the wives, sisters and daughters started forming support groups for the movement. Middle class nationalism inspired women and girls who gave away jewelry as well as money. In the villages, Handfuls of grains came as contributions. Militancy became such a feature of the 'samitis' in which women had active involvement that five such in East Bengal, viz Swadesh Bandhab, Brati, Dhaka Anushilan, Suhrid and Sadhana, were banned in January, 1909.

Purani Agyawati, a woman member of Hissar Arya Samaj, toured almost all over Punjab, pleading mothers to bring up their sons not for government service but as independent manufacturers and traders of 'swadeshi'. She also tried to convince that strict and blind observance of caste norms prevent the mothers from giving great sons to the nation. In Delhi, Agyawati opened a "Vidhava Ashram" to organise widows not only against oppression and for their right to education, but also to train them in militant nationalism. She was described as "a very bold woman" by the government, which was sufficiently alarmed by her activities.

24.3.5 Women for Equality

Speaking to the Indian Social conference at Calcutta in 1906. Sarojini Naidu said, "instruction may mean accumulation of knowledge, but education is an immeasurable, beautiful and indispensable atmosphere in which we live and move and have our being... How then shall a man dare to deprive a human soul of its immemorial inheritance of liberty and life? Your fathers, in depriving your mothers of that birthright, have robbed you, their sons, of your just inheritance. Therefore, I charge you restore to your women their ... rights... you are, therefore, not the real nation-builders... Educate your women and the nation will take care of itself..."

That there was a sense of great achievement among women and of new spaces opening up for them was beautifully put by the Tamil nationalist poet Subramanya Bharati in his poem, "The Dance of Liberation", in 1920

Dance! Rejoice!
 Those who said
 It is evil for women to touch books
 Are dead.
 The lunatics who Said
 They would lock women in their houses,
 Cannot show their faces now.

A discourse on equality began to develop, in the late 1910s and 1920s, amongst women. They used nationalists' arguments to defend their demands for equal rights. Urmila Devi, a militant woman, defined 'swaraj' as self-rule and 'Swadhinata' as the 'strength and power to rule over oneself'. Amiya Debi rightly felt that 'Swadhinata' cannot be given, it has to be taken by force.... If it is left to the "well-wishing" men, then women's adhinata (dependence) along will get strengthened. The nationalist leaders, who were the first to call women outside their home and household, believed in complementarity and not sameness, which the revolutionary women demanded. The reformers and the 'givers' believed that women's rights should be recognised because of women's socially useful

role as mothers. Women demanded equal rights because, as human beings, they have the same needs, the same desires and the same capacities as men.

Prabhavati worked for a group in U.S.A called “Freedom for India and Ireland” and Renuka Ray was associated with the “League Against British Imperialism” in England. Pabhavati married M.N. Roy, the pioneer of communist movement in India, and got equally involved with the revolutionaries and the communists. She joined hands with Muzaffar Ahmad, poet Nazrul Islam and Hemanta Kumar Sarkar to organise the scavengers as a member of the Workers and Peasants Party.

CHECK YOUR PROGRESS 2

- Note:** i) Use the space below for you answers
- ii) Check your answers at the end of the unit

1. Write, in brief, women’s first fight for rights during the colonial period.

2. What was the role of Purani Agyavati in the nationalist struggle?

3. How did women define “Swaraj” and “Swadhinata” during freedom struggle?

24.4 WOMEN’S INDEPENDENT POLITICAL IDENTITY

24.4.1 Discrimination Against Women in Politics

No woman was chosen by Gandhi in his long list of 71 marchers to Dandi. Well-recognised women, like Khurshid Naoroji and Margaret Cousins, protested strongly. But the leader remained firm on his decision arguing that he had allocated a “greater role to women than the mere breaking of salt laws”. But Sarojini Naidu defied and joined the march at Dandi at the final stage and was the first woman to be arrested in that movement. Once defiance cleared the path, and thousands of women joined the salt satyagraha. This is generally remembered as the first time “the masses of Indian women” got involved in the struggle for independence. Husbands now started getting proud of

their wives in the jails; but they resented if their wives had not taken prior permission. A few notable amongst these wives were Kasturba Glandhi, Kamaladebi Chattopadhyay, Nellie Sengupta, Basanti Debi (Roy), Durgabai Deshmukh and Aruna Asaf Ali.

24.4.2 Women's Initiatives in Politics

Lilabati Mitra helped Bidyasagar in 1890s to perform widow re-marriages by sheltering willing grooms. Kamini Roy was active in the Ilbert Bill agitation, organising girls at the Bethune School to hold meetings and wear badges supporting the Bill. She worked with Banga Mahila Samiti in their social reform projects. Aghorekamini Nari Samiti mobilised opinions against the ill-treatment of women workers by the tea planters. Prabhavati Mirza had got inspired by Aurobindo's terrorism.. At the age of ten only she fasted in protest against Khudir am's hanging and later turned out to be a committed trade unionist of the 1930s.

24.4.2 Women "Terrorists"

Kumudini Mitra had organised a group of educated Brahmin women who liaised between the revolutionaries in hiding. Women got increasingly involved with revolutionary groups, popularly known, feared and revered as "terrorists". In December, 1931, Shanti Ghosh and Suniti Chowdhury shot a district Magistrate, Mr. Stevens, who had harassed women more than the law, perhaps, permitted. Mina Das had attempted to shoot the Governor of Bengal, Stanley Jackson in 1922. They had all acted on their own and the first two were sentenced to transportation for life. Preetilata Wadedar led a raid on a club that the Europeans frequented. The bomb killed one and injured four. Preetilata, clothed in male attire took cyanide to avoid arrest. A paper stating that the raid was an "act of war" was recovered from her person. On the same day pamphlets were distributed exhorting teachers, students and the public to join the campaign against the British rulers and the Europeans. Sarala Debi and Sister Nibedita were also closely related to and inspired by the Bengal terrorists.

24.5 MAJOR ISSUES CONFRONTING WOMEN'S UNITY

24.5.1 Communalism and Casteism

The issue of communalism was taken up by All India women's Conference (AIWC) in the thirties. In 1932 both their district branches and the annual conference organised protests against the reservation of separate seats for women in the legislatures applying communal criteria. The Bombay branch, for example, got involved in riot relief and the Andhra Pradesh branch started a campaign against religious prayers in the schools. The organisation was, perhaps, the first to raise demands for uniform civil code so that women cannot be subdued and tortured by religious dictums and caste obligations. They demanded exactly the same law for all women of India- whatever may be their caste or religion.

Unfortunately, by 1940s communal tensions manifested among the members themselves, as a result of the increasingly hostile relations between the congress and the Muslim League. By 1944 most of the Muslim women left AIWC. After partition and migration to Pakistan, they formed All Pakistan Women's Conference, thus belying the very purpose of this organisation. The AIWC in India continued to work against

communilism, casteism and patriarchal oppression and started getting members from all religious groups, though the Hindu and the Dalits are many more in number.

Communalism and casteism have taken a horribly violent and ugly form ever since the carving out of the country on communal lines; Intolerance of the lower castes and of the religious and racial minorities has increased by leaps and bounds; mobilisation among women in protest and self-defence has also become stronger and wider. The other modes of oppressions, related to and born out of patriarchy and the concentration of wealth and power in the hands of a few, have also motivated the women's movement in India. The number of such organisations is so large and the area of their activities is so vast that it is simply impossible to make individual note of them within the extremely limited scope of this lesson. The students will have to rely on their general knowledge and daily newspaper reading.

24.5.2 Daily Encounters with Oppression

i) Against Alcohol

Bhil women were the first known to have raised their voice against the alcohol menace by breaking liquor pots in 1972. We know of so many such after that, the most sustained and successful having been The Anti-Arrack Movement in Nellore in Andhra Pradesh. Alcoholism is understood by women and the men who fight for women's cause, as a major cause behind wife-beating and family violence. Unending or increasing impoverishment of a family is also mainly because of man's income being wasted on this menace. That is why all women's bodies take up alcohol as a major issue, apart from dowry and sexual abuse, in fact all anti-liquor movements gradually get involved in all other problems facing women. Even the movements for environmental protection, e.g the Chipko movement, the movement for equal land rights, e.g the Bodhgaya, and the movement for a separate political entity, like. Uttaranchal, could not separate itself from the age-old day to day problems that have not allowed women, from the socially and economically backward section particularly, to see the light of freedom.

ii) Against Dowry

Progressive Organisation of women, Hyderabad was the first to organise powerful movement against dowry in 1975. It used to attract more than 2000 men and women in their demonstrations and the anger had spread to Maharashtra, Karnataka, Madhya Pradesh, Gujarat and even to as far as Punjab and Bengal. But the movement took deep and permanent roots in and around Delhi because the problem was, and is, much more acute and gruesome in this clutural belt. Mahila Dakshata Samiti was the pioneer body in Delhi in this regard. Now its scope, like in case of all other similar organisations, has spread over to all other areas concerning women's oppression and subjugation.

iii) Against Sexual Abuse Rape and other forms of sexual abuse are the most common and frequent of crimes against women and yet, the most unreported. This is the most easily available and ego-satisfying weapon in the hands of male power not merely to overpower women, but even to overpower men from the deprived and oppressed communities. Apart from rapes within the family or due to personal lust or enmity, rapes are quite common occurrence in communal and caste tensions and in police custody. The agitation against rape, for the first time, started against police rape. The rape of Ralimmeza Bi in police custody became a symbol. The movement is ever-increasing in area, support and anger, yet the upward trend in the number of incidents is not getting checked. Shakti Shalini,

Sasbala Mahila Sangha, Janvadi Mahila Samiti are some of the striking names in this field. The last named has been organising women in their political battles also. The latest over-riding issue for women of all categories, of course, has been the reservation of seats in the highest decision-making bodies of the land.

All forms of male domination, in fact, were based on women's economic dependence. The two primary structures of women's oppression were thus, the sexual division of labour and the culture and politics that rationalised it. On the other hand, Mahilal Samata Sainik Dal, like most other women's bodies, believed that men's base desire for sexual pleasure had led them to enslave women. What is fascinating about the movements against various forms of violence and women's movements have basically sprung as an urge to resist and protest is how these have woven together several different kinds of attitudes towards women: from feminist to anti-patriarchal to anti-capitalist to utopian patriarchalism. The last is held mostly by men who feel it is their duty to protest and care for their women.

A whole new set of personal relationships developed in the feminist movement of friendships which cut across class, caste and cultural barriers, even though, to some extent, these friendships remained unequal. The middle class women, who usually were the leaders or organisers, acted more out of a sense of duty, and the poor from a position of helplessness and gratitude. Yet, the growth of a new sense of 'individuality' was clearly visible.

24.5.3 Environment and Livelihood

As explained by Engels, ownership of land and the means of production controls all categories of human relationships and is, therefore, the basis of patriarchy. Even in the age of highly advanced science and technology, food and all that a human being needs come from Nature and environment. We also know that from the day one of human existence, women have been the food gatherer and food provider; and therefore, women are the worst affected as a result of environmental degradation and indiscriminate robbing of Nature. That is why, women's movement has been most powerful with regard to their and their family's livelihood and the conservation of Nature. It started with women breaking forest laws in pre-independence India. Chipko and Narmada Bachao movements are good examples in this regard. 'Self-employed Women's Association (SEWA)' is the first known organisation in India and South Asia, which united the women workers in the unorganised and the home-based sectors. This perhaps, is the most successful and sustained women's movement since it got closely tied up with 'Mahila Kosh' or women's co-operative bank. It has inspired many similar movements in Bangladesh, Nepal and elsewhere in South Asia. The Self-employed Women's Union of South Africa has copied the model in totality and these two, to gather, have been able to influence ILO to enact international laws, giving recognition and protection to the home-based workers (the majority of whom are women from the most deprived sections of a economy). The 'Grameen Bank' of Bangladesh had become another widely acknowledged model for women's economic independence.

CHECK YOUR PROGRESS 3

Note: i) Use the space below for your answers.
ii) Check your answers at the end of the unit.

1. Write what you know about the activities of a few women terrorists.

1. Explain why alcoholism has been taken as a major cause for violence against women.

2. What do you think is/are the basic reason/s behind violence against women?

24.6 WOMEN IN POLITICS OR POLITICS ‘BY’ WOMEN

In section 24.4 you have read, in brief about women’s independent political identity or initiative. In this section you will be able know a few instances where such initiatives looked more pronounced.

24.6.1 Telengana Movement

Women’s participation was significant in the Telengana movement for land and related Eco-political rights. Though the leadership was with men, the movement could have died early if not for the strong and sustained motivation from the women. It started against the injustices for the British Raj (1941), and continued against the continuation of the injustices even under their own government (till 1952).

24.6.2 Bodh Gaya Movement

Another landmark movement for land, i.e., livelihood, or economic rights “by” women was the forceful acquisition of the ‘patta’ by the peasant women, who had collected from in and around Bodh Gaya (Bihar). The men were not putting in enough efforts or resources into the land due to drinking and other bad habits. The unexpected success became a terrific inspiration for all united efforts by women. But, the success here was unique and exceptional; in most other cases success was not in their fate, and Bihar continues to be one of the top States in social injustice and oppression of women.

24.6.3 Dalit Women’s Movement

It will not be wrong to say that the Dalit women got first organised by a self-taught Dalit couple, the Phules, in Maharashtra. They (Phule couples) can also be called one of the founders of the movement for women's rights in the 19th Century. At present, Janvadi Mahila Samiti is the strongest supporter of this movement. The Dalit women felt the need to organise themselves separately, both from their men and the other women, mainly because of two reasons: (i) Dalit men, however oppressed themselves, do not stop oppressing their own women; and (ii) The non-Dalit women, however sincere, fail to comprehend the 'double' oppression that a Dalit women invariably suffers.

24.6.4 Adivasi Women's Movement

In the North Cachhar hills of Nagaland, Gudiallo, affectionately called 'Rani', became famous for her role in the civil disobedience movement. She got involved at a very early age of 13, inspired by her male cousin Jadonang, who was active in mobilising the villagers in Manipur. In 1931-32, Gudiallo led a 'no tax' campaign, having taken over the reins of leadership from her cousin brother who was hanged by the Raj. These villagers stopped paying the compulsory levies on portage and started refusing to work as forced labour.

This is one of many such indigenous and spontaneous peoples' movements which used to be strongly discouraged and disowned by the 'mainstream' nationalist politics. This trend and the attitude of deciding what is good and what is necessary for the other or others is the foundation of patriarchy and capitalism (and, of course, imperialism), and continues to this day even after independence. That is why the adivasis, the dalits and the women are continuing to fight their battles even after more than half century of India attaining freedom. At present, the war against environmental degradation is fought mainly by the adivasis or the sons and daughters of Nature, because robbing of Nature means robbing of their livelihood and culture. The mainstream government of independent India does not realise that our country is, once again, getting colonised by the world market forces.

24.6.5 Movement through Literature, Theatre and other Forms of Expression

Section 24.3.1 has given us a brief idea about women's contribution to their own movement through literature during the pre-independence social reform and political movement period. There was a bit of a lull in the first few decades after independence. Maybe the women took a little time to realise that 1947 did not bring any independence for them. Lately, with the rising strength in the women's movement for equality, there has been a spurt in writings, films and plays by women and on women. Powerful women writers like Arundhati Roy, are trudging the 'women only' field and taking up the cause of humanism or universal human rights much more forcefully than men. Women are making men realise that their good lies in women's good and that women's good lies in the good of the entire humanity.

CHECK YOUR PROGRESS 4

Note: i) Use the space below for your answers
ii) Check your answers at the end of this unit

1. What is the very special problem faced by a dalit women ?

24.8 SOME KEY WORDS

Colonial: relating to or characteristic of a colony. A colony is a territory and a people, occupied and ruled over by an imperialist power or imperialist mentality

Reform: amendment of what is defective, vicious, corrupt or depraved; removal or correction of an abuse, wrong or errors.

Feminist ideas: ideas born out of the belief that women are equal to men with regard to political, economic and social rights.

Gender: the socially established division between man and woman with the implied belief that women are inferior to men in every aspect of life.

Radicals: marked by a considerable departure from the usual or traditional; a political group associated with views, practices and policies of extreme change.

Bourgeois: one with social behaviour and political views influenced by private property interests and consumerism.

Westernisation: conversion to or adoption of the traditions and the latest culture of the highly industrialised countries, generally in the western hemisphere.

Polygamy: the custom of having more than one wife at the same time.

Suffrage: the right to vote (in political matters or for the formation of a government).

24.7 SOME USEFUL BOOKS

Kumar, Radha, *The History of Doing*, Kali for women, New Delhi, 1993.

Sanghari, Kumkum and Vaid, Sudesh (eds.), *Recasting Women: Essays in colonial History*, Kali for women, New Delhi, 1989.

Liddle, Joanna and Joshi, Rama (eds.), *Daughters of Independence: Gender, Cast and Class*, Kali for Women, New D`elhi, 1986.

Gail Omvedt: *Cultural Revolt in a Colonial Society*

Gail Omvedt : *We will smash this prison*

24.8 ANSWERS TO CHECK YOUR PROGRESS EXECCISES

Check Your Progress Excercise 1

- 1) It was called so because attempts to introduce the social reforms for the improvement of the conditions of the women were made during this period. The evils which were sought to be eliminated included tradition of sati, child marriage, ban on the widow-remarriage, purda system, etc.
- 2) Pandit Ishwarchandra Bidyasagar and Pandit Matrunjay proved that the the Shastras approved the widow-remarriage; widow-remarriage associations were formed and the widow re-marriage ruled were made.
- 3) He founded the Arya Samaj which attempted to fight the caste system, tradition of polygamy, child marriage, and for the compulsory learning of Sanskrit and English.

Check Your Progress Exercise 2

- 1) These instances were: in 1907 Madan Cama unfurled the “Bande Matram” flag at the Congress of Socialist International at Stuttgart; in 1913 Kumudini Mitra was invited to the International Women’s Suffrage Conference at Budapest; Sarojini Naidu, Sarla Debi and Hardevi Roshalal were also among the first women to raise the issues of the women.
- 2) As a member of the Arya Samaj she toured almost all over Punjab pleading to the women not to encourage their sons to join the government jobs but to become the “swadeshis”.
- 3) According to them the “swaraj” and “swadhinata” meant self rule , and the “strength and power to rule over oneself “ respectively.

Check Your Progress Exercise 3

- 1) They participated in the Indian National Movement by killing the British officers, and by appealing to students, teachers and public to revolt against the colonial system.
- 2) Alcoholism has the adverse impact on the entire family. The women revolted against it by launching the Ant-Arrack Movements in several parts of the country, especially Andhra Pradesh and Uttaranchal.
- 3) The violence against women get expressed in the form of rape, dowry death, domestic violence, etc. The main reasons for this lie in their vulnerable social, economic and educational conditions, and the values of the people.

Check Your Progress Exercise 4

- 1) The dalit women face dual problems of discrimination: they face the general problems which are faced by the women belonging to all castes, and the problems which are faced by the dalit women due to their caste status.

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UNIT 25 DALITS

Structure

- 25.0 Objectives
- 25.1 Introduction
- 25.2 Who is a dalit and what is a dalit Movement?
- 25.3 Dalit Movement in India
 - 25.3.1 Dalit Movement in the Colonial Period
 - 25.3.2 Dalit Movement in the Post – colonial Period
 - 25.3.3 Causes of dalit Movement
- 25.4 Let Us Sum Up
- 25.5 Key Words
- 25.6 Some Useful Books
- 25.7 Answers to Check Your Progress Exercise

25.0 OBJECTIVES

After reading this unit, you will be able to:

- Understand the meaning of dalit movement in India;
- To identify the issues/problems involved in the dalit movement;
- To know various forms of dalit movement;
- To know phases through which the dalit movement has passed; and
- Analyse the role of dalits and their organisations in the electoral politics.

25.1 INTRODUCTION

Last few decades have seen a spate of dalit movement in various parts of the country. This is reflected in their social, cultural and political activities at various levels, i.e., state, local and all India. A large number of social and cultural organisations of dalits, their political parties and leaders have emerged in various

parts of the country. Though in most parts of the country they are not able to assert themselves, yet in the areas where favourable situation exists dalits are asserting themselves. They have become a decisive force in the social and political processes of the country. The contemporary dalit movement is taking place along with the social and political movements of various other social groups like women, tribals, environmentalists, workers and peasants.

25.2 WHO IS A DALIT AND WHAT IS A DALIT MOVEMENT?

Dalits are those groups of people who have faced social discrimination including the untouchability. They largely belong to the economically disadvantaged groups of our society. They are placed in the Scheduled Caste categories in our constitution. The category of dalits was first used by Jyotiba Phule in the nineteenth century. It was first popularly used by the Dalit Panther in the 1970s. But it has come in currency quite recently – from the 1980s onwards. It has almost replaced the category of harijans used for the dalits or Scheduled Castes. The term Scheduled Castes was in common use till the term of dalit became more popular from the 1980s onwards. There are special provisions for the protection of their interests in our constitution – reservation in the public jobs, scholarships, legislative bodies, etc. Universal adult franchise and other constitutional rights have enabled them to participate in political activities.

Dalit movement raises issues of caste-based discrimination and economic inequality. It is a struggle for social justice. The issues on which dalit movement is launched are: self – respect, harassment of women, payment of wages, forced labour or begar, disputes over land, implementation of the reservation policy, promotion in the job, denial of democratic rights like casting of votes, disrespect to Dr. B.R. Ambedkar/his statue, etc. Dalits protest and agitate on these issues in various ways which include mainly informal ways, at individual basis, through the organised ways, satyagraha and litigation, by getting these raised either in the parliament or in the legislative assemblies. Dalit movement/agitation is also expressed through collective action like demonstration, rallies, procession; through signature campaign, protest literature, etc. Some times their agitation result in the clashes between dalits, police and the those elements in the society who are inimical to the interests of dalits.

Check Your Progress 1

Note: i) Use the space below for your answer

ii) Check your answer with model answer given at the end of unit.

1) What do you mean by the term dalit?

2) What the main issues raised by the dalit movement?

25.3 Dalit Movement in India

Dalit movement in India is taking place at various levels such as those of villages and towns, state and all India (nation). It is taking place in those areas where dalits are in a position to agitate, as still in many parts of the country they are not able to raise their voice. Therefore, certain trends can be identified in the dalit movement in the country from the regions where it has been taking place. Dalit movement in India can be divided into two periods; pre- Independence period and post – Independence period.

25.3.1 Dalit Movement in the Colonial Period

During the pre-Independence period, there were dalit movements at both levels in India – the national and the provincial. At the national level M K Gandhi and Dr. B R Ambedkar attempted to take up the problems of dalits. But Ambedkar and Gandhi followed different approaches to solve them. Gandhi found untouchability as a corrupt form of Hinduism, and suggested that it can be solved by moral reform of the Hindus. He coined the term “harijans” with the purpose to

say that dalits or untouchables were also “people of God” like those of the high castes. Ambedkar on the other hand saw the real cause untouchability in the very nature of Hinduism and suggested that only solution to the untouchability or caste discrimination lay in abolition of Hinduism or conversion of dalits into other religion, preferably Buddhism. Before actually questioning the tenets of Hinduism or advocating conversion Ambedkar had tried to eradicate untouchability within the fold of Hindu region. Regarding this he launched the temple entry movement. The most important incident which drastically changed attitude Ambedkar about the Hindu religion was the Mahad Satyagrah of 1927 in Maharashtra. In this incident Ambedkar led a large number of dalits to enter into the Chowdar water tank which was banned for the untouchables by the orthodox Hindus. Ambedkar’s move was opposed by the orthodox Hindus, who ritually purified the tank. The reaction of the orthodox Hindus forced Ambedkar to burn the *Manusmriti*, and remark in 1935 “ I have been born a Hindu but I will not die a Hindu“. He realised that the basic problem lay with the Hinduism and for dalits to be liberated from the menace of untouchability, conversion was the only panacea. This conviction of Ambedkar resulted in his conversion to Buddhism in 1956 with a large number of his supporters.

There were leaders at the provincial levels also who were involved in combating the problems of dalits. There were also single caste movements in different parts of India – of Nadars, Pulayas, Ezhavas in South; of Namsudra movement in West Bengal; *Adi Darm* movement led by Mangoo Ram and *Adi Hindu* movement led by Acchutananda among the Chamars of Punjab and Uttar Pradesh respectively, Narayana Guru led movement among the Ezhavas in Travancore and Ayyakali-led movement among the Pulayas of Kerala. These movements were committed to self-reform in the rituals, advancement of their education, gaining access to employment under state. Dalit movement of Pulayas traced their origin to the pre-Aryan period and described them as the original residents of the country – Hindus or the high castes had come later on. Mangoo Ram traced the religion of the untouchables prior to the Hindu religion. According to him the untouchables were the original inhabitants (*Adi*) of India; they had their own religion - the *Adi Dharm*. The *Adi Dharmis* had been pushed to the subordinate positions by the later arrivals. He tried to revive the *Adi Dharm*. By the mid-1930s the movement had petered out. Sri Narayana Guru (1857-1928) developed a critique of Hinduism in Travancore which had influence beyond his own Ezhava

community to Pulayas, etc. His philosophy was “one caste, one religion and one God for man”. With the emergence of Ayyakali (1863 – 1941) Pulayas also became effective. Pulayas were later attracted towards the Marxists and Gandhians in Kerala. In Hyderabad princely state, P R Venkataswami attempted to mobilise the untouchables. The main plank of his mobilisation were self-reform, education and equality. Dalit movement in South and West during the 1920s and 1930s also focused on permission to enter the temples.

The provincial level dalit leadership also responded to the social reform movements of North India which took place in the early decades of the twentieth century like the Arya Samaj. But finding the leadership of these movements belonging to the high castes, too patronising and their notion of equality too restricted, they parted company with these movement. This was followed by their independent course of action. It happened in UP and Punjab. Similarly in Madras MC Raja found the Non-Brahmin Justice Party inimical to the interest of the untouchables.

Apart from these, the dalits, especially the Chamars, of Madhya Pradesh (Chhattisgarh) had already been under the influence of the Satnami movement since the 18th century inspired by the legacy of the leadership of Guru Ghashi Das. The Satnamis questioned the notion of social and ritual hierarchy in two simultaneous ways: by rejecting the Hindu gods and goddesses, and by rejecting the *puja* and *purohit* within the temple. The was in line with the Bhakti tradition. With the entry of Ambedkar and his conflict with Gandhi over separate electorate to the untouchables, catapulted Ambedkar to national level politics of the untouchables in India. From the 1930s onwards – Amdedkar started his movement with the issue temple entry.

A major area of difference in the earlier years of the twentieth century between Congress and Ambedkar was regarding the issue which had be given priority over the other in the programme of the Congress. Ambedkar believed that the Congress should accord the social issues priority over the political issues. He felt that political rights can not be enjoyed without establishing social equality. Congress on the other hand believed that once political rights have been given to the people, social equality can be established.

Dalit politics in the following period was marked by the conflict between Ambedkar and Gandhi. The occasion when the differences between Ambedkar and Gandhi came to the fore was Round Table Conferences of 1930-31. By then

having understood the futility of the temple or tank entry movement, Ambedkar focused on the need for giving representation to dalits, as a separate and minority community in various public bodies.

Ambedkar sought into national prominence following his differences over the nature of electorates at the Second Round Table Conference of 1931 in London; the conference had met to discuss the Simon Commission Report which had suggested joint electorate and reservation for the Depressed Classes. Ambedkar was one of the two Depressed Classes representatives invited to the Conference. Ambedkar demanded separate electorate for the Depressed Classes. Ambedkar's claim was supported by another representative of the Depressed Classes from Madras – MC Raja. But Gandhi opposed Ambedkar's proposal for the separate electorate for the Depressed Classes. Raja changed his position and entered into an agreement with Munje, President of the Hindu Mahasabha to support the joint electorate. Raja – Munje pact divided the leadership of the untouchables. Ambedkar was supported by the Mahar leaders from Maharashtra, *Adi Dharm Mandals* from Punjab and one of the organs of the Bengali *Namsudras*. Raja's supporters included prominent Chambhar leaders from Maharashtra. Gandhi on the other hand set on fast unto death on September 20, 1932 against the Communal Award of the British which advocated the separate electorate. In order to avoid unpalatable situation which could result following fast of Gandhi, Ambedkar relented and entered into a Pact with Gandhi known as Poona Pact. According to it separate electorate was removed and instead reservation was introduced in the legislative bodies for the untouchable castes. The recommendations of Poona Pact were incorporated in the Government of India Act, 1935. As a result there was reservation in the legislative assemblies during the election of 1937. Ambedkar's party Independent Labour Party contested this election. He later converted ILP into the Scheduled Caste Federation (SCF). Later on, Raja had become supporter of Ambedkar. After his death, the supporters of Ambedkar formed Republican Party of India (RPI). On the other hand, Congress and Gandhi were patronising towards the untouchables; Jagjivan Ram emerged from such patronage.

Check Your Progress 2

Note: i) Use the space below for your answer

ii) Check your answer with model answer given at the end of unit.

1) Discuss the dalit movements at the provincial level during the colonial period.

2) Discuss the nature of relationship between Dr. B. R. Ambedkar, M.K. Gandhi.

25.3.2 Dalit Movement in the post – colonial Period

Dalit movement in the post – Independence period in India can be divided into three phases, i.e., phase I (1950s – 1960s), phase II (1970s –1980s); and phase III (1990s onwards. There has been a common feature of dalit politics through out the post – Independence period, especially from the 1960s onwards, e.g., to strive to have a party of their own or a party led by the dalits. The shift in dalit support from the Congress to RPI in the 1960s, to the Janata Party in 1977, the Janata Dal in 1989 and to the BSP in the 1990s onwards are examples of this desire of the dalits. Several factors have contributed to the rise of dalit movement, especially from the 1980s onwards. These include emergence of a new generation among dalits, which is conscious of their rights, explosion of mass media and the impact of the ideas of Dr. B R Ambedkar.

Phase I (1950s – 1960s)

Implementation of the universal adult franchise, reservation in educational and political institutions, and in jobs for the Schedules Castes as per the provisions of the constitution enabled a large number of them to take advantage of these facilities in the period following independence. Along with these the state in India introduced several programmes for the betterment of the disadvantaged groups of the society, especially the Scheduled Castes and Scheduled Tribes. Though in Most parts of the country the Scheduled Castes could not benefit from the measures introduced by the state due several practical reasons, yet these did help them wherever suitable conditions existed for them. Besides, the political parties,

especially Congress party attempted to mobilise them as its vote bank. Despite the difficulties in availing of their right to vote in many parts of the country, politicisation of the dalits took place to a considerable extent. Such process made them conscious of their rights. The policies and strategies of the Congress helped it create its social base which consisted of Dalits as major social group. The politicisation of dalits during this phase took as a constituent of the social base of the political parties, especially the Congress. Meanwhile, there emerged the first generation of dalit leadership borne after independence, which included educated middle class professional as well. This group became critical of dominant political parties and the cultural ethos, especially the Congress and the Hindu belief system. They started feeling that the Congress was using them as the vote bank; the high castes were holding the leadership of this party and not allowing dalits to get the leadership. On the cultural front they felt that the Hindu religion does not provide them a respectable place. Therefore, in order to live respectfully they should discard Hindu religion and convert to Buddhism. The advocates of this opinion were influenced by the ideas of Dr. B.R. Ambedkar. They formed Republican Party of India (RPI) based on the ideas and principles of Ambedkar. In the late 1950s and 1960s RPI launched a cultural and political movement in UP and Maharastra for achieving political and cultural autonomy form the dominant formations. A large number of dalits got converted to Budhhism. The RPI emerged one of the important political parties in the assembly and parliamentary elections held in UP during the 1960s. But the RPI could not remain a force in UP after the 1960s because its main leadership got co-opted into the Congress, a party against whom it had launched movement in the preceding decade.

The Second phase (1970s – 1980s)

This phase was marked by the combination of class and caste struggles. In the rural areas of West Bengal, Bihar and Andhra Pradesh the naxalite movement launched a struggle against the caste and class exploitation. In the cities of Bombay and Pune, the Dalit Panther launched the similar kind of movement.

Dalit Panther Movement

An educated group of dalits – young dalit writers and poets, in two major cities of Maharastra set up an organisation known as Dalit Panther in 1972. Influenced by Amedkarism, Marxism and “Negro literature”, they aimed at rejecting the caste system, which according to them was based on the Brahmincal Hinduism. Spreading their ideas through the media and communication network, through the

discussions and debate in the public space, i.e., offices, houses, tea shops, public libraries, dalit writers and poets provided the critique of the Hindu caste system and exploitative economic system.

The origin of the Dalit Panther can be traced to a controversy which centered around the articles and poems written by dalit writers in a socialist magazine, *Sadhana*. Raja Dhale's writing was most controversial of these writings. The controversy centered around two points; his comparison of a fifty rupee fine for molesting a dalit woman with hundred rupees – fine for insulting the national flag; another point was repetition of the points which were made earlier at the publication ceremony of the collected poems – *Golpitha*, of Namdev Dhasal, another noted dalit - Marxist writer. The *Golpitha* poems were also related to the exploitation of women.

The high caste middle class felt outraged by the articles and demanded banning of the issue of *Sadhna* which carried the article by Raja Dhale. Dalit youths in reaction also organised a defence march holding a red-on-black Panther flag. In order to give up the conventional organisational nomenclature, they gave a new name to their organisation Dalit Panther. The activists of Dalit Panther belonged to first generation educated youth, whose parents were poor peasants and labourer, who had inherited the legacy of Ambedkar movement.

Initially the movement proclaimed to have an alliance of exploited people – dalits, backward classes, workers and peasants. Its programme centered around the problems of women, rejection of Brahminical principles of purity and pollution, and fight against all kinds of political and economic exploitation. In the tradition of Ambedkarism, they aimed at achieving the political power. This movement grew in the wake of the failure of the Republican Movement of the 1970s which suffered because of the personality differences of its leadership. With its main leadership having joined either the Congress or any other formation, the RPI movement had become almost an insignificant force. But the seeds sown by this movement resulted in the formation of Dalit Panther and its movement. But like the RPI movement, it had to suffer from the split. Two main leaders of the Dalit Panther Raja Dhale and Namdev Dhasal developed differences on the ideological ground. The former an ardent Ambedkarite accused Namdev Dhasal, a marxist of ignoring the caste problem and helping the communists to penetrate the Dalit Panther movement. This ultimately resulted in expulsion of Dhasal from Dalit Panther in 1974. Raja Dhale formed a separate

group of Dalit Panther. In 1976, the younger members of Dhale group led by Arun Kamble and Ram Das Athavale formed a new organisation Bharatiya Dalit Panther, in an attempt to give it an all India face. It took up the issues relating to education system, facilities to the Buddhist converts, renaming the Marathwada University at Aurangabad as Ambedkar University, and “nationalisation of basic industries”. But this also could not make any dent.

The Dalit Panther could not be able to make an alliance of all exploited. It got divided between the Ambedkarites and Marxists, particularly after the 1974 by election to the Bombay parliamentary constituency.

Naxalite Movement in Bihar

Unlike the dalits of west UP or Maharashtra, those of Bihar did not experience anti-caste movement in the colonial period. While the non-dalit peasantry was mobilised by different peasant or caste organisations in Bihar, dalits largely remained the vote banks of political parties. Jagjivan Ram did not make any efforts to mobilise them excepting for getting their votes. It was only since the late 1960s that dalits of central Bihar were initiated into the political movement. But it was not the exclusively on the caste lines; it was on the mix of caste and class exploitation. In Bihar there seemed to one to one relationship between caste and class to a considerable extent. The landlords formed their caste *senas* (private armies) in order to protect their class interests. The dalits got organised there on the caste and class lines. It was a backward class leader a koeri, Jagdish Mahto who made first attempts to mobilise the dalits of Arrah district. Influenced by the dual ideologies of Marxism and Ambedkarism, he started a paper called “Harijanistan” (dalit land) in Arrah district. He believed in the violent methods, including murder of the landlords in fighting the cause of the dalits. He raised the issues of low wages to the land less workers, protection of *izzat* of dalit women and social honour. He was murdered in 1971.

Dalit mobilisation in Bihar got momentum again in the 1980s following the spade of attacks by the private army of the landlords such as “Bhoomi Sena” (of the Kurmis), “Lorik Sena” (of the Rajputs) on dalits. In reaction to this the labourers formed “Lal Sena”. As the larger number of the victims of the landlords sena included dalits, they formed the larger chunk of the supporters of the naxalism.

The naxalites attempted to unite the middle caste and the middle peasants. They

set up organisations like “Liberation”, “Party Unity” in Patna and Jehanabad districts. Party Unity set up a public organisation Mazdur Kisan Sangram Samiti (MKSS) in collaboration of ex-socialist Dr. Vinayan. The MKSS along with another organisation (Bihar Pradesh Kisan Sabha – BPKS) which was formed at that time organised demonstrations in 1981. These two organisations formed underground armies and fought against the gangs of the landlords. They also fought among themselves. In 1983 the Liberation group formed another public front, The Indian Peoples’ Front (IPF). The IPF contested 1985 election. This showed a change in the perspective of the naxalite groups, which changed from emphasis on the “agrarian revolution” to “taking state power”.

Dalit movement in Karnataka

In Karnataka also dalits organised into the Dalit Sanghasrsh Samiti (DSS). It was an organisation which was set up in 1973 and set up its units in most districts of Karnataka. Like Bihar it also took up caste and class issues and attempted to build an alliance of diverse groups of the exploited classes. It also brought dalits of different persuasions – Marxism, socialism, Ambedkarism, etc, under the banner of a single organisation. During 1974 and 1984 it took up the issues relating to wages of the agricultural labourers, *devdasi* and reservation. It held study groups to discuss the problems of dalits. The DSS was formed following the resignation of a dalit leader Basavalingappa, who was asked to do so by the chief Minister Devraj Urs. This leader referred to the literature of the high caste with Bhoosa (cattle fodder). This outraged the students belonging to the high castes, leading to the caste rights between the high castes and dalits. Incensed by consequences of the remarks of the minister the chief minister had asked him to resign. The *Bhoosa* controversy set a strong anti-caste tendency, which was represented a journal *Dalit Voice* set up by a journalist Rajshekhar. *Dalit Voice* attacked Brahmins as “Nazis” and the left movement as “Brahmo –Communist” and termed dalits as “born Marxists”. According to the editor of *Dalit Voice* the main issue in the dalit-OBC mobilisation is not the alliance between the dalits and the OBCs, the leadership of dalits over the OBCs.

Phase III (1990s onwards)

The 1990s have seen the proliferation of dalit organisations in in different states of the country. The case of the BSP in Uttar Pradesh is most important. Though the RPI had been influential in Uttar Pradesh like Maharashtra since the 1950s, the rise of the BSP has been the most striking feature of dalit identity and politics in Indi. It has been able to lead the government in Uttar Pradesh thrice with a dalit woman Mayawati as the chief minister. The BSP was founded on April 14, 1984 by its president Kashi Ram. Before forming the BSP Kashi Ram mobilised dalits under the banner of two organisations, i.e., the BAMCEF (All India Backward and Minority Employees Federation) and DS4 (*Dalit Soshit Samaj Sangharsh Samiti*). These were social and cultural organisations with their focus on the mobilisation of the dalit middle classes. With the formation of the BSP, Kashi Ram changed the social and cultural organisations into a political party – the BSP. The BSP aimed to mobilise the majority other sections of the society, the *Bahujan Samaj*, consisting of the dalits, backward class and religious minorities which excluded the high castes like Brahmans, Rajputs, and Banias. The BSP believes that the minority high castes have been using the votes of the majority communities or the *Bahujan Samaj*. They did not let them become the leaders or the rulers. As in a democracy it is the majority who should rule, the *Bahujan Samaj* should become the ruling class. There was a need to reverse the pattern of power game in the country; the *Bahujan Samaj* should no longer allow the minority high castes to use them as the vote banks. Rather the *Bahujan Samaj* should be the rulers. With this perspective the BSP contested the assembly and parliamentary elections in several states in the country from 1985 onwards. The BSP made its present felt in North Indian states, especially Punjab, UP, Rajasthan and Madhya Pradesh.

The BSP has been able to consolidate its position among dalits mainly for its strategy of electoral alliances and the public policies. The most important case of the BSP's electoral alliance has been in the state of UP, though it has attempted electoral alliances in other states as well . From the 1993 assembly election of UP onwards, the BSP has entered into alliances with the major political formulations like Congress, the BJP and the Samajwadi Party in UP or the Akali Dal and Congress in Punjab, which could help it win the assembly and parliamentary elections or in the post-poll alliance which help it form the government. The first alliance which the BSP made was with the Mulayam Singh Yadav-led Samajwadi Party in UP in 1993 election.. The this alliance was considered as an

example of the unity of the *Bahujan Samaj* – the BSP identified with the dalits and the Samajwadi Party with the backward classes and the minorities. This alliance, however, continued only till the BSP withdrew support from the Mulayam Singh Yadav-led SP-BSP government in 1995. The fall of Mulayam Singh led-government was followed by its alliance with the BJP, which enabled Mayawati to become the first dalit woman Chief Minister of any state. Immediately after becoming the Chief Minister, Mayawati declared that her party serve the *serva samaj*; it was shift from her earlier position where she vowed to fight for the *Bahujan Samaj*. It was beginning of the BSP's change in the electoral or alliance strategy. In the subsequent elections, contrary to original principles, it gave tickets even to the high castes Brahmins, Rajputs, Baniyas and Kayasthas gave them representation as ministers in her government.

However, during her Chief Ministership, Mayawati introduced special policies for dalits. The most important of these included: – Ambedkar Village Programmes consisting of the special programmes for the welfare of the weaker sections in the villages identified as the Ambedkar Villages on the basis of the substantial dalit population in such villages, and naming of the public institutions after the low caste historical personalities. It also took prompt action against those who involved in the discriminatory activities against the dalits. The rise of the BSP has imparted a sense of pride and confidence among the dalits in the country. Especial focus of the BSP-led coalition governments in UP on the dalis in its policies has created caused resentment among the non-dalits both the high castes as well as the backward classes. The BSP has been able to counter this by change in its alliance strategy. Unlike its initial strategy, the has been giving tickets to high castes. In fact in the elections held in 2002 to the UP assembly election, the largest group of the MLAs in the UP legislative election belong to the high castes. The main criterion for forging alliance seems to be the ability of the candidates to win the election, which could made possible by an alliance of dalits and high castes candidates who are given tickets by the BSP.

Though the BSP contributed to the politicisation of dalits to a large extent, it could not maintain the unity of the *Bahujan Samaj*. The main reason for its success lie in the electoral strategy of the BSP.

Check Your Progress 3

Note: i) Use the space below for your answer

ii) Check your answer with model answer given at the end of unit.

1. What were the basic features of dalit movement in India during the 1950s and 1960s?

2) Discuss the factors responsible for the rise of Dalit Panther.

3. Describe the basic features of dalit movement during the 1990s.

25.4 Let Us Sum Up

The social groups which have faced discrimination including untouchability are called dalits. Last two decades have seen emergence of dalit movement in various parts of the country. Dalit movement forms a part of social and political movements of other social groups like environmentalists, tribals, women and peasants and workers. Large number of organisations of dalits – social, cultural and political have emerged in various parts of the country. The BSP is one of the examples of such organisations. These organisations are autonomous and raise the

issues of dalits exclusively. The reasons for the rise of dalit movement include – rise of a new generation of dalits which is more articulate and conscious of their rights, explosion of mass media and impact of the ideas and life of Dr. B R Ambedkar. The BSP is the most important example of a dalit party which has carved a niche for it in north India. In Uttar Pradesh it been able to head the state government thrice. The success of the BSP depended on its electoral strategy and pattern of mobilisation.

25.5 KEY WORDS

Dalits: The social groups which have faced discrimination including untouchability are called dalits.

Dalit Movement: It means the protest of dalits against their discrimination of all kinds and for protection of their rights.

Social Justice: It means an absence of social and economic discrimination; conditions which are for the protection and preservation of equality, self-respect and other rights.

25.5 Some Useful Books

Dube, Saurabh, *Untouchables pasts: Religion, Identity, and Power among a Central*

Indian Community, 1780-1950, State University of New York Press, 1998.

Omvedt, Gail, *Reinventing Revolution: New Social Movements and Socialist Traditions in*

India, M. E. Sharpe, England, 1993,.

_, *Dalits and Democratic Revolution : Dr. Ambedkar and the Dalit Movement in Colonial India*, Sage Publications, New Delhi, 1994.

Mendelsohn, Oliver and Vicziany, Marika, *The untouchables: Subordination, poverty and*

the in modern India, Cambridge University Press, Cambridge, 1998.

Pai, Sudha, *Dalit Assertion and the Unfinished Democratic Revolution: Bahujan Samaj Party in*

Uttar Pradesh, New Delhi, Sage Publications, 2002.

25.7 Answers to Check Your Progress Exercise

Check Your Progress Exercise 1

- 1) Dalits are those groups which have social discrimination including untouchability. They largely related to the economically disadvantaged groups of the society. They belong to the Schedules Castes as enshrined in our constitution.
- 2) These are related to social justice, and some of which include protest against the discrimination of all kinds, struggle for protection of the self-respect, payment of wages, against the forced labour, dispute over land, implementation of the reservation policy, fight against disrespect to Dr. B. R. Ambedkar, denial of democratic rights like casting of votes, etc.

Check Your Progress Exercise 2

- 1) These were single caste movements, i.e., of the Nadars, Pulayas and Ezhavas in South; of Namsudra in West Bengal; *Adi Dharm* movement in Punjab and *Adi Hindu* movement in UP; and *Satnami* movement in Madhya Pradesh. These movements were committed to self-reform rituals, advancement of dalits' education and access to employment under state.
- 2) Gandhi and Ambedkar differed in their approach to the problem of caste and Untouchability. According to Gandhi the untouchability was a corrupt form of Hinduism and it can be eradicated by moral reform of Hindus. Ambedkar thought that the real cause of untouchability was the nature of Hindu religion, and suggested that the untouchability and casteisms can be eradicated by the rejecting Hinduism – in the conversion from Hinduism to other religion, preferably Buddhism.

Check Your Progress Exercise 3

- 1) These were: rise of the beneficiaries, among the dalits, of the state policies like the implementation of the universal adult franchise, reservation in the educational and political institutions and in the government jobs. During this phase dalits did not emerge as an independent political force; rather they were mobilised by the major political parties like the Congress. However, a large number of them had come under the influence of the RPI in UP and Maharashtra.

- 2) These were: the impact of Ambedkarism, Marxism and “Negro literature”, and a controversy which arose from the articles and poems written by the dalit intellectuals in Maharashtra and reaction of the high castes.
- 3) This period has seen the rise of dalits as an independent political force signified by proliferation of dalit organisations in various parts of the country. The rise of the BSP in the North India, especially in UP is the most important example of their rise as an independent political force.

Unit 26 TRIBALS

Structure

26.0 Objectives

26.1 Introduction

26.2 Tribal Society and Economy

26.3 Social and Political Movements in India

 26.4.1 Pre - colonial period

 26.4.2 Post – colonial period

26.5 Characteristics and Consequences of Tribal Movements

26.6 Let Us Sum UP

26.7 Some Useful Books

26.8 Answers to Check Your Progress Exercises

26.0 OBJECTIVES

This unit deals with one of the social and political movements in India, i.e., the movements of the tribals. After going through unit, you will be able to understand:

- The meaning and main features of tribals in India;
- Their socio -economic conditions;
- Their movements in the pre-colonial and post-colonial periods; and
- The reasons and consequences of the tribals movements in India.

26.1 INTRODUCTION

Tribe is a colonial concept, introduced in the 19th century, by colonial authorities and ethnographers to describe all communities of India. In the latter half of the same century, the concept of tribe was narrowed down to the primitive groups as distinct from castes. It was under the Government of India Act of 1935 and the Constitution of India that the

nomenclature of the Scheduled Tribe fully emerged. The Constitution of India does not define a tribe. The notion of the Scheduled Tribe has two aspects. It is administratively determined *inter alia* by the criteria of backwardness and remoteness – people living in forests and on hills. They are also called *adivasis* – the natives. The tribals like many other social groups have launched social and political movements for the redressal of their grievances.

Most of the regions except the Southern pockets, the North –western region and the islands have witnessed several agitations of the tribals during the colonial and post – colonial periods. During the pre-colonial period tribals rose against the regional power of the Marathas or Rajputs. They resisted against the zamindars and non-tribal administrators. During the colonial period they struggled against the British rule for their autonomy. Birsa Munda revolt in Central India is best known example of this. There were also regio-political movements resisting against the non-tribal cultural authority through religious ideas

26.2 TRIBAL SOCIETY AND TRIBAL ECONOMY

However, tribe in India today subsists on a single techno-economy of production. Most of them subsist on a combination of five modes or even more, of subsistence. The primitive technology, namely, hunting, food gathering and shifting and terrace cultivation is confined to the heavy monsoon zone covered by the tropical forests in the north-east, parts of eastern and central regions, the Nilgiris and the Andaman Islands. Pastoral economy which constitutes about 10 per cent of the tribal economy survives in the high altitude of the sub-Himalayan regions, the arid zones of Gujarat and Rajasthan, and in a small pocket in the Nilgiris. More than three quarter of tribal workers are engaged in the primary sector of economy, of which a majority are cultivators followed by agricultural labourers. A large number of them are engaged in livestock, forestry, fishing, hunting etc., and as workers in construction sector, mining and quarrying.

Though barter is reported among tribal communities on a significant scale compared to the non-tribals, almost the entire tribal economy today is in the vortex of market forces.

There has been a marked shift among the tribal communities from the traditional to the

new occupations. For instance, a number of communities practising hunting and gathering has declined as forests have disappeared and wildlife has diminished. Ecological degradation has severely curtailed the related traditional occupations of the tribal communities. However, there is a rise in horticulture terrace cultivation settled cultivation, animal husbandry, sericulture and bee-keeping. The tribes are moving away from their traditional occupations and settling down as peasants and that they have taken up new vocations to augment their income and raise productivity. We also find evidence of diversification in the tribal economy. There is a sharp rise in the number of tribals employed in government and private services, self-employment, etc. Many of the traditional crafts have disappeared and spinning, in particular, has suffered. Related activities such as weaving, dyeing and printing have similarly suffered. Skin and hide work, etc. have undergone changes; stone carving has declined. But the number of tribals employed in mining and masonry has gone up steeply which suggests a new mobility.

The tribals are also craftsmen. Carving and body tattooing consist of the forms of arts and crafts prevailing among the tribal people. Wall painting and drawing have emerged as other major forms of art in recent years. In fact there has been a significant revival of these forms of art on a commercial scale among the Warlis, Rabaris, Rathawas and others. Basketry involves the largest number of tribes, followed by those engaged in weaving, embroidery and pottery.

The impact of development processes, particularly education, has created a new stratum of entrepreneurs/businessmen, teachers, administrators, engineers/doctors and members of defence services among the tribals. Development process has also created division in tribal society. Disparities have increased. With the loss of control over resources and growth of population, demographic growth rate has been higher among tribes than the national average, poverty among the tribals has also increased manifold. Barring a few tribes or a few sections among them, the tribals remain among the most backward and poorest sections of our populations.

26.4 SOCIAL AND POLITICAL MOVEMENTS OF TRIBALS

26.4.1 pre- colonial period

In the pre-colonial period some of the tribes founded states in the territories extending from the north-east, through middle India to western and southern India. Where they did not found states, they were accommodated within regional political system, retaining a great deal of autonomy and freedom. Elsewhere the tribes were reported to be in disturbed conditions on the eve of the colonial rule. For example, in western India the tribes such as Gonds, Vills and Kolis were reportedly in a disturbed state. The tribals often rose against regional powers such as the Marathas, Rajputs etc. The Mughals had put down the Kolis and the Marathas had dealt with the Bhils and Gonds, with a heavy hand. All this radically changed during the colonial period that witnessed the first major assault on tribal autonomy and tribal's control over their resources such as land, forest, minerals, etc. Colonialism also witnessed the dismantling of pre colonial political structures built up by the tribals or those that accommodated them. Therefore, tribals rebelled more often and organised movements and protests on a larger scale than any other community during the colonial period.

The First Phase (1795-1860)

The rise and establishment of the British rule saw the beginning of the first phase (1795-1860) of the tribal uprisings which may be described as primary resistance movements. The Santhal insurrection (1855-6) represented a transitional phase marked by the agrarian resistance and revivalism.

In the North-East the sub-phases of tribal rebellions could be similarly demarcated. The Garos and Hajongs who submitted to the British rule to escape the tyranny of their zamindars, came under the influence of the Pagal Panthi. Their chief, Tipu who became the leader of the oppressed peasantry, founded a kingdom and was arrested. The Khasis were engaged in acts of depredations in the plains they raided from 1787 to 1825. The Singphos, Mishmis, Lushais, Khamptis and Daflas raided plains and killed people. The Khasis opposed the construction of the road, and the confederation of Khasi chiefs resisted the British attempt at the occupation of their country, led by Tirot Singh. The British sent out expeditions to punish the Lusahis, Mishmis etc. In middle India, this phase ended with the revolt of Maniram Dewan and Saranga Raja of Assam in 1857.

The Second Phase (1860-1920)

The second phase (1860-1920) coincided with the onset of the intensive period of colonialism, which saw a much deeper penetration of merchant capital, a higher incidence of rent, etc., into tribal and peasant economies. It intensified the exploitation of the tribes. As a result of this, there were not only a larger number of movements, represented by such evocative native terms as *mulkui larai*, *fituri*, *meli*, *ulgulan* and *bhumakal*, involving many tribes but also a far more complex type of movement, which represented a curious mix of agrarian, religious and political issues. The Bhakti movement with its tenets of monotheism, vegetarianism, cleanliness, abstention from liquor, etc., was introduced by mendicants (gossains) artisans and peasants moving into tribal areas. Christianity also arrived and under its impact a new tribal middle classes emerged, which was educated, conscious and self-respecting. Both Christianity and Bhakti movement contributed in this phase to the rise of millenarian movements. The tribal movements demonstrated, in varying degrees, tribal resistance against the assaults on their system and their attempt to prop up its mouldering edifices. They were followed by the socio-religious or revitalisation movements, viz, the Kherwar movement among the Santals (1871-80), the *Sardar* revivalistic movement among the Mundas and Oraons (1881-90), the Tana *bhagat* and Haribaba movements in Chotanagpur, the *bhagat* movement in Madhya Pradesh and Bhil revivalism, which were expressive of the tribals urge to create a new order. These two lines of the movement, through the length and breadth of the sub-continent, revealed striking similarities, a basic unity of response to almost the same complex of challenging forces.

The movement led by Birsa Munda (1874-1901) is the best known of the socio-political movements of this phase because the movement sought to establish Munda raj and independence. In its socio-religious aspects, it was like any other *bhagat* movement, with the difference that it was also influenced by Christianity, and it used both Hindu and Christian idioms to create the Munda ideology and world view. The rebels attacked police stations and officials, churches and missionaries. Though there was an undercurrent of hostility against the dikus (outsiders), there was no overt attack on them except in a couple of controversial cases. The uprising was quelled, but its lessons were acknowledged in the passing of the Chotanagpur tenancy act. It sought to protect the Munda land system,

prohibit transfer of tribal land recognise tribal right to reclaim land and create a new administrative unit. Their revolt forced the Mewar durbar to sign a 21-point agreement.

The Third Phase (1920-1947)

In the third phase from 1920 to 1947 we see three trends in tribal movements. The first trend is the impact of the freedom struggle led by Mahatma Gandhi who mobilised some of the major tribal groups in the national movement and reconstruction programme. The second trend is represented by the movements centering on land and forest revival and reform of tribal society. The third trend is reflected by the rise of movements seeking autonomy, statehood, separation and independence led by the tribal middle class.

We may describe in brief three movements, the Tanabhat movement among the Oraons, the Haribaba movement among the Hos and allied tribes, and the Rajmohini movement among the Gonds. To the Hindu peasantry steeped in the medieval *bhakti* tradition, the Mahatma appeared like a *bhakti* preacher, and to the tribals like a bhagat. The best known of bhagat movements was the Tanabhat movement which started in the manner of a nativistic movement. On April 21, 1914, an Oraon youth in his 20s, from the Dharmesh, the Supreme God, in a dream, together with the divine power and supernatural gifts necessary for the restoration of the Oraon raj (this sentence to be redone). While the tribes accepted the nationalist programme and joined the mainstream of the national movement, they resisted against their economic and cultural exploitation. Swaraj meant not only freedom from British rule, but also freedom from the oppression of the *dikus*, money-lenders, zamindars and feudal-overlords.

In the princely states where tribals were more backward, the Praja Mandals launched movements against the feudal order by mobilising the tribals. The tribes who responded particularly to these movements were the Bhils, Gonds, Kharwars, Mundas and Khonds. Most of them had a notion of property, private or communal, in land, which had been threatened by the colonial system and feudal exploitation. The agrarian issues which excited them were the demands for *begar* or *veth* (compulsory labour without payment) *rasal* or *magan* (free supply of provisions for visiting officers), and exactions other than rent (*abwabs*).

Two nativistic movements sought to revive the pure and pristine elements of tribal culture. The Seng Khasi, a socio-cultural organisation of the Khasis had been established

as early as 1889 to preserve the Khasi way of life. Through its platform the non-Christian Khasis have tried to strengthen the ancient system of clan relationship, which was disturbed by the large-scale conversion of the Khasis to Christianity. The second, the Zelianrong movement, started as a religio-cultural movement under Jadunang. It assumed a political overtone and became the only movement to have established linkages with the national freedom struggle. Under Gaidinliu it remained strongly nationalistic, promoted tribal solidarity and demanded creation of a separate administrative unit for the Zelianrong people to be formed out of the territories inhabited by the constituent tribes in the contiguous regions of Manipur, Assam and Nagaland, to which these states did not agree.

Check Your Progress Exercise 1

Note: D) Use the space given below for your answer.

11) Check your answer with the given at the end of the unit.

1) What is the Seng Khasi?

2) Identify the main trends of the tribal movements in India during 1920-1947.

26.4.2 post-colonial period

The post-colonial period witnessed intensification of the exploitation of resources of the land of the tribals and their marginalisation, immiseration or paupersation, despite progress in education and employment, representation in politics and share in power, and affluence of a section of tribal middle class. Therefore, this period witnessed the rise of a larger number of movements centered on the issues of identity, equality, empowerment, self-rule, etc. Tribal movements may broadly be classified into:

- (a) Political movements for autonomy, independence, state formation, and self rule .

(b) Agrarian and Forest-based Movements: movements for control over resources, such as land and forest or the movements directed against land alienation, and displacement and against restrictions in forest and for forest conservation.

Political movements

There been attempts at articulation of the aspirations for political autonomy among the Gonds and Bhils during the period that followed independence. The Raj Gond leaders such as Raja Naresh Singh demanded the formation of a separate state for the adivasis to be carved out of the tribal areas of Chattisgarh and contiguous districts of Rewa region and Vidarbha, in a memorandum submitted before the States Reorganisation Commission. On 19 May 1963 Narain Singh Ukey, President of the Gondwana Adivasi Seva Mandal reiterated the demand for the formation of the Gondwana state, consisting of the Gond and other tribal regions of the Chattisgarh and contiguous districts of Vidarbha in Maharashtra.

It was in Chotanagpur - Santal Pargana region of Bihar that the movement for political autonomy and formation of a state really developed further. The Adivasi Mahasabha was wound up and merged with a new regional party, the Jharkhand Party, in 1949. Behind it were the experiences of the failure of the militant movements and of the framing of the Constitution of India. The Jharkhand Party was thrown open, at least, in principle, to all residents Chotanagpur. There was thus a transition from ethnicity to regionalism as the formative factor in the movement. The period from 1952 to 1957 was in many ways the peak period for the Jharkhand movement and party, which had emerged as the major party in the Chotanagpur-Santal paraganas region. The second general elections in 1957 had seen it extend its influence to Orissa, where it captured five seats and held the balance of power in the state politics which was plagued by instability. It displayed remarkable unity, laid down the law in the tribal region, could mobilise thousands of people and take out mammoth processions at short notice. The decline of the party which began in the early 1960s. The reasons for its decline were the following: involvement of the tribals in the process of development; rivalry between the advanced Christian tribals and backward non-Christian tribals arising out of competition on education, employment and control on the resources for development; and, shift in the support of the non-Christian tribals from Jharkhand to the Congress and Jana Sangha.

The Jharkhand Mukti Morcha emerged as a major political force in the industrial and mining belt of Chotanagpur and in state politics after the 1980 general elections. It sought to broad base the separatist movement by including with its ambit the peasant and working classes. The Jharkhand is described by its ideologues as an internal colony which is being exploited by outsiders. Even though the region accounts for 28 percent of minerals it avails itself of only 15 per cent of the state's budget for development. The development process itself is exploitative of the local inhabitants and outsiders have moved in to seize all opportunities of employment.

Through many vicissitudes that affected Jharkhand movement, the groundswell of support for a separate state continued and even intensified, bringing within its sweep major political parties. They started by setting up the regional structures in the 1980s, The then Prime Minister Indira Gandhi declared in 1980 that Chhotanagpur was a culturally distinct area. This was translated into an autonomous political authority in the early 1990s. In 1988, Bhartiya Janata Party committed itself to the formation of Vananchal State in terms of regional backwardness. Thus the two important players who were for long opposed to Jharkhand reversed their roles. All Left parties barring the CPI(M) supported the demand for a separate state in 1980s while highlighting land and forest issues, nationality, class and ethnic question, generally ignored by major parties. Thus while on the one side, the Jharkhand State was steadily growing and this was translated into electoral gains for the pro-state parties particularly the BJP in the 1990s.

The Committee on Jharkhand Matters recommended setting up of an autonomous authority. The Jharkhand Area Autonomous Council (JAAC) came into existence in 1993, but it fell short of the expectations of the people who demanded nothing short of a full state. In the two general elections held in 1995 and 1996 the all India parties advocating a separate state swept the polls Jharkhand state became a reality on 15 November 2000, substantially fulfilling the objective of a Jharkhand state set by the Jharkhand Party in 1950 and dream of a tribal raj held out by Birsa Munda, about one hundred year ago.

Political Movements in the North-East

Tribal movements in the North-East stand in a category by themselves because of the region's unique geopolitical situation and historical background. Political processes in the North-Eastern hills picked up on the eve of transfer of power when a considerable

number of tribals and a substantial section of their elite among the Khashis, Mizos, Garos and even a section among the Nagas agreed to participate in the constitutional system of India. Old tribes assumed new names, small tribes merged with larger tribes, and the tribes combined to form a new ethnic-cum-territorial identity. While the processes up to the formation of the autonomous councils or the state were almost common to all tribes, there were differences on the question of their relationship with the nation-state. A section of the Nagas chose the path of insurgency, followed by the Mizos, the Meiteis, and the Tripuris. Other sections of the same tribes later preferred integration. For example, in Nagaland the Angami, the Ao and the Sema who had played the major role in the beginning of Naga insurgency opted for sedate regional politics. The centre of gravity shifted from the area dominated by these tribes to the areas inhabited by the Konyak and Lotha and now to the international border. The insurgency is now dominated by the Hemis, and the Konyaks and Tangkhuls. In fact there has been a reaction among these minor tribes against the dominated by the Hemis, and the Konyaks and Tangkhuls. There is also a demand for the formation of the remote and underdeveloped Mon and Tuensang districts into a union territory.

The Naga Movement

The Naga movement is the oldest ongoing movement for autonomy or independence. The origin of the present Naga movement could be traced to the formation of a Naga club in the year 1918 at Kohima with a branch at Mokokchung, which consisted mainly of the members of emerging Naga elites, including government officials who came from the administrative centres of Kohima and Mokokchung educated in Christian educational institutions, and a few leading headmen of the neighbouring villages. The club discussed social and administrative problems involving all the tribes of the Naga Hills.

The Naga Club submitted memorandum to the Simon Commission in 1929. It prayed for keeping the hills outside the scheme of reforms and for continuing the direct British administration of the hills. In April 1945 the District Tribal Council which united the individual tribal councils was formed in the Naga hills at the initiative of the then Deputy Commissioner of the Naga Hills District. The nomenclature of this Council was changed to Naga National Council (NNC) in 1946. The Japanese fought their last battle during World War II at Kohima, the headquarters of the Naga Hills District. The constitution of the Naga National Council as the political forum of the Naga tribes could be considered

the beginning of the modern phase of the Naga movement. It gave a sense of political unity to the Naga tribes and it embodied the concept of Naga nationhood.

In 1946, the British Government proposed a scheme to carve out a Trust Territory comprising the Naga Hills, the then NEFA area and a part of Burma, as a 'Crown Colony' under control from London. The educated Nagas in the NNC quickly opposed this idea of British colonisation, like the Indian National Congress, and declared that the British must quit Naga hills when they quit India.

The objectives of the NNC have developed through many phases from autonomy to independence. Under the in the 9-point agreement reached between the NNC and the Government of India — represented by the late Sir Akbar Hyderi, the then Governor of Assam on 27-29 June 1947, there were provisions for protection from land alienation, creation of administrative autonomy and a special responsibility of the Government of India for their implementation. The Naga movement from 1947 to 1954 in the Naga Hills remained peaceful and constitutional. Towards the end of 1949, the Naga National Council changed its goals favouring Independence outside India Union.

In 1954, the Naga announced the formation of the Hongkin Government that is the 'People's Sovereign Republic of Free Nagaland'. Violence broke out in 1954 and there were many incidents involving the Indian army and rebels. In July 1960, a 16-point agreement was reached between Prime Minister Pandit Jawaharlal Nehru and a Naga delegation. On 1 August 1960, Prime Minister Nehru announced in Parliament the decision of the Government to make 'Nagaland' the 16th state of the Indian Union. By this time a new group of 'overground' Naga leaders had emerged in Nagaland, who formed the Nagaland Nationalist Organisation (NNO). The NNO was formed mainly by those leaders who had been instrumental in bringing about statehood for Nagaland. In the same way, there emerged the Democratic Party of Nagaland which was formed by those who differed from the NNO leadership and harboured sympathy for the secessionist underground group. However, the militant section of the Naga movement remained underground for more than a decade between 1954 and 1964. Till 1968, several rounds of talks were held between the underground leaders. Another landmark was the signing of the Shillong Accord, on 11 November 1975 under the terms of which the underground Naga accepted the Indian Constitution, the deposited their arms and government of India in turn released Naga political prisoners and promised their rehabilitation. However, while there has been no resumption of insurgency and more and more underground have come over ground, renouncing violence and Nagaland has generally remained an oasis of peace and stability in the troubled North-East, the Accord has been repudiated by Phizo

himself and the hostiles. The hostiles stood divided into three camps (i): the pro- Phizo Federal Party, (ii) the group led by Mown Angami who became Vice-President of the underground Naga national Council and who condemned the Federal party of its reconciliation with New Delhi and denounced the insurgents for betraying Christianity and (iii) the insurgents imbued with Moists ideology led by a Tangkul Naga, T. Muivah and Isak Swu who have established the National Socialist Council of Nagaland (NSCN). There were incidence of shootouts, cross fire, murderous attacks, and indeterminate killings between pro-Phizo and Muivah-Isak factions on the Indo-Burma borders.

Behind the permutations and combination of Naga politics one sees the changing equations among various tribes. The Angami, Ao and Sema who played the major role in the beginning of Naga insurgency have opted for sedate regional politics. The centre of gravity has shifted from the area dominated by these tribes and by the Konyak and Lotha to the international border. The insurgency is now dominated by the Hemis, and the Konyaks and Tanghuls loyal to pro-Phizo party have been killing the Angami, Khomengan and Chakesang. In fact there has been a reaction among these tribes against the dominance of the advanced tribes such as the Ao, Angami, Chakesang and Lotha.

Meanwhile, the Nagaland politics have moved between the mainstream and regional poles. The Nagaland National Organization ran the government from 1964 to 1975. In 1976 it merged with the Indian National Congress to gain a national identity. The Nagas in the mean time have emerged as the most dynamic and progressive people in the north-east who has built up village development board as the catalyst of rural development and also raised a Naga regiment which fought at Kargil. And yet, the final solution to the Naga problem is not yet in sight, though negotiations often take place between the government of India and insurgent group to find a solution.

Agrarian and Forest-Based Movements

In the post-colonial era the pattern of alienation of tribals' resources such as land shows a marked change. Tribals are being displaced not only by non-tribals but also by the state and other organisations which require land for development. They are now pitted not only against other people but also against the state which they see as the major instrument for displacing them from their land.

The tribals are asking not only for restoration of the land that they lost by invoking the provision of the Andhra Pradesh Scheduled Area Land Transfer Regulations, 1959, which come into force in 1963, but also the transfer of ownership and delivery of possession in regard to the land allotted to them. Of late, they have been organised by CPI (ML) of the People's War Group (PWG). In February 1981 there was an unusual spurt of forced harvesting on lands taken away from them by non-tribals, raiding of houses of moneylenders and decamping with mortgaged valuables. The traditional system of communication was revived to organise the tribals. Signals were exchanged by beating the drum. The Gond *darbar* held on 6 February 1981 at Keslapur declared that the problems of the tribals had come to a boiling point. The Gonds also prevented the demarcation of land for afforestation. They had earlier reacted strongly to the scheduling of the Lumbadars, a community of traders and moneylenders, as a tribe in 1977, because the Lumbadars always exploited the tribals and their status as a tribe helped them to legitimize their illegal possession of the Gonds' land. On 20 April 1981 a conference was planned by CPI(ML) at Indervalli. The meeting was banned and the tribals were persuaded not to assemble there. However, they took out a procession which came into conflict with a police force. About 15 tribals lost their lives.

26.5 CHARACTERISTICS AND CONSEQUENCES OF TRIBAL MOVEMENTS

The leadership of the tribal movements has mainly emerged from themselves. While the leadership of the first phase emerged from the upper crust of tribal society, that of the second rose from the lowest rung of it. The Santal brothers were landless - Birsa Munda was a raiyat or a parja (crop-sharer) and Govind Giri was a hali. The leadership of the third phase and post-colonial periods was provided by the members of the upcoming tribal middle class, both in middle India and in the North-East. They were educated people which included priests, catechists, teachers, public servants, rural leaders and professionals who spoke largely in secular idioms. The leadership of the social reform movement was provided by the outsiders such as the Gandhian workers, of the Parja Mandal agitation by outsiders like Motilal Tejawat and of some tribal uprisings such as the Nagesia by even "Baniyas".

The goals of the movement ranged from the restoration of the pre-colonial polity, service tenure (Chuar), and land (Sardar) and right in forest to expulsion of outsiders, end of taxation, social reform, political independence, or establishment of the tribal raj or participation in constitutional and democratic political apparatus, formation of tribal states, gaining equality and end of exploitation.

The social and ethnic composition of the movements ranged from the movement led by a single tribe to a confederacy of tribes and the castes subordinate to the tribes such as the artisans and service groups. Most of the movements were limited to a tribe but such movements in the first phase such as Kol and Santhal insurrections encompassed many tribal and non-tribal groups. In the third and post-colonial period broad based political parties emerged among the tribes, both in North-East and in middle India. The all India tribal platforms gradually emerged in 1960s.

All tribal movements were limited in scale but they had an immediate impact on policy which has been partly discussed above. Their impact has however to be studied both in the short and long term perspectives. In the short run the authorities responded by taking immediate measures to address the tribal concerns, devise measures to protect their resources, facilitate access to the officials etc. In the long term the colonial policy built up a framework to institutionalise the isolation for tribals, a combination of elements of direct and indirect rule (in princely states, in the North-East etc., a mix of legal and administrative measures to protect land against alienation to non-tribals, and protect customary rights in forest. There was, however, to be no development of any kind – the missionaries were left free to manage education and health services. It was left to the Gandhian workers and Congress ministries which assumed office in late 1930s to institute inquiries into tribals' poverty, indebtedness and backwardness and put in place the first slew of welfare measures.

The results of the uprisings were thus not uniform for whole of tribal India. While in British India they achieved a non-regulation administrative system for tribes and special agrarian laws to protect tribal land, little was done or allowed to be done for them in princely states. However, the political agent

did intervene to uphold status quo rather than promote change. This ambivalence was typical of the colonial system.

Check your Progress Exercise 2

Note: I) Use the space given below for your answer.

ii) Check Your answer with the answer given at the end of the unit.

1) What were the reasons for the decline of the Jharkhand Party in the 1960s?

2) What was the “Crown Colony” ?

3) What was the Shillong Accord?

4) What have been the main goals of the tribal movements in India?

26.6 LET US SUM UP

The tribal movements are now being characterised as identity-based movements, of which various other issues relating to autonomy, land , forest, language and scripts are only ramifications. It is identity that is under stress. Identity stands at the centre-stage. This change in perception has now been made possible by people's own understanding of the situation, their perception of growing threat to their identity, the ongoing environmental and indigenous people's movements, and so on. The tribal movements now are being placed within the context of power relations, the scramble for power, the

search for equation among various communities within a region. The tribes have emerged as political communities, like other communities.

The tribal movements are no longer perceived as belonging to one type. The movements arising out of the complex social situations are perceived as a mix of types and traits. So are the causes and processes, which are now perceived as endogenous and exogenous, a mix of issues relating to resources, culture and identity.

26.7 SOME USEFUL BOOKS

Shah, Ghanshyam(ed), *Social Movements and the State*, Sage Publications India, New Delhi-2001.

Singh, K.S., (ed.) *Tribal Movements in India, Vols. I &II*, Delhi : Manohar, 1982, 1983.

26.8 ANSWERS TO CHECK YOUR PROGRESS EXERCISE

Check Your Progress Exercise 1

- 1) It was a socio-cultural organisation of the Khasis, which was established in 1889. It aimed to preserve the Khasi way of life against the large scale conversion of the Khasis to the Christianity.
- 2) The main trends of the tribal movements were:
 - i) The first trend: the impact of the Indian National Movement and the participation of the tribals in it.
 - ii) Confluence of the tribal movement regarding land and forest and the movement for reform in the tribal society. (take it to the body of the text as well – at the relevant place.
 - iii) Rise of the movements seeking autonomy, statehood, separation and independence, and led by the tribal middle classes.

Check Your Progress Exercise 2

- 1) Reasons were the following:

- i) Involvement of the tribals in the process of development.
 - ii) Rivalry between the advanced Christian tribals and backward non-Christian tribals arising out of competition on education, employment and control on the resources for development.
 - iii) Shift in the support of the non-Christian tribals from Jharkhand to the Congress and Jana Sangha.
- 2) It was a proposed “Trust Territory” suggested by the British government comprising the Naga Hills, the then NEFA area and a part of Burma, known as “Crown Colony”. It was supposed to be under the control from London. But it was opposed by the Nagas and the Indian National Congress.
- 3) It was an accord signed between the underground Nagas and the Government of India on November 11, 1975. Under the terms of this accord the Nagas accepted the Constitution of India, deposited their arms. The government of India released Naga political prisoners and promised their rehabilitation.
- 4) The main goals of the tribal movements included: restoration of the pre-colonial polity, service tenure, land, right to forest, expulsion of outsiders, social reform, end of taxation, etc.

UNIT 27 ENVIRONMENT

Structure

- 27.0 Objectives
- 28.0 27.1 Introduction
- 27.2 Historical Background
 - 27.3.1 Man - Nature Relationship
 - 27.3.2 Emergence of Eco-politics
 - 27.3.3 Debate on Development and Sustainability
- 27.3 Major Issues
 - 27.3.1 Role of the State
 - 27.3.2 Role of Judiciary
 - 27.3.3 Environment versus Livelihood
- 27.4 Nature of Environment Movements
- 27.5 Two Case Studies
 - 27.5.1 Silent Valley Movement
 - 27.5.2 Chipko Movement
- 27.6 Let Us Sum Up
- 27.7 Key Words
- 27.8 Some Useful Books/Articles
- 27.9 Answers to Check Your Excercies

27.0 OBJECTIVES

This unit deals with an important and so far quite neglected theme in political science, namely; environment movements in contemporary India. After reading this unit you should be able to:

- understand historical relationship between man and the nature, emergence of ecopolitics and debate on development and sustainability;

- learn about the major issues addressed by the environment movements in form of the role of the state, judiciary, Non-Governmental Organizations (NGOs), people, political parties, local bodies and legislations; and,
- outline the sources of conflicts of interest and narrate the processes of mobilization of victims of various environmental destruction by two case studies.

27.1 INTRODUCTION

Environment consists of physical, chemical and biological conditions which influence life on earth. Environment is not only a mere existence of natural elements like air, water and forests. It is essentially made up of both nature and man-made conditions. Any imbalance in environment, caused either by nature or man, has positive or negative impact on all forms of life on earth. Man's limitless ability to alter environment has two major consequences. One of them is on himself and the other is on all non-human components of environment be they air, water, soil, forests or animals.

In all societies, be they democratic or authoritarian, a decline in the quality of environment has occurred due to man's mindless and greedy use of natural resources. A major conflict of interests has developed between those who wish to continue the plunder of nature and those who are opposed to it. A voice is being now raised for saner use of natural resources in a manner that does not destroy the environment but preserves it at the same time. Broadly speaking, all efforts in this direction of protecting environment through legislation or otherwise fall in the ambit of environment movement. It can be seen that this is a vast and complex task. Environment movement is about firstly making the victims of the plunder aware and conscientised and then lead them to preventive and protective collective actions. How this is done and with what degree of success or failure is discussed here.

27.2 HISTORICAL BACKGROUND

27.2.1 Man-Nature Relationship

Man is one of the many species on earth. He is a major actor and component in the environment. Nature has its own ways to create and maintain balance among its various components. However, man has been mindlessly exploiting natural resources for development and generating prosperity in the last centuries with the growth of industrialisation. This has created an imbalance. In other words, the process of development brought about by the industrial revolution has depleted the resources faster than the natural replenishing capacity of the environment. Hence, the resulting of crisis of the environment. In order to overcome the limitation, man has adverse consequences on the environment. For instance, vehicles of various kinds are invented to increase the speed of transportation and movement. The adverse effect is poisonous emissions from vehicles causing greenhouse effect in biosphere.

27.2.2 Emergence of Eco-politics

The term eco-politics is of recent origin. Eco-politics is about interrelationship and mutual connection between environmental and political issues. Earlier, the ecological issues were paid attention only if they concerned national defense or collective security such as nuclear fall out or oil scarcity. Over the time, the focus has got extended to issues of development. Ecopolitics pleads for a value-based regulations regarding the use of natural resources in a manner that on one hand it prevents narrow unilateral exploitation and on the other hand, ensues equitable distribution of fruits of development.

In the third world or developing countries, conflict on the issue of development takes a different form. Here the divide is between those who wish to protect the environment at all cost and those who are committed to development at any cost. This does not mean that the environmentalists are as such against development but plead for an eco-friendly development. They prefer alternative or sustainable development. Eco-politics results in the process of determining the preferred path of development.

27.2.3 Debate on Development and Sustainability

Development is an extremely nebulous, deceptive and therefore ambiguous concept. It is usually associated with modernisation, industrialisation, urbanisation, science and technology. It essentially connotes change, growth and progress. Industrial revolution epitomized this view of development, resulting in a grave error so far as environmental interests are concerned.

After second world war, colonialism ended and new nations were born. In order to increase productivity, large industries were set up by employing capital and resource-intensive technology. Unfortunately, this approach resulted in increasing inequalities, poverty and environmental crisis. The Report of the South Commission (1992:38) has observed that, "Inequalities tended to widen, as the economy grew and became more industrialized... the gap in income, knowledge and power was growing and large segments of the population experienced no significant improvement in their standard of living...". The blind faith in ideology of development through this type of industrialisation caused a huge resource depletion and pollution. The goal of human welfare and meeting basic needs of the people could not be attained by this model of development.

Developing countries consist of poor and the powerless. All efforts for speedy economic development through industrialisation in these countries have given more and more power to the financial and political elites. Degradation of environment has occurred due to both chronic poverty and uneven industrialisation. The general situation is such that the elites pay only lip service to environmental values and actually go on ecological rampaging. Even if they value environment they are often unwilling to part with the profits. Their stock defence and ready excuse is contained in their argument about lack of financial viability and absence of viable technical know-how to clean up (or keep clean the environment). The debate should actually be focused on the social or environmental cost of production versus mindless plunder of ecology for never ending profits for few. This debate remains unresolved mainly because of an informal alliance between the financial industrial and political-bureaucratic elites. The political system is usually repressive of general and particularly environmental dissent. It is often expressed as well as put down violently. Protests to safeguard the environment are often viewed and

dismissed by the elite interest. Thus, the situation in developing countries are sensitive and crucial. Such issues as land degradation, desertification, deforestation and pollution of air, water and soil by industries either remain ignored or inadequately and nominally attended. All in all, the poverty, resulting degradation and insensitive political system make the matters worse. A ray of hope lies in emergence of positive ecopolitics by green parties and groups in Europe and micro environment movements by environmental organizations in the developing countries. This leads us logically to explore the relationship between the civil society, state and ecopolitics.

27.3 MAJOR ISSUES

As is clear from the discussion in the previous section, the environment movement has thrown up various issues regarding vital inter-domain relationships between the victims and redressal systems existing in a society. Those who are adversely affected by the environmental problems and are protesting and resisting against a repressive alliance of vested interests need to be paid attention to understand the dynamics of environment movement. First and foremost major issue is pertaining to the nature and role of the state. Judicial option and intervention is second major issue discussed here. The third issue is regarding the debate between environment versus livelihood.

27.3.1 Role of the State

In order to understand what role state has played, we must understand theoretical conception and contemporary context of state. One understanding of state is that it is a neutral space or impartial agency for resolving the conflicts of interest which occur in market and civil society. However, Indian state's performance for last five decades provides contrary evidences. The Indian state has failed to play its role and hence the civil society has to fill the void. Let us first explore the contemporary status of the state. Ever since the ending of cold war, collapse of communism and triumph of advancing capitalism, most nation-states are ruthlessly overrun. There has been an upsurge in global democratic aspirations as a result of the collapse of communism. The forces of free market are linking national economies with global economic systems. Globalisation of

politics and economy is taking place. The state is being caught in this process and is under pressures from within and without.

It is found that the state or its counterpart in form of a local municipal body have acted in a biased manner in the issue of environmental pollution. The issue of environmental protection is split in two camps. One side is the 'iron triangle' of elitist domination in form of 'bureaucrats-industrialists-politicians' and on the other are the powerless victims of pollution and environmental degradation. Studies have shown that, instead of operating as a mediating and balancing agency, the state functions as a party to the issue against the interests of the people. If we see the history of legislation on pollution, we find that first of all nobody is ready to accept the existence of this issue. The people who are the victims of air or water pollution are left in cold with burden of proof on their shoulders. Whether it is US Steel Mill in Gary Indiana or factories and industries in Vapi, Ankleshwar, Nandesari and Baroda in Gujarat, when people go to complain about the impact of pollution in form of holes in the clothes and kitchen vessels or deaths of buffaloes or elephants by drinking polluted water, released stealthily in the nearby open spaces, village ponds, ravines and rivers, the polluting industries' first reaction is there is no such problem. When potato and banana growing farmers of villages in Baroda region of Gujarat complained about crop-destruction due to air pollution, the polluting industry instantly disowned and disclaimed the responsibility.

The impact of pollution is first felt by the people but the 'iron-triangle' usually opposes its existence. People are ultimately, left with no other option but to launch a movement first to make an issue of the problem. It is the suffering people who find themselves in a strange powerless and helpless situation. Organised existing public power, in form of state and its related structures, do not help them. Hence, they launch a movement to exert power resources in their favour by compelling the state first to recognise the existence of issue and then make and implement preventive laws on pollution. The iron-triangle does not stop here but enters the next arena of implementation of legislated policies and laws. It weakens and nullifies the effect by diluting it. People's struggle continues even at this stage. Violation of pollution laws was not at all dealt with firmly until about the Bhopal gas disaster occurred.

27.3.2 Role of Judiciary

The environment movement in India has essentially passed through three phases. In the first phase which was the longest phase, legislative hurdles were crossed. That is to say, opposition, obstruction or dilution of pollution laws was done while being framed in legislatures. In the second phase, opposition to implementation of already made anti-pollution laws was experienced. Here also the iron-triangle operated in favour of the polluters rather than in protecting the interests of the victims of pollution. In the current phase, as a final recourse to redressal of their grievances against those polluting and jeopardizing the increasingly fragile ecosystem, doors of the judiciary are knocked. Eminent legal scholar Upendra Baxi (1991) has observed that, “the growth of environmental jurisprudence in India is a very recent phenomenon. And even now it is confined to a few activist judges, lawyers, law academics and active citizens”. Baxi has argued that this is so mainly because “the Constitution itself is environment-blind”. The chapter on rights in the Constitution does not explicitly state about protecting the citizens from air and water pollution, deforestation, destruction of wild life and displacements of habitats. Much later 42nd Amendment to the Constitution has added a provision vide Article 48-A instructing the state to make efforts for protecting and improving the environment, forests and wild life. Article 51-A is about the fundamental duty of the citizens “to protect and improve the natural environment including forests, lakes, rivers and wild life...” The absence of environmental concerns in the Constitution is due to its obsession with development.

These provisions have improved the prospects of judicial intervention considerably. It has encouraged environmental litigation by the victims of pollution or of environmental degradation. However, from 1950-84, neither the state nor the civil society was concerned about systematic and organised degradation and destruction of the environment while pursuing the policy of generating prosperity through massive industrialisation. Judicial activism rose in response to this neglect. In Ratlam Municipal Corporation case, Mr. Justice Krishna Iyer gave a new, progressive and environment-friendly interpretation. He stated that Constitution is “a remedial weapon of versatile use”. He further recognised that people’s struggle for “social justice” includes environmental justice and “the remedial weapon” must be available to them. Anti-power

project stirred by Kerala Shastra Sahitya Parishad to protect the fragile Silent Valley ecosystem in 1979 was facilitated by this landmark judicial intervention by Justice Iyer.

The apex courts at the state and central level are flooded with petitions seeking protection of environment. This is a major achievement of enlightened judicial process. "Creative interpretations and rulings by the courts in various cases seeking environmental justice or compensation have expanded the scope and role of judiciary in this issue. For instance, in Shri Ram Fertilizer case the court created "an idea of absolute liability" of manufacturer of hazardous substances, raw material, processes or products, lest any damages are caused to the people or workers.

27.3.3 Environment versus Livelihood

Environmental degradation is the result of a vicious circle in which most societies are so badly caught. It is argued that development is undertaken to remove poverty and improve the quality of life of the people. But the mode of development that is followed has turned out to be environmentally disastrous. Instead of reducing poverty, it has increased inequality, deprivation, marginalisation and caused extensive environmental degradation. The growth and expansion of market-driven development strategy, be it socialist or capitalist, is not able "to solve the very problem it creates" (Shiva; 1991:342). Management of forest is another area where primacy of growth and basic needs outweigh environmental concerns. The industrialists, politicians and forest bureaucrats have forged a nexus to consume forests without any restraint.

Heavy industrialization is another potent source of pollution and threat to environment. Unchecked industrialization has released toxic gases, chemicals, effluents and hazardous substances into air, water and soil. Another dimension of this issue pertains to the occupational hazards on the health and safety of the workers of some specific industries such as chemical, petrochemical, pharmaceutical, pesticides and fertilizer. The workers and the local population are found to be suffering from cancer, respiratory diseases, infertility, corrosion of fingers, toes and holes in the nose (wall separating the nostrils). There is a decline in livelihood prospects from fishing, agricultural and horticultural activities. Such widespread impact has generated anguish among the victims and people's movements were launched.

This discussion shows that developing societies are really caught in choiceless and helpless situation. The market-centered and sensitive strategy of economic development has left us with little scope of amendments. Any alteration in strategy to save the one can

maintain or kill the other. If livelihood is generated, environment is threatened and if environment is protected, livelihood is threatened. This is a strange predicament. The environment movement in India reflects this predicament and dilemma amply.

Check Your Progress Exercise 1

Note: i) Use the Space below for you answers.

ii) Check your answers with the model answers given at the end of unit.

1) What do you mean by environment movement?

2) How do the environmentalists view the development?

3) What is the “iron-triangle” and what is its relationship with the environment movement?

4) Comment on the role of judiciary in the environment movement.

27.4 NATURE OF ENVIRONMENT MOVEMENTS

We saw that the reasons for the changes in man-nature relationships are not to be traced too far. It has become clear that quiet, widespread depletion and degradation of natural resources is the result of pushing nature far beyond its carrying capacity by mindless consumption. The forest communities to some extent and people in general have over-exploited natural resources. The former have no other choice. Somehow ecological degradation is viewed as destined and cutting trees for fuel, shelter or income, over-grazing or over-farming in fragile eco-areas goes on undeterred or unchallenged. Grounds for struggles are multiple.

Harsh Sethi has divided environmental responses into three types of struggles. In the first type, the struggle addresses the issue of rights of different social strata and communities over using resources. This type of struggle does not question the development model or the acts of redefining man-nature relations. In the second type, we find environmental response which struggles for legal corrections and policy shifts in resource use. At the centre lies concern about destruction and depletion of renewable and non-renewable resources. The normative basis of dominant development model remain unchallenged. The third variety of response is substantive and fundamental to the issue. It invokes ecological dimension. It aims at rejecting the dominant development model and redefine man's relationship with the nature. However, it must be stated that the environment struggles do not maintain typological purity once launched. These struggles have resulted centering around different natural resources such as air, wastes, land, forest or sea. Accordingly, they can be referred to as forest-based struggles, land use struggles, anti-big dam struggles, anti-pollution struggles and struggles against destruction of marine resources.

Harsh Sethi) has done an analysis of these struggles by focusing on the participants or actors of the struggles, strategies of intervention, issues raised and focused and finally impact or outcome of struggle in terms of grievance-redressal, policy changes effected and conscientization. It is found that unlike other struggles, in ecological struggles fairly representative section of society is involved as participants. However, the most adversely affected people constitute the base of the struggle. For example, deforestation stretches

the work hours of women in collecting fuel wood and water longer, the tribals lose benefits of forest produce, the fisherman in Goa and Kerala suffer from excessive trawling. The victims are so dispersed and marginalised that for effective raising of voices and redressal of grievances, they require a chain of actors from more vocal and experienced realms of voluntary organisations, media, professionals like scientists, researchers, doctors, engineers, lawyers, technologists, human right groups, sympathetic and concerned policy-makers and bureaucrats. Each of these actors add strength, vigour, guidance and direction to struggle.

By way of organisational and interventionist strategy, it has become imperative for environment movements that not only to strengthen and hold together the victim-folks in solidarity but also make holes in the opposite camp by skillfully raising doubts about possible benefits being outweighed by collective harm and so on. Most struggles are raised against development projects and therefore, they are likely to be fought back as anti-people, anti-national, anti-development, anti-progress and so on. This is usually countered by careful and systematic analysis of issues at stake and propagation of correct, data-based campaign material in actual resource-use. The limitation of this strategy is that when the issue goes beyond local limit, the original victim-actors are left behind and either the middle class professionals, media or voluntary agency leaders come to the fore. The leadership role and power shifts from local hands to mediating actors. Harsh Sethi has observed this is good strategically but bad ethically. Another aspect of this process is internationalisation of local or national issues as strategy which can harm the movement. In most cases, the central issues of environment movements revolve around fixing tolerance limits on carrying capacity of environment or cost-benefit ratios. Most struggles are of reformist nature. These issues have concomitantly raised interesting interconnections between ecology and feminism as well as ecology and human rights. The most significant issue raised by the movement is about our understanding or theory of knowledge. The present development model is nurtured on the myth of universal, objective and value-free notion of science. What was held as true universal knowledge for long time is today challenged. Science is increasingly viewed as partisan, parochial and ideological. These movements have also raised the issue of redefining our understanding of market, society, state, science and nature. The issue of preserving diversity and plurality in society and nature is well-raised by environment movements.

Analysing and understanding the impact of movement forms important aspect of the study. The environment movements have by and large remained “diverse and scattered”. Their overall impact is uneven. Alongwith failures there have been successes too. The Silent Valley movement’s impact was positive, successful and trend setting. The Doon Valley environment movement was partly successful. But at many other places, though, the movements are launched, intensified but not successful. Bhopal Gas disaster successfully drew the attention of the nation and the world but it has not succeeded in preventing hazardous products and processes (IPT; 1999). Despite the persistence of struggles, thousands of people are displaced yearly due to large development projects. On the other hand, the movement has made a major contribution to give centrality and public space to the cause of environment protection. This is a historic achievement as never before so much concern, awareness, involvement and participation was witnessed. The government has made many policies on forests, wildlife, wastelands, water, air and soil conservation. But there is a wide gap between the rising concern and actual action by the state. Interestingly, no political party, trade union or peasant organizations have made this to be their issue. The environment movements remain exposed to the dangers of gaps between concern/thought and action; fragmented, co-optation, manipulation and distortion by government and vested interests.

27.5 TWO CASE STUDIES

With a view to understanding the structural and functional aspects of the environment movements two case studies are presented here. These case studies will provide a brief account of genesis, issues, organization, ideology, leadership, mobilization, impact and outcome of environment movements in India.

27.5.1 Silent Valley Movement

This movement originated in Kerala. It is one of the earliest landmarks in the recent history of environment movements in the direction of preserving environment by people’s own struggle and agitation in India. The reasons for its origin lie in Kerala Government’s proposal to build a dam on the Kuntipuzha river in early 1970s. The government’s concern was to generate prosperity for the state through increased industrialisation. This was not happening because of shortage of electricity in the state.

The prime aim in building the dam was to generate power for industries. The construction of dam was to cover 77 sq.kms. as catchment area. As a consequence, India's richest tropical forest, known as Silent Valley was to be flooded and submerged. It is interesting to note that unlike in most such cases, there was no problem of displacement and rehabilitation of the people as the dam was to be constructed at a location where there was no human settlement. In this sense the Silent Valley movement was the first purely and primarily fought environment movement. The odds against the movement were heavy. The state government of Kerala was in total control of the issue as all the political parties and industrial lobby were in full support of the scheme and backed the government.

Kerala Shastra Sahitya Parishad (KSSP), an already existing, active, progressive local people's science movement group took up the challenge and steered the movement right from its infancy to maturing into a potent people's power. The KSSP successfully mobilized local opinion against the dam and managed to rope in environmental experts like botanists, zoologists of international repute like Salim Ali, well known economists and engineers. This move strengthened the KSSP's argument and position vis-a-vis government's technical teams. It forcefully presented its argument against the scheme on the grounds of adverse environmental consequences on "a rare ecosystem, rich in biological and genetic diversity". The KSSP went a step ahead as a strategy and argued that the required electricity could be generated easily by setting up thermal power stations in dispersed locations as well as by improving the power transmission systems. The KSSP was able to give this controversy the status of a genuine public debate far beyond the state. National attention was drawn. It was stretched to international arena by involving World Wildlife Fund and the International Union for the Conservation of Nature and Natural Resources. These global bodies had joined the issue of the movement on the grounds of protecting the lion-tailed macaque which is the rare breed of monkey, habitant of Silent Valley. This struggle lasted quite long. Furious debates, persistent campaigns and constant relentless lobbying through the media, parliament and expert committees made dropping the idea of dam in Silent Valley possible. Besides, the KSSP won the region the status of "national biosphere". As a result of this successful movement, the scope for challenging environmentally unviable development policies, projects and schemes increased. This movement was preventive in nature, in the sense that it was launched unlike in many other cases, much before the project was executed

and its impact on environment could be felt. The project was successfully opposed at embryonic stage itself. This shows existence of already well-conscientised and informed non-political bodies like KSSP which could get activated much before the damages are caused. This case study also shows that environment movements require mobilisation, involvement and orchestration of diverse mix of actors (individual and institutional) stretching from experts to lay and local to global.

27.5.2 Chipko Movement

This movement was basically concerned with preservation and protection of forests. It was an environmental movement for maintaining the ecological balance in the sub-Himalayan region of Uttar Pradesh. Four districts of Uttarkashi, Chamoli, Tehri and Pauri form Garhwal division and cover a total area of 27,000 sq.kms. and about 14 lakhs population. It is interesting to note that due to migratory nature of labour there are more females than males in this area. Employment is very low in this region. There are 97 per cent working women as cultivators while only 72 percent men are cultivators. Males work in army and hence women are left behind to manage land, livestock and household. Chipko is also interpreted as feminist movement because of this. This movement originated in the Dasohli Gram Swarajya Mandal in Gopeshwar of Chamoli district. The movement was initiated by Gandhian Sarvodaya workers. The Sarvodaya workers were active in this area for about 13 years through various rural reconstruction work.

The movement began on 24 April 1973. There was a historical conflict of interests over forest and timber rights in this area between local villagers and Sarvodaya workers on one hand and timber contractors and forest bureaucrats on the other. The contractors were able to exert more influence over forest bureaucracy and local politicians to corner the forest benefits. Previous to Chipko mobilisation, stirrings against government's forest policy and department had taken place in this region too. The forest department rejected Sarvodaya workers' demand for 10 ash trees per annum for its farm tools workshop set up with the support from Khadi Gramodyog Commission. But it allotted 300 ash trees to the Simon Company for manufacturing sports goods like tennis rackets etc. The primacy thus was accorded to tennis rackets over the self-subsisting needs of the poor cultivator's ploughs. The cutting of these 300 trees by Company agent was started in March 1973. Sarvodaya workers and 100 other villagers marched from the nearby areas to Gopeshwar.

As a result of this resistance by the villagers, the company men beat retreat. In order to appease the protesters, the forest department showed readiness to concede one ash tree to Sarvodaya workers, if they let the Simon Company cut trees of its original quota. The temptation was raised to two, three, five and ten ash trees of full quota but it was rejected. The Simon's quota was cancelled but re-allotted in Phata Forest in other part of the district. In June 1973, another local leader organized resistance and launched Chipko movement. The trees were guarded by the village upto end December when permit will automatically lose its validity.

Sunderlal Bahuguna of Uttarkhand Sarvodaya Mandal, based in Tehri Garhwal, began his long march of 120 days on foot to spread the ideology of Chipko movement to entire region of Himalayas. What made this movement instantly popular is a decade old history of flash floods in this region. Mountain slopes were bared of forest covers by clear-cutting of trees, causing quick rushing of water. Road-building activity in this region also caused land-slides. Some mobilisation activities were already initiated before the Chipko was launched. The flood relief work had brought the Sarvodaya workers and the flood-marooned people together into a dialogical relationship regarding the environmental degradation, disasters and conservation. This strengthened environment agenda of the movement. In 1974, C.P. Bhatt re-launched Chipko struggle in Reni forest area. He appealed women to hug the trees in case they come to cut them. An attempt to cut 2500 auctioned trees in Reni forest near Alaknanda river, was foiled by woman leader Gaura Devi in village Lata. A band of about 30 women led by her saved the trees by risking their lives. As a result of this persistence by the Chipko protesters, a government ban was imposed on tree-cutting in Reni for ten years. Whenever need arose, these women intermittently came out to save the trees at Gopeshwar in 1975, Bhynder valley in January 1978, Parsari in 1979 and at Dongri Paintoli in February 1980. Thus, the Chipko demonstrations, protests and resistance became frequent in this region.

Thus, Chipko movement became a good example of people's non-violent resistance to the destruction of environment by vested interests. This movement was spontaneous as ordinary hill people had come out in huge number without the usual lead, support or guidance of any centralized organizational apparatus. This movement accorded central position to the issue of renewable resources like soil, water and trees in the lives of ordinary dependent people. Chipko rose as a voice from the distant, neglected hills.

Concern for life and livelihood, so closely linked with the environment of this region, guided the course of the movement. Chipko succeeded in saving the local forest resources from commercial exploitation by contractors and tried to bring local forest wealth under the control of local village communities. The struggle, however, could not fully succeed in preventing the “alarming depletion of forest cover” in the region which was actually responsible for causing floods, landslides, soil erosion, drying up of local water streams and other sources, fuel and fodder shortages etc. Hill women played major role in this movement and gave it the character of truly people’s environment movement.

Check Your Progress Exercise 2

Note: i) Use the Space below for you answers.

iii) Check your answers with the model answers given at the end of unit.

1) Identify the types of environment movement.

2) What do you mean by internationalisation of environment issues?

3) Analyse the impact of environment movement.

27.6 LET US SUM UP

The environment movements have emerged as a result of mindless and wasteful use of resources, irrespective of the type of political regime. A new class of environmental haves and have nots have emerged. This has led the global human society to debate the theme of economic development and environmental sustainability. Peoples' movement against the environmental degradation faces opposition from the networking of the vested interests – the bureaucrats, industrialists and politicians. Nevertheless, the environment movement has been able to internationalise the environmental issues, raise the level of peoples' consciousness about environment, and impacted on the policy initiatives.

27.7 KEY WORDS

Biosphere : That part of earth and its atmosphere which is inhabited by living things/beings.

Deforestation : Destruction or removal of forests by denudation or clear-cutting.

Desertification : The formation of desert in arid and semi-arid regions from overgrazing, deforestation, poor use of land, excessive withdrawal of ground water or climatic changes.

Green House Effect : Increasingly released carbon dioxide due to burning of fossil fuels like coal and oil, tropical forests, causing holes in the ozone layer which is protecting the atmosphere of earth. Unfiltered direct heat from sun can raise the temperature on earth, melting polar ice caps and causing floods, and submergence of big cities like Calcutta, Mumbai, London, New York etc.

Ozone : Colourless gas with a chlorine - like smell, formed from Oxygen.

Pollution : Making something like air, water and soil or something impure or unnatural by adding dirt or harmful substances.

Trawling : Fishing by using big-boat like trawlers owned by rich, powerful profiteers which yield very high fish-catch, leaving little for small, local, traditionally fishing communities.

27.8 SOME USEFUL BOOKS/ARTICLES

Sethi, Harsh, "Survival and Democracy : Ecological Struggles in India" in Ponna Wignaraja (ed.), *New Social Movements in the South : Empowering the People*, New Delhi: Vistaar, 1993.

Shah, Ghanshyam, *Social Movements in India : A Review of Literature*, New Delhi: Sage, 1990.

The Indian People's Tribunal on Environment and Human Rights, *Who Bears the Cost? : Industrialization and Toxic Pollution in the Golden Corridor of Gujarat*, Mumbai, February, 1999.

27.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Efforts by the legislative bodies, concerned citizens, NGOs, judiciary, etc., to protect the environment is called as environment movement.
- 2) They are against the development. Instead, they plead for eco-friendly development.
- 3) The nexus of “bureaucrats-industrialists-politicians” is known as the “iron-triangle”. It usually opposes any move for protection of the environment.
- 4) The judiciary in India has played very positive role in protection of the environment. Through the judicial activism the judiciary has been able to contribute to fight against the environmental degradation.

Check Your Progress Exercise 2

- 1) There are three kinds of environment movements. First, it addresses the issues of various strata of the society over using the natural resources; second, it questions the development model; and third, it focuses on the ecological dimension.
- 2) The linkages of the local issues of environment with the broader issue of market, society, state, science and nature denote towards the internationalisation of the environment issues.
- 3) Environment movements have been able to raise the level of peoples’ consciousness about environment. It has led to arrest the degradation of environment, internationalise the local environmental issues.

UNIT 28 WORKERS AND PEASANTS

Structure

- 28.0 Objectives
 - 28.1 Introduction
 - 28.2 Workers Movements
 - 28.2.1 Workers' Movements in the colonial period
 - 28.2.2 The Issues and the Types of Collective Actions
 - 28.2.2 Workers' Movements in the Post-colonial Period
 - (i) The National Level
 - (ii) The Provincial Level
 - (iii) The Trade Unions without Political Affiliations
 - (iv) The Limitations of the Workers' Movements
 - 28.3 Peasant Movements
 - 28.3.1 Small and Poor Peasants' Movements
 - 28.3.2 Rich Peasants' and Farmers' Movements
 - 28.4 Impact of Liberalisation on the Workers' and Peasant Movements
 - 28.5 Let Us Sum Up
 - 28.6 Some Useful Books
 - 28.7 Answers to Check Your Progress Exercises
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28.0 OBJECTIVES

Workers and peasants in India have been involved in the collective actions in order to fight for their demands. Their collective actions like those of other social group can be included in the social and political movements. After going through this unit, you will be able to understand:

- Nature of the movements of the workers and peasants;
 - Their demands, problems and leaderships;
 - Patterns of mobilisation in the collective actions;
 - Influence of these movements on the state; and
 - The impact of the liberalisation on the workers and peasants.
-

28.1 INTRODUCTION

Workers and the peasants together form the largest groups of the Indian society. While the workers largely belong to the exploited section, the peasants consist of both the poor and the rich sections. These groups have been involved in the collective actions or the social and political movements to get their demand fulfilled. The nature of the issues raised by them or their leadership depends on the place they occupy in the economy or society. It also depends on the fact whether the workers are engaged in the organised, unorganised, agrarian or the industrial sectors or whether a peasant is a poor peasant or the rich peasant operating in the mechanised capitalist economy or in the backward –feudal economy. In this unit, we shall discuss important features of the workers and peasants movements in India.

28.2 WORKERS' MOVEMENTS

The workers movement in India can be divided in two phases – the pre-Independence period and the post-Independence period.

28.2.1 Workers' Movements in the Colonial Period

The modern working class made its appearance in India in the second half of the 19th century with the growth of modern industries, railways, post and telegraph network, plantation and mining. But the labour movement started in an organised way only after the Second World War. The organised workers' unions are known as the trade unions. The All India Trade Union Congress (A I T U C) was formed in 1920. Its objective was to coordinate activities of all organisations in all the provinces of India to further the interests of the Indian labour in economic, social and political matters. In the second half of the 1920s there was a consolidation of left ideological forces in the country. In 1928 the left wing including the communists succeeded in acquiring dominant position inside the A I T U C. The moderates started a new organisation known as All India Trade Union Federation (AITUF). The 1930s was not a favourable period for the growth of trade union movement in India. The communists were implicated in the Meerut Conspiracy case and the Bombay Textiles strike of 1929 had failed. A lull marked the activities on the trade union front. The serious economic depression of this period added to the woes of the workers further. It led to large-scale retrenchment. The main focus of the trade union movements during this period was maintaining wages and preventing retrenchment.

The Second World War divided the trade union leaders. The communists argued that with the Nazi attack on the Soviet Union in 1941 the character of the war had changed from imperialist war to people's war. The communists were following the line of the Russian Communist Party and thought that in the changed circumstances it was the duty of the workers to support British war efforts. But the nationalist leaders wanted to strengthen the national movement to overthrow the British rule from India. The ideological rift led to another split in the trade union movement. The mounting cost of living made the workers to realise the need of an organised effort to secure relief. In spite of the government resorting to Defence of India Rules, which prohibited strikes and lockouts, there was a perceptible increase in number of both unions and organised workers.

28.2.2 The Issues and the Types of Collective Actions

The main issues which caused the workers strikes include: wages, bonus, personnel, leave and hours of work, violence and indiscipline, industrial and labour policies, etc. The workers take recourse to various types of collective actions for getting their problems redressed. These are – strikes, satyagrah, hunger strikes, *bandhs* and *hartals*, *gharaos*, demonstrations, mass casual leaves, work to rule, cutting of supply of electricity, etc. The most common form of workers' collective action is the strike. There are examples of the railway, jute, plantation, mine and textiles workers strikes in the pre-Independence period. The centres of the strikes were Nagpur, Ahmedabad, Bombay, Madras, Howrah and Calcutta. In 1920 Gandhi intervened in the strike the textile workers of Ahmedabad and provided leadership to the workers.

28.2.3 Workers' Movements in the Post-colonial Period

(i) The National Level

The high hopes of workers were shattered after independence. There was hardly any improvement on the fronts of better wages and other service conditions. Three central trade union organisations were borne. The Indian National Trade Union Congress (INTUC) started by the Congress party was born in 1947. The Praja Socialist Party started the Hind Mazdoor Sabha (HMS) in 1948. The workers had to struggle hard even to retain what they had achieved earlier. A series of strikes stirred the country. There were highest number of strikes in 1947, i.e., 1811 strikes which involved 1840 thousand workers. The number of strikes and man-days lost had surpassed all the previous records. This declined in the 1950s, but number of strikes and lock-outs increased again in the 1960s-1970s. Some

radicalists had formed the United Trade Union Congress (UTUC) in 1949. After 1964 when there was a division in the Communist Party of India and Communist Party of India (Marxist) was borne this led to a split in Communist controlled AITUC as well and in 1970 Centre for Indian Trade Union (CITU) was borne. They are affiliated to the CPI and CPM (M).

According to the provisional figures released by the Chief Labour Commissioner in 1994 Bharatiya Mazdoor Sangh (BMS) which is an affiliate of BJP has acquired a total membership of 31.17 lakh workers has secured the top position. The INTUC a Congress affiliated body with a total membership of 27.06 lakh is on the second position. The third position is enjoyed by CITU affiliated to CPM with a total membership of 17.98 lakh. The fourth position is enjoyed by HMS. According to the provisional figures the hold of Congress affiliated INTUC seems to have weakened. At the same time the hold of organisations like CITU, HMS and AITUC have strengthened.

(ii) The Provincial Levels

Another remarkable development of the 1960s was the birth of trade unions of the regional parties like the DMK and AIDMK in Madras. The Shiv Sena was born in Bombay in 1967. It soon set up its labour wing called Bharatiya Kamgar Sena. It was generally believed that the Shiv Sena had the backing of the industrial houses in the Bombay -Pune belt to counter the strong influence of the Communists and Socialists in labour unions. It succeeded in achieving this objective and its trade union established its supremacy in the Bombay region by the mid -1970s. The predominance of the Sena -led union was successfully challenged by Datta Samant, an eminent INTUC leader. When emergency was imposed in 1975 he refused to tone down his militancy. He was arrested and sent to jail. Then he was a Congress MLA. After coming out of jail when the emergency was lifted in 1977 he became even more popular. By the end of the 1970s he became the most powerful trade union leader in the Bombay -Pune belt. In the year 1978 he left both congress and the INTUC to set up an independent union named the Maharashtra Girni Kamgar Union (MGKU). He remained one of the most influential trade union leader in Bombay till he was murdered.

(iii) The Trade Unions without Political Affiliations

The 1960s also witnessed the emergence of independent unions or “apolitical”. They were independent in the sense that they were not affiliated to any political party or federation. These kinds of “apolitical” trade unions emerged out of the dissatisfaction of the workers with the existing trade unions which were affiliated to the political parties. The leadership of these unions has largely come from the educated middle classes. Engineering Mazdoor Sabha led by R J Mehta is one of the earliest unions of these type-covering workers in

engineering, chemicals, printing and allied industries. Datta Samant started a number of unions like Association of Engineering workers, Mumbai General Kamgar Union, Maharashtra Girni Kamgar Union. Shankar Guha Neyogi and A.K.Roy also came into limelight as leaders of independent unions. Neyogi concentrated on contract workers in the iron-ore mines of Dalli Rajhara near Bhilai in Madhya Pradesh into a formidable union. While AITUC and INTUC were concerned with the problems of permanent and better paid workers of the Bhilai Steel Plant, concentrated on casual workers employed in small and medium-scale industries in the region. Neyogi was murdered in 1990. Another example of this type is A.K.Roy who organised coal mine workers in the Dhanbad -Jhariya belt of Bihar. Roy's support base was also among contract and casual labour in the coalmines. Roy also received support from a large number of local tribal mine workers because the trade unions operating in these areas did not satisfy them. Another important example of this type was the Self- Employed Women's Association (SEWA) formed by Ela Bhat. She founded SEWA because she felt that unions in the organised sectors were not sensitive to the problems encountered by female workers. These are not the only examples of independent unions.

One of the most important examples of the movement launched by the union which was unaffiliated to the political parties was the textile workers' strike of 1982 in Mumbai. Dissatisfied with the Rastriya Mill Mazdoor Sangh (RMMS), affiliated to the INTUC the workers of the textile industry in Mumbai, rallied behind the MGKU-led by Datta Samant. The workers of the textile workers of Mumbai went on indefinite strike on January 18, 1982. The demands of the workers included higher wages, making the *badli* (temporary) workers permanent, allowances for leave and travel and payment for house rent. The workers of other sectors than the textile also rallied behind Datta Samant. The Industrialists adopted intransigent attitude towards the strike. The strike created hardships for the workers.

The strike had its repercussion on the rural areas to which the workers belonged. The textile workers also were the poor peasants or small farmers having links both in the cities as well the villages. Datta Samant was able to link the rural issues like the wages of agricultural labourer with those of the textile workers. The strike, however, did not succeed in getting the original demands of the workers accepted. But it helped Datta Samant to emerge as the most influential trade union leader in Bombay.

(iv) Limitations of the Trade Union Movement in India

The Trade Union Movement in India is faced with many defects. Only a small fraction of the working class is organised. Even in the organised sector a sizable chunk of workers do not participate in Trade Union Movement Indian economy is largely agriculture based. Small peasants and agricultural labour encounter the problems of seasonal unemployment and low income. They are forced to go to cities in search of employment. Most of these workers are illiterate and ignorant and under the grip of superstitions and they have a migratory character. A large section of the workers do not exhibit much interest in trade union movement because city life for them is a temporary condition. So they do not realise the importance of unity among workers. Another major weakness of trade union is poor finance. This is a fact that working class in India is a very small part of the population but the main problem is the multiplicity of trade unions. The subscription rate by Indian workers is very less. This makes the trade unions dependent on external finance and influence. Yet another weakness of the trade union movement has been the dominance of the leadership from outside. The main reason for this has been lack of education among the workers. Mostly leadership is provided by professional politicians. It is being increasingly felt that the working class movement should be led by persons from the ranks of the workers who are aware of the problems and difficulties encountered by the working class. Political leadership ignores the needs and welfare of the workers and tries to use the organization for the interest of the political party.

Check Your Progress Exercise 1

Note: i) Use the space below for your answer.

ii) Check Your answer given at the end of the unit.

1) Identify the main issue of the workers' movement in India.

2) What were the reasons for the rise of "apolitical" trade Unions?

3) Mention the limitations of the trade union movement in India.

28.3 PEASANT MOVEMENTS

Peasants are those agrarian classes which are related to agriculture as the tenants or owners of land, and participate in the farming activities. They are a differentiated group. In the backward and feudal agriculture they cultivate land as the tenants of the landlords. In the more advanced agriculture, where the tenants have become the landowners following the implementation of the of the land reforms, they are the owners of the land. The peasants whose resources in the land are not enough to meet their basic needs, and who also work as labourers for others apart from working on their fields are poor and small peasants. The peasants who do not work for wages, but have enough resources relating to agriculture are rich and middle peasants or the farmers. They either mainly depend on the family labour to work on the land or they may combine it with the hired labour from outside the family. In this section you will be studying the movements of the small and poor peasants as well those of the rich peasants or the farmers.

28.3.1 Small and Poor Peasant Movements

There were several peasant movements both in the pre-Independence and post-Independence periods. Some examples of the former are – Oudh movement (UP) in 1920, Kheda and Bardoli (Gujarat) and Champaran (Bihar) movements and Moplah rebellions. The main examples of the of the post-Independence period are – Telangana (Andhra pradesh), and Tibhaga and Naxalite (West Bengal) movements.

The peasants during the pre-Independence period were living in the miserable social and economic conditions. They were exploited by a group of classes, e.g., landlords and their agents, moneylenders and the officials of the colonial state. The landlords increased the rents on the peasants continuously, took forced gifts and extracted *begar* from them. The

inability of the peasants to pay these multiplied due to the frequent famines and draught which affected them adversely. They were heavily indebted to the moneylenders in order to pay the rent and meet the needs of their subsistence. When the peasants could not pay the rent, services or the *begar*, they were evicted from their land. They were also physically tortured. Commercialisation of crops, and introduction of new land rules further worsened their conditions.

The peasants reacted to by revolting against the landlords, moneylenders and agents of the colonial state. Leadership in the peasant movements was provided either by the rural intelligentsia or urban intelligentsia. Baba Ram Chand, the leader of the Oudh peasant movement belonged to the former.

The peasants had been mobilised by some organisation. In case there was no organisation, some kind of informal networking of the peasants and their leaders had worked as organisation. This was true especially for the localised revolts. The informal networking or the organisational structure worked in mobilisation, communication of the messages and in planning strategies and programmes.

From the beginning of the twentieth century different political parties mobilised the peasants in the revolts. The Congress started mobilising the peasants from the 1920s with the purpose to broaden its support base. This enabled peasant movements which were localised and running parallel to the national movement to merge with the latter. The Bardoli Satyagrah of 1928, no-rent campaign were examples of such merger. But the Congress did not encourage the conflict between the landlords and the peasants to get sharpened. The Congress had been more interested in forging an alliance between the landlords, peasants and other classes.

After the Civil Disobedience Movement radical nationalists and many leaders of peasant movement started sharing the impression that the Congress was sympathetic towards the capitalists and Zamindars. The need to evolve independent class organisations and leadership to safeguard the interest of the peasants was being felt by them. This was under these circumstances that the first all India peasant organisation the All India Kisan Sabha was formed in 1936 in Lucknow under the presidentship of Swami Sahjanand Saraswati, the founder of Bihar Pradesh Kisan Sabha. N.G.Ranga the pioneer of Kisan movement in Andhra became its first General Secretary. The birth of an all India organization with a programme of common demands and expressing the aspirations of the peasants all over the country was an event of great historical significance. Very soon the branches of the All India Kisan Sabha were established in many districts.

The formation of Congress Ministries in a majority of the provinces in early 1937 marked the beginning of a new phase in the growth of peasant movements. The Congress had promised radical improvement in the conditions of the peasants on the eve of elections. There was definite increase in civil liberties, which provided better opportunities for the mobilization of peasantry. Different Congress Ministries introduced agrarian legislations for debt relief, restoration of lands lost during depression, for security of tenure etc. But these measures did not affect the conditions of the peasants of lower strata. The dissatisfaction of peasants found expression in a number of protest meetings, conferences and demonstrations. They criticised number of anti-peasant measures taken by the government like arrest of peasant leaders and banning peasant meetings. The outbreak of the World War II brought the resignation of the Congress Ministries and launching of severe repression against Kisan Sabha leaders. In the year 1939 the national convention of the All India Kisan Sabha was presided over by Acharya Narendra Dev. In his Presidential address he emphasised the need of separation of Kisan Sabha from Congress. According to him a separate Kisan Sabha was necessary in order to put pressure on the Congress.

The end of the war, followed by the negotiation for the transfer of power and the anticipation of freedom marked a new stage in the history of peasant movements. Approaching freedom had filled the peasant movements with new spirit to assert their rights. The analysis of some of these movements gives us sufficient insight into the nature, social basis, achievements and limitations of the peasant movements in India.

The Tebhaga Movement of Bengal was one of such movements. The provincial Kisan Sabha of Bengal launched this Movement in 1946. Gradually the influence of the left in general and the communists in particular increased in the Kisan Sabha. In 1947 the leadership of the All India Kisan Sabha went into the hands of the communists. The communists led the provincial Kisan Sabha of Bengal also. This Movement soon took the form of a clash between the bargardars (share-croppers) and the jotedars, the employers. The share-croppers began to assert that they would no longer pay a half share of their crop to their jotedars but only one-third. They also insisted that before division the crop would be stored in their khamars (godowns) and not in that of the jotedars. Poor peasants, middle peasants and also some sons of jotedars led the movement. The middle peasants provided the bulk of the leaders and they supported the movement up to the end. They hoped that it would culminate in total attack on landlordism. The rich peasants slowly detached themselves. When the government resorted to severe repression in 1947 the movement came to an end.

Another such movement was the Telangna Movement. It was launched in 1946 in the princely state of Hyderabad ruled by the Nizam. This movement developed in the context of the post-war economic crisis. This movement started as a protest against collection of excessive revenue using force by jagirdars. In the beginning the leadership was in the hands of the rich peasants and the movement was directed against the big absentee landlords allied to the Nizams. But very soon the initiative passed into the hands of poor peasants and agricultural labour that started occupying lands of landlords, and wastelands and started distributing it among them. By 1947 this movement organized a Guerilla Army mobilizing poor peasantry and agricultural labour many of which were tribal and untouchables. This army snatched large quantity of arms from the zamindars and drove away the local government officials. They established their control over an area of 15,000 square miles with a population of 40,000. The administrations in these areas were run by peasant soviets. The army of independent India succeeded in crushing the Telangna Movement in 1951.

In 1967 there started a peasant protest at a place called Naxalbari in the Darjeeling District of West Bengal. After two decades of independence and congress rule there was disenchantment among people on a large scale, which found expression in Congress losing election in eight states. But the communists had done well in both Kerala and West Bengal. The per capita income was on decline and unemployment was on the rise. A group of young communists due to theoretical disputes resulting from the split of the Communist Party of India in 1964 protested CPIM's policy of participation in 1967 election and joining the government afterwards instead emphasised the need of armed struggle with peasantry as the leading element. The peasant organisation of the CPIM in Darjeeling district was in the hands of such communist leaders. The land reform policy of the government had not succeeded in taking lands from zamindars and big farmers and distributing among poor peasants and landless labour in any significant way. There existed discontent among peasants. In such situation the leaders of peasant organization gave a call for establishing the government of peasant committees, organizing armed struggle to end the ownership of the jotedars on land and distribute it among poor peasants and landless labour. They drew inspiration from the Telangna Movement. The Naxalbari movement reached its zenith by the third week of May 1967. There was violence on a large scale. Naxalbari got enormous publicity largely because it was fighting a state government wherein C.P.I.M. was a major coalition partner and also because China believed that the Naxalites were following the correct line.

It lasted for fifty-two days only. In July 1967 police and battalions of paramilitary forces sent by Ajoy Mukherjee then the Chief Minister of the state, combed the whole area and the rebellion was suppressed. Naxalbari was a minor event in terms of its durations, intensity of resistance; area controlled or number of casualties suffered or inflicted on the other side. On these indicators Telangna was a much bigger happening. But Naxalbari acquired the symbol of armed peasant uprising. It had its reverberations all over the country. After this the revolutionaries who became active in U.P., Bihar, Punjab, Kashmir, Kerala and Andhra Pradesh came to be known as Naxalites. It emerged as a more powerful force in Kerala, Andhra Pradesh and Bihar. The emergence of Naxalism led to the formation of C.P.I. (Marxist Leninist) the third Communist party. This party believed that the goal of socialism could be achieved through armed struggle, justified use of violence for capturing lands of Zamindars and distributing them among poor peasants. The Naxalite Movement became a reference point for those poor peasants and landless labour that got nothing from the government except promises and whose condition showed no signs of improvement and were suffering oppressions at the hands of rural dominant sections. They found a ray of hope in this militant philosophy. This philosophy continues to inspire that segment of rural population who has lived at the receiving end. At many places they are fighting for security of employment, minimum wages, rights over a share of produce and against sexual abuse of their women. There are instances of violence when they exercise their right to vote. Most of the time they have to resort to violence to protect their rights and dignity which is under threat from the land owning and dominant sections of society. Their faith in violence is strengthened because they find the state and the police always taking sides with the land owning dominant sections of society.

The second phase of land reforms known as the Land Ceiling Act started from 1961 onwards with the stated objective of distributing land among the landless. After the Naxalbari Movement of 1967 and the Land Grab Movements launched in different states of 1970 the need to impose rigorous land ceiling was realized. As early as in 1969 the Home Minister had warned that if steps were not taken to lessen agrarian tension both by the state and central government things would go beyond control. Land Reforms was essential part of the twenty Point Programme of Mrs Indira Gandhi during Emergency period. But in spite of all this by 1977 only 4.04 million acres were declared surplus, out of this 2.10 million were taken over by the government and merely 1.29 million acres were actually distributed. The much acclaimed Green Revolution did not make much of difference in their condition. The percentage of households below poverty line in the rural areas has gone up from 38.11% in 1960-61 to 48% in 1977-78. Agricultural labour continues to be their main

income and most of the studies suggest that there has been a marked decline in both real wages and the days of work.

Naxalite outfits are active in Andhra Pradesh, Bihar, Madhya Pradesh and also in newly created states of Jharkhand and Chhattisgarh. Many times they indulge in mindless militancy but they continue to inspire the underdogs of rural society because mostly they take up the problems faced by these sections. The government treats their armed struggle as law and order problem and uses police and paramilitary forces to suppress them. The government has not shown the determination to address the problems faced by the rural poor. The land reforms carried out by the government had not succeeded in distributing land among poor peasants and landless labour in any significant way. There have been attempts to ameliorate the financial conditions of poor peasants, agricultural labourers and artisans in the rural areas through funds made available by the central governments to the districts. But a major chunk of these funds are cornered by local vested interests.

The agricultural labourers, poor peasants, contract labourers whether dalits, tribals or caste Hindus have been struggling to assert their rights. They struggle for wages, land, and against oppression of different types. Their movements are weak and divided. But surely it has a potential to emerge as a powerful force and can get justice.

Check Your Progress Exercise 2

Note: i) Use the space below for your answer.

ii) Check Your answer given at the end of the unit.

Q.1) In which way were the peasants exploited during the colonial period?

Q. 2) What the Telengana Movement?

Q. 3) Comment on the Naxalite movement?

28.3.2 Rich Peasants' and Farmers' Movements

The last quarter of the twentieth century has seen the movements of a very important social group in the rural areas known as rich peasants, farmers, kulaks or the capitalist farmers in several regions of India. They rallied behind the farmers' organisations in their respective regions. These organisations are - two Bharatiya Kisan Unions (the BKUs) of Punjab and Uttar Pradesh, Shetkari Sangathan of Maharashtra, Khadyut Samaj of Gujarat, Karnataka Rjya Raitha Sangha of Karnataka and Vivasayigal of Tamil Nadu. The most prominent leaders of these unions are Bhupendra Singh Mann in Punjab, Mahendra Singh Tikait in UP, Sharad Joshi in Maharashtra and Nandunjappa Swami in Karnataka. These farmers are the most influential and resourceful sections of rural society in their respective regions. They largely belong to the intermediate castes. They have benefited most from the state policies especially the land reforms and the green revolution. They cultivate land with the family labour supported by the hired-labour. They control the maximum resources in the rural society – land, water resources, animals, modern technology like tractors, etc.

The movements of rich farmers unlike the movements of poor peasants are not directed against any rural exploiters. In fact, a large group of them belong to the latter. These are directed against the state and unequal terms of trade.

Their main demands have been – remunerative prices, subsidised inputs, writing off loans, lowering of electricity bills, substantial reduction in water canal charges, representation of the farmers in the Agricultural Price Commission. With the exception of the Maharashtra, these movement did not raise the problems of the small producers. Rather, Tikait has demanded scrapping of land ceiling laws and of the Minimum wages Act.

The most common mode of mobilisation in the farmers' or the rich peasants' movements include rallies, *satyagrah*, road blocked, *gaon bandi* (banning the entry of outsiders into the villages) and attack on the public property. Some times these result in violence. Their "apolitical" nature, which means their not being attached to the political parties has been

the most effective method of mobilisation, especially in the in the initial phase of the movements.

While the farmers' movements in India shared several common characteristics, e.g., they raised the market-oriented demands, their "apolitical" nature, their direction against the state, patterns of mobilisation, the BKU movement of UP was distinct in terms of leadership and involvement of the traditional institution. Mahendra Singh Tikait, the chief of the Uttar Pradesh BKU is also the hereditary head of the traditional caste organisation known as the *Sarva Khap* of the farming Jats. His social position enabled him to become the leader of the BKU at a time when the farmers of the UP did not have a leader of that stature in the wake of the death of Charan Singh in 1987. Tikait was able to involve the traditional leaderships or *Khaps* -chiefs of several farming castes under the banner of the BKU. Besides, the BKU also took up the social issues like dowry in the initial phase of its movement.

The Bharatiya Kissan Union of Mahendra Singh Tikait speaks a language that invokes elements of Charan Singh's discourse on agriculture. Charan Singh used to argue that there was an urban bias in Indian planning and held it accountable for diversion of resources from agriculture. It, however, does not go to the extent of treating industrial and urban India against the rural India unlike the Shetkari Sangathan of Sharad Joshi. The rich peasant organisations do not admit any contradiction between the interests of rich peasants and the poor agrarian classes. They argue that unremunerative prices affect both the rich and the poor peasants. While the Shetkari Sangathan maintains a façade of India and Bharat divide to hide the class divide in agriculture, the BKU conceals it under the cover of existing *Bhaichara* (brotherhood) and peasant- proprietorship in the western U.P.

The movement of rich peasant has become an important fact of the present day Indian reality. No political party can afford to displease them. The government's decision to enhance electricity rates for farmers, raising fertilizer prices are met with stiff resistance. Many times they resort to stoppage of the supply of commodities like onion sugar or milk to get their demands conceded. One thing has become obvious that there has been a tremendous increase in the power of this class. They not only exploit the labour power and control majority of land they also control levers of power like gram panchayat, zila parishad co-operatives and educational institutions and banks to get maximum benefit from these institution and also to maintain its dominant position in the rural area.

The rich farmers are diversifying their sources of income. Some of their income comes from outside the agrarian sector like employment in cities, rent trade, money lending or

transport. They are also investing in small industries like sugar and rice mills as well as in food processing.

28.4 THE IMPACT OF ECONOMIC LIBERALIZATION ON THE WORKERS AND PEASANT MOVEMENTS

The economic reforms in the country that came to be known as liberalisation can be said to be mainly the - 1990 development. The era of reforms started with the government of P.V. Narsimha Rao. Since then successive governments have continued with liberalisation agenda. The present government of Atal Behari Vajpayee is also committed to this agenda. Among the main planks of this New Economic policy are closure of sick and loss making public enterprises, disinvestments from and privatisation of the public sector enterprises. There has been a marked decline in the growth rate of total employment in the organised sector in the 1990`s as compared to 1980`s. In fact this period is known as a period of jobless growth. Labour laws relating to job security are being changed. Many workers have been pushed out of jobs under the voluntary retirement scheme. A practice of using contract and casual labour in place of regular employees has become widespread. There have been strikes by Trade Unions to protect the interests of workers in State Electricity Boards, ITDC hotels, banks, etc. A National Renewal Fund was created as early as in 1992 to provide a social safety net to the labour force rendered jobless.

In 1994 the government of India signed the Uruguay round of the General Agreement on Tariffs and Trade (GATT) at Maracas [Morocco] and became a member of the World Trade Organization (WTO). This step of the government can be seen as part of the New Economic policy. As per conditions of the GATT, developing countries including India are under obligation to introduce subsidies -discipline. They are being asked to keep subsidies to the farmers up to 10% of their value of output. But cutting down on subsidies is a difficult proposition because no government wants to displease the rich farmers. They continue to get things like irrigation waters and electricity either free or at throwaway prices. Another G.ATT related problem faced by the farmers is introduction of patenting in agriculture. The farmer is not automatically permitted to use farm-saved-seeds of protected varieties to sow the next crop. He has either to pay compensation for the use of seeds saved by him or obtain the approval of the breeder. As most of the Plant Breeders are the Multi National Corporations (MNCs), their primary intention is maximisation of profit. This leaves the farmers no option but to buy the seeds again. Farmers in Karnatka attacked the

farm of Cargill Seeds to register their anger. There have been protests against Terminator-Seeds of cotton in Maharashtra and Gujrat. The response of the rich farmers' movements to new developments like the New Economic Policy, India joining WTO has not been undifferentiated. While Sharad Joshi in the western part of the country has supported the new developments. Mahendra Singh Tikait in the north and Nanjundaswamy in the south have been critical of it.

Check Your Progress Exercise 3

Note: i) Use the space below for your answer.

ii) Check Your answer given at the end of the unit.

Q. 1. Identify the main farmers' organisations along with their main leaders and the regions of their operation.

Q. 2. What are the main demands of the rich peasant movements?

Q. 3 What has been the impact of the New Economic Policy on the workers?

28.5 LET US SUM UP

In this unit you have studied about the collective action or the social and political movements of the workers and the peasants in India. These groups have been agitating from the colonial period for the redressal of their grievances. They formed their organisations and responded to the call of their leadership. The problems of the workers included mainly wages, bonus, personnel, leave and hours of work, violence and indiscipline, industrial and labour policies, etc. The peasants are not a homogeneous category. The poor and small peasants are related to their vulnerable social and economic conditions. The farmers which are also known as the rich peasants, kulaks or the capitalist

farmers are mobilised around the issues related to the developed and commercial farming. The period from the 1970s onwards has seen the rise of workers and peasants' organisations and the movements which are not affiliated to any political party. The farmers and peasants movements affect the political processes in India to a significant extent.

28.6 SOME USEFUL BOOKS

Bardhan, Pranab (ed.), *Political Economy of Development in India*, Oxford University Press, 1998.

Berch Berberough (ed), *Class, State and Development in India*, Sage Publications, New Delhi, 1992.

Omvedt, Gail, *Reinventing Revolution: New Social Movements and the Socialist Tradition in India*, M.E. Shapre, Armonk, 1993.

Ghah, Ghanshyam, *Social Movements in India: A Review of Literature*, Delhi, Sage Publications, New Delhi, 1990.

Hasan, Zoya (ed.), *Politics and State in India*, Sage Publications, New Delhi, 2000.

Singh, Jagpal Singh, *Capitalism and Dependence: Agrarian Politics in Western Uttar Pradesh (1951-1991)*, Chapter V, Manohar, New Delhi, 1992.

28.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The main issues in the workers' movements included - wages, bonus, personnel, leave and hours of work, violence and indiscipline, industrial and labour policies, etc.
- 2) The "apolitical" trade union emerged because the workers were dissatisfied with the existing trade unions which were affiliated to the political parties.
- 3) The trade unions have the following limitations: the organised working class is small section of the working population in India; poor finance; dominance of the outside leadership; factionalism, etc.

Check Your Progress Exercise 2

- 1) They were exploited by a group of classes, e.g., landlords and their agents, moneylenders and the officials of the colonial state. The landlords increased the rents on the peasants continuously, took forced gifts and extracted *begar* from them. They were heavily indebted to the moneylenders in order to pay the rent and meet the needs of their subsistence. When the peasants could not pay the rent, services or the *begar*, they were evicted from their land. They were also physically tortured.
- 2) Telangna Movement launched in 1946 in the princely state of Hyderabad ruled by the Nizam. This movement started as a protest against collection of excessive revenue using force by jagirdars. In the beginning the leadership was in the hands of the rich peasants and the movement was directed against the big absentee landlords allied to the Nizam. But very soon the initiative passed into the hands of poor peasants and agricultural labour that started occupying lands of landlords, and wastelands and started distributing it among them. By 1947 this movement organized a Guerilla Army mobilizing poor peasantry and agricultural labour many of which were tribal and untouchables. This army snatched large quantity of arms from the zamindars and drove away the local government officials. They established their control over an area of 15,000 square miles with a population of 40,000. The administrations in these areas were run by peasant soviets. The army of independent India succeeded in crushing the Telangna Movement in 1951.
- 3) The Naxalite movement originated in the Nazxalbari area of North Bengal. It was directed against the landlords and the state agencies. The movement was based on the principles of violence. It had spread into other states like Andhra Pradesh, Madhya Pradesh and Bihar.

Check Your Progress Exercise 3

- 1) These are - two Bharatiya Kisan Unions (the BKUs) in Punjab and Uttar Pradesh, led by Bhupender Singh Mann and Mahendra Singh Tikait respectively; Shetkari Sangathan in Maharashtra led by Sharad Joshi, Karnataka Rjya Raitha Sangha in Karnataka led Prof. Nanjundappa Swami; Khadyut Samaj in Gujarat, and Vivsayingal Sangam in Tamil Nadu.
- 2) Their main demands have been – remunerative prices, subsidised inputs, writing off loans, lowering of electricity bills, substantial reduction in water canal charges, representation of the farmers in the Agricultural Price Commission. With the exception of the Maharashtra, these movements did not raise the problems of the small producers.

Rather, Tikait has demanded scrapping of land ceiling laws and of the Minimum wages Act.

3) The impact of the New Economic Policy on the workers is reflected in the following way: deterioration in their material conditions, privatisation, retrenchment and the Voluntary Retirement Scheme, etc.

UNIT 29 GLOBALISATION AND LIBERALISATION

Structure

- 29.0 Objectives
- 29.1 Introduction
- 29.2 Globalisation: Meaning and Approaches
 - 29.2.1 Meaning
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- 29.3 Globalisation and World Systems
 - 29.3.1 The World Systems: Capitalist, Socialist and Mixed Economy
 - 29.3.2 Transformation of the World Systems under Globalisation
 - 29.3.3 Regionalisation of Trade and Investment Flows
- 29.4 Liberalisation
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- 29.6 Impact of Globalisation
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- 29.7 Response of the Indian State
 - 29.7.1 Measures towards Globalisation
- 29.8 Debate on Liberalisation and Globalisation in India
 - 29.8.1 Growth of the Economy
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 - 29.8.3 Impact on Unemployment and Poverty
 - 29.8.4 Inequality between Rich and Poor States
 - 29.8.5 Basic Industries and Infrastructure
 - 29.8.6 Investment in Social Sectors
- 29.9 Let Us Sum Up
- 29.10 Some Useful Books
- 29.11 Answers to Check Your Progress Exercises

29.0 OBJECTIVES

This unit is intended to acquaint you with a major development of our times called globalisation and how the policy of liberalisation is integrally bound with it. After going through this unit you will be able to:

1. Understand and appreciate the tendency towards globalisation:

- Distinguish globalisation from World Systems;
- Understand contemporary forms of dominance;
- Grasp the reasons for and forms of the increased significance of the market;
- Mark the changing role of the nation-state under globalisation;
- Assess the impact of globalisation; and
- Take into account and estimate the response of India to globalisation.

29.1 INTRODUCTION

Modern civilisation has brought profound changes in the productive capacities of men and women, in their social relations and institutions and the way they have thought of themselves and the world around them. However, these transformations were primarily bounded by what came to be called as the nation-state. There were some processes that went beyond the confines of the nation-state such as trade; expansion of capital; growth of knowledge; spread of ideologies; affiliation to religion and beliefs; spread of culture, arts, sports and even the rise of certain international institutions but the nation-state remained the final court of appeal. However, the last three decades have witnessed certain profound changes in this configuration resulting in new and larger networks of exchange; great movement of peoples, goods and information; transnational social and economic interaction and increasing flows of trade, investment and culture. New economic, political and cultural institutions have arisen. These changes have circumscribed the place and role of the nation-state in a profound way. Increasingly our lives today are intimately shaped by developments beyond the confines of the nation-state. Changes in technology and information have radically altered the hitherto familiar notions of space and time. The relationship between culture, economics and politics is being redefined through rapid exchange of information, ideas and knowledge. These widespread changes are attempted to be captured by the term globalisation.

29.2 GLOBALISATION: MEANING AND APPROACHES

Globalisation during last two decades has been called as the most talked about phenomenon. However, what exactly needs to be included under the term globalisation is deeply contested. It is a multi-dimensional phenomenon, involving diverse activities and interactions including the economic, political, technological, cultural and environmental.

29.2.1 Meaning

Anthony Giddens sees Globalisation as, "The intensification of world-wide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice-versa". The term has been used expansively to include an enormous range of features of contemporary life. Five of them can be considered as crucial to its understanding:

a) Stretched Social Relations

Globalisation involves cultural, economic and political networks of relations spread across the world, denser than in any previous periods. Further they are not confined to merely specific regions. They envelop the whole world,

b) Intensification of Flows

Globalisation is manifest in the rapid flow of information, capital and goods. They result in networks and interactions that transcend any effective monitoring and control by the nation-states. They beget social interactions that could have little to do with geographical and cultural contiguity. Mobile phones, satellite television and internet, which are based on these flows, do not respect the spatial frameworks that bound communication hitherto.

c) Increasing Interpenetration

Under globalisation cultures and societies that were hitherto distinct come face to face with one another and get interwoven into the ways of social life of others. Differences of language, food, dress and beliefs become constitutive of social make-up.

d) Global Infrastructure

They are formal and informal institutional arrangements in the economic, political and cultural domains that facilitate networking and flows. Their reach transcends the bounds of nation-state. They facilitate the functioning of a global market. They embody codes and regulations holding transnational interactions in place. They provide the mechanisms of global governance.

e) Reformulation of Social Relations

Under globalisation relations between social classes are brought sharply to focus on a global scale. In the earlier phases of capitalism class relations were primarily defined within the vortex of the nation-state. Globalisation brings about a dense interaction between dominant classes and regions outstripping national cleavages. It throws up new social strata and factions both at the national and global levels. It reformulates inequalities and existing unevenness in economic and power relations.

29.2.2 Characteristics

The above five-fold features inform the following characteristics of the globalising world.

- a) It is an inter-connected world: It is connected on account of modes of simultaneous communication to any part of the world. It is also a connected world on account of the problems that confront humanity as a whole. Problems such as global climatic changes, the depletion of the ozone layer, drugs, terrorism, pollution of the oceans etc. are beyond the scope of any particular nation-state.
- b) Distant actions in one corner of the globe have rapid and significant repercussions in other parts. For instance, the East Asian Crisis of 1997-1998 on the New York Stock Market or Nasdaq on Bombay Stock Market etc.
- c) There is the emergence of global social strata sharing certain common cultural features. For instance: English language, Blue Jeans, Sweat Shirts, etc. These features increasingly penetrate national cultures and may attempt to bring about levels of homogenisation of modes of living, thought and interactions.
- d) Globalisation encapsulates the entire range of social relations. It has its impact on every facet of life. However, the momentum of these relations may not move at a uniform pace. It may result in a great deal of

- e) Under globalisation power relations come to be articulated increasingly at the global level. New organisations come to be established for the purpose.
- f) Development of communication technology undermines the authority of the nation-state and poses a threat to its sovereignty.
- g) It connects localities with the world bypassing national boundaries.
- h) Sometimes individuals and smaller institutions in control of a front-line technology can challenge the power of global organisations by forming alliances. There grows up a new entrepreneurship around such knowledge-based industry.
- i) The prevailing pattern of globalisation has widened economic inequalities and has worsened the lot of the impoverished. It has threatened the existence of local cultures.
- j) Globalisation also brings new opportunities. It widens tremendously the range of choices available to people. It breaks down such geographic barriers as town and countryside and metropolis and periphery to access resources and information. One can live locally while being in tune with the global context.
- k) It is the integration of the global financial markets that often remains the hallmark of globalisation. It involves new forms of financial transactions, assisted by new modes of communication. It has led to the weakening of the national stock markets and tremendous growth in cross border transactions in equities, international bank lending, international bond markets etc.
- l) It involves a struggle to dominate global markets and centralisation of power in a few organisations. The rise of the Multinational Corporations (MNCs) and the new role that the International Monetary Fund (IMF), the World Bank and the World Trade Organisation (WTO) have come to play bear witness to it.
- m) The process of Globalisation has hitherto been accompanied by a strong dose of Americanisation manifest in such symbols as 'Coca-Cola' and 'Macdonald' and has reinforced its influence over the other regions of the world.

29.2.3 Approaches

There are two kinds of globalists, positive/optimistic and negative/pessimistic. The former point out at the benefits of globalisation. Pessimists see it as levelling down differences and promoting homogenisation. They may see it as the dominance of advanced capitalist countries especially United States of America over the rest of the world. They feel that globalisation is going to reinforce deprivation of the vast majority and exasperate conflicts. Its benefits will primarily accrue to those who are already advantaged in the prevailing relations.

- a) Traditionalists admit that there is intensification of flows and social activity at the global level but they do not see any significant shift in social relations under globalisation. It is not something unprecedented. They assert that there have been moments of great transformation in the past as well that connected the world. They see the continued relevance of the nation-state still. States are throwing up new institutions to face the new demands and requirements they encounter. It is nothing but the continuation of the trends and processes already underway.

Traditionalists resist the encroachment of global business in the name of globalisation and its supposed benefits. They also see grave danger to cultures and identities on account of it.

- b) Transformationists believe that globalisation has created new economic, political and social circumstances in which states are called upon to operate. It has led to transform state powers. This is a significant shift from the earlier situation. However, they see a major role for nation-states in the emerging context.

They think that globalisation is not a uniform and predictable tendency. Its course is not predetermined. The nation-state and other actors on the scene can play a major role in shaping its course and content. They, however, believe that the autonomy of nation-states is limited due to the presence of Multinational Corporations (MNCs) and Transnational Corporations (TNCs) and the dominance of certain nation states in this process. They call for a sustained endeavour for building democratic accountability at the various levels and seek to devise mechanisms of global governance.

29.3 GLOBALISATION AND THE WORLD SYSTEMS

29.3.1 The World Systems: Capitalist, Socialist and Mixed Economy

Till recently people spoke about distinct systems that prevailed in the world: capitalist system, socialist system and a third variant that went under several names such as mixed economy, democratic socialism etc. In the capitalist system the freedom of the market and freedom of choice were privileged; the socialist system stressed on state ownership and control of the means of production and planning in the allocation of resources and distribution of goods; in the mixed economy there was a state sector alongside the private sector. While no society mirrored exactly any of the systems fully, existing societies could be demarcated as tilted to one side or the other.

29.3.2 Transformation of the World Systems under Globalisation

In the wake of globalisation state controlled and socialist systems, with few exceptions, have paved their way to market forces. It has brought increasing interdependence and integration in the global economy as a whole. While trade is moving towards interdependency, a capital flows and investment have led to integration. But, while there is general agreement on the growing interdependency and integration in several aspects of social and economic life, its extent and direction has been deeply contested.

Globalists argue that there has been rapid forging of global bonds as expressed in international trade and investment and they have superseded and supplanted the national economy. Traditionalists, however, do not think that the category of national economy has been supplanted by globalisation. The transformationalists argue that although new forces of intense interdependence and integration inform the world we are not into a single system as yet. They feel that there is the disintegration of local and national economies and the emergence of more mixed, interdependent and highly uneven economies which cannot be encompassed within the fold of a single system

In the globalising world that is underway capitalism definitely holds its sway. There is also no doubt that the present version of globalisation is a triumph of the erstwhile capitalist system worldwide. Analysts, however, are not agreed on :

- to what extent we can characterise the global system as a new phase of capitalism,
- the specific nature of class relations under globalisation and the class blocs that ensue therefrom, and
- the relation of the market to class struggle

29.3.3 Regionalisation of Trade and Investment Flows

Recent studies indicate that while trade and overseas investment has grown the proportion of trade to gross domestic product (GDP) has remained steady since World War I, the pattern of domestic consumption of the produce, to the extent possible, has not seen major change. Besides, although there is growth in foreign direct investment (FDI) since 1980, FDI formed only 5.2 per cent of the world's capital formation. Resources to finance investment continue to be primarily domestic.

Even today, the international economy is characterised by the development of regional trading and investment blocs. The most significant configurations are USA or North American Free Trade Agreement (NAFTA), The European Union countries and Japan. They accounted for $\frac{3}{4}$ of the world's GDP in late 1990's and in 1996, 66 per cent of world trade flows although they account for 15 per cent of the World's population. A vast section of the underdeveloped world is out of this process. Further these three big economies were quite closed in terms of trade interdependence and investment integration in 1990's. When we look beyond these blocs there is little North-South trade as yet. The manufactured imports of the Organisation for Economic Cooperation and Development (OECD) countries in 1992 was not more than 2.3 per cent of the GDP of these countries.

In fact if there is a trend visible; it is the thickening network of trade participation within the core, the most developed countries. National economies continue to be primary players on the scene. Between 1991 and 1996 the USA, EU and Japan accounted for 60 per cent of the world flows of FDI.

Often the FDI flows are away from the periphery into the core of the system. Globalisation provides the mechanisms and the rationale for agents in the periphery to plough their investment in the developed world.

While the regional focus of the economy is intact, there is at the same time an attempt to forge agreements on a wider sphere of economic exchange. They lay down codes governing these exchanges and attempt to keep conflicts within control. The most important of these agreements was the one to constitute the World Trade Organisation (WTO) in 1995, which has become a major pillar of globalisation. A whole range of items which were earlier part of the national decision are brought before the WTO, such as agriculture and related activities, trade related investment measures (TRIMS), trade related intellectual property rights (TRIPS), trade in services and movement of persons, the prevention of foreign competition through duties and quantitative restrictions such as quotas, exchange controls and regulation. These agreements

do not favour subsidies. Market mechanisms are supposed to determine optimum pursuits.

In relation to the understanding of the world systems, we can note the following changes under conditions of globalisation:

- a) There is clearly more intense integration of the economy at the regional level in the developed world. The national economy still holds its ground.
- b) The developed world has marked the code, rules and regulations for the global economy as a whole. Although the ultimate repressive power still belongs to the nation-states it can hardly be wielded against the wishes of the developed world led by the US.
- c) The revolution in communication provides a mechanism for quick rewards and reprisals.
- d) There are cleavages in the developed world and there are sections in the developing world who are wholly integrated in the mainstream global trends but social relations are characterised by a great deal of fluidity and unevenness. New regions can be integrated in the global economy without being mediated through the local markets. The primary conflict of the globalising world is with the masses drawn into its relation but fragmented into distinct classes, cultures and communities.
- e) The culture industry under conditions of globalisation has become a potent tool to unify the world along with the market.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

- 1) Outline the basic features of globalisation.

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- 2) What is meant by the regionalisation of the economy?

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29.4 LIBERALISATION

29.4.1 Meaning

In the context of globalisation, liberalisation primarily means removal of controls and regulations at various levels of the economy facilitating market forces to determine its course and direction. It favours a competitive market solution to economic issues and a reduced role for the state in economic management. In a wider sense the term is also used to mean creating conditions for the prevalence of civic and political rights, rule of law,

accountability of power, periodic elections, multi-party system and an impartial judiciary. These conditions are seen as holding public authority transparent and under scrutiny.

In its primary and stricter meaning liberalisation proclaims freedom of trade and investment; creation of free trade areas; elimination of government controls on allocation of resources in the domestic economy; progressive removal of restrictions on external trade and payments; expansion of foreign investment, loans and aid and rapid technological progress.

Liberalisation also advocates a balanced budget; reduction in progressive taxation, social security and welfare and a diminished role for the state in economic management. It does not favour subsidies and state protection and resource allocations through administrative means. It suggests that inefficiency, corruption and mismanagement are built into regimes with excessive state control.

29.4.2 Shift from State to Market

In 1970's an argument gained currency that economic problems confronting societies were due to the sprawling public sector, policies of full employment, high rates of taxation, generous social welfare benefits and growing state intervention. It was further argued that these policies led to excessive wage demands, introduced rigidity in the market, encouraged parasitism and blunted the incentives to save, work, invest and take risks. Political forces not favourably disposed towards welfare state and socialism, such as the Conservative Party in Britain, rallied behind this argument.

In the 1980's there was a strong shift away from the State to the market in the allocation of resources in large parts of the world. It was accompanied by the information and communication revolution which favoured the market. This shift led to widespread deregulation of the economy and measures to reduce taxes and government expenditure.

The primacy of the market upheld by liberalisation came to be supported by global capital with open arms. The transnational enterprises and multilateral agencies such as the IMF and World Bank too brought enormous pressures on States to pursue a policy of liberalisation. The collapse of socialist regimes in Eastern Europe in 1989 and the dissolution of the Soviet Union in 1991 were hailed as the triumph of the market and gave further impetus to market forces.

29.4.3 Facets of Liberalisation

Liberalisation is a global phenomenon, closely entwined with the process of globalisation. In fact, in its existing version, liberalisation is the enabling condition for the intensive penetration of globalisation into any society. But the contexts in which liberalisation has been carried out and the patterns it has assumed have varied across regions and states.

a) In Europe liberalisation has led to curtailment of public expenditure; cuts in social security and welfare programmes; reduction in progressive taxation; abandonment of full employment policies, curbs on trade unions, flexible labour markets and privatisation of state enterprises. However liberalisation did not affect highly protected agricultural production, the immigration

policy and certain categories of international trade, particularly involving advanced technology.

- b) In the developing countries, hitherto, the state regulated imports and exports, foreign investment, technology, labour markets and collective bargaining. The state owned and managed a wide range of industrial, agricultural, marketing and financial enterprises. By mid 1970's most of these countries were deeply in debt. In them, liberalisation involves the reversal of the previous policies of state directed modernisation and industrialisation. The early phase of liberalisation encompassed stabilisation of the economy through control of public expenditure and increase in tax returns; industrial policy reforms; price liberalisation; control of state expenditure; currency devaluation; reduction and removal of subsidies and capital and financial market reforms. At a later stage these countries have resorted to privatisation of state enterprises, currency convertibility and integration of the economy in the global economy.

29.5 GLOBALISATION, NATION-STATE AND SOVEREIGNTY

29.5.1 Shifting Conception of Nation-state and Sovereignty

The modern world was primarily organised around nation-states as its primary units. Nation-states claimed supreme jurisdiction or sovereignty over a demarcated territorial area. Sovereignty was associated with a political community associated with fixed borders and territories. Under globalisation there are profound changes in all these conceptions. There are other players in the international arena; the sovereign power of the nation-state has come to be deeply contested; the conception of the political community remains highly fluid and the notions of territories and borders have radically altered in the context of the explosion of communication and states have little capacity to police them as they did in the past. Not everyone, however, is agreed on or prepared to accept the changing role of the State. Globalists think that nation-state has become an anachronism today and there are other institutions, which have effectively taken over or poised to take over the role that it had played hitherto. Traditionalists assert the continued relevance of the nation-state and see the major changes that are underway, as either been authorised or agreed upon by the state or as issues over which nation-states would be competent to exercise its authority, if they so desire. The transformalists agree that nation-state with sovereignty as its attribute is under a cloud today but they argue in response that the nation-state itself is undergoing a profound transformation.

Disagreements on the changed role of the nation state apart, there is no disagreement that they function today in highly altered conditions. Nation-states are increasingly perceived as resources to be employed in negotiations with transnational and international agencies and to keep sub-state actors in control. In such an understanding sovereignty becomes a bargaining chip in multilateral and transnational negotiations. This reconceptualisation of the role of the state allows room for its continued salience in spite of the profound shift of power to systems of regional and global governance.

There are a host of issues today where the ability of the state to govern

be easily tied to the jurisdiction of individual nation-states. Such problems as environmental pollution, depletion of the ozone layer are simply beyond the control of individual states. No state today can monitor for long and effectively cross border communication. Further globalisation has reinforced such occupations as drug trade enormously. In 1990's the estimated annual illicit drug turnover was over 400 billion US dollars equal to the gross national product of India in 1998.

29.6 IMPACT OF GLOBALISATION

We can assess the impact of globalisation under three broad categories: Economic, Political and Cultural. Such assessments are deeply influenced by the approach one adopts towards globalisation. It allows him to highlight some features and ignore the rest. Some of the most salient features of the impact are highlighted here below:

29.6.1 Economic

- a) Those who are favourably disposed to globalisation stress the following:
- i) It has been beneficial to consumers. It has increased the scale and allocative efficiency of markets for goods and capital in the wake of globalisation.
 - ii) It is supposed to have released huge unutilised resources and led to a great economic recovery worldwide.
 - iii) It has resulted in the rolling back of the state; undermined parasitism and bureaucracy and has led to a spurt in entrepreneurship and knowledge based industry.
 - iv) It has introduced a great deal of flexibility relative to the kind of rigidity that prevailed under the welfare regime and state controlled order. There is, under its aegis, the rise of a flexible mode of production, work processes, labour markets, production, education, patterns of consumption, savings etc.
 - v) It has set into motion a highly intensified process of mergers and acquisitions of enterprises, promising a global economic order of both scale and quality.
 - vi) Globalisation has tightened the rules of the game while at the same time introducing flexibility. There prevailed a great deal of anarchy when national economies dictated the terms. Within the nation-states liberalisation has enhanced fiscal discipline.
 - vii) Globalisation has greatly facilitated the movement of capital and lessened the dependence of developing countries on bilateral and multilateral agencies such as the IMF and world bank. They can make their option today for FDIs or have an access to global capital markets.
 - viii) For several countries globalisation has been an important mechanism to upgrade their technology and get an access to the global markets.
 - ix) Globalisation has led to the appreciation of several technological innovations which closed societies may not have encouraged. In their turn these technologies have made global flows more intense and rapid.
 - x) Globalisation has linked communities and cultures and enhanced the

b) There are others who cite equally valid reasons why globalisation is not a desirable state of affairs. :

- i) Globalisation has greatly increased existing inequalities. Thirty years ago the gap between the richest fifth of the world's people and the poorest fifth stood at 30 to 1. By 1990 it had widened to 60 to 1 and in 2000 it stands at 74 to 1. In terms of consumption, the richest fifth of the world accounts for 86% of the global produce and the bottom fifth just 1% today. Further this unevenness operates at various levels reinforcing the disadvantage of the lowliest.
- ii) There appears to be a great deal of evidence to suggest the generalisation that the processes and policies of liberalisation and globalisation have contributed to a significant redistribution of income and wealth from the poor to the rich both nationally and internationally. Between 1975 and 1985 an estimated US \$ 165-200 billion were placed by individual investors from the Third World in the international financial markets.
There is growing disparity within the developed nations, between the developed nations and the developing nations, the developing nations themselves and among the poor across the world.
- iii) There is a growing prevalence of casual, part-time and informal sectors of employment. In the wake of globalisation there is a substantial increase world-wide in unemployment and feminisation of the labour force. There are large scale migrations of people within and across nation-states. But there is a growing tendency among the unemployed to target the migrants as responsible for their flight.
- iv) There has been a cut in welfare programmes due to the decline in public expenditure especially on social services and welfare, reduction in subsidies of goods of mass consumption and decline in real wages.
- v) There is an increase in the power of foreign investors and creditors, domestic business groups with links to foreign capital and technology. There is a shift of income in favour of capital engaged in international relations.
- vi) While a great deal of attention is paid to formulate rules for the expansion of global markets and capital flows little attention is paid to objectives like labour standards, poverty reduction and human rights.
- vii) The WTO defends its intervention in the name of breaking down tariff barriers, free flow of goods and capital and safeguarding entitlement. But it is perceived by many as market fundamentalism, narrowing down choices before the vast multitude of people rather than expanding them.
- viii) Capital flows and trade have remained highly confined to certain core developed areas of the world. The rest of the world is subjected to a discipline to safeguard the interests of these core economies.
- ix) The developed world has not shown much keenness in softening quantitative restriction, particularly against agricultural imports from developing countries in spite of WTO stipulations in this regard. On the other, large business houses have been quick to assert their claims and rights over the developing world.

- x) One of the biggest gainers from globalisation are criminals. At present, Six major international crime syndicates are believed to gross US \$ 1.5 trillion annually from the proceeds of crime.
- xi) There have been widespread protests against the creeping global order by those who are at the losing end of the globalising drive. Strong protests were voiced by thousands of protestors at the venue of the IMF-World Bank Spring meeting in April 2000.

29.6.2 Political

- a) It is argued that the great expansion of liberal democracy world-wide would not have been possible without the promises of globalisation.
- b) Globalisation has strengthened accountability and transparency of power and led to good governance.
- c) It has greatly circumscribed the power of the nation-state. Opponents of the ruling elites and the disadvantaged groups have an access today to a wider world. In fact several dissident voices and advocacy groups have effectively made use of globalisation to advance their concerns.
- d) There are new institutions of governance today at various levels. They fill an important vacuum by reorganising power at different levels and directing it towards specified ends.
- e) Globalisation has affected class relations enormously. There is a shift of power to capital and to the developed world and transfer of decision-making to an alliance of international financial organisations and corporate capital. There is a decline in the power of the organised working class.
- f) Globalisation has led to new linkages through patterns of migration and created a new elite with a similar life-style in every big city of the world. At the same time it has created a pool of migrant and local labour at the bottom of the labour market.
- g) Globalisation has radically undermined the spatial and territorial anchoring of power. In its wake there is the explosion of ethnic and community identities and the avowal of fundamentalism.
- h) It has created global electronic communities of sorts. They allow a diversity of alternative or radical voices to be accessed and heard as they facilitate the grouping of dominant interests.
- i) Globalisation has reinforced inequalities within and between nations in terms of access to information and knowledge. They have spawned new social categories of 'information rich' and information poor'.
- j) Neo-liberal ideology has emerged as the reigning ideology under globalisation with its stress on market freedom, private property and accumulation. It disparages politics overtly while upholding individual enterprise. At the same time globalisation has led to the construction of a hierarchised world presided over by the US and global capital.
- k) There has emerged an interesting coalition of the traditional 'left', opposed to global corporate capital and the 'right' defending national culture.
- l) Globalisation has led to the rise of new social movements that do not fall within the vortex of traditional class movements, such as of women, peasants, ethnic communities, displaced people etc.

29.6.3 Cultural

- a) Globalisation has facilitated a phenomenal growth in the global circulation of cultural goods. They include printed matter, music, visual arts, cinema and photography, radio and television. Elements of ethnic cultures are woven through them. However the ownership of these goods is concentrated in a set of media corporations. Fewer voices can be heard despite the proliferation of the media. Nation-states have little control over them as they are dominated by transnational corporations such as Time Warner, Disney, Viacom, Tele-communications Inc., New Corporation, Sony, Seagram, General electronic, Dutch Philips etc.
- b) Under globalisation there has been a great expansion of western and particularly American culture. There has been a great imbalance between cultural flows. Accusations of cultural imposition and domination have been widely heard. Cultures have become vulnerable. eg. vernacular languages in India.. However the extent of such domination and the ability of the local cultures to contest it has been a debated issue.
- c) The English language has emerged to a predominant position of being the language of communication within and between global organisations and institutions. It has become the transmission belt for western goods and services.
- d) It is interesting to note that in spite of globalisation certain institutions such as the press, television, national broadcasting are still anchored in national and the cultural ambiances.
- e) Globalisation involves extensive migrations of people both within and across states. The communication networks make other cultures shape one's way of life very intimately. They strengthen the fabric of cultural pluralism which increasingly confronts tendencies for cultural domination.

Check Your Progress Exercise 2

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

- 1) Highlight any three supposed economic benefits of globalisation.

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- 2) Enumerate the political impact of globalisation.

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29.7 RESPONSE OF THE INDIAN STATE

29.7.1 Measures towards Globalisation

The Indian government took recourse to certain piecemeal measures of liberalisation from 1980 onwards and warmly responded to the technological basis of globalisation. In the beginning its response to the larger measures of liberalisation continued to be lukewarm and hesitant. It was in the wake of the external repayment liability crisis of 1991 that government took a qualitative turn towards liberalisation. It involved the following major changes in policy:

- a) *Trade policy reform:* This reform sought to dismantle the earlier import licensing system. It proposed heavy scaling down or removal of tariff and reforms on quantitative restriction on imports. Except on consumer goods non-tariff barriers were phased out.
- b) *Industrial Policy Reform:* It sought abolition of industrial licensing except for a few specified industries; items reserved for public sector came to be highly restricted and it extended favourable treatment to FDI. Restrictions on investment by large industrial houses was abolished and a phased programme of disinvestment of public ownership in public sector undertakings was initiated. The Non-resident Indians (NRIs) were extended additional encouragement to invest and outward investment by Indian enterprises was liberalised.

Exchange rate reform: The rupee was devalued in 1991. Partial convertibility of the rupee was done in 1992-93 and full convertibility on current account in 1994.

- c) Capital market reform was undertaken by setting up the Securities and Exchange Board of India (SEBI).
- d) *Financial Reforms:* Private sector banks including foreign joint venture banks came to be permitted to undertake and expand their operations. A policy regime for private non-banking finance companies came to be established.

There is no policy agreement on the direction in which reforms, termed as second generation reforms, have to proceed further. In its absence, the government has attempted to build in competition in sectors where hitherto the public sector enjoyed a monopoly; thrown open the insurance sector for market competition; attempted to lay down a set of directives for disinvestment and removed tariffs on a large number of items in accordance with its agreement with the WTO.

29.8 DEBATE ON LIBERALISATION AND GLOBALISATION IN INDIA

Unlike in most of the other countries which set on reforms much earlier Indian liberalisation has been around for less than a decade. It makes assessment of trends and tendencies less accurate. The debate on liberalisation in India has squared around issues that have been central to the nationalist agenda in India. It is not entwined in the kind of ideological debates that marked the liberalising policies in the West, particularly Great Britain. Liberalisation in India has primarily been challenged hitherto from the

nationalist and Marxist perspectives and not from alternative liberal-democratic perspectives as in the West.

Given the fact that the political centre, from the right to the left, has not opposed liberalisation it enjoys widespread political consensus in India at present. Except the communist parties and the Rashtriya Swayam Sevak Sangh (R.S.S.) and some of its affiliates, all the other major political parties in India have extended their support to the liberalising measures. Anyway, they have not been actively opposed to most of these measures. This consensus, however, is highly precarious. The debate on the following issues shows that this consensus cannot be taken for granted for long.

29.8.1 Growth of the Economy

Although growth of the economy, both quantitative and qualitative, alone cannot be the rationale for liberalisation, in a developing society like India it cannot but be of central importance. Besides, although growth by itself may not meet the other desirable objectives growth is absolutely central to pursue them. Further we cannot gainsay that in the absence of liberalisation, the trends in the economy prior to its adoption would have persisted:

- i) India's compound rate of growth in the second half of 1980's was 5.8 per annum. The average rate for 1992-98 comes to 6.5 per cent per annum. Industrial growth for the period has been 8.1 per cent and it is slightly higher than 7.94 per cent that prevailed in the second half of 1980's. The growth of the industry, however, has been very unsteady. The rate of industrial growth reached a high of 12.8 per cent in 1995-1996 but during 1996-1999 it has been low and unsteady.
- ii) The fiscal deficit in the reform period has remained 5.7 per cent as compared to 8.8 per cent of GDP in the second half of 1980's.
- iii) Inflation has been on the decline during the reform period. However, the growth of consumer index relative to the wholesale shows that food prices and other goods of mass consumption are increasing at a faster pace affecting the weaker sections.
- iv) India has generally lagged behind in R&D effort. However, ever since India embraced the path of liberalisation and globalisation its spending in R&D has fallen. India spent 0.96 per cent of its GDP on R&D in 1988 which came down to 0.8% in 1999. The corresponding amount is 2-3% of the GDP for developed countries.
- v) There has been an unprecedented rise in mergers and acquisitions in the Indian corporate sector after liberalisation.
- vi) After liberalisation there is more flexibility for firms to make their investment decisions and in choosing plant capacities. Unprecedented restructuring of the Indian industry to meet the challenges of the global market has taken place during the last one decade. Dilution of the MRTP act has removed many restrictions on corporate investments and growth.

29.8.2 External Control

The growth of the economy has definitely been favourable so far. At the same time Indian economy has clearly tended towards monopolies and towards integration with the global economy. In this context following trends are visible:

- i) Proportion of trade to GNP has gone up steadily from 14.1 per cent in 1990-91 to 18.2 per cent in 1998-1999. India's economy has become increasingly interdependent on the global economy.
- ii) The remittances of Indians abroad has been to the tune of 2.5 per cent of GDP during the liberalising decade compared to just 1 per cent in the late 1980's. In fact just prior to liberalisation these remittances were declining. Indians are one of the major contenders in the global labour flows today.
- iii) The FDI flow to India in 1991 was \$200 million while US\$ 14.6 billion worth of FDI was approved in 1997 although the actual inflow was just \$3.2 billion. Even this amount was a major advance compared to the situation prior to liberalisation. However, out of the estimated \$684 billion FDI flow worldwide in 1994, India's share was a pittance. Besides most of the FDI flow in India so far has been directed towards the non-manufacturing sector and for acquisition of already existing units.
- iv) Liberalisation has facilitated Indian companies raising resources in western stock exchanges. It was 2.5 per cent of the GDP during the period 1996-97 to 1998-1999.
- v) MNCs have taken advantage of the new rules to increase their stake in their existing affiliates in India. However, the thrust is still to produce for the Indian Market. Little export-oriented FDI has hitherto come to India.
- vi) External debt has become much more manageable after embracing the liberalising measures. A healthy foreign exchange reserve has been built up of about US\$35 billions in 2000.
- vii) India has liberalised its trade with South Asia at a faster pace. All quantitative restrictions have been removed on imports of 2300 items from SAARC countries. However, given the volume of trade flows of South Asian countries, this regional liberalisation will not make much of a difference in the near future.
- viii) Changes in Foreign Exchange Regulation Act have removed shareholding and business restrictions. Restrictions on income repatriation have been removed. Similarly policies related to foreign technology purchases and licensing have been liberalised.

Following liberalisation Indian trade has registered a substantial increase and its foreign exchange position has definitely improved. The manufacturing base of India, however, has not seen any substantial expansion. Indian economy today has integrated with the global economy in terms of transnational capital. The remittances of Indians abroad provides certain leeway but its certainty depends to a great extent on the continued pursuit of the liberalising measures.

29.8.3 Impact on Unemployment and Poverty

Scholars in India are deeply divided into two rival camps on this issue. One group argues that unemployment and poverty have worsened following liberalisation and the other group suggesting that it is not so. The latter argues that either liberalisation has turned the slide or established the framework and conditions for reduction of unemployment and poverty. Here below are

- i) The incidence of poverty declined for all categories of workers over the first decade of liberalisation. However, the rate of decline in poverty ratios was lowest for casual workers and it was highest for regular workers. As per the NSS data, 1997, poverty in India was around 37 (rural 38 and urban 34) per cent. However, the 1980's recorded a faster decline in rural poverty and the decline slowed down considerably after the reforms. The share of self-employed workers came down from 61.4 per cent in 1972-73 to 54.8 per cent in 1993-94. There was increase in the proportion of casual labourers from 23.2 per cent to 32 per cent. There is a decline in the rural non-farm employment. Casualisation of labour got accentuated with liberalisation. Quality of employment has deteriorated on that account. Real wages for casual labourers increased in 1990's but the growth has been very slow.
- ii) Although rural poverty decreased in most of the states (except Assam, Bihar, Haryana & Punjab and U.P.) in 1993-94 as compared to 1987-88, this decline was lower than during the period 1983 to 1987-88 and 1977-78 to 1983. Urban poverty showed a higher rate of decline in nine out of 17 states during 1987-88 to 1993-1994 as compared to the earlier periods.
- iii) In India child labour is on the decline. It declined from 23 percent in 1980 to 16 per cent in 1997
- iv) Educated unemployment was declining over time and there has been no sign of its increase after liberalisation. However, in the rural areas unemployment among graduates, both boys and girls, has increased during the decade of liberalisation.

Although, liberalisation has not accentuated unemployment and poverty in India as much as in several other countries, the trend is clearly in that direction. Further liberalisation is exasperating the urban-rural cleavage in India.

29.8.4 Inequality between Rich and Poor States

Inequality between rich and poor states has increased during the years of liberalisation. However, it is difficult to bracket any one of the states has rich or poor with respect to all the indicators. However, certain states such as Gujarat, Maharashtra, Karnataka, Andhra Pradesh, and Tamilnadu have succeeded in orienting themselves favourably towards the liberalising and globalising measures much more than other states. Some states such as Bihar, Uttar Pradesh and Orissa have consistently remained lacking.

- i) In Andhra Pradesh, Gujarat, Karnataka, Maharashtra, West Bengal and Punjab, poverty started to decline under liberalisation to an appreciable extent while there is no such decline in Bihar, Madhya Pradesh, Orissa, Rajasthan and Uttar Pradesh.
- ii) The inter-state inequalities in per capita income increased significantly in 1990's while there was no evidence of convergence and divergence during the period 1965-85.
- iii) Rich states showed much higher growth while poor states recorded lower growth during 1985-96.



29.8.5 Basic Industries and Infrastructure

- i) There has been a sharp decline in government capital investment from 5.5 per cent to 3.6 per cent of the GDP from 1990-91 to 1998-99. It has led to the relative neglect of the infrastructural sectors.
- ii) The government has not succeeded in ploughing FDIs towards the basic industries and infrastructural sector to any significant extent.
- iii) The prioritisation of disinvestment during the second generation reforms is unlikely to expand the manufacturing base either.
- iv) The private sector in India has not elicited much interest in making investment in the basic industries and infrastructure.

India may not be able to sustain, let alone improve, the kind of advantage that it has enjoyed in basic industries for long.

29.8.6 Investment in Social Sectors

There is declining expenditure in social sectors such as education, health and poverty alleviation in the liberalising decade in India.

- i) The expenditure of central and state governments on education on the percentage of GDP is found to have declined from 3.6 per cent in 1992 to 3.4 per cent in 1996-1997, showing a declining trend during this period. The worst affected has been the sector of higher education. Even the priority sector of primary education does not seem to have received any significantly larger allocation during the reform period.
- ii) In the states too, the overall developmental expenditure has declined.
- iii) The allocation to health sector has declined from 1.7 per cent in VII plan to 1 per cent during 1997-98
- iv) While the central government has taken on a larger share of the social sector over the years, central assistance to states in these areas has declined. For instance, the share of education in centrally sponsored schemes was 12.1 per cent in 1991. It declined to 8 per cent in 1997-98

Check Your Progress Exercise 3

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

- 1) Enumerate the significant measures adopted by India towards liberalization.

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- 2) Suggest the impact of globalisation and liberalisation on the labouring masses in India.

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29.9 LET US SUM UP

Globalisation has brought the world together as never before. The communication revolution has facilitated this process greatly. However, it has been perceived, by the globalists, traditionalists and transformationalists very differently. The current version of Globalisation although heralds the triumph of the capitalist system, it is a significant phase in its development as well. For all the connectivity and interdependence that it has brought about, trade and capital flows in the world are still concentrated among three regions of the world, made of the US, Japan and European Union Countries. Globalisation has further buttressed the hold of the developed world over the rest. Through liberalisation states have hooked their societies on to the globalised world. While the nation-state has been attempting to cope with this development, in its own way, there are new institutions, below, along and above the nation-state, that have come to the fore.

Overall globalisation has had a profound impact on the economic, political and cultural domains. Although India was a late-comer to embrace liberalisation it is well-integrated today in the globalised world. While India has registered appreciable economic and trade growths following the adoption of the policy of liberalisation, the existing trends suggest that the lot of the disadvantaged and the labouring masses has worsened during this period.

29.10 SOME USEFUL BOOKS

Ahluwalia, Isher Judge and Little IMD, eds., *India's Economic Reforms and Development, Essays for Manmohan Singh*, Delhi, Oxford, 1998.

Giddens Anthony, *The Consequences of Modernity*, Cambridge, Polity, 1990.

Held, David, ed., *A Globalising World? Culture, Economics, Politics*, London, Open University, 2000.

Hirst, P.Q., and Thompson, C.E., *Globalisation in Question: The International Economy and the Possibilities of Governance*, Cambridge, Polity, 2nd Edition, 1997.

Sachs, Jeffrey D., Varshney Ashutosh and Bajpai Nirupam, (eds.), *India in the Era of Economic Reforms*, Delhi, Oxford, 2000.

29.11 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Intensification of world-wide social relations, rapid flow of information and capital, growth of global infrastructure, and reformulation of existing inequalities in the world.
- 2) Development of regional trading and investment blocks.

Check Your Progress Exercise 2

- 1) Increased scale and allocative efficiency of market for goods, undermined the parasitism of bureaucracy and enhanced the choices before the consumers.

- 2) Expansion of liberal democracy, good governance and the rise of new social movements.



Check Your Progress Exercise 3

- 1) Restructuring of Indian economy, liberalisation of trade, decline in the expenditure in the social sector.
- 2) It has worsened their conditions.

UNIT 30 SECULARISM AND THE COMMUNAL CHALLENGE

Structure

30.0 Objectives

30.1 Introduction

30.2 Secularism: Meaning and Definition

30.3 The Indian Constitution and Secularism

30.4 Communal Challenge to Secularism

30.4.1 The Character of the National Movement

30.4.2 Electoral Politics and the Decline of Democratic Institutions

30.4.3 The Nature of Capitalist Development and character of the Indian Ruling Class

30.5 The Anti-Modernist Challenge to Secularism

30.6 What is the Way Out?

30.7 Lets Us Sum Up

30.8 Key Words

30.9 Some Useful Books

30.10 Answers to Check Your Progress Exercises

30.0 OBJECTIVES

Much of the recent political debate in India has been over the issue of secularism, from passionate defence of a secular way of life and politics, the arguments range all the way to a complete denouncement of secular ideals and politics. In a sense this debate is today at the heart of Indian politics. After going through this unit, you should be able to:

- Understand the meaning and historical significance of secularism;
- Identify the challenges to secularism; and
- Formulate a strategy to cope with these threats.

30.1 INTRODUCTION

Secularism, along with a commitment to the ideals of democracy, equality and freedom were some of the fundamental principles that inspired a large section of our people to fight against British colonialism. After independence, these values were enshrined in the Constitution, thus enjoining the state to uphold these principles. When we look at our society closely we notice a steady devaluation of these ideals, challenged as they are by various social, political and economic developments. For our heterogeneous society secularism is undoubtedly the most cherished principle. However, it is this that is being severely challenged by communal forces. The battle lines are clearly drawn between those who stand for a democratic society and those for whom democracy is dispensable. Secularism is a part of the commitment to democracy and hence worth defending and fighting for.

30.2 SECULARISM: MEANING AND DEFINITION

We will begin this unit by attempting to understand the meaning of secularism. In the west, secularism was part of a whole range of new ideas and institutions that marked the end of the feudal order and the emergence of a sovereign modern nation-state with new forms of economic organisation. Its clearly western, and more specifically Christian origin, need not however limit its application to other cultures. Modern western secularism was the consequence of the search for a way out of religious wars (often between Christians of various persuasions) and the need to separate the domain of the state from that of the Church. Secularism has become essential for modern democratic nation-states to ensure a strong sense of identification with the polity based on a common sense of identity, where being a citizen takes precedence over all other identities like family, race, class and religion.

The word secularism was coined by George Jacob Holyoake in the middle of the nineteenth century based on the Latin word *seculum*. Apart from implying a separation of the Church from the state, it also suggests freedom to the individual. The Enlightenment in Europe heralded a new era where Reason rather than religion, became the guiding factor for all aspects of human life. Secular concerns, it came to be argued, are of this world, and religion which is concerned with the unknown world was to be kept away from this. However, this did not necessarily imply a hostile relationship between the two, only that both are exclusive. In sharp contrast with this position is the one that sees religion and secularism as being fundamentally opposed to one another, in the sense that the continued presence of religion in a society indicates its backwardness, and that ultimately, human progress and prosperity, and the creation of a truly egalitarian society is possible only in the absence of religion. In India, secularism is popularly understood as the best philosophy that would enable people belonging to diverse religious backgrounds to live together in a harmonious manner, and create a state that would accord the same degree of respect and freedom to all religions.

Check Your Progress Exercise 1

- Note:** i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) Why is secularism essential for a modern nation-state?

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2) Who coined the term secularism and what does it generally imply?

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The practice of secularism in India is often denounced on the grounds that, a strict separation of the religious and non-religious practices is not possible. However, instead of arguing for such an untenable position, it might be better to define secularism as the separation of some religious and non-religious institutions as Rajeev Bhargava does. In his discussion on Indian secularism he argues that while an overall commitment to the principles of social-democracy guided the Indian Constitution makers to the adoption of the principles of secularism, the immediate context of deteriorating Hindu-Muslim relations and the Partition were the major factors that influenced our adoption of secular principles. Bhargava argues that to avoid a Bosnia-like inferno in India, secular institutions are necessary, that is, they are necessary not only to check religious fanaticism but also to ensure that conflicts between religious communities that are not necessarily of a religious character, do not cross a certain threshold to degenerate into the frightening scenes seen in parts of Europe today.

It was to avert such disasters that the Indian state steered clear of the practice of creating separate electorates based on religion, of reserving constituencies and jobs for religious communities, reserving jobs on the basis of religion and organizing the states of the Indian Union on the basis of religion. Thus religion comes to be excluded from state institutions in order to inhibit communal conflict and prevent the repetition of a Partition-like scenario.

With the same guiding principles in mind, religion was included as a guideline in matters of cultural import. The most outstanding of these examples is of course the granting of separate rights to minority religious communities to enable them to live with dignity, it was recognised that insistence on an absolutely uniform charter of rights was not desirable nor was it necessary for national integration. Thus secularism was adopted in India not only to promote intercommunal solidarity but also to protect the structure of ordinary life in India. It is in this light that we should see the Indian state's attempts to make polygamy or child marriage illegal or to grant entry rights for Dalits to Hindu temples. Critics of Indian secularism often denounce the Indian arrangement for permitting intervention in Hinduism and some of its oppressive social practices on the grounds that such actions of the state go against the norms of a truly secular state, or on the grounds that such intervention in Hindu social practices must be matched with similar interventions in the social practices of other communities. The protection of the rights of socioreligious groups is also interpreted as a departure from true secular practice which the critics argue ought to be grounded in individuals.

On the basis of the preceding discussion it would seem that secularism is compatible with, and under certain circumstances would even dictate a defence of differentiated citizenship and the rights of religious groups. Further it is clear that secularity of the state does not require it to keep away from policies of intervention, non-interference or equidistance from religious groups as the case may be. In other words, a secular state may be described as that state which keeps a principled distance from religion. Indian secularism was based on the idea that the state would maintain a principled distance from religion but would address itself to matters rising out of religious

concerns when the need arises. However, the cardinal rule would be that the considerations for both keeping away and for interfering would always be non-sectarian. The problem with the Indian state's practice of secularism has been that it has increasingly been acting out of sectarian interests.

At independence, India was a nation embarking on a new and challenging endeavour of building an economically independent democracy that would treat all its citizens equally. As a part of this enterprise, India made a commitment to secularism, which in the context of the two-nation theory and the creation of Pakistan on the basis of religion, acquired even more significance. The message was that India would not construct its citizenship and nationality on the basis of religious identity. To be an Indian was to be committed to the ideals of the national movement and the democratic vision of the Constitution makers.

Donald Eugene Smith in his classic study titled "India as a Secular State" defines a secular state as "that which guarantees individual and corporate freedom of religion, deals with the individual as a citizen irrespective of his/her religion, is not constitutionally connected to particular religion, nor seeks either to promote or interfere with religion." It is interesting to note that the term "secular" did not originally feature in the Indian Constitution, although K.T. Shah, a member of the Constituent Assembly tried on two occasions to introduce the term. It was much later, as a part of the forty second amendment in 1976, that the word secular was incorporated into the Preamble of the Indian Constitution.

Despite the reluctance of the Constituent Assembly to incorporate the word secular a survey of the provisions of the Constitution suggest the State would be separate from religion and would guarantee religious freedoms to citizens of all faith, while not discriminating against any citizen on the basis of religion. Thus, the Indian Constitution guarantees both individual and collective freedom of religion through the Articles 25-28, in the chapter on Fundamental Rights. Article 15, in the same chapter provides that the state shall not discriminate against anyone on the basis of religion, caste, sex, race and place of birth. Article 16, guarantees that no Indian citizen would be discriminated against in matters of public employment on the basis of religion.

Article 25, guarantees the freedom of conscience and the right to freely propagate, profess and practice any religion. You might be aware of the recent incidents of violent attacks on religious missionaries that challenged the very basis of this right. The unfortunate victims of this violence were the minorities, especially the Christians. The implication seems to be that Hinduism is the most authentic religion of the Indian nation, and the presence of all other religions specially the ones of foreign origin threaten India's nationhood. Such an argument is obviously against the very basic assumptions of a secular state that the Constitution sought to establish in India.

Article 27 and 28, further strengthen the individual freedom of religion by banning taxation for the purpose of supporting a particular religion and by banning religious instruction in institutions recognised or aided by the state. Article 28, gives the freedom to all religions to set up trusts and institutions and acquire property and manage their own affairs.

Article 325 and 326, provide for the principle of non-discrimination among citizens in the area of voting and representation on the basis of religion, race or sex. India has no state religion, nor does it give any constitutional recognition to the religion of the majority, besides which is of course the fact that the Government of India has no ecclesiastical department. All these facts taken together demonstrate in ample measure that the Indian Constitution followed very closely the Congress Party and its resolution of 1931 made at its Karachi session "that the state shall observe neutrality in regard to all religions". A survey of the Constitutional provisions suggest very clearly the framework of a secular state (despite certain anomalies), however, the politics, the nature and the functioning of the Indian state seem to suggest a drift away from this framework. The consensus that Jawaharlal Nehru was able to forge on this, and other principles like economic self-reliance, egalitarianism and non-alignment (in the sphere of foreign policy) seems to have broken down. What then has gone wrong with the Indian experiment and why has this happened is the next question that we will look at.

Check Your Progress Exercise 2

Note: i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

- 1) Discuss the provisions of the Article 25-28 and demonstrate how they ensure the secular character of the Indian state.

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- 2) Discuss the provisions of Articles 325 and 326.

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30.4 COMMUNAL CHALLENGES TO SECULARISM

It was expected that with the process of capitalist modernisation a rationalist discourse would take over and religion would lose control over people's lives. In India however, the rapid advancement of capitalism has been accompanied by an intensification of communalism. This tragically has happened despite the constitutional provisions for a secular framework and complete institutional backing of the secular forces. Following can be considered as factors responsible for this.

30.4.1 The Character of the National Movement

To investigate this defeat of secularism in the face of organised communal challenges, one would have to examine a variety of factors. Sudipta Kaviraj has suggested in many of his discussions of secularism that one of the gravest mistakes of the Indian bourgeoisie has been its complete neglect of building the cultural preconditions required for capitalist modernism. Prior to

independence, the nationalist discourse realised the fragility of the new identity based on secular nationhood as against the more familiar identities of caste or religion. After independence however, this nationalist project of building a secular nation lost its popular character and ideological zeal and became merely the ideology of the state. The ruling class failed to realise that the Indian nation was a fragile creation and required constant cultural and political nourishment. Nationalist accounts of history that claimed for India's past a 'composite culture' were pressed into service, the implication was that it was the evil designs of colonialism that disrupted this harmony.

In this rendering of history there is a complete denial of the fact that much of the power of Indian nationalism itself came not from a secular idiom but from forces, idioms and symbols of religion, specially from Hinduism. We might also add here the fact that the Congress party conducted its politics in the pre-independence period on the basis of the idea that India was constituted of two distinct communities, the Hindus, and the Muslims.

Akeel Bilgrami has diagnosed the challenge to Indian secularism as a consequence of its non-negotiated, Archimedean character. His argument is that the national movement did not facilitate a creative dialogue between communities which could have ensured the emergence of a negotiated understanding of secularism. The Congress Party, for instance never undertook such a discussion seriously. Bilgrami is of the opinion that, secularism must transcend religious politics from within, and not at the outset itself have a shimmering philosophical existence that is independent of religious and political commitments. Such a negotiated secularism would have, for instance, avoided the resentment towards the minorities because of the special status that they have as a consequence of a non-negotiated secularism.

Not being negotiated, this secularism is becoming increasingly difficult to defend. Hence, it is not really surprising to note that communalism is today no longer an aberration that exists on the fringes of the Indian nation, but as Rajni Kothari points out it has become a part of the political system. It is not as if the state has fallen prey to communal forces, rather communalism appears to be the direct outcome of the logic of the Indian state. Although the Indian state made a formal acceptance of the secular agenda, the fact is that apart from the differences between the Gandhians and the Nehruvians in their understanding of secularism, there was a whole section of the political class that was sceptical and even unwilling to accept these secular ideals.

30.4.2 Electoral Politics and the Decline of Democratic Institutions

The unsure commitment to the ideals of secularism at the best of times has meant an unprincipled exploitation of communal fears and sensibilities by all major political parties, including the most important of them, the Congress party. This cynical use of religion was perfected into an electoral strategy in the 1980s leading to disastrous consequences. The Congress which had long abandoned its popular movement character, now became only a machine to win elections. The party's commitment to pluralism soon degenerated into politics of vote banks where only the numerical strength of the majority and the minority community mattered for electoral purposes.

made popular discontent a widespread reality. By the end of the 1970s it was becoming clear to the Congress that its earlier slogans of socialism and secularism were fast losing their appeal among the traditional supporters because these slogans remained just that, and had not brought about any significant change in the lives of the poor and marginalised sections of the society, many of whom were traditional Congress supporters. These sections had gradually moved away from the Congress. The party in turn looked for a new constituency and through the 1980s assiduously cultivated the Hindu middle and lower classes that were feeling increasingly threatened by the forces of the various backward caste and subaltern movements. The latter have been gaining in strength and popularity given the fact that the national development project has completely bypassed them. The Congress party's adoption of an openly majoritarian politics was a complete reversal of its historical role as the principle bourgeois adversary of communalism. The Congress thus adopted a strategy of downplaying broader social issues and decided to make a direct appeal to the majority community. The strategy was to define the Indian nation increasingly in terms of the majority community thus preparing the grounds for communal politics that took the form of cultural nationalism.

Thus, instead of responding to popular discontent and demands, an attempt was made to foist another set of issues by involving sentiments and feelings that engender communal attitudes. Communal politics in general, and parties like the Bharatiya Janata Party in particular, have benefited from the collapse of the consensus that the Indian political elite had over secularism, economic self-reliance and non-alignment.

Electoral compulsions made the Congress move away from a pluralistic approach to a techno-bureaucratic-military approach where the state was to be an instrument to crush any challenge from the bottom rather than act as a principal agent of change and transformation.

Apart from the increasing incidents of communal violence, the spread of communal politics and violence to the hitherto unaffected rural areas is yet another major threat to the secular fabric that the Indian state was trying to weave together. These developments provided the ideal conditions for various "Hindu cultural groups" like the Vishwa Hindu Parishad and others that claimed to be engaged in the reconstruction and consolidation of the "Hindu" community to grow. They derive a lot of support from a section of the Indian diaspora as well. These organisations were able to respond to the peculiar fears of the middle class that wanted none of the traditional structures of power and hierarchy challenged while at the same time desiring all the bounties of the modern market place and economy.

This phase thus witnessed a complete discrediting of democratic politics and of the party system and political institutions. The resultant void Rajni Kothari suggests has been occupied by communal forces. This definitely is a major challenge to the secular framework of the Indian state.

30.4.3 The Nature of Capitalist Development and Character of the Indian Ruling Class

The nature of ruling class politics itself according to Randhir Singh is the



related phenomenon like religious revivalism etc. are, he argues, in direct proportion to the depth of the crisis in the Indian polity and the politics of the ruling classes on the one hand, and in inverse proportion to the presence and power of the left and class-based politics of the people, on the other. Thus, he defines the communal challenge to secularism in India as the ideology and practice of politics of the Indian ruling classes in a society with a massive feudal-colonial inheritance, deep religious divisions undergoing its own historically specific form of capitalist development.

The argument is that four decades of development have not altered the deeply uneven nature of Indian society; uneven capitalist development has actually heightened the social tensions. Given the limited nature of opportunities that are available, politics and ideology promoting narrow and exclusivist interests direct this social tension against the minorities. It is indeed a fact that conditions of life have worsened and alienation has increased, the dissatisfaction that people feel over the increasing gulf between the rich and the poor instead of being articulated through democratic struggles is being channelised into a revivalist and gaudy religiosity that the media has also supported in ample measures. We only have to look at the major television channels that are competing with one another to host religious extravaganzas. The 1980s witnessed a deliberate attempt to widen the mass base of religious appeal, the large scale and almost commercialised celebrations of certain select festivals is part of the larger strategy to create a more 'universal Hinduism' by replacing the significance of local festivities and rituals.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) What is meant by the characterisation of Indian secularism as non-negotiated or Archimedean?

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2) Explain briefly the reasons for and the consequences of the Congress Party's electoral strategy in the 1980s.

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3) How does Randhir Singh define the communal challenge to secularism in India?

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30.5 THE ANTI-MODERNIST CHALLENGE TO SECULARISM

On the basis of the above discussion it is clear that the secular state, its structures and secular politics itself are today severely challenged by the growing forces of communalism that has its roots in various social, political, historical, economic and electoral factors. Intellectually also there is a growing body of work, both in academic and journalistic literature that today openly argues against the secular state and its institutions in India. Apart from arguments that are of a purely sectarian nature and hence rhetorical, there are intellectually sophisticated arguments that seek to contest the meaning and purpose of a secular state and politics in India.

There also are observers who point out that the Western concept of Secularism is not suitable to Indian society. It means the failure of that secularism. Ashish Nandy for example argues that the ideology and politics of secularism as understood in the western sense have more or less exhausted their possibilities. The western understanding of secularism, he suggests, is essentially opposed to religion and believes that only universal categories can manage the public realm. Religion, thus is perceived of as a threat to any modern polity by virtue of not being universal. Nandy suggests that secularism as an ideology has failed because it is seen today as being a part of a larger package that consists of a set of standardised ideological products and social processes like development, mega science and national security. Being backed by the might of the state they appear essentially as violent ideas, because to defend any of these ideas including secularism, the state can justifiably use violence. Nandy is critical of the fact that while the modern nation-state appeals to the believers to keep their private faiths out of public life it is unable to ensure that the ideologies of secularism, development and nationalism do not themselves begin to act as faiths intolerant of others. The role of the state in such situations is likened by Nandy to that of crusading and inquisitorial role of religious ideologies.

Besides, the proposition that the values derived from the secular ideology of a secular state would somehow be a better guide to political action and to a less violent and richer political life than values and politics based on religious principles. Nandy contends that objectification, scientisation, and bureaucratic-rationality, the core principles of a modern nation-state can only breed violence. The elite in such states view statecraft in purely secular and amoral terms thus thinking of religion or ethnicity as hurdles to the grand project of nation-building and state formation. Thus Nandy argues, western concept of secularism becomes a handy adjunct to a set of legitimating core concepts; accepting this ideology, he contend, leads to the justification and acceptance of domination and violence perpetrated in the name of progress and modernity. It also generates hatred and violence among the believers at having to face a world that is fast moving out of their grip.

This type of secularism has been imposed on a people who never wished to separate religion from politics, this imposition had to be made as part of the requirements needed to fulfil the creation of a modern nation-state, this however has left the ordinary people of India very unhappy, who, left with no choice, in their fight against the brutalities of the nation in the name of modernity, turn to the only form of religious politics that modernity would



permit, namely communal politics. Thus, it is secularism as practiced that breeds communalism. Intolerance links the two, replacing the quality of tolerance that characterised the traditional world organised on the basis of religion.

30.6 WHAT IS THE WAY OUT?

A discussion of this nature would be incomplete without a look at how to cope with the communal challenges to secularism. The struggle against communalism has to be a struggle against more than communalism, it has to be part of a larger struggle for a more participatory and egalitarian model of society. It would necessarily have to join hands with all movements that seek to question injustice, hierarchy and oppression. Thus the feminist movement, the Dalit movement and other movements of the depressed and marginalised sections of our society would have to come together to provide a secular response to the communal challenge.

Manoranjan Mohanty has argued that secularism can be meaningful only when it becomes a part of the overall process of democratic transformation. What we have witnessed till now in India is secularism imposed through a state that has become increasingly authoritarian. On the contrary secularism has to become a part of a wider struggle against socio-political domination.

A very important aspect of this struggle should be a careful re-examination of our cultural traditions, and an active engagement with questions of tradition and culture, for there is no doubt that culture is a very important axis around which a great deal of communal mobilisation is taking place today. Thus secularism has to become part of the struggle of the ordinary people of India for their right to a life that is dignified and politically, economically and culturally free.

Check Your Progress Exercise 4

- Note:**
- i) Use the space given below for your answers.
 - ii) Check your answers with the model answers given at the end of the unit.

1) To what does Ashish Nandy attribute the failure of Secularism in India?

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2) Discuss briefly the strategy to fight against the communal challenges threatening our country today.

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30.7 LET US SUM UP

Indian secularism was based on the idea that the state would maintain a principled distance from religion but would address itself to matters rising out of religious concerns when the need arises. However, the cardinal rule would be that the considerations for both keeping away and for interfering would always be non-sectarian. The problem with the Indian state's practice of secularism has been that it has increasingly been acting out of sectarian interests. A survey of the Constitutional provisions suggest very clearly the framework of a secular state (despite certain anomalies), however, the politics, the nature and the functioning of the Indian state seem to suggest a drift away from this framework. The discrediting of democratic politics, the party system and political institutions has created a void that has been occupied by communal forces. This definitely is a major challenge to the secular framework of the Indian state. In order to fight this challenge, the struggle for secularism has to become part of the struggle of the ordinary people of India for their right to a life that is dignified and politically, economically and culturally free.

30.8 KEY WORDS

Archimedean Secularism: Indian secularism is not strong enough to cope with communal challenges because of its Archimedean or non-negotiated character, it is not the result of debates and dialogues between different communities.

30.9 SOME USEFUL BOOKS

Bhargava Rajeev, (ed.), *Secularism and its Critics*, Oxford University Press, New Delhi, 1998.

30.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercises 1

Your answer should cover the following points:

- 1) It is essential to create a strong sense of identification with the polity.
- 2) George Jacob Holyoake, and it means a :
 - separation of religion from the state.
 - freedom to the individual to live a life wherein reason and not religion is the guiding factor.
 - in the Indian context people generally accept it to mean a philosophy that can enable a multi-religious society like ours to exist harmoniously.

Check Your Progress Exercise 2

Your answer should cover the following points:

- 1) A discussion of the provisions of the Articles and a reference to the recent controversy over these rights.
- 2) A discussion of the provisions of the Articles, both the answers should discuss the need for having such rights in a secular polity.

Check Your Progress Exercise 3

Your answer should cover the following points:

- 1) Indian secularism is not strong enough to cope with communal challenges because of its Archimedean or non-negotiated character, it is not the result of debates and dialogues between different communities.
- 2) By the end of the 1970s decade it was becoming clear to the Congress that its earlier slogans of socialism and secularism were fast losing their appeal among the traditional supporters because these slogans remained just that and had not brought about any significant change in the lives of the poor and marginalised sections of the society, many of whom were traditional Congress supporters. These sections gradually moved away from the Congress. The party in turn looked for a new constituency and, through the 1980s assiduously cultivated the Hindu middle and lower classes that were feeling increasingly threatened by the force of the various backward caste and subaltern movements thus preparing the grounds for communal politics that took the form of cultural nationalism.
- 3) He defines the communal challenge to secularism in India as the ideology and practice of politics of the Indian ruling classes in a society with a massive feudal-colonial inheritance, deep religious divisions undergoing its own, historically specific form of capitalist development.

Check Your Progress Exercise 4

Your answer should cover the following points:

- 1) It has failed because it is seen today as being a part of a larger package that consists of a set of standardised ideological products and social processes like development, mega science and national security. Being backed by the might of the state it has violence written into it.
- 2) Your answer should cover the following points:
 - The struggle for secularism has to become part of the struggle of the ordinary people of India for their right to a life that is dignified and politically, economically and culturally free.
 - Engagement with cultural questions are also an important part of this struggle.

UNIT 31 DEMOCRACY IN SEARCH OF EQUALITY

Structure

- 31.0 Objectives
- 31.1 Introduction
- 31.2 Democracy and Equality
- 31.3 The Idea of Equality in Constitution
 - 31.3.1 The Preamble
 - 31.3.2 Fundamental Rights and Directive Principles
 - 31.3.3 Other Provisions
 - 31.3.4 Minority Rights
- 31.4 Protective Discrimination: Policy of Reservation
- 31.5 Backward Castes' Assertion
- 31.6 Equality for Women
 - 31.6.1 Women's Representation in Decision-Making Bodies
- 31.7 Let Us Sum Up
- 31.8 Some Useful Books
- 31.9 Answers to Check Yours Progress Exercises

31.0 OBJECTIVES

Indian society is marked by the inequalities on bases of caste, creed, sex, economy, etc. India adopted a democratic set up in order to establish society which is based on the principles of justice and equality. After going through this unit, you will be able to understand:

- Relationship between democracy and equality; and
- Provisions in the Constitution regarding establishment of equality among various sections of Indian Society.

31.1 INTRODUCTION

The establishment of a democratic political order based on the principle of universal adult franchise was a major achievement for the post-colonial state in India as it ensured, at least in principle, equal participation of all individuals irrespective of caste, creed, sex and social origin in socio-economic and political life of the nation. The introduction of political democracy was conceived as a means of social and economic democracy. It aimed at inclusion of all the groups and communities in the mainstream of national life. As a corollary, the constitution of India not only created a democratic republic but also pledged to secure equality, liberty and justice to all its citizens. The state was seen as an agent of socio-economic transformation in the democratic dispensation. In this regard a number of questions crop up which need to be addressed on the basis of the experiences over the last five decades of democratic experiment in India. Has the state in India been able to meet the ideals of founding fathers of the Constitution? Has political democracy been congruent with the given unequal social and economic

order? Has political democracy been instrumental in advancing and realising the ideals of social and economic democracy? Can democracy be contextualised simply in terms of political participation of the majority of citizens in electoral process? Has the ideal of substantive democracy been advanced along with the procedural democracy? These are some of the questions which invite our attention in the analysis of the problems of democracy and its functioning vis a vis the state in India. The subsequent sections attempt to analyse the dynamics of democracy in India especially in terms of its quest for establishing an order based on the principle of equality and justice.

31.2 DEMOCRACY AND EQUALITY

The idea and principle of democracy can not be divorced from the principle of equality. Moreover, political democracy cannot be the sufficient basis of ensuring social and economic equality in a condition of glaring inequality of status and position. The idea of social and economic democracy has been getting greater appeal among the people across the globe who have been excluded and deprived on account of their social location and economic position. Therefore, the procedural view of democracy is under question. It is argued that guaranteeing of universal adult franchise is not a sufficient basis of the success of democracy. The formal participation in electoral process is only one indicator of the equal opportunity to participate in the election. This participation may be eclipsed by number of social and economic constraints. In India, the chances of political participation are determined, to a greater extent, by individual's social-economic position. For instance, the percentage of vote of the dalits, OBCs, minorities and women has been increasing over the years but majority of them still do not participate in the process. Their effective participation cannot be ensured without creating a condition of affectivity. And this affectivity can be advanced through ensuring substantive equality. Mere political equality in terms of equality of opportunity would face disjunction in case of social and economic inequality. Similarly the ideal of political democracy has to be backed by social and economic democracy. It is only this condition under which the dichotomy between procedural democracy and substantive democracy ceases to exist. The people would be able to exercise their political rights of citizenship effectively and this would further the ideals of democracy in real terms.

31.3 IDEA OF EQUALITY IN CONSTITUTION

The founding fathers of the Indian constitution were quite conscious of the limitation of political democracy. This is amply clear from Dr. B. R. Ambedkar's final address to the Constituent Assembly of India on 25 November 1949. He maintained:

'On the social plane, we have in India a society based on the principles of graded inequality which means elevation of some and degradation of others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in an abject poverty. On the 26th January, 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How

long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy'.

Therefore he maintained

"...we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life, which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them...."

Along with the other leaders of the national movement and architects of the Constitution of India, Ambedkar was quite aware that the realisation of the democratic ideals of equality, liberty and fraternity were not possible without a strong constitutional backing. The interests and rights of the deprived and excluded cannot be safeguarded without constitutional mechanism. The simplistic principle of equality and equal opportunity would create a hiatus between political democracy and social and economic democracy. Therefore, harmony between the two appeared as requisites of democratic state and nation building in India.

In their own understanding of the Indian socio-economic structure, they were convinced that the project of nation building in post-colonial India cannot be pushed forward unless equality, liberty and fraternity are established as the essential principles of social, economic and political life. For them, this endeavour was essential for the true democracy in India. For realising the democratic ideals it was thought necessary to have strong constitutional backing. Therefore elaborate provisions were made in the Constitution to meet the goal of equality and democracy both in their forms and substance.

31.3.1 The Preamble

The Preamble of the Constitution best reflects the vision and intentions of its founding fathers as it establishes equality, justice and liberty as the cardinal principles in regulating the society and state in India and maintaining the unity and integrity of the nation. It judiciously combines the two basic values of equality and justice. The nondiscrimination principle of citizenship rights included in the category of fundamental rights ensures equality before law and equal protection of law, equality of opportunity and equal liberty. The provision of protective discrimination combined with the clauses of group rights, affirmative action and preferential treatment establishes the values of social justice in favour of deprived groups and communities.

The Constitution ensured equality of opportunity to all irrespective of caste, gender, religion, and one's social location. It provided opportunity to equal access in the public domain. It was a major achievement of the dispensation of democratic political order in independent India. However, the formal disjunction between one's social location and opening up of the opportunity structure in public political domain did not guarantee the equifinality and social justice to the deprived groups of society. In the case of Indian society, which is defined by structured inequality, the social location of individuals and groups has a strong bearing on his/her circumstances and consequent unequal access to opportunity structure of the public domain. Since social location of individuals has been a major source of privileges and deprivations and determinant of individual circumstances in India, the deliverance of social and economic justice cannot be based only on the principle of merit and equality of opportunity in the public domain.

31.3.2 Fundamental Rights and Directive Principles

This logic of social, economic and political life was well considered by the framers of the Constitution of India. And therefore, the Constitution of India made specific provisions for the socially and economically deprived sections of society along with the generic clauses of equality and liberty to every citizen in India. Whereas the Articles 14, 15 (1) and 16(1) of the Constitution exclusively establish the equality principle, Articles 15(4) and 16(4) incorporate the principle of social justice. If Article 14 proclaims equality before law and equal protection of law, Article 15(1) prohibits discrimination on grounds of race, caste, sex, religion or place of birth. The Article 16(1) further provides equality of opportunity to all. The protective discrimination clauses of Article 15(4) and 16(4) become decisive with regard to protection of rights of socially and economically deprived groups of the hierarchical system. These Articles follow the different principles leading to social justice. Article 15(4) says, "Nothing in this Article shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Schedule Caste and Scheduled Tribes". Article 16(4) makes provision that "Nothing in this Article shall prevent the State from making any special provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State is not adequately represented in the services under the State". Both the provisions in the Constitution, however limited in scope, provide condition for the constitutional protection of the rights of the socially and educationally backward classes and deprived sections of society.

Apart from these protective discrimination clauses in the Constitution, the Directive Principles of the State Policy may be considered as mechanism of realizing the goal of social justice and social transformation in the direction of just society. Articles 38 and 46 among others, specifically aim at securing social justice to the deprived sections of population. Article 38 reads that, (i) "the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life", (ii) "the State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst the groups of people residing in different areas or engaged in different vocations". Article 46 clearly directs

the State that “the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”.

31.3.3 Other Provisions

Apart from these two Articles of the Directive Principles of State Policy, other Articles of the Constitution which include Articles 330, 332, 335, 338, 340, 341 and 342 specifically advance the goal of realising social justice in independent India. These constitutional provisions have been made after a thoughtful consideration by the members of the Constituent Assembly who were quite conscious and aware about the dynamics of socio-economic order of Indian society. Since caste has been the major identity marker and a source of inequality, the constitutional goal of social justice has been channelised through the category of castes (barring tribes and other groups identified for the protective discrimination). The constitution has recognised the cumulative deprivation of large sections of the population who have been systematically discriminated against on the basis of caste distinction. The protective discrimination shield has, thus, been provided to the deprived groups who have either been excluded from the caste hierarchy of the Varna system or have been lowly placed. Their low placement has resulted into cumulative inequality. The protective discrimination policy aims at minimising the inequality of socio-economic order and opportunities in public life.

31.3.4 Minority Rights

As a means of protection of identity and right of different categories of minorities, the Constitution of India makes special provision of minorities rights. These rights do not fall in opposition to generic clauses of citizenship rights available to all the citizens in India. These rights in a sense appear as mechanism of advancing substantive democracy. Articles 25 to 30 take special care of the minorities. Whereas Article 25, 26, 27 and 28 ensure religious freedom, the Article 29 and 30 protect and promote their cultural and educational rights. The exclusive inclusion of minority rights as a means of democratic dispensation is a departure from the classic cases of homogeneous nation-state formation, but it appears as a strength not a weakness. The development across the world is a witness to the limit of democratic equality of procedural democracy, for in many cases majoritarian democracy appears to be insensitive to minority problems. The aspirations of minority, their specific identity and rights are suppressed under the pretext of majority decision. In such a situation specific consideration of minority is a prerequisite of democracy. However in the democratic process many problems of the minority are either ignored or outvoted. And therefore there is a growing opinion among a section of minority community that some mechanisms be evolved to ensure participation of minority communities in the democratic political process. These mechanisms should be congruent with the constitutional dispensation of democratic order. If specific attentions are not paid to the limitation of the operational dynamics of constitutional rights of the minority, a sense of alienation would grow. This, in turn, would result into a withdrawal syndrome among the minority community. This would act as a major stumbling block in the creation of a democratic order based on the values of equality, liberty and fraternity.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) Compare Articles 15 and 16 of the Constitution.

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2) What does the Article 38 aim at?

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3) Which Articles provides for the protection and promotion of the cultural rights of the minorities? Discuss.

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31.4 PROTECTIVE DISCRIMINATION: POLICY OF RESERVATION

As has been mentioned above the Constitution of India makes provisions for affirmative action or protective discrimination also. In principle, the protective discrimination policy is one of the most important instruments of promoting social justice. However, during the last fifty years, the outcome of the policy has not been congruent with the vision and intention of the founding fathers and the spirit of the Constitution. On that account logic is advanced that the policy should not be extended further. If there is any inconsistency in the policy and its operation in the given situation of our socio-economic order and the political expediency is it desirable to unturn the process itself? The answer cannot be in affirmative so long as the structure of inequality and domination based on caste continues. Even if the desired goals have not been fulfilled, the efficacy of the policy cannot be ruled out unless we equalise the opportunities and conditions of existence in real terms. It is not denying the fact that these policies have provided opportunity to a large section of society to participate in the decision making process and become the integral part of the structure of governance. The emergence of a substantial middle class among the OBCs and to a certain extent among the Scheduled Castes and Tribes has been a major development of the post-independence period. The protective discrimination policy has, along with other factors, been instrumental in this regard. Though the reserved seats for SCs and STs have not been filled totally during these years, their representations in government jobs, public sector undertakings, banks and

during the last fifty years. Apart from job reservation, reservations in the educational institutions have also provided opportunities to the candidates belonging to these groups.

Over the years the working of the reservation policy has shown that the spread of the benefits has not been uniform among different groups. Therefore, the different categories of reservation policy cannot be treated on similar plane. If we take Scheduled Castes and Scheduled Tribes into consideration, we come across the fact that during the last fifty years of the working of the Republic, the constitutional goal of social justice has not been translated into reality. The emergence of a miniscule minority among them on account of socio-economic transformation and protective discrimination policy is symbolic of empowerment. In real situation of socio-economic life, they are far behind the other groups of the population. The practice of untouchability and maintaining of ritual distance has not disappeared from the public life particularly in rural areas. Most of the cases relating to them are not reported, but it does not ensure the realization of the civil rights of these groups. Segregation in residential pattern, predominant occupational pattern, high incidence of poverty and non-ownership/marginal ownership of land are some of the indicators of their perpetual backwardness. Atrocities against dalits in different parts of the country are still alarming. It is pertinent to note here that atrocities are committed not only in states like Bihar, which frequently occupies the popular imagination and common perception of the people, but also and even more in relatively advanced and peaceful states of India. So far as their rate of literacy is concerned it is far behind the general population. A comparative figure of literacy rate may indicate the state of affair:

Percentage of Literacy for Different Groups of
Population. During 1971-91

Population Group	1971			1981			1991		
	Total	M	F	Total	M	F	Total	M	F
SCs	14.7	22.36	6.4	21.38	31.12	10.93	37.41	49.91	23.76
STs	11.3	17.6	4.9	16.35	24.52	8.04	29.6	40.65	18.19
NSP	33.8	44.5	22.3	41.3	52.34	29.42	57.69	69.55	44.81
General	29.5	39.52	18.7	36.23	46.89	24.82	52.21	64.13	39.29

- Notes:
1. NSP stands for non-scheduled population and general includes all the population.
 2. When the percentage of literacy for the years 1971 and 1981 has been calculated by dividing the literates by the total population, inclusive of the children in the age group of 0-4, in 1991, the same has been calculated in exclusion of the children in the age group of 0-6.

Source: B.S. Bhargava and Avinash Samal "Protective Discrimination and Development of Scheduled Castes: An Alternative Model for Good Governance". Indian Journal of Public Administration, Vol. XLIV, No.3, Annual Issue, 1998.

Similarly, the enrolment ratio and drop-out rate in schools among the Scheduled Castes students have been quite negative as compared to the general population. All the indicators of their backwardness suggest that the affirmative action programmes have not been implemented properly. The approach of 'capacity endowment' of these groups along with protective discrimination policy has marginally altered the situation. After fifty years of the working of the constitutional measure of protective discrimination policy, there is still a gap between the desired goal and actual achievement. The representation

of SCs and STs in the central government services speaks of the truth.

Representation of SCs/STs in Central Government Services

(As on 1 January 1998)

<i>Group</i>	<i>Total</i>	<i>SCs</i>	<i>Percentage</i>	<i>STs</i>	<i>Percentage</i>
A	63,466	6,608	10.41	2,047	3.23
B	1,05,679	12,510	11.84	2,868	2.71
C	21,35,640	3,48,309	16.31	1,28,776	6.03
D (Excluding Safai Karamchari)	9,98,672	2,14,784	21.51	69,168	6.93
Safai Karamchari	1,71,994	93,430	54.32	6,916	4.02
Total (Excluding Safai Karamchari)	33,03,457	5,82,211	17.62	2,02,859	6.14
Total (including Safai Karamchari)	34,75,451	6,75,641	19.44	2,09,775	6.04

Note: Information in respect of five Central Ministries/Departments is not included.

Source: India 2001: A Reference Annual, Publication Division, Ministry of Information and Broadcasting, Govt. of India, 2001.

It is quite clear that they are mainly employed in Group C and Group D services. More than fifty per cent of the Safai Karamchari (Sweeper) come from this group, which indicate a kind of occupational continuity. The notion of impurity and degradation associated with such jobs among caste Hindus appears to be the factor of high representation of SCs and STs and low among the upper castes.

Even if a middle class has emerged among the Scheduled Castes due to the measure of protective discrimination policy, they do not enjoy the same amount of honour and prestige associated with their achieved status as enjoyed by the members of other higher castes. Moreover, a status incongruity between their caste status and achieved status still persists.

31.5 BACKWARD CASTES' ASSERTION

The socio-economic changes during the last fifty years have introduced many new dimensions and contradictions in Indian society. Under the new dispensation of democratic order, the traditionally backward castes not only challenged the socio-economic and political dominance of the upper castes but also emerged as dominant castes in rural areas and dominant force in the politics of the State. The abolition of Zamindari and introduction of new agricultural technology altered the class-caste structure in rural areas wherein the middle castes/backward castes maximised the benefits of the changes in their favour. As a consequence, they emerged as visible force in rural power structure, which enforced their significance in the political arena of the state. In many parts of the country the backward castes emerged as dominant players in politics. The dominant social coalition in politics till the mid sixties was in favour of the upper castes. But the development of the 1950s and 1960s added a new assertiveness among the backward castes. In fact, this change was a product of multiple factors, but primarily a result of the introduction of parliamentary democracy and adult franchise. In fact, "parliamentary democracy with adult franchise has changed the locus standi of the backward castes in politics. Theoretically, they have not only attained equality with others in the decision making process but have an edge over others in this

arena so far as their numerical strength is concerned. Their numbers have increased in the assemblies, local bodies and parliament” Changing social landscape of politics during the last two decades attests this fact. The political assertion combined with the growing economic power of the backward castes has direct bearing on the agenda of social justice and the politics of reservation. The emergence of Jats, Yadav, Kurmis, Lodhs and Gujjars in U.P., Yadav, Kurmi and Koeries in Bihar, Kamma and Reddies in Andhra Pradesh, Vokkaligas and Lingayats in Karnataka and other castes in other states as dominant force have been determining factors in the operational dynamics of social justice. The more strong the political clout and numerical strength the more claim over the monopoly of the caste quotas, has appeared as the defining feature of the policy meant for the backward classes.

In this context, it is interesting to note that the developments during the last fifty years have also created inter-regional differentiations among the OBCs. Whereas the OBCs in south Indian states have advanced more rapidly in terms of their educational development, representation in government structures and public sector undertakings, the same development has not been experienced among the OBCs of north Indian states. A strong anti-Brahminical movement and political mobilisation had resulted in the creation of a politically conscious and economically mobile groups among the backward classes. These groups were relatively more prepared to take the advantages of the new dispensation. The existence of the reservation policy in the state of Mysore, Madras Presidency and Travoncore, prior to the implementation of reservation policy in north Indian states may be one major factor of inter-regional differentials among the group of the other backward classes. This inter-regional differential access to the reservation quota may be a major issue in the future along with the inter-caste and inter-class differentials.

The emerging contradiction among the OBC’s category is another pointer of development. The rivalry between Kamma and Reddies, Lingayats and Vokkaligas, Yadav and Kurmis, between the more advanced OBCs and the most backward OBCs define the changing power balance in different parts of the country. The contradiction between the upwardly mobile OBCs and the dalits have sharpened during the last two decades. The landed and dominant OBCs have appeared as major force of oppression and exploitation of dalits in rural areas. They have adopted the same tactics and practices, which were applied by the dominant upper castes. The emerging situation of the post-independent India raises many questions about the validity of the quota for these castes.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answers.
ii) Check your answers with the model answers given at the end of the unit.

1) What contribution has the reservation made to the rise of new classes?

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2) What has been the role of parliamentary democracy and the adult franchise regarding the backward castes?

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3) What are the reasons for the inter regional differences in the rise of backward classes?

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31.6 EQUALITY FOR WOMEN

Gender equality is another important and formidable challenge which has not been addressed properly. Women are subjected to numerous handicaps and discrimination in our specific societal context. Patriarchy and gender discrimination cut across the caste, class, religion and ethnic boundaries. In fact, "the category of 'women' itself is a social construct leading to different interpretations of role and identity depending upon the contexts in which women find themselves. Women may have, therefore, their own interests than the men and men may not essentially represent the interest of the women. Women have been excluded from the political decision-making bodies to a large extent. Articulation of their interest and identity by men, who value patriarchy appears to be impossibility. Exclusion of women from the political-decision-making bodies and governmental structure has reinforcing factors in gender based discrimination. In such cases political mechanisms appear to be requisite of social transformation. Therefore, if women enjoy their specific political rights as women that may change the face of social conditioning of womanhood. From this perspective, the presence of women in political decision-making bodies becomes important.

31.6.1 Women's Representation in Decision-Making Reservation

However, over the last fifty years of the working of the Constitution women as a category remains excluded, exploited and discriminated. No serious attempt has been made either by the governments in power or any political parties to address the problem of women in their own specificity. Their presence in political bodies and governmental structures has been articulated simply on the generic basis of citizenship rights. As a consequence they have very low representations in the parliament and state assemblies. The enclosed tables relating to their representation in the Parliament and State Legislatures reveal the state of their exclusion from the decision-making bodies of the State.

Women's Representation in Parliament 1952-1999

Year	Seats	Lok Sabha Women MPs	% of Women MPs	Seats	Rajya Sabha* Women MPs	% of Women MPs
1952	499	22	4.4	219	16	07.31
1957	500	27	5.4	237	18	07.59
1962	503	34	6.8	238	18	07.56
1967	523	31	5.9	240	20	08.33
1971	521	22	4.2	243	17	07.00
1977	544	19	3.4	244	25	10.25
1980	544	28	7.9	244	24	09.84
1984	544	44	8.1	244	28	11.48
1989	517	27	5.3	245	24	09.80
1991	544	39	7.2	245	38	15.51
1996	543	39	7.2	223	20	08.52
1998	543	43	7.92	245	15	06.12
1999	543	49	9.02	245	19	07.76
Average	528	33	6.15	238	22	09.00

The composition of Rajya Sabha changes every two years. The figures of Rajya Sabha have been picked up only for those years which allow comparison with Lok Sabha. The average for Rajya Sabha is based on these years only.

Source: CSDS Data Unit, Delhi.

Women's Representation in State Legislatures 1952-1999 (% of women MLAs)

State	1952*	1957	1960-65	1967-69	1970-75	1977-78	1979-83	1984-88	1989-92	1993-97	1998-99	State Avg.
Andhra Pradesh	2.9	3.7	3.3	3.8	9.1	3.4	4.1	3.4	3.7	2.7	9.5	4.6
Arunachal Pradesh	-	-	-	-	-	0.0	3.3	6.7	3.3	3.3	1.7	3.0
Assam	0.5	4.6	3.8	4.0	7.0	0.8	0.8	4.0	4.0	4.8	-	3.2
Bihar	3.6	9.4	7.9	2.2*	3.8	4.0	3.7	4.6	2.8	3.4	-	4.3
Goa	-	-	-	6.7	3.3	3.3	0.0	0.0	5.0	10.0	5.0	4.4
Gujarat	-	-	8.4	4.8	3.2	NE	2.7	8.8	2.2	1.1	2.2	4.0
Haryana	-	-	-	7.4*	6.2	4.4	7.8	5.6	6.7	4.4	-	6.2
Himachal Pradesh	0.0	-	-	0.0	5.9	1.5	4.4	4.4	5.9	4.4	8.8	4.2
Jammu & Kashmir	-	NE	0.0	0.0	5.3	1.3	0.0	1.3	NE	2.3	-	1.5
Karnataka	2.0	8.7	8.7	3.2	5.1	4.0	0.9	3.6	4.5	3.1	2.3	4.3
Kerala	0.0	4.8	3.9*	0.8	1.5	0.7	3.2	5.7	5.7	9.3	-	3.6
Madhya Pradesh	2.1	10.8	4.9	3.4	5.4	3.1	5.6	9.7	3.4	3.8	8.1	5.4
Maharashtra	1.9	6.3	4.9	3.3	9.3	2.8	6.6	5.6	2.1	3.8	4.2	4.6
Manipur	-	NE	NE	0.0	0.0*	NE	0.0	0.0	1.7	0.0	-	0.3
Meghalaya	-	-	-	-	1.7	1.7	0.0	3.3	NE	1.7	5.0	2.2
Mizoram	-	-	-	-	0.0	3.3	3.3	2.5	0.0	0.0	0.0	1.2
Nagaland	-	-	0.0	0.0	NE	0.0	0.0	1.7	0.0	0.0	-	0.5
Orissa	9.6	3.6	1.4	3.6	1.4*	4.8	3.4	6.1	4.8	5.4	-	4.0
Punjab	2.2	5.8	5.2	1.0*	5.8	2.6	5.1	3.4	5.1	6.0	-	4.0
Rajasthan	0.0	5.1	4.5	3.3	7.1	4.0	5.0	8.0	5.5	4.5	7.0	5.0
Sikkim	-	-	-	-	-	-	0.0	0.0	6.3	3.1	3.1	2.5
Tamil Nadu	0.3	5.9	3.9	1.7	2.1	0.9	2.1	3.4	9.0	3.8	-	3.6
Tripura	-	NE	NE	0.0	3.3	1.7	6.7	3.3	NE	1.7	-	3.0
Uttar Pradesh	1.2	5.8	4.4	2.8*	5.9	2.6	5.6	7.3	3.3*	4.0*	-	4.1

West Bengal	0.8	3.6	4.8	2.9*	1.6*	1.4	2.4	4.4	7.1	6.8	-	3.4
Delhi	4.2	-	NE	NE	7.1	7.1	7.1	NE	NE	4.3	12.9	7.3
Pondicherry	-	-	6.7	3.3	0.0	0.0	3.3	3.3	1.7	3.3	-	2.6
Period Average	1.8	6.3	4.9	2.9	4.4	2.8	3.8	5.3	4.5	4.0	6.0	4.1

Notes: Table entry stands for % of women MLAs elected to state legislatures in the relevant elections

- States did not exist; NE: No elections held in that year/period; * : Two elections held during this period. The figure given here is an average of the two; ** In 1952 the Election Commission did not recognise women as a separate category. The figures given here are based on name recognition and hence liable to under-reporting of women representatives.

Source: CSDS Data Unit, Delhi.

But despite this situation of lower representation of women in the Parliament and State Legislatures; wide spread gender discrimination and violence against women, the arguments are advanced that any separate quota for women is not desirable. According to this argument women's interests as such cannot be isolated from economic, social and political interests of groups, strata and classes in the society. Though they have some real problems of their own, they share with men the problem of their groups, locality and community. This kind of argument emanates from the holds of strong patriarchy on the one hand, and the fallacy of the socialistic understanding of women question on the other.

In fact, the other view-point believes that woman should get fair deal in the democratic dispensation of the political order. In this dispensation their presence cannot be ensured, wherein the male-dominated view persists even in the field of modern politics. A special quota for women in this regard offers a substantive alternative. In fact a system of reservation for women would provide an impetus to both the women as well as to the political parties to give a fairer deal to nearly half the population in various units of government. The political power and electoral calculations in favour of the emerging dominant force of backward classes have compelled the successive governments to direct the policy of protective discrimination in their favour. But the women question in this category has not invited a serious attention of the political elites. The Constitution (eighty-first Amendment) Bill, 1996 is still pending. The passage of the Bill has been scuttled by the political parties on one pretext or the other. The basic issue, however, remains unaddressed.

Check Your Progress Exercise 3

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

- 1) Summarise the arguments for and against the reservation for women.

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To sum up, from the above exposition we can say that democratic experiment in India during the last five decades has been a mix bag of success and failure. Whereas the procedural democracy has taken deep roots in terms of periodic elections, voter turnout and large scale participation of the people in electoral process, we have not been able to equalise the opportunity and condition of a democratic structure. Inter-group equality has not been established and there is still a vast gap between political democracy and social and economic democracy. Affirmative action of the state in favour of the deprived groups and communities has gone a long way towards creating a democratic conscious among the people. The recent decades of India are now seen as the decades of 'democratic upsurge'. Therefore, though democracy is still in search of equality in India it has paved a way for the democratic assertion from below. It can be concluded that democracy from above provided to the people at the time of independence is transforming itself in a democracy from below claimed by the people after over fifty years of India's democratic republic.

31.8 SOME USEFUL BOOKS

Chandhoke, Neera, *Beyond Secularism: The Rights of Religious Minorities*, New Delhi: Oxford University Press, 1999.

Chatterjee, Partha (ed.), *Wages of Freedom: Fifty Years of the Indian Nation-State* (Delhi: Oxford University Press, 1998).

De Souza, Peter Ronald, *Contemporary India - Transitions* (New Delhi: Sage Publications, 2000).

Hasan, Zoya (ed.), *Politics and the State in India* (New Delhi: Sage Publications, 2000).

Jayal, Niraja Gopal, *Democracy and the State - Welfare Secularism and Development in Contemporary India*, New Delhi: Oxford University Press, 1999.

_____ (ed.), *Democracy in India*, New Delhi: Oxford University Press, 2001

Kothari, Rajni, *State Against Democracy*, Delhi: Ajanta, 1988.

Mahajan. Gurpreet; *Identity and Rights: Aspects of Liberal Democracy in India*, New Delhi: Oxford University Press, 1998.

Majeed, Akhtar (ed.), *Coalition Politics and Power Sharing* (New Delhi: Manak Publications, 2000).

Oommen, T. K., *State and Society in India: Studies in Nation Building* (New Delhi: Sage Publications, 1990).

Sathyamurthy, T. V. (ed.), *Region, Religion, Caste, Genders and Culture in Contemporary India* (Delhi: Oxford University Press, 1996).

31.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Article 15 prohibits discrimination on grounds of race, caste, sex, religion or place of birth. Article 16 further provides equality of opportunity to all.
- 2) It directs the state to make efforts to protect social order for elimination of inequalities.
- 3) Articles 29 and 28.

Check Your Progress Exercise 2

- 1) It has given rise to a new middle class among them.
- 2) It has resulted in their increasing role in the political processes of the country.
- 3) The different periods of the implementation of reservation policy in different regions.

Check Your Progress Exercise 3

- 1) Argument for reservation : it will provide impetus to the half of the human population.

Argument against : it will isolate the issues women from the general problems of the society.

UNIT 32 CRIME, REPRESSION AND TERROR IN INDIAN POLITICS

Structure

- 32.0 Objectives
- 32.1 Introduction
 - 32.1.1 The Meanings of Politics
 - 32.1.2 Transition in Indian Politics
- 32.2 Crime and Politics
- 32.3 What is Repression?
- 32.4 Terror: A Contested Category
- 32.5 Let Us Sum Up
- 32.6 Some Useful Books
- 32.7 Answers to Check Your Progress Exercises

32.0 OBJECTIVES

Crime, repression and terror have become commonly used adjectives to describe Indian politics. Each of these aspects, however, has specific meanings within the framework of democratic theory. They are often seen as perversions in democracy, and manifestations of a rupture in the democratic processes. After going through this unit, you will be able to understand:

- How crime, repression and terror form significant contexts of Indian politics; and
- The manner in which they determine the content of Indian politics.

32.1 INTRODUCTION

32.1.1 The Meanings of Politics

Before one can begin talking about crime, repression and terror in Indian politics, it perhaps makes sense to talk first about the meaning of 'politics'. It is only after having understood the meaning of politics, that we can understand how crime, repression and terror, 'corrupt' or 'pervert' politics, and change its meaning altogether. Generally speaking, the expression politics refers to a distinctive space as well the activities and relationships which characterise the space. Thus in our common usage of the term we tend to differentiate the 'political' from other spheres of human activity which form the private concerns of individuals and groups, viz., social, cultural, economic, etc. Politics has generally been understood in three broad ways:

- a) Politics is seen as associated with governmental activities. This understanding of politics can perhaps be illustrated with the help of the notion of politics as it existed in classical Greece. Politics in Greek usage pertained to participation in decision-making and the exercise of authority. In the nineteen sixties, David Easton conceptualised politics as the 'authoritative allocation of values'. For others like Bernard Crick, politics refers not so much to authoritative decision-making, but the processes by which decisions could be reached amiably.

- b) Politics is also understood as referring to the public domain, a space which is distinguished from the private and personal. This domain, unlike the private space, is concerned with activities whereby norms and rules which govern the entire society are determined and applied through the use of covert and/or overt coercive power.
- c) There is yet another understanding of politics which seeks to change radically the above understandings of politics. According to this understanding, politics refers not merely to decision-making but pertains to the manner in which power, wealth and resources are distributed in society. Politics is also not seen as confined to the public domain, but as something which permeates all institutions and unfolds at every level of social existence. We may mention here, that the feminists were the most persuasive in this redefinition of politics, emphasising that the private sphere including the family was also permeated with power structures. Therefore this definition also includes in its scope, struggles by people and movements of resistance which aim at altering the manner in which resources are distributed in society, in order to make society more egalitarian.

32.1.2 Transitions in Indian Politics

From politics of trust to politics of suspicion, the two decades immediately following independence have been characterised by Rajni Kothari as 'decades of trust'. Politics in these decades was determined by a sense of trust between people marked by a mutual concern and understanding about what constituted the 'common good'. Politics was seen as an 'ethical space' where conflicts were resolved amiably and honourably. The seventies, however, marked according to Rajni Kothari, an 'obituary' of the politics of trust of the preceding decades. The 'ethical space' of politics was vitiated by violence, crime, corruption and repression, marking what Kothari calls the 'the virtual elimination of politics':

What we confront today is not the crisis of politics but its virtual elimination. The last decade has marked the beginning of the Indian State that has not only deprived society of a basic consensus, but which has eschewed any scope of dialogue from it. The violence, the fear, the repression, the rhetoric of deceit and doublespeak, are symptoms not of crises, but of the end of politics. (Rajni Kothari, *Politics and the People: In search of a Humane India*, Ajanta Prakashan, Delhi, 1989, p.439. emphasis added)

Indian politics was no longer the democratic space where, through dialogue and interaction, the aspirations and needs of the people could be affirmed and resolved. The 'end of politics' is seen as the period in which the relationship of dialogue among people as well as the people and the state, is ruptured by crime, repression and terror as the means of conflict resolution. Crime, repression and terror make themselves manifest in several forms. In the sections that follow we shall examine crime, repression and terror respectively, as they appear as characteristics of, and provide the contexts, in which politics in India unfolds.

32.2 CRIME AND POLITICS

The relationship between crime and politics can be appropriately illustrated

Perhaps the best and most authoritative delineation of this relationship, its roots and implications, has come from Rajni Kothari. Writing in the middle of 1984 about the rise of the 'terrorist state', Rajni Kothari gives particular attention to the 'criminalisation' of the Indian state. Kothari sees this criminalisation as having unfolded in the process of the transformation of Indian politics from an 'organic' and vibrant entity, i.e., something wholesome and alive, into a mere 'mechanical', 'electoral system'. The logic of electoral politics determined by quantity or numbers, set forth a number of issues and brought into use a number of practices which were merely rhetorical and aimed at gains in electoral politics, e.g., caste and communal politics. This transformation of an organic polity into an electoral system which deteriorated into a game of numbers and empty rhetorics, was accompanied by an even more frightening development viz., the permeation of Indian state and politics by criminal elements. The criminalisation of politics was made manifest in a combination of two processes witnessed at this time: (i) the use of gangsterism as a substitute for party organisation and (ii) complete permeation of the State by money power. Both these processes were reflective of the means used to stay in power and simultaneously, the use of political power to serve selfish ends rather than public good. (See Rajni Kothari, 'The State, the People, the Intellectuals and 1984: Rise of the Terrorist State' in *Politics and the People*, Vol.II, 1989)

The emergent infrastructure of politics in the seventies and eighties was a reflection of this degeneration of Indian politics. Politics no longer comprised of individuals sensitive to the needs and aspirations of people at the grassroots and local levels, but of musclemen and local mafias who were supported and maintained by a new high-growth sector of the Indian economy, 'the combination of liquor kings, smugglers and fast-buck politicians'. The gangsters were needed to capture booths and smugglers to provide election finances. Over the passage of time, they increasingly mediated the play of power itself. It may be pointed out that in July 1993 the Government of India set up a committee headed by the then Home Secretary, N.N.Vohra, to take stock of all available information about the activities of crime Syndicate/Mafia organisations which had developed links with and were being protected by government functionaries (Vohra Committee Report, Ministry of Home Affairs, New Delhi, 1993, p.1). The Committee submitted its report in October 1993. It took note of the fact that among other agencies, the Central Bureau of Investigation (CBI) too, had reported the existence to crime syndicates all over India, and their nexus with the police, bureaucracy and politicians. The Committee felt that the existing criminal justice system was inadequate to deal with the activities of the Mafia, the provisions of law being especially weak in regard to economic offenses. (Vohra Report, p.2)

The Election Commission too has pointed out the existence of a large number of Members of Legislative Assemblies (henceforth MLAs) having criminal records, and the need of weeding out criminal elements from politics. During the 1998 Lok Sabha elections, an eminent panel consisting of Justice Kuldip Singh, Madhav Godbole, C. Subramaniam and Swami Agnivesh, identified as many as 72 Lok Sabha candidates facing serious criminal cases. It may be said that the majority of criminals enter the electoral fray through the medium of National and State parties, including the two largest all-India parties. Another alarming fact is that the bulk of the criminal candidates fell in the categories of accused of serious crimes. They include persons already



charge-sheeted by a judicial court or by an investigating agency and those with long crime history (Outlook, 23 February 1998, 10-11).

These developments in Indian politics have resulted in both a narrowing of its social base and a loss of autonomy owing to the infusion of criminality and gangsterism into the realm of politics. These developments were directly responsible for the transformation of the state into an instrument of internal repression. Symptomatic of this is the brutalisation of the police and the paramilitary forces, which shall be discussed in the sections on repression and terror. Apart from the abuse of power, and the use of force in a way that violates the rights of people, another manifestation of crime in politics is what may be termed as governmental corruption. Governmental corruption pertains to the misappropriation and misdirection of public resources. Corruption in a political context most typically suggests the misuse of political office for material advantage. Bribery is perhaps the activity most closely associated with political corruption, and is in effect an improper inducement to influence the performance of a public act in a manner that it favours specific individuals rather than the people in general. In the past fifteen years, the concepts of 'scams' and 'scandals' have also become an integral part of Indian politics. From the 'Bofors' scam in the nineteen eighties through 'Hawala' to the 'Fodder' scam, the amount of money misappropriated in these scams has increased manifold. The 'Tehalka' scandal which exposed the manner in which decisions are made and deals struck in politics, gave audio-visual evidence about activities which perhaps many already believed to be true. Such scandals, however, invariably become part of the contest for one-upmanship between the government and the opposition parties. The foundational principles of politics, ethics, morality, and transparency, are unfortunately, seldom restored.

Apart from crimes of corruption, economic and electoral malpractice, it may also be pointed out that Indian politics is characterised by a growing insensitivity towards the basic needs of the people. In a country where a large number of people have to struggle daily to survive, the carelessness of the politicians and bureaucrats towards the basic needs of people, viz., food, shelter, self-determination and life, violates universally defined human rights pertaining to food, shelter, self-determination, and life. The starvation deaths in Kashipur district of Orissa in the July-August, 2001, is a recent example of negligence and the resultant misery for large numbers of people.

Check Your Progress Exercise 1

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

1) What do you mean by politics in the "decades of trust"?

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2) What do you mean by criminalisation of politics?

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32.3 WHAT IS REPRESSION?

The dictionary meanings of 'repress' are 'to restrain', 'to keep under', 'to put down', etc. The terms repression and repressive are more often than not, associated with political regimes and governments, as a description of their character and functioning. Like 'criminalisation', repression too, denotes a disruption in democratic relationships in the domain of politics. It also indicates the degeneration of politics as an ethical space where democratic participation takes place. We have mentioned in the earlier section that Rajni Kothari characterised the decade of the seventies as the beginning of the period of the demise or elimination of politics, owing to a growing criminalisation of politics. In a similar vein, A.R. Desai spoke of the same period as characterised by a growing 'assault' on the democratic rights of the people by the law and order machinery of the state. This period, points out Desai, was characterised by an 'assertion' of the large masses of the 'economically exploited' classes, and the socially, politically and culturally oppressed sections, of their elementary aspirations and demands for basic rights. If we recall here the third definition of politics, i.e., as a means to distribute resources, we may see the struggles by the large masses of the oppressed and excluded people, as trying to effect change in the manner in which resources were being distributed in society. They were, in other words, trying to transform the inequalitarian political-institutional and social-cultural structures through which 'authoritative allocation of values' were being made. The struggles made themselves manifest in various forms viz., Constitutional Court battles, processions, strikes, dharnas, satyagrahas, and militant actions. The response of the state was frequently to silence these voices of protest through various measures both legal and extra-legal. These struggles by the people to radically change the structures of power and decision making were seen by successive governments as 'anti-social' and a threat to law and order in society. They took recourse to a wide range of 'legal' and 'administrative' measures to restore 'law and order', curb 'anti-social' elements, and halt the processes of change in the existing structures of authority. There are a number of articles and reports which chronicle the violation of the rights of various marginalised sections, including the dalits, the scheduled castes and scheduled tribes, the working class, women, religious minorities, etc. They also list the various measures - legal (including the preventive detention laws, disturbed areas laws etc.), and extra-legal (disappearances, encounter deaths etc.) - through which aspirations for change were dealt with by subsequent regimes.

It may be noted here that the Fundamental Rights in the Constitution of India assure basic rights to the people irrespective of the conditions of their birth, e.g., caste, class, race, religion, gender, etc. It is significant, however, that the concerns for political stability in the minds of the Constitution makers, provoked them to include in the Constitution conditions under which these basic rights could be withdrawn. Thus the Constitution of India (article 22) itself provides for preventive detention or detention without trial even in times of peace. It also contains Emergency provisions (Articles 352-360) which provide for the suspension of the fundamental rights of the people when the security of India or any part of it is threatened due to war, external

suspended rights would, under such conditions, also be suspended. Throughout the history of independent India, several laws have been passed by various governments which have suspended the normal procedures of law to detain people without trial. For several years, notably the Emergency (1975-77) and before that during India's wars with China and Pakistan, the whole of the country was put under Emergency, facilitating the suspension of the normal procedures of law and people's basic rights. The entire north-eastern region of India has been under extra-ordinary laws like the Armed Forces (Special Powers) Act, 1958 for several years giving wide ranging powers to the armed forces to put down movements by some sections of people belonging to the region. A series of Acts, from the Preventive Detention Act, 1950, through the Maintenance of Internal Security Act, 1971, the various Public Safety Acts which were enacted by different states governments from time to time, the National Security Act, 1980, to the most contentious and repressive Terrorist and Disruptive Activities (Prevention) Act, 1985, were used against various movements. Thus political opposition, political groups ideologically at variance with the government of the day, and, popular struggles asserting their rights to cultural identity and self determination were brought under the purview of these Acts. The promulgation of The Prevention of Terrorism Ordinance, 2001 in the month of November, has again emphasised the fact that such extraordinary laws have perhaps become an integral part of governance in India. The existence of such extraordinary laws is indicative of the failure of democratic politics and the absence of democratic dialogue in society.

32.4 TERROR: A CONTESTED CATEGORY

The word 'terror' along with other frequently used expressions like terrorise and terrorism derive from the Latin verbs 'terrere', which means 'to tremble or to cause to tremble, and deter, to frighten from'. While these meanings refer to outcomes, or effects, the word terror also denotes actions which have the capacity of causing dread, or alternatively, persons, objects or force, inspiring dread. In a general sense the term 'terror' would signify a set of conditions, constituted of persons, acts, objects, effects etc., which produce a psychic state of great fear or dread. (Paul Wilkinson, Political Terrorism, Macmillan, 1974.)

While the term 'terror' can be more or less accurately defined, the concept of terrorism is less precise. Contested meanings have been attached to the concept drawing from its history, its modern contexts, and the perspective or vantage point from which one looks at it. In its historical origins the term has been associated with terror by governments, notably by the French revolutionary government against its opponents, and by the Bolsheviks in Russia after 1917. In its contemporary usage, however, the frames of reference seem to have shifted to cover acts of terror by the opponents of governments and include bombings, assassinations, hostage taking and plane hijackings. Also by the 1970s terms like international terrorism and state terrorism gained widespread currency. While the former referred to acts of terror by political groups outside the country in which they were primarily active, the latter referred to (alleged) encouragement and support by states of such acts of terrorism. In its current usage, three diverse meanings of terror and terrorism co-exist: (a) Acts of terror which occur in conflict ridden situations within national boundaries e.g. communal/sectarian

and ethnic violence in ethnically mixed or plural societies e.g., the conflicts between Christians and Muslims in Lebanon, between Tamils and Sinhalese in Sri Lanka, Catholics and Protestants in Northern Ireland etc. (b) Very often, however, most acts of terror are seen as carried out by the state itself. While Nazism and Stalinism are often cited as relevant examples, there are and have existed repressive regimes in this century (e.g. Pinochet's Chile). It is argued that terror and coercion often play important roles in maintaining state domination and power. (c) Acts of terror which form a part of the larger agenda of radical social and political change or national independence. In these cases it is argued the 'rejection' of 'terrorist' tactics has no bearing on questions of 'legitimacy' of the larger goals of the struggle (see Fred Halliday, 'Terrorism', in Joel Krieger ed. *The Oxford Companion to Politics of the World*, New York, 1993, 902-904).

The definition of what constitutes 'terror' in the context of Indian politics, comes largely from government's legal formulations of what constitute 'terrorist' and 'disruptive' activities. These legal definitions, contained in laws like Terrorist and Disruptive Activities (Prevention) Act, 1985, and most recently, The Prevention of Terrorism Act, (POTA) 2001, have come in the context of various struggles for self-determination, often of a violent nature, in various parts of India, primarily Punjab in the eighties and Kashmir in the nineties. Generally, terrorism has been understood as a method, consisting of symbolic acts of violence, intended to have an effect much wider in magnitude than the actual act. The 'terrorist' method has been used by quite a few groups in India including groups espousing a revolutionary ideology of change, such as the 'naxalite groups' in Andhra Pradesh and Bihar. Groups fighting for political autonomy or self-determination like the United Liberation Front of Assam (ULFA), the Mizo National Front (MNF), the Jammu and Kashmir Liberation Front (JKLF), the Khalistani Commando Force (KCF) in Punjab and, the Hizb-ul-Mujahideen etc in Jammu and Kashmir, have also used terrorism as a method. Often groups struggling for self-determination have sought legitimacy for their 'terrorist' activities in religious ideologies e.g., groups like the Harkat-ul-Ansar in Jammu and Kashmir and the Bhindranwale Tiger Force in Punjab.

Legal definitions of terrorism have been modified from time to time and these definitions have invariably cited concerns about the 'security environment' of India. The Law Commission's recommendations in April 2000, for bringing in a new Bill, the Prevention of Terrorism Bill, noted the absence of a 'comprehensive anti-terrorism law' to fill in the vacuum which had arisen after the expiry of TADA. It cited the security concerns arising from 'terrorist violence' in Jammu and Kashmir and the North-East, and the continuing vulnerability of Punjab to such violence. The proposed Bill did not become an Act. In the context of a worldwide condemnation of terrorist violence after the 11 September, 2001 bombing of the World Trade Centre towers in New York City, and the Pentagon in Washington D.C., the government has been able to bring in first an Ordinance to deal with terrorism, viz., The Prevention of Terrorism Ordinance, 2001, (POTO) and then a law Prevention of Terrorism Act (POTA).

Often, however, what the government sees as measures to counter terrorism, are seen by civil liberties groups as extraordinary, violative of democratic norms and significantly a wrong approach towards tackling the problem.



The civil liberties and democratic rights groups in India have pointed out that some of the activities called Terrorism by laws like TADA and POTO is actually political militancy. K. Balagopal, for example, differentiates between political militancy which is a method of terror used by groups for a political purpose (autonomy, self-determinations, changing feudal and capitalist structures of domination etc.) from what he calls plain terror of goondas, gun-toting landlords, mafias, etc. He emphasises that even if one does not like political militancy, and rejects any kind of militancy, it may nonetheless, be noted that governments are quick to arm themselves with extraordinary laws against political militancy. The terror of goonda gangs, mafias, and gun-toting landlords, which long predates the Khalistani Commando Force, the Hizb-ul-Mujahideen, the ULFA, and the People's War, was never called terrorism, nor were especially harsh laws ever contemplated for tackling it. Balagopal makes an important point that the different treatment of political militancy by governments is 'not so much because it is militancy' but 'because it is politics, and that too, politics of a different kind'. It is also important to note that the so called terrorist groups have a politics which is not guided by 'just terror'. Often, their politics, 'right or wrong', has a wide social base, which means that a substantial number of people support it and its armed activity. This support makes it very difficult to deal with them by policing methods or means which look at them as mere law and order problem to be curbed by harsh laws.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answers.
 ii) Check your answers with the model answers given at the end of the unit.

1) What do the Articles 22 and 352-360 of the Constitution stand for?

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2) What do the terms International terrorism and State terrorism mean?

.....

3) What are the Civil liberty Right groups?

.....

32.5 LET US SUM UP

The notion of politics signifies a domain and activities denoting the formal activities of the institutions of government, as well as the manner in which

resources are distributed in society. In a democracy, politics is seen as a domain to which everybody, irrespective of his/her conditions of birth has equal access. It is seen as an activity which empowers people. The years immediately after independence in India, were full of hope and enthusiasm. Independence brought in the belief that true liberty, equality and freedom, can be achieved in the process of self-governance. Politics was seen as an ethical space where deliberations could take place, and decisions made, which would be for the common good. Significant developments, especially since the nineteen seventies, greatly affected the way in which Indian politics unfolded. The eminent political scientist, Rajni Kothari has described these decades as marking the end of the politics of trust, and a virtual elimination of politics as an ethical space. The demise of the politics of trust and its degeneration from a space in which honourable dialogues took place, was due to violence, fear and repression. Politics was permeated by crime which was manifested by the growing use of gangsterism as a substitute for party organisation and the use of money power. Such developments narrowed the domain of politics by excluding people's participation and reduced its autonomy by making it dependent on money power and local goondas. In such a scenario where politics had a narrow social base, and the representatives of the people were dependent on mafia and money power for sustaining themselves, it was perhaps logical that the dissatisfaction of people, who felt excluded from the political process, should make itself manifest in the form of movements and struggles. The state in turn responded by taking recourse to measures which were designed to repress or put down such movements and aspirations. In his works, A.R.Desai has brought together a set of articles which look at the manner in which the state has repressed or contained people's movements. Terror has become a significant context of Indian politics since the nineteen eighties in the context of the movements for self determination in Punjab, in the North-East and in Jammu and Kashmir. By and large terrorism has been understood as acts or threats of violence against ordinary, unarmed civilians, carried out in the pursuit of a political objective. Often, the response of the state to these movements has been in terms of voicing 'security concerns' pertaining to the unity and integrity of India. Several extraordinary laws including Terrorist and Disruptive Activities (Prevention) Act, 1985, (TADA) and now Prevention of Terrorism Act, 2001, (POTA), have been brought by successive governments, to deal with threats from terrorism. Civil liberties groups, however, look at the manner in which extraordinary laws often violate the rights of ordinary people. Moreover, they see the response in terms of legal measures, a misdirected remedy for a problem which is political in nature. They point out that often what is loosely labeled 'terrorism' is not always 'mindless violence'. Such movements often have strong socio-political roots and distinctive ideologies. They cannot, therefore, be addressed by extraordinary laws, since these are political questions and need to be addressed on that level rather than as law and order problems. The permeation of crime, repression and terror, in Indian politics has meant that politics in India lacks the framework conducive for popular participation. In such a scenario it is desirable that people as the sovereign custodians of constitutional promises should be alert to their rights and duties and work towards restoring the norms of a democratic society and polity.

32.6 SOME USEFUL BOOKS

Desai, A.R., *Violation of Democratic Rights in India*, Vol.I, Popular Prakashan, Bombay, 1986.

Repression and Resistance, Popular Prakashan, Bombay, 1986.

Kothari Rajni, *Politics and the People: In Search of Humane India*, Volume II, Ajanta Publications, Delhi, 1989 (Chapter 22: 'The State, the People, the Intellectuals' and Chapter 26: '1984: Rise of the Terrorist State').

Singh, Randhir, '*Terrorism, State Terrorism and Democratic Rights*', in Randhir Singh, *Five Lectures in Marxist Mode*, Ajanta, Delhi, 1993.

32.7 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) Politics in the first two decades immediately following independence as it was marked by mutual trust between people.
- 2) Increasing role of crime in politics.

Check Your Progress Exercise 2

- 1) Article 22 provides for preventive detention or detention without trial even in times of peace; Articles 352-36 provides for suspension of fundamental rights during emergency.
- 2) The former refers to the acts of terror by political groups outside the country where they are primarily active. The latter meanings support or encouragement by the state to acts of terrorism.
- 3) Groups which fight against the violation of the rights of the people.