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PREFACE In a bid to standardise higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, discipline specific, generic elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern, which finds efficacy in sync with credit system, credit transfer, comprehensive continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility to choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry acquired credits. I am happy to note that the University has been accredited by NAAC with grade 'A'. UGC (Open and Distance Learning Programmes and Online Learning Programmes) Regulations, 2020 have mandated compliance with CBCS for U.G. programmes for all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Materials (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English / Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success. Professor (Dr.) Subha Sankar Sarkar Vice-Chancellor

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Netaji Subhas Open University Course Title: Introducing Political Theory Course Code : CC-PS-01 Module - 1 Unit-1 What is Politics: Theorising the Political 9-17 Unit-2 Traditions of Political Theory : Liberal Theory 18-30 Unit-3 Marxist Theory 31-44 Unit-4 Anarchist Theory 45-53 Unit-5 Conservatve Theory 54-64 Module - 2 Unit-6 Approaches to Political Theory 67-82 Unit-7 Empirical Approach to Political Theory 83-93 Unit-8 Feminist Perspective in Political Theory 94-106 Unit-9 Postmodern Perspective in Political Theory 107-123 Unit-10 Postcolonial Perspective in Political Theory 124-146 Module - 3 Unit-11 Democracy : The History of an Idea 149-160 Unit-12 Debates on Democracy 161-171 UG : Political Science (HPS)

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NSOU CC-PS-01 _____ 9 Unit - 1 □□□□□ What is Politics :

Theorising the Political Structure 1.0 Objective 1.1 Introduction 1.2 Nature and definition of politics 1.3 Political Theory: Definition and features 1.4 Decline of Political Theory 1.5 Need for political theory 1.6 Summing Up 1.7 Poble Questions 1.8 Further Reading 1.0 Objective The main objectives of this unit are to understand the meaning of politics and political theory. After studying this unit students will be familiar with • Defining features of politics as an activity. • How politics has been understood by different thinkers and traditions. • Meaning and features of political theory • Importance and functions of Political theory. 1.1 Introduction The concept of politics originates with the classical Greek Philosophers such as Plato and Aristotle for whom politics is concerned with the general issues affecting the whole community. Politics in the Greek world enveloped the whole life of the individual. Politics is a social activity through which human beings attempt to create a well organised and peaceful society. It exists due to the broad spectrum of ideas. and opinions within any society. It is always a dialogue. Theory is a tool for analysing politics. It is an

10 _____ NSOU CC-PS-01 analytical device that helps to advance our understanding of the political world. It simultaneously performs both explanatory and normative functions.

1.2 Nature and definition of politics In everyday language politics is a loaded concept. Negative images have always been associated with it. In popular parlance politics is closely associated with the behaviour and activities of the politicians who are generally considered as selfish power seekers who hide their narrow self interests behind the veil of public interests and ideological convictions. Media exposure of the corrupt activities and practices of the politicians gives credence to the public perception. This has resulted in growing disillusionment with formal and established political processes. This phenomenon is known as anti-politics, which is rooted in a view of politics as a self-serving unprincipled activity. In this view politics is a dirty word, associated with trouble, disruption, violence, deceit, manipulation and lies. Such negative images need to be dispelled to establish that politics is a valuable activity. Another major difficulty in arriving at a definition of politics is that in the academic study of the subject political scientists have defined the concept in different ways. The concept has been defined as the exercise of power, the exercise of authority, making of collective decisions, authoritative allocation of values, as the art of government, the practice of deception and manipulation and so on. Thus, in the academic world it is essentially a contested concept. There exists deep intellectual and ideological disagreements among political scientists. Andrew Heywood has identified four different views of politics in the academic study of the subject. First view defines politics as an art of managing government and administration. This is the traditional view of politics which originated from the meaning of the term in ancient Greece. The word politics has been derived from the Greek word 'Polis', meaning the state or community as a whole. In this light, politics refers to the affairs of the state. The traditional view of politics is reflected in the tendency for academic study with its focus on the machinery of government and administration. American Political Scientist David Easton however, defines politics as the authoritative allocation of values. In his view, politics refers to the whole processes through which government responds to the societal demands by allocating values authoritatively. This is a restrictive view of politics. From this perspective politics takes place in cabinet forum, legislative chamber, government agencies, administrative

NSOU CC-PS-01 _____ 11 organisations and the like and only a limited number of people engage themselves in politics. Thus most people, institutions and their activities remain outside the domain of politics. Different associations connected with trade and business, sports, education and other areas of social life are, in this sense, non political. In a more restricted view, politics is equivalent of party politics. Needless to say that the negative image of politics largely originates from this attempt to link politics largely exclusively to the affairs of the state. The second view associates politics with public affairs. This view is based on the division between public and private sphere, which largely conforms to the distinction between state and society. State institutions which include government apparatus, court, army, police and so on belong to the public sphere because they are responsible for organization and management of social life. Civil society institutions like family, church, business organizations trade unions, clubs etc. are private in the sense that they are established by the individuals to satisfy their own specific interests. Accordingly, politics is restricted to the activities in the public sphere. The areas of life which individuals can manage for themselves are defined as non- political. Over a period of time particularly with the advent of modernity a subtle distinction is made between personal and the political. In this view personal affairs must be kept separate from politics. Feminist thinkers argue that this is simply an attempt to deny that politics does occur in family life and personal relationships. They

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insist that politics is an activity that takes place within all social groups and is not confined to the

public sphere. Politics, in the third view, is the process of resolving conflict through compromise, conciliation and negotiation. Politics is the art of the possible. This view is well reflected in the description of problems like ethnic conflict as political, which requires political solution. Bernard Crick, one of the leading modern exponents of this view, defines politics as the activity through which diverse interests within a given community are reconciled. In this view politics exists due to the broad spectrum of ideas and opinions within any society. To resolve conflicting views and interests, all affected parties must arrive at a consensus through debate and discussion. Accordingly politics is the process of civilizing the barbarous conflict situation arising out of diverse views and interests. The fourth view relates politics to power structured relationships which operate at every level of human existence. From this perspective politics is universal,

12 _____ NSOU CC-PS-01 occurring in every social groups, institutions and societies, large or small. It is argued that

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politics is at the heart of all collective social activity.

The ubiquity of politics is explained by the inevitable presence of conflict in society. Scarcity of resources and diversity of views and interests make conflict an ever present reality. Thus, politics is, in essence, power, the ability to achieve desired values even at the cost of others. In Harold Lasswell's view, the essence of politics is: Who gets What, When and How? Feminists and Marxists look at conflict differently. Feminists argue that traditional view of politics is exclusionary in nature keeping women outside the public domain. Women are traditionally confined to family. Radical feminists vehemently oppose

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the idea that politics stops at the front door, emphasizing rather that 'Personal is the Political'.

Politics of everyday life is a major concern of the radical feminists. For the Marxists, the heart of politics is conflict. They argue that the roots of social structure lie in the social relations emanating from the system of production. This is called class relations and the conflict inherent in class relations is called class conflict. Politics is the expression of this conflict in different forms and ways. Both feminists and Marxists share the view that politics is all about domination and subjection. Feminists draw

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attention to the totality of oppression and subjection to which women are subject.

Marxists argue that in a class divided society politics is characterised by the domination of the ruling class and the struggle of the subject classes to overthrow that domination. Both Marxists and feminists view politics as a means to challenge domination and subjection. It is now abundantly clear from the above discussion that politics is not all about violence, disruption deceit and lie. The negative image of politics is largely a result of the behaviour and activities of the power hungry politicians. Politics, in effect, is a valuable activity and a civilizing force. Politics begins with human purpose. Men form groups to realize their purposes. Politics occurs in and among human groups organized for action. Solitary individuals cannot engage in politics. In any human group members agree on some issues but disagree on others. Perfect unity and harmony in any group is rare. Politics, according to Aristotle, is a master science. For him, politics is an activity through which human beings attempt to realize their potential and create an ideal society. Conflict lies at the heart of politics. It may be argued that politics is at once the condition, the process and the result of the resolution of conflict. Diversity of views

NSOU CC-PS-01 _____ 13 and interests and scarcity of resources make conflict inevitable. Political world is predicated upon the inescapable presence of conflict in society. Politics, at the same time, is also the process through which allocation of limited resources is attempted and adjustments of diverse needs and interests temporarily achieved. Without this process society would be reduced to a permanent state of anarchy. It must be emphasized, however, that politics cannot eliminate conflict. It is only the process through which resolution of conflict is attempted. Finally, politics is also the result of the resolution of conflict. This is because desired values are always scarce and resolution of conflict in such conditions means at best only temporary adjustment. As a result resolution of conflict at one point in time creates the conditions for conflict. It is for this reason that politics is often described as a process of conflict management of that resolution. Thus, we may define politics as a social process characterised by activities involving competition and cooperation in the exercise of power, resulting in the making of decisions for a group.

1.3 Political Theory : Definition and Features Attempts to construct political theory can be traced back to ancient Greece. Plato and Aristotle, in the context of the crisis of the Greek city state, sought to identify the reasons behind the crisis and prescribe ways for constructing an ideal state. In Greek thought, theory was associated with observation. Theory was the intermediary between the event and the observer. For Aristotle, theory denoted intellectual observation and contemplation in accordance with wisdom. Theory is expression of systematic reflection and explanation of a chosen phenomena. Political theory attempts to arrive at generalizations and draws conclusions from the data relating to political phenomena. The term political theory has been defined in both a broad and a narrow sense. According to G. H. Sabine, political theory, in a broad sense, is anything about politics or relevant to politics. In its narrow sense, Sabine defines political theory "as the

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disciplined investigation of political problems". David Held defines political theory as a network of concepts and generalizations about political life involving ideas, assumptions and statements about the nature, purpose and key features of government, state and

society and about political capabilities of human beings. Political theory is not only concerned with the empirical study of the political phenomena but also prescribing the goals which

14 _____ NSOU CC-PS-01 states, governments, societies and citizens ought to pursue. Thus, political theory is neither pure thought nor philosophy, nor science. While it draws heavily from all of them, yet it is distinct from them. Rajeev Bhargava identifies six distinctive features of political theory. First feature is its concern with internal structure of concepts and their interrelations. In order to make sense of the political world, we impose meaning upon it and this we do through construction of concepts. Second, a theory has a rational structure. There is a chain of reasons which is implicit in a theoretical work. Third, theory is committed to find out truth objectively. However, the truth that theories search for are limited to specific time and place. Fourth, theory seeks to identify the underlying assumptions of our specific beliefs actions and practices. Fifth feature of a theory is some degree of generality. It seeks to cover a variety of related but disparate phenomena. Sixth, theory must not be purely speculative. A theory must be rooted in the lived experience of the people and transcend it.

1.4 Decline of Political Theory In the 1950s many political scientists claimed that political theory was on the decline. David Easton in his essay "The decline of Modern Political Theory" raised this issue. According to him, it is primarily because of the attitude of the contemporary political scientists, who are satisfied with century old ideas and has failed to develop new political synthesis. He observed that modern political scientists have been guided by historical approach ignoring contemporary social problems and made no attempt to find their solution. According to him hyperfactualism has been dominating political science for a long time. New techniques of data collection have been adopted without any theoretical orientation. Comprehensive view of politics is conspicuous by its absence. Echoing Easton's view Alfred Cobban observed that there was something definitely wrong with present day thinking about politics. Contemporary political

NSOU CC-PS-01 _____ 15 writings are characterised by lack of purpose. He attributed this to the influence of historical approach and scientific attitude of the modern political scientists. During the 1950s many political scientists shared the view that political theory has lost its importance. They blamed historicism and increasing influence of logical positivism for the decline of political theory. Peter Laslett, in 1956, observed that the tradition of political theory is almost extinct and political philosophy is now dead. The above view associated with positivism, is now widely believed to be mistaken. Behavioural political scientists sought to strengthen scientific basis of the study of politics by delinking it from normative issues. However, from the 1960s onwards it become increasingly clear that political theory cannot grow along with positivism which abstains from a critical examination of any social situation. Political theory

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addresses question relating to the structure and functioning of the society in which we live.

Our knowledge of the political world is built up through developing and refining concepts that help us make sense of the human world. Most of these concepts carry a normative import. Thus, every aspect of the human world is subject to normative assessment. 1.5 Need for Political Theory We need political theory to make political life intelligible. Theories do not originate in a vacuum. It originates from practice, reflects on the political realm and prescribe ways to transcend the current situation. According Rajeev Bhargava, we need political theory because it performs certain key functions. First is the interpretative and explanatory function. The human world does not exist independently of the concept we have constructed. To understand and explain the human world we must have clear grasp of the complicated structure of the concepts that partly constitute it. It is theory which helps us in this respect. Second is the contemplative role of political theory. Large social formations, historical changes, nature of modernity and problems associated with it cannot be fully understood by empirical enquiry. Some degree of speculation is needed. Political theory fulfills this purpose. Third is the evaluative role. All human actions are subject to evaluation in the light of ethical considerations. Political theory brings out normative import of concepts embedded in political practices and subject them to critical reasoning.

16 _____ NSOU CC-PS-01 Fourth, political theory is a form of thought. It is a systematic enquiry into the self. It provides answers to the questions regarding our identity and corresponding role. David Held in his book Political Theory Today writes that political theory has three distinct tasks: (i) Philosophical : It is concerned with the conceptual and normative world. It involves an account of how things should be with some kind of acknowledgement that this is not how things are. (ii) Empirical-analytical tasks : Theory is concerned with the problem of understanding and explanation of the political world. (iii) Strategic : Theory gives an account of the feasibility of moving from where we are to where we might like to be. All these function of the political theory are crucial in the contemporary world. In the present circumstances with its multitude of problems and uncertainties we need sound political theory to give us a sense of direction and a feeling of purpose. 1.6 Summing Up Politics is the sum total of all those activities and processes through which a society makes its own history and faces the historical challenges. It is a process of conflict and cooperation among individuals and groups whose purpose is to secure values like liberty, equality, property etc. It is linked to the diversity and conflict. Thinkers belonging to different political traditions have understood politics differently. Politics has been defined as the art of government and administration, as management of public affairs, as resolution of conflict or conflict management. Traditional view restricts politics to personnel and machinery of government. However, when politics is defined as power, it is present in all social activities and in every corner of human existence. Theory is a tool of political analysis. Political theory seeks to understand, explain and analyse the political phenomena and prescribe ways and means to rectify the shortcomings. Since the ancient Greece political theory is a form of thought with a direct practical orientation. It is concerned with logical coherence, rigour in argument, empirical accuracy, moral seriousness and practical efficacy. All these attributes are crucial in modern complex societies.

NSOU CC-PS-01 _____ 17 1.7 Probable Questions Essay Type
 Questions : 1. Explain how politics has been understood by different thinkers belonging to different political traditions. 2. Examine the basic features of political theory. 3. Do you think that political theory is on the decline? Argue your case.
 Long Questions : 1. In what sense politics is a loaded as well as a contested concept. 2. Why is conflict regarded as the heart of politics? 3. Discuss the nature and meaning of politics. Short Questions : 1. Define political theory. 2. Examine the need and importance of political theory. 1.8 Further Reading 1. Ball, A and B. Guy Peters Modern Politics and Government Basingstoke : (Palgrave and New York : Chatham House Publishers Inc., 2000) 2. Crick, B. In defence of Politics (rev.ed.) (Harmonds worth and New York : Penguin. 2000) 3. Heywood, Andrew. Politics (Basingstoke : Palgrave 2002) 4. Held, David Political Theory Today, (Oxford : Blackwell, 1991) 5.

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18 _____ NSOU CC-PS-01 Unit 2 Traditions of Political Theory : Liberal Theory Structure 2.0 Objective 2.1 Introduction 2.2 Origin 2.3 Definition 2.4 Different strands of Liberalism : Classical 2.5 Modern Liberalism 2.6 Neo Liberalism 2.7 Egalitarian Liberalism 2.8 critique of Liberalism 2.9 Summing Up 2.10 Probable Questions 2.11 Further Reading 2.0 Objective The unit deals with the Liberal Tradition. After going through this unit students will • Know the meaning of liberalism and its defining features. • Be able to identify different versions of the liberal tradition. • Be able identify the impact of liberal tradition on political theory and practice. 2.1 Introduction All theories contain implicit assumptions. They bear the imprint of values and normative beliefs. The major theories of politics address the issues of power and the role of the state. At a deeper level they reflect the assumptions and beliefs of one or

NSOU CC-PS-01 _____ 19 other major ideological traditions. Political and social enquiry is a battleground of competing traditions: Liberalism, Marxism, Conservatism, Anarchism and so on. Each presents its own account of social existence and a particular view of the world. As a theoretical tradition liberalism emerged in the 17th century. Renaissance, Enlightenment together with Reformation created the environment for the growth of liberal ideas. Liberalism developed initially as a protest against feudal authority and privileges and absolute monarchy, claimed to be

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based on the doctrine of the 'divine right of kings.

As a theory of modernity, it was an expression of the economic, social and political aspirations of the rising middle classes. Liberal protest centered around the demand for liberty of the individual in every sphere of life. Liberalism at this stage was revolutionary, fighting against irrationalism, superstition, intolerance and arbitrariness. The distinctive features which marked the liberal tradition at its inception were altered and reshaped by the historical developments since the 19th century. Liberalism which was radical at its inception became increasingly conservative in the face of challenges of other political traditions and movements such as Socialism, Marxism and Fascism. It absorbed democracy and socialism to a great extent in the form of the welfare state. With the fall of Soviet Union and disintegration of the socialist block liberalism has become dominant political tradition of the contemporary world. However, various political developments since the last decade of the 20th century, notably growing moral and cultural diversity in the Western countries and North America, rise of varieties of fundamentalisms, rise of identity politics have led many liberals to cast doubt about the applicability of liberal principles to all people and all societies.

2.2 Origin Liberalism as a theoretical tradition established itself in the 19th century. But its origin as a way of thinking about man and society may be traced back to diverse sources and social experience that gradually merged to form a strong political current. Ancient Greek tradition of freedom of enquiry and comparative religious toleration, sophists and sceptical thinkers' assertion of the universal equality of men and the doctrine of political equality, individualistic legal tradition of Rome, and the Universalist and individualistic outlook of the christianity—all these significantly contributed to the formation of the liberal tradition. In political theory the rise of liberalism is identified with the development of

20 _____ NSOU CC-PS-01 individualism. Seventeenth century natural rights theories emphasized voluntarism and inviolability of individual rights. The idea of social contract expressed an individualist philosophy that allowed free choice and personal expression. In the American War of Independence and the French Revolution liberalism was clearly accompanied by a commitment to social equality, indicating that all individuals are equal in relation to one another and deserve no special privilege because of their class or heritage. Liberalism thus, became a theory with a focus on the emancipation of the individual. In theory it subordinated the state and political institutions to individual will, by identifying the former as human creation.

2.3 Definition Liberalism is a dynamic and flexible concept. It has shown tremendous capacity of survival and adaptability. However, it is difficult to provide a precise and uncontroversial definition of liberalism. It has undergone many changes in the course of its evolution and it necessitates a historical rather than static type of analysis. Liberalism refers to a cluster of social, political and economic doctrines which have changed overtime, For Laski, liberalism implies a passion for liberty. It was an attempt to give back to man his individuality. It was this postulate that was expressed in Kant's statement that morality consists in treating persons as ends and not as means. As an attitude, liberalism lays stress on man's goodness and rationality and seeks reforms in every sphere of life for a better future. Liberalism has a rich historical story with contrasting formations. It has acquired different forms in different national cultures. John Gray in his persuasive analysis argues that liberalism has no single static essence. But it has a set of distinctive conception of man and society which differentiates it from other political traditions. This has undergone alteration and modification in the process of evolution of liberalism. But the core elements of the liberal concept of man and society did not change. These elements are: Liberalism is individualist in asserting the moral primacy of individual against the claims of any social group. It is egalitarian in acknowledging same moral status of all individuals. It is universalist in claiming the moral unity of the human species. It is meliorist in asserting that all social and political institutions and arrangements are improvable. John Gray claims that in spite of all the rich historical diversity, liberalism is a single phenomenon by virtue of the four elements that constitute the

NSOU CC-PS-01 _____ 21 liberal conception of man and society. Despite all controversies and contrasting formations liberalism remains an integral outlook whose core elements are not hard to specify. 2.4 Different Strands of Liberalism : Classical Several crises of modernity and emergence of rival theoretical traditions made reinterpretation of liberal principles inevitable. This led to the rise of several versions of the liberal tradition: Classical, Modern, Neo-liberal and Egalitarian liberalism. Classical Liberalism Classical liberalism emerged in an atmosphere characterized by changes in all areas of social life. Renaissance, reformation and enlightenment created an atmosphere favouring autonomy of the individual, his liberty and rationality Industrial revolution and consequent emergence of a new social class, which was later called bourgeoisie, emergence of the nation state, growing influence of secular ideas led to the rise of classical liberalism. This new philosophy found expression in the writings of Thomas Hobbes, John Locke, Adam Smith, Malthus, Ricardo, James Mill, Bentham, John Stuart Mill among others. Classical liberalism emerged as a protest against the arbitrary power of the kings and privileges of the nobility based on birth. Opposing the tradition of man's fixed station in life it supported an open society where every individual could attain respectability and success based on his merit. It believed in a competitive society and free market economy. It supported free thinking and rationalism. The idea of change, growth, dynamism, competition and mobility occupied central place in classical liberal theory. The distinctive feature of classical liberalism is its commitment to an extreme form of individualism. Human beings are described as selfish and egoistical but at the same time rational. In C.B Macpherson's analysis this

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form of individualism is identified as possessive individualism, where individuals are owner of their own persons and capacities, owing nothing to society

or to one another. Society is composed of atom like autonomous individual. Individual liberty constitute the core of classical liberalism. Classical liberals believed in negative liberty, meaning non interference or absence of restraints upon individual. It is liberty both from the state and society.

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The individual is free in so far as he or she is not interfered with or coerced by others. 22

NSOU CC-PS-01 Classical liberals saw the state in purely negative terms. State is not a natural institution, but an artificial institution created by man. The state originates by mutual consent for the sole purpose of preserving and protecting rights of the individual. The relationship between the state and the individual is contractual. Individuals have every right to revolt and establish a new government in the event of violation of the terms of the contract. The state is viewed as a necessary evil. It is necessary in the sense that it establishes order and security. At the same time it is an evil in the sense that it imposes a collective will upon society and thereby limiting the freedom of the individual. Classical liberals supported the establishment of a minimal or night watchman state. In classical liberal theory rights are prior to the state. Locke advocated a theory of natural rights of life, liberty and property for the protection of which state was constituted. In the economic sphere classical liberals had deep faith in the mechanism of the free market. They believed that economy works best when left alone by government. Laissez faire capitalism would guarantee prosperity and uphold individual liberty. The market is a self-regulating mechanism.

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It is managed by what Adam Smith referred to as an invisible hand.

One salient feature of classical liberalism is its explanation of poverty and social inequality in terms of human talents and their hard work. Men with competence and willingness to work will prosper and the incompetent or the lazy will perish. Herbert Spencer expressed these ideas boldly in his book

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The Man versus the State. Spencer developed a strong defence of the doctrine of laissez-faire drawing upon

Charles Darwin's theory of 'natural selection'. According to him,

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a process of natural selection operates within human society, which is characterized by the principle of the 'survival of the fittest.

Inequalities of wealth, position and power are natural and government should not interfere with them. Thus individual liberty, limited state, free contract, competition, free market economy were the hallmarks of classical liberal theory. 2.5 Modern Liberalism The success of capitalism in the 19th century witnessed rapid concentration of wealth in a few hands which created many social, economic and political contradictions. The free market economy created massive inequalities among people and subjected the vulnerable sections of the society to greater exploitation and oppression. With the enormous growth of the labour force in the industrial cities, freedom of contract NSOU CC-PS-01 _____ 23 virtually meant freedom of the factory owner to hire and fire workers to maximise their profit. Free market economy virtually resulted in inhuman conditions for the workers, child labour and slum dwellers. When free market was interpreted as total absence of government regulation, it brought disastrous consequences for the bulk of the society instead of greatest happiness of the greatest number held so dearly by the utilitarians. In England, the Royal Commission, appointed to investigate the coal mining industry, in its report brought to light the brutality that existed in the mines, employment of women and children long hours of barbarous work, absence of safety devices. Classical liberalism came in for sharp criticism from different quarters. The humanists criticized it for its practical outcome such as poverty, unemployment, ignorance and disease. The socialists were pressing for urgent solution of problems affecting the working class. The liberals were forced to realize that liberal principles need to be revised in the changed social and historical context. In the changed social and historical contest old notions such as self-interest, pleasure and utility proved unconvincing. The situation called for re-examination of the nature and function of liberty, the relationship between liberty and authority and the relationship between individual and society. The revision was carried out by J.S. Mill, T. H. Green, Hobhouse, G.D.H. Cole, Barker, Laski among others. Modern liberals were profoundly influenced by German idealism, particularly by the ideas of Emmanuel Kant and Hegel. This was evident in the shift away from individualism toward exploring some kind of collectivist concept. Modern liberals acknowledged the institutional nature of society and historical evolution of institutions. Liberty occupies a prime position in modern liberalism. John Stuart Mill in his book "On Liberty" presented solid arguments in favour of individual liberty. According to him, individual is sovereign over his body and mind. Liberty is explained as the absence of restrictions upon individual's selfregarding actions. This is essentially negative concept of freedom. At the same time Mill saw liberty as a positive and constructive force. The value of liberty, for Mill,

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is that it enables individuals to develop, to acquire talents, skills and knowledge and to refine their sensibilities.

Central to John Stuart Mill's exploration of liberty was the move from individualism to individuality. Mill focussed on human growth and on exercising mental and moral faculties of the individual. According to him, the value of personality can be realized in the actual conditions of a free society. Liberty is a good in itself. To live one's own life, developing one's own talents and capacities, is not only a means to happiness, but a substantive part of happiness itself. For him liberty

24 _____ NSOU CC-PS-01 is not only an individual but also a social good. In a free society the function of a liberal state is to act as a means of creating, increasing and equalising opportunity. T. H. Green sought to place liberalism on broad foundations. He argued that at the centre of liberal philosophy was the idea of general good, to be shared by everyone and which provided a standard for legislation. In his interpretation, choice means opportunity and opportunity means a society that is not coercive beyond need in its legal, political, economic and social structure. Liberty, for Green, is really a social as much as it is an individual conception. It refers to a quality of society and also quality of the persons who compose it. A government cannot remain liberal by standing aside and refraining from legislation. A liberal government must support the existence of a free society and remove obstacles in the way of moral development of the individual.

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Although this undoubtedly modified classical liberal theory, it did not amount to the rejection of core liberal ideas. Modern liberalism

while appropriating some of the socialist principles did not place society before the individual. It developed a positive view of freedom. Freedom implies the ability of the individual to gain fulfilment and achieve self-realization. The night watchman state of classical liberal theory was quite incapable of creating condition for the development of individuality. L. T. Hobhouse and J. A. Hobson developed a radical organic view of society in which the health of the whole was dependent on the health of each and every part. These ideas provided the basis for the emergence of the welfare state in the 20th century.

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Influenced by the German philosopher Hegel who described the state as an ethical

institution, modern liberals put emphasis on social responsibility of the state. State, for them, is the guarantor of liberty. Social welfare activities of the state will create equality of opportunity. State has responsibility to protect the disadvantaged section of society and by doing so it broadens individual rights. Modern liberals believed that coordinated governmental activities could at least significantly ameliorate evils of industrial capitalism. The principle of laissez-faire was abandoned because of its failure to bring about general prosperity. The insightful argument of J. M. Keynes that growth and prosperity could be maintained only through a system of regulated capitalism became theoretical basis of interventionist state. Keynes argued that problems of unemployment and poverty cannot be solved by the invisible hand of the market. The primary goal of the modern liberals was to develop individual capabilities so that they can take responsibility for their own situation and make their own moral choices.

NSOU CC-PS-01 _____ 25 2.6 Neo Liberalism In the 1970s the sharp deterioration in the performance of the western economy, the collapse of the Bretton Woods agreements for managing currencies, recession, the oil price shocks, the rise in working class militancy and growing inflation led to widespread questioning of Keynesian economic management. The crisis created the context for renewed interest in the theories of classical political economy. The shift away from Keynesian priorities and revival of free market doctrines went under the name neoliberalism. It reflected a reaction to the general trend towards an expanding state in the economy and society. However, it is not a unified and coherent theory. It includes diverse set of ideas and policies having many internal tensions. It has included many kinds of liberals and conservatives. Friedrich Von Hayek, Milton Friedman, James Buchanan, Robert Nozick, Ayn Rand and Murray Rothbard are chief proponents of neoliberal ideas. Neoliberals believe that freedom is the fundamental value that must underlie all social relations. Personal liberty is the supreme moral good. Individual should be free from the interference of others. One's liberty can be restricted only if he consents to restriction. Liberty is not just another good like car. It is a necessary condition of action. Opposition to the big government constitutes one fundamental element of neoliberalism. It is deeply suspicious of the state. The state is viewed in negative terms, as a source of restriction on individual freedom. To the neoliberals economic freedom is the most fundamental. Hayek argued that control over economic sphere ultimately leads to control over every sphere. According to Hayek, the adoption of welfare policies would bring totalitarian government in the long run. The tendency of the state to encroach on individual liberty has to be resisted continually. Rothbard argued that only safe course to protect liberty is to abolish the state altogether and rely on voluntary and private agreements. However, all neoliberals do not subscribe to the view that there is no role for the state. Majority of them endorse a role for the state, but there is considerable disagreement over what functions the state should perform. Those who favour right based arguments tend to advocate a minimal state, whose functions are restricted to internal security, external defence, the rule of law, protection of property and enforcement of contract. Robert Nozick has provided a strong defence of the minimal state in these terms. According to him, the state will arise from anarchy. Individuals in the state of nature would find it in their interest to allow dominant protective

26 _____ NSOU CC-PS-01 agency to emerge. The function of the state should be limited to the narrow functions of protection against force, theft, fraud, enforcement of contract and so on. Justifying the minimal state he categorically asserts that liberty must get absolute precedence over equality. He opposes policies of progressive taxation and any redistribution of property by the state because it may violate the liberty of those who have property. Neoliberals claim that only economic order that respects individual freedom is free market. Free market, to them is an example of freedom in action. The market is superior to other economic system, since it handles human ignorance by passing information in coded form through the price mechanism which indicates where profits could be made and resources efficiently used. Market delivers

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fairness and economic justice. It gives all people the opportunity to rise and fall on the basis of talent and hard work.

Free market is the economic system of free individual and it is necessary to create wealth. Market process being non-coercive is more efficient than planning in producing harmony among men's economic activities. It is in this sense market may be considered as the basis of a spontaneous social order. Neo-liberals support democracy, but consider it exclusively as means of choosing representatives and governments under condition of reasonable transparency and competition. At the same time they have certain reservations about democracy and want to restrict its scope as much as possible. They argue that democracy generates ideas and expectations which if acted upon can undermine the principles of a market order. Democratic concepts such as popular sovereignty and mandate indicate that will of the people should get priority over everything. But for neoliberals reality of the market is much more important than the will of the people. Politicians have a tendency to raise expectation during election, then lower them afterwards. This in turn leads to widespread disillusion and cynicism about politics. Hayek and other neoliberals propose reduction of scope of democracy as much as possible. Hayek advocates the idea of creating an institutional structure for democracy which limits the power of the mob and entrusts power to the informed and the judicious. 2.7 Egalitarian Liberalism Over the course of the last four decades there has emerged a distinctive brand of liberal political theory called egalitarian liberalism. It is primarily concerned with the issue of distributive justice, that is how the benefits and burdens of social cooperation

NSOU CC-PS-01 _____ 27 are to be distributed. Egalitarian liberals believe that liberty and equality are compatible political values and that the demands of these two values should be taken seriously when considering what the just division of burdens and benefits are. John Rawls in his major works, A Theory of Justice, and Political Liberalism has contributed to the elaboration of this perspective. His theory of justice may be explained as an attempt to combine liberal democracy, the market economy and the redistributive welfare state. He is critical of utilitarianism which employs net aggregate satisfactions to assess the fairness of public policy and institutions drawing upon the moral theory of institutions Drawing upon the moral theory of Immanuel Kant, Rawls argues that a just order should be based on the principle of the priority of right over the good. This version of liberalism is generally conceived as a particular form of ethical theory. It seeks to give priority to the interests of individuals as autonomous, rational and purposive agents. The egalitarian liberalism of John Rawls appears to be a device to create universal ground rules for society that permit a fair and equal opportunity for all in the context of a political order based on impartiality, relative inclusiveness and distribution of goods and services that works for the benefit of all and especially the least well off. For Rawls, a fundamental fact of our world is a pluralism of conceptions of the good. Many conflicting doctrines cannot all be true, but all may be reasonable, According to Rawls, liberalism is a reasonable response to the reasonable plurality of beliefs. This is political liberalism. It can operate as an 'overlapping consensus', shared by men loyal to comprehensive philosophies otherwise conflicting.

2.8 Critique of Liberalism Like any other theoretical tradition liberalism has had its critics. It has been denounced, rejected, revised and defended by leading writers. Thus, Laski while criticising liberalism for upholding the values of the bourgeoisie, laid emphasis on the liberal virtues of freedom and tolerance. Conservatives rejected liberalism's initial emphasis on liberation. They argued that liberalism's emphasis on the individual and his or her creative talents unsettled established order. Liberal theory is criticised for being blind to sources of power other than those found in the state. In the postwar period it is denounced for being too close to neo-colonialism.

28 _____ NSOU CC-PS-01 Marxists lay emphasis on the hidden dangers of liberalism. For them, liberalism delivers the exact opposite of what it claims to seek. Liberalism presents itself as a theory of freedom but is in fact one of coercion and exploitation. It pretends to be theory of inclusion when it in fact excludes. It is claimed to be a theory of equality, when in fact it justifies established patterns of inequality. Marxists condemn liberalism for working as an ideological justification for a competitive, property owning, free market capitalism and ignoring the interests of those incapable of surviving in such an environment. Critics argue that liberal ideas have been widely used for distinctly non liberal purposes in the actual history of developed democracies. Liberal languages have been employed intentionally to justify campaign for disenfranchisement, inequality in public service provision and racial segregation. Communitarians criticize liberalism for propagating false conception of the self. Liberals suggest that self is 'unencumbered, detached and separate from social ends'. Liberalism,

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therefore, threatens to degenerate into unrestrained egoism and is incapable of promoting cooperation.

Feminists attack liberalism for its failure

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to recognise the significance of gender differences and propagating a conception of personhood that is dominated by male traits and characteristics. Despite these criticisms it is

difficult to underestimate the historical importance and contribution of liberalism. During the last four centuries it has given many humanistic and democratic ideas. Almost all the issues of modern western philosophy have been connected with liberalism. It has provided inspiration to a multitude of political programmes and movements. It has influenced the discourses of a large range of political traditions in smaller or longer degree, It has propagated a secular vision built around some of the most persistent challenges of social and political life. In the twenty-first century liberalism is confronted with challenges from various sources. Growing ideological diversity, various forms of fundamentalism, resurgent nationalism based on ethnic purity, growing importance of multiple cultural identities have created a situation in which liberal tradition is suffering from a crisis of confidence. This is

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evident in the growing reluctance of liberals to present their ideas as universal.

John Gray argues that in the post modern situation liberalism will have to renounce any claim to universal authority and learn to live peacefully with rival cultures and world views.

NSOU CC-PS-01 _____ 29 2.9 Summing Up

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Liberalism was the product of the breakdown of feudalism and the growth of a market

society in

its place. Right from its inception, it has been continuously changing, adding something and discarding others. It began as a protest movement against the hierarchical and privileged authority and absolute monarchy. The main slogan of the protest was liberty in every sphere of life. There are several strands of the liberal tradition: Classical, Modern, Neoliberal and Egalitarian. Classical liberalism believed in the autonomy of the individual will and the rationality and goodness of the individual. Classical liberals defined freedom as absence of restraints. They believed in the inalienable right of the individual. In classical liberal view, state is an artificial institution based upon social contract. It is a necessary evil. Its role is to maintain law and order, and leave the individual free. The development of industrial capitalism necessitated a thorough going revision of liberal theory. The revision was carried out by J. S. Mill, T. H. Green, L. T. Hobhouse, Hobson, Harold Laski, Barker among others. Modern liberals attempted to reconcile the interest of the individual with that of society so that the essentials of the capitalist system could be preserved while removing its ill effects. For the modern liberals state is an instrument of development of human personality through social reform and welfare measures. This involved abandoning the policy of laissez-faire and adopting the principle of the welfare state. In the last three decades of the 20th century there has been a sustained attempt to limit the role of the state in the economy and society and glorify the role of the market. It has brought into existence a new version of liberalism, called neoliberalism. It asserts the primacy of liberty. For the neoliberals market is the embodiment of freedom. They attempt to set up an unbreakable bond between freedom, the market and efficient pursuit of policies and programmes. Egalitarian liberalism associated with John Rawls

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is based on the belief that social inequality can be justified only if it is of benefit to the least

advantaged. It is primarily concerned with the issue of distributive justice.

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Questions : 1. Discuss, the origin and development of liberalism as a distinct theoretical tradition. 2. Examine the distinctive features of classical liberalism. 3. Discuss the neoliberal theory of the nature and function of the state. Long

Questions : 1. Trace the evolution of modern liberalism. 2. Examine the liberal approach to individual liberty. 3. Make a critical assessment of liberalism as a political tradition. Short Questions : 1. How would you define liberalism? 2. How is liberalism linked to capitalism? 3. Write a short note on egalitarian liberalism. 2.11 Further Reading 1. Gray, John.

Liberalism, 2nd edn. (Milton Keynes : Open University, Press, 2000) 2. Heywood, Andrew, Political Ideologies. (Palgrave, Macmillan, 2003) 3.

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Freeden. M. Sargent, L. T. and Maresteas. (ed) The Oxford Handbook of Political Ideologies. (Oxford : Oxford University Press, 2013) 4.

Bhargava, Rajeev and Acharya, Ashok, Political Theory. An Introduction. (Delh : Pearson, 2019) 5. Freeden, M. Idologies and Political Theory. (Oxford : Oxford University Press, 1996)

NSOU CC-PS-01 _____ 31 Unit 3 □□□□ Marxist Theory
Structure 3.0 Objective 3.1 Introduction 3.2 What is Marxism? 3.3 Sources of Marxism 3.4 Basic Principles of Marxism 3.4.1 Dialectical Materialism 3.4.2 Historical Materialism 3.4.3 Class Struggle 3.4.4 Theory of surplus value 3.4.5 Revolution 3.4.6 Dictatorship of the Proletariat 3.4.7 Communism 3.5 Different Strands of Marxism 3.5.1 Orthodox Marxism 3.5.2 Western Marxism 3.5.3 Post Marxism 3.6 Critique of Marxism 3.7 Summing Up 3.8 Probable Questions 3.9 Further Reading 3.0 Objective In this unit students will read theory of Marxism, propounded by Karl Marx and others. The basic principles of Marxism and different strands of Marxism are discussed at length. After reading this unit they will be familiar with: • Sources of Marxism • Basic Postulates of Marxism

32 _____ NSOU CC-PS-01 • Different versions of the Marxist tradition • Limitations and contemporary relevance of Marxism 3.1 Introduction Marxism constitutes one of the most lively and influential currents of modern thought. It has constituted the principal alternative to the liberal tradition. It is not a closed and completed system. It is an evolving tradition and has assumed a great variety of forms. It has developed by responding to intellectual challenges from critics as well as sympathisers and attempting to explain and understand changes in the social world. 3.2 What is Marxism? There is no simple answer to the question: What is Marxism? It has been defined differently; as a comprehensive world view, as a philosophical outlook, as an ideology of the proletariat, as a social movement, as a science of society and social change. Russian Marxist Plekhanov defined Marxism as a total world view. For him Marxism is an explanation of the world from the materialist perspective. According to Emile Burns, Marxism is a general theory of the world and of human society. For him, Marxism refers to the ideas which Marx together with Friedrich Engels developed during the middle and latter part of the 19th century. However, Marxism is not simply an ideology or a philosophical world view. It is an aggregate of some definite theories which explain human society, its development and transformation. Lenin defined Marxism as the system of views and teaching of Marx. Recent Marxist scholars like Althusser view Marxism as a science which seeks to uncover the truth lying behind the visible social world. It seeks to explain social life of man and its transformation scientifically. However, Marxism does not mean exclusively the ideas of Marx. It includes ideas of Marx, Engels and their followers who call themselves Marxists. Marxism is constantly being developed keeping in view the changes occurring in the real world. 3.3 Sources of Marxism Marxism emerged as a distinct theoretical tradition in the mid 19th century. It is

NSOU CC-PS-01 _____ 33 a combination of all those best created by men in the world of science, knowledge and philosophy. According to Lenin, it is the lawful successor to the best that has been created by humanity in the 19th century– German Philosophy, English Political Economy and Utopian Socialism. Late 18th and early 19th century was the golden age of philosophical thinking in Germany. During this period Kant and Hegel gave idealist philosophy an absolute form. Ancient philosophers considered truth as absolute. For them truth is one and the same in all ages. Rejecting this view Hegel argued that truth can never be absolute. Nothing is eternal and everything is in a state of flux.

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The driving force of change is the dialectic, a process of interaction between competing forces. Infact progress is the consequence of internal conflict. In Hegel's formulation this explains the movement of the world spirit towards self realization through conflict between a thesis, and its opposing force, an anti-thesis producing a synthesis, which in turn constitutes a new thesis.

This process keeps on repeating itself and historical changes occur through this process. In this dialectical movement of human history ideas are conceived to be principal causes of historical changes. Marx, according to Engels,

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turned Hegel on his head by investing Hegelian dialectic with a materialist interpretation.

Dialectical changes are not due to ideas but material conditions. Ideas are the product of material conditions of society. Marx got this insight from Feuerbach's writings. Feuerbach was a staunch critic of Hegel's idealism. According to him nature exists independently of human consciousness. Man is a creation of nature. Nothing is real outside nature and religion also is not real. It is a creation of man's imagination. Alienated from himself man creates religion which ultimately controls his life. In Feuerbach's materialism there was no role for consciousness in the process of man's interaction with the material world. His materialism was mechanical. Marx modified Feuerbach's formulation and made it the basis of his philosophical theory. Marx's materialism aimed to do more than interpret the world. It aimed to be intellectually adequate to the practical task of changing the world. English political economy constitutes the second intellectual source of Marxism. Labour theory of value has been derived from the British Political economists of the 18th and 19th centuries. According to this theory the value of every commodity is determined by the quantity of socially necessary labour spent in its production. According to Marx, British political economists had analysed relations between different commodities and for them value of a commodity simply expresses this relation. But in reality value of a commodity expresses relations between different

34 _____ NSOU CC-PS-01 men. Exchange means exchange of labour and labour, under capitalist system is a commodity. Marx made a threadbare analysis of economic ideas of British Political economists and constructed his theory of surplus value on that basis. French socialism constitutes the third intellectual source of Marxism. Socialist ideas emerged in France during French Revolution and immediately after it. Babeuf and his associates propagated theory of communist society. They wanted to establish revolutionary dictatorship of the working class. Saint Simon and his followers felt the need for tackling the problem of inequality in industrial capitalism. French socialists had fair understanding of the competitive character of capitalism. They raised the question of social transformation and suggested reorganization of society according to rational principles of production and distribution. However, they could not indicate a real way out. They failed to explain the essence of wage slavery and discover the laws of social development. They could not identify the social force capable of becoming the creator of a new society. However, Marx became familiar with socialist ideas in embryonic form from their writings. Saint Simon's concept of stateless society free from exploitation influenced him. Similarly, Fourier's analysis of division of labour in bourgeois society and Proudhon's economic analysis of private property earned his respect. 3.4 Basic Principles of Marxism The basic principles of Marxism are: dialectical materialism, historical materialism, class struggle, theory of surplus value, revolution, dictatorship of the proletariat and Communism. 3.4.1 Dialectical Materialism Dialectical materialism is the scientific methodology developed by Marx and Engels for the interpretation of human history. The word dialectic was used by the Greek philosophers to denote a method of discovering truth. German philosopher Hegel made scientific use of the term dialectic. For him, dialectic is the method by which human history is unfolded. Historical changes take place in a dialectical process. He developed the trilogy of thesis, anti-thesis and synthesis. Every stage of growth is characterized by contradictions. These contradictions induce further change, progress and development. Thesis is challenged by its anti-thesis. Both contain elements of truth and falsehood. The false elements constitute contradictions. The true elements of both the thesis and anti-thesis are fused together in a synthesis. The

NSOU CC-PS-01 _____ 35 evolved synthesis in course of time becomes a thesis and it is again challenged by its opposite, antithesis, which again results in a new synthesis. This process continues until the stage of perfection is reached. According to Hegel, in this dialectical movement of human history ideas are conceived to be principal cause of historical process. Dialectical change in history takes place under the impact of ideas. In Marx's view, Hegel's dialectic was standing on its head and he put it on its feet. For Hegel, ultimately it is the idea which matters and other things are its reflection. Marx replaced idea with matter. According to him material forces constitute the base and idea is a part of the superstructure. The material forces determine the idea and not vice-versa. The fundamental laws of dialectical materialism are: (a) the law of the transformation of quantity into quality, according to which gradual quantitative changes; give rise to revolutionary qualitative changes. (b) the law of the unity of opposites, which holds that the unity of concrete reality is a unity of opposites or contradictions; and (c) the law of negation of the negation, which claims that in the clash of opposites one opposite negates another and is in turn negated by a higher level of historical development that preserves something of both negated terms. 3.4.2 Historical Materialism Historical materialism is the application of the principles of dialectical materialism to the study of human society. It constitutes the social scientific core of Marxist theory. Historical materialism starts from the view that in order to survive human beings collectively work on nature to produce the means to live. There is a division of labour in which people not only do different jobs, but some people live from the work of others by owning the means of production. Marx gave pride of place to the production of material life in the investigation of social structure and historical development.

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In his preface to a Contribution to the Critique of Political Economy

Marx argues that economic structure of society, constituted by its

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relations of production, is the real foundation of society. It is the basis on which rises a legal and political superstructure and to which correspond definite forms of social consciousness. The

economic structure of society contains social relations of production as well as forces of production. A mode of production is a relationship between forces of production and relations of production. As the society's productive forces develop, they clash with existing relations of production. Capacity to produce expands but ownership of the means of production contracts, The result is maladjustment which is built in. Then begins an epoch of social revolution. The conflict is resolved in favour of the productive forces and new

NSOU CC-PS-01 relations of production emerge whose material precondition have matured in the womb of the old society. Thus, different socio-economic organizations of production which have characterized human history arise or fall as they enable or hinder the expansion of society's productive capacity. It is to be noted that this is not technological determinism. Technology functions within a social context. Its ultimate source is human labour and inventiveness and what makes it important is the character of the production process. For Marx the super structure is derived from the base. But in each social formation more specific laws govern the precise nature of the general derivation. Marx's theory does not view the superstructure as an epiphenomenon of the economic base. It is because a superstructure is needed to organize and stabilize society that the economic base brings about those institutions that are best suited to it. In fact, one of the fundamental tenets of historical materialism is that superstructure affects or reacts back on the base. Marx designates the Asiatic, ancient, feudal and modern bourgeois modes of production as the major epochs in humanity's advance. However, these mark the general stages of socio-economic evolution-as a whole. These are not the steps which history obliges every nation without exception to climb. Marx did not attempt to indicate a series of successive stages through which all societies without exception must pass in sequence. He denied propounding any historico-philosophical theory of social development imposed by fate upon every people.

3.4.3 Class Struggle The theory of class struggle is a corollary of historical materialism. While historical materialism contains the theory of social change, theory of class struggle describes its mechanism. According to Marx, the history of all hitherto existing society has been history of class struggle. He wanted to prove that class struggle has been the permanent feature of human history. Except the primitive communist stage, all historical ages have been characterized by the antagonism between the dominant and dependent classes. It is the result of exploitation by the property owning class of the property-less class. The interests of the contending classes are irreconcilable. It is resolved through a social revolution. The inherent contradictions of contending classes of every epoch can be resolved only through the abolition of the exploiting classes.

Marx developed the theory of surplus value to explain the whole phenomenon of exploitation in the capitalist society. In simple term surplus value is what is normally called profit. The theory of surplus value is rooted in the labour theory of value. Value of a commodity is nothing but crystallized labour. Surplus value arises because some part of the worker's labour is not paid to him. The major share of profit is appropriated by the capitalists. Surplus value is the difference between market value of commodity and the wage paid to a labourer for creating this value. According to Marx, capital is the vampire that sucks the blood of the worker. With the growth of capitalism and the rise in competition, the wages of the workers continue to fall. Cut throat competition leads to deterioration of the lot of the proletariat. This intensifies class struggle and eventually leads to revolution.

3.4.5 Revolution According to Marx, social revolution takes place when the existing relation of production begin to act as a fetter on the further development of the forces of production. For him, the major political developments of the modern age are to be explained as the result of the long term social and economic developments in which new forms of economic exploitation and property ownership steadily develop. In the capitalist society quest for more profit intensifies exploitation of workers. This creates conditions for the organization of the workers and awakening of class consciousness in the ranks of the proletariat. Revolution occurs to resolve contradictions between the forces of production and the relations of production.

3.4.6 Dictatorship of the Proletariat The proletarian revolution will lead to the establishment of the dictatorship of the proletariat. This is a necessary prelude to communism. The transient dictatorship is necessary for finishing the tasks of revolution. It is a quasi-state which will function as the representative of the revolutionary working class. It will expropriate the bourgeoisie, centralize all means of production and increase total production as rapidly as possible. In short, the proletarian state will follow revolutionary measures leading to the complete destruction of capitalism. The bourgeoisie will try to stage a counter revolution to restore the old system and so the coercive institutions of the state are needed to restrain the bourgeoisie.

3.4.7 Communism Communism is the central political idea of Marx's theory. It is a social conception with a philosophical and historical meaning. For Marx, communism is the positive

38 _____ NSOU CC-PS-01 abolition of private property, of human self-alienation and thus the real appropriation of human nature through and for man. It means that communism abolishes private property in such a way as to move humanity to a more advanced stage of historical development. It will return to men and women something from which they were previously estranged. Marx claimed that communism will resolve the conflict between man and nature. This is an extraordinarily utopian speculative claim. It means that communism will not be a stage of social development, since no further development will come after it. It will inaugurate a new era of human freedom. Communism will be a system of common ownership of the means of production. But it would not regress behind enormous historical advance for the human species represented by capitalism. It is this historical dimension that distinguishes Marx's conception of communism from previous one which were utopain. The historical possibility of communism is based on the revolutionary role that capitalism plays in developing the forces of production. 3.5 Different strands of Marxism Changing class relations, tremendous survival capacity of capitalism and application of Marxism in distinct and undeveloped societies have led to the rise of different strands Marxism. The following forms of the Marxist tradition are note worthy. 3.5.1 Orthodox Marxism Orthodox Marxism is closely linked to the experience of soviet communism and to the contribution of V. I. Lenin and Joseph Stalin. It was concerned with the issues of leadership, political organization and economic management. In fact 20th century is best understood as orthodox Marxism modified by a set of Leninist theories and doctrines. Lenin's central contribution to Marxism was his theory of the Vanguard Party. He argued that the workers under the influence of bourgeois ideas and values would not realize its revolutionary potential. By itself the proletariat could not go beyond trade union consciousness. Hence, a revolutionary party duly armed with a revolutionary theory was needed to serve as a vanguard of the working class. This would be tightly knit party of professional and dedicated revolutionaries capable of exercising ideological leadership. The party was to be based on the principle of democratic centralism, a belief in freedom of debate coupled with unity of action. In Imperialism: The Highest Stage of Capitalism, Lenin analysed colonialism as
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an economic phenomenon and highlighted the possibility of turning world war into class war.

According to him, a new and final epoch of capitalism had emerged in which competition is replaced by monopoly and the concentration of capital and class antagonism had reached their extremes. Whole world had been subjected to the parasitic exploitation of the most powerful capitalist states. Capitalism, in the imperialist stage had become parasitic, oppressive and decadent. It had simplified the task of bringing the whole economy under society's control and created a complete material basis for socialism. Stalinism Stalin made Marxism more dogmatic. He was no great theoretician. Stalinism refers to a distinctive politico economic system. His

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most important ideological shift was to propound the doctrine of 'Socialism in one country'. He proclaimed that Soviet Union could succeed in building socialism without the need for international revolution. This clearly distinguished

his position from that of Marx and Lenin who had deep commitment to internationalism. This doctrine

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dictated the drive for industrialization, and collectivization, justified by the need to resist capitalist encirclement and to eliminate kulak as a class.

Maoism Maoism is usually understood as an anti-bureaucratic form of Marxism that places its faith in the revolutionary zeal of the masses. As a political theorist Mao Ze Dong accepted Marxism-Leninism to the needs of a predominantly agricultural and traditional society. Mao's concept of the mass line introduced an element of democratic participation from below under party guidance, which was wholly absent in the soviet tradition. His ideas regarding the participation of the bourgeoisie in the revolution before and after 1949 integrated non-proletarian elements into the revolutionary process in China to a degree which was carried a step further by synthesis between national and social revolution in Asia. He launched a great war on bureaucracy and thus, placed the agenda for the future. He tried to combine the principle of working class leadership over the peasants with the conviction that the centre of gravity of chinese society was to be found in the country side and the peasantry must play an active part in building a new socialist China.

3.5.2 Western Marxism

Western Marxism is a term used to describe a wide variety of Marxist theoreticians

40 _____ NSOU CC-PS-01 based in western and central Europe. It arises from the uniform defeat of the working class movements and emergence of fascist forces in western Europe in the inter-War period. It challenged Soviet Marxism and shifted the emphasis from political economy and state to culture, Philosophy and art. Some of the important spokes persons of this tradition are Rosa Luxemburg, George Lukacs, Karl Korsch, Antonio Gramsci, Theodor Adorno, Herbert Marcuse, Walter Benjamin, Louis Althusser and Jurgen Habermas. It has led to the emergence of a number of distinct schools of thought such as Austro-Marxism, the Frankfurt School, Structural Marxism, Analytical Marxism and Post-Marxism. The philosophical orientation of western Marxists implied principles which conflicted with Leninism. They relied more on councils and other forms of self management rather than the Vanguard Party. Western Marxists identified alienation, fetishism and ideology as important issues before the working class movement. Basic texts of the second international and Soviet Marxism, treated Marxism as a universal science of history and nature. Western Marxists opposed this trend arguing that such positivist approach undermined the critical categories of subjectivity and class consciousness. Marxism according to them, was not a general science but a theory of society. Opposing positivism and crude materialism inherent in Soviet Marxism, Western Marxists argued that Marxism was primarily a critique of Political economy. Lukacs viewed Marxism as committed to the emancipation of the working class from the rule of capital. Western Marxism has tried to face the predicament of the revolutionary socialist movements in the west by advancing alternative explanations. The works of Antonio Gramsci has been pioneering in this regard. He

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drew attention to the degree to which the class system is upheld not simply by unequal economic and political power, but also by bourgeois hegemony.

This consists of

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the spiritual and cultural supremacy of the ruling class brought about through the spread of bourgeois values and beliefs via civil society.

Gramsci's analysis has drawn attention to the interaction of socialists in the sphere of civil society, ideology and popular cultures much more differently than earlier versions of Marxism suggested. Frankfurt school, whose leading members Theodor Adorno, Max Horkheimer, Herbert Marcuse and Habermas, attempted to

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recast the classical ideas of Marx while remaining faithful to certain Marxist principles.

The ideas of the Frankfurt school are generally referred to as

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critical theory, a blend of Marxist political economy, Hegelian philosophy and Freudian psychology.

They sought to reinvigorate and develop Marxism by highlighting the expansion of the state into more and more NSOU CC-PS-01 _____ 41 areas, growing interlocking of base and superstructure, the spread of "culture industry" and the development of authoritarianism. Their primary purpose was to expose the particular social basis of apparently anonymous domination and identify the forces responsible for preventing people from attaining consciousness of themselves as subjects capable of positive action. French Marxist Louis Althusser developed a form of structural Marxism. According to him Marxist theory is concerned essentially with the structural analysis of social totality. The object of such analysis is to disclose the deep structure which underlines and produces the visible phenomena of social life. Analytical Marxism associated with John Elster and John Roemer, has attempted to fuse Marxism with methodological individualism. They do not believe that history is shaped by collective entities like class. They

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attempt to explain collective action in terms of rational calculation of

individual self-interests. 3.5.3 Post-Marxism Post-Marxism may be seen as a progressive movement away from economism and objectivism towards a greater emphasis on context, politics and hegemony. It is

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an attempt to salvage certain key Marxist insights by attempting to reconcile Marxism with aspects of post-modernism and post-structuralism. Ernesto Laclau and Chantal Mouffe contended that the priority traditionally accorded

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social class and the central position of the working class in bringing about social change is no longer sustainable.

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The advent of new social movements is seen as evidence of the fact that power in contemporary societies is increasingly dispersed and fragmented. The

new social movements offer new and rival centres of power. The class based politics has been replaced by a new politics based on democratic pluralism. 3.6 Critique of Marxism Marxism has changed out of all recognition in the last few decades. Marxism has been questioned not only by critics but also by Marxists. Critics argue that it has simplified the class division of society into two classes- owning class and the workers. This is far from the reality. Society is very complex and is divided into numerous groups. There is no clear cut division of classes as envisaged by classical Marxism. Marx's prediction that with the development of capitalism middle class would disappear and merge with the proletariat did not come

42 _____ NSOU CC-PS-01 true. In reality middle class has been strengthened both in size and position. The condition of the working class has not deteriorated as predicted by Marx. Marx predicted that the inherent contradictions of capitalism would ultimately lead to its destruction. This again has not been corroborated by facts. Indeed capitalism has shown tremendous capacity for adaptation. Similarly Marx's argument that proletarian revolution would occur only in advanced capitalist societies has been proved false. In fact, revolution did take place in undeveloped societies of Russia and China. One of the major reason for the theoretical critique of Marxism is that economism, determinism and structuralism did not offer a convincing explanation of economic, social and political developments in contemporary societies. Economism emphasizes that economic relations determine social and political relations and thus, focuses on structural explanation, allowing very little space for agency. Empirical analysis indicated that economic relations of production did not determine culture and ideology or the form of the state. Developed capitalist countries at similar stage of economic development have different more or less democratic or authoritarian form of state. Examination of the politics of capitalist states showed that policy decisions did not always advance the interests of the owner of capital. States clearly have autonomy. Marxists have aimed to theorise that autonomy by developing the concept of relative autonomy of the state and by dropping determinacy altogether. Some claim that Marxism is dead. The collapse of communism, the triumph of capitalism. New Right ideology and post-modernism have all been credited for the death of Marxism. There is no doubt that Marxism is in crisis. At the same time it is a living theoretical tradition. One cannot find all truth in the works of Karl Marx writing some hundred fifty years ago. It is a rich tradition and has undergone substantial change as it has struggled to reject economism, determinism and structuralism. It focuses upon the problems of capitalism and upon structured inequality which is the key feature of modern society at both the national and international level. It has great utility as a critical analytical framework and the collapse of communism and the changes that have occurred in capitalist society have revitalized rather than diminished its role. 3.7 Summing Up Karl Marx laid the theoretical foundations of scientific socialism. Lenin and Mao modelled their respective societies by adapting the principles of Marxist

NSOU CC-PS-01 _____ 43 theory to the conditions prevailing in their countries. In the process of doing so, they have enriched the Marxist theory and practice by adding new dimension and by offering diverse interpretations to the original Marxian formulations. Western Marxist, while differing with each other in matters of detail, share some common elements in their formulations. They underplay the Marxian doctrine of historical materialism, where the economic base determines the super structure. In stead, they emphasize the role of human consciousness will and culture. For them mere existence of the proletariat is not enough for a revolution to occur. They must develop the necessary revolutionary consciousness. They maintain that ruling classes are able to secure their Hegemony by imposing cultural norms and values on the masses. Ultimately it is Marx's writing and the extraordinary richness of his concep- tions of social and economic change which has provided inspiration for generations of Marxist intellectuals. Few would claim that Marxism has all the answers to the problems confronting contemporary societies. In many areas it has been found inadequate. But there is a legacy of critical social theory and analysis which remains a key resource for contemporary social scientists. 3.8 Probable Questions Essay Type Questions : 1. What is Marxism? Discuss its various sources. 2. What is Western Marxism? Examine its contribution to the Marxist theory. 3. Evaluate Marxism and examine its contemporary relevance. Long Questions : 1. Explain the meaning of dialectical materialism. 2. Critically examine Marx's theory of historical materialism. 3. Discuss Mao's contribution to the development of Marxism.

44 _____ NSOU CC-PS-01 Short Questions : 1. What is surplus value? 2. Explain the concept of class struggle. 3. Write a short note on communism. 3.9 Further Reading 1. Avineri S. The social and political thought of K. Marx. (Cambridge : Cambridge

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University Press, 1968) 2. Kolakowski, Leszek, Main Currents of Marxism, 3 Vols. (Oxford : Oxford University Press. 1978) 3.

Mclellan, David. Marxism After Marx. (London : Macmillan. 1974) 4. Bottomore, Tom et al (eds) A Dictionary of Marxist Thought. (Oxford : Basil Blackwell 1987)

NSOU CC-PS-01 _____ 45 Unit 4 □□□□ Anarchist Theory
 Structure 4.0 Objective 4.1 Introduction 4.2 Origin and development 4.3 Core elements of anarchism 4.4 Different versions of Anarchism 4.4.1 Individualist anarchism 4.4.2 Collectivist anarchism 4.5 Assessment 4.6 Summing Up 4.7 Probable Questions 4.8 Further Reading 4.0 Objective This unit introduces students to the anarchist tradition. After going through this unit they will be able to understand and explain the following: • Nature of anarchist theory; • Origin and development of anarchism; • Core elements of anarchism; • Different strands of anarchist tradition; and • Anarchist methods. 4.1 Introduction It is difficult to explain anarchism precisely. Some scholars have raised doubt about the possibility of providing a satisfactory definition of anarchism. This is because of the impossibility of identifying common features from among the different versions of anarchism. Even though some relatively stable principles may
 46 _____ NSOU CC-PS-01 be identified from different accounts of anarchism, commentators differ in their opinion as to which are the core ones. Besides, the term anarchism has often been used in a negative sense. It was initially used to imply breakdown of civilized order. In popular perception it is equated with chaos and disorder. Sometimes its opponents deliberately associate it with any number of social ills to discredit it. Anarchists, however, vehemently contest such associations. It was after the publication of Pierre Joseph Proudhon's book What is Property? that the word anarchism came to be

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associated with a positive set of political ideas. Anarchists propagate the idea of abolition of government and law in the belief that a more natural and spontaneous social order will

emerge. Similarly the attempt to link anarchism with violence is simply misrepresentation of the ideology. Most anarchists believe that violence is counter productive and unacceptable. 4.2 Origin and Development Although anarchist principles were first systematically stated in the late eighteenth century in William Godwin's book Enquiry Concerning Political Justice, the roots of anarchist ideas had their roots in the distant past. The stoic philosophers of ancient Greece expressed doubts about the efficacy of political institutions and favoured creation of a social condition in which men will act freely in response to the natural instinct of sociability and justice. In the medieval age some religious sects advocated that professing and practicing christian ideas and values were adequate to the task of maintaining a free and fair civil life. In the 16th and 17th century anti monarchists propagated the idea of free individual. In 18th century England the Levellers and Diggers interpreted the law of nature as endowing human individuals with innate and inalienable rights which legal and political institutions protect. In France the physiocrats believed in a natural order of society. Economic individualism reflected in the works of Adam Smith and socialist theory regarding exploitation of the workers in modern society significantly influenced anarchist thinking about man and society. The word anarchism came into vogue during the French Revolution when there was practically no authority to enforce rules and regulations and the people had no faith in the existing legal system. The term anarchism was used to explain this situation. William Godwin in his Enquiry concerning Political justice gave classic statement of anarchist principles. He opposed both political authority and the institution of private property. He argued that state power corrupts and misleads people. Pierre Joseph Proudhon described property as theft and maintained that state originated

NSOU CC-PS-01 _____ 47 from the need to protect private property. According to him, political authority is an enemy of justice and reason. Russian anarchists Michael Bakunin and Peter Kropotkin contributed significantly to the development of anarchist theory.

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Bakunin's anarchism was based on a belief in human sociability,

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expressed in the desire for freedom within a community of equals. He propounded a view of free individuals which put him at odds with

Karl Marx and his followers. Kropotkin's anarchism was based upon a theory of evolution. Mutual aid, he argued, is the principal means of human development and this constitutes the empirical basis for both anarchism and communism. State for him, is a coercive institution and need to be replaced by a web of freely functioning groups. Russian novelist Tolstoy gave a new dimension to anarchist thinking by emphasizing the principles of non-violence and pacifism.

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In his writings he developed the image of a corrupt and false modern civilization. He believed that salvation could be attained by living according to religious principles and returning to a simple rural

life. In the early 20th century anarchism became a genuine mass movement in Europe and Latin America. However, the growth of authoritarianism and political repression associated with it gradually undermined anarchism in both the continent.

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The influence of anarchism also subsided with success of Bolshevik revolution in Russia and the growing prestige of communism within the revolutionary movements. 4.3

Core elements of Anarchism Anarchist thinkers have stated the theory in their own way which have created a lot of confusion. Its supporters have drawn upon elements from different political traditions. It has been regarded as a conjoining of liberal individualism with socialist egalitarianism. There are a number of different formations of anarchism and commentators argue that there are no common features ascribed to anarchism. However, anarchist thinkers share certain broad principles which constitute the core elements of the theory. Andrew Heywood identifies four core elements of anarchism. These are: anti-statism, natural order anti-clericalism and economic freedom. Anti-Statism Anarchism regards the state as undesirable, unnecessary and harmful. Hostility to the state is shared by all anarchist thinkers. The state is without any natural or

48 _____ NSOU CC-PS-01 historical justification and it is opposed to man's natural cooperative instinct. They argue that state authority is based upon political inequality and it enslaves, oppresses and limits human life. It is based upon compulsion, fear, egoism and exclusion. Anarchists argue that government and law represent negative and destructive forces. Law can control every sphere of individual life and thereby prevent the development of individuality. According to US anarchist Emma Goldman government is symbolized by the gun, the handcuff or the prison. For the anarchists, state is in effect a concentrated form of evil. Natural Order Anarchists in general support the view that human beings are essentially rational. They believe that people are naturally inclined to organize their lives in a peaceful and harmonious fashion. Anarchists of all shades believe in the natural goodness of the mankind. They maintain that social order arises naturally and spontaneously and this makes machinery of law and order unnecessary. However, anarchist thinkers acknowledge

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that human beings could be selfish and competitive as well as sociable and cooperative

depending on the social, political and economic circumstances within which they live. Anti-Clericalism Hostility to the organised religion constitutes third core element of anarchism. The Church obliges poor persons to reconcile their lot with a system which brings them sorrow and degradation. Anarchists argue that emancipation of the human being demands rejection of christianity. Religion and political authority often work in unison. Religion, they maintain, is one of the pillars of the state. Moreover, religion seeks to establish a code of acceptable behaviour and in the process destroys moral autonomy of the individual and their capacity to make independent judgement. Despite their hostile attitude to the organised religion anarchists profess a positive view of the religious impulse. They have utopian faith in the unlimited possibility of development of the human self and in the unity of all living things. Economic Freedom Anarchists are united in their disapproval of the prevailing capitalist system. They are highly critical of managed capitalism of the post war era. State intervantion in the name of giving capitalism a human face, actually strengthens the system of class exploitation. They vehemently oppose Soviet style state socialism and planned

NSOU CC-PS-01 _____ 49 economy. Individualist anarchists argue that planned economy violates property rights and individual freedom. For the collectivist anarchists state socialism is self contradictory in the sense that state itself becomes the source of exploitation replacing the capitalist class. Anarchists prefer an economy in which individuals freely manage their own affairs without state regulation. 4.4 Different versions of Anarchism There are a number of different versions of anarchism. The most important of these are individualist anarchism and collectivist anarchism. 4.4.1 Individualist Anarchism There are many different types of individualist anarchism. Philosophical anarchism of Willian Godwin captures many of the core features of classical liberalism. It prefers absolute prohibition of coercion in order to protect the negative rights of the individual, Consensual agreements among individuals is the only legitimate basis of human interaction. Willam Godwin developed an extreme form of liberal rationalism. According to him, human beings are essentially rational creatures. Education and enlightened judgement propel them to live in accordance with truth and universal moral law. Unlike liberals, individualist anarchists regard constitutionalism and democracy as simply facade to hide political oppression. Max Stirner developed an extreme form of individualist anarchism on the basis of his idea of sovereign individual. The individual should act as he or she chooses ignoring law, conventions, religious or moral principles. Liberatarians like David Thoreau, Benjamin Tucker and Joseph Warren took individualist argument to a new height. Thoreau argued that government is an impediment to establish spiritual truth and self-reliance. According to him, individual should follow only the dictates of his/her conscience. For him demands of political obligation is secondary to the dictates of individual conscience. Benjamin Tucker believed that autonomous individuals could live and work together in peace

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through a system of market exchange. Warren claimed that individual right to property is supreme. However, they are forced to work with others to take advantage of division of labour. He believed that this could be achieved by

developing a system of labour for labour exchange. Tucker claimed that genuine anarchism is consistant with free market, free trade principles. Free working of the market forces will make government and law unnecessary.

50 _____ NSOU CC-PS-01 Another variant of individualist anarchism is anarcho capitalism. Its proponents vehemently oppose state intervention in the economy. Robert Nozick, a right wing libertarian, argued for

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a minimal state, whose principal function is to protect individual rights. Ayn Rand, Murray Rothbard and David Friedman pushed

further free market ideas. They argued that market can replace government and satisfy all human needs. The main target of anarcho, capitalist attack is state legislation that restricts self-ownership such as imposition of minimum health and safety regulations, paternalistic prohibition of drug, alcohol and tobacco, compulsory wearing of seatbelts or violating property rights by destructive welfare policies. 4.4.2 Collectivist Anarchism Collectivist anarchism, some times called social anarchism, is identified by its emphasis on human capacity to work together for common good. Because of their social and cooperative character natural and proper relationship among human beings is one of sympathy, affection and harmony. This makes government regulation unnecessary. Thus, collectivist anarchists reject state and state like bodies. For them state is a political form of hierachical institution which makes social solidarity impossible. State primarily functions to support property relations that support economic inequality maintained by a coercive apparatus. The main form of social anarchism are anarchist communism and anarcho syndicalism. Anarchist communism is historically associated with Errico Malatesta and Kropotkin. It is based on the optimistic belief about the human capacity for cooperation. Anarcho communists argue that since labour is social wealth created through human cooperation

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should be owned in common by the community rather than by any single individual. Private property is, in effect, the exploitation of workers by employers who merely own it.

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Kropotkin sought to provide a scientific basis for social solidarity by re-examining Darwin's theory of evolution.

He had a strong belief in the importance of the cooperative and altruistic features of human personality. He argued in his book Mutual Aid that cooperation is a vital force in human evolution which turns not upon competition and survival of the fittest. Anarcho communists believed that true communism demands abolition of the state. Kropotkin argued in terms of the abolition of the state and its replacement by a decentralized network of small self-sufficient communities based upon voluntary agreements. Anarcho syndicalism is most often associated with Emile Pouget, Rocker and Lucy Parsons. In the recent era Noam Chomsky is perhaps the most famous advocate

NSOU CC-PS-01 _____ 51 of anarcho syndicalism. Syndicalist ideas are an attempt to revise Marxism in the light of new experience gained from growing labour movement in Europe in late 19th and early 20th century. Anarcho Syndicalists developed the vision of stateless and classless society with the trade union as its base. They saw trade union or the syndicate as the foundation for a decentralized non-hierarchical society of the future. For them fierce class struggle is the technique of social change. General strike, sabotage and other kinds of direct action are the revolutionary instruments to exert working class power. The application of anarchist principles to the different contexts of oppression produces distinct forms of anarchism such as anarcho faminism, black anarchism and environmental anarchism. Anarcho-feminists seek new ways to identify, examine and confront male domination. Black anarchists seek structures that allow them to develop their own froms where they can share their experiences and meet as people from oppressed backgrounds. Such anarchist groups give priority to agents based on ethnicity rather than class. Environmental anarchists recognise the artificiality of the border of nation states and identify human subject as a part of, rather than separate from, the biosphere. They regard environmental problem as a product of oppressive human interaction. 4.5 Assessment Critics argue that anarchist ideas are mostly unrealistic. Anarchists put emphasis on the natural inclination of individuals for cooperation and harmony completely ignoring their self seeking and competitive impulses. They display immense faith in innate human rationality. But psychological research suggests that irrational forces are important determinants of human behaviour. Second, anarchist description of the state as a coercive institution is grossly exaggerated. It completely ignores the role of the state as the engine of development and provider of important welfare services. Third, anarchist idea of future stateless society with peace, harmony and unbounded individual freedom is a distant dream. It is viewed as the weakest aspect of anarchist theory. Liberty by its nature is limited. There must be restrictions on the liberty of each to ensure liberty for all. Fourth, critics argue that there is some truth in anarchist criticism of the present state of affairs in which there is misery, suffering and unemployment, but they advocate methods which are destructive. In this they suggest a remedy worse than the disease.

52 _____ NSOU CC-PS-01 However, anarchist theory has certain positive aspects as well. Anarchist thinkers have drawn attention to the dangers of growing power of the state. They have shown how modern state controls every aspect of individual life in the guise of democracy. They have rightly underscore the need for decentralization to check overgrowth of state power. Infact, in the contemporary increasingly complex and fragmented world anarchism with its emphasis on equality, participation and decentralization may be better equipped to respond to the challenges facing humanity. 4.6 Summing Up Anarchist ideal

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has been developed on the basis of two rival traditions: liberalism and socialism. Thus anarchism can be thought of as a point of intersection between liberalism and

socialism. Anarchists are uncompromising in rejecting all institutions of political control. Like the communists the anarchists are vehement critics of the institution of private property. They hold that private property by its very nature is an offence against justice. They are bitter critics of religion. Religion, they claim, supports servitude and inequality. The anarchists believe that the law of organic evolution is primarily a law of natural aid, not of conflict. Their ideal is a free society from which the coercive elements will disappear. The anarchist society will be based on purely voluntary cooperation. Two major anarchist tradition may be identified; one of which is individualist and the other is collectivist. Individual anarchists support the market and private property, while

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collectivist anarchists advocate an economy based upon cooperation and collective ownership. 4.7

Probable Questions Essay Type Questions : 1. Discuss the core elements of anarchist theory. 2. Discuss the basic arguments of the individualist anarchists. 3. Evaluate anarchism as a distinct theoretical tradition.

NSOU CC-PS-01 _____ 53 Long Questions : 1. Explain the anarchist attitude to the state. 2. Examine the anarchist concept of natural order. Short Questions : 1. Write a short note on anarchist view of individual liberty. 2. Write an essay on collectivist anarchism. 4.8 Further Reading 1. Heywood Andrew, Political Ideologies, An Introduction. (Palgrave, Macmillan, Basingstoke, 3rd ed. 2003) 2. Franks, Benjamin. "Anarchists" in Michael Freeden et al (

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eds) The Oxford Handbook of Political Ideologies. (Oxford : Oxford University Press, 2013) 3.

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Marshall, P., Demanding the Impossible : A History of Anarchism. (London : Fontana, 1993) 54

NSOU CC-PS-01 Unit 5 □□□□ Conservative Theory Structure 5.0 Objective 5.1 Introduction 5.2 Meaning of Conservatism 5.3 Features of Conservatism 5.4 Different versions of Conservatism 5.4.1 Reactionary conservatism 5.4.2 Radical Conservatism 5.4.3 Moderate Conservatism 5.4.4 New right Conservatism 5.5 Critique of Conservatism 5.6 Summing Up 5.7 Probable Questions 5.8 Further Reading 5.0 Objective After reading this unit students will be able to understand. • Multiple use of the term conservatism • Meaning of conservatism • Some general features of conservatism • Different versions of conservatism 5.1 Introduction

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Conservative ideas emerged in response to the rapid pace of social, political and economic change ushered in by the French Revolution.

It is generally viewed as an

NSOU CC-PS-01 _____ 55 ideology of status quo and an attempt to prevent change. However, theorizing about conservative ideology is no easy task. This is because it has assumed different meaning in different historical contexts. Thus, in the 19th century conservatives entertained a hierarchical and inegalitarian social structure, before the first world war some of them defended the older liberal tradition of atomistic individualism and a free market, and in the 1950s conservatives appeared reconciled to the redistributive welfare state.

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Conservative thought has varied considerably as it has adapted itself to

the existing traditions and national cultures. In spite of all historical variations it is possible to identify the basic principles on which conservatism is based. According to Clinton Rossiter, these principles are : (i) The existence of a universal moral order sanctioned and supported by organised religion. (ii) belief in the imperfect nature of men and their selfishness and greed for power; (iii) the natural inequality of men; (iv) the necessity of gradations of social status and position; (v) the primary role of private property in ensuring security and liberty of the individual; (vi) the uncertainty of progress; (vii) the need for a ruling and serving bureaucracy; (viii) respect for tradition, established customs and institutions; (ix) possibility of tyranny of the majority and the consequent need for diffusing, limiting and balancing political power. 5.2 Meaning of Conservatism The term conservatism convey different meanings. It may refer to a person with a moderate and

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cautious behaviour, or a lifestyle that is conventional, even conformist, or fear of

change. It is sometimes dismissed as an anti-ideology inspired by self- interest and fear of change with no coherent alternative of its own to offer. In this sense conservatism is a negative philosophy which preaches resistance to change. It is thus a political attitude rather than an ideology. For Samuel Huntington, conservatism is a positional ideology, lacking both an intellectual tradition and substantive ideals. In Michael Oakeshott's formulation, conservatism prefers

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familiar to the unknown, tried to the untried, fact to the mystery, the actual to the possible, the limited to the unbounds, the near to the distant, the sufficient to the

super abundant and the convenient to the perfect. In this sense conservatism is a psychological mood.

56 _____ NSOU CC-PS-01 In fact, conservatism is more than an attitude of mind, or an approach to life or a natural disposition of human mind. According to Andrew Heywood,

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conservatism is neither simple pragmatism nor mere opportunism. It is based upon a particular set of political beliefs about

man and the society in which

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they live in and the importance of a specific set of political values. Hence, like liberalism and socialism, it should rightfully be described as an ideology. 5.3

Features of Conservatism

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The desire to conserve is the underlying theme of conservative ideology though it is

not the sole objective which conservatives of all shades entertain. The characteristic features of conservatism as evolved over time can be identified in a following manner. First, conservatism is not an ideology of the status quo. It is not merely an attempt to prevent change and to arrest historical process. On the contrary. It is an ideology fundamentally concerned with the problem of change. It does not seek to eliminate change, but to make it safe. Conservatives identify desirable change as growth and 'natural'. They advocate only that change which is respectful of the past and safe. History as organic growth makes change acceptable because its pace does not exceed the ability of people to adjust to it and it does not appear to be instituted by human planning. In fact, conservatives try to set limits to the scope of political action. They advocate limited politics against a belief in the desirability of radical political and social change. Second, conservatives believe in the extra-human origin of the social order. It is independent of the human will. The search for harmony, equilibrium and order has adopted many forms-God, history, biology and science have served as extra-human factors of the social order. In the 19th century. Conservatives saw stability as a function of natural order, or hierarchy. In the early part of the 20th century their main concern was to identify immutable psychological principles of human nature which justifies property ownership as expressions of human worth. In the era of welfare statism and thereafter the appeal has been to scientific economic laws endowed with universal validity. The belief in the extrahuman origin of society has prompted conservatives to reject the concept of individual with free will and purpose. Conservatives question NSOU CC-PS-01 _____ 57 the rationality of artificial human design and planning. This amounts to marginalize the role of politics understood as a deliberate and purposive human activity. Roger Scruton has interpreted this marginalization of politics as "Political Scepticism". Third, conservatism is an ideology that attains self awareness when exposed by its ideological opponents. It reacts to them in looking glass manner. Karl Mannheim regarded conservatism as a counter movement and this fact makes it reflective. Much conservative theorising has developed in response to the spread of core liberal concepts of rationality, individuality, liberty and responsible power. Conservatives reject liberal concept of rationality because of its overcritical attitude. Rationality asserts the sovereignty of the individual. In the name of abstract logic it challenges existing authority. It holds out the hope that human will can refashion history in whatever ways human ideals may require. All these run counter to the conservative belief. They marginalize the liberal concept of rationality and individuality in the name of order, stability and continuity. Likewise they dismiss the idea of human perfectibility. They

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base their theories on the belief that human beings are both imperfect and unperfectible.

Citing French and Russian Revolution they argued against any attempt to reorganize society. History provides no clue to the future. History is not patterned. It is not a repository of grand law of motion. Rather, it is a repository of sensible rules of practice. All these conservative beliefs and values have been fashioned out of reactions to progressive ideological concepts. Fourth, the intellectual development of conservatism lies in the fact that the most recent antagonist dictates the form and tempo of its response. Its perceived enemies change contingently over time. Classical liberals, welfare liberals, socialists, fascists, communists whenever any ideological configuration is viewed as the most menacing source of externally induced change, conservatives came up with response which they believed to be most effective conceptual strategy. Thus, in the face of liberal appeal to individual rights and egalitarianism conservatives insisted on the virtues of paternalism and responsibility. Towards the end of the 19th century conservatives attacked liberal and socialist welfare policies by highlighting the importance of private property rights as anchor of the social order and reaffirmed the importance of traditional institutions as protectors of the nation against unprecedented social upheaval.

58 _____ NSOU CC-PS-01 5.4 Different versions of Conservatism The unifying theme of all shades of conservatives is to set limits to the scope of political action by identifying the ineradicable sources of tension at the heart of the human situation. However, different conservative thinkers have theorised the ideas of limit and tension in so different ways that they have given rise to incompatible version of conservative ideology Noel o'sullivan has divided them into four schools: the reactionary, the radical, the moderate and new right schools. 5.4.1. The Reactionary School The reactionary school is known for its outright rejection of modern radical and progressive thought. It is nostalgic about a pre-revolutionary golden age. Reactionary conservatives contended that no society can survive unless its political institutions are based on unified religious and moral values. Modern secular democracy inevitably destroy spiritual control by encouraging diversity of self-expression. This undoubtedly makes way for the emergence of some colossal tyrant. This possibility cannot be averted by the liberal tactics of granting more liberty, rights and new constitution- Religious reaction is the only hope in this situation. Radical argument that man can abandon religion and pursue happiness through creative activities, has created a spiritual void in modern democracies. Extending the critique of modern democracy reactionary conservative thinkers argue that linking modern democracy with capitalism legitimates a ruthless ethic of self seeking and thereby makes it difficult to achieve a consensus on fundamental values. It is argued that self-seeking ethic has replaced the old form of oppression by an aristocracy with oppression by a new business plutocracy. Egalitarian ideal of modern democracy has made it impossible to transmit a common cultural heritage to each new generation, which in turn has created spiritual rootlessness. T.S. Eliot described modern mass democracy as a 'waste land'. The reactionary critique of modern democracy is inspired by an essentially utopian vision of a perfectly harmonious hierarchical society. When this vision proves to be unattainable, their immediate response is to attribute its failure to conspirators, to demonise some groups or other. The condemnation of democratic modernity has led to their marginalisation in politics. They have responded to this situation either by advocating extraconstitutional

NSOU CC-PS-01 _____ 59 methods for overthrowing established order or by joining a revolutionary political party better placed to overthrow established order or by compromising with modern democracy by adopting a charismatic concept of leadership, capable of uniting the people in the face of divisive impact of representative institutions, or by abandoning politics altogether and confining them to purely private activities. 5.4.2 Radical Conservatism Radical conservatives profess completely different view of democratic modernity. Its members insist that to remain relevant conservatism must embrace democratic modernity positively. This can most successfully be done by mobilising the masses in support of a leader who rejects both liberal and socialist strategy in favour of an ideology which combines nationalism with socialism in a synthesis intended to integrate the whole population. Radical conservative thinkers were associated with Nazism in the inter war period. In the post war era they tried to make conservative school more respectable by adopting three intellectual strategies. First was the rejection of the leader principal in its individualised form. The second was rejection of nationalist doctrine in favour of a supranational idea of European unity. Third strategy was rejection of extra constitutional political methods in favour of the gradualist programme of mass political education. 5.4.3 Moderate Conservatism Moderate conservatism is characterised by support for a liberal idea of a limited state ruled by law, with representative institutions and constitutional checks on executive power. However, they reject abstract rationalist concepts used by liberals. However, moderate conservatives interpret their concept of limit in different ways, For Edmund Burke, the source of moderation is divinely ordained structure of the universe. He believed that society was shaped by natural law and this was reflected in the balanced constitution of Britain. The reason for British success is that British people have rejected abstract political ideal in favour of a constitutional polity working after the pattern of nature. If the

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human beings tamper with natural law, they are challenging the will of god and as a result they are likely to make human affairs worse rather than better.

Burke did not advocate

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blind resistance to change, but rather a prudent willingness to change in order to conserve.

He opposed any attempt to

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recast politics in accordance with abstract principles such as liberty, equality and fraternity.

According to him, wisdom resides largely in experience, tradition and history. Burkean conservatism is characterised by caution, moderation and pragmatism. The commitment of the moderate conservatives to the ideal of the limited state has proved difficult to defend because of its link to an organic vision of society. Conservatives have traditionally thought of society as an organism. An organic society is fashioned by natural necessity. Society has a natural tendency towards harmony provided it remains under the guidance of what Burke called 'natural aristocracy'. Coleridge, however, has shown greater realism by insisting that organic view of society would only be plausible if it takes account of the demand for political reform arising from the spread of the democratic sentiment and disruptive effects of the industrial revolution on social orders. He maintained that in the changed situation organic social order could only be achieved if the state adopted a far more interventionist role than Burke had envisaged. He also emphasized the need for restructuring the state in a way that allowed a shift of political power away from the aristocratic leadership towards the newly influential middle class. Similar sentiment was expressed in Carlyle's proposal for abolishing parliamentary government and promoting instead charismatic style of leadership to bridge the gap between the nation's institutions and its spiritual values. This could be done by articulating the unstated demands of the people. Disraeli advocated moderate revision of the organic view of society and it proved much more influential. Like Burke, he believed that no society is safe unless there is a public recognition of the provincial government of the world. He expressed the fear that growing industrialisation and economic inequality would divide Britain into two nations: the rich and the poor. This could only be averted by reducing hours of labour and humanising the working conditions of the labour. He supported the need for a more interventionist state and extending the suffrage beyond the middle class. Disraeli emphasised

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the organic conservative belief that society is held together by an acceptance of duty and obligations.

The rich must bear the burden of social responsibility. They have a responsibility for the poor. Similarly the ruler has a parental responsibility for the nation. Disraeli's ideas had considerable impact upon conservatism and in England

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these ideas provided the basis of what is called one nation conservatism.

NSOU CC-PS-01 _____ 61 In the 1960s in UK conservatives put emphasis

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on the need for a 'middle way' between the extremes of laissez-faire liberalism and socialism.

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This idea was most clearly expressed in Harold Macmillan's book 'The Middle Way'. Macmillan advocated planned capitalism

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which combines state ownership or regulation of certain aspects of the economy with the drive and initiative of private enterprise.

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The purpose of paternalistic conservatism is to consolidate hierarchy rather than to remove it.

In Continental Europe the so called middle way took the form of a social market economy. This is best expressed in the christian democratic ideal which combines socialist sympathies with a rejection of secular human culture and a conservative stress on authority and traditional institutions like the family and the church. 5.4.4 New Right Conservatism During the 1970s growing state power, rising inflation, increasing welfare dependency, family breakdown led to the development of a set of more radical ideas within conservatism, known as new right conservatism. This is not an intellectually homogeneous movement. O'sullivan identifies three conflicting responses to the breakdown of the social democratic consensus. The first response consists in the reformulation of the organic position. This is known as neo-conservatism.

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The principal concerns of the neo-conservatives are law and order, public morality and national identity.

Roger Scruton, Irving Kristol, Russel Kirk are the leading theorists of this kind. They believe that decline of authority has led to rising crime, delinquence and anti-social behaviour in the western societies. The situation can only be dealt with by strengthening authority relationships in the family, school and larger society. They expressed concern over the fall of moral and social standard that was undermining cohesion of society. Neo Conservatives want

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to strengthen national identity in the face of threats from within and without.

They want to restore national sentiment which is weakened by the growth of multi culturalism and cultural diversity. For Roger Scruton a shared sense of national identity is the only possible bond for modern European states, all of which are societies of strangers. According to him, restoring national loyalty will unite religion and culture in a way that will give concrete loyalty to the Burkean contract between the living, the dead, and the unborn.

62 _____ NSOU CC-PS-01 The second response of new right conservatism was based on defending the free market. F. A. Hayek was the most influential advocate of this version. He argued that there can be no middle way compromise between outright collectivism and the free market. He pointed to the inefficiency of a centrally planned economy. It is not possible to collect knowledge of the entire economic resources. In reality practical knowledge is necessarily dispersed throughout society and can only be coordinated by the market. Hayek put emphasis on custom and tradition, rather than planning as the principal force integrating the social order. The third response is the attempt to deal with the breakdown of the social democratic consensus by reviving the ideal of civil association. The essence of this ideal is to construct a form of political solidarity that depends only on the mutual recognition of civilized men and women. In a state of this kind different religious and cultural groups are at liberty to profess and practice their values without disturbing common peace. The government is only concerned with the limited task of securing peace to create the possibility of a civilisation. Michael Oakeshott is its most impressive philosophical proponent. 5.5 Evaluation Conservatism is too broad and has become too vague an ideology. Reactionary conservatives desires to pull the clock back is that it pursues a romantic vision of a social order that prevents any compromise with the realities of social order. Radical conservative's faith in a politically unaccountable national leader makes it unpopular in societies which have a strong democratic culture. Although radical conservatism claims to be a movement of national unification, in practice it offers no protection against a slide into totalitarian dictatorship. Similarly Burke's ambitions attempt to provide a theological ground for moderate conservatism entails a dogmatic claim to knowledge about God's plan for mankind. It also makes dogmatic claim that social and political hierarchy is divinely ordained. Critics argue that theoretical foundations of conservatism is not convincing. The very concept of sacred body of customs and traditions is historically unfounded. The use of organic metaphor for understanding society denies creative role of the individual in relation to his circumstances.

NSOU CC-PS-01 _____ 63 5.6 Summng Up Conservatism is an ideology of conservation. It developed essentially as a reaction against the growing pace of political and economic changes in the west. It is fundamentally concerned with the problem of change. As a philosophy it defends the values of tradition, hierarchy and order. Conserva- tism is characterized by support for tradition, order, duty, authority and property. Conservatives have traditionally put emphasis on the limitations of human rationality. Rejecting abstract principles they highlight the importance of experience, history and pragmatism. Conservatives do not have optimistic belief in the ability of political action to transform society into a rationally grounded order. However, they have theorised the ideas of limits of political action in different ways giving rise to different versions of conservative ideology: reactionary, the radical, moderate and the new right schools. Reactionary coservatives reject any idea of reform. They contend that no society can survive unless its political institutions are based on consensus on fundamental religious and moral values. Radical conservatives reject both liberal commitment to parliamentary institution and socialist emphasis on class conflict. They favour an ideology which would integrate the whole population. Moderate conservatism is more cautious and more flexible. It is characterised by the belief in 'change in order to conserve'. New Right comservatism is radically anti statist and anti paternalist drawing heavily from classical liberal themes and values. 5.7 Probable Questions Essay Type Questions : 1. What is new right conservatism? Explain its nature and characteristics. 2. Discuss the nature and characteristics of moderate conservatism. 3. Evaluate conservatism as a distinct theoretical tradition. Long Questions : 1. Discuss the characteristics of conservatism. 2. Examine the basic arguments of the reactionary conservatives. 3. Examine the core elements of conservatism.

64 _____ NSOU CC-PS-01 Short Questions : 1. Explain the meaning of conservatism. 2. What are the basic principles of conservatisms 3. Write a short note on neoconservatism. 5.8 Further Reading 1. Scruton, R., The meaning of conservatism. (Basingstoke : Macmillan, 2001) 2. O' Sullivan, Conservatism, in Michael Freeden et al (

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eds), The Oxford Handbook of Political Ideologies. (Oxford : Oxford University Press, 2013) 3.

Freeden Michael, Idcologies and Political Theory; A conceptual Approach Oxford : Oxford University Press, 1996) 4. Heywood, Andrew, Political Ideologies, An introduction. (Palgrave, Macmillan, Basingstoke, 3rd ed. 2003)

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NSOU CC-PS-01 _____ 67 Unit 6 Approaches to Political Theory : Normative Approach and Historical Approach Structure 6.0 Objective 6.1 Introduction 6.2 Normative Approach 6.2.1 Characteristics of Normative Approach 6.2.2 Limitations of Normative Approach 6.2.3 Relevance of Normative Approach to Political Science 6.3 Historical Approach 6.4 Criticism of Historical Approach 6.5 Summing Up 6.6 Probable Questions 6.7. Further Reading 6.0 Objective After studying the materials of this unit the learners will understand

• the difference between approach and method, • the characteristics and limitations of normative approach, • the characteristics and limitations of historical approach. 6.1 Introduction Political Science deals with an infinite number of political phenomena. These phenomena appear to have varied meanings, dimensions and implications. Persons with different persuasions and perspectives look at them differently, think of them differently, understand them differently and explain or analyse them differently and hardly there lies any substantial unity of outlook while taking those phenomena for

68 _____ NSOU CC-PS-01 understanding, explanation and analysis. What it indicates indeed is that there are several attitudes and approaches to understand and explain political phenomena and on the basis of inner trends and characteristics of each of these attitudes and approaches political narratives and counter-narratives have primarily grown. When the primary political narratives and counter-narratives get logically ordered and systematized, they give birth to political theories. This foregoing introduction leads us to state that there are various approaches in the domain of political science. By approach in particular, we mean, in the words of Vernon van Dyke, the criteria to employ in selecting the questions to ask and the data to consider relevant in political enquiry. Approach, in fact, denotes the scientific way of studying a subject. The term 'approach' contains a wider implication than 'method' does. In his Political Ideas and Ideologies, O. P. Gauba writes that method may be defined as a systematic study of

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the procedure of inquiry by which reliable knowledge could be obtained and reliable conclusions could be

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On the other hand, approach is a wider term which

comprehends not only method, but also the focus of our study in order to understand the given phenomenon. In political science, the political analysts use to accept and follow a criterion or a set of criteria for the purpose of understanding and explanation of political questions or political issues. In this sphere of politics and political science, the same issues or the same political questions are differently viewed and differently explained as different viewers or scholars have their own perspectives or standpoints and particular focus of attention from which they approach to do so. So there arises a variety of approaches to the study of political phenomena as there remains a variety

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of standards governing the inclusion and exclusion of questions and data

in political inquiry. Standard of values or inclinations to values are inherent in each of the varied approaches rife in the domain of political science. Contending standard of values or value preferences of the viewers and scholars lead to the birth of contending approaches which are found to be employed in understanding and analysing same political events and issues simultaneously. Again, it is important to note that an approach developed and grown in a particular period of time may incorporate many new aspects and dimensions. For example, both the liberal and Marxist approaches to the study of the subject-matter of politics and political science have thus developed much over the times by means of incorporating various new concepts and thoughts grown within their respective body of knowledge. In this unit we would discuss normative and historical approaches, which are thought to be the components of what is called the traditional approach to the study of political science.

NSOU CC-PS-01 _____ 69 6.2 Normative Approach As indicated earlier, the traditional study of politics as grown from the days of Plato is largely guided by normative approach. It is thus an old approach, but its trends are found in the political expositions of thinkers and theorists who belong even to the recent generation. The English term 'normative' is emanated from the Latin term 'norma' which etymologically means 'principle' or standard that is preferred. From this point of view, normative approach mainly lays emphasis on principles, ideals and values. It aims at, as Vernon van Dyke states, making a normative statement that is predominantly concerned with what 'ought to be' or 'should be'. In political inquiry, normative approach appears to avoid the questions that relate to 'what is'. Thinkers and theorists in political science are traditionally found engaged to prescribe the good and the desirable state of affairs in their attempt to describe and analyse the state, politics and political organizations. They are, in this realm of normative study, very much conscious in their scholarly devotion to establish norm and value in the place of norm and value they consider counter-intuitive and harmful. In Political Science : A Philosophical Analysis, Vernon van Dyke contends that normative statements always tend to express what is considered the most preferred and desirable. They are concerned not with the practical reality but the intrinsic value aspects reflecting the ends and the purposes. The exponents belonging to this trend are more concerned with evaluation of the issues, things and events that are political and try to find out the value and the moral content of the questions under their explanation and inquiry. They seek to make normative statements which express preference for building a particular order which is intended to become good, moral and ideal for the people. So the basic thinking of normative approach becomes the basis of moral priorities and it prefers good to bad. It discusses thus priorities in values. It is important to note that the great political philosopher and political theorists from Plato, Aristotle, Thomas Aquinas, Bodin, Locke, Rousseau, Machiaveli down to Green, Mill, Hobhouse, Marx and the many of the recent times such as John Rawls, Leo Starbuck, Hannah Arendt, Isaiah Berlin, Michael Oakeshott, Dante Germino, John Plamenatz, Robert Nozick etc. belong to this intellectual milieu, and they all have attempted to criticize and repudiate some existing value as enshrined in some political thought or theory and favour and establish some particular value or set of values they think beneficial for the community from their own standpoint. These great thinkers and theorists raise a few general questions in the course of their

70 _____ NSOU CC-PS-01 political inquiry and on the basis of their personal opinion grown out of their intuition, past experience, general doubt and scepticism, and after logically describing and analysing each of the questions, they come to moral conclusion. The political philosophers and theorists emphasizing norm and values in their respective enterprise have tried to solve the big moral problems concerning the rights and freedom of the individuals, power and legitimacy of the state, consent and obligation towards the authority, relevance and usefulness of revolution and change and etc. The answers and the solutions as advanced by or derived from these philosophers and theorists have their significant cumulative impacts as they have been the sources of enormous political literatures and discourses grown in the later days. Normative political science contends that it is not essentially bereft of any practical dimension or practical sense. In politics, norm and values are organically present in all issues and events in reality. All political activities found either in parliament or in public protests in the streets and grounds, or in the sphere of policy formulation and policy implementation are dictated or guided by some values to be established or reestablished. The judges in the judiciary work either to establish the constitutional values or to make new moral judgement which, in most cases, gets incorporated into the body of law. Again, in the sphere of undertaking any new research work or project in any field of knowledge, commitment to some value or purpose becomes evident, and it guides the scholar in all phases of his or her research, and the truth to which he or she reaches at the end entails some purpose for the society and the community. So politics can not avoid the relevance of values, on the contrary, it is a value or a set of values that constitutes the content and the realm of politics. It is politics that guides us to find out and accept the right and shun the wrongs. Values are part and parcel of a 'political man'. A man is 'political' because he does have values, and, on the basis of values he acquires the power and ability to differentiate good from the evil. So it is evident from the foregoing discussion that political inquiry and political analysis of political society, processes and institutions are not possible without their respective value relevance because politics essentially embodies an ethical and conscious purpose. Plato pleads for ideal state, Mill for individual freedom, Marx for classless communist society, Gandhi for Ram Rajya and the feminists of these days for gender equality. Ethical considerations and higher social and philosophical ideals and values have been the motive force for these thinkers, theorists and the philosophers to dip into their respective inquiry and investigation for the discovery of truth they consider true. The men in state power cannot deny the relevance of the ideals and values pronounced and emphasized by the thinkers and theorists, and they more often

NSOU CC-PS-01 _____ 71 than not recuperate their authority from serious crisis with recourse to alternative set of values and principles different from theirs and thus sustain their existence. So values and norms do not altogether reside in the realm of ideas or philosophizing of ideas. Values do have practical value.

6.2.1 Characteristics of Normative Approach

1. Normative political theory or analysis considers and justifies the political questions in the light of definite purpose, pre-determined ideal and cherished principle. It lays emphasis on good rather than evil purpose, 'ought' rather than 'ought not' question, desirable rather than undesirable state of affair, and thus considers the utility and validity of state, politics and political organizations. The purpose of normative political analysis is concerned with the normative ordering or reordering of political society and its institutions and processes so as to ensure people's prosperity both material and moral.
2. Normative political science is mainly committed to deep intellectual discussion, philosophical analysis and moral description of the great issues of politics like basis of state, equality and freedom of the individuals, political obligation, rights of the citizens, law and justice, quality of governance, etc. It is less inclined to deal with description of the factual reality of politics.
3. Normative political science is subjective by nature and for this matter, as many argue, it is more akin and related to philosophy than science. The thinkers and theorists belonging to this normative trend depend on their intuition and sequential logic and counter-logic and reach broad statement relating to any particular course of action rationally considered suitable to any particular time, space and circumstances.
4. Normative analysis of politics lays emphasis on deductive method while describing state, politics and political life of man. Deductive method is philosophical, speculative and a priori. It is, however, argued that thoughts and theorizations as come out of application of this method in political inquiry and investigation at times amount to abstraction and give vent to utopia. But what is relevant here to note that new ideas in all ages appeared as utopia. When these ideas revolutionize the world either at the macro or at the local level, utopia turns into a reality.
5. The statement established in normative political inquiry is mainly prescriptive. A normative statement is inclined to express preference for a particular type of order or a particular course of action which is considered right, moral

72 _____ NSOU CC-PS-01 or ethical repudiating the wrong, immoral or unethical. In the context of moral values and ideals, normative analysis sedulously searches out the best form of political institution and political system and expresses its assertion regarding how best the political life of man can be ensured. 6. Normative political analysis is very much connected with history. Historical explanation and description of past facts and past events have historically contributed to the growth and development of normative analysis of politics. Normative thoughts gathered momentum in the context of historical changes of political situations. Different and diverse contexts of history have given birth to new values, ideals and ideas which in turn again have changed the reality through ages. Construction and replacement of values, and philo- sophical ideas are very much inter-connected with the construction and replacement of the phases of human history. From very ancient time down to our own, political philosophers and political theorists have derived historical knowledge and experience from history and thus have enriched their respective political literatures imbued with high philosophical values and vision. Marx spent a big part of his study-life to know and understand the French revolution of the eighteenth century and it led him to theorize on the rise and fall of capitalism and building of the material preconditions for the growth of classless communist society. 7. Normative political analysis also entails an inclination to legal-institutional study. More often than not it starts with state and governmental systems that work under law and constitution. The trend and tradition of juridical and institutional study grow from the days of Pericles and Aristotle. Aristotle had experience of 168 city states, which led him to formulate the scheme of classification of governments and other ideas of high political values and significance. It is relevant to note that the values, ideas and ideals that the normative political analysts and theoreticians have built from time to time are not fixed and static. Different political analyses and expositions have created new values or new set of values replacing those created earlier. Values may again grow out of reform and refinement of old or prevailing values. New value may also result from value-conflict set in motion in any particular time of turmoil and turbulence. Again, within the same category of values, additional values involving new content and dimension may be incorporated. Liberal political values, for example, grown since the days of Locke, Mill, Bosanquet and Hobhouse, reflect itself as a broad spectrum of political values

NSOU CC-PS-01 _____ 73 involving the recent contribution of liberal thinkers like Hannah Arendt, Isiah Berlin and John Rawls. Normative political analysis that emphasizes values, precepts and principles does not either belong to so-called crass traditionalism, nor it is anachronistic. 6.2.2 Limitations of Normative Approach Normative political science aims at political analysis and explanation of political phenomena from moral, ethical and prescriptive standpoint. The very nature of this sort of analysis and explanation is subjectively speculative and value oriented. Normative concern and philosophical overtone has guided the political narratives of centuries since the days of Plato and Aristotle. But this long established tradition of political science met a formidable challenge posed by a group of the pragmatists came in the begining of the twentieth century. Social scientists having more or less rigorous multi-disciplinary orientation and learning towards scienticism like Graham Wallace, Aurther Bentley, Charles Merriam, Harold Laswell, V. O. Key, George Catlin, Robert Michels, Gaetano Mosca, Karl Popper, all products of the trend of positivism, logical positivism and linguistic philosophy, raised their voice against the relevance, validity and even the dominance of normative political science. They raised against the basic postulates and chief concerns of political theories and analyses based on subjective imagination as opposed to objective verification. They came forward to prefer the 'is' questions in politics and repudiate and nullify the exercise in the realm of what may happen or what ought to do in solving both epistemological and virtual problems in politics. Secondly, the critics of normative political science are of opinion that normative theories and political analyses are not based on facts. Those have denied the factual reality of politics and thus have given room to allegedly becoming either dogma or utopia. The knowledge as developed from the deep cultivation in the sphere of speculation is far from having any practical utility. The theorists and the political philosophers so far have developed knowledge for knowledge sake. The truth they claim to have established through the process of seqential logic and individual intuition is apparent and hypothetical and not subject to rigorous verification. Thirdly, Roy C. Macridis contends that normative political analysis is too concerned with the production of ideology and counter-ideology and hence narrow and uni-linear, conservative and repititive and predominantly monographic. Its orientation is less comparative and hence arid and detached. Fourthly, the main focus of normative discussion and analysis is heavily limited to legal and institutional aspects of politics. Legal and institutional politics places law

74 _____ NSOU CC-PS-01 and institution at the centre of attention. But politics is essentially a human activity and political life of man consisting of diverse pulls and pressures constitutes the very core of it. The political phenomena, thus the critics opine, do have a wider critical context and a broad relevant canvas involving various disciplinary dimensions and implications. Their proper understanding and a multi-disciplinary frame of reference alongwith a conscious exercise into it are, therefore, imperative to proper contextualization and satisfying presentation of political phenomena. Normative analysis thus does not bring before us the total meaning immanent in political problems and issues. Fifthly, critics trained in empirical methodological dispensation have alleged that normative political analysts persistently have tended to make either political history, or metaphysics, pure literature or social philosophy or jurisprudence instead of having a concern for building a science of politics. Knowledge as produced through deductive reasoning in normative analysis is far from being reliable, objective and scientific because observation and experiment, collection of data and application of statistical method, and inter-disciplinary perspective of the political issues or events are given no attention in normative political analysis. Normative approach does have no scientifically valid or reliable method of determining the validity of the moral propositions made regarding politics. Normative political science can best be regarded as a meta-science of ideas and values and prejudice and predilections of those detached from objective reality. Sixthly, Karl Popper discovers a distinct trend of epistemological domination in the tradition of political thought based on some pre-conceived ideas, axioms and individual values, that have grown since Plato and Aristotle. The notion and image of the 'philosopher king' as made by Plato is totalitarian, according to Popper, as this 'philosopher king' exists beyond the scope of 'falsification'. Hegel's idea of absolutist sovereign state and Marx's idea of class war for social change appeared mythical dictates for Popper as these suppress critical deliberation needed for ascertaining their validity. Lastly, the focus of normative political tradition dominating political thinking for centuries has been confined only to western political context. All the aspects and dimensions of normative politics namely, history, philosophy, law and institution do not belong to the states of the eastern part of the world, nor the socio-political, economic and cultural scenerio and perspective of the non-western underdeveloped states are taken into account by the great political thinkers done so much without transcending the limit to conservatism and ethno-centrism.

NSOU CC-PS-01 _____ 75 6.2.3 Relevance of Normative Approach to Political Science It is the empiricists grew since the first decade of the twentieth century who have posed formidable challenge against normative tradition of political science. But the importance of normative approach to political science is over-riding becomes denial of this approach is tantamount to the very denial of the study of politics. None can oppose the fact that we study politics to gather knowledge and this knowledge is used for ushering a good life for all of us. Normative political science knowledge does possess an action orientation. Value-based politics has contributed much to constitute the assertive political attitude of man through ages, taught us to become aware of the pitfalls and drawbacks of different political processes, political systems and political ideologies. Enormous literature given by the normative political thinkers and theorists constitute the foundation of modern civilization, modern way of life and also they have been the sources of ideas and knowledge with which men have changed political reality whenever they felt needed or have maintained social and political equilibrium. Traditional political thought drawn along norms and values carries significant bearing upon solving the crisis of modern states and political life of the nations. It also acts as a key to understand where the problem lies and how it can be solved. Harold Lasswell, despite his strong advocacy for behavioural science of politics, sought to direct efforts for providing the knowledge relevant to improve the practice of democracy. The empiricists' persistent urge for and dogged devotion to scientism received a serious blow when a series of new political developments or crises like urban riot, civil rights movement, environmental pollution and serial assassination of some world leaders had violently shaken the floor of western politics in the later half of the twentieth century. In this backdrop, David Easton came forward to speak for the 'Credo of Relevance' as the basic principle of 'post-behavioural revolution' in political science, asking both the scholars and the commoners to devote themselves to generate knowledge relevant to solving the actual problem of both micro and macro political life in the second edition of his 'Political System'. It is now to conclude aptly noting that no discussion, explanation, analysis in and scholarly investigation into philosophy and science is inseparable from purpose and, for this reason, value-neutral. What we call objective reality is essentially but the objectified frame of value. Even a bubble in the realm of society and politics does have its significant social and political import which requires cultivation and application of sensible, critical and creative mind to understand and interpret, rather than bare techniques of objective research as exalted by the early positivists.

76 _____ NSOU CC-PS-01 6.3 Historical Approach Historical approach is one of the important components of traditional approach to the study of political science. Political science deals with various subjects like state, law, institutions, ideologies, governmental systems which have their roots in history. History is the store-house of facts and events which are relevant to understand how did state come into existence, how various states were governed in various parts of the world, how the present content and nature of law, both civil and criminal, were built, how democracy did function in the Greek city states and how modern democracy came out of the monarchical regime in Europe, how did the states and their interests interact to grow inter-state confederation and international body, how did capitalism over-power feudalism and revolutionize production and then capture power to dominate market, both local and global, and also how and under what social, economic and political condition people did rise to overthrow exploitative regime and expand freedom for mankind. Political science has to depend upon history for getting information on any of the above subjects requiring serious analysis, explanation and illumination. And this particular requirement or set of requirements reasonably lead us to become less obsessive to recognize the relative truth implicit in Seeley when he says that political science without history has no root. G. H. Sabine is of opinion that basic theories in political science can not be discussed without reference to history. He strongly contends that if political theory has a universal and respectable character, its reason should be traced in the affirmation that it is rooted in historical traditions. Almost in the same direction, Michael Oakshott observes that what we want to inquire into politics is the huge oscillation and elasticity in the growth of political tradition that relates to the systems of human behaviour and human actions which are varied and dynamic indeed. History is the record of the past events. It carries various accounts of how a biological person is transformed into a socio-political being imbued with culture and ability to distinguish between good and evil. The evolutionary roots of human socio-political identity and of human socio-political system are embedded in history. Development of ideas and change in them are also there in interpretations, comments and explanations made by the historians. The information implicit in biographies, autobiographies, travelogues, memoirs, commentaries and letters of the historians and historical figures act as the important primary source for the scholars in political science, who are working on themes even of significant present-day implications.

NSOU CC-PS-01 _____ 77 Political thinkers and theorists like Plato, Hobbes, Hegel, Montesquieu, Seeley, Henry Maine, Freeman, Laski, MacIver heavily depended on history while propounding their ideas on various aspects of politics. Sir Ivor Jennings, Robert Mackenzi, G. B. Mackintosh, Samuel Bear and many other theorists and commentators had produced significant works in the domain of political science deriving several information from the documents of history. For this reason, W.A. Dunning rightly observes that political theory is a historical record of the conditions and effects of political ideas. History is not only important for classical political theory, it substantially constitutes the base of fundamental research in politics. Even for both qualitative and quantitative research fashionable and common in the present day, scholars have to enter into history for relevant facts and information. Zimmern is of opinion that it is contact with the past that equips men and community for the tasks of the present, and the more bewildering the present, the greater the accumulation of material goods and material cares, the greater the need for inspiration and refreshment from the past. History does share its information with the scholars in political science, it orients them to find out the cause-effect relationships among various variables. It embodies laws of historical development and these laws are largely helpful to direct the researchers particularly in political science to formulate their respective research design and draw research deductions. One of the most important characteristic features of historical approach is that it lays emphasis on inductive methodology. An inductive method establishes general truth by observation, experiment or reasoning from particular examples. History is essentially based on facts. The historical approach is regarded as a form of the experimental approach. In a systematic manner it gathers knowledge or builds historical laws on the basis of facts. Historical knowledge and historical laws are helpful for understanding the current pattern of functioning of various state and non-state institutions and organizations, their very nature, and also the future growth and development of institutions and organizations which are right now beset with burgeoning problems coming from social economic, political, cultural and environmental fronts. R.N. Gilchrist points out that history not only explains political institutions, but it helps us to make deductions for future guidance. So history provides a value framework also for men in political science. The study of history admonishes a ruler against committing wrong in public interest. This study again, substantially directs the scholar in political science what to select as a research topic for fulfilling the social purpose of research. We must have to admit that the historians have made history of political life of man. They have made

78 _____ NSOU CC-PS-01 available the valuable resources of society, polity and culture for the entire human race. We know from history about what had been our past, how we have arrived at present and what future is staying for us. It is history which brings the three together, throws light on them and speaks for and against them and whatever it speaks expands the map of human knowledge and cognition which are the key to enhance freedom and to place the human community in a higher state of development. 6.4 Criticism of Historical Approach Although history carries tremendous significance for political theory and political science, it has been subjected to several points of criticism advanced by scholars like Sidgwick, James Bryce, Ernest Barker and David Easton. The critics are of opinion that historical approach is descriptive and not it is analytical. The historians tend to describe past events without going into the inner content of them with an analytical bent of mind ; and, as a result of it, the interplay of forces behind the historical events are left mysterious having no first hand significant meaning for an intelligent mind. Secondly, historical approach is limited and narrow in both scope and outlook. In most cases, political history is confined to the discussion of important past events, royal dynasties and renowned personalities. History seldom carries the stories of the common people, the struggles and revolts of the subalterns who really constitute history. Allan R. Ball opines that many a description of the older days are often partial or far from being complete and they do not provide full picture of the nature and characteristics of the time, place and circumstances relevant to the students of political science. So comprehensive and total analysis of political phenomena upon which researchers of political science work is not possible with the help of historical approach. Thirdly, there is no denying the fact that all historical accounts are reliable and true to facts. Many a time adequate care and caution are not consciously taken on the part of some historians while evaluating evidence and facts. They may be influenced by fabricated data and manufactured information. Historical accounts thus grown are misleading and dangerous particularly for young scholars who are yet to gather prudence and erudition. James Bryce observes that historical parallels may sometimes be illuminating, but they are also misleading in most of the cases if historians happen to be less careful and cautious while gathering facts and presenting historical narratives based on them.

NSOU CC-PS-01 _____ 79 Fourthly, historical approach is not always able to provide universal explanation of events took place in history because of the fact that the presenters of history may hold mutually different outlook made up of mutually different value system and attitude to understanding things around them. As the historians explain and interpret history from their own individual standpoint, there remains a variety of history on the same event. Marx viewed the 1857 happening in the history of India as the first war of Indian independence while it appeared before the colonial historians as a big rebellion perpetrated against the civilizing force then at work in India under British rule. Fifthly, individual bias of the historians for certain fixed notions, interests, ideas and ideologies retards the progress of scientific temper and creates hegemonic atmosphere where men can not think and act freely to evolve and strengthen a democratic social order based on justice, equality and freedom. It is a very big problem of historical approach. As David Easton contends that historical ideas are parasitic and may cast a veil of control upon empirical research. Only a few historians are found sincere in collecting data and impartial in interpreting them. Sir Ivor Jennings is known for his broadness of outlook and impartiality of treatment. His authority on British constitution and various aspects of British Government is widely recognized and regarded as authentic. Similarly, the study of the party system by Robert Mackenzie and that of the cabinet system of England by J. B. Mackintosh are taken with high academic esteem as their works reflect a liberal and impartial exercise in their respective research and investigation. In this context, however, it is important to note that in respect of composing institutional history bias-neutrality on the part of the historians is rather possible and easy to maintain, but it is too difficult to do so in the sphere where the law of socio-political change and development or how history of human kind does advance require interpretation from the historians. So the question and doubt concerning the bias of the historians persists and it adversely matters in respect of evolving an impartial and objective history. Karl Popper has described historical approach as 'historicism'. Historicism at present involves several schools each of which involves different outlook and different sets of characteristics and parameters on the basis of which historical events are explained, interpreted and judged. Popper is of opinion that historicism leads to a sort of historical determinism which does entail the traits of totalitarianism. Historical determinism involving totalitarian character if gets room in explanation and interpretation of facts and events of the past truth as inherent in historical facts and events gets away or is thrown into prison.

80 _____ NSOU CC-PS-01 Despite all these scathing criticisms against historical approach to the study of political phenomena, we can not however deny the significance of it as a good number of representative political theorists had received inspiration from history while theorizing on key issues of political science. Although the students and scholars of each discipline today are aware of the autonomous identity of their respective discipline they tend to study their respective phenomena from the perspective of multi-disciplinary frame of reference for the purpose of having holistic interpretation of things under study. From this point of view, history substantially helps the scholars of political science to make a broad canvas where they draw the picture of their subject-matter broadly and elaborate ideas. But what is imperative upon them is that they have to become cautious about the personal bias and evil purpose of some of the historians. They have to avoid oversimplification inherent in the statement of Edward Augustus Freeman who observes that history is past politics, politics is present history. They are also to remember that apart from history political science has many a root and that political science has many a thing giving birth to new generation of historians who have rewritten history and discovered new historical laws and new historical truth. It is true that narratives in political science have acquired the status of theory many a time after having been substantiated and verified by historical data. But it is also a fact that many historical accounts have been reconstructed to bring out the significance of various events in the light of political theory. Academic inter-dependence and reciprocity between history and political science is on rising today and it results in recent proliferation of new and new quality researches in both fields of study. 6.5 Summing Up Normative approach to political science is concerned with the ethical and value aspect of the questions and issues under political study. It is prescriptive in nature and based on deductive reasoning. Philosophical, institutional and legal studies of political phenomena are closely associated with normative approach. Political thinkers and theorists from the days of Plato and Aristotle have made a long tradition of normative political science which has faced a challenge as empirical approach to political science grew under pressure of the positivist wave in social science in the late nineteenth and early part of the twentieth century.

NSOU CC-PS-01 _____ 81 Despite several criticisms against normative approach to political theory and political science, the fundamental emphasis upon the fundamental objective and purpose of theorizing on the various issues of politics as stressed by this approach can not be denied. Many contemporary political theorists like Leo Struss, Isaiah Berlin, Hannah Arendt, Michael Oakeshott, John Rawls, etc., have all reestablished the importance of moral, ethical and purposive dimension of political study. Historical approach belongs to the traditional approach to political theory. Historical approach is followed by a good number of political theorists who have tried to discover laws and rules of social and political development of human civilization. As History is based on facts, historical approach emphasizes inductive generalization. On the basis of factual generalization of historical events, political theorists build theories for the present and make prediction for the future on the basis of experience and evidence derived from history. Historical approach does have some serious limitations. Historical approach is descriptive and it is not analytical. Apart from it, the bias and prejudice of some historians may be fatal for those who are not sufficiently cautious while using the resource of history. 6.6 Probable Questions Essay Type Questions : 1. What are the features of normative approach to political theory? 2. Make a critical analysis of the normative approach to political theory? 3. What are the characteristics of the historical approach to political science? 4. Make a critical estimate of the historical approach to political science. Long Questions : 1. Point out the limitations of normative approach of political science? 2. Attempt an overview of the historical approach to political science? Short Questions : 1. What is the difference between approach and method?

82 _____ NSOU CC-PS-01 2. Do you find any relevance of normative approach in political theory? Argue your case. 3. What, according to you, are the limitations of historical approach to political science? 6.7 Further Reading 1. Dyke, Vernon van, Political Science : A Philosophical Analysis, California : Standford University Press, 1960. 2. Ball, Alan R, Modern Politics and Government, London, Macmillan, 1988. 3. Dahl, Robert A, Modern Political Analysis, New Jersey, Prentice Hall Inc., 1976. 4. Easton, David, The Political System : An Enquiry into the state of Political Science, New York, Alfred A. Knopf, 1971. 5. Gauba, O. P., An Introduction to Political Theory, Delhi, Macmillan, 2012. (5th Edition) 6. Gauba, O.P, Political Ideas and Ideology, Delhi, Macmillan, 2010. 7. Heywood, Andrew, Politics, New York, Palgrave, 2007. 8. Sabine, G.H., A History of Political Theory, Delhi, Oxford, 1973. 9. Gandhi, Madan G., Modern Political Theory, Delhi, Oxford and IBH, 1981. 10. Gandhi, Madan. G., Modern Political Analysis, Delhi, Oxford and IBH, 1981. (Second Edition) 11. Verma, S.P., Modern Political Theory, New Delhi : Vikash Publishing House, 1986. 12. Bhargava, Rajeev, What is Political Theory and Why do we Need It? Delhi, Oxford, 2012. (Indian Paper Back)

NSOU CC-PS-01 _____ 83 Unit 7 Empirical Approach to Political Theory Structure 7.0 Objective 7.1 Introduction 7.2 Evolution and Development of Empiricism 7.3 Basic Postulates of Empirical Approach 7.4 Characteristics of Empirical Approach 7.5 Limitations and shortcoming of Empirical Approach 7.6 Summing Up 7.7 Probable Questions 7.8 Further Reading 7.0 Objective After studying the materials of this unit the learners will understand • what empirical approach means • the characteristics of empirical approach • the limitations and shortcoming of empirical approach 7.1 Introduction Empirical approach to political analysis claims to become characterized by an

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attempt to offer a dispassionate and impartial account of political reality.

The empiricists seek to proceed with the assumption that experience gathered through human sense organs is the basis of knowledge. Experience is an attempt and a conscious process of thinking about real problems of political life of individuals and their political society exists at both micro and macro levels. On the basis of experience and thinking of real life situations of the political role-players and of the functioning of their organizations and institutions the empiricists claim that they gather objective and reliable political science knowledge.

84 _____ NSOU CC-PS-01 Vernon van Dyke is of opinion that empiricism does not study organizations, institutions, laws, political processes, political activities and other issues of politics as they 'ought to be', on the contrary, it focuses on these aspects and issues of politics as they actually are. According to Robert Dahl, political scientist following empirical approach is concerned with 'what is' rather than with 'what ought to be'. So empirical approach is not concerned with the moral and ethical dimension of things political. It is rather concerned with building of value-free scientific political theories through inductive method that emphasizes observation and experiment of facts. For the purpose of making political theories objective and scientific, empirical approach asks the researchers to give up values and preconceived ideas and prejudices and devote them to collection of facts through sample survey, analysis of facts through statistical method and formulation of general statement after validating hypothesis. This general statement is scientific statement which is verifiable. The empiricist contends that verifiable scientific knowledge based on the analysis of facts is the real pragmatic knowledge. This knowledge is used to make decision and formulate policies of organization to run effectively and efficiently, and it guides behaviour and activities of the people in real political life situation. It is not right to state that traditional political theory is not altogether devoid of the marks of empiricism. The political thoughts of Aristotle, Hobbes, Mechiavelli and Montesquieu in particular, were to a significant extent, based on the practical experience gathered from the then political situation as prevailed at home or in their neighbouring countries. Aristotle's scheme of classification of government, Hobbesian view of human nature, Machivelli's doctrine of statecraft and sociological interpretation of government and law of Montesquieu are all based on facts and experience gathered from the prevalent political situation and political crises besetting the states and political life of people of their time. So traditional political science as a whole was not completely indifferent to the practical aspects of politics. But a common belief goes in that traditional thinking was predominantly devoted to philosophical inquiry and presentation of the value-loaded views and understanding of the theorists belonging to traditional political theory and traditional political science. 7.2 Evolution and Development of Empiricism Empiricism, as such, as a stream of thinking evolved with John Locke and David Hume in the seventeenth and eighteenth century. The underlying idea of empiricism is that the basis of scientific knowledge is observation through sense-experience. The empirical statement is concerned with the knowledge of a fact and a fact is concerned

NSOU CC-PS-01 _____ 85 with 'is' and not with 'ought to be' questions. The ought-to-be-questions are concerned with values, ideals and morals which are not factual and verifiable. Empiricism lays emphasis on the value-neutral, impartial and unprejudiced description of objective reality. This description is logical, pragmatic and scientific the validity of which can be verified and reestablished whenever and whenever it is required. It is positivism of Auguste Comte, a French sociologist who subsumed all the trends of empiricism into its fold in the nineteenth century. Comte asked the social science theorist to follow strictly the methods of the natural science in order to build true knowledge. He sought to create social physics instead of social and political thinking to base on speculative metaphysics which, according to him, is but pre- scientific forms of thought. He holds that empirical knowledge acquired through rigorous observation and experiment is the key to the genuine inquiry in the field of social sciences. The impact of positivism in social science loomed large since the very beginning of the twentieth century. Max Weber, however, qualified Comte's positivism and promoted 'neo-positivism' which is akin to 'logical positivism'. Weber did extol science but not at the cost of ethics and morality. He held the view that scientific method is the only key to obtain the knowledge of facts. It is empirical analysis which can uncover truth and discover knowledge implicit in issues, events and problems in social sciences, and this truth and knowledge is scientific as they are verifiable. Scientific method, however, can not be applied, as the logical positivists point out, to the analysis and understanding of values and to test their validity. Logical positivists are of opinion that factual and objective knowledge gathered through sense-experience constitutes the core of science which together cause to make logic that builds empirical theory. In lieu of institutional, legal and moral tradition of political theory and political analysis, two books viz. Human Nature in Politics by Graham Wallas of England and The Process of Government by Arthur Bentley of the United States of America, both published in 1908, had set a new tradition in the sphere of thinking and analysing of political phenomena. Wallas laid emphasis on human nature and behaviour of human beings while Arthur Bentley had his focus on the governmental process as influenced by inter-group-relations and activities of several groups. In their discussion the informal aspects of politics, so far neglected, took precedence over formal aspects like law, constitution, institution and organization. Wallase brought before us the inter-play in operation between human nature and shaping of politics not always concerned with formal politics as such. The chemistry between man's nature and

86 _____ NSOU CC-PS-01 politics and the vice versa are very important to understand and Wallase had done it and gave it to ourselves so as to consider politics no longer a dull study of state and constitution. Wallase is of opinion that politics is a rational and logical activity upon which the influence and impact of human feeling, habit, intention and orientation are as important as politics is on making the new components of and changing the content of human nature. Arthur Bentley, in his work, holds the view that the inputs and impacts of politics are lied in human activities that are reflected in the processes of government. According to him, human activities can be understood and explained by theory and facts and these facts can be measured and quantified. As he contends, human political activities denotes the activities of various groups working on the basis of competing interests they have towards others. Group activities reflect the behaviour of the group members who are guided by their own will and intention be they negative or positive and short-term or far-reaching. In this way, both Graham Wallase and Arthur Bentley had laid the foundation of empiricism quiet formidably in political science in the year 1908. The empirical political analysis as initiated most prominently by Graham Wallace and Arthur Bentley gained momentum in the effort of a group of American research scholars who had worked under the most effective leadership of Charles K. Merriam who was the founder of Chicago School. Alongwith his associates and deciples, Merriam built a new model of political science which was resulted from the conscions application of the methods of science. Merriam in his 'New Aspects in Politics', laid emphasis on the systematic use of statistical method to measure and quantify the psychological components involved into the behaviours and action of the persons who perform political role or roles in actual reality. According to Merriam, politics is action-oriented and it reflects the behaviour of man which can be described systematically and hence scientifically with the help of the application of scientific methods. In the growth of empiricism in politics, Charles Merriam was an important personality because he felt it imperative to make a strong link between political science and empirical research and he brought into the domain of research in political science the ideas and items which were so far regarded as unnecessary and irrelevant. Merriam strongly believed that political scientists imbued with empirical orientation must focus on the mental and the psychological trends and components that govern and are become evident in the behaviour of the political role- players. These, according to him, constitute also the political personality of the individuals who actually run the political organizations and act in those organization to serve purpose they hold.

NSOU CC-PS-01 _____ 87 In the twenties of the twentieth century George G. E.G. Catlin, Frank Kent and Stuart A. Rice had made tremendous effort to advance the need for orienting political analysis and research along empirical dispensation. In his 'The Science and Methods in Politics', G.E.G. Catlin highlighted on the path of development of the science of politics and purposeful research. Stuart Rice in his Quantitative Methods in Political Science had identified the distinction between science and philosophy. He expressed his indignation for the social science theorists who attempted to conceptualize and establish a science of moral purpose which is not at all the subject to scientific study and investigation. Both Pareto and Mosca who had their continental European influence upon American empiricists strongly advocated the cause of objective research in social science through their analysis of the elite and of the processes of consensus and dissent. In the development of "qualitative empiricism" in political science Harold D. Lasswell is a very big name and, according to Heinz Eulau, his influence was pervasive as he introduced new behavioural trend not in the light of crude empiricism as derived from Comte's positivism. In his "Politics: Who Gets What, When and How" he insisted on the indispensability of scientific methodology but he refused the insistence of value-neutrality. He is of opinion that science can not judge the validity of values but it can judge the impacts of values on social and political activities. As Harold Laswell was a policy scientist for a democratic society his empiricism and scheme of scientific inquiry did not negate the relevance of purpose of the scientist had in his mind before his effort was to start. He contends that scientific description is necessary because the analysis of value can not always provide a satisfactory and reliable answer to who gets what when and how. In the fifties and sixties of the twentieth century, the establishment and consolidation of behavioural revolution in the United States in particular, strengthened the empirical tradition of political analysis and research. The empirical political theorists of Chicago, Michigan, Princeton and Stanford Universities had been a dominant force in the domain of political science research under the pressure of the influence of behaviouralism.

7.3 Basic Postulates of Empirical Approach

Empirical approach to the study and research of the subject-matter of political science indicates the following basic postulates. (a) Greater emphasis on factual background of the subjects under study and research rather than on focussing only on structure, institution and ideology. (b) Discussion and explanation of political phenomena in the multi-disciplinary

88 _____ NSOU CC-PS-01 context composed of sociology, psychology, economics and other related disciplines. (c) Verification and validation of the basic idea and induction that guide political analysis and discussion. (d) Reciprocal relationship and inter-dependence between theory and research. (e) Value-neutral commitment to the study and discussion of political phenomena. (f) Reliance on scientific method in the generation of reliable, objective and scientific knowledge required as an input for governing institutions and organizing political activities.

7.4 Characteristics of Empirical Approach

On the basis of the foregoing discussion we can sort out the basic characteristics of empirical approach to political study in the following way. First of all, empirical approach focuses on actual facts. Empirical political scientists search out facts relevant to the respective political issues and events under study and discussion. Facts are the basic input to building of theory which is the decisive objective of empirical project of the political scientists. The researchers take conscious and continuous effort in collection of facts and fact-analysis and for this purpose they rely on and apply the statistical methods. Secondly, the empirical political theorists insistently try to find out causal relationship in the process of analysis of relevant facts and on its basis they build causal theory. This causal theory indicates general laws and rules relating to the problems or issues upon which discussion or research is held. David Easton holds the view that causal theory is a device for improving the dependability of our knowledge. Thirdly, for systematic, objective and scientific theory building empirical political analysis stresses on inductive method. Political scientists are very much cautious conscious in the collection of relevant data and they analyse each of those minutely to find out its value and relevance in view of the basic proposition and intent of the research project. As inductive method is opposed to deductive reasoning, there is no scope of speculation and abstraction in the sphere of empirical discussion and investigation. Reason in empirical analysis is grown out of real life situation and hence, it does not require deep imagination and abstract thinking. Fourthly, empirical approach lays significant emphasis on building of empirical political theory on the basis of empirical research. Empirical research is carried through scientific methodology emphasizing observation and experiment. Empirical

NSOU CC-PS-01 _____ 89 political theory that relies on observation and experiment is descriptive. It describes in clear terms the facts that are observed and give rise to theory. Fifthly, the main focus of empirical approach is not the law or constitution, institution or organization, nor the ideology and big philosophical issues concerning state and man's political destiny. Rather, the observable behaviour of political actor or group of actors and his/its political activities are the main points of inquiry for the empirical analyst. Empirical political theory is the result of description and scientific analysis of individual and/or group behaviour and individual and/or group activities held in the real world of politics. Sixthly, empirical political theory is objective and focuses on the observable behaviour and activities of individual and group as the main objects of attention. For this reason in particular, values and moral or ethical consideration have no scope to penetrate into the sphere of empirical discussion and inquiry. The champions of empiricism guided particularly by positivism ask the researchers to banish values in order to get their study objective and true to the spirit of scientificism. Value-neutrality and refusal of moral and ethical standard from the domain of discussion and research on politics are regarded as a very important attribute of empirical approach. Seventhly, empirical approach requires and guides the political analysts to become oriented to multi-disciplinary study of political phenomena. Graham Wallase had long laid emphasis on the psychological dimension of politics. In his 'New Apects of Politics', Charles Merriam advised the students of politics to make full use of the recent advances in social sciences particularly in psychology, sociology and economics for the purpose of developing inter-disciplinary and scientific rigour of political science. Inter-disciplinary orientation helps the political reserchers get a broad spectrum of his subject-matter and on consideration of varions aspects and dimension he could build statement of holistic importance, which is more acceptable and useful as it is more purposive. Eightly, the objective of empirical approach is to develop scientific discussion and research on human behaviours and human activities relying on scientific methods of observation and experiment. Man, instead of institution, law or constitution, is placed at the centre of attention On the basis of rigorous scientific inquiry and investigation empirical political science seeks to develop a stock of political science knowledge which may come to improve the condition of actual political life of human being. Empirical approach to political study and research has created tremendous academic sensation among the students and scholars of political science. No doubt it has led to the proliferation of various angles for analysis of various and growing

90 _____ NSOU CC-PS-01 aspects of politics both domestic and international, and, as a result of it, many theories and approaches like behaviouralism, system theory, communication theory, structural-functional theory, game theory, etc. have evolved to make political science a more vibrant, dynamic and a very relevant and useful problem-solving discipline in the present time. 7.5 Limitations and Shortcoming of Empirical Approach Tremendous impact and contribution notwithstanding, the empirical approach involves some serious problems and shortcoming about which we have to become alert and conscious while using or applying this approach to understand and explain or analyse politics. Critics like Leo Strauss, Leslie Lipson, Gunnar Myrdal, Alfred Cobban, Karl Manheim and many others have raised the following objections against empirical approach to the study of politics. First of all, methodology of natural science and/or the techniques of statistics can not always be applied to the study of human behaviour and nature of man. Human behaviour and human nature consist of many and diverse socio-psychological components and pulls and pressure which are not always direct and discernible and, hence, they are not subject to rigorous quantification and measurement. Unpredictable behaviour and changing and highly erratic nature of man cause to happen political events which are often regarded unprecedented and altogether novel in character. Application of so-called scientific methods is possible in a rather stable situation which hardly exists in politics that is always in a state of flux. The research finding held on French revolution of 1789 is not verifiable as we can engineer another French revolution neither in France nor elsewhere in the world. The critics are of opinion that fission and fusion lie in the content of political event which result from the will and intention and from behaviour of individual and group of individuals. So it would be an act of folly if we assume or try to discover homogeneity in the pattern of human behaviour and, for that matter, in the happening of political events or within the political issues besetting political life of individual or of group or of nation. From this point of view, empirical approach gives indulgence to conservatism and favours status quo. It defies and denies the ever- changing nature of human nature, human behaviour and that of politics as such. The highly publicised commitment if empirical approach to hyper-science has underestimated the great contribution of the great political philosophers and political scientists who enriched this discipline so long since Plato and Aristotle. The critics also accuse that the empiricists guided by Comte intend to build

NSOU CC-PS-01 _____ 91 pseudo social science as distinct from social science concerning human being having emotion and instinct, aspiration and intention and natural ability to think and power to judge. The demand for scientificism as asserted by the empiricists is but a matter of pretention, they are theorists created out of a revelling positivist passion. They are mere model builders and in a clan of pseudo-scientists propagating neo-scholasticism and jargon. They have confined political science to number and to monotonous ritual grappled with methodological war-strategy-and-tactics. In this empirical regime this discipline becomes narrow, parochial and obsessed with craze of irrelevant scientificism. The critics again attack the value-neutral commitment of empirical study of political phenomena that relate to human activities and human behaviour. They contend that value-free social science is a fundamental fallacy. Man is a political animal is a saying of Aristotle. It implies that man is a social creature having reasoning faculty. He has the power of judgement on the basis of which he can differentiate good from evil. He possesses the potential to alter or change his living conditions for a qualitatively better and just life full of virtue. Throughout ages man is on searching knowledge that could act as a key to material and moral improvement of human life. These propositions, however, are largely meaningless and irrelevant for empirical approach which advocates objective and scientific study of political life bereft of purpose and reference to more freedom, more equality, more rights and more justice for the people. Empiricism denies the fact that knowledge has a liberating role to play in human society. Man hankers after knowledge and truth for they liberate man from hunger, illiteracy, disease, unemployment and exploitation of man by man on the one hand, and obscurantism, bigotry, intolerance and fundamentalism on the other. Value-free discussion as emphasized by empiricism does not address these issues of human existence and human condition and thus it becomes parasitic. It retards imagination and creativity which the students need to have for using politics as an instrument of change. Empiricism does oppose change and believe in the reason of conservation and this reason, in fact, constitutes the hidden agenda and the ideology of empiricism. The critics also expressed the view that persistent demand for inter-disciplinary focus as required by the empiricists, has been injurious to autonomous disciplinary identity of political science. The different disciplinary perspectives and concepts, ideas, models, information and facts derived from disciplines such as economics, sociology, psychology etc., have unnecessarily made political science encumbered, got its discussion irrelevant and wearisome. The critics point out that over-dependence upon other disciplines has circumscribed the autonomy of political science and got it down from the status of 'master science' that Aristotle, the father of political science, had ascribed to.

92 _____ NSOU CC-PS-01 Some critics have again argued that empiricism stands for value-relativism, hyperfactualism, non-ideological reductionism and positivization of social sciences inclusive of political science. All these attributes of empiricism led political theory to its natural decline in the late fifties and sixties of the twentieth century. It was only a small but epistemologically rich group consisting of thinkers and theorists like Michael Oakeshott, Hannah Arendt, Bextrand de Jouvenal, Leo Strauss, Eric Voegelin and a few other had reestablished the link between philosophy and science, rejected the totalitarian notion of dead uniformity and homogeneity in respect of human behaviour, restored the potentiality of politics as a creative activity that change human condition and human existence for the better. The reinstatement in values, reciprocity between philosophizing faculty and scientific methodology, role of politics in society and culture change as emphasized by these theorists had caused to revival of political theory in the later days. 7.6 Summing Up In this unit empirical approach to the study of political science is discussed and explained. Empirical approach is opposed to normative approach. It lays emphasis on factual knowledge based on sense-experience. Observation and experiment and application of statistical methods along positivist social science dispensation are stressed for the study of human behaviour and human activities which are considered as the central focus of attention in the place of institution and constitution. Empirical political approach is primarily oriented to build objective and scientific theory on the basis of objective and scientific research and, hence, it asks the researchers to shun values and to acquire a value-neutral attitude in the whole process of doing research and building value-free objective political theory. Empirical approach also endorses inter-disciplinary perspective of political discussion and explanation. Empirical approach, although useful in research and study of some areas of politics, has been criticized severely by some critics for its excessive craze for scientificism and banishment of values from the field of research and study of human behaviour and human action in particular. 7.7 Probable Questions Essay Type Questions : 1. Discuss the characteristics of empirical approach to the study of political science.

NSOU CC-PS-01 _____ 93 2. What are the limitations of empirical approach to the study of political science. 3. Critically discuss the empirical approach to the study of political science. Long Questions : 1. Trace the evolution and development of empiricism. 2. Discuss the background and features, of the empirical approach to political sciences. Short Questions : 1. What do you mean by empirical approach to political science? 2. What is the background force of empirical approach ? 3. Mention the basic postulates of empirical approach. 7.8 Further Reading 1. Dyke, Vernon Van, Political Science : A Philosophical Analysis, California : Stanford University Press, 1960. 2. Ball, Alan R, Modern Politics and Government, London, Macmillan, 1988. 3. Dahl, Robert A, Modern Political Analysis, Prentice, New Jersey, Hall Inc., 1976. 4. Easton, David, The Political System : An Enquiry into the state of Political Science, New York, Alfred A. Knopf, 1971. 5. Gauba, O. P., An Introduction to Political Theory, Delhi, Macmillan, 2012. (5th Edition) 6. Gauba, O. P., Political Ideas and Ideology, Delhi, Macmillan, 2010. 7. Heywood, Andrew, Politics, New York, Palgrave, 2007. 8. Sabine, G.H., A History of Political Theory, Delhi, Oxford, 1973. 9. Gandhi, Madan G., Modern Political Theory, Delhi, Oxford and IBH, 1981. 10. Gandhi, Madan. G., Modern Political Analysis, Delhi, Oxford and IBH, 1981. (Second Edition) 11. Verma, S.P., Modern Political Theory, New Delhi, Vikash Publishing House, 1986. 12. Bhargava Rajeev, What is Political Theory and Why do we Need It? Oxford : Delhi, 2012. (Indian Paper Back)

94 _____ NSOU CC-PS-01 Unit 8 Feminist Perspective in Political Theory Structure 8.0 Objective 8.1 Introduction 8.2 Growth of Feminism 8.3 Key Concepts in Feminism 8.4 Waves of Feminism 8.5 Typology of Feminism 8.6 Summing Up 8.7 Probable Questions 8.8 Further Reading 8.0 Objective After studying the materials of this unit the learners will understand • Meaning of Feminism, • Development of the Feminist approach, • Various concepts associated with Feminism, • Types of Feminism 8.1 Introduction Feminism is a recent critical perspective in political theory. Feminism is, in fact a praxis combining both a theory built for the purpose of attaining equal rights for the women on the one hand and practice as exemplified in the movements of the feminists all over the world, that represent diverse experiences and peculiar context. Feminism is intrinsically associated with feminist movements and feminist movements are the result of the growth of feminism. Right consciousness or identity consciousness of the women is apparently prior to women's movement, but this consciousness is a

NSOU CC-PS-01 _____ 95 necessary outcome of the subjugated and suppressed socio-political condition the women were used to experience in course of their living. The objective of feminism is to build a society free from gender discrimination. The exercise into feminist epistemology and feminist movements as such are basically oriented to assert and establish the personal identity of women. Feminism is no theory bereft of practical implications. It activates the consciousness of the women about their subordinate position and makes them aware of the fact that they are deprived of equality of opportunity in society because of their being women. The feminists champion the cause of change of patriarchal values and condition pertaining to society, economy, politics and culture that promote gender discrimination and sexual exploitation. 8.2 Growth of Feminism Feminism as a specific socio-political body of knowledge grew since the sixties of the twentieth century in Europe and in the United States of America. But as early as in 1700, Mary Astell wrote "Some Reflection upon Marriage". Astell, the first British feminist, was of opinion that women are no inferior to men and they have as much reason and rationality as men have. As both men and women are human being, both they are rational. Because of particular and peculiar upbringing, socialisation and training and also of customs and social practices as rife in male-dominated society, women are given a subservient or subordinate position and they are subjugated. She raised a very legitimate and pertinent question for the whole human race that if all men are born free, why women are born slave! Astell asked for right kind of upbringing, training and education for women so as to get them free and self-dependent. Before the publication of 'A Vindication of the Rights of Women,' in 1792, the major work of Mary Wollstonecraft, Abigail Adams wrote in March, 1776 a historic letter to her husband John Adams who became the US President in 1797. Abigail in her letter strongly demanded education and property rights for the women. She mentioned in her letter that if the women are not paid particular care and attention, if they are not considered as the co-partner in the making of decision and if their voice and representation are denied in marking laws, they will rise in rebellion. Abigail was averse to putting unlimited power in the hands of the husbands. Wollstonecraft, in her work, raised first the main concerns of feminist critique against 'malestream' political theory. In opposition to the discriminatory projection on education advanced by Rousseau, she established the social role, rationality and claim for equal rights of the women. Wollstonecraft was the liberal feminist who

96 _____ NSOU CC-PS-01 stressed the right to education, right to property and the right to participate in the process of politics. Some fifty years before the emergence of the female suffrage movement in Britain and in the United States of America, Wollstonecraft strongly advocated for the right to vote without which, she asserts, democracy remain incomplete. She criticizes the confinement of the women to the 'private sphere' and thus asked them to have connection with the 'public sphere'. She is of opinion that when a woman goes beyond the private sphere and participates in the activities in the public sphere and receives education she is placed in the status due to her as a person. John Stuart Mill advocated the cause of the women's rights, and accordingly he is considered as one the champions of liberal feminism. He in his 'The Subjection of Women' (1869), considered lack of education, legal disparity, and political oppression as being the main causes for the slavery of the women in society. In this direction of socio-political thinking on the condition of women, Frances Wright, Sarah Grimke, Elizabeth Cady Staston, etc., expressed the view that in the interest of establishing women's freedom, of increasing their intellectual skill and of gaining equal rights for them, a significant social change is an imperative, which could ensure educational, property and voting rights for the women against the domination by religious and social customs, institutions and tradition of the male-dominated society. Liberal feminism, however, can not pose a formidable challenge against the ever-more formidable patriarchy or the patriarchal institutions. Without going beyond the limit of existing society and politics the liberal feminists did not demanded the equal rights for the women. But the strong beliefs for the women's rights, the classical feminists raised had their deep impacts upon the later feminists such as Betty Friedan, Radcliffe Richards, Susan Moller Okin who opined for building a state of affair under the active role and supervision of the state. This new condition, as these thinkers contend, will ensure well-being of the women by means of eradicating gender disparity of myriad forms.

8.3 Key Concepts in Feminism It is now important to discuss some general but significant concepts associated with all shades of feminism before we deal with other schools or forms of feminism. One such general concept is the concept of public-private divide. There is a common belief prevalent long in society is that men function in the public sphere while the general works and activities of the women happen in private sphere that is within the confine of their respective family. To go beyond the private sphere and work with others in the public sphere on the part of the women is a social and cultural taboo upon them and even punishable in some places and within some communities. It implies that in the realm of politics and administration that lies in the public sphere,

NSOU CC-PS-01 _____ 97 women are prohibited. They are permitted to work for her husband and offsprings and others in the family and to perform domestic duties within the private sphere. Private sphere is devoid of effective power with which the women have or should have no connection because any such connection is injurious to their being women and this particular beingness of the women is created by nature which has settled the public sphere only for the men. Feminism does oppose these ideas and notions which are thought to be arbitrary, irrational and dangerous. The feminists argue that as marriage requires registration, birth control and entitlement of heirship are all determined by public policy and governmental laws and rules, the so called private sphere is not left out of control of the public sphere. So the practice of public-private divide has no rational basis and it is but an ill-conceived intrigue of the male designed to dominate over the women, resist them against their desire to get education, to have share of political power and become free from domestic violence and household drudgery. The feminists strongly hold the view that power and authority are very much basic to politics and for this reason, the so-called most personal sphere of the women is basically political where women are subservient to the male who exerts varied power over the women and seeks to acquire their unquestioned allegiance. Kate Millelt, known as a radical feminist, observes in this respect that politics is obviously there where power-relation does exist. So 'personal is political'. Politics exists in the personal sphere where on the basis of power and authority the male rules the women for denying everything that necessitates the share of power and doing everying to the satisfaction of the male. It is important to note here that 'Personal is Political' was the trenchant slogan of the feminist movement in the sixties and seventies of the twentieth century. Public private divide is, indeed, a social and cultural construct and it is devoid of any rational basis. Patriarchy is another important concept against which the feminists are very critical. Patriarchy literally means 'rule by the father'. In feminist analysis, it directly denotes the combination of power, authority and the absolute domination or hegemony of the male head of the household. Obtaining its legitimacy from the long- drawn customs and practices having its deep roots into the mind and body of man and society the husband-father subordinate his wife and children within the family. In society the male members receive and acquire the patriarchal mindset and power operating within the families, and, on the basis of it, they assume the hegemonic authority for total oppression and exploitation to which women are subjected. In patriarchal socio-political regime, women are subordinate and subservient to the male

98 _____ NSOU CC-PS-01 both within and outside the family in the spheres of politics, economy and culture. Patriarchy is thus the key cause of female domination and exploitation. The female uses to experience every now and then the diverse implications of patriarchy both within family and in society. Patriarchy turns into an all-pervasive culture into which the female members of society in particular are inducted. The tentacles of patriarchy have a huge spread in educational institutions, religious organizations, sport bodies and elsewhere. They permeate bureaucracy, police, military, judiciary all belonging to state system. As Sylvia Walby in her 'Theorizing Patriarchy' (1990) observes, patriarchy is a system of socio-political structures, socio-political values and socio-political practices, and in this system the male controls, oppresses and exploits the female. It is again an ideology which expresses the view that men are more powerful, productive and skilled than the women. It considers the latter as the property possessed by the former, and it rationalizes the predominating superiority of men over women. Because of the superior status of men as determined by patriarchy the premiere posts in politics and administration are concentrated in the hands of the men. It is again due to all existent and all-pervading patriarchy that the male child is discriminated against female child, female foetus is killed and legislation for reservation of seats in the deliberative body at the upper level fails recurringly to become a fact of political life. As Walby contends, forms of patriarchy are varied and their manifestations are different, deep and pervasive. It frightens the female both at home and in the sphere where they get education, work for livelihood, exhibit their talent, skill and ability as singer, dancer, writer or poet, or perform political role. Sex and gender distinction is again another concept associated with feminist theorization. Patriarchy views that the role of the women in society is biologically determined. Biologically male and female are different from their very birth and hence their respective social roles are not similar but different. Patriarchy considers the females not as powerful physically as males are. Since this difference is unchanging, the females are confined to the structure of family which is their personal sphere where they fulfill the goal of perfect life performing domestic duties, bearing children and rearing them. The feminists attack this biological determinism as the most important source of male domination in society. Biological determinism creates an egoistic personality and an expression of masculine tyranny for the male with which they determine the do's and don'ts for the female. Simone de Beauvoir holds the view that one is not born but rather becomes a woman. A society ruled by patriarchy, artificially constructs the ideas, conditions, mores and customs relating to masculinity and femininity and these taken together give birth to gender ideology. This

NSOU CC-PS-01 _____ 99 gender ideology builds the socio-political image and identity specific to men and women and decides their respective space and respective roles. At the time when one is born, one is recognised simply as a baby, but it is society and the system based on patriarchy, the notion and characteristic or attribute of masculinity or femininity is imposed upon the baby. In the course of upbringing and living in society the baby becomes male having masculine gender or female having feminine gender. So gender is a social construct. It indicates whether one will rule and suppress or will be ruled and suppressed. The concept of sexuality is also associated with the feminist critique. According to Sylvia Walby, sexual domination over the women in patriarchal society is definitely a sort of oppression. In this society, the male establishes their hegemony over the female through sexuality which also works as a semi-institution having its social recognition behind it. In several phases of feminist movement the notion of sexuality is differently defined and viewed. In the sixties of the twentieth century, sexuality was considered both as a source of pleasure reasonable and legitimate, and again as a danger against which awareness campaign was thought to be organized. In the seventies a group of feminists endorsed and ratified homosexuality or lesbianism in order to deliberately ignore the sex of the male because, as they hold, it dominates, suppresses and exploits the women. Homosexuality is not simply a means of sexual pleasure and gratification, according to this group of feminists; on the contrary, it is a protest against the men's effort to establish sexual supremacy upon the female. Pornography or pornography having exposure of female body is no nuisance, rather it signifies the assertion of women's freedom and women's rights, Wendy McElroy implies in her various works. The idea of equality and difference is also a constitutive of the feminist perspective. Particularly the liberal feminists have required equality for the women to be established in society. In favour of women they demanded the absence of discrimination in the field of education, political representation, employment in public sphere, payment of wage, owning and inheritance of property and dispensation of legal justice. Equal rights for the women are essential for getting a woman a 'person'. But a group of a feminist in the mid seventies of the twentieth century has given stress on difference instead of equality for the women. They contend that the women possess distinctive virtue because it is they who menstruate, bear and rear children, perform domestic works and serve the elders in their respective families. This virtue helps the women to have a distinct identity and a distinct space in society. These feminists are also of opinion that the women are not only a community distinct from the community of men, because of class and ethnic distinctiveness, all the members

100 _____ NSOU CC-PS-01 belonging to women community as such are not equal. The feminist movements of the seventies of the previous century have raised with greater importance the individual characteristics and the separate and distinct identity specific to the women. This assertion of self-identity of the women posed a formidable challenge against male domination and it helped form association of the women themselves for holding debate and discussion on women's issues. 8.4 Waves of Feminism In all societies, East and West, the women are prey to dual domination. One is established by the prevailing society, culture, economy and politics and the other by the male members of the family and society. This dual domination is the source of the subservient position, the condition of being slave and loss of identity as a person the women suffer. In the last hundred and fifty years or more, many a feminist movement have been erupted in various parts of the world. In recorded history, the first feminist movement received its inspiration from Seneca Falls Convention held in July, 1848, which asserted that all men and women are created equal. The movement was essentially a suffrage movement which also covered the issues like social and institutional barriers that limited women's rights, a lack of educational and economic opportunities and absence of a voice in political debates. All these issues were discussed and debated in the Seneca Falls Convention. In this historical phase the women's citizenship issue was raised and in this particular phase, National Women Suffrage Association, Society for Promoting the Employment of Women came at the fore. This equal rights feminism of the forties and fifties and the initial assertions and attributes of early feminism belong to what is called the 'first wave feminism', which had been successful to move the people towards more radical and sometimes revolutionary expressions of feminism and feminist movement that constitute the broader context of the 'second wave feminism' started since sixties of the preceding century. The second phase feminism or what is called the 'second-wave feminism' is distinct from the first phase or first wave feminism and is much more powerful than it. In fact, the contemporary students' movement, civil rights movement and national liberation movement held in several parts of the world were the main inspiration of the more articulate feminist movements took place in this phase. The feminist theorists and activists held patriarchy directly responsible for discrimination against and disregard of women. Some feminist activists point to sexual exploitation and sexual oppression as existent even in heterosexuality and, thus, they mark the men as natural enemy to women and support homosexuality as a protest against patriarchy.

NSOU CC-PS-01 _____ 101 In this phase it gets clear that through various institutions and social practices as prevalent in society such as marriage, sexual habit, domestic mores and customs, the male establishes their dominance over the female. In this context, the feminists felt it an imperative to build organizations for themselves to challenge this dominance on the one hand, and to grow awareness among the women in particular, about emancipation and freedom of the women on the other. In this phase, a few women's organizations were grown in the United States. Betty Friedan built National Organization of Women in this phase. In 1970, Carol Hanisch wrote a book under the title "The Personal is Political" and this title became the political argument and a rallying slogan of second-wave feminism. The third phase feminism known also as the third-wave feminism was developed in the nineties of the twentieth century. It represents a combination of many and diverse theoretical trends derived from psychoanalysis, post-structuralism, post-modernism and postcolonialism. Hence third-wave feminism turns from the theoretical conceptualization powered by practical experiences into a developing discourse consisting of basic content of the problem alongwith its varied ramifications. Third-wave feminism is thus broadly regarded as Post-feminism developed by Camille Paglia, Patrick Califia, Natasha Walter, etc. Post-feminism is global in its nature and outlook; and it is not confined to white-centric and middle-class-centric feminism only. Post-feminism rejects 'victim feminism' and glorifies 'power feminism'. It boldly approves sexual exposure of the young lady for the purpose of using it as a weapon to fight against domination of the male over the female. The feminists of this phase find no vice in the fashion-show or beauty-contest programmes of the women, rather they are in favour of promotion of all these events and programmes because, as they think, these programmes signify freedom of women and an alternative construction against the construction that induces the male to suppress and exploit the female. Feminists like Germaine Greer of Australia and Susan Faludi of the United States are, however, critical on some points of post-feminist arguments. Greer disapproves the celebration of women's sex in print and electronic media as it makes, she observes, the women into an exchangeable commodity in the market. But the importance of post-feminist projection is not denied. Because it is widely considered as a continuation of the feminist thoughts and movements of the preceding days. Post-feminism is multi-dimensional and it addresses the feminist issues of the Afro-Asian and Latin American women who live under much more difficult condition and suffer multiple subjugation and exploitation because of backwardness engulfing their state, society, politics and culture.

102 _____ NSOU CC-PS-01 8.5 Typology of Feminism In the earlier part of this discussion we have dealt with liberal view of feminism. Avoiding repetitive discussion on liberal feminism we now concentrate on Marxist and socialist types of feminism for discussion and exploration. What is noteworthy in this context, however is that although both Marxist and socialist feminisms are taken interchangeably and although both these two variants receive their inspiration from the Marxist philosophy, both are not similar. "The Origin of the Family, Private Property and State" written by Fredrich Engels is the main source of Marxist feminism. According to Engels, the subordinate position of the women is not natural, but it grew in a particular stage of development of production system. As Engels observes, the dominance and authority of the male is developed to ensure the inheritance of private ownership of the means of production which was developed in the process of production at a particular stage. The women are placed within the confine of respective family where they perform domestic functions and bear and rear children. Introducing monogamy for them, control is imposed upon their sexuality and thus they come under the tutelage of patriarchy. The women engaged in domestic labour are estranged from the process of social production as they have no direct contribution to it and, thus, they become completely dependent upon the male members of their families. Engels is of opinion that the women, under capitalism, are the regular provider of healthy and sound male labourers that are required by the owners of the capitalist production units to produce goods and services. In case of emergency appeared in production system, the women's labour power is used at a very low wage-rate. So, the Marxists are of opinion that the institution of private property is responsible for the inferior and subjugated position of the women in society. The discriminatory relation between the male and female is one of the many expressions of class relation as exists in a society based on private ownership of the means of production. The Marxists strongly believe that with the abolition of the institution of private property, the women will be emancipated and become free. So freedom of the women is contingent upon abolition of capitalism and building of socialism. Socialist feminism like Marxist feminism is based on the Marxist theory. But it throws light on the subjects Marxist feminism does not incorporate. Socialist feminism lays stress on gender discrimination while class discrimination received greater attention by the Marxist feminists. The socialist feminists opine that patriarchy is much more deep and penetrative than an exploitative social system. Patriarchy is

NSOU CC-PS-01 _____ 103 not necessarily connected with the institution of private property and, hence, abolition of private property does not put an end to patriarchy. The Marxist feminists do not pay much attention to family, domestic labour and to matter like reproduction, which are important concepts in feminist analysis. Socialist feminist Zillah Eisenstein observes that male domination and capitalism are the two central constituents of exploitation of the women. According to Eisenstein, sexism and gendered division of labour is determined by the prevailing exploitative economic system. So the liberation of women depends upon (a) the simultaneous abolition of both the economic and 'cultural' sources of women's oppression, and (b) building of a society that ensures social, economic and political justice. Juliet Michell is of the view that the location of the women in society is determined by production, reproduction, socialization and sexuality. So women's liberation does not depend solely on dismantling of capitalism, rather it requires the abolition of all the determinants that get women subjugated and subjected. Radical feminism, however, is evolved to challenge all the variants of feminism. Unlike liberal feminists, radical feminists do not consider patriarchy as being a natural institution. In contravention of the argument of the Marxist feminists, the radical feminists contend that gender-conflict is the main and the predominant conflict in society and biological and psychological difference or distinction is the source of the discrimination between the male and the female. Patriarchy is built upon gender-division which is responsible for the bondage of the women, and this gender-division empowers and invigourates patriarchy. The dominating biological structure of the male that terrifies and control the women, is derived from patriarchy. Patriarchy, according to the radical feminists, is thus both an institution and an ideology. It gets the women as the subjects ruled by the male. "The Second Sex" of Simone de Beauvoir is the main source and inspiration of radial feminism. Simone holds that the on-going general processes of society have held the women as an "other" group. Because of physical form, reproduction and child rearing the female is 'other' in the eyes of society, they play in 'other' role in society. This 'otherness' restricts the freedom of the women and as a result of it, they cannot express and expose power they have in them. Simone urges the abolition of the processes, norms, mores and values that compel the women to become the 'other' or to become the 'second sex'. Boldly she asserts, 'one is not born but becomes a woman'. According to Shulamith Firestone, another radical feminist, human reproductive biology is responsible for considering women the weaker sex. The prevailing norms and social values work behind the reproductive biology compel the lactating mother

104 _____ NSOU CC-PS-01 to feed the dependent babies and in turn the mother becomes dependent on her husband. So liberation of women requires a holistic effort which involves both objective and subjective dimensions. Kate Millet, a very articulate and powerful radical feminist, observes in her 'Sexual Politics' that power exists in relation between man and woman and because of it the relation is political. A male person derives power from the institution of patriarchy and on the basis of it he subordinates women in family and in society. So both the spheres, private and public, are political. Because of politics the women are kept confined to their respective family and they are denied access to public sphere so as to deprive them of any share of political power. And again, it is because of politics that men are allowed to public space to appropriate power existent there. Millet is of opinion that state normally can not resist this politics as determind by patriarchy which dominates women at home and in society and state because it is ubiquitous. The radical feminists, the non-believers in reform, thus call for world wide female solidarity and sisterhood in order to build organized resistance against this all-pervading patriarchy. Rather a more recent theme, called postmodern feminism is developed by Judith Butler, Elizabeth Spelman, Julia Kristeva and others. Postmodern feminism is grown out of a combined theoretical forces of structuralism, postmodernism and French feminism. The post-modern feminists are of opinion that the women have many identities other than gender. The conditions and problems of them are not similar irrespective of caste, class, colour, religion and region. All Asian women, all black women, all Hindu or all Muslim women of India are different and they experience things differently. Post-modern feminists, therefore, reject the broad-narrative or the meta-narrative of feminism and draw our attention to the difference within as exists in the central core of the problem and also to the many, diverse, fragmented and micro expressions and experiences of the women who belong to no singular class, caste, colour, religion, region and culture. According to post modern feminists, women or gender is a multi-dimentional term, it signifies a varied implications, multiple realities and a lot of life-experiences. Hence, it is imperative, they hold, to have a different explanation and analysis of deconstructed and fragmented identity of the women. Critics of postmodern feminism, however, observe that post-modern feminism has attempted to deconstruct the identity of women which has resulted in weakening the central solidarity and the feminist sisterhood, the feminists of several variants have tried to build up through ages.

NSOU CC-PS-01 _____ 105 8.6 Summing Up Feminism as an approach to the study of political science is different from other approaches. The feminists are of opinion that the domain of political theory like that of mythology, literature and culture is male-centric. Main-stream politics, they strongly observe, is but mainstream politics. The women who constitute even more than the lion's share of the total resources of the world and receive less than one percent of it, are subject to domination, exploitation and violence. Both the institution of patriarchy and multi-dimensional vulnerability of the women are ubiquitous and restlessly terrifying. Feminism signifies the protest against the male-dominated theory, ideology, socio-political practices, and culture which deny freedom, equality, power and rights of the women and have suppressed and subjugated them over centuries. The critical perspective of feminism is an important key to understand politics which does have multiple meanings and diverse manifestations. The theme or perspective of feminism has now led to proliferation of research not only in the field of political science but in other disciplines dealing with human relationships irrespective of their focus specificity. 8.7 Probable Questions Essay Type Questions : 1. What are various concepts associated with feminism. Explain those concepts. 2. What are the main propositions of liberal feminism? How the radical feminists criticise liberal feminism? 3. What are the basic contentions of Marxist and Socialist feminisms. Is there any difference of emphasis between the two? 4. Point out the main content of postmodern feminism. What are its limitations? 5. Make, a critical estimate of feminism as a necessary perspective of political theory. Long Questions : 1. Examine the typologies of feminism. 2. Attempt typologies analysis of the waves of feminism.

106 _____ NSOU CC-PS-01 Short Questions : 1. Define gender. How do you differentiate gender from sex? 2. What according to you, does 'personal is political' imply? 3. Examine how the feminists view patriarchy. 4. What are the basic arguments of radical feminism? Elucidate. 8.8 Further Reading 1. Gauba O.P., Political Ideas and Ideologies, New Delhi, Macmillan, 2010. 2. Basu, Rajeshree and Chakraborty, Basabi (ed), Prasanga Manabividyā, Kolkata, Urbi Prakashan, 2008. (in Bangali) 3. Walby, Sylvia, Theorizing Patriarchy, Basil Blackwell Inc., Cambridge, Great Britain, 1990. 4. Beauvoir, Simone de, The Second Sex, London, Vintage Publishing, 2010. 5. Heywood, Andrew, Politics, New York, Palgrave, 2007.

NSOU CC-PS-01 _____ 107 Unit 9 □□□□□ Postmodern Perspective in Political Theory Structure 9.0 Objective 9.1 Introduction 9.2 Meaning of Postmodernism 9.3 Origin of Postmodernism 9.3.1 Philosophical Sources 9.4 Post-modernist Thinkers 9.5 Features of Post-modern perspective 9.6 Debate between Marxism and Post-modern perspective 9.7 Summing Up 9.8 Probable Questions 9.9 Further Readings 9.0 Objective After studying the materials of this unit, the learners will understand • Meaning of postmodernism • Background of the growth of postmodernism • Features of postmodernism • Content of the debate between Marxism and Postmodernism 9.1 Introduction Postmodernism is a sharp intellectual movement against modernity. It presents a pungent criticism of painting, art, architecture, literature, movie, music, history, theory and doctrine, etc., emanated out or drawn in the spirit of modernity. Although the notion of postmodernism dates back to 1870 when John Watkins Chapman, an English painter used the term postmodern while reviewing the impressionist art of the French, in the field of social science as such, postmodernism, as a critical

108 _____ NSOU CC-PS-01 perspective, is a development of the seventies and eighties of the twentieth century. Jean Francois Lyotard, Michel Foucault, Jacques Derrida, Roland Barthes, Jean Baudrillard are the main exponents of postmodernism. 9.2 Meaning of Postmodernism Postmodernism, in fact, is a radical discursive position which involves enormous ambiguity and controversy and, for this reason, it is convenient for us to state with what we mean by modernity by postmodernism developed by the above-said postmodern thinkers. Modernity is rooted in the Enlightenment and anchored in rationalism. Enlightenment denotes an intellectual movement took place in the sphere of ideas and thinking in Europe in the middle of the eighteenth century. It led to free social and political life from orthodoxy and obscurity and inspired growth of new attitude and outlook basing on reason. This reason-based attitude and outlook favoured by Voltaire, Locke, Descartes, Didero etc. gave birth to a regime of knowledge which is all-engulfing and beyond which nothing exists. This attitudinal and philosophical framework is called rationalism which provides the reason and authoritative authenticity of all explanations of various phenomena of the universe. Modernity implies truth, beauty and all that standards exist as objective realities that can be discovered, known and understood through rational and scientific means. In this sense, modernity is closely associated with positivism which affirms the view that relies on scientific method as the only source of true knowledge. Modernity, like positivism, rejects tradition and metaphysics as pre-scientific firms of thought. Modernity ushered in an age of reason. In this age man became aware of his own potentiality and was able to replace God from the centre of thought and action. This age espoused and affirmed the rational, natural or earthly, secular, human-centric thought-process. Francis Bacon strongly favoured scientific and technological advancement for the fulfillment of human needs. Mastery of man over nature was thought to be the main function of scientific knowledge. Scientific truth established through rigorous analysis of empirical data and information is infallible, absolute and universal. Modern age was as an age of progress too. On the basis of unprecedented development of science and technology, transport and communication industrial production and trade and business get a tremendous fillip which helped to boost market worldwide. This age put an end to feudalism and gave birth to a new

NSOU CC-PS-01 _____ 109 civilization based on new mode of production. This new civilization asserted the supremacy of reason which made man his own master. In this respect, modernity is an offshot of Enlightenment which according to Kant stands for man's emergence from his self-incurred immaturity which hinders man's own understanding of his immense power inherent in him. Enlightenment entails an engulfing force of reason, rationality and scientific temper and it criticizes all that which appears as unscientific and irrational. According to the spirit of Enlightenment, all human actions and all explanations of things come under the strict rule and scrutiny of reason; and it is reason which searches out and establishes decisive, total and unchanging or constant truth. This truth is, in nature, essential and foundational and denies relativism in respect of reaching alternative truth. Establishment of this truth is the motto of science which is used to create the wealth or to increase the productivity of material production. Huge material production requires the development of technology along with science and this science and technology combined together forges a powerful 'cultural regime' which determines not only human actions but unwaveringly believes in the notion that it is able to expose and explain the rules and laws of development of history and society. Modernity as sponsored by Enlightenment thus believes in historicism ; and it asserts that the development of history is unilinear and always it advances towards progress. Being inspired by the all-engulfing culture of reason, science and technology as activated by the motivation to prodnce more, the concept of creation and strengthening of nation-states looms large and those are established on the basis of homogeneous notion cutting accross all cultural diversities and societal differences and heterogencities and micro identities existent in societies. Overriding and denial of all these cultural diversities and societal fragments require power of dominance and aggressive assertions which sought to be legitimized by the doctrine of the power-thinker like Machavelli, a strong representative of this age of Enlightenment. The inter-relation between Enlightenment and modernity is very close or, to say. organic. The inherent attributes of modernity are claimed to be the attributes of humanism. Enlightenment and, for that matter, modernity were responsible for American War of Independence in 1776, French revolution of 1789 and rapid industrialization of 1780s and thereafter, which led to the birth of capitalism drawn on the philosophical system of individualism and on general progress of mankind. But postmodernism has no unified, essential and foundational defination, nor it represents a so-called coherent theoretical scheme with formidable doctrinaire position usually preferred by a typical scholar in social science or by socio-political activist

110 _____ NSOU CC-PS-01 working on any uni-dimensional issue. The central theme of postmodernism as developed by the thinkers is oriented to criticize the notions and the social and political messages of modernity and to point out the limitations of it as a praxis. These limitations were exposed in the course of its operation both at the level of theory and practice to which all dominant social and political theories and their practical manifestations including Marxism have been subjected to. Instead of essentialism, foundationalism, totality, universalism, determinism and homogeneity inherent in modernity, postmodernism relies on relativism, pluralism, detotalization, localism, disclosure and fragmentation, deconstruction and heterogeneity. 9.3 Origin of Postmodernism In social science and in the realm of social and political practice, postmodernism emerged in the background which is composed by the students' uprising and protest movements in Europe and in the United States in the middle of the twentieth century. The postmodernists are of opinion that the entire first half of the twentieth century is riddled with conflicts, chaos and contradictions and all these are grown out of obsessive attitude to hyper-scientific and rational epistemology and overlordship of scientific and technological revolution (STR) pushed and spearheaded by the nations who later turned into powerful imperialist powers in an age of flourishing industrialism. The twentieth century, for important reasons, is eventful. It witnessed the First World War, the emergence of socialist state in Russia rise of fascism and nazism respectively in Italy and Germany, heinous genocide, outbreak of the Second World War, heart-breaking Hiroshima and Nagasaki, crushing of nationalist and democratic aspirations of the people of Asia, Africa and Latin America by the colonial and imperialist powers, birth of cold war between the USA and the erstwhile USSR, politics of possession over world economic, social and political resources by both the capitalist and the socialist blocs, rampant exploitation and mass killing in Vietnam-Laos and Kampuchia, cross border terrorism, fall of Berlin Wall, repeated gulf wars, dissolution of the USSR, burgeoning recession in capitalism etc. on the one hand and on the other, liberation and emergence of many new nations, birth of an wide array of new social movements in various parts of the world like feminist movements, environmental movements, human rights movements of varried forms, urge for sustainable development and so on and so forth through the length of this century. Questions were raised contesting the claims of modernity to (a) emancipate man from unreasonable exploitation and oppression of myriad forms and degrees, (b) ensure progress, and (c) make new history of mankind free from unreason and untruth.

NSOU CC-PS-01 _____ 111 9.3.1 Philosophical Sources Jean Jacques Rousseau, influenced by romanticism, had first raised question against the validity of reason and rationality and of the notion of progress and universalism as emphatically stressed by European modernity and the 17th century Enlightenment. Rousseau was not in a position to approve the confinement of man and his free consciousness to so-called hyper-scientific laws and rules as urged by the positivists. Kant also had expressed his categorial doubt against it. Professor Sobhanlal Datta Gupta contends that Kant's bifurcation of the world of noumenon and the world of phenomenon, his dictinction between the beautiful and the sublime, were powerful philosophical pointers in this direction. Professor Datta Gupta is also of opinion that it is this notion of critique of reason which later flowed into the ideas of Frankfurt School and exposed the vandalizing power of instrumental reason. It revealed, most flagrantly, the content of unreason resident in reason as valorized by European modernity. Postmodern socio-political perspective, it is commonly taken, has received a direct impetus from Nietzsche and Heidegger. Nietzsche is the champion of perspectivism. He is of opinion that interpretations and conceptions of truth depend on perspective. There is nothing saying of absolute truth. Truth varies because of perspective of persons who seek to understand and realize truth varies. According to him, a particular language is not always adequate experession of all realities. Concepts, he holds, may have a long history and in the course of history those concepts are variously defined and understood by people who are in different and heterogeneous positions and with different and heterogeneous prespectives. His Genealogy of Morals approves no objective point upon which anything particular and systematic can be built. Martin Heidegger is very much averse to positivism of modernity and to modern technology which, according to him, lead to homelessness. Modern technology, he contends, is dangerous because it is the ultimate distance from the philosophical study of the nature of being, becoming, existence or reality. Heidegger seeks to restore a home for man in an awareness of Being. In the Letter of Humanism of 1947 he says that homelessness consists in the abandonment of Being by beings and because of it the truth of being remains unthought. Heidegger is in favour of liberation of language from grammer which asks everyone and everything to strictly conform to rules. He opines that thinking begins only when we have come to know that reason glorified for centuries, is the most stiff-naked adversary of thought. Instead of modern utilitarian, technological and, for that matter meaningless and

112 _____ NSOU CC-PS-01 empty world Heidegger aims at returning to a supersensuous world where Being would present itself in its plentitude. His philosophical attitude to modern technology leads him to oppose both the capitalist and socialist industrialism. 9.4 Postmodernist Thinkers 1. Lyotard Armed with the attitude and interpretation of many thinkers and philosophers against modernity and Enlightenment Jean Francois Lyotard in his *The Postmodern Condition – A Report on Knowledge* (1979) represents the central core of postmodern thinking. Lyotard does not believe in the great plans that shape the world. He explicitly rejects totalizing perspectives on history and society. These totalizing perspectives are, according to him, the grand narratives or the meta-narratives. Incredulity towards meta-narratives is his strong philosophical position with which he questions the privileged position of scientific rationalism as a dominant form of knowledge. Lyotard contends that postmodern knowledge is not simply a tool of authorities; it refines our sensitivity to differences and reinforces our ability to tolerate the incommensurable. He discovers intolerance and varying degree of dictate behind the modernist design of so-called universalism, essentialism and totality the modernists have implanted into their science, history, language and narratives. Modernist notions of emancipation, freedom and progress are not, according to Lyotard, very reliable and, hence, are doubtful, and, for this reason, he prefers smallish, localized narratives to meta-narratives or the grand narratives, of modernity. Localized narratives or micro narratives, as Lyotard implies, rescues what is displaced in the high flow of modernism, confines none and nothing to cultural stereotypes and recognizes boundless diversity, differences and million motives and aspirations of man. 2. Foucault Michel Foucault is a very strong postmodernist thinker. He contends that there is nothing saying of absolute truth. Truth is recognized by society and as social reality is always in a state of flux truth, he says, varies. According to him, men in society exchange their ideas and information through signs, symbols, pictures, languages and discourses which reflect power distributed among the members of society. Foucault believes that knowledge is not immune from the workings of power. Power, as he says, has the character of a network which has a wide reach in society.

NSOU CC-PS-01 _____ 113 In his opinion, schools, hospitals, workshops, barracks of modern society are all, in fact the epitome of power where men in there are to become socialized and to work under strict surveillance of the person who can use language, sign, symbol and discourse with greater dominance. Foucault opines that there are various forms of human rationality, diverse and heterogeneous traditions of reason in the histories of human societies, different modes of logical consistency and argumentations which together contradict the monist privilege of essential reason. The reason of Enlightenment is thus repressive to all other forms of reason ; it marginalizes all other reasons and excludes them as unreason, thereby builds an imperialist regime of a despotic reason which forcefully declares itself as the supreme and sovereign and trivialize others as being inadequate, fragmentary and subordinate. So according to Foucault, post-Enlightenment reason is a discourse of power which standardizes, homogenizes and determines what is rational and what is irrational. Foucault holds that power is an integral component in the production of knowledge, reason and truth and all these are not outside power and are lacking in power, rather they manifest the workings and plays of power. His particular position to power-knowledge or power-truth relationship implies that he seeks to take and support a relativist position. He attacks on the tyranny of the great systems, grand theories and vital truths. His aim is to give free play to difference, to local and contextual knowledge, to fragmented and subjugated peripheral knowledge, to marginalized wisdoms, and to rupture, contingency and discontinuity. Michel Foucault, once himself a Marxist and member of French Communist, Party, raises serious question against Marxism which, according to him, is emanated from the so-called European modernity as it could not alienate itself from the root of western knowledge. As he contends Marxism is a structure of orthodoxy and it has failed to solve the problem relating to gender, environment, minority community and crime. Dialectical materialism and class struggle are but grand narratives which expand the net of power- knowledge relationships and create a new equation that instead of hastening the freedom of the masses helps in unfolding a new social and political tyranny. He denounces the role and the belief system of the Communist Party of France as determined by the then Soviet Union and unequivocally supported the East European communist dissenters. *Madness and Civilization* (1961), *The Archaeology of Knowledge* (1969), *History of Sexuality* (Vols I-III, 1976-1987- 1990) and *Discipline and Punish* (1977) are the major works of Michel Foucault where he has presented his critique of modernism and his own post-structuralist and postmodernist position.

114 _____ NSOU CC-PS-01 3. Derrida Jacques Derrida, starts his philosophical journey with severe attack on structuralism and also with strong belief that an word, or a poetry or a language express and reveal multiple meanings and implications. In his Writing and Difference (1978) ; Of Grammatology (1967), Margin of Philosophy (1981) and Voice and Phenomenon (1967), in particular, he establishes his stand for postmodernism. Derrida repudiates Logocentrism which approves the notion that truth is the fundamental, fullest and central thing that expresses the cause or the meaning of origin. Logocentrism, according to him, phallographic, patriarchal and masculine because it rejects others contradicting the central truth. He is, however, agreed to recognize the multiple meanings of any text. As periphery resides within centre, he opines, text involves several dimensions and implications which are denied by the orthodox western scholars. The footnotes and the notes in the margin of a text are important for the text to reveal itself. Derrida here prescribes the need for deconstruction of all constructed texts to reveal what they seek to express and thus they become new construction. Deconstruction, as he thinks, helps to liberate text and truth drawn on uni-linear fashion and thus to continue the search of new and new text and truth which themselves are subject to further analysis and inquiry. Truth, thus, according to Derrida, is not permanent, nor it is universal; but it is contextual as its validity is judged by the context which is but changing. Jacques Derrida's postmodernist ideas do have important impact upon the feminist, lesbian, minority and other identity groups who challenge the centralized socio-cultural values of socially and politically authoritarian regime. Derrida opposes any scheme or project forged by any political orthodoxy, and for this reason, he rejects authoritarian inheritance of Marxism. He prefers discursive Marxism to 'scientific' Marxism.

4. Baudrillard Jean Baudrillard is an ardent postmodernist who later views postmodernity as completely a new phenomenon totally dissociated from modernity. Baudrillard starts his postmodernist philosophical journey with his opposition to Marxism. He has introduced the idea of symbolic exchange as against economic exchange. He is of opinion that in postmodern society a cycle of giving and receiving, taking and returning is in constant operation. Contemporary society is not controlled and determined by production, rather it is controlled and dominated by media, cybernetic models and steering systems, computers, information processing, entertainment and

NSOU CC-PS-01 _____ 115 knowledge industries. All these models, systems and devices produce or create signs through which coding and decoding of everything are done. These signs and their producers or creators, in fact, control the society. In this society, profit, exploitation or mode of production are irrelevant, and the signs are predominant and these signs are themselves self-referential. In this society, there remains no distinction between signs and the social reality and just for this reason, it is very difficult to determine what does reality mean in definite terms. Baudrillard observes that productive system, commodity and technology as such do not imply the characteristics of the present society. This society instead is characterized by implosion of the distinction between signs and reality. Baudrillard contends that post modern society can be seen as undergoing the process of dedifferentiation while modern world underwent a process of differentiation. Baudrillard describes this world as hyperreality. He opines that the media pervades or engulf all the aspects and spheres of life. In so doing it becomes even more real than life is in reality. Whatever the media presents are indiscriminately followed by people who accept their presentations as more than real without judging their validity. In this process, Baudrillard observes, the real takes on the character of hyperreal which, in the end, replaces the real and establishes itself as real in collective mind and perception. This perception makes the masses increasingly passive, indifferent and apathetic and creates a culture of death. The Mirror of Production (1975), Simulacres et Simulation (1981), The Gulf War did not take place (1995) are Baudrillard's main works. It is relevant to mention here that none of the postmodernist interpretations as advanced by Lyotard, Foucault, Derrida and Baudrillard is above and beyond criticism. Charles Taylor, Noam Chomsky, Camil Paglia, Jurgen Habermas among others have raised serious allegation against postmodernism for its conceptual inconsistency as evident in understanding and presentation of the overall trends of the world we are living in. The language, the postmodernist thinkers have used is exorbitantly complex and full of jargons thereby making their statements unusually critical. Various critics are of opinion that, postmodernism is highly diverse intellectual activity as a result of which it can not provide any distinct idea about what postmodernism does mean in particular. It lacks coherence and promotes resistance to reliable knowledge and relativism in culture and morality.

Perspective Despite intricacy immanent in concepts and presentation of original postmodern socio-political literatures we can sort out some features of postmodern perspective in the following way. 1. In the sphere of knowledge, no inference is final, conclusive and decisive, nor it can be scientific and be categorized as unchanging truth. Knowledge called scientific or theories pronounced as grand and systematic are established by dominant power existent in society. Knowledge, according to postmodernist perspective, is contextual and culture-specific and truths are many and they appear differently to different people at different places and circumstances. Pure reason and infallible knowledge are myth, according to postmodernist interpretation. 2. The notion of power is no uni-dimensional and it is not always necessarily state-centric. Power is ubiquitous in society. Postmodern politics is suspicious of the nation-state system and considers it as a political construction. As against Hegel it denies the emergence and existence of state as an instrument of change of human history and ensuring progress. State power extolls itself and besieges micro, marginal, local and fragmented entities that possess significant resources in making numerous narratives. 3. Postmodern perspectives is opposed to historicism. The postmodernists assert that there is no overall pattern in history, nor history is progressive and is progressing towards any perfection enhancing the freedom of man. History is directionless. History, knowledge and human subject are fundamentally rooted in contingency, discontinuity and iniquitous origins. Postmodern thinkers believe in the irreducible contingency and indeterminacy. 4. Postmodern perspective opposes Marxian explanation of state machinery. The postmodernists are of opinion that power is not only concentrated in the machinery of state. Power has the character of a network which has a wide reach in society. Within society, power is variegated and found everywhere and, hence it is difficult to step outside the net of power. The concept of power, according to postmodernist perspective is multi-dimensional as it operates in much more subtle and small level of regular human activity. 5. The state in postmodern discourse does not have a class character because of the fact that society and state do have multiple discourses of multiple groups

and ethnicity. Class-centric politics, according to the postmodernist interpretation, is too limited and does not represent the diverse narratives and interactions taking place in the realm of society and state. 6. Postmodernism defies universal reason and the prospect of rational thinking as emphasized by modernism. For this matter, it goes against its project of humanism and the assurance of independence, freedom, democracy and so-called scientific advancement of human civilization as pronounced by modernity which has extolled its pure reason and science winning over spiritual forces. The postmodernists are of opinion that western ideologies based on the spirit of European Enlightenment, instead of expanding independence in thinking and belief in progress of human race, have allowed the politics of power and are used to colonize foreign cultures and subjugate the minorities and the underprivileged. 7. Postmodernists contend that politics is all-pervading and it is the fundamental basis of our life, of our thinking and activity. All aspects of our life and activity, our existence and feeling, thinking and consciousness, our realization of nature and of needs of others are derivatives of politics which again is shaped by them. Politics is thus an important component of human life and the core of politics is composed of whatever happens in the realm of thinking and activity of human being. 8. Postmodernism tends to reject broad narratives which are taken as authoritative and conceal diverse narratives in the name of absolute and essential reason and science by means of homogenization of all plural and heterogeneous forces existing in state and society. Jacques Derrida, hence, has urged the need for deconstruction of the modernist construction and the modernist text or discourse which do not represent the concrete reality or truth. The purpose of deconstruction is to discover the opposite discourse of the prevalent language and text which rationalize metaphysics as science and domination as natural rule. 9. Postmodern condition of the present world is characterized, as Baudrillard observes, by symbolic exchange simulation, hyperreality and seduction. The media and the electronic devices have changed the social, economic, political and cultural processes as introduced by modernism and have taken away distinction between signs and reality. The media today is no longer the mirror of reality, but it becomes even more real than reality. This hyperreality

118 _____ NSOU CC-PS-01 have created a catastrophic culture absorbing the masses who later forget everything meaningful and who lose the revolutionary hope as Marx urged or the need for reform as Durkheim hoped. 10. Postmodern perspective is appeared as distinct and exceptional. When all other theories tend to prescribe any particular state of affair as being good and ideal and guide people to follow and execute it to benefit them, postmodernism does not search for any master discourse. On the contrary, it encourages relativism and scepticism towards and also sabotage against dominant theory, dominant ideology, dominant epistemology and dominant socio-political and cultural force. Postmodernism is explained as being self-refuting and anarchical as it does not even allow itself any pause in decentering the centre, debasing the based, indeterminating the determinate, deunifying the unified and demystifying the mystified. 9.6 Debate between Marxism and Postmodern perspective The debate between Marxism and postmodernism is very interesting as it possesses a deep theoretical as well as practical value. Scholars like Alex Callinicos, E.M. Wood and Terry Eagleton have taken a very sharp critical position against postmodernism. They consider the postmodernist position vis-a-vis Marxism is baffling, dangerous and reactionary. They are of opinion that Marxism project is an alternative to capitalism that is meant for an explanation of oppression, domination and exploitation of man by man. Although Marxism is an outcome of European modernism based on reason and rationality, it negates and is critical towards bourgeois modernism that enslaves man by controlling the reason of capital. Postmodernism tends to attack the Marxist project to create a society free from class domination and class exploitation. A society based on the Marxist principles is society that ensures freedom and equality not for any particular class but for the entire citizenry. Postmodernism, these scholars argue, defeats this grand project of emancipation of man. Marxist scholar Aijaz Ahmad in his book 'In Theory:Classes, Nations, Literature', contends that postmodernism is an intellectual weapon of imperialism. It decisively seeks to uproot socialism and weaken class struggle. It rationalises the capitalist order and misguides the international communist movement for establishing socialism on the demolition of imperialism and colonialism. A few other Marxist ideologues have denounced postmodernism using several

NSOU CC-PS-01 _____ 119 virulent comments like (a) it is disguised enemy of Marxism, (b) it is intellectually marked nihilism, and (c) it is a bourgeois ideology in its finest sophistication, etc. Some other Marxist critics are of opinion that in an age of total confusion resultantly grown out of the fall of Berlin Wall, breakdown of socialist regimes in East European countries, end of Maoist period in China and finally collapse of the Soviet Union in Russia, postmodernism seeks to roll back the wheel of civilization. These critics contend that the seventeenth century renaissance-reformation and Enlightenment had brought reason and rationalism in Europe. Refusing any particular scheme of social development, postmodernism seeks to refute and attack rationalism. Essentially the philosophy postmodernism espouses is but the fatalism of the middle ages. Marxism is born in the process of modernity. The foundation of Marxism is materialistic philosophy based on rationalism. By its rejection of grand narrative, postmodernism defends the narrative of disorder and anarchy. Marxist critics of post modernism observe that European Enlightenment does have tremendous intellectual contribution to the advancement of human history and human civilization. The theorists and philosophers of Enlightenment like Locke, Kant, Hume, Descartes, Bacon have constructed the theory of progress and advancement by means of illuminating the inner relationship between science and advancement. The postmodernists have opposed Enlightenment and modernism but they could not prescribe any alternative philosophy and theory of human progress and advancement. From this point of view, postmodernism is pointless. It is but an word game. It is itself the dead end of philosophy and of political theory. Fredric Jameson has criticized postmodernism from a rather moderate Marxist standpoint. According to him, postmodernism is the cultural logic of late capitalism. He opines that modernity is the relevant culture of market capitalism while globalized capitalism has created postmodernism as its relevant culture. He has opposed Lyotard when he advocates incredulity to meta-narrative, and observes that the relevance of meta-narrative is still valid. He strongly holds the view that history could not be reduced to only text and narrative, and history, according to him, is the narrative of class struggle. In the sphere of politics, he believes firmly, the notion of totality can not be avoided. Jameson is of the view that postmodernism refuses to critically engage itself with the meta-narrative of capitalization and globalization. This refusal makes it consistent with prevailing relations of domination and exploitation. Perry Anderson has identified a new kind of capitalism which rose in the very later part of the twentieth century. It has led, as he observes, to the birth of postmodernism. Uncertain, restless and speculative stock market condition determining the worldwide flow of capital is the characteristic of this new capitalism. This time

120 _____ NSOU CC-PS-01 is a time of boom of information technology which transforms the real man into a digitized image altogether averse and unable to reverse the consistent trend of frustration, cynicism and negation spread in all spheres of life. Features and trends of this age are, Anderson contends, features and trends of postmodernism. As the various Marxist scholars and ideologues criticize postmodernism, the postmodernists are also critical against Marxism and the Marxists. Prof. Sobhanlal Datta Gupta has excellently put together the points of criticism the postmodernists have raised against Marxism. We now mention below the postmodernist arguments against Marxism. First of all, Marxism is an offshoot of modernity. It is a branch and a component of it. It is a metanarrative and a grand utopia against the bourgeois vision of modernity. Marxism is grounded in the notion of reason as emphasized by the European Enlightenment. In Marxism the reason and rationality of capital is replaced by the reason and rationality of class struggle is the only difference between bourgeois vision of modernity and Marxist vision of modernity. Secondly, as postmodernism opposes teleological history and as history is fluid and indeterminate and endowed with a plurality of meanings, according to the postmodern understanding of history, it contests Marxism as it considers

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the history of all hitherto existing society is the history of class struggle

and the future development of history will culminate, as Marxism contends, in the attainment of communism via socialism. Postmodernism does not believe in such unilinear progress of history. Thirdly, in the postmodernist power-knowledge frame of reference, the vision of socialism is outmoded and not tenable because it is essentially a universalist and totalizing frame basically grounded in reason. The Marxian project of socialism and communism represents the notion of power and domination and reflects a persistent trend of totalitarianism. Fourthly, Marxist narrative of class struggle is highly sceptical as history of man is not a result of class struggle, nor it is at its command and will follow its unilateral directives to evolve in the days ahead. The postmodernists contend that history is replete with million struggles waged by various groups at different local and micro levels. Fifthly, Marxism defies the multidimensional existence of gender, tribe, caste and clan and it has given total emphasis on class in its meta-narrative of universal history. It thus gets history in closure. Sixthly, Marxism believes in uniformity so far as the composition and development of history are concerned. It negates difference. According to the Marxists, class is the

NSOU CC-PS-01 _____ 121 chief component of society and history and they develop according to the universal logic of class struggle. But, on the contrary, the postmodern view of history has its emphasis on difference, fragments and deconstruction. Seventhly, Marxism relies on revolution and revolutionary parties as relevant to social and political transformation and change. So the macro ideas relating to society and politics are central concern upon Marxism lays central emphasis, while decentering the centre or the central is strongly espoused by postmodernism. Eighthly, as Marxism disapproves plurality, multi-dimensionality, heterogeneity, and contextual specificity in respect of social composition and / or human action, it denies the concept of freedom and democracy. Two important notes in the concluding part of the debate between Marxism and postmodernism are thought to be worth mentioning. Note 1. It is not Marx but Marxism of some Marxist ideologues, scholars and practitioners that has been the prime target of postmodernist criticism. And Note 2. It is Marx and his Marxism that have led the mainstream postmodernists to reinstate the creative principles of emancipatory Marxism. The original Marx and his own Marxism is not unilinear, opposed to multi- dimensionality and historical and contextual specificity and confined to fixity or closure. The Class Struggle in France, The Eighteenth Brumaire of Louis Bonaparte, The Civil War in France composed by Marx and The Peasant War in Germany composed by Marx and his associate, Fredrich Engels, have reflected in clear terms historical specificity and multi-dimensionality of struggle as against universality and unilinearity of history. Even the writings like The Development of Capitalism in Russia by Lenin, The Analysis of Classes in Chinese Society by Mao Zedong and Prison Notebook by Antonio Gramsci were the exercises into understanding the particular situations of revolutionary processes against contemporary feudalism, capitalism and fascism. Marxism is basically a subjective instrument to change the objective reality of class exploitation and class domination. But literatures like Bukharin's theory of Historical Materialism : a Manual of Popular Sociology, Stalin's Foundation of Leninism and A Short History of the CPSU (Bolshevik) etc., have transformed Marxism into science and into manualized doctrine. The turning of Marxism into a Bolshevik phenomenon, its growing Stalinization, the outright negation and forceful repression of the 'other' or the 'different' as represented by Trotsky or Rosa Luxemburg, growth of absolute centrality and bureaucratization in the structure and functioning of the communist party particularly in Soviet Union, etc., had reduced creative

122 _____ NSOU CC-PS-01 Marxism into mechanical, hyperrational and regressive Marxism which reflects essentialism, absence of difference and otherness and negation of democracy and tolerance. The Soviet communist experiment with the East European nations like Poland, Hungary and Czechoslovakia narrates the meta-narrative of control, surveillance and domination upon which the 'Soviet Marxism' excessively relied. This storyline of the 'Soviet Marxism' got it in permanent closure towards the close of the twentieth century. Twenty first century may be a time-period of dialogue between Marxism and postmodernism. Michel Foucault and Jacque Derrida had expressed their unwavering faith in Marxism as revealed in their several conversations. Coming out of scholars, intellectuals and practitioners who have intense reading of original Marxism and of the nature and movement of international capitalism is the need of the hour, for initiating the dialogue between Marxism and postmodernism in the interest of removing the poverty, both physical and philosophical. 9.7 Summing Up Postmodernism is the critique of the basic ideas and assumptions of modern- ism and thier impacts on art, literature and theories and discourses of state, society, politics and culture. Modernity is a necessary product of European Enlightenment that empha- sized the totalizing and essentializing notions like rationalism, scienticism, humanism, integration and general progress. But the objectives social and political reality as grown even in enlightend Europe and America in the face of diverse socio-political chaos and contradiction has challenged the basic assumptions of modernity and bring out the hollowed content of grand theories and metanarratives built upon those ideas and assumptions moder- nity incorporates and espouses. As aganist modernist discourse, Lyotard, Foucault, Derrida and Baudrillard and many others drawing impetus from Nietzsche and Heidegger have emphasized the existence of multiple meaning of truth and they have questioned the validity of settled assumptions of knowledge relating to society, culture and civilization. 9.8 Probable Questions Essay Type Questions : 1. Discuss the background of the emergence of postmodernism.

NSOU CC-PS-01 _____ 123 2. How do the Marxists criticize postmodernism? 3. Give an account of the postmodernist critique of Marxism. Long Type Questions : 1. Attempt an overview of the viewpoints of Foucault and Derrida. 2. In what can postmodernism be considered as a critique of modernity? Short Questions : 1. Give an account on the distinction between modernism and postmodernism. 2. What do you mean by postmodernism ? 3. Discuss, in brief, the characteristics of postmodernism. 4. How does Lyotard/Foucault/Derrida / Baudrillard express his postmodernist position? 9.9 Further Reading 1. Ritzer, George, Modern Sociological Theory, New York, McGRAW Hill International Editions, 1996. 2. Datta Gupta, Sobhanlal, Marxism in Dark Times, London, Anthem Press, 2013. 3. Datta Gupta, Sobhanlal, Samaj, Marxattwa O Samakal, Kolkata, Seriban, 2019. (in Bengali) 4. Basu, Pradip, Postmodernism, Marxism, Postcolonialism, Kolkata, Avenel Press, 2010. (in Bengali) 5. Basu, Pradip, Uttaradhunik Rajniti O Marxbad, Kolkata, Pustok Biponi, 2005. (in Bengali) 6. Sen, Sujit (ed), Uttaradhunikatabad Prasanger Nanadik, Kolkata, Laki Publishers, 2018. (in Bengali) 7. Khasnobis, Ratan, Marxbad O Uttaradhunikata, Kolkata, Rupali, 2012. (in Bengali) 8. Doshi, S.L., Modernity, Postmodernity and Neo-Sociological Theories, New Delhi, Rawat Publications, 2006. 9. Hutcheon, Linda, The Politics of Postmodernism, London, Routledge, 2003.

124 _____ NSOU CC-PS-01 Unit 10 □□□□□ Postcolonial Perspective in Political Theory Structure 10.0 Objective 10.1 Introduction 10.2 Evolution and Development of the Theory of Postcolonialism : the perspective of Frantz Fanon 10.2.1 Contribution of Edward W. Said 10.2.2 Homi K. Bhabha and the Theory of postcolonialism 10.2.3 Gayatri Chakraborty Spivak and the Theory of Postcolonialism 10.3 Features of the Theory of Postcolonialism 10.4 Limitations of Postcolonial Perspective 10.5 Summing up 10.6 Probable Questions 10.7 Further Readings 10.0 Objective After studying the materials of this unit the learners will understand • Meaning of Postcolonialism • Growth and development of the perspective of postcolonialism • Different ideas of different scholars on postcolonialism • Features of postcolonial perspectives • Limitations of the perspective of postcolonialism. 10.1 Introduction Postcolonialism is a recent discursive perspective in political and social theory. In the fields of literature, film, music and art, postcolonialism is a topic of enduring

NSOU CC-PS-01 _____ 125 critical discussion. It is a subject, basically inter-disciplinary in nature and has become substantially complex but multi-dimensional attractive subject as it involves several questions of intellectual debates relating to epistemological and philosophical thought-processes. Postcolonialism to be precise, is the cultural critique of western colonialism, most formally has evolved in 1970s and '80s. But the root of its evolution dates back to much earlier and the inspiration of this critique or theoretical perspective still permeates a good number of contemporary works of cultural, artistic, literary and educational significance. We all know that colonialism is the name of transformed imperialism. The objective of colonialism is not just to occupy colony through military aggression but to ensure and perpetuate economic exploitation and political control by means of extending the net of power and domination over the realm of psyche and culture of the colonized. The colonial rulers and their intellectual associates legitimizing the colonial rules designate the West as responsible for bringing the colonized of Asia, Africa and Latin America in the light of 'modern' civilization. Rudyard Kipling and many other had much earlier stated the burden of the colonized and their ignorance, poverty and destitute as being the responsibility of the White to address. Postcolonialism signifies the project of extension of civilization by the White rulers and their following and associating social theorists and literary community. Ideologically postcolonialism and postcolonial writings highlight on the forceful cultural and racial domination and supremacy of the West over the non-western world and people thereof. Joseph Ernest Renan, a French racialist orientalist had made rude and offensive remarks towards the non-White people of non-western nations in his various works in the second part of the nineteenth century. These people having old and obsolete ideas and orientations had, as Renan observed, no sense of world civilization of modern times. In all respects, they, according to him, were backward and stupid. Thomas Babington Macaulay in his infamous educational Minute of 1835 despised the tradition of education and learning in Sanskrit language as prevalent in the early part of British India and strongly exalted the superiority of western literature and system of knowledge. In his Minute Macaulay remarked that the education and learning pattern of the native was much inferior to education and learning as rife in the lower primary schools in England. Almost similar narrative regarding Indian education and culture and of civilization Reverend J. Tucker had presented. In his opinion, Indian civilization is inferior

126 _____ NSOU CC-PS-01 because Indian mind is deficient in power and the world of understanding of the Indian people is void. Indian people, as Tucker contended, are not those people who are entitled to have importance in the light of Enlightenment humanism as they lack superior knowledge and education or the will to have such knowledge and education. The colonial rulers and their associates are, in fact, so racist as they strongly believe that East is East and West is West and never the twine shall meet as the knowledge and education and culture and civilization of the West reside in a place far beyond the reach of those of the East. There is no denying the fact that the real intention and scheme of these remarks and observations were designed to demolish the cultural and moral backbone of the colonized of the orient and exploitation and looting of economic resources of these countries on long-term basis. As we know, every nation possesses broady two kinds of basic resources: (a) psychological and cultural resources involving the power of mind, consciousness and thought-process and (b) economic resources embeded in water, forests, mines, agriculture and industry. The strongly coarse expression of arrogant egoism of the ethno-centric and racist rulers and their hired administrators and intellectuals was but to consolidate colonial control and domination over these two kinds of resources of the colonized nations. And it indicates that the cultural and psychological supremacy and racial egoism of the West definitely and desperately shows the existence of power-relations between the colonizer and the colonized. Postcolonialism and postcolonial writings have stood against the colonial ethics and ideology and oppose their pervading impact that dampens the spirit and energy of resurgence and regeneration of people once colonized. Postcolonialism is indeed a study of the cultural conflicts and confrontations and their several ramifications which are very complex as they appear often mutally contending. These cultural conflicts and confrontations befall between the dominant racist colonizers of Europe and the colonized of Asia and Africa. Postcolonialism is not culturally or theoretically someting that has evolved in the period when and where colonialism had ended. The mainstream theorists of postcolonialism have enphasized the notion of postcolonial condition or the condition of postcoloniality as an important theme inherent in postcolonialism and most of them, thus, justify not to append hyphen between post and colonialism. These theorists are of opinion that the colonizers use to have intention to establish perpetual cultural hegemony upon the colonized nations. They firmly require to destroy not only their respective economy but to crush their language, education, culture and general understanding of moral principles. Desperately they use to follow very deliberate and subtle plan to implement

NSOU CC-PS-01 _____ 127 so as to get the general desire, taste and common ideas and prejudices of the people of the colonies consistent with and suitable to the colonial interest of the West. Perpetual subservience and subordination of the colonized to the supremacy and hegemonic hold of the colonizer refers to the condition of postcoloniality or postcolonial condition. This condition exists during the course of colonization and does not cease to exist when colonization comes to an end and the colonized acquires political statehood. Because of colonial hangover widely pervading the ideas and institutions, values and cultures of the peoples once colonized the prescription of the theorists and writers for withdrawing the hyphen between post and colonialism appears justified and consistent. 10.2 Evolution and Development of the Theory : The Per- spective of Frantz Fanon Although writings on postcolonialism began to flourish since 1970s, Frantz Fanon, an working psychiatrist at a French hospital in Algeria, had, in the begining of 1950s penned on the pscological subordination and erosion of cultural consciousness of the colonized people all over world. The immediate perspective of Fanon's work, Black Skin White Masks published in 1952, was the condition of the Algerian people under French colonial rule. Here Fanon elaborated on how the colonized people destroy their own indigenus cultural resources and identities undergoing the process of imitating or going after the ideas and practices of the colonizers. His another important work, Wretched of the Earth was published posthumously in 1961. In this later work, Fanon observed that at the global level, power is discriminately distributed. In this book, he discussed, in strong languages, the nature of inequality of power and couflict between the colonized nations of Afro- Asia and the colonizers of Europe. Domination of colonial discourses, stupid internalization of these discourses by the colonized and its resultant all-round obedience and subordination of the indigenus black and the brown to the White, etc. have been vividly described in Fanon's writings. Fanon is very much critical against the pervasive psychological and political aggression of the colonial rulers of Europe. He strongly rejected the egoistic demand of the White for civilizing the subjugated indigenus people under colonialism. He gave the clarion call for the people to wage psychological resistance against the colonial rulers. He was confident in that the people in the colonies are capable to rise

128 _____ NSOU CC-PS-01 against cultural aggression of the colonial rulers and their associates. Rightly he understood that colonial education and culture and the very attitudes to colonial civilization were the instruments of European hegemony and all these instruments were powered by the ideas of so-called Enlightenment, rationalism, humanism, progress and modernity. But these ideas as Fanon intends to express, do not relate to the condition of the powerless colonized, rather they endanger them and marginalize them. He observes that these instruments are instruments of hegemonic colonization, and, for eradication of the racist cultural and psychological decolonization Fanon adheres to the theory of collective violence and theoretically explains the redemptive value of collective action relevant to his project of decolonization. Jean Paul Sartre who consistently believed in revolutionary existential humanism upheld earnestly Fanon's call for forceful extraction of hegemonic European culture from Africa and Asia in his introduction to *The Wretched of the Earth*. Fanon's idea and exposition of revolutionary cultural and political decolonization is reflected favourably in the works of Simone de Beauvoir and Albert Camus. As we know Simone de Beauvoir is a strong feminist theoretician of France and Albert Camus was the French leftist litterateur and philosophical thinker who won Nobel Prize in 1957 for literature at the age of only 44. Both Fanon and Sartre were close to each other on the question of human freedom and social and moral responsibility of the individual. The philosophy of Sartre emphasized the importance of human dignity and social accountability of man. According to Sartre, freedom and social accountability are the tool of human struggle. To fight against oppression and injustice is the moral responsibility of an individual. If this individual does not take part in this struggle, he or she gets estranged from freedom and humanism and becomes himself or herself an oppressor. Fanon too considered development of new avenue for development of humanism as the moral responsibility of man. He regarded the stupid imitation of the European culture and way of life as contrary to reconstruction of human relationships and he observed that this imitation produces nothing but obscene caricature which adversely results in the way of making new history of the third world nations even after acquiring statehood after a long and protracted struggle against imperialism and colonialism. Fanon strongly required to create creative cultural and psychological autonomy and self-identity of the colonized free from European subjugation and domination. He, however, observed that this new creative cultural autonomy and self-identity of

NSOU CC-PS-01 _____ 129 the colonized do not conform to the simple and uncontentious cultural values and actual practices of the people in the pre-colonial period. Fanon did not advocate to bring back the old days when our old ancestors lived in peace and tranquility. Rather he advised his fellowmen to overcome coloniality completely. In the post-colonial period, he opined, the attempt to establish creative community life of the once colonized will be failed if we fail to overcome the notions, signs, symbols or marks of coloniality. Fanon asked to evolve unceasing creative innovations by the free community for itself. He strongly believed that Europe can not make those individuals with all-round perfection. European culture and civilization does not involve any iota of humanity or humanism, on the contrary, it involves successive negations of it and it involves series of incidents of murder and killing of persons of various parts of the world. In fact, Fanon had upon him the deep impact of political thinking of his preceptor, Aime Cesaire. Cesaire once expressed his view that colonization led the colonial rulers and their associating poet, litterateur and political thinkers to become wild and savage. This process of colonization turned these people into cruel and inhuman, and it sowed in them the poisonous seeds of greed and violence and racist discrimination and hatred. Almost fully convinced by the observations of his preceptor Fanon contended that the more the Europeans feel them endowed with the ideas of rationality, progress and humanism and all other gifts of European Enlightenment, the more they express their real identity as completely subdued by the pathological ideas of exploitation, racial discrimination, persecution and violence. Fanon is a political theorist of decolonization. He strongly denounced the modernist exposition in regard to the ideas of progress and humanism of Europe and advised to shun this exposition in his attempt to repudiate coloniality of the colonized and make a creative future for them. For acquiring and ensuring freedom from the colonial rule based on violence, exploitation and racial discrimination Fanon gave the call for united revolutionary effort of the indigenous peasants, labourers, feudal masters, capitalists and the bourgeois elite for organization of national liberation struggle. He did not consider post-colonial nation-state as the only legitimate goal of this struggle; but anti-colonial nationalism and post-colonial nation-state, he observed, can require the colonized to evolve the possible condition helping them to remove mental and psychological degradation, dejection and pervasive marginalization. Fanon is of opinion that colonial world is bifurcated, and it is bifurcated between the ruler and the ruled, colonizer and the colonized, western and non-western, White and non-White. This bifurcation predominates the ideas and activities of the two contending

130 _____ NSOU CC-PS-01 groups or the parties of the colonial world. Anti-colonial national liberation struggle, as he held, posed the challenge against domination and racial supremacy of the colonial rulers and their associates on the one hand, and on the other, it grew courage in the minds of the dejected colonized to raise human demands for freedom and equality. What is worth mentioning here is that Mahatma Gandhi in India and Ngugi, Cabral and Mboya in Africa had expressed their views favouring the varying influences of anti-colonial nationalism. 10.2.1 Contribution of Edward W. Said Edward W. Said has elaborated the principal features of the intellectual inheritance of postcolonialism. He published his *Orientalism* in 1978 and this work is considered as the postcolonial classic and the most pertinent referring pointer for postcolonialism. He also wrote *Culture and Imperialism* published in 1993, *The Question of Palestine*, published in 1979, *Power, Politics and Culture* published in 2001, *The Politics of Dispossession*, published in 1994 and a few other to express his views on cultural studies more concerned to point the connection between imperialism and culture. Said had on him the profound influences of post-structuralist and anti-humanist understanding of the contiguity between colonial power and western knowledge. His *Orientalism* entails attention to the discursive production of colonial meaning and also to the consolidation of colonial hegemony. In his *Orientalism* Said emphasized the theme that has enabled marginality and the matter of colony and empire to acquire the status of a discipline or a big area of study and research in Anglo- American academy. In fact, *Orientalism* does have extending impact on intellectual formations, structures and lives both in the West and in the postcolonial non-West. In *Orientalism*, Said has elaborated, indeed, a unique understanding of imperialism and colonialism as the epistemological and cultural attitude which accompanies the obvious habit of dominating and ruling distant territories. In his *Culture and Imperialism*, Said, again, has elaborated this idea. Here he writes that imperialism and colonialism do not indicate a simple act of accumulation and acquisition. He opines there that both imperialism and colonialism are supported and perhaps even impelled by impressive ideological formations and these ideological formations are based on the relationship between power and knowledge. This relationship is the source of hegemony that is imposed by the imperial and colonial rulers upon the people of the colonies. Power and domination backed by knowledge is turned into

NSOU CC-PS-01 _____ 131 legitimate authority which is hegemonic in nature and which is not normally defied by the people. While unmasking the ideological disguises of imperialism, Said, in his *Orientalism*, tries to expose the reciprocal relationship between colonial power and colonial knowledge. Said is of opinion that the way the westerners exhibit, judge, observe and assess obviously express definite insolence and boastful threat of power and domination. Western knowledge has its organic link with the rule, power and authority the colonialists build in their colonies. The East is won in the way East is known. In *Orientalism*, we find that Said is heavily influenced by Michel Foucault. Here he has extended his (Foucault's) paradigmatic accounts of the organic alliance between power and knowledge to colonial conditions. While explaining the contiguity between power and knowledge, Foucault observes that knowledge transforms power, changes it from a monolithic apparatus accumulated within the state into a web-like force which is confirmed and articulated through the everyday exchanges of knowledge or information which animate social life. Accordingly, power is reproduced in discursive networks at every point where someone who knows is instructing someone who does not know. Said is of opinion that the mastery and supremacy of power over knowledge is fatal and injurious. As he says, no self-respecting scholar or writer can get himself dissociated from the concerned social and political condition or reality and hence their work/s relates/ relate to the time, place and circumstances. In socio-political system, Said argues, power is not evenly distributed and this results in multiple problems in society and polity. A responsible scholar or writer in his work tries to address these problems and it is his or her moral commitment. But in organized political society the dominant ruling class tends to institutionalize knowledge and use the institutionalized knowledge as an instrument to serve its own class interest. As a result of it, knowledge gets degraded and deviated from its original grandeur and dignity. Against this institutionalized degraded knowledge, Said seeks to go for oppositional counter-knowledge. Primarily Said welcomes orientalism of the western scholars. But a clear and deliberate effort to belittle and humiliate the East is definitely found implicit in the mainstream western orientalism for long. From their own standpoint and orientation, the western orientalist scholars have made explanation and description of history and culture, ideas and institutions and of social, political and religious life of the East.

These descriptions and explanations are the products of divisive mindset, full of hostility and 'us-them' discrimination. Orientalism of the occidental scholars represents superior-inferior relationship, it is inseminated by racial hatred and expresses overt and covert violence. The western orientalist have used this orientation and mindset in knowing, understanding and theorizing on the mind, nature, characteristics, socio- political and cultural behaviours and practices and general life-patterns of the easterner other who are considered distinct from the westerner selves from cultural and civilizational standpoint. Said firmly believes that the knowledge inspires this essentialization of the 'other' or, to say, this 'othering' is coercive and this coercive knowledge leads to grow discourses. Faithfully following the formulation of Foucault, Said observes that in every society discourses are produced, organized, selected and redistributed to crush or to manage popular resistance against the reigning regime and its authority. These discourses are produced, organized and redistributed under severe surveillance of the state so as to enable them to gain success in controlling the means and forms of representation in the society concerned. Said is of opinion that colonial discourses or orientalist discourses do conform to Foucault's idea of discourse and these colonial or orientalist discourses essentialize, particularize and symbolize the East as ignorant, speechless, sullen, indignant, half-devil, half-child, mystical and impoverished 'other'. Said opines that western discourses relating to the East are originally oriented to control and dominate the East; and, following Lacan's idea, he observes that the western culture with its fundamental orientation towards control and domination constructs its own self identity through 'othering'. In his *Orientalism*, Said holds the view that by means of constructing the above- said stereotypes the western orientalist despise and neglect everything eastern and establish their own supremacy. Along this line of activity colonies are built, the indigenous education, culture, knowledge and the free spaces of common life of the people of the colonies are occupied and exploitation and presecution are kept in motion. Orientalism of the West is thus violent in nature and it is this discourse, Said observes, that offers representational violence. As he says, orientalist stereotypes invariably presupposes and confirms a totalizing and unified imperialist discourse. The arrogant and violent knowledge implicit in western orientalism, Said argues, led the imperialist and the colonial rulers and their associates to glorify and valorize their 'self' and disdain and humiliate 'other'. The power and authority the imperialist and the colonialist rulers thus assume is not only cultural and psychological, but it is also political and economic and then it is military. Western orientalism constructs the

identity of conqueror colonizer and superior for Europe and for the non-Europeans it constructs the identity of the conquered, colonized and inferior. So, as Said opines firmly, orientalism and knowledge about the orient of the occident scholars indicates a distinct scheme of relationship of power between the colonizers and the colonized, between the West and the East and between Europe and non-Europe. The people under long-standing cultural, psychological, political, economic and military rule of the colonizers had followed, imitated and been influenced by the western education and culture, language and forms of apparent behaviour. Various attempts of the colonizers like introduction of English department in Indian universities, valorization of english literature with its own perceived beauty, truth and morality and practising Euro-centric values in public and private life had two-fold objectives. These attempts were undertaken with an intention to enforce marginality and inferiority of the colonized culture and of the indigenous knowledge and sense of morality on the one hand and to manufacture consent towards the imperial and colonial rule by mans of creating in them a favourable belief-system conducive to rule the colonies on the other. Ngugi wa Thiong'O, the renowned Kenyan writer and academic and Mahatma Gandhi have given a solemn declaration of opinion against European aggression of education and culture and knowledge and wisdom of the non-European races. Ngugi has considered the colonial language and culture as the fatal and terrifying sphere of colonial discourse. In his *Decolonizing Mind*, published in 1986, Ngugi observes that language asserts self-identity. Hence, he emphasizes on building and strengthening cultural foundation of identity of the colonized and calls for abrogation of the language and culture of the colonizers. As he opines, this act of abrogation of the alien language and culture and of building of the strong basis of own culture and language of the people in the colonies are of utmost importance. He has noticed that the language and culture of the indigenous people of Africa and Latin America are about to become extinct in the face of cocrcion and highhandedness of the colonial language and culture and French or Spanish or English has been predominant there. This is why. Ngugi has sought to abrogate colonial language or languages and to reread and rewrite the colonial writings. This rereading and rewriting express his attitude to protest and dissent against colonialist aggression of indigenous cultural wealth of the colonies. His *River Between* (1965) is an express product of this protest attitude Ngugi had long cherished before his publication of *Decolonizing Mind*. Edward Said has endorsed Ngugi's intention and attempt to build anti-colonial

134 _____ NSOU CC-PS-01 cultural resistance. But he rejects abrogation of the colonial language and culture and has recommended to alter and make them consistent to social and cultural contexts of the locality and then to make the counter-culture against colonial culture. He thinks that Salman Rushdie is successful in performing this work in his *Midnight's Children*. Said contends that Rushdie has compelled the West to recognize the East. In the hands of Rushdie this East is restructured and it is restructured by the discourses of the West. So, instead of obrogation of colonial culture and languges Said intends to build counter-culture or culture of resistance which repudiates orthodox nativism and extremist nationalism hindering the process of decolonization. Said is of opinion that it is an imperative to rediscover the nature of imperialist domination and repression, deformation and defamation of the history and culture of the indigenous nations and then to build a solid foundation of decolonization. For this purpose he asserts, we should have to work with tradition, language, history and literature of different nations and again, customs and conventions, rituals and social pratices as prevalent in various societies and in various parts of them are required to be involved to this attempt. In his *Culture and Imperialism* published in 1993, Said lays emphasis on the deep inquiry into the different roots of South Asian culture and literature which entail multi-cultural dimension, and in this attempt he himself comes closer to sub-altern study group.

10.2.2 Homi K. Bhaba and Theory of Postcolonialism Homi K. Bhaba is an important thinker of postcolonialism. Bhaba is influenced by the ideas, observations and conceptual innovations advanced by Jack Lacan, Jacque Derrida and Michel Foucault. Bhada has introduced the concepts and ideas like hybridity, displacement, ambivalence, unhomely etc in the realm of the theory of postcolonialism and these ideas and concepts have led the theory to gain more richness and intricacy as well. What Bhaba has told in his *Location of Culture* (1994) and *Of Mimicry and Man* (1984) and elsewhere is that the imperialist powers have brought various changes in the realm of language, education, culture and life-processes of the people in the colonies. The primary objectives of this change-effort were to establish colonies and to consolidate their all-round hold upon there. Introduction of western education and system of knowledge by the colonizers has produced a peculiar oscillation and ambivalence in society, which is an outcome, as Bhaba argues, of hybridization. Introduction of western culture in non-western colonies gives birth to a peculiar

NSOU CC-PS-01 _____ 135 amalgum of cultures and identities. The age-old social customs and conventions, habits and symbols prevalent in indigenous societies are moved by new ideas and they take a mixed form. The oscillating and ambivalent colonized people who were influenced by mixed cultural ideas and practices embrace the critical existence that is resulted from the mutual cultural contagion. Bhaba is of opinion that the colonizers are not immune from hybridization or from the effects of it. But the ambivalence resulted from this hybridization creates much more problem for the anti-colonial movement as it creates deep doubt as to which direction it will be organized and guided. But, as Bhaba contends, despite this problem and dispite strong surveillance of the colonial rulers, the local people have tried to speak out following their own direction and intent. The colonizers have become not always successful to bring power or the discourses of power under their absolute control and, for this reason, as Bhaba observes, the hybrid identity built through the mutual interaction and subtle intimacy between the two cultures has challenged the cultural supremacy of the colonizers. The purpose and desire guiding the colonizers to construct the 'other' against the 'self' have not been completely successful. The so called subjects of the colonies have become vocal and active and ignored the vigilant and all-pervading watch of the colonizers. Bhaba opines that when the hybridized colonized existing in the realm of ambivalence rewrite the colonial narrative, that rewriting does not necessarily become an irrelevant and pointless duplicate. This rewriting definitely carries the inkling of the change of time and change of the fate of those who are called the subjects. This rewriting obviously hastens the process of decolonization. According to Bhaba, hybridity or hybridization is no any negative fact or a negative force. Rather it identifies the presence or representation particularly of the people of the colonies through their interaction with the aliens. Hybridization does not mean the decay and devastation of the old forms of cultural ideas and practices. In several parts of several colonies deep inquiry into and exercises in age-old community life, community literatures and different community cultural forms were found pervasively and this tradition has been formidable there in the post-colonial period. The enormous diversity as represented by those age-old cultural forms seems to constitute a treasure of gems and diamonds which are now used to make new narratives of mass interest. Hybridization has, in fact, given birth to a certain kind of double consciousness. This double consciousness does not exist only among the colonized in the periphery, it exists even in ideas and activites of the colonizers of the centre, and as a result of it, the colonial identity, the colonial administration and

136 _____ NSOU CC-PS-01 the colonial edifice have been nativized and rift and tension are produced within the structure of power. So hybridization, as Bhaba argues, can be said to be responsible for the mutual transculturation of the colonizer and the colonized. It leaves neither the colonized nor the colonizers to remain in pure, rather it forges inter-civilizational contiguity between masters and the so-called slaves in the colonial non-west. In postcolonial discussion, imitation or mimicry is an important concept. Frantz Fanon in his *Black Skin, White Masks*, mentioned that at the time of carnival held in the Carribean region, the black slaves were given the permission to use white masks. The blacks used to exhibit caricatures using the white masks. Fanon tells that fairly a good number of Carribean blacks had used this practice and wanted to become similar to the white. The colonial power used to induce the local blacks to imitate the language, culture, habits and practices of the colonizers for the actual purpose of downgrading the local people and for estranging them from their own culture and own identity. The condition, the colonialists wanted to create by this effort, is the condition of coloniality which was required to expedite the cultural and psychological fall of the colonized leading them to welcome and enfold the culture of the alien. Homi Bhaba in his *Mimicry and Man* has elaborated the idea of Fanon. We know that Michel Foucault in his *Discipline and Punish* has observed that the ruling class seeks elsewhere to expand the net of surveillance in order to consolidate and deepen its absolute power elsewhere in society. To get all ideas and activities under the umbrella of its power and authority and also to crush the anti-government protest movements or even such voices, the ruling power strengthens the net of watch and vigilance upon the people. Bhaba, who is heavily influenced by this Foucauldian idea of power-consolidation of the ruler, observes that the colonial rulers seek to make new habits, taste and all other socio-cultural practices of the colonized on the model and pattern of the colonizers through their act of surveillance and constant vigilance. The western rulers want the colonized to become alienated from their age-old habits and belief-system, social norms and values and practices, and they (the colonized) would become the followers of the westerners through imitation or mimicry. For the purpose of expanding and strengthening imperialism in the vast length and breadth of British India, Macaulay in his *Minute on Indian education* (1835) sought to grow a class of persons Indian in blood and colour, but English in taste, in opinion, in morals and in intellect. But in *Location of power*, Bhaba argues that the colonial rulers intended to make the colonial subjects into reformed and recognizable mass

NSOU CC-PS-01 _____ 137 through mimicry or mimicking the westerners and they even used to accept and regard them as 'almost the same, but not quite'. Bhaba strongly opines in this context that this attitude of the colonizers is fundamentally humiliating and this colonial attitude proves post-Enlightenment civility as being devoid of its essence, honesty, humanity and universality. But mimicry itself, as Bhaba emphasizes, is not altogether devoid of political meaning. The parts of ideas and experiences gathered in the process of mimicry promote and enrich the anti-colonial texts and it results in the expansion of the scope of or the space for anti-colonialism and decolonization.

10.2.3 Gayatri Chakraborty Spivak and the Theory of Postcolonialism

Gayatri Chakraborty Spivak is one of the resourceful thinkers in the continuing discussion and debate on postcolonialism. Spivak is equally influenced by Marxism and deconstruction discourse of Jacques Derrida. Again she has deep exercise into and curious academic pulling for sub-altern history. In her *A Critique of Post-Colonial Reason*, published in 1999, Spivak has mentioned that the non-westerners have been described as the uncivilized and barbaric in most of the metaphysical writings of the West. Spivak has given particular emphasis on 'difference', a subject she thinks very important in postcolonial discussion. She admits the relevance of Said's *Orientalism* and considers it as the 'source-book' of postcolonial study. She observes that Said is correct when he opines that the western orientalist had described the non-western world as ignorant, primitive and backward from a totalizing point of view. But the idea and concept of the East Said has built against the western construction of it have been done from similar totalizing stand-point and it does not go beyond the bound of grand narrative neglecting difference, heterogeneity and plurality with which a society, be it western or eastern, modern or backward, is grown and exists. Perhaps for translating 'Of Grammatology' of Derrida into English Spivak is found very consistent and categorical in asserting the view that all discursive endeavours necessarily involve multiple conflicts and contradiction, multiple dimensions and multiple meanings. As she argues, the East involves, reflects and represents enormous differences; life and living here go along several directions and towards several goals. And, hence, she contends that the experience of colonial domination over and exploitation of various resources is not homogeneous and the orientation of the attempt of discussion, analysis of and theorization on this colonial domination and exploitation can not be unilinear and totalizing but multi-dimensional and pluralistic in nature.

138 _____ NSOU CC-PS-01 Spivak also throws light on the relationship between postcolonialism and feminism. In postcolonial study it is thought that the women are oppressed by and under the domination of the men. Spivak thinks it appropriate or correct, but in addition to it what she wants to say is that the women in colony are doubly subjugated and doubly dominated and herein lies the difference between the European women and women in the colonies. European women are subjugated and dominated only by the patriarchy of the home country, but the women in the colonies are subjugated and dominated by the two fold patriarchy-one of the home country and the other of the imperial or colonial country. For this reason particularly, the European women and the European feminists cannot represent the women of the third world which was once colonized. The European women and the European feminists are immune from the experience of coloniality or colonial exploitation, domination and persecution. So the European feminist discourse, Spivak strongly observes, is not adequate, complete and universally acceptable, and, for this reason, she, in her paper entitled *French Feminism in an International Frame*, (1987), strongly criticizes 'About Chinese Women', an work by Julia Kristeva on the plight of the Chinese women. Identifying the marks of coloniality existent in Kristeva, Spivak argues that she has penned on the Chinese women without having an adequate understanding of their real plight or its history. Gayatri Chakraborty Spivak has highlighted on the problems of representation by the sub-altern. She, in her essay entitled *Can the sub-altern Speak?* (1988), has raised the question about whether the sub-altern can exhibit their vocal existence or can raise their voice signifying their existence or not. Spivak observes that the postcolonial theorists undergoing schooling in and orientation to western mode and system of so-called modern education and learning have come forward to raise the narrative of grief and suffering and also displeasure and agitation of the sub-altern women and they want, thus, to represent them. But she finds no fundamental sympathy and sensitivity immanent in western knowledge, culture and epistemology by virtue of which any scholar oriented to that knowledge and culture can reach the sub-altern become one of them and understand their voice. Rather Spivak finds insurmountable and huge gap between listening to and voicing of the sub-altern, because the curious scholar wishing to understand the sub-altern and to represent them and the sub-altern themselves are mutually 'other' to each other; and since they do not belong to the same knowing race and community, the people belonging to the sub-altern category or class are, as they appear, speechless and unrepresented. In this analysis, Spivak

NSOU CC-PS-01 _____ 139 also expresses her strong belief and opinion that the women within this sub-altern class or social category are more sub-altern than the normal sub-altern for the reason that the place where they live or exist in sub-altern society is shadelessly dark, a place absolutely unreachable for a narrator wishing to make enlightened, rational, human, modern and universal narrative.

10.3 Features of the Theory of Postcolonialism

Postcolonialism is a multi-dimensional and inter-disciplinary approach to the study of socio-economic, cultural and political phenomena. It consists of various thoughts and ideological waves like Marxism, postmodernism and post-structuralism. It is found that Marx, Gramsci, Lyotard, Foucault, Derrida and also the scholars of the sub-altern school have their varying direct and indirect impacts upon the writers developing postcolonial discursive theory or literary works along postcolonial orientation. So from varying and sometimes mutually unstructured and contending standpoint the postcolonial thinkers have discussed the psychology, values, thoughtful thinking reflected in education and learning, art and literature, habits and persuasions and effort of institution-building and political governance of the people and nations once colonized, and they put forward an unstructured theory we call postcolonialism. Secondly, postcolonialism broadly tends to reject modernist meta-narrative or grand narrative. According to the opinion of the postcolonial thinkers meta-narratives or grand narratives are prone to become fundamentalist, totalizing and hence seeks dominance over all kinds of socio-political, cultural and epistemological diversity and plurality. Most of the grand narratives in the sphere of education, culture and social and political thinking, the postcolonialist thinkers observe, are grown centering on the post-Enlightenment Europe, and, for this reason, postcolonialism is basically a critique of Eurocentrism which depicts Europe as matured, civilized, developed and progressive and denounces the non-western people and their society and civilization as immatured, barbaric, primitive and backward. Thirdly, postcolonialism and post-colonial literatures and other socio-political writings and analyses are directly and indirectly associated with anti-colonial protest and movement for decolonization. Frantz Fanon was the first powerful thinker who most formidably described how the western colonizers used to destroy education, knowledge, culture and civilization of the colonial subjects; and they valorized their own education and culture to legitimize and institutionalize imperial and colonial

140 _____ NSOU CC-PS-01 rule. Black Skin White Masks and The Wretched of the Earth, two important works of Fanon had tremendous impacts on the subsequent proliferation of postcolonial writings of the latter days. Edward W. Said in his Orientalism and Culture and Imperialism in particular observes that European orientalism and European knowledge have humiliated and degraded deliberately the East. European knowledge and culture is inseminated by racialism and it expresses egoistic power to occupy the mental, psychological and cultural resources of people of the colonies. Western orientalism, Said opines, is the subtle design for establishing domination over society, polity, economy and mind of the East. It depicts the East as idle, idiotic, idyllic, impoverished and inferior while the West, is rational, progressive, humane and superior. In western orientalism, the West is the 'self' while the East is 'other'. The othering stereotypes tend to recognize and consider the East as similar and homogeneous. Said has criticized this totalizing European narrative on the society, culture and politics of the orient. Fourthly, it is reflected in the postcolonial writings that western 'othering' has failed to take into consideration the enormous heterogeneity and plurality as prevalent and implicit in 'other'. The scheme of western otherings unilaterally assumes that the West is ordered, rational, masculine and good and consistent while the East or the non-West is chaotic, irrational, feminine and bad and inconsistent. This grand narrative of cultural colonialism is an expedient means of colonization and institutionalization of colonization. Fifthly, the binary concept of centre and periphery has acquired importance in postcolonial thinking. In colonial education, culture and epistemology, Britain and France in particular, constitute the 'centre' and the whole of non-West, is known as the 'periphery'. Although the concept relating to centre-periphery division was grown with the colonization project of Britain in the seventeenth century, it becomes fashionable, powerful and far more relevant when English language and literature were introduced for 'civilizing' the natives in the nineteenth century for colonial reason. Colonial narratives presumably project the people in the centre as the natural occupant of political, economic, cultural and psychological resources of the people in the periphery by virtue of their racial and cultural superiority. And because of harsh and pervasive domination and hegemonic surveillance imposed upon people in the periphery their free voice is hardly heard and they get speechless. In her postcolonial writing Gayatri Chakraborty Spivak has offered a very interesting

NSOU CC-PS-01 _____ 141 discussion about how the sub-altern loses their ability to speak about themselves in a socio-cultural and political regime which is not their own but owned by the elite in the centre. Sixthly, the postcolonial socio-political and literary writings have sought to express and analyse the nature of western domination over non-western people of the colonies. Fanon, Said and Homi K. Bhaba extensively write on how the people of the colonies have accepted, rejected and resisted the cultural supremacy of the colonial powers. In their writings how the cultures of both the colonizers and the colonized came to each other and got mixed and hybridized in the process of acceptance, rejection and resistance are shown. The indigenous culture as transformed through mimicking the language, symbols, values and social practices of the westerners and also through the process of hybridization, is not, in the opinion of some of the thinkers of postcolonialism, altogether a signifier of the cultural void of the colonized. On the contrary, as Said has observed and Salman Rushdie has shown in his Midnight's Children, it has been and can be the signifier of challenge and protest on the part of the people of the colonies against the racist European colonial hegemony who use to brag to the non-westerners about the hollowed national fall-outs of European Enlightenment like rationality, modernity and sense of progress and humanity. Homi K. Bhaba in his Location of Culture observes that the process of hybridization and mimicry does not annihilate the culture of the indigenous people, rather it leads to identify and assert the presence of the colonized, and it restores the cultural forms and ideas which are lost or deformed during the period of long colonial domination. Unlike Ngugi wa Thiong'o who has gone for complete abrogation of alien languages and advised his Kenyan people to cultivate literature in local Kikuyu language, the writers like Rushdie are in favour of brightening the indigenous and pre-colonial cultural elements in the context of hybridized and mixed culture. The process of hybridization and mimicry leads to grow and is capable to grow such works that reconstruct the western discourse and compel the West to recognize this new construction of the East. It is, as these writers view, an important and effective means for cultural decolonization. Said and Homi Bhaba strongly think that the indigenous people or those who seek to represent these people have language and culture the indigenous people have adopted and used should have to be changed and reconstructed in view of local socio-political and cultural context and circumstances. This effort or the outcome of this effort will facilitate the intervention of the East in the domain of the dominant discourse of the West and thus the prospect of

142 _____ NSOU CC-PS-01 redevelopment of the history and content of the non-western traditions will be brightened in this process. This attempt taken or to be taken by the perceptible actors in the field history, literature, politics, art and culture is definitely an attempt of protest and resistance against cultural supremacy of the colonizers. This attempt decentres the centre and asserts the identity of the periphery. Seventhly, in postcolonial writings we are offered various binary ideas regarding the colonizers and the colonized. These novel ideas indicate the mutually oppositional relationship between these two socio-political and cultural categories and reflect their relative status, identity and position as determined by the notion of colonialism and its culture. In the field of colonialism and colonial ideas the colonizer West and/or the westerners are depicted as the 'self', civilized, matured, progressive, rational and superior while the colonized East and / or the non-westerners as immatured, barbaric, primitive, backward, aberrant and inferior. These binaries express the antagonistic relationships particularly the colonizers built or constructed to convey their habitual hatred towards and dominance over the colonized. Eighthly, rewriting and reconstruction of history, literary works and discourses is an important feature of postcolonialism. The *River Between* (1965) of Ngugi is the reconstruction of *Heart of Darkness* by Joseph Conrad (1899). In India, Partha Chatterjee, Amitava Ghosh and many other scholars-writers have made such attempt which is considered as a significant means for cultural decolonization. Following this trend of postcolonial rewriting of classical narratives, *Pompero* and *Calibon of Tempest* by William Shakespeare have been transformed in the context of decolonization process in Africa and Caribbean region during 1960s and 70s into representative of alien rule and indigenous inhabitant from their respective original identity as depicted in original text. Ninthly, postcolonial explanation have their continuing impact upon explaining and analysing the nature and characteristics of various socio-economic and political conflicts and contradictions exist at different levels particularly of the societies belonging to the third world nation-states. Postcolonial perspective is also relevant in explaining the nature and dynamics of political relations among rich and the poor states. Finally, postcolonial thought has been an obvious powerful inspiration for anti-colonial nationalism and anti colonial movement of the countries once colonized and now belonging to the third world. The multi-cultural and pluralist consciousness as

NSOU CC-PS-01 _____ 143 implicit in postcolonial thinking contains the power to guide the states now independent to fight against unequal distribution of global power and totalizing agenda of economic globalization sponsored by the big capitalist states seeking to destroy the autonomous identity and existential plurality upon which human civilization is based.

10.4 Limitations of Postcolonial Perspective

Postcolonialism or postcolonial perspective has been criticized by some scholars like Robert Young, Aijaz Ahmed and a few others. The main allegations against postcolonialism we will now discuss. First of all, this theoretical perspective have tried to put emphasis on the political and cultural relationship between the European colonizer nations and the non-European countries once colonized on the basis of two important notions of dominance and subordination. But this theory is consistently indifferent to give emphasis on the commitment of the subjugated and unfree nations and on their stiff and difficult struggle for national liberation and for establishing 'swaraj' for them. Postcolonialism lacks in representing the narrative of multi-dimensional exploitation, pain and suffering out of oppression and persecution of the nations under the pressure of colonialism and neo-colonialism. This perspective does have no inspiration for the basic change of the socio-economic and political condition of poor people in the poor nations in particular. This theory has failed to become a material force as it fails to grip the masses. Secondly, the critics are of opinion that the western colonial powers did not always regard the non-western people as culturally 'other'; rather they regard them as stiff political opponents as and when they had faced their countervailing attack for autonomy and independence. Postcolonialism is not thus serious about incorporating the revolutionary intent, strong determination and resistance of the colonized 'subjects' against the colonial 'masters'. Thirdly, the postcolonial theory is no any well-knit, structured and systematic perspective with definite message either. The protagonists and proponents of this theory are influenced by several ideological systems sometimes contending one another. Apart from it, several diversified concepts and experiences grown from the several contexts of colonization and decolonialization, the proponents have used to explain their specific position in regard to the content of this theory. It results in making this theory a bit complex for students of social and political theory.

144 _____ NSOU CC-PS-01 Fourthly, postcolonial theory contains an explanation of the relationship of conflict and contradiction exist between capitalist and the former colonial powers on the one hand and the countries belonging to the third world on the other. But this explanation, as some of the critics observe, carries no any new idea; rather it may be regarded as an extension of the old Marxist theory of the relations of states found in international politics. Fifthly, the postcolonial writings or particularly the broad pattern of their presentation are western in nature. Mostly the higher education centres in the West are their epicentre and proponents, of course barring a few, some critics argue, have introduced and supported the assimilative ideas like hybridity, mimicry, in-betweenness etc, in this theory and in the agenda of decolonization for the purpose of getting them included into or connected with the western academia. So, on the question of extinction of imperialism and colonialism and of retrieval and reestablishment of the glorious history, tradition, culture and civilization of the indigenous people this theory is not active; nor this theory talks about the needs of the people of the non- West to develop competitive attitude, skill and productivity for the purpose of their empowerment and progress. Despite the above criticism against the postcolonial theory, we cannot altogether deny its importance. The effort it has taken to unearth and explicate the nature of cultural domination of colonialism and continuing colonialism is really significant. Distinctly this theory has shown that the occupation of mind and culture of people could weaken them and this act gets them subservient to and fervent follower of the ruler. In fact, despite various epistemological opinions and debates on the relationship between consciousness and social existence of man we find to exist in the field of social philosophy, some effective synergy between the two requires of recognition. In the context of both colonization and decolonization, several thinkers and writers of postcolonialism have discussed this subject extensively. 10.5 Summing Up Postcolonialism is a recent critical perspective in the study of political theory. Several thinkers and writers of postcolonialism like Frantz Fanon, Edward W. Said, Homi K. Bhaba, Gayatri Chakraborty Spivak and many others, despite diverse orientations among them, have tried to describe their broad argument within the framework of post colonialism.

NSOU CC-PS-01 _____ 145 Limitations of the in that the West, and the experience of the colonial period, had tried to control and occupy the realm of mind, psychology, language and culture of the colonized for the purpose of institutionalizing the colonial rule and domination. This rule and domination have their continuing impact upon the people of the former colonies which now acquired statehood. Unearthing the ideological disguises behind colonization and relative significance of the process like hybridization and mimicry having their direct and indirect impact on decolonization are discussed extensively in this theory from various epistemological standpoints. However, some critics have identified certain limitations and this theory has rediscovers the fact that those who rule construct ideologies or discourses manufacturing consent in favour of the rulers. 10.6 Probable Questions Essay Type Questions : 1. How did the West expand psychological and cultural domination over the East? Answer the question from the postcolonial perspective of political theory. 2. Make an estimate of the contribution of Edward Said to the development of postcolonial perspective. 3. Make an assesment of the postcolonial ideas of Homi K. Bhaba. 4. Discuss the general characteristics of postcolonial theory. Long Questions : 1. Discuss the contributions of Fanan and Eduard said to the development of post colonial theroy. 2. Point out the limitations of the postcolonial perspective. Short Questions : 1. What the central theme of postcolonialism? 2. How did Frantz Fanon develop the theory of postcolonialism?

146 _____ NSOU CC-PS-01 3. What are the main points of discussion as advanced by Gayatri Chakraborty Spivak on the theme of postcolonialism? 4. What are main points of argument the critics have raised against postcolonial theory? 10.7 Further Reading 1. Gandhi Leela, Postcolonial Theory : A Critical Introduction, Oxford, New York : Columbia University Press, 1998. 2. Basu, Pradip, Postmodernism, Marxism, Postcolonialism, Kolkata, Avenel Press, 2010. 3. Mongia, Padmini, (ed), Contemporary Postcolomial Theory, Oxford : Oxford University, Press, 2000. 4. Said, Edward, Orientalism, New York, Vintage, 1979. 5. Guha, Ranajit and Spivak, Gayatri Chakraborty (eds), Selected Subaltern Studies, New Delhi, Oxford, 1988. 6. Ashcroft, Bill et al, The Empire Writes Back: Theory and Practice in Postcolonial Literatures, London and New York, Routeledge, 1989. 7. Ahmad, Aijaz, 'The Politics of Literary Postcoloniality', Race and Class 36.3 (1995): 1-20. 8. Young, Robert, White Mythologies: Writing History and the West, London : Routeledge, London, 1990.

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Unit-11 □□□□□ Democracy : The History of an Idea Classical and Modern Democracy Structure 11.0 Objective 11.1 Introduction 11.2 Democracy : Its Origin 11.3 Ancient Democracy 11.4 Classical Democracy 11.5 Contemporary Democracy 11.6 Conclusion 11.7 Probable Questions 11.8 Further Reading 11.0 Objective By reading this unit the students will be acquainted with the following: (a) Origin and evolution of democracy (b) Origin and nature of ancient democracy (c) Background, causes and evolution of classical democracy (d) Various dimensions of contemporary democracy 11.1 Introduction Democracy is supposed to be a modern concept ushered with the arrival of modern society. Indeed, modern democracy seems to be a gift of modern society. Modern democracy along with its different forms spread to different parts of the world with the breakdown of pre-modern societies. Elected representatives, Representative assemblies and representative governments, recognition of peoples' democratic rights, rule of law, sovereignty of parliaments, separation powers and independence of judiciary, freedom of the press—all these signify arrival of and firm foot-hold of modern democracies.

150 _____ NSOU CC-PS-01 11.2 Democracy : Its Origin
However, the concept of democracy is not a totally new and unknown concept in pre-modern times and an exclusive contribution of modern era. It actually appeared in pre-modern societies also. The term 'democracy' first appeared in ancient Greek political and philosophical thought and its first formal expression was found in the city-state of Athens during classical antiquity. But again, invention and usage of the term 'democracy' firstly in ancient Athens does not imply its non- existence in pre-Athenian period. In its rudimentary form democracy was found in the pre-historical period. It may sound strange but the fact is that scholars have noticed existence of democracy as a form of social decision-making in primitive societies. The first form of democracy in human history is actually primitive democracy. Primitive democracy is that form of democracy that was prevalent among the primitive tribals. Actually primitive democracy was not particular form of state rule with any formal structure of debate and decision-making. Rather it signified essence of democracy in the normal day-to-day lives of the primitive people. Primitive tribal societies were marked by equality, non-subjection to other men and external authorities, participatory decision-making processes, rule of unanimity-based decisions, enforcement of decisions only by customs or general consent etc. Unlike political democracies of ancient Greek or modern periods, the decisions of the class or tribe were made by all adult members of the community and the decisions taken collectively by all adult members of the community were enforced only by custom or general consent. For these reasons, George Novack has rightly observed that "In its widest sense, democracy is as old as the first forms of human society". 11.3 Ancient Democracy The idea of democracy was not even unknown to the ancient people of either China or India. In ancient China a persons named Zho emphasized on the importance of people and Sun Yat-Sen envisioned a republic for India. In ancient India early form of democracy was actualised through the republics. Gana or a Sangha (such as Buddhist Sangha) Sreni, Puga, or Vrata are different forms of republican politics that existed in ancient India. Although monarchy was the widely prevalent and normal form of the state, still democracy, more particularly, democratic form of institutions were not unknown in ancient India.

NSOU CC-PS-01 _____ 151 Democracy as a form of state rule is supposed to be a Greek invention. Democracy is in origin a Greek word. The word 'democracy' is actually composed of two words--One is 'demos' which means the whole citizen body living within a particular polis, or city-state and the other one is 'Kratos' which means either 'power' or 'rule'. In this sense democracy becomes rule of the people. It may be mentioned here that about 422 B.C. Cleon said: "...That shall be democratic which shall be of the people, by the people, for the people". It is usually thought that democracy was by origin an European concept as it is believed to have originated in ancient Greek city-state of Athens. Athens is believed to be the birthplace of democracy. Actually it was not Athens but Chios in Ionia which was the first Greek city to tread the path to democracy and that was in as early as in the second quarter of the sixth century B.C. There were free institutions in Chios between 575-550 B.C. There existed some kind of democratic norms and free institutions in Chios. The desire for democracy which found feeble expression in Chios in the sixth century B.C., got a solid foothold in Athens in the 5th century B.C. The Greek city- state of Athens (which also included both Athens and Attica) may be described as the first known democracy in the world. From the 9th to the 5th centuries B.C., Athens completed the full cycle from monarchy to democracy. In this process the power of the nobility was broken up and developed a political system based on practice of adopting and enacting legislation and executive bill through democratic procedures. Athenian statesman Solon laid the foundation for Athenian democracy. Solonian reforms ensured the rights of all Athenian citizens to participate in Assembly (Ecclesia) meetings. All citizens were entitled to attend the general Assembly, which became the sovereign body, entitled to pass laws and decrees, elect officials, and hear appeals from the most important decisions of the courts. Every citizen was entitled to attend and speak at its meetings. Decisions were taken through voting either by show of hands or by secret ballot. Another democratic body was the Boule. It was the official executive body. It was a group of 500 men. 50 from each of ten Athenian tribes, who served on the Council for one year. It met every day. Its function was of supervisory nature. The Boule was less powerful than the Assembly but more dignified than the Assembly. Notable features of the Athenian democracy were its deliberative and participatory nature. It was deliberative democracy in the sense that there existed in the Ecclesia (Assembly) free atmosphere of public discussion and lively debate both on domestic

152 _____ NSOU CC-PS-01 and foreign policies. At the same time, it was a particular form of participatory democracy. Participatory democracy means that particular form of democracy where citizens can directly participate in the decision-making processes of the state. As R. H. Soltan has observed in his Introduction of Politics : "The Greek city-states were indeed democratic in the participation of all citizens, not only in the election of officials but in the daily routine of administration and justice...". The Athenian democracy was indeed a vibrant, direct and participatory democracy. S. Hornblower, in an essay entitled Creation and Development of Democratic Institutions in Ancient Greek, has explained peculiarity of the system of participatory democracy as developed and prevailed in Athens. He said: "What resulted was a system of participatory democracy which combined a complexity and sophistication of political detail on the one hand (including a very severe attitude to individual accountability), with the principle of almost total amateurism in the other, in a marriage which remains unprecedented to this day." The type of democracy prevalent in ancient Greek city-states especially in Athens had some salient features. Firstly, unlike the primitive democracy, it was political democracy. Political democracy arose by way of doing away with primeval democracy. As regards political democracy it may be said as George Novack has pointed out : "Political democracy is a form of state rule--and the state is a product of the cleavage of society into opposing classes." Secondly democracy in Greek city-states especially the Athenian democracy was participatory in nature and marked by participation of all freeman in the common affairs of the city-states. Thirdly, it was deliberative in nature, in the sense, freedom was attempted and it was marked by an atmosphere of free discussion to arrive at public decisions. Fourthly, there was general respect for laws and for the established procedures of the community. Fifthly, it was based on some basic democratic ideas and ideals. The Athenian political ideals were active citizenship, equality among citizens, liberty, respect for the laws and justice and politics as a collective and rational enterprise. Sixthly, at the base of all these features, there remained a general sense and urge for collectively, cohesiveness and solidarity. Actually, in Athenian democracy, public decisions were collectively taken. The purpose of political participation and taking part in the debates in the Assembly by the citizens (i.e. freeman) was to achieve cohesiveness and solidarity. However, its limitations cannot be overlooked. Although its deliberative and participatory nature have been overemphasized overlooking the other side of the coin. As a matter of fact, the right to participate in the election of officials and in the daily routine of administration of justice were confined among a small number of

NSOU CC-PS-01 _____ 153 citizens, excluding 'foreigners' (i.e. fellow Greeks from other communities), and slaves. Pointing out this aspect of the Athenian democracy Prof. S. Mukherjee and Prof. S. Ramaswamy have said : "It is argued that the Athenian democracy was essentially incomplete and exclusive for it excluded women, resident aliens (metics) and slaves from the democratic process and treated few alone as free". One particular limitation was its class nature. The Athenian society was a slave society as slavery was prevalent there. Most importantly, slaves, an integral part of the then Athenian society, were excluded from all kinds of political participation. Actually, they were deprived from all kinds of basic human rights. It was actually a democracy of the so called 'free' people of the society and as such a truncated form of democracy. According to Aristotle, it was based on false assumption of equality. Both Pericles and Aristotle defined it as the supremacy of the many over the few. Decline of the Athenian polis and the rise of Rome did not make much headway in the direction of development of democratic political system. The Romans initially embraced Athenian democratic principles. Although Roman political system was not purely democratic, however, the Senate, the Council (Councilum) and the Assembly were important political institutions of ancient Rome. Rome's contribution was confined in laying the ground-work for a system of civil and criminal law, establishment of a universal code of law, granting citizenship rights to the slaves etc. Although the Roman's invented the idea of secret ballot, the Romans could not lay the foundation of a real democracy. Authoritarianism was more pronounced in the Roman political tradition. The participation of citizens in the governmental process was only formal. The Roman political system, rather than being purely democratic, was, in reality, a mixture of kingship, aristocracy and democracy. Thus, the Romans did not make much contribution to the development of the concept democracy as was noticed in the case of Greeks. Democracy in Greece in general and in Athens in particular was incomplete and exclusive in nature. Still, they are remembered as "historical forerunner of all subsequent democracies in the world". As Antony Arblaster observes : "For the Greeks did not merely invent the concept of democracy. The concept was devised, or evolved, to describe an evolving reality--the kind of city-state in which the citizen body did actually govern itself." 11.4 Classical Democracy Modern democracy is, as opposed to ancient democracy, a newer form of democracy which originated and took shape in a new social context. Two distinct

154 _____ NSOU CC-PS-01 phases of modern democracy may be identified. The first one may be regarded as classical democracy and the second one as contemporary democracy. Actually, classical democracy had originated in ancient Greece. Democracy was practiced as a form of state rule in the city-state of Athens in 5th Century B.C. But the modern form of classical democracy can be traced back to the 17th century Europe. New social context, newer type of socio-economic activities, urges and expectations led to the rise and growth of modern democratic thinking and associated political practices. Different revolutionary movements in Europe and America, rise of capitalism and rising expectations of the new social classes, arrival of new socio-political concepts like individualism, liberalism, individual freedom created favourable situation for the rise and growth of democracy both as a concept and as a form of state rule. Essentially, birth of modern democracy is a result of far reaching socio-economic changes as well as changes in outlook and world-view. In this context, it may be said that the Middle Ages in Europe is generally regarded as the 'Dark Age' in human history. It was marked by absence of free-thinking, individualism, rationality as well as democracy. The political thought of the middle ages was curious combination of theology and scholastic philosophy, universalism, the theory of Two Swords, tug-of-war between the ecclesiastical and the secular schools etc. Moreover, the theory of kingship, not the concept of democracy, gradually gained ground in the middle ages which, however, was a curious mixture of absolutism, contractualism and celestialism. However, there were sporadic existence of democratic governances in the middle ages particularly in the 'free' communes in the urban republics of medieval Italy, France, Germany and in Holland and Belgium. But these were exceptions to the overall undemocratic atmosphere of the middle ages Europe. The emergence of indirect, representative liberal democracy can be traced back from the mid-17th Century. It emerged from the ashes of absolutism in the late 17th century. Establishment of modern democracy took place over three hundred years starting from the rise of the Dutch Republic in the 16th century and extending upto the American Civil War of the mid-20th century. This development coincided with the formative stages of capitalism. Naturally there was a close interconnection between the formation and growth of capitalism and the arrival of modern liberal representative democracy. It was a period of great revolutionary changes. 'Six great upheavals' marked the period from the Dutch revolution to the American Civil War. George Novack in his

NSOU CC-PS-01 _____ 155 'Democracy and Revolution' has pointed out that "During the the formative stages of capitalism, six great upheavals marked the decisive steps in the forward march of the bourgeois-democratic revolution." These great upheavals were: (1) The Dutch Revolution of the late 16th century, (2) the English Revolution of the 17th century, (3) the Revolt of the American Colonists, (4) The French Revolution, (5) The February Revolution of 1948 in Europe, and (6) The American Civil War of the mid- 19th century. George Novack cites all these historically significant upheavals to substantiate his main point of view that : "Democracy was everywhere the offspring of revolution." Two interrelated processes helped developing modern democratic system of governance and its theoretical justification. The first one was the far-reaching socio- economic changes associated with the disintegration of feudalism and simultaneous growth of capitalism in Europe. These resulted in the creation of necessary preconditions for the origin and growth of modern democratic system. The second one was the contributions of several eminent political and philosophical thinkers whose writings served and supplied necessary justification for the germinating democratic system. Necessary doctrinal support for rising democracy could be traced in the writings of several thinkers like John Locke, Jean-Jacques Rousseau, Montesquieu, David Hume, Adam Smith, Ricardo, Thomas Paine, Edmund Burke, Alexander Hamilton, James Madison, Thomas Jefferson and others. As against absolutism and divine source of royal authority, writers like George Buchanan, the most profound intellectual of sixteenth century Scotland, and others developed the concept of popular sovereignty. They contended that it was the people who were the ultimate source of law and that the Prince was created for the subjects. The doctrine of popular sovereignty laid the basis for democracy. Other important contributions of social and political thinkers enriching the concept of democracy were--faith in constitutionalism, rule of law, individual freedom and rights, toleration and right to dissent, pluralism, limited power, seperation of power, faith in liberalism and individualism. All these ideas which were associated with the growth of practice and cocept of democracy, however, did not appear at the same time and at the same place. The important contributions of the 17th century towards the development of the concept of democracy were individualism and liberalism. In the 17th century, the demand for democracy was intimately connected with individualism and liberalism. Individualism was a social theory favouring freedom of action for individual over collective or state

156 _____ NSOU CC-PS-01 control. It was urgently needed for free enterprise and the pursuit of profit of rising middle classes and associated with laissez faire economy. Laissez faire economy needed abstention by government from interfering in the workings of the free market. Seventeenth century democracy was also intimately connected with a notion of liberalism. Liberalism was a political and moral philosophy. Liberalism was

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based on liberty, consent of the governed, and equality before the

laws. John Locke was an early exponent of liberalism and individualism. In his Second Treatise on Civil Government he argued for right to life, liberty and property as inseparable and natural rights of individual and the central liberal outlook were crystallized in his writings. Some revolutionary upheavals occurred in the 18th century. 18th century experienced revolutionary upheavals like the American Revolution (1776), the French Revolution (1789) and the Industrial Revolution (from 1760 onwards). Along with these revolutionary upheavals, scientific and technological changes of revolutionary nature resulted in the creation congenial atmosphere for the growth of democracy. Liberty, equality and fraternity—the motto of the French Revolution, attracted the masses. Montesquieu, Rousseau, Bentham became the chief exponents of democratic ideals in the 18th century. Montesquieu wanted to protect individual freedom from all powerful government and he articulated the theory of separation of powers between the three organs of government. He wanted a democratic and republican political system that would safeguard individual from tyrannical government. Rousseau felt that man was born free but everywhere he was in chains. He believed that good government must have the freedom of all its citizens as its most fundamental objectives. He argued for direct democracy and equality. Bentham, an English philosopher and political radical and an exponent of utilitarianism and legal positivism, was also a liberal democrat. His ideas influenced the development of welfarism and was based on egalitarian principles. As a result of their contributions along with the impact of the Industrial Revolution the French Revolution and the Enlightenment created atmosphere favourable to the growth of democratic thinking. The French revolution popularised the notion of the sovereignty of the people. The notion of the sovereignty of the people actually became the basis for the concept of 'popular sovereignty' which is thought to be a cardinal point of democratic ideology. Moreover, the Enlightenment of the late 17th and 18th centuries emphasized reason and individualism. Along with happiness, nature, progress, reason it also emphasized on liberty and individual freedom. The notions of rationality and individual freedom were associated with the notion of democracy.

NSOU CC-PS-01 _____ 157 Advancement of Democracy in the 19th Century The 19th century experienced further advancement of democratic theory and practice. The notion of the sovereignty of the people which was popularized after the French Revolution, in the 19th century, took a concrete shape in the form of 'Popular Sovereignty'. Its intellectual roots can be traced back to 17th and 18th century European political philosophy but the American Revolution resulted in a government based on popular sovereignty. Here one finds the first large-scale establishment of this concept. Stephen A Douglas, a U. S. politician and leader of the Democratic Party espoused the cause of popular sovereignty in relation to the issue of slavery in the territories before the American Civil War (1861-1865). John Stuart Mill, the most influential British thinker of the 19th century, was also one of the most influential thinkers in the history of classical liberalism. Mill was a liberal individualist thinker and fully supportive of democracy. His considerations on Representative Government combined enthusiasm for democratic government with pessimism as to what democracy was likely to do. He supported representative government but his support was not unconditional. He considered it as ideally the best only because there is no other better alternative. He thought that despotism is a legitimate mode of government in dealing with barbarians. Mill's essay On Liberty is regarded as the most famous vindication of freedom of thought and freedom of conduct. However, Mill was afraid of majoritarianism. His regards for minority opinion and fear of mob mind and of the tyranny of the crowd is well-expressed in his On Liberty. As C.E.M. Joad points out : "He insisted upon the extension of this freedom to 'cranks', on the ground that, while nine cranks out of ten are harmless idiots, the tenth is of greater value to the mankind than all the normal men who seek to suppress him." Like John Stuart Mill, another 19th century thinker, Alexis de Tocqueville was also afraid of Majoritarianism. He observed that "... In America the majority raises formidable barriers around the liberty of opinion; within these barriers an author may write what he pleases, but woe to him if he goes beyond them." [Democracy in America, Volume-1, Chapter-XV, (1835)]. He emphasized participation as the hallmark of democracy and it is infinitely connected to the idea of political liberty.

11.5 Contemporary Democracy

Contemporary democracy has exhibited different, and sometimes contradictory, trends. On the one hand, there have been spread of democracy and democratic rights

158 _____ NSOU CC-PS-01 and, on the other hand, repeated restrictions and threat to democratic societies. Some of the notable tendencies are: (1) Spread of democracy : In the 20th century democratic political system spread to the different corner of the Globe. It was not longer restricted to the continent of Europe and America. In the post-second World War period, it spread to other places particularly to the newly-independent states of Asia and Africa. For example, independent India could establish herself as the largest democracy in the world. (2) Extension of adult suffrage : In the 20th century, universal adult franchise was implemented in the true sense of the term. Previously it was universal manhood suffrage and that too was circumscribed by certain specific considerations. In different countries right to vote was not extended to women, propertyless, and non-white people. In Great Britain in 1918, in USA in 1920, in Australia in 1902, right of women to vote was guaranteed. In France until 1944, Greece until 1952, and Switzerland until 1971, women were not given the right to vote. In Australia, although recognised women's right to vote in 1902, did not extend the right to vote to Aboriginal Australian until 1962. In apartheid-era South Africa, non-white people could generally not vote in national election until the first multi-party election in 1994. In this process, adult franchise gradually turned to universal adult franchise by guaranteeing the right of almost all adults to vote in political election. (3) Human Rights : Universal Declaration of Human Rights is another important achievement of the 20th century. It can be considered as a milestone towards strengthening the process of spreading and uplifting democracy to a newer height. It was adopted and proclaimed by the United Nations General Assembly in 1948. The Universal Declaration of Human Rights contain 30 Article. In addition to that, the United Nation General Assembly in 1955 authorised two covenants, one relating to Civil and Political Rights, and other to Economic, Social and Cultural Rights. Both these Covenants became effective in January 1976. (4) Theoretical exercises : Democracy seems to be an ever-evolving process. It evolved both in practice and in theory. There have several attempts to theoretically apprehend the evolution of democracy in practice and to develop different conceptual frameworks.

NSOU CC-PS-01 _____ 159 (a) One such attempt was made by Samuel Huntington who identified the three waves of democratization, Periodization of these three waves are : (i) 1828 to 1920; (ii) 1943 to 1962; and the last quarter of the 20th century. (b) Various concepts of democracy has been developed to conceptualize and depict the nature of democracy. Among these concepts mention may be made of (i) concept of procedural democracy; (ii) substantive democracy, (c) deliberative democracy, (d) sustainable democracy, etc. (c) Another trend of contemporary democratic thinking is construction of various models of democracy. Two distinct models of liberal democracy are protective democracy and developmental democracy. Jeremy Bentham and John Mill were the champions of protective democracy whereas the concept of developmental democracy is found in the writings of John Stuart Mill. There are few other models of democracy such as : (i) Participatory Model (two forms of this model are plebiscitary democracy and pluralist democracy; (ii) Model of Democratic Autonomy as propounded by David Held; and (iii) Marxist Model as found in various versions of Marxism. 11.6 Conclusion Our discussion on democracy suggests that democracy is an ever evolving process which evolved both in theory and practice. According different conceptual frameworks have been developed by scholars at different point of time to appreciate the true meaning of the concept. 11.7 Probable Questions Essay Type Questions : 1. Trace the origin and development of Democracy. 2. Write a note on Ancient Democracy. 3. Trace the evolution of classical democracy from 17th to 19th century. Long Questions : 1. Write a note on Athenian democracy.

160 _____ NSOU CC-PS-01 2. Describe the background and causes that prompted the growth of classical democracy. 3. Analyse the major trends of contemporary democracy. Short Questions : 1. What is meant by primitive democracy? 2. What, according George Novack, are 'Six great upheavals'? 3. Write a note on the advancement of democracy in the 19th century. 11.8 Further Reading 1. Anthony Arblaster : Democracy, World View, (Benestve : Open

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University, Press, 1994) 2. C. B. Macpherson : The Life and Times of Liberal Democracy, Oxford,

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NSOU CC-PS-01 _____ 161 Unit-12 □□□□ Debates on Democracy Structure 12.0 Objective 12.1 Introduction 12.2 Debates on Democracy 12.3 Direct vs Indirect Democracy 12.4 Democracy and People’s Participation 12.5 Means vs Ends 12.6 Procedural vs Substantive 12.7 Democracy and Human Rights 12.8 Conclusion 12.9 Probable Questions 12.10 Further Reading 12.0 Objective By reading this unit the students will be acquainted with the following: (a) In the Introduction the students will be made familiar with the nature of debates on democracy. (b) Various issues of debate. (c) The issues between procedural and substantive concept of democracy. (d) The relation between democracy and human rights. 12.1 Introduction Democracy is the primary form of modern government today. It is also claimed to be the best form of government. Churchill once said “

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Democracy is the worst form of government, except for all those other forms that have been tried from time to time.”

Does this observation hold true till today? or, on the contrary, is democracy the best form of government. 162 _____ NSOU CC-PS-01 No doubt, democracy has certain points in its favour. It is claimed to be

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government of the people, by the people and for the people. This

a very naive definition of democracy. As against this, it is said that “Modern conceptions of democracy are based on the fundamental ideas of popular sovereignty and collective decision making which in which rulers through various ways are held to account by those over whom they rule.” Democracy recognises rights and freedoms of individual, respects and promotes human rights, establishes people’s control over decision-making process, brings transparency in public affairs. It is a form of government based on people’s participation and deliberation. It materialises the dream of representation of citizens and universal participation and ensures accountability of leaders. On the one hand, it provides a method to deal with differences and conflicts, on the other hand had, it establishes a responsible and accountable government. Transparency, peaceful conflict- management, correction of mistakes, establishment of a free and just society with enhanced dignity of citizens– –all these are achievable aims and objectives of a democratic society and governmental system. But democracy is not unmixed blessing. It has its own drawbacks. It is often said that democracy is the government of the innocent, incompetent and ignorant. Most of the citizens neither have interest nor the ability to grasp the complexities of modern democratic government. For successful working of a democratic government, some sort of idealism, involvement, deliberation and participation, courage, honesty and integrity, dedication, vigilance are required both from the leaders and the ordinary citizens which are however lacking in most cases. It can be fruitful if there is an unbiased and courageous media and independent judicial system unrelentingly committed to fair justice and democratic values. In the absense of these conditions, democratic system turns to be a very insipid and formal. Again, it may be unttable form of government. In a democracy leaders keep changing sides which leads to instability. This is which is termed as ‘horse-trading’ and ‘politics of Ayaram-Gayaram’ that leads to instability and may be viewed as a mockery of people’s verdict. In a democracy, decision-making process is rather cumbersome and time-consuming leading to delays even with regard to many vital issues of public life. Moreover, in a democracy, peoples’ representatives, elected for a definite term of period, are often detached from their electorates. Thus, decisions taken by the representative bodies do not always reflect the opinion and will of the citizens. Politics of power and money are great hindrances in the way of establishing people’s government.

NSOU CC-PS-01 _____ 163 12.2 Debates on Democracy
Democracy has great appeal to almost all sections of people. It has a charming impact on ordinary people and politicians. Today, there is hardly anyone who disagrees with democracy. Still it is essentially a contested concept, and a matter of continuing debate. Since its arrival in ancient city state of Athens till today its forms, nature, end, diferent manifestations of democracy as well as its relation to other concepts and practices have been matters of continuing debate. Debates on democracy as a form of government emerged at its initial and classical Athenian phase of appearance. It was viwed by thinkers like Plato and Aristotle as a system of mob rule and as a perverted or degenerated of form of "rule by many". While Plato

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viewed democracy as a system of mob rule at the expense of wisdom and property,

Aristotle regarded democracy not as a normal form of government but as a perverted form of government. In his view, in normal form of government, power was exercised for common interest; whereas in perverted form of government, power was exercised for satisfying the interest of the ruling class. Therefore, as a form of government representing the 'rule of many' 'polity' was the normal form of government and 'democracy' was the perverted and degenerated form of government. Therefore, since the beginning of political thinking, the purpose of democracy as a desirable form of government was questioned and it was looked with disdain rather than with love. 12.3 Direct vs Indirect Democracy With the development of democracy as a form of government from its ancient Athenian phase to its contemporary phase, a basic debate that has raised its head related to forms or kinds of democracy. Two basic forms of democracy that have been noticed in its entire phase of development are : direct or pure, and indirect or representative. In the ancient city-states of Greece democracy was of direct type whereas in modern times indirect or representative democracy is prevalent. At the core of the debate between direct and indirect democracy lies the nature of relationship between the immediate sovereign and the ultimate sovereign. Direct democracy is based on the assumption that the people or the citizens of a particular state are sovereign in that state and that the sovereign power of the state should be exercised directly by themselves. They are the direct participants in the management of the public affairs. Direct democracy means power with the people and its exercise by them.

164 _____ NSOU CC-PS-01 The direct form of democracy prevailed in the ancient greek city-state of Athens. As the first major effort to realise democracy Athens established a vibrant, direct and participatory democracy. It is true that direct democracy, in its truer sense, was prevalent among the primitive tribals. This was actually primitive democracy. But it is not considered a form of state. Democracy as a form of state rule is supposed to be a Greek invention. In this sense, i.e. in the sense of a form of state rule, direct democracy was first noticed in ancient Athens. Athenian democracy was the most celebrated form of direct participatory democracy and, in practice, it signified rule of the people, by the people. The focus of the Athenian democracy was on the participatory character of democracy. All major decisions were made by the assembly to which all citizens belonged. On the other hand, in indirect democracy people or citizens do not directly take part in the deliberative and decision-making process. Indirect democracy, like direct democracy, implies power with the people, but unlike direct democracy, its exercise is in the hands of representative chosen by them. Here people are treated not as immediate but as ultimate sovereign. The electorate in the ultimate repository of the sovereign power. Conceptually people are source of power and all powers belong to them. They wield those powers not directly but as electorates and through their elected representatives. It is the legislature, consisted of the elected representatives of the people, which formulates and expresses the will of the state. Thus, the ultimate sovereign i.e., the people transfer their sovereign power to the immediate sovereign, i.e., the elected representatives and the legislature which is composed of such representatives. Therefore, the debate between direct and indirect forms of democracy relates to the nature of relationship between the immediate and ultimate sovereign, the methods of exercise of sovereign power as well as respective merits and demerits of both forms of democracy. But the fact is that the conditions of the modern nation-states have led to the acceptance of indirect form of democracy as an unavoidable fact. Direct democracy is inconsistent with highly populated, large modern states. Modern democracy is representative democracy as the wills of the people are actualised through their elected representatives. Today people govern themselves, not by participating directly in the decision-making process, but by sending through election their representatives to the legislature, who, by turn, would act as the decision-makers. However, some of the methods of direct democracy such initiative, referendum and recall may be accommodated, to some extent in the broader framework of indirect form of democracy.

NSOU CC-PS-01 _____ 165 But the act of representation of someone on behalf of others is not free from debate. J. J. Rousseau, a great proponent of direct involvement of people, was opposed to representative democracy. He insisted that to be represented is to give up—to alienate—powers that individuals alone can rightfully exercise, for him, it involves a form of slavery—a negation of 'will', one's capacity to exert influence. Similarly, D. H. Lawrence asked ... Who can represent me? – I am myself. I don't intend anybody to represent me'. On the other hand, arguments in favour of indirect representative democracy is generally supposed to be based on convenience rather its righteousness or propriety. As Anthony Arblaster has pointed out 'democrats like Paine originally put forward representation as a means of adopting the democratic principle to societies, such as the United States, which were too large to allow for personal participation by all their citizens'. He also says that 'For them it was expedient, almost a makeshift, and one that contained obvious dangers'. However, John Stuart Mill supported representative democracy not for its expediency or convenience but for its educative instrumental value. Thus, unlike Rousseau and others, John Stuart Mill considers representative democracy as capable of ensuring freedom and right of self-determination.

12.4 Democracy and People's Participation Another contentious issue is people's participation in democratic process. Does democracy require or can democracy ensure participation of all citizens of a particular nation-state, directly or through their elected representatives, in the deliberative and democratic decision-making process? This question arises as soon as democracy is regarded as majority rule which, by implication, makes redundant or unimportant opinion and participation of some people or group of people for the democratic governmental system to continue. Before the introduction of universal adult franchise many people particularly women, uneducated and poor were deprived of voting rights. Even after its introduction, disfranchisement in various forms results in deprivation of voting right to various sections of people in many countries. Again, due to various impediments and lack of incentive or inspiration, large sections of people do not feel interested to participate in the democratic process. Disillusionment, deprivation, threat, oppression, severe inequality and sub-human existence—all these negatively effect people's participation. Moreover, widely prevalent anti-democratic theories do not welcome people's participations in the democratic processes. Thinkers like J. S. Mill or Edmund Burke

166 _____ NSOU CC-PS-01 looked at general masses with disdain as people were regarded as the common 'herd' or 'the swinish multitude'. In the modern elite theories there are deliberate attempt to keep the field of political decision-making restricted among the conflicting elitist groups. In this version of politics, mass politics is considered as anti- democratic. Walter Lippmann felt 'the need to protect the executive and judicial powers from the representative assemblies and from mass opinion...' Writers like Joseph Schumpeter, known as an eminent theorist of democratic elitism, has tried to restrict the scope of political participation in the actual decision-making process only to the elites of societies. The elitist theory of democracy bases itself on two basic arguments: one is the nature of the decision-making process and the other one is their concept of elitist effectiveness. Firstly, decision-making is described as a process of consensus of elite positions—i.e., negotiations among various groups. Secondly, the concept of elitist supremacy is supplemented by elite effectiveness. As Antony Arblaster has observed: "The core of elite theory was the contention that democracy, in the strict traditional sense of rule by the people, is impossible: all government is government by an elite, or at best one among a number of competing elites." It attempts to limit the role of 'the masses' within the political system and redefines democracy in such a way as to eliminate its traditional participatory aspirations. Attempts to restrict people's participation in political process is also based in other arguments which also have their origin in the elitist view of democracy. Joseph Schumpeter, in his attempt to redefine the concept of democracy, has actually undermined the participatory aspect of democracy. According to him; (a) democracy has no moral superiority as compared to other form of government and there is nothing about democracy that makes it desirable; (b) democracy is simply a 'political method' and not an end in itself. Therefore discrimination against some section of the population is not undemocratic; (c) The right to vote does not necessitate all adults in contemporary liberal societies to use this right or participate more directly in the political process; (d) as the masses are too irrational, emotional, parochial and 'primitive' to make good decision, therefore, the participation of the mass of the population is not a good idea. Actually, he is very critical of mass participation in politics. Hence, he concludes that government by the people is neither possible nor desirable. He drastically narrowed the conception of democracy. In his scheme of 'rational' selection of ruler through general elections the mass of people has little role to play on account of the proven ignorance, irrationality and apathy of the people.

NSOU CC-PS-01 _____ 167 12.5 Means vs Ends There are several contending perceptions of democracy. Distinction between the minimal and maximal perceptions of democracy may be cited as one of such contending perceptions having relevance over ends-means debate on democracy. The minimal perception of democracy highlights the importance of the 'means'; whereas the maximal perception focuses both on the means and the ends of democracy. The minimal perception emphasises on institutions and procedures of democracy. People having this perception of democracy view democracy as a set of institutions and procedures encompassing free and fair elections, legislative assemblies, and constitutional government arising out of these. Their focus is on procedures such as fair elections, respect for human right and universal suffrage. But the maximal perception of democracy includes both means and ends of democracy. It does not confine discussion on democracy only on the periphery of means but also highlights the 'end' or 'outputs' such as economic equality, justice, fairness etc. Issues relating to working of democracy and how accountability of the elected representatives are ensured draw the attention of the minimal perceptionists. Therefore their focus is on the issues like civil and political right of citizens, universal suffrage and free, fair elections as well as accountability of the people's representatives. On the other hand, maximal perception of democracy emphasises, in addition to issues related with the 'means', on issues like equality of opportunity and outcome, social rights, policy, justice, fairness, responsiveness, public safety, elimination of corruption.

12.6 Procedural vs Substantive Another debate on democracy is connected with the procedural and the substantive conceptions of democracy. Although not entirely but to some extent, the debate regarding the procedural and the substantive conceptions of democracy is based on the arguments and the issues of the maximal and the minimal perceptions of democracy. The procedural democracy concentrate on mechanisms of democracy, whereas substantive democracy pertains to socially based value judgements. The concept of procedural democracy is concerned with the procedural aspects of democracy. To be more specific, it concentrate and emphasizes on the procedural aspects of democracy. Therefore, it deals with the formal aspects of democracy. From the procedural point of view, democracy is viewed purely as a set of institutions and mechanisms concerning holding of free and fair elections, formation of legislative

168 _____ NSOU CC-PS-01 assemblies and constitutional governments, assuring accountability of the governments and elected representative and protecting rights and liberties of the citizens. Here procedure is more important than the substance of democracy. Democracy is viewed as a 'system of institutions' or an 'institutional system' and a mechanism to select 'the men who are able to do the deciding'. As a result, people are seen simply as 'producers of governments' – i.e., merely selectors who select who would govern them. The procedural theory or model of democracy is contrasted with the substantive theory or model of democracy. According to the substantive point of view, democracy is a society composed by truly equal citizens, who are politically engaged, tolerant of different opinions and ways of life, and have an equal voice in choosing their rulers and holding them accountable. As N. Joyal has pointed out "Democracy... should not be seen as confined to the sphere of state and government but also as the principle governing collective life in society. Substantive democracy pertains to socially based value judgements. The basic assumption of substantive democracy is that democracy must not merely be procedurally democratic but also be functionally democratic. The state is not merely set up as a democracy but it functions as one as well. It is a form of democracy that functions in the interest of the governed. Therefore, guaranteeing right to vote and allowing all citizens of age to vote is not enough. Rather what is necessary to qualify as a substantive democracy is the meaningful exercise of the equal rights of citizenship. This has to be guaranteed to all. It must ensure a truly equal opportunity to influence governmental decisions. Procedural democracy and substantive democracy—these two types of democracy are supposed to be opposite. Procedural democracy is regarded as formal democracy where the relevant forms of democracy exist but are not actually managed democratically. But substantive democracy is referred as a functional democracy. Procedural democracy emphasizes on free and fair elections, freedom of speech and expression, and the rule of law and its equal protection to all. But the proponents of substantive democracy argue that all these are necessary, but by no means sufficient. Merely securing legal and political equality is not enough. In a substantive democracy there must be truly equal opportunity to influence governmental decisions and democracy should be regarded as the principle governing collective life in society. In procedural democracy, in comparison to substantive democracy, people or citizens of the state is likely to have less influence. Actually it tries to restrict the scope of NSOU CC-PS-01 _____ 169 political participations in the actual decision-making process only to the elites in society depriving the masses. In contrast to this, substantive democracy encourages equal participation of all groups in society in the political process.

12.7 Democracy and Human Rights The two concepts—democracy and human rights— have a variable degree of overlap with one another. It is usually assumed that democracy includes human rights. Democracy conceives of a society which not only protect and promote human rights but also makes elaborates arrangements of formal institutions for the protection and promotion of human rights. These two are inter-related, overlapping and one includes the other. However, there is no denying of the fact that tensions remain between theories of democracy and human rights over the degree to which one includes the other. Some writers argue that a right to democracy is a also a human right. At the basic conceptual level, these two goes hand in hand. Democratic system embodies human rights and the later is essential for the functioning of the former. One complements the other. This being the case, the problem, however, arises when it is seen from the perspectives of different theories of democracy. Different theories of democracy have different stands on human rights, although none of them completely overlook some or other aspects of human rights. Some of the important theories of democracy are, for example, (a) procedural democracy, (b) liberal democracy and (c) social democracy. These different theories of democracy incorporate different categories of human rights. As Todd Landman has pointed out (a) Procedural democracy incorporates political rights but not civil rights, economic, social, and cultural rights, (b) liberal democracy incorporates civil and political rights but not economic, social and cultural rights, and (c) social democracy incorporates civil, political, economic, social and cultural rights. It amplifies that procedural definition of democracy affords less place for human rights than social definition. The liberal definition of democracy stands in between them. Democracy means equality. But to be more specific it means only formal equality. Therefore, its commitment to all types of human rights and actualisation of all these rights for all of sections of people in society is not beyond question. Practically in all established democracies human rights of different sections of people are curbed and curtailed in varying degrees. The degrees to which enjoyment of those

170 _____ NSOU CC-PS-01 rights are permissible are determined by various socio-economic and political parameters. Persecution on the basis of religious beliefs, political opinion and affiliation or ideological positions are not rare in today's world. As a result, democracy, instead of being a procedure and method of reflecting and acting on the basis of popular sovereignty and collective will actually act as a form of state armed with organised, systematic use of force against persons. Various sorts of electoral malpractices, bureaucratic apathies and indifferences, bias media coverage, unresponsive judicial system, repression and discrimination may, in effect, result in deprivation of human right to specific targeted sections of people. 12.8 Conclusion As a form of government, democracy appears superior to other form of government for protecting, respecting and fulfilling human rights obligations and human rights are accepted as legal and normative standard which judge the quality of human dignity. Democracy must aimed at the removal of differences and abolition of discrimination on the grounds of caste, race, ethnicity, gender and creed. Again in multi-religious, multilingual, multicultural society, it must respect diversity and plurality. Attempt at establishing uniformity and setting a particular religion, language, culture or particular version of nationalism and choice of path for development as norm for all sections of people is dangerous trend both for democracy and human rights. Of course, this aim may not be achieved in formal democratic society. This type of society which are devoid of or deprivators of human rights to a major sections of people may be regarded as formal, not actual, democratic society. Actually, this aim can not be achieved at the expense of human rights. 12.9 Probable Questions Essay Type Questions : 1. Write a note on debates on democracy 2. What are the main issues of debate between direct and indirect democracy. 3. What are the widely prevalent anti democratic theories and how do they try to restrict people's participation in the democratic processes? Long Questions : 1. Write a note on the elitist theory of democracy.

NSOU CC-PS-01 _____ 171 2. Discuss the relation between democracy and human rights. 3. What do you mean by ends means debates on democracy. Short Questions : 1. Why did Rousseau oppose representative democracy. 2. Write a note on direct democracy. 3. Write a note on indirect democracy. 12.10 Further Reading 1. Anthony Arblaster : Democracy, Berkshp, Open University, Press, 1994. 2. Rajiv Bhargava : Political Theory An Introduction & Ashok Acharya (ed), Delhi, Pearson, 2009. 3. John Hoffman and Paul Graham : Introduction to Political Theory, Delhi, Pearson Education, 2007. 4. M. J. Vinod and M. Despande, Contemporary Political Theory, Delhi, PHI, 2013.

172 _____ NSOU CC-PS-01 Unit-13 □□□□□ Forms of Democracy : Liberal and Socialist Structure 13.0 Objective 13.1 Introduction 13.2 Libralism and Liberal Democracy 13.3 Main Principles and Characteristics of Liberal Democracy 13.4 Models of Democracy 13.5 Socialist Democracy 13.6 Conclusion 13.7 Probable Questions 13.8 Further Reading 13.0 Objective By reading this unit the students will be acquainted with the following: (a) The relation between linalism and liberal democracy (b) Main principles and features of liberal democracy (c) Different models of liberal democracy (d) Nature and features of socialist democracy 13.1 Introduction Democracy is a broad concept having many forms, manifestations and ramifications. There is no single, uniform form of democracy. Actually, there are many forms of democracy. The forms of democracy is determined on the basis of the yardstick used to classify it. For example, on the basis of the nature of relationship between the immediate sovereign and the ultimate sovereign it may be classified into direct and indirect or representative democracy. In the former, the nature of relationship between the immediate sovereign and the ultimate sovereign coincides while in the latter they differs. In a direct democracy, the people directly participate and decide on legislature. The city-states of ancient greece perhaps best illustrate this type of

NSOU CC-PS-01 _____ 173 democracy. The citizens of the states were the direct participants in the management of the public affairs. Such system still exists in some very small provinces (cantons) of Switzerland. On the other hand, in an indirect or representative democracy, a clear distinction is made between the immediate sovereign and the ultimate sovereign. In this type of democracy, the citizens of the state do not directly participate and decide, but they merely elect their representatives to deliberate and decide on legislature. The citizens are merely electorate. They are the ultimate repository of the sovereign power; but, not they, but the legislature comprising of the representatives is the immediate sovereign. The elected representatives make laws on behalf of the people and in tune with public opinion. Indirect or representative democracy is the rule of day. A democratic form of government can also be classified as parliamentary or cabinet and presidential form of government. In a presidential form of democracy, like the united states of America, the President is directly elected by the people and he enjoys real powers of decision-making and execution. This form of democracy is based on generally on separation of powers between the legislature and the executive. The President of US is not accountable to the American Congress (the legislature). In a parliamentary form of government, real powers of decision-making lies with the parliament; and the President, the head of the state, is merely nominal or titular head as in India. In a parliamentary or cabinet system of government, the cabinet (the executive) is immediately and legally responsible to the legislature for its policies and acts. But, from broader socio-economic and ideological point of view, democracy can be classified into two basic forms—liberal democracy and socialist democracy. Liberal democracy refers to a political system in which individual rights, particularly property rights, are given special constitutional protection against infringements and its socio economic system is basically capitalist and non-egalitarian. On the other hand, socialist democracy presupposes socialist economy and equalitarian society and rule of the toiling masses. 13.2 From Liberalism to Liberal Democracy Liberal democracy is a combination of two, originally antithetical, principles— liberalism and democracy. It has a hybrid character. As Andrew Heywood has observed, "...

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liberal-democratic political system have a hybrid character: they embody two distinct features, one liberal, the other democratic. The liberal element reflects a belief in limited government; the democratic element reflects a commitment to popular rule".

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the hybrid nature of liberal democracy reflects a basic 174

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democracy. Actually, in their emerging phases their relations were not cordial and accommodative. Rather in their origins, both liberalism and democracy represented two different trends in political philosophy. Liberalism stood for individual, i.e. individual's rights, liberty and property; whereas democracy stood for collectivity, i.e. collective power in the form of majority rule. Liberalism is a political philosophy and also a programme of social action. It is difficult to define satisfactorily the term 'liberalism'. Rather, in the words of Max Lerner, liberalism is 'perhaps the most disputed terms of our generation. This is partly due to loose and arbitrary way the term liberalism has been used in political discussions and parlances. G. Sartori comments, "Liberalism is a concept so amorphous and changeable as to be left readily at the mercy of arbitrary stipulators". (Democratic Theory, p-366). Question arises as to whether is it a creed or definite doctrine or simply 'a faith', 'an attitude of mind' and a 'psychological attitude'? In a way, liberalism is associated with individual and individualism. Individual— his rights, freedom and liberty—occupies central place in liberalism and by the same token it emphasizes on freeing individual from state and government's control and repression. In Hacker's opinion, " It is a view of the individual, of the state, and of the relations between them". It defines relations between state and individual from the standpoint of individual. From this standpoint, liberalism acts as an organising principle of society, a policy of defining relations between state and individual and also a programme of social action. In Encyclopaedia Britannica it has been defined "as an idea committed to freedom as a method and policy in government as an organising principle in society, and a way of life for the individual and the community." Early liberals felt the need to free the people from authority of feudal lords and powers of the clergy as well as from the restrictions and repression of autocratic and authoritarian governments. Therefore, the idea of liberty occupies an important place in liberalism. As Derek Heater says: "Freedom is the quintessence of liberalism...." Still liberalism, which stood for 'free the people', however, did not favour democracy which stood for 'empowering the people'. But the concept of 'people' was used in very restricted sense meaning thereby only the owners of property or the propertied classes. The classical liberal theory was committed to the individual's right for unlimited acquisition of property. Therefore, right to individual property may be regarded as another 'quintessence' of liberalism. As a matter of fact, early liberal had 'fear of the many, the multitude, which is to be a recurring motif in the re-emergence of democracy in the modern era'. Actually they abhorred 'the beast with
NSOU CC-PS-01 _____ 175 many heads'. Therefore, they were concerned about using the concept 'popular sovereignty' in a very particular and restricted sense keeping in mind "the interest of the responsible and respectable, without placing an ideological weapon in the hands of 'the multitude'..." As a result, instead of welcoming democracy and implementing popular rule and accepting concept of popular sovereignty in its universalist sense, early liberalism rather had an ambivalence towards democracy. On the opposite, it was antidemocratic. As C. B. Macpherson in his Democratic Theory: Essays in Retrieval has observed: 'Until the nineteenth century liberal theory, like the liberal state, was not at all democratic, much of it was specifically antidemocratic'. Andrew Heywood has noted that '

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In the nineteenth century, liberals often saw democracy as threatening or dangerous.'

But perception of liberals towards democracy changed with changing perspectives. Classical liberalism fostered capitalism and a free-market economy. It subscribed egoistic individualism and harboured a detest for popular rule, that is, rule of the multitude. But it was also forced to recognise the rise of a large working class. This, in turn, led to reorientation of outlook of the liberals and reorganization of system of governance accordingly. Thus, a liberal state, which did not begin as a democratic one, shook of its 'tear of the many, the multitude' and accepted democratic procedure as a method of governance. This journey results in the arrival of a new political concept and new a political order– Liberal Democracy. Thus originally two antithetical principles come to be mingled in and gave birth of a powerful, longlasting political philosophy and a particular form of government. Now, 'Liberal ideas and denrocratic procedures have gradually become interowven'. Although liberal state did not begin as a democratic one, however, it gradually became a democratic state. Extension of voting rights to the ever-increasing working class and women paved the way for a liberal state to be regarded as democratic state, This new state-form ushering a new method to arrive at collective decisions and prescribing a set of values and behaviour came to be known as liberal democracy or liberal democratic state. Thus a liberal state which intially did not begin as a democratic state, became gradually a democratic state 'with the widening of suffrage bringing in the working class and women into the political fray, and by improved techniques of participation.' Liberal democracy has to be contrasted from traditional democracy. It has rightly been commented by Professor Sobhanlal Dutta Gupta: "In terms of its arrival

176 _____ NSOU CC-PS-01 democracy in the classical sense is as old as the ancient Greeks in 5th century B.C. "6 While democracy is an old concept; liberalism is relatively recent one. Again, at the time of its arrival linalism was not associated with democracy; rather there was an antithetical relations between them. Misgivings about democracy among the early liberals gradually gave way to positive exposition towards democracy. "

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By the twentieth century', says Andrew Heywood, 'a large proportion of liberals had come to see democracy as a virtue.' 7

By that time liberal democracy became the dominant the mode of rule in several countries in the world. Heywood has observed; '

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By the end of the twentieth century, liberal democracy appeared to have vanquished its major rivals'.

By the term 'major rivals' he particularly means other models of democratic rule. 13.3 Liberal Democracy: Main Principles and Characteristics Liberal democracy is based on certain main principles and identifiable on the basis of certain characteristics. B. Goodwin in his book Using Political Ideas mentions few ideas as the basis of liberal democracy. The ideas she mentions as the basis of liberal democracy are: (a) supremacy of the people; (b) the consent of the governed as the basis of legitimacy; (c) the rule of law; (d) the existence of a common good of public interest; (e) the value of the individual as a rational moral active citizen; and (f) equal rights for all individuals. Peter H. Merkle, in his Political Continuity and Change, has enumerated four principles of liberal democracy. These are: (a) government by discussion; (b) majority rule; (c) recognition of minority rights; and (d) constitutional government. These basic principles, to some extent, characterise the nature of liberal democracy. But these are not enough. In additions these, there are certain institutions and procedures which are considered to be essential characteristics of liberal democracy. Some of the charateristics features of leberal democracy are: (a) recognition and existence of individuals rights and freedom of expression; (b) universal adult suffrage; (c) periodic elections based on universal adult franchise; (d) competitive political parties; (e) representative government; (f) openness of public offices to all; (g) a system of political checks and balances; (g) independence of the judiciary; (h) freedom of the press. Therefore, liberal democracy is not simply a political idea or a political philosophy. It is a way of life. Moreover now-a-days it is seen as a political system. As a political

NSOU CC-PS-01 _____ 177 system, liberal democracy exhibits the above-mentioned characteristics. Profesor Alan R. Ball in his Modern Politics and Government (p.43) has enumerated 7-fold characteristics of the liberal democratic system. According to Ball these are: 1. There exists more than one political party competing for political powers. 2. Avenue for political power is open, that is, there exists open competetion for power which is, however, conducted on the basis of established and accepted forms of procedure. 3. Entry and recruitment to positions of political power are relatively open. 4. Periodic elections are held on the basis of universal adult franchise. 5. There exists various types of voluntary associations (like pressure groups, interest groups) which are free from close governmental control and they are able to operate to influence government decisions. 6. Civil liberties are recognised and protected as well as mass media are free from governmental control. 7. There exists some form of separation of powers among three branches (executive, legislative and judicial) of government and the judiciary remains independent of the other organs (both executive and legislature) of government. We may say that popular sovereignty, representative government, open competition for political power, existence of more than one political parties and a host of autonomous private associations (i.e. interest and pressure groups), individuals rights and freedoms specifically right to dissent, separation of powers and independence of judiciary are some of the essential characteristics of liberal democratic political system. Many other characteristics may be added to this list. But, according to Andrew Heywood, three central features are: "

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Liberal democracy is an indirect and representative form of democracy. Political office is gained through success in regular elections, conducted on the basis of formal political equality—'one person, one vote; one vote, one value'. * "It is based upon competition and electoral choice. This is ensured by political pluralism, a tolerance of a wide range of contending beliefs, conflicting social philisophies and rival political movements and parties." * It is characterized by a clear distinction between the state and civil society. This is maintained both by internal and external checks on government 178 _____

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power and the existence of autonomous groups and interests, and by the market

of capitalist organizations of economic life." 9 13.4 Models of Democracy Liberal democracy is composed of two components—liberal and democratic. Democracy has an instrumental value to the liberals. But there is no unanimity among the liberals in respect of value they attach to democracy. Some liberals are concerned about its 'protective' value and role, while some others are concerned about its 'developmental' value and role. As a result different models of liberal democracy have appeared in the political discourse. Prof. David Held in his Models of Democracy has identified two variants of liberal democratic model. These are known as 'protective' and 'developmental' models. Outside the ambit of these two variants of liberal democratic model, he also identified another model which is known as 'participatory' model of democracy. Actually, there are two basic models of democracy—the liberal and participatory models. And the liberal model has two variants—protective and developmental. Protective Democracy Early liberal like Jeremy Bentham and James Mill were the champions of protective democracy. They were concerned about protection of citizens from despotic use of political power. For them, democracy was meant to be protective, in the sense that it was to protect the rights of citizens and safeguard them from the tyranny of state power. As David Held has observed that 'Principle(s) of justification' of protective democracy is: "Citizens require protection from the governors, as well as from each other, to ensure that those who govern pursue policies that are commensurate with citizens interests as a whole". 10 Rudimentary ideas of protective democracy are traceable in the writings of John Locke and Montesquieu. However, the ideas of political thinkers of the 17th and 18th century were not fully developed. James Madison, Jeremy Bentham and James Mill may be regarded as the main exponents of protective democracy. It is true that liberalism emerged in the context of the transition from feudalism to capitalism. But protective variant of liberal democratic model developed in the late 18th and early 19th century in the writings of Bentham, Madison and James Mill. Actually classical exposition of protective democracy could be found in their writings.

NSOU CC-PS-01 _____ 179 These early liberals were reluctant democrats, more liberal than democrats and concerned more about protecting individual, that is, their rights and interests from tyranny of state powers. In their opinion, democracy was required to protect citizens from despotic use of political power, and hence, they sought to put limits on the absolute powers of the monarchs and the feudal aristocrats or other groups. Citizens require protection not only from the governors but also from each other. Protective democracy has some key features. These are: (a) Sovereignty of the people executable through their representatives; (b) regular elections through secret ballot, open political competition between factions, potential leaders or political parties; majority rule and accountability of those who govern; (c) impersonal and legally circumscribed state powers along with division of powers among the executive, the legislature and the judiciary; (d) centrality of constitutionalism guaranteeing freedom from arbitrary treatment, equality before the law and recognition of other political and civil rights like freedom of speech, expression, association, voting and belief; (e) separation of state from civil society. Thus, protective democracy is based on the idea of popular sovereignty, electoral politics and representative democracy, legally limited state powers, separation of powers among different departments of government, recognition of citizens rights and liberties, separation of state and civil society or the public and private life of individuals. Modern version Modern version of protective democracy is found in the writings of Robert Nozick and Friedrich Hayek. They are known as the New Right and their views are also known as neo-liberals or neo-conservatism. Both Nozick and Hayek have expressed their apprehension about 'an ever more intrusive welfare state in the west'. In the opinion of Nozick the proper role of the liberal democratic state in the future should only be a 'protective agency' against force, theft, fraud and the violation of contracts. In essence, he argued for 'minimal state'. Hayek saw fundamental dangers in the dynamics of contemporary 'mass democracy'. In his opinion coercive political power (resulting from 'the unrestricted will of the majority') can be contained if, and only if, the 'Rule of Law' is respected. In brief, as David Held has pointed out." At root, the New Right has been concerned to advance the cause of 'liberalism' against 'democracy' by limiting the democratic use of state powers.

180 _____ NSOU CC-PS-01 Developmental Model Other model of liberal-democratic theory is known as Developmental Model. David Held constructs his concept of developmental model on the basis of writings of John Stuart Mill. Not protective, but the developmental aspect of democracy was more important to Mill as, he thought, it has positive bearing on the free development of individuality. However in this regard C. B. Macpherson attributes credit also to T. H. Green. In his opinion, both John Stuart Mill and T. H. Green wanted democratic theory to maximize men's developmental power. But it was mainly John Stuart Mill, who being a clear advocate of democracy, understood democracy as a system which allows for the development of an individual's personality. David Held mentions that Macpherson in his *The Life and Times of Liberal Democracy* points out that like Rousseau and Wollstonecraft before him, Mill conceived of democratic politics as a prime mechanism of moral development 11. David Held himself observes that : "Liberal democratic or representative government was important for him, not just because it established boundaries for the purpose of individual satisfaction, but because it was an important aspect of the free development of individuality". 12 Aims and Features The aim of developmental democracy is to create an informed, committed and developing citizenry. Here promotion of individual interests are not of primary importance although its necessity is not completely ignored. Developmental democracy is based on the assumption that participation and involvement in political life is essential for the 'highest and harmonious' expansion of individual capacities. As opposed to protective democracy, which aims to protect the rights and interests of citizens and safeguard them from the tyranny of state power; developmental democracy is more concerned for the development of an individual's personality. Key features of developmental democracy are: (a) popular sovereignty with a universal franchise; (b) representative government on the basis of elected leadership, regular elections, secret ballot etc; (c) constitutional checks, limitations and division of state power; (d) clear demarcation and separation of functions between legislature and executive and (e) citizen's involvement and participation in political life. All these features are aimed to ensure promotion of individual rights and freedoms, which, in turn, help the pursuit of individually chosen 'life plan' and develop the intellectual talents of people.

NSOU CC-PS-01 _____ 181 Unlike Bentham and James Mill who were reluctant democrats, Mill was a clear advocate of democracy. So for him, liberal democracy or representative government and political involvement and participation of people in political life were essential for the free development of individuality and for their moral development. The 'highest and harmonious' expansion of individual capacities was his central concern. As Weyper has said. "Mill is a democrat above all not because he believes that democracy makes men happier, but because he is convinced that it makes them better". 13.5 Socialist Democracy There is a good deal of confusion about the relationship between socialism and democracy. Their relationship has been debated, defended, but ultimately defies any satisfactory answer. Two questions that relate to this topic is: (a) is socialism compatible with democracy?; and (b) is socialism possible without democracy? These two issues can be addressed and their relationship can be explained both from the theoretical and practical point of view. Again, there is a great deal of confusion regarding what is socialism as there are varieties of socialism like utopian socialism, guild-socialism, fabianism, democratic socialism etc. As we are not dealing with the subtle differences among these varieties of socialism, we may remain content with some fundamental characteristics that all forms of socialism share. Michael Newman has pointed out three fundamental characteristics of all forms of socialism. These are, according to him: 13 "In my view, the most fundamental characteristic of socialism is its commitment to the creation of an egalitarian society. "A second, and closely related, common feature of socialism has been a belief in the possibility of constructing an alternative egalitarian system based on the values and cooperation. "Finally, most socialists have been convinced that it is possible to make significant changes in the world through conscious human agency." (Socialism: A Very Short Introduction). Socialism is usually thought to be not only incompatible with democracy but also basically an anti democratic ideology. While liberal democracy emphasizes on liberty and individualism, socialism emphasizes on egalitarianism and collective

182 _____ NSOU CC-PS-01 effort and cooperation. Critics of socialism usually hold that equality and liberty are two contradictory things and socialism, by emphasizing on preeminence of equality, actually ignores the importance of liberty and individual freedom. To them, "liberty matters more than equality". It is held that socialism is basically anti-liberty, anti- freedom, and that is why, anti-democratic. This view has ofcourse been reinforced by Soviet practice during Stalinism and Neo-Stalinism (or Khrushchovism) and Chinese practice during Mao-era and post-Mao-era. But the advocates of socialism, particularly the marxists, do not admit that socialism is incompatible with democracy. Rather, they belive that socialism immensely expands the horizon of democracy. Under the liberal, in the marxist termonology 'bougeois', democracy, it remains confined within narrow, limited sphere; whereas under socialism it becomes meaningful and actual to the larger section of people. The advocates of socialism believe that 'democracy means equality' and democracy remains narrow and incomplete without equality. Socialism overcomes formal equality of liberal democracy and it paves the way for advancenest from formal equality to actual equality. Thus expanding and actualizing the process of democratization, socialism builds newer and developed form of democracy as distinguished from liberal democracy. Salient features of Socialist Democracy: Socialist political system has been noticed in the past in earstwhile Soviet Union and various East Emopean states as well as it is still, at least theoretically, found in Prople's Republic of China. Inspite variations and subtle differences among these states, certain general features of socialist democracy as found in all of them may be mentioned in brief. These are: (a) Socialist democracy is based on basic premises of socialism. Concept of democracy is inseparable from the basic principles of socialisms : equality, particularly economic equality, protection and development of toiling people's interests, socialist ownership of the means of production. Establishment of socialism through goal-oriented socio-economic development works as the bases and direction of democracy under socialism. (b) Socialist democracy bases itself on concept of popular sovereignty. People is thought to be the sources of state power. Whether it was former Soviet Union or it is present People's Republic of China coustitutionally

NSOU CC-PS-01 _____ 183 all power belong to the people. They exercise this power through their representatives bodies like the Soviets of People's Deputies or the National People's Congress. (c) The basis of socialist democracy is equality. Socialism emphasizes on both legal and economic equality. Socialist democracy recognises equality before the law, without distriction of origin, social or property status, race or nationality, sex, education, language, attitude to religion etc. It specially emphasises on economic equality without which it is hold that both democracy and socialism remain meaningless and ineffective. (d) Socialist democracy recognizes basic rights and freedoms of the individual. It is said that the rights and freedoms of the individual constitute an organic element of socialist democracy. The members of socialist society enjoy various socio-economic and cultural rights, political rights and freedoms, and persopnal freedoms. Such rights and freedom enable them freely to develop and execute the abilities and talents they are endowed with as well as to participate in various spheres of social and state activities. It is also claimed that equallly active measures are taken to protect the individual and his rights and freedoms. (e) Another aspect of socialist democracy is socialist law and morality Socialist laws and legislation are intended to enable the individual to enjoy his rights and freedoms to the fullest extent and at the some time impressing on him the need to fulfil his obligation towards society. Law embraces the principles of socialist morality. These two are, though not completely identical, close to one another. (f) Socialist democracy is usually associated with single party system and single ideology. Experiences of various socialist systems found in different parts of the world show that socialist political systems do not allow more than one political party to function. Existence and dominance of the Communist Party of the Soviet Union (CPSU) as the only political party in the earstwlite Soviet Union and the Communist Party of China (CPC) in People's Republic of China are cases in point. It is claimed that as both the socialist states and their communist parties represent the aims, aspirations and interests of the toiling masses; therefore, people can exercise their democratic rights through

184 _____ NSOU CC-PS-01 them and enjoy their freedoms. Working of the organisational principle of democratic centralism both at the state and at party level provides scope for democratic activities, and exercise of democratic rights in consonance with the principles of socialism. (g) At the economic level, socialist democracy is associated with socialization of the means of production. It is pertinent to point out here that one of the cardinal points of liberal democracy is to protect private property of individual and it is considered as the very basis of liberal democracy. Private property is thought to be sacrosanct and inseparable from individual and all rights and freedoms are aimed at protecting and promoting it. But socialism takes a different view. It takes away private property in the means of production. In socialist view, this step furthers the bases of equality and thus enable larger number of people to enjoy and practice their legally and constitutionally recognized rights and freedoms. It is claimed that by way of doing away with private property in the means of production, which is seen as means for oppression and exploitation, socialism actually makes democracy meaningful and effective and paves the way for more developed and larger democracy. 13.6 Conclusion Though democracy is most popular and familiar system of government yet over time it assumes a complication nature. This makes it a highly contested concept. However, despite the forms it takes, it cannot be denied that a democratic government needs to value every individual and protect their rights without which its sustenance in the long run will be at threat. 13.7 Probable Questions Essay Type Questions : 1. What do you mean by liberal democracy? What are its main principles and features? 2. Examine, after David Held, the models of democracy. 3. Write a note on socialist democracy.

NSOU CC-PS-01 _____ 185 Long Questions : 1. Discuss the characteristic features of liberal democracy. 2. What, according to David Held, is the meaning of the 'protective model' of democracy? What are its key features? 3. What, according to David Held, is the meaning of the 'developmental model' of democracy? What are its key features? Short Questions : 1. Mention the main principles of liberal democracy. 2. Discuss the aims and features of the developmental model of democracy. 3. Discuss three fundamental characteristics of the forms of socialism. 13.8 Further Reading 1. Andrew Heywood: Political Ideologies : An Introduction, Palgrave Macmillan, New York, 2003. 2. David Held : Models of Democracy, Cambridge, Polity Press, 1987. 3. Michael Newman: Socialism : A Very Short Introduction, Oxford, OUP, 2005. 4. H. Aptheker (ed): Marxism and Democracy, New York, Humanities Press, 1965.

186 _____ NSOU CC-PS-01 Unit-14 □□□□□ Procedural Democracy : Critique of Procedural Democracy Structure 14.0 Objective 14.1 Introduction 14.2 Procedural Democracy 14.3 Main Principles of Procedural Democracy 14.4 Views of Joseph Schumpeter 14.5 Views of Robert Dahl 14.6 Contrast between Procedural and Substantive Democracy 14.7 Conclusion 14.8 Probable Questions 14.9 Further Reading 14.0 Objective By reading this unit the students will be acquainted with the following: (a) In the Introduction the students will be familiar with an overview of Procedural democracy. (b) Main principles of procedural democracy (c) The bases of or reasons for advocacy for procedural democracy (d) How procedural democracy differs from substantive democracy. 14.1 Introduction There are different theories, forms and models of democracy. Considerations of different perspectives, perceptions, and aspects dominate the process of conceptualisation and development of different theories, forms and models of democracy. Therefore, there is no uniformity among theorists and model-builders in these respects. However, it may be said that two different and contrasting ideas or concepts of democracy are: procedural and substantive concepts of democracy. In his

NSOU CC-PS-01 _____ 187 Models of Democracy, David Held, however, attempts to distinguish broadly between the liberal and participatory models of democracy. According to him two variants of liberal democracy are: protective and developmental. Therefore, the question arises whether procedural and substantive notions of democracy are to be regarded simply as ideas, or concepts or models. 14.2 Procedural Democracy The concept or to be more specific, the model of procedural democracy concentrates and emphasizes on the procedural or formal aspects of democracy. From this point of view, democracy is viewed 'purely as a set of institutions—encompassing free and fair elections, legislative assemblies, and constitutional governments arising out of these'. Here procedures for formation of a government, its accountability and also its responsibility to protect citizens' rights and liberties are important criteria to be characterised as procedural democracy. Procedural democracy, according to Professor Subrata Mukherjee and Sushila Ramaswamy, "involves the mechanism of free, fair and competitive elections by which governments are held accountable and a constitutional framework that guarantees and protects rights and liberties". 14.3 Main Principles of Procedural Democracy Procedural democracy relies on five main principles: electoral process, universal participation, political equality, majority rule and responsiveness of representatives to the electorate. Electoral process : Electoral process is an important indicator of procedural democracy. In procedural democracy elaborate structural and institutional arrangements are made for election of representatives by the electorate i.e. by the voters. Periodical elections are held to elect the representatives of the people. Therefore, electoral process is at the core of the political system as envisaged by the proponents of procedural democracy. This type of democracy is characterised by voters choosing to elect representatives in elections. Universal Participation : Universal participation is another main principle of procedural democracy. This type of democracy is characterised by universal participations of the citizens particularly in the electoral process. No doubt, universal adult franchise is a prerequisite of universal participation. As procedural democracy

188 _____ NSOU CC-PS-01 is basically election-centric, therefore, its efficacy is mainly judged by electoral participation, that is, by voter's turnout in the elections. From this point of view, election data about participation are considered to be important yardsticks to judge the success of a democratic system. In this respect, India's standing is very high with average voter turnouts are between 50 and 60 per cent. Political Equality : In consonance with democratic concept, procedural democracy emphasizes on political equality. Like universal adult suffrage, political equality is, again, a prerequisite for universal participation. Political equality means that all persons irrespective of sex, caste or creed, race or religion, rich or poor, have the right to participate in the affairs of the state. It ensures the right to elect and to be elected. Procedural democracy is basically political democracy which can be ensured through political equality. Political equality which, in turn, is based on legal equality, that is, equality before laws and equal protection by the laws, is an important principle as well as characteristic of procedural democracy. Majority Rule : Democracy is, in essence, a majority rule or government of the majority. But what does majority imply in this regard? Majority may mean majority of votes secured by a political party in the legislative or decision-making bodies or majority of seats won in the election of legislative and decision-making bodies. In general, majority rule means majority of seats won by a political party in the legislature and other decision-making bodies which give them the right to rule and decide on behalf of the electorate. It also means that in those bodies issues are to be resolved by voting. Procedural democracy is characterised by voters choosing to elect their representatives in elections and through those elections, government and decision-making authorities are formed at the concerned levels with the support of larger numbers of elected representatives. It is supposed that there shall be more than one political parties, competitors or candidates competing freely for electoral mandate and the right to rule vests on that political party or candidates which secure larger number of seats or votes in the elections. Whether it is parliamentary form of government or presidential form of government, it is the majority opinion expressed through electoral mandate that determines the right to rule and decide. Responsiveness : In a democracy, responsiveness of representatives to the electorate is so important as the election of representative by the electorate. Democracy means not only representative government but it also means responsible government. Responsible government can only be ensured when government is responsive to the

NSOU CC-PS-01 _____ 189 demands and grievances of the elected representatives as well when elected representatives are also responsive to the demands and grievances of the electorate. When this responsiveness is ensured democracy becomes meaningful and fruitful and it turns out to be popular government. 14.4 Advocacy for Procedural Democracy: Schumpeter and Dahl The concept of procedural democracy finds justification in the writings of eminent theorists like Joseph Schumpeter and Robert Dahl. While Schumpeter is known as eminent theorist of democratic elitism, Robert Dahl is regarded as the prominent theorist of democratic revisionism. Joseph Schumpeter : Joseph Schumpeter's idea set out in his Capitalism, Socialism and Democracy. This book is the most influential text in the development of 'the modern elitist theory of democracy' which is alternatively known as theory of democratic elitism. To him, 'democracy is only a formal political organisational principle'. He does not consider democracy as 'an end in itself'; but it is 'a political method'. He defines it as 'a political methods... for arriving at political – legislative and administrative– decisions'. It is a system of institutions' or an 'institutional system'. As he himself says: 'Democracy is not based on certain social values; it is a system of institutions designed for putting political decisions into effect, in which these decisions are made in a competitive struggle for the people's vote'. For him, people are simply 'producers of governments' and democracy is a mechanism to select 'the men who are able to do the deciding'. Thus, the proper role of the people was to choose their ruler through competitive elections, and then leave them to get on with the business of governing. In this way, Schumpeter, firstly, emphasizes the role of people and democratic values. People are simply producers of governments or selectors who select who would govern them. As he himself says: "... the role of the people is to produce government..." Secondly, he reduces democracy simply as ' a formal political organisation principle' and as a political and democratic method or an institutional arrangement. As a method, according to him, it

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is 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide

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means of a competitive struggle for the people's vote.

He calls it 'the democratic method'. Thirdly, the significance of Schumpeter's concept of democracy which is

190 _____ NSOU CC-PS-01 based on the idea that people are not rulers, but they are merely selectors or choosers or 'producers of governments' is that it makes elitism compatible with democracy. Free elections induce an element of competition among elite groups and it legitimises competition among governing elites. Fourthly, democracy is hereby viewed as a procedure. It is an exercise to institutionalise and rationalise election of rulers through general elections without having any relations to certain social values. Fifthly, he thus rejects both the doctrine of classical democracy as well as the central proposition of the classical theory that "the people" hold a definite and rational opinion. At the same time he emphasises for a proper recognition of the vital fact of leadership. In brief, he views democracy as a procedure and defines democracy as a method to arrive at political, legislative and administrative decisions. In this process, the role of the people are merely those of producers of governments. Other side of the same coin is the vital role of leadership which he emphasises by introducing 'the concept of competition for leadership'. He merges these two sides in his concept of democracy as a procedure. Actually in this way he tries to make democracy and elitism compatible. 14.5 Robert Dahl While Joseph Schumpeter describes democracy from the elitist point of view and makes democracy compatible with elitism, Robert Dahl examines it from pluralist point of view. But both these thinkers viewing democracy from different angles; however, in essence, both of them argue for procedural democracy, or what one may say, democracy as a process. Robert Dahl, an eminent American political scientist and a leading theorist of political pluralism, views democracy basically as a process. He says: 'democratic theory is concerned with processes by which ordinary citizens exert a relatively high degree of control over leaders'. He was initially an exponent of polyarchy or polyarchal democracy and later he advanced the theory of procedural democracy. His most recent essays (After the Revolution) discussed the idea of "procedural democracy" which is properly understood as the latest version of his evolving theory of polyarchal democracy. Dahl coined the term 'polyarchy'. It consists of two words 'poly' and 'arkhe'. Poly means 'many' and 'arkhe' means 'rule'. Dahl uses the term 'Polyarchy' to denote the acquisition of democratic institutions within a political

NSOU CC-PS-01 _____ 191 system that leads to the participation of a plurality of actors. It refers to the form of government found in contemporary democracies, but it is not the same as democracy. According to Hans Keman, "Polyarchy, which means 'rule by many', describes the process of democratization, in contrast to democracy itself." 3 (see [https:// www.britannica.com:topic,Polyarchy](https://www.britannica.com/topic/Polyarchy)). Keman also says that "Polyarchy, as presented by Dahl, should be understood as a process by which a set of institutions that comes close to what one could call the ideal type of democracy is developed. Therefore, public power is essential, and authority is effectively controlled by societal organizations and civil associations (e.g. interest group and political parties). Hence, in Dahl's view, the extent to which those societal actors can and do operate autonomously, as well as independently from the state, will enhance the democratic quality of a polity". 4 His concept of democracy (i.e. elections combined with continuous political competition between individuals or parties or both) promote popular sovereignty and political equality by increasing the 'size, number, and variety of minorities whose preferences must be taken into account by leaders"; but it does not lead to the majority rule. As a matter of fact, "polyarchy is neither pure majority rule nor unified minority rule. It is an open competitive, and pluralist system of 'minority rule'. 5 Moreover, popular participation plays only a peripheral role in Dahl's early democratic theory. Emphasis is led on ceaseless bargaining and negotiation between organized minorities "operating within the context of an apathetic majority" rather than extensive mass participation. This ensures leaders responsiveness to the preferences of non-leaders in the decision-making system, He insists that rule by the people' (popular sovereignty and political equality) is essential for democracy. But political equality and popular sovereignty are not absolute goals, rather these have instrumental value. These two are seen as instrumental means for ensuring the responsiveness of the government to the policy preferences of individuals. In his After the Revolution? and in sharp contrast to his earlier works, Dahl's preference for smaller, more participatory democratic form becomes evident. In it we find, a much stronger emphasis upon the value of direct citizen participation in political and economic life. But here again, he thinks democratic participation is like popular sovereignty and political equality, purely an instrument for enforcing accountability. All these shows evolution of Dahl's theory of democracy. It has evolved from his initial theory of polyarchal democracy, to his theory of 'procedural democracy'.

192 _____ NSOU CC-PS-01 A policy to be regarded procedural democracy must satisfies three criteria. These are (a) 'political equality' (including its socio economic prerequisites), (b) 'effective participation' and (c) 'enlightened understanding'. Effective participation roughly indicates popular sovereignty. Thus the first two are familiar extensions of his earlier theory of polyarchy. Therefore, the third one is the additional criterion that Dahl added to his theory of procedural democracy and it requires that citizens have adequate and equal opportunities for formulating their preferences. Dahl's concept of procedural democracy functions according to the ideal standards, that is, according to five criteria that he has introduced in this respect. The criteria are

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effective participation, voting equality at the decisive stage, enlightened understanding, control over the agenda, and inclusion.

However his vision of procedural democracy does not ignore a variety of such as equality, freedom, human development, and human worth. Therefore the procedural democracy is not oblivious of substantive issues. However, Dahl's theory of procedural democracy relies basically on four major principles: universal participation, political equality, majority rule and responsiveness of representatives to the electorate. 14.6 Contrast between Procedural and Substantive Democracy Procedural democracy has to be differentiated from substantive democracy. Substantive democracy is another form of democracy which emphasizes not on procedures but on the substantive issues of democracy. According to the theory of substantive democracy 'a democracy is a society peopled by truly equal citizens, who are politically engaged, tolerant of different opinions and ways of life, and have an equal voice of choosing their rulers and holding them accountable. This type of democracy functions in the interest of the governed. Substantive democracy, it is claimed, transform formal democracy to a real democracy. It is also referred to as functional democracy. Procedural democracy concentrates on the procedures and institutions of representation rather than on the actual role of the general population. Institution of representation serves as an instrument of accountability. But the drawback of the system is that it also serves, as David Bentham has pointed out, 'as a means of keeping the people at arm's length from the political process, and establishing a division of labour between an elite of professional politicians engaged in politics, as

NSOU CC-PS-01 _____ 193 a specialised activity on the one side, and a depoliticised, private citizenry on the other'. Secondly, proceduralist view of democracy slips into 'the fallacy of electoralism' as studies of democracy from this standpoint is restricted to election data, Thirdly, it is not concerned with the meaningful exercise of equal rights. Moreover, procedural democracy is compatible with the results which are always skewed in favour of particular interest and groups. It is in this context, the substantive view of democracy becomes relevant. This view of democracy does not restrict itself only to the procedural and institutional aspects of democracy as well as to formal legal and constitutional guarantees of equal democratic rights. As N. G. Joyal has pointed out that the proponents of a substantive definition of democracy argue that 'the democratic project is incomplete until the meaningful exercise of the equal rights of citizenship have been guaranteed to all'. Naturally, substantive democracy strives to overcome the formal limitations of procedural democracy. On other hand, it emphasizes that the general population must play a real role in carrying out its political affair. Merely securing legal and political equality is not enough. Rather what is absolutely necessary is having a truly equal opportunity to influence governmental decisions. Thus, the state is not merely set up as democracy but it must function as one as well. As Joyal has rightly remarked: "Democracy, therefore, should not be seen as confined to the sphere of state and government, but also as the principle governing collective life in society." 14.7 Conclusion As a matter fact, neither the procedural aspect of democracy be overlooked nor the substantive goods be de-emphasized. On the one hand a just process may lead to unjust results, and at the same time, as Robert Dahl maintains when substance takes over process, we are often left with dictatorship. Therefore, what is needed is not a debate between procedure versus substance or priority of one over the other, but a combination of the two to achieve an ideal democratic system. 14.8 Probable Questions Essay Type Questions : 1. What do you mean by procedural democracy? What are its main principles?

194 _____ NSOU CC-PS-01 2. How does the concept of procedural democracy find justification in the writings of Joseph Schumpeter? 3. How does Robert Dahl view democracy as a process? Do you agree with him? Long Questions : 1. How is concept of polyarchy related to the concept of procedural democracy. 2. Write a note on the elitist theory of democracy. 3. Describe the evolution of Robert Dahl's views on democracy. Short Questions : 1. Mention the main principles of procedural democracy. 2. What is meant by 'polyarchy'? 3. What is meant by substantive democracy? 14.9 Further Reading 1. N.G. Joyal (ed) : Democracy in India : Themes in Politics, Delhi, Oxford

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University, Press, 2009. 2. Robert Dahl : A Preface to Democratic Theory, Chicago, University of Chicago Press, 1986. 3.

J.A. Schumpeter : Capitalism, Socialism and Democracy, London, George Allen and Unwin, 1976.

NSOU CC-PS-01 _____ 195 Unit-15 Deliberative Democracy : Concept, Characteristics and Forms Structure 15.0 Objective 15.1 Introduction 15.2 Origin and development of the concept 15.3 Liberal democracy and deliberative democracy 15.4 Characteristics 15.5 Different types of deliberative democracy 15.6 Conclusion 15.7 Probable Questions 15.8 Further Reading 15.0 Objective By reading this unit the students will be acquainted with the following: (a) In the Introduction the students will be familiar with the concept of deliberative democracy. (b) Origin and development of the concept (c) The relation between liberal democracy and deliberative democracy (d) Characteristics and forms of deliberative democracy. 15.1 Introduction Another addition to the treasury of democratic theories and forms is deliberative democracy. In the last quarter of the 20th century, deliberative democracy came to be presented as complementary to traditional representative democracy. Since the 1980's, particularly

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in 1990's deliberative democracy began to attract substantial attention from political scientists.

Deliberative democracy came to be considered as an important

196 _____ NSOU CC-PS-01 component of modern liberal theorising. New lights were thrown on decision-making, discourse and debate, discourse of citizenship, legitimacy etc. from the point of view of newly-developed theory of deliberative democracy. It thus presents itself as a new trend in democratic thinking and, of course, within liberal framework. The concept of deliberative democracy has emerged and developed in the last three decades and considered as an exciting development in political theory. But, as a matter of fact, it has a long history. It was not unknown in primitive society. In primitive societies, all adult members of the community had the right to participate in the collective decision-making process of the community and collective assemblies were empowered to render judgements. However ancient Athenian democracy which arose in Greece during the sixth century BC. is frequently cited in political literature as the earliest manifestation of classical democracy. Athenian democracy was both deliberative and largely direct because of its participatory character. Deliberative democracy in its ancient form faced its extinction when in 322 BC Athenian democracy came to an end. Revival of democracy in modern time can, however, hardly be regarded as revival of deliberative democracy. It is true that in parliamentary democracy, parliament has been regarded by thinkers like Edmund Burke as a deliberative assembly and it is also true that deliberation is considered to be an essential part of government. However, the notion of democracy that evolved from the mid 17th century onwards may be different varieties of liberal democracy but can hardly be regarded as deliberative democracy in its newly ascribed sense. Deliberative democracy also falls within the framework of liberal democracy and an important component of modern liberal theorising; still it stands apart from traditional liberal democratic theories with regard to its approach towards procedures of decision-making and legitimacy under democratic system. It emphasizes on the practical reasoning of citizens rather than on that of people's representatives. Definition "Broadly defined, deliberative democracy refers to the idea that legitimate law making issues from the public deliberation of citizens". It holds that deliberation is central to decision-making and political decisions should be the product of fair and reasonable discussion and debate among citizens. In the opinion of Andrew Heywood it is '

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a form of democracy that emphasizes the role of discourse and debate in helping to define the public interest'.

It is believed that people's preferences are formed during political process and not prior to it. Their

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preferences should be shaped by deliberation in advance of decision-making.

NSOU CC-PS-01 _____ 197 The theory of deliberative democracy has a normative aspect too in the sense that it is concerned not only with how decisions are made but also with how decisions should be made. It assumes that political decisions should be the product of fair and reasonable discussion and debate among citizens. Actually its intention is to influence the actual political process rather than to state the actual political process. As Professor S Ramaswamy has observed that "Deliberative democracy is a normative theory with an intention to influence the actual political process by improving the popular input into policy by making it as broad based as possible". As a normative theory its objective is to broaden the base of democracy through discussion and debate among citizens. This, by effect, legitimizes the political process, because, according this theory, deliberation among citizens paves the basis of legitimacy. Christy Friend, in her review of Iris Marion Young's Inclusion and Democracy, observes that Young—along with Benjamin Barber, Jurgen Habermas, Nancy Fraser and others—is one of a group of theorists who subscribe to "deliberative" view of democracy,..... holds that democracy is most fundamentally a set of deliberative practices by which people negotiate in order to solve public problems. In this view, democracy is all about persuasion'. The idea of deliberation lies at the core of deliberative democracy. It is its central idea. As has been pointed out by Christian F. Roseboll 'The Central idea of deliberative democracy is that the basis of democratic legitimacy is the public deliberation of citizens'. It is said that free deliberation among equals is the basis of legitimacy. Thus, democratic legitimacy is produced out of public deliberation and serves as the basis of deliberative democracy. Deliberative democracy attaches very much importance to the idea of deliberation. It acts as the basis of democratic legitimacy. Deliberation is a process and as a process it is concerned with shaping citizens preferences. Citizens preferences are shaped by deliberation and that too in advance of decision making. People's preferences are formed during the political process, i.e. in a public process of deliberation among free and equal citizens. Therefore, deliberation is concerned with the process of reason giving which should precede political decision-making. But deliberation is concerned not only with the process of reason giving, it is also concerned with its outcome. As Christian F. Roseboll notes 'Deliberation is concerned both with the process of reason giving and with its outcomes'. It produces legitimacy and also tends to promote justice.

198 _____ NSOU CC-PS-01 John Rawls makes a distinction between requirements of deliberation in civil society and official deliberation and, in his view, ideal of public reason only applies to the latter. But Joshua Cohen argues for the ideal deliberative procedure. She points out three features of the ideal deliberative procedure. According to Joshua Cohen these are: First, it helps to account for some familiar judgements about collective decision-making, in particular about the ways that collective decision-making ought to be different from bargaining, contracting and other market-type interactions, both in its explicit attention to considerations of the common advantage and in the ways that alteration helps to form the aims of the participants. "Second; it accounts for the common view that the notion of democratic association is tied to notions of autonomy and the common good. "Third, the ideal deliberative procedure provides a distinctive structure for addressing institutional questions".

15.2 Origin and Development
The concept of deliberative democracy is rather new in the vocabulary of political theory. Joseph M. Bassette is credited with for coinage of the term 'deliberative democracy. Bassette in his *The Mid Voice of Reason: Deliberative Democracy and Americal National Government* (1994) seems to have first used the term 'deliberative democracy, to argue against elitist (or "aristocratic") interpretation of the US Coustitution. Bassette called for a participatory view of democatic politics. It is generally recognised that this new concept of democracy calling for a participatory view of democratic politics gradually developed through the 1970 and began to take definite shape only in the 1980. But its origin can be traced in early sixties of the twentieth century with the publication of Jurgen Habermas's *The Structural Transformation of the Public Sphere*. The basic theoretical ideas behind this conception of democracy was worked out by Jurgen Habermas. Later, many other critical theorists joined chorus of voices for a participatory view of democratic politics and developed the key theoretical issues of the concept of deliberative democracy. Christy Friend, in her review of Iris Marion Young's *Inclusion and Democracy*, says that 'Young—along with Benjamin Barber Jurgen Habermas, Nancy Fraser, and others—is one of a group of theorists who subscribe to 'deliberative' view of democracy". Among the others mention may be made of John Rawls, Jon Elster, Joshua Cohen, John Orygek who have developed the concept of deliberative democracy and its different features and aspects.

NSOU CC-PS-01 _____ 199 Jurgen Habermas is one of the pioneer theorists of deliberative democracy. Unfortunately his contibution to this theory has not received proper acknowledgement. But he laid the basic theoretical ideas behind this conception of democracy. He presented idealised model of rational, consensus-oriented discourse by elaborating an idealized deliberative procedure. In his 'Popular Sovereignty as Procedure' Jurgen Habermas reviews the relevance of the radical democratic ideas associated with the French Revolution. In this essay, by way of combining the best features of the civil republicanism and liberalism i.e., the two dominant conceptions of democracy, he attempts to present his own model of democracy which is an idealized model of rational, cousensus-oriented discourse. He tries to link political power with the rule of law as well as the participatory characteristics of democracy with due emphasis on institutions and legality. As he himself says "the normative expectation of outcomes is grounded ultimately in the interplay between institutionally structured political will-formation and spontaneous, unsubverted circuits of communication in a public sphere that is not programmed to reach decisions and thus not organized." He reminds us that " In this context, the public sphere functions as a normative concept". The arguments and reasons that have held up in the public sphere contrains government officials in constitutional regimes. Pointing out Habermas's position in this regard, Bohman and Regh say that: 'Insofar as a broadly dispersed, "subjectless communication" among citizens is allowed to develope an autonomous public spheres and enter into receptive representative bodies with formal decision making power, the notion of popular sovereignty—a democratically self-organising society- is not beyond the pale of feasibility" 2 . Therefore, although he does not completely reject the traditional liberal democratic model and its constitutional regimes and decision making bodies, he adds a new element to it by elaborating an idealized deliberative procedure as its point of departure. In this way, the basic theoretical ideas behind this conception of deliberative democracy was worked out by Jurgen Habermas and also by other critical theorists. Although Habermas worked out the basic theoretical ideas behind this conception of democracy, however, it did not immediately take any definite shape and many of the writers on deliberative democracy even in the late eighties did not appreciate many of his ideas. Till up to 1970, two main sources for liberal democratic theory were (a) sociological realism (e.g. Schumpeter's elitist theory and Dahl's puralist models) and (b) the other economic (e.g. the compitive political process on rational choice assumptions) in working out the philosophical details of a conception of political justification based on deliberation and public reason. John Elster developed his

200 _____ NSOU CC-PS-01 conceptions of politics as 'public in nature' and that political deliberation requires citizens to go beyond private self-interest of the 'market'. For him, politics involves a public activity that cannot be reduced to the private choices of consumers in the 'market' and that political engagement requires citizens to adopt civic standpoint, an orientation toward the common good, when they consider political issues in the 'forum'. Gutmann and Thompson, in their Democracy and Disagreement attempt to show how deliberation can deal with fundamental moral disagreements. The main concern of Iris Marion Young is how to make democracy more inclusive for disadvantaged groups. The proponents of deliberative democracy have actually developed different aspects of it. Their differences relate to their different approaches and focuses rather than on the key theoretical issues of deliberative democracy. They are in general agreement on at least this: ' The political process involves more than self-interested competition governed by bargaining and agregative mechanisms'. There are agreements in their views in respect of their emphasis on the will of the people and their active participation, open and uncoerced discussion, democratic self-restraint and human rationality. In deliberative democracy, the citizens see each other as free persons worth arguing with, as persons who can freely make up their minds in the light of good reasons. It emphasizes on the democratic process based on citizens' participation, debate and discussion, rationality and cousensus. But it does not subscribe the view of the aggregative model that democracy is simply 'a process aggregating the preferences of citizens in choosing public officials and policies'. Rather in the deliberative model, democracy is a form of practical reason and democratic process is primarily a discussion of problems, conflicts, claims of needs or interests. It is a form of public reasoning, a public process of deliberation among free and equal citizens through which preferences of citizens are transformed and become the basis of democratic legitimacy. However, the competitive-pluralist theories and models of liberal democracy faced theoretical challenges and the pravailing trend began to reverse itself in the late 190s. Actually, certain practical and theoretical issues and reasons were active behind this reversal and at the same time growth of interest about deliberative democracy. These were, according to Bohman and Regh; 1) Broad dissatisfaction with debacle and anonymity of liberal government. The vietnam war, the 1986 student revolt, and the impact of the civil rights NSOU CC-PS-01 _____ 201

movements signalled a shift in the academic perception giving rise to neo-conservatism. There was also an increasing perception that decision making in government was bureaucratic and beyond the control of citizens. 2) Revival of interest in participatory democracy and politics played an important role in this respect. As Bohman and Regh say "leftist political activism, with its emphasis on participatory democracy, sparked renewed interest in the possibilities for consensual forms of self-government" Two separate but complimentary trends were at work for the rise of interest in deliberative democracy. One was the theoretical critique of liberal democracy and the other one was the revival of participatory politics. Both of these two trends gradually developed through the 1970's These on-going developments had been, to a great extent, crystalised in the 1980s and concept of deliberative democracy began to take definite shape. But it was particularly in the 1990s that the concept of

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deliberative democracy began to attract substantial attention from political scientists.

It came to be considered as an important component of modern liberal theorising and it presented itself as a new trend in democratic thinking. Important contributions were made in this regard by John Rawls, Joshua Cohen, Jon Elster, Gutmann and Thompson, Iris Marion Young and others. The proponents of deliberative democracy differed among themselves as well as agreed on many points. For example, Habermas idealized model of rational, consensus- oriented discourse and he elaborated an idealized deliberative procedure. John Rawls and Joshu Cohen were more interested in its different aspects. 15.3 Liberal democracy and deliberative democracy Deliberative democracy is often considered as an important component of modern liberal theorising. It is claimed that "It is a theory that concentrates on refining the familiar framework of liberal democracy". Like liberal democracy, deliberative democracy emphasizes on the will of the people and traslation of the concept of 'popular sovereignty' through active participation of the people in the democratic process of deliberation and debates. Jurgen Habermas, one of the pioneer exponents of deliberative democracy, wants to develop the participatory features of democracy; as in liberalism, he wants to emphasize the role of institutions and law.

202 _____ NSOU CC-PS-01 However, the concept deliberative democracy differs from some prevailing mode of thinking developed within the broader framework of liberal democracy. Firstly, it differs from the sociological theory of democracy. Two variant of the sociological theory of democracy are (a) the elitist theory of democracy propounded by Joseph Schumpeter and his disciples, and (b) the pluralist model of democracy proposed by Robert Dahl and others. In the first variant, it is assumed, on the basis of empirical findings, that modern democracies are politically uninformed, apathetic, manipulable and popular participation could be downright dangerous. It views citizens primarily as passive consumers and political process as a struggle for power among competing interests. Robert Dahl and others, on the other hand, presented a decentralized, 'polyarchal' version of pluralism and gave up much of Schumpeter's elitism. Still, however, like Schumpeterian view, it retained the emphasis on competition, interest, and voting. Secondly, another source for liberal democratic theory upto 1970 was the economic theory of democracy. This theory as propounded by Anthony Downs attempted to apply economic categories to politics and it results in developing the model in which competitive political process is seen to be based on rational-choice assumptions as it suggests that parties functions as entrepreneurs who compete to sell their policies in a market of political consumers. All these developments ranging from sociological realism and pluralism to the model of competitive political process on rational choice assumptions took place within the broader frame-work of liberal thinking. As has been pointed out by James Bohman and William Rehg: "These two developments, one sociological and the other economic, were the two main sources for liberal democratic theory upto 1970." 4 The theorists of one of the two major variants of democratic theory emphasize the plurality of citizens interests and the potential for civil strife as citizens are viewed primarily as passive consumers who exert democratic control primarily through voting and the political process is viewed as a struggle for power among competing interests. Whereas the theorists of other variant takes a more rationalistic view of the citizens but preclude active public deliberation by citizens about a common good. As against this, deliberative democracy views political process as a search for the common good. It questions the key assumptions underlying the economic and pluralist models. The thrust of the deliberative democracy is on will of the people, human rationality, debate and deliberation, democratic self-restraint, and hope of a

NSOU CC-PS-01 _____ 203 public opinion about a common good. "For a democracy based on public deliberation presupposes that citizens or their representatives can take counsel together about what law and policies they ought to pursue as a commonwealth." Again to quote from Bohman and Rehg: "Deliberative theorists are in general agreement on at least this: the political process involved more than self interested competition governed by bargaining and aggressive mechanisms." Therefore, it accepts neither the views of self or group interests and resultant struggle for power among competing interests nor a purely economic standpoint and rationalistic view of citizens precluding active public deliberation by citizens as crucial conditions for democracy. Politics involves public activities and hence active participation and deliberation cannot be precluded from the political process and again it cannot be reduced to the private choices of consumers in the market. It may be inferred that deliberative democracy advances the theoretical critique of liberal democracy and revival of participatory democracy. Jurgen Habermas's idealized model of rational, consensus-oriented discourse is a case in point. He seeks to combine the best features of the two dominant conceptions of democracy: civic republicanism and liberalism. As Bohman and Rehg have observed: "As in civic republicanism, Habermas wants to develop the participatory features of democracy as in liberalism, he wants to emphasize the role of institutions and of law." At the same time, they are quick to point out: "Models such as Habermas's differ from updated republicanism and right-based liberalism by elaborating on idealized deliberative procedure as its point of departure." Thus deliberative democracy is both a criticism and rejection as well as accomodation of liberal democracy. It develops participatory features of democracy and idealizes deliberative procedures and, at the same time it emphasizes the role of institutions and law. Therefore, it is a queer mixture of both the theoretical critique of liberal democracy and the acceptance of some of the features of liberal democracy. 15.4 Characteristic Features 1. The concept of deliberative democracy is both an old as well as a new concept of democracy. It was old in the sense that deliberative democracy was prevalent in ancient Greece. Ancient Athenian democracy was the ancient form of deliberative democracy. Again it is new in the sense that after its extinction in Athens in 320 BC it has again reemerged and evolved in the last three decades.

204 _____ NSOU CC-PS-01 2. In deliberative democracy, deliberation is considered to be essential part of government. It emphasizes on the practical reasoning of citizens rather than on that of people's representation. 3. Deliberation shapes citizens' preferences. Deliberation is a process and as a process it is concerned with shaping citizens' preferences. Citizens preferences are shaped by public deliberation and that too in advance of decision- making. 4. Deliberative democracy refers to the idea that legitimate law making issues from the public deliberation of citizens. It attaches too much importance to the idea of deliberation. It lies at the core of democracy. 5. Deliberative democracy assumes that public deliberation acts as the basis of democratic legitimacy. The public deliberation is the basis of democratic legitimacy. Free deliberation among equals is the basis of legitimacy. 6. The theory of deliberative democracy has a normative aspect in the sense that it is concerned not only with how decisions are made but also with how decisions should be made. 7. Deliberative democracy implies a deep and broader inclusion and political equality, whose implementation will eventually promote justice. In her essay 'Deliberation and Democratic Legitimacy' Joshua Cohen mentions five main features of the formal conception of a deliberative democracy. According to her, these are: (a) A deliberative democracy is an ongoing and independent association, whose members expect it to continue into the indefinite future. (b) The appropriate terms of the association provide a framework for or are the results of their deliberation. For the members of the association, free deliberation among equals is the basis of legitimacy. (c) According to Cohen, a deliberative democracy is a pluralistic association. The members have diverse preferences, convictions, and ideas concerning the conduct of their own lives. They also have divergent aims. (d) The terms of their association are not merely be the results of their deliberation, but also be manifest to the members of the association as such. (e) The members recognize one another as having deliberative capacities like exchange of reasons and acting on public reasoning.

NSOU CC-PS-01 _____ 205 15.5 Forms of deliberation Ancient form of deliberative democracy was found is Athens. The striking features of the Athenia democracy was its participatory and deliberative character. It developed institutions of deliberation like Ecclesia. It was the basic governing body where every citizen was entitled to attend and speak at its meetings. As a matter of fact, as democracy evolved in Athens and its citizens enjoyed a free atmosphere of public discussion and lively debate on various domestic and foreign policy questions as well as on institutions and personalities. In modern times, there are different types of deliberative forms. Modern deliberative forums include both governmental as well as nongovernmental institutions. These include legislature, courts, the administration, and civil society associations. Different deliberative forums have different purposes and follow different procedures. For example, there may be deliberation aimed directly at decisions and also deliberation which has no such direct aim. In Jane Mansbridge's opinion, the distinction between the two is of everyday talk and formal talk. Similarly, in Habermas, we find a distinction between the informal public sphere of civil society and decisional publics. The importance of differentiating between these two types of publics in civil society is that they serve different purposes and that in order to do so they must involve different types of deliberation. There is no denying that civil society is an important forum of deliberation and as Habermas points out its associations "specialize... in discovering issues relevant for all society". But we cannot disregard the importance of governmental institutions. Parliamentary and governmental decisions are also important as they reflect the deliberation of civil society. Members of different branches of government (such as legislators, administrators and judges) are also considered to be important forums of deliberation. In addition to that, election campaigners and voters also provide different forums of deliberation. There are also alternative form of communication which also play important role. Iris Marion Young thinks that deliberative democracy to be inclusive should allow for the use of greetings, rhetoric and narrative as legitimate forms of communication.

206 _____ NSOU CC-PS-01 15.6 Conclusion Thus, deliberative democracy aims to reach political decisions through fair and reasonable discussion and debate among citizens. So deliberation turns out to be a necessary pre condition for the legitimacy of democratic political decisions. Such a democracy not only prioritise deliberation in decision making but also encourages competing viewpoints and arguments. In doing so, it actually

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shifts the emphasis from the outcome of the decision to the quality of the process. 15.7

Probable Questions Essay Type Questions : 1. Analyse the concept of deliberative democracy. 2. Trace the origin and development of the concept of deliberative democracy. 3. Discuss the relation between liberal democracy and deliberative democracy. Long Questions : 1. Discuss Jurgen Habermas' contribution to the origin and growth of the concept of deliberative democracy. 2. In what sense deliberative democracy can be considered as a critique of liberal democracy? 3. What are the different forms and forums of deliberative democracy? Short Questions : 1. How do you define deliberative democracy ? 2. What, according to Joshua Cohen, are the five main features of the concept of deliberative democracy? 3. Describe the characteristic features of deliberative democracy. 15.8 Further Reading 1. James Bohman and William Rehg (ed): Deliberative Democracy, Cambridge, The MIT Press, 1997. 2. J. S. Dryzek: Deliberative Democracy and Beyond, Oxford, OUP, 2000.

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Unit-16 Models of Democracy Structure 16.0 Objective 16.1 Introduction 16.2 Meaning of Democracy 16.3 Attributes of Democracy 16.4 Arguments against Democracy 16.5 Models of Democracy 16.6 Contemporary Theories of Democracy 16.7 Some Recent views on Democracy 16.8 Conclusion 16.9 Summing Up 16.10 Probable Questions 16.11 Further Reading 16.0 Objective The present unit helps us to- Understand the multiple meaning of democracy Identify the different models of democracy To locate the contemporary feminist, neoliberal and new right views with respect to democracy

210 _____ NSOU CC-PS-01 16.1 Introduction The term democracy is no longer tied singly to a form of government. The political coinage of democracy in contemporary times went beyond the territories of an ideal. As a method, it began to imply a set of values and behaviour with which a decision is concluded by the people. In a way, it also denotes of a particular culture involved in a process of a decision making. As a corollary therefore, the concept invited fierce debates not only in political theory but also in general discussion on politics. Since its formal appearance in the Greek city states of the classical period till contemporary times, the concept and practice of democracy has traversed a long way in political history. From a pejorative implication 'as a rule of the ignorant' by Plato to a 'corrupt form of polity' by Aristotle; democracy as an enduring principle continued to be dominant even in the post modern political landscape. Interestingly, the age old negative connotation of the concept has been replaced with a positive value which is accorded to democracy over time. Though this development is much recent in history and at present, the charge of being labelled as undemocratic is not only uncomfortable but also to be taken a matter of serious offence in global political parlance. Amidst the failure of socialist system within erstwhile Soviet Union and the rising crisis of capitalism in the past years, democracy emerged not only as an universal accepted political system but also perhaps the most successful compelling form of political organisation in history. 16.2 Meaning of Democracy The concept of democracy was of Greek origin. The term was derived from the Greek word 'democratia' in which 'demos' meant 'the people' and 'kratos' meaning 'power or rule'. Democracy thus, means 'rule by the demos'.

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kratos' meaning 'power or rule'. Democracy thus, means 'rule by the demos'.

The term 'democracy' was first used in the fifth century BC by the Greek historian Herodotus in the sense of 'rule by the people'. However, the nature of the concept was perhaps popularised by Abraham Lincoln Gettysburg Address, delivered in 1864 at the height of the American Civil War. He added both flesh and spirit to the meaning of democracy as

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government of the people, by the people, for the people.

Analysing Lincoln's definition, D.D.Raphael in Problems of Political Philosophy observes that all government is government of the people. Hence, government of the people does not

NSOU CC-PS-01 _____ 211 convey much. As regards 'government for the people' Raphael argues that a benevolent despotism, as much as democracy, may be government for the people. So the essential idea of democratic government is 'government by the people'. This implies that, in effect, people govern themselves that they participate in making the crucial decisions that structure their lives and determine the fate of their society. This participation can take a number of forms. In classic sense, democracy means the rule of the people, either directly or through elected representatives. In this meaning, democracy is taken not only as rule of the majority but also involving the spirit of equality. Subsequently, even representative form of democracy also recognises the principle of equality. However, this equality is mainly confined to political equality where equal voting right and right to hold public offices are treated as relevant. In other words, it implies a belief that all people are equally capable of, and have a stake in making collective decisions that shape their lives. In a democracy, no one person's opinion or interest is of more value than the other. Hence, the principle which is practiced is 'one person, one vote'. It is based on the idea of equal moral worth of all individuals and against the exclusion of anyone from the political process. Thus, it is against hierarchy or inherited privileges and discrimination. Democracy is also widely described as a process of selecting governments. This implies free and fair elections under open, multiparty electoral competition and based on universal adult suffrage. Samuel P. Huntington, who is well known for his Clash of Civilization thesis says that 'elections open, free and fair are essence of democracy'. Democracy as government by the people relies heavily on the wisdom of the people. J.S.Mill in his Considerations on Representative Government has mentioned two different aspects that go in the name of democracy. He defines 'pure idea of democracy' as 'the government of the whole people by the whole people, equally represented'. Mill contrasts this idea of pure democracy with commonly conceived and practiced idea of democracy as 'the government of the whole people by a mere majority of the people'. In other sense, democracy as a form of government though called the government of the whole people is only the government of the majority. This majority actually elects representatives since representatives are elected on the basis of majority votes, they cannot by definition therefore, represent the minority. The principle of democracy requires that while all public decisions are taken with the approval of the majority, due regard may be given to the view of the minority. However, in a multicultural society where people tend to vote for the candidates belonging to their own caste, region, religion language or culture etc. they may be 212 _____ NSOU CC-PS-01 divided into permanent majority and minorities. In such a case the principle of democracy requires that different minorities like racial, religious etc. enjoy full freedom to preserve their cultural traits and feel fully safe. Democracy not merely means a form of government alone. It also imbibes for a culture in which certain intrinsic human values like that of tolerance, equality, freedom and the like is fostered and retained in society. In a democracy, therefore, it is assumed that there will be a diversity of opinions and interests on almost every matter of common concern. Indeed, this diversity is seen as its main strength and it calls for tolerance for all shades of opinion. A democratic society is also called an open society where there is space for all voices however, unpopular or conventional they may be, to be heard. This requires a range of political freedoms like freedom of speech and expression, association and movement among others which are protected by the state. People must have access to information and be able to protest and freely criticise the government and others in order to make informed uncoerced choices and intervene in the decision making process. Thus, the practice of democracy is unthinkable without rights. Thus, democracies are expected to arrive at a consensus. 16.3 Attributes of Democracy It is often argued that a democratic method of making legislation is better than non democratic methods in three ways namely strategically, epistemically and via the improvements of the characters of democratic citizens. Strategically, democracy has an advantage because it forces decision makers to take into account the interests, rights and opinions of most people in society. In this respect, an instrumental argument provided by Amartya Sen is that 'no substantial famine has ever occurred in any independent country with a democratic form of government and a relatively free press'. The basis of this argument is that politicians in a multiparty democracy with free elections and a free press have incentives to respond to the expressions of needs of the poor. Epistemologically, democracy is thought to be the best decision making method, on the grounds, that it is generally more reliable in helping participants to discover the right decisions. Because democracy brings a lot of people into the process of decision making, it can take advantage of many sources of information, and of the critical assessment of laws and policies.

NSOU CC-PS-01 _____ 213 It is further argued that democracy tends to make people stand up for themselves more than do other forms of rule. This is because under democracy collective decisions depend more upon the will of the people than those made under monarchy or aristocracy. Hence, in democratic societies, individuals are encouraged to be more autonomous. Finally, some have argued that democracy tends to enhance the moral qualities of citizens. When they participate in decision making they have to listen to others and they are also called upon to justify themselves to others and they are forced to think partly in terms of the interests of others. Hence, some have argued that democratic processes tend to enhance the autonomy, rationality and morality of participants. 16.4 Arguments against Democracy Critics of democracy can be classified into two groups namely those who are dissatisfied with a particular kind of democratic practice and seek to deepen it and those who are critical of the democratic principle as such. A key objection to democracy is that, it produces incompetent and inefficient governments. According to Plato, democracy is inferior to various forms of monarchy, aristocracy and even oligarchy on the grounds that democracy tends to undermine the expertise that is necessary to properly governed societies. In a democracy, he argues, those who are expert at winning elections and nothing else will eventually dominate democratic politics. Most people do not have the kinds of talents that enable them to think well about the difficult issues that politics involves. Hence, the state will be guided by very poorly worked out ideas. Hobbes argues that democracy is inferior to monarchy because democracy fosters destabilising dissension among subjects. From his perspective, individual citizens and even politicians are likely not to have a sense of responsibility for the quality of legislation, because no individual makes a significant difference to the outcome of decision making. As a consequence, citizen's concerns are not focused on politics and politicians succeed only by making loud and manipulative appeals to citizens in order to gain more power. Even J.S.Mill for all his defence of democracy and political participation considered majoritarianism and mediocre government as the biggest weaknesses of

214 _____ NSOU CC-PS-01 democracy. Not only does majoritarianism exclude minority voices but it lowers the standards of the government. Subsequently, people with a lower level of intelligence perform the most important task of legislation and administration. Mill suggested a number of institutional mechanisms to counter these ills. Mill was particularly concerned about the opinion of minorities, the experts and the geniuses who are sidelined when the majority principle is applied. Mills philosophy thus, combines a value for participation and equality with elitism, where governance is seen as the task of the educated and the experts. Elite theorists went a step ahead in expressing their dissatisfaction of the democratic functioning and argued in favour of the inevitability of the elite rule. Elite theorists consider a functioning democracy impossible because of the inevitability of concentration of power. Classical elite theorists like Pareto and Mosca says that political power in every society has always been in the hands of a minority, the elite, which has ruled over the majority in its own interest. These elite manage to dominate because they possess exceptional skills specially the psychological attributes and political skills of manipulation and coercion. They are far better organized than the masses and also possess qualities which are considered valuable and hence, use it to justify their privileged position in the society. Michels noted, how despite socialist principles, the actual working of the decision making process tended to concentrate power in the leadership due to bureaucratization and centralization. Not only did the leaders not consult the working class members, the decision taken were often contrary to their interests. Rajeev Bhargava argues, that the merit of these critiques lies insofar as they expose the myths of democratic practice by exposing who actually wields power. But in considering this concentration of power as inevitable, these critiques affirm a belief in the natural inequality among human beings and are pessimistic in nature. 16.5 Models of Democracy Democracy is often treated as a homogenous and unambiguous phenomenon. It is often assumed that democracy as practiced in western societies is the only legitimate form of democracy. In reality, however, there are a number of rival theories or models of democracy, each offering its own version of popular rule. This highlights not merely the variety of democratic forms and mechanisms, but also more fundamentally, the very different grounds on which democratic rule can be justified.

NSOU CC-PS-01 _____ 215 Even liberal democracy is a misleading term, as competing liberal views of democratic organisation can be identified. The different models are discussed in the following manner : 1. Classical Democracy 2. Protective Democracy 3. Developmental Democracy 4. People's Democracy 5. Participatory Democracy 6. Cosmopolitan Democracy Classical Democracy The classical model of democracy is usually associated with the city states of ancient Greece. It is the most celebrated form of direct participatory democracy. Amongst the city states, the most discussed one happened to be the system of rule that developed in Athens. The salient features of Athenian democracy can be summed up in the following manner- A) Equal participation by all freemen in the common affairs of the polis (city state) which was regarded as an essential instrument of good life. B) Arriving at public decisions in an atmosphere of free discussion and C) General respect for law and for the established procedures of the community. The form of direct democracy that operated in Athens during the fourth and fifth centuries BCE is often portrayed as the only pure or ideal system of popular participation. Athenian democracy developed a very particular kind of direct popular rule, one that has only a very limited application in the modern world. Athenian democracy amounted to a form of government by mass meeting. All major decisions were made by the Assembly or Ecclesia, to which all citizens belonged. This meet takes place atleast forty times a year. What made Athenian democracy so remarkable was the level of political activity of its citizens. Not only did they participate in regular meetings of the Assembly but they were in large numbers, prepared to shoulder the responsibility of public office and decision making. The most influential contemporary critic of this form of democracy was the philosopher Plato. Plato decried democracy because the people were not properly equipped with education to

216 _____ NSOU CC-PS-01 select the best rulers. Aristotle identified democracy as the rule of the many, that is, of the more numerous members of the community, particularly the poor ones. In his classification of the governments into normal and perverted forms, Aristotle placed democracy among perverted forms since it signified the rule of the mediocre seeking their selfish interests, and not the interest of the state. on a practical level. However, the principal drawback of Athenian democracy was that it could only operate by excluding the mass of the population from political activity. Participation was restricted to Athenian born males who were over 20 years of age. Slaves, women and foreigners had no political rights whatsoever. Protective Democracy The idea of democracy as evolved in the 17 th and 18 th century was very different from that of classical democracy of ancient Greece. Democracy then came to be viewed as a mechanism through which the public could participate in political life and protect themselves from the encroachments of government. Hence, it is called Protective Democracy. It was protective in the sense, that it was meant to protect the rights of citizens and safeguard them from the tyranny of state power. The emergence of liberalism as a doctrine and the newly emerging bourgeoisie middle class had placed limits on the absolute powers of the monarch and the feudal aristocracy of the European state from 16 th century onwards. With the emerging new doctrine of individualism, the notion that all individuals are free and autonomous masters of themselves and makers of their own destiny were popularised. Individuals are primarily rational and self interested beings intend on pursuing their desires and goals. What individual requires are the basic condition to pursue this self defined goals. Liberals identify these conditions as rights namely of life, liberty and property which are fundamental and inviolable in nature. The emergence of liberalism is linked to that of capitalism and market society. That is why, property is understood as a fundamental right. An individual's property is considered an extension of the self and an individual is the masters of his/her own self. In the 17 th century John Locke argued, that that the right to vote was based on the existence of natural rights and in particular on the right to property.

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If government, through taxation possessed the power to expropriate property, citizens were entitled to protect themselves by controlling the composition of the tax setting body; the legislature.

In other words, democracy to mean a system of government by consent' operating through a representative assembly. Political participation in a representative democracy means to control the government and ensure the protection of individual

NSOU CC-PS-01 _____ 217 liberty. Through franchise and competitive elections individuals choose representatives who then form governments on the majority principle. Political decisions can be made only by these representatives and the people can keep a check on the representatives through periodic elections. The idea of protective democracy is perhaps best understood in the views of two of the key spokesmen of 19th century namely English liberals J. Bentham (1748-1832) and James Mill (1773-1836). In their hands, the protective theory of liberal democracy received arguably its most important elaboration: the governors must be held accountable to the governed through political mechanisms (the secret ballot, regular voting and competitions between potential representatives among other things) which give citizens satisfactory means for choosing, authorising and concluding political decisions. Through these mechanisms it was argued a balance could be attempted between might and right, authority and liberty. But despite this decisive step, who exactly were to count as individuals and what the exact nature of their envisaged political participation were remained either unclear or unsettled in the Anglo-American world. Thus, protective democracy is but a limited and indirect form of democracy. In practice, the consent of the governed is exercised through voting in regular and competitive elections. This thereby, ensures the accountability of those who govern. Political equality is thus, understood in strictly technical terms to mean equal voting rights. Moreover, this is above all, a system of constitutional democracy that operates within a set of formal or informal rules that check the exercise of government power. Even though the model of representative democracy was based on the principle of equality, in early liberal democracies, franchise or political equality was in effect restricted to a few. It is worth noting that in all early democratic systems of modern western world, the idea of democracy was not based on universal adult franchise rather restricted male citizens had the right to vote in elections. In France, adult male suffrage was abruptly introduced in 1848, but they could not set up a parliamentary government on an enduring basis till 1871. In Britain, parliamentary government had been established on an enduring basis since 1688 but the bulk of male citizens were not granted franchise till 1867. Female franchise has been operative in the United States since 1919, in Britain since 1928 in France since 1945 and in Switzerland all women got their right to vote as late as 1971. Developmental Democracy Democracy in the late years also exhibited its concern with the development of

218 _____ NSOU CC-PS-01 the human individual and the community. This gave rise to quite new models of democratic rule which can broadly be referred to as systems of developmental democracy. The most novel and radical model was developed by J.J. Rousseau. In many respects, Rousseau's ideas mark a departure from the dominant liberal conception of democracy. For Rousseau, democracy was ultimately a means through which human beings could achieve freedom. What gives Rousseau's model its novel character, is his insistence that freedom ultimately means obedience to the 'general will'. Rousseau makes a distinction between the will of the individual i.e. the particular will and the will of the community, i.e. the general will. Particular will may either be inclined towards general will, or it may turn against it. When an individual is motivated by his momentary self interest, he is acting against the general will. It is called his 'actual will'. On the contrary, when he decides to act in the common interest i.e. according to the general will, he is acting on his real will. In other words, real will involves self discipline in the interest of the community. It also serves the individual's real and long term interest which cannot be separated from the common interest. General will is therefore, harmonious. It reflects the real will of all members of the community. In Rousseau's view, such a system of radical developmental democracy required not merely political equality but a relatively high level of economic equality. Rousseau's theories have helped to shape the modern idea of participatory democracy taken up by New Left thinkers in the 1960s and the 1970s. In fact at the heart of this model is the notion of grassroot democracy. This implies a belief that political power should be exercised at the lowest possible level. Nevertheless, Rousseau's own theories have been criticised for distinguishing between citizen's true wills and their felt or subjective wills. The danger of this is that, if the general will cannot be established by simply asking citizens of what they want since they may be guided by their self interest, there is scope for the general will perhaps by a dictator claiming to act in the 'true' interests of society. According to A. Heywood, Rousseau is therefore, sometimes seen as the architect of so called totalitarian democracy. However, along with Rousseau model of developmental democracy can also be rooted in the writings of John Stuart Mill. For Mill, democracy is essentially an educational experience as it enhances the political understanding of the citizens and helped them to achieve a higher level of personal development. For Mill, a representative system must create maximum space for people to take part in the functioning of the government and not restrict their involvement by merely allowing

NSOU CC-PS-01 _____ 219 them to vote. He considered participation important because it develops the confidence of the people in their ability to govern themselves. That is why, he suggested for broadening of popular participation arguing

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that the franchise should be extended to all but those who are illiterate. In the process, he suggested, that suffrage should also be extended to women.

Mill was however, aware of the dangers of democracy. He rejected the idea of formal political equality. Following Plato, Mill did not believe that all political opinions are of equal value. He feared that democracy always contains the threat that

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individual liberty and minority rights may be crushed in the name of the people.

Mill's particular concern was that democracy would undermine debate, criticism and intellectual life in general by encouraging people to accept the will of the majority, thereby, promoting uniformity and dull conformism. He believed strongly that majority is not always right and wisdom cannot be determined mere quantitatively. So, he supported the idea of deliberative democracy or parliamentary democracy. People's Democracy The concept of people's democracy is usually related to the Marxian tradition which analyses political system mostly in terms of class character. Marxists criticise the prevalent form of liberal democracy because it harbours the capitalist system in which the majority of people comprising workers is deprived of power. Liberal democracy exclusively serves the interests of the bourgeoisie ie. the capitalist class. Marxists therefore, dubbed liberal democracy as the bourgeois democracy. In spite of its vast paraphernalia of representative institutions, liberal democracy hardly serves the interests of the people on whose behalf power is exercised. Marx believed that with a overthrow of capitalism, democracy is likely to flourish. He was highly sceptical of liberal or parliamentary democracy and viewed it essentially as a bourgeois or capitalist democracy. He had anticipated that after the socialist revolution, bourgeois democracy would be replaced by a 'commune system'. Communes were envisaged to be small communities who would manage their own affairs and would elect their delegates for the larger administrative units like districts and towns. These larger units would in turn elect their delegates for the still larger administrative areas, like national administration. This system is described as 'pyramidal structure of direct democracy'. They were described as 'people's democracies' in order to distinguish them from western type liberal democracies. According to O.P. Gauba, this term was adopted to indicate a new type of democracy. Conventional use of democracy stands for liberal democracy which is based on a specific procedure of government formation. Hence, it may be identified as 'procedural democracy'. On

220 _____ NSOU CC-PS-01 the other hand, people's democracy focuses on the substance of democracy ie. safeguarding the interests of the ordinary people. Hence, it claimed to be identified as 'substantive democracy'. In its view, interests of the working classes is coterminous with the interest of the people. This form of democracy was developed in the 20 th century in communist states like that of former Soviet Union and China. However, in erstwhile Soviet Union democracy owed more to the ideas of V.I.Lenin than it did to those of Marx. Although Lenin's 1917 slogan ' All power to the Soviets' had kept alive the notion of commune democracy, in reality power in Soviet Russia quickly fell into the hands of the Bolshevik Party. In establishing itself as the vanguard of the working class the communist party claim to represent the genuine interests of the proletariat and thus, guide it to the realisation of its revolutionary potential. However, in doing so, what really turned out to be a major weakness was that this model failed to build any mechanisms for checking the power of the communist party.

Participatory Democracy The major idea behind the democracy includes the authority of governance to rest upon people themselves. That is how the journey of democracy began during classical age of ancient Greece. However, when the size of a democratic community expands geographically with a variety of composition in terms of race, religion, language and culture, etc the distance between the people and their representatives is likely to widen. While elitist theory do not places much significance to citizen's participation as one of the necessary condition of democracy, the model of participatory democracy repudiates it. Participatory democracy emphasises on political participation of people as the basic principle of democracy. Political participation, however, refers to active involvement of individual and groups in the governmental processes affecting their lives. The chief exponent of this form of democracy was Rousseau in whose hand the doctrine of popular sovereignty gained ground. In participatory democracy citizens themselves play an active role in the process of formulation and implementation of public policies and decisions, their activity is called political participation. Conventional mode of political participation is called voting , contesting for public for a public office, campaigning for a political party or contributing to the management of a community project like public safety, cleanliness drive or the maintenance of a public park etc. Interestingly, an act of opposition or public protest also involves political participation. They are the manifestation of a strong awareness of public interest.

NSOU CC-PS-01 _____ 221 The present day champions of participatory democracy argue that representative democracy give little opportunity to its citizens for any significant participation in the decision making process. In modern large scale states, the objective of participatory democracy are sought to be achieved through (a) Decentralisation of administration in which many decisions are left to local communities, as in the case of expansion of Panchayati Raj in India; and (b) Extensive use of referendum as prevalent in Switzerland. In contemporary political theory, citizen participation is sought to be justified mainly on three grounds: a) Instrumental view- It asserts that citizen participation is aimed at promoting or defending the interest of the participant. b) Developmental or educational view- This holds that citizens participation enhances the participants general moral, social and political awareness. c) Communitarian view- This justifies participation on the ground that it contributes to the common good. However, the limitations of participatory democracy cannot be ignored. Firstly, the champions of participatory democracy insists only on increasing citizens participation within the existing democratic system. They do not suggest any alternative system for its implementation. Secondly, the advocates of participatory democracy seem to be too optimistic. Beneficial results of public decisions, policies and programmes come very late. Ordinary people are not always endowed with adequate patience and insight that would enable them to make a correct assessment of the situation. If they are encouraged for too much participation, they may take their grievances and disputes to streets, and disrupt normal life.

Cosmopolitan Democracy With globalization extraordinary changes have taken place in international politics. The first half of the 1990s championed the idea of democracy but its efficacy as a national form of politics came to be questioned. David Held, in his article, on Cosmopolitan Democracy has identified the emerging world since 1990s to be doubly faced. On the one hand, it has fostered the extension of democracy and on the other; it has revealed tensions within nation states. He argued that, cold war by imposing limited autonomy to states had managed to suppress many forms of domestic conflict. However, with an end to it domestic discord reopened.

222 _____ NSOU CC-PS-01 Infact, David Held has pointed out several impacts of globalisation on the recent functioning of democracy. He argued that, first; the locus of political power no longer rests with the national government rather it is shared by diverse forces and agencies operating at regional, national and international levels. Secondly, 'self determining collectivity' no longer confines itself within the single nation state alone. Political communities both within and across are now beyond the reach of individual nation state. Thirdly, the operatives of the states have become so complex with international and regional interaction that it affects the autonomy and sovereignty of a nation. Finally, the late twentieth century witnesses a world where transnational actors and forces cut across the boundaries of nations in diverse ways. Subsequently, it is found that the powerful states make decision not just for their people but for others as well. Such overlapping spheres of influence, interference and interest creates dilemmas at the centre of democratic thought. This worldwide development opened up the possibility of a cosmopolitan democracy. According to David Held, cosmopolitan democracy involves the development of administrative capacity and independent political resources at regional and global levels as a necessary complement to those in local and national politics. So cosmopolitan democracy would override the states in defined spheres of activity which have visible transnational and international consequences and call for regional or global initiatives for democratic legitimacy. 16.6 Contemporary Theories of Democracy Pluralist Theory Pluralist theory of democracy is based on pluralist concept of power distribution in society. Pluralist model appears in two forms- one treats democracy as competition between plurality of elites and the second treats democracy as negotiation between pluralities of power centres in society. While the first is based on assumptions of power concentration in the hands of variety of elite; the second is based on the assumption of power distribution amongst a variety of groups. The first systematic development of pluralist theory can be traced in the work of James Madison entitled The Federalist Papers. Unlike the most liberals, Madison argued that unchecked democratic rule might simply lead to majoritarianism, to the crushing of individual rights and to the expropriation of property in the name of the people. He stressed upon the multiplicity of interests and groups in society. He believed unless each such group possessed a

NSOU CC-PS-01 _____ 223 political voice, stability and order would be impossible. He therefore, proposed a system of divided government based on the separation of powers that offered a variety of access points to competing groups and interests. Thus, the system of rule which he envisaged is often referred as Madisonian democracy. The most influential modern exponent of pluralist theory is Robert Dahl. Robert Dahl in his A Preface to Democratic Theory (1956) developed a model of democratic process which he described as polyarchy. According to him, polyarchy means a rule by many, as distinct by rule from all citizens. The key feature of such a system of pluralist democracy is that competition between parties at election time, and the ability of interest or pressure groups to articulate their views freely, establishes a reliable link between the government and the governed and creates a channel of communication between the two. Robert Dahl has given the theory of polyarchy which holds that democratic government must take into account interests of many groups in society compulsorily. Dahl's study of local politics in New Haven, USA explored how decision making is done. Based on his conclusions and observations, Dahl suggested a model of democracy where various groups participate in decision making. Infact, he suggested there is widespread dispersal of power among various interest groups and these groups compete and negotiate as per their issue-areas. Thus, polyarchy to Dahl, refers to a model of democratic decision making where multiple groups participate in decision making without anyone of them dominating. Infact, the pluralist theory calls for the revision of the democratic theory itself. In its view, policy making is actually done neither by the representatives of a coherent majority, nor by an autonomous and unresponsive elite, but is the product of the interaction among various groups. This theory goes to the extent of claiming that since public policy is largely an outcome of the bargaining among groups interested in a given policy issue, the form of government becomes almost insignificant. On the other side, the system of rule by multiple minorities may simply have been a device to prevent the majority from exercising political power. According to A. Heywood, a further problem is the danger of what has been called 'pluralist stagnation'. This occurs as organised groups and economic interests become so powerful that they create a long jam resulting in the problem of government 'overload'. In such circumstances, a pluralist system may simply become ungovernable. Finally, there is the problem identified by Dahl in later works such as A Preface to Economic Democracy (1985) notably that the unequal ownership of economic resources tends to concentrate political power in the hands of the few and deprive it from the many. This line of argument has given rise to neopluralism.

224 _____ NSOU CC-PS-01 Arnold M. Rose's The Power Structure reflects Dahl's conclusions on power distribution. He studied the policies of the National Associations of Manufacturers and the United States Chamber of Commerce, the two bodies that represent economic elite. Rose, unlike Dahl concludes that plurality of elites, relatively small are operating in different spheres. Dahl and Rose reached more or less the same conclusion and suggest pluralism as the basis of power distribution. However, while Dahl does not hint at elite within the respective groups, Rose tends to hold that there are pluralities of elites who are competing. Rose sounds like Schumpeter who talks of decision making amongst competing elites. Rose's pluralism suggests elite pluralism. Elitist Theory Elitist theories were originally developed in the field of Sociology to explain the behaviour of men in a social setting. Their implications in the field of politics posed a challenge to democratic theory. This was in turn revised by several thinkers. Broadly speaking, the elitist theories hold that every society consists of two categories of men namely the elite or the minority in a social collectivity and the masses or the majority which is governed by the elite. This theory argues that masses are unintelligent and apathetic and elite are organised, capable, intelligent and have leadership qualities. Classical elitists, such as V. Pareto, G. Mosca and R. Michels believed that democracy was no more than a foolish delusion because political power is always exercised by a privileged minority namely the elites. Pareto and Mosca conceptualised general perspective on elite rule and view society divided into elite and non elite. They pointed out that elite provides leadership and are capable of rule. Michel carried out the study of oligarchic phenomenon in political parties. In his study,

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Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy,

he analysed the inner dynamics of decision making and power distribution of European Socialist Parties and Trade Unions with particular emphasis on German Socialist Party. According to him, democracy requires organisation in the form of parties to represent the masses because of vastness and complexity of society, which will not allow any other way of democratic participation. Political parties operate through structured organization with leadership, full time politicians and officials. Due to division of labour, hierarchy and control, decision making and resource allocation becomes confined in the hands of a small group of leaders. This produces rule and control of small elites. Michels calls this as 'Iron Law of Oligarchy'. This

NSOU CC-PS-01 _____ 225 means any organization is bound to degenerate in elite rule. Whereas classical elitists strove to prove that democracy was always a myth, modern elitist theorists have tended to highlight how far particular political systems fall short of the democratic ideal. A distinction can be drawn between a two set of elitist theorists. The early elite theorists argue that due to omnipresence of elites in every society, there is no possibility of any other form of government than rule of the elite either through circulation of elite or Iron Law of Oligarchy. They deny the possibility of democracy as rule of the people. Pareto, Mosca Michels and Ostrogorski are champions of this position. There is a second group of elite theorists, who argue that despite elite being present as the leaders, competition between elites and elections at periodic intervals give sufficient chance to the people to express themselves and this choice of elites represents democracy. Karl Manheim's Ideology and Utopia upheld the possibility of democracy even when they agree the presence of elites as a fundamental reality in society. He maintained that though policy formulation was in the hands of the elite, the very fact that the elites can be removed in elections make the people master. He thinks that this very limitation is sufficient proof of democracy and accountability of elite. In fact, Manheim's views reflect an attempt to reconcile theory of political elites and democracy. Joseph A. Schumpeter in his Capitalism, Socialism and Democracy (1942) pointed out that the forms of government should be distinguished by their institutions, specially by their methods of appointing and dismissing the supreme makers of law and policy. This implies that firstly, in a democracy political decisions are taken by the 'leadership', and not by the people themselves. Secondly, there is a free competition among the leaders for winning people's votes. In other words, the role of the people is reduced to choosing their rulers from the competing elites. Schumpeter does not allow any moral content in democracy and treats it merely as market mechanism where voters are only consumers and the politicians act as entrepreneurs. Hence, this theory is often called the economic theory of democracy. Following Schumpeter, Anthony Downs too developed his model of competitive elitism. Downs argued that a system of open and competitive elections guarantees democratic rule because it placed government in the hands of the party whose philosophy, values and policies correspond most closely to the preferences of the largest group of voters. Thus, while early elitist theory of democracy in the hands of

226 _____ NSOU CC-PS-01 Pareto, Mosca Michels and Ostrogorski was elitist, in the hands of Manheim and Schumpeter, it acquired the characteristics of competitive elitist model, where elites compete for vote. Therefore, democracy simply turns out to be a political method which acts as a means of making political decision through competitive struggle for gaining popular votes. Marxian Theory The Marxian theory of democracy revolves around three major thrust areas firstly, a critique of the bourgeois democracy, secondly, theory of dictatorship of proletariat and thirdly, social democracy leading to a classless society. Marxists challenge the liberal conception of the state as a neutral body. There are two strands of thinking about political power in the writings of Marx and Engels. In the first instance, Marx declared in the Communist Manifesto (1848) that the state and its agencies are the instruments of dominant class interest. Following an instrumentalist view, the Marxists argue that a liberal state is actually an instrument of the bourgeois rule where there is no equality, no freedom and hence, no democracy. According to them, the bourgeois democracy is a class democracy dominated by the bourgeoisie. In the second instance, Marx and Engels talk about the 'relative autonomy of the state' from the dominant class. The practice of parliamentary democracy and the compulsions of elections do lead governments to respond to some demands of the working class majority. But for Marxists, this is at best a short term measure because the state cannot go against the long term interests of capital. Marxists acknowledge the emancipator potential of liberalism because it rejects hierarchy and affirms the equal moral worth of all individuals. That is why, it appears that Lenin is not opposed to democracy as such, but only bourgeois democracy. Democracy provides a meaningful means for equality. Lenin considered democracy as significant step for achieving 'formal equality', ie. 'equality of labour and wages' and equality in ownership of means of production. This is the stage of dictatorship of proletariat, where democracy is realised not as a class concept but as people's democracy. In his claim to recall liberal democracy as bourgeois democracy John Plamenatz in his work entitled Democracy and Illusion had advanced the following arguments- Firstly, in the context of inequality of wealth and resources, power and influence will be possessed by those who acquire capacity to possess them through education and other such entry.

NSOU CC-PS-01 _____ 227 Secondly, in the context of large organisations, power and influence belongs to the leaders than to rank and file Thirdly, in the context of social inequalities, leaders soon acquire ambition, privileged position and lose touch with their followers Finally, power and influence is exercised by those who have information and wealthy are better placed to get information and control its distribution. According to Plamenatz, due to these reasons, democracy is not real in liberal capitalist society. The above arguments, however, clearly suggests that the Marxian concept of democracy is not related to form of government is mainly linked to procedure of how leaders are elected. 16.7 Some Recent views on Democracy Feminist view Feminist critique of democracy rests on the following major arguments- 1. The liberal distinction between the public and the private 2. Gendered division of labour 3. Under representation of women in political institutions 4. Democratic theory being insensitive to the realities of women's lives. The liberal distinction between the Public and the Private Feminists argue that relation between men and women is based on unequal power relations and this is mainly due to the liberal distinction between the Public and Private. Family and the household is a part of the private sphere and hence, kept out of politics which solely lies under a public domain. Once being outcasted from politics, women's interest therefore, were placed out of democratization. Women's labour subsequently was not regarded as productive enough to constitute for paid labour. Domestic arena therefore, turns out to be a site of unequal power structure and therefore, an arena in need for democratization. Gender division of Labour According to Janaki Srinivasan, gendered division of labour and power in the private sphere is linked to the unequal distribution of political status and power in the public sphere. Western countries, which have the longest history of democracy,

228 _____ NSOU CC-PS-01 but even there women were the last category to get the right to vote. Most political thinkers explicitly excluded women from the category of citizenship on the grounds of their natural inferiority and incapability. Under representation In contemporary democratic system women despite their political equality continue to be grossly underrepresented in political institutions and decision making structures. Further political equality has been undermined on the grounds of sexual, social and economic inequality. Democratic theory being insensitive to the realities of women's lives Democratic theory fails to realise that substantive equality for women have to be of a distinctive kind. It understands equality mechanically as mere removal of differences. So, formal political equality recognizes no difference among people and socio-economic equality understands difference as a disadvantage and seeks to remove them. But the idea of disadvantage is based on a notion of comparison which is always based on a particular standard. Neoliberal view The neoliberal view was favoured by public choice theorists like James Buchanan and Gordon Tullock. They contend that elites and their allies will tend to expand the powers of government and bureaucracy for their own interests, and that this expansion will occur at the expense of a largely inattentive public. Only those interest groups that are guided by powerful economic interests are likely to succeed in organising to influence the government. Furthermore, they argue that such interest group will tend to produce highly inefficient government, because they will attempt to advance their interests in politics while spreading the costs to others. Thus, neoliberals argue that any way of organising a large and powerful democratic state is likely to produce serious inefficiencies. However, the neoliberal account of democracy also shares certain inherent limitations. First, citizens in modern societies have more ambitious conceptions of social justice and the common good than are realizable by the minimal state. The neoliberal account thus, implies a very serious curtailment of democracy of its own. Second, the neoliberal approach ignores the problem of large private concentrations of wealth and power that are capable of pushing small states around for their own benefit, and of imposing their wills on populations without their consent. The

NSOU CC-PS-01 _____ 229 assumptions that lead neoliberals to be sceptical about the large modern state imply equally disturbing problems for the large private concentrations of wealth in a neoliberal society. New Right view The post 1973 decade saw one of the substantive economic difficulties for most advanced industrial countries including Britain and France. Economic growth and relative prosperity received a severe blow in these countries compared to their preceding decades. These new conditions provoked a rightward electoral shift in the majority of western democracies. These rightward shifts were pronounced in Britain and USA and were associated with a grouping of ideas and movements collectively termed as the "New Right". It is difficult to specify the term "New Right" as it has been variously applied to government public policy and administrations. Infact, the term cannot be used to any particular ideas, theorists and politicians since there is not one simple and coherent set of principles but rather several not necessarily linked together. Kenneth Hoover recognises three main set of ideas within liberalism that have its influence on the arguments forwarded by the New Right. First, liberals defend the superiority of the markets in producing economic prosperity and political freedom. These "traditional liberal values" may be reduced to an emphasis upon the individual, a limited role to the state and support for market processes. Secondly, following public choice analysis emphasis is given on application of economic techniques and assumptions to political and social behaviour. Therefore, constitution should be redesigned to control public spending and market practices to be introduced in the Public Sector. Thirdly, liberalism embraces the ideas of "libertarians" who promote a more trenchant version of liberal economic and political principles but who remain a distant subgroup of liberalism. However, here it must be noted that liberal values are not the only ones associated with New Right. There also exists a set of moral and social arguments too. According to A. Heywood, New Right theorists are keen advocates of the free market, believing that economies work best when left alone by the government. They have focussed upon the danger of what has been called 'democratic overload'. This overload, on part of the government can be seen to be a consequence of the electoral process. Thus, according to Samuel Brittan, electoral politics amounts to a self defeating process in which politicians are encouraged to compete for power by offering increasingly unrealistic promises to the electorate. Voters are attracted by promises of higher public spending because they calculate that the cost will be spread

230 _____ NSOU CC-PS-01 over the entire population. According to Brittan the economic consequences of unrestrained democracies are high levels of inflation fuelled by public borrowing, and a tax burden that destroys enterprise and undermines growth. New Right theorists therefore, tend to see democracy in strictly protective terms, regarding it essentially as a defence against arbitrary government rather than a means of bringing about social transformation. 16.8 Conclusion Discussion on democracy thus, suggests that there are divergent views on the very nature and desirability of democracy. The concept had traversed a long way to indicate a mere political system to a way of life in contemporary times. The demand of democratization at all levels of life had broadly extended its jurisdiction and tends to develop a culture based on equality and collective decision making. It calls for an end of authoritarianism at all levels of institutions, be it social or political. However, democracy as a way of life could flourish only when a higher level of tolerance, on part of the individual and institutions are encouraged, so that the voices of the opposition could be raised as comfortably and seriously like the established voices of the existing society. Till then, democracy would just be a fish out of water which may be sustained by artificial means but at the cost of sacrificing its very essence. 16.9 Summing Up Democracy not merely means a form of government alone. It also imbibes for a culture in which certain intrinsic human values like that of tolerance, equality, freedom and the like is fostered and retained in society. Democracy as a method of making legislation is better than non democratic methods in three ways namely strategically, epistemically and via the improvements of the characters of democratic citizens. Critics of democracy can be classified into two groups namely those who are dissatisfied with a particular kind of democratic practice and seek to deepen it and those who are critical of the democratic principle as such. There are a number of rival theories or models of democracy namely Classical Democracy, Protective Democracy, Developmental Democracy, People's Democracy, Participatory Democracy and Cosmopolitan Democracy.

NSOU CC-PS-01 _____ 231 Apart from models there are several contemporary theories on democracy like Pluralist Theory, Elitist theory, Marxian Theory and so on. 16.10 Probable Questions Essay Type Questions : 1. Explain the meaning of democracy. What are its attributes and disadvantages? 2. Analyse how the elitist theory has critiqued the principles of democracy? 3. What is People's democracy? Why does it regard liberal democracy as bourgeois democracy? Long Questions : 1. Examine the different models of democracy. 2. Analyse the contemporary theories on democracy. 3. Explain the contemporary views on democracy. Short Questions : 1. Write a short note on cosmopolitan democracy 2. Examine the feminist view on democracy. 3. Discuss briefly after Kenneth Hoover, the main set of ideas within liberalism that have its influence on the arguments forwarded by the New Right. 16.11 Further Reading 1. Held, David, Models of Democracy, Cambridge : Polity Press, 2006. 2. Heywood A. Politics, London, Macmillan Press Ltd. 1997. 3. Thomas Christiano, 'Democracy' in McKinnon C.ed. Issues in Political Theory, New York, OUP, 2008. 4. Gauba O.P. Political Ideas and Ideologies, Delhi, Macmillan Publishers India Ltd. 2010. 5. Srinivasan J. 'Democracy' in R. Bhargava ed. Political Theory, Delhi, Pearson Longman, Delhi, 2008. 6. Abbas H. Political Theory, Delhi, Pearson, 2012.

232 _____ NSOU CC-PS-01 Unit-17 □□□□□ Political Participation Structure 17.0 Objective 17.1 Introduction 17.2 Meaning of Political Participation 17.3 Factors affecting Political Participation 17.4 Types of Political Participation 17.5 Political Non Participation 17.6 Voting Behaviour 17.7 Political Participation of Women 17.8 Conclusion 17.9 Summing Up 17.10 Probable Questions 17.11 Further Reading 17.0 Objective The present unit enables us to understand The meaning of Political Participation The classification related to Political Participation The notion of non participation in the realm of politics Factors affecting the voting behaviour with special reference to India How the political participation of women are changing with the interaction of different dynamics of politics 17.1 Introduction Of late, the nature of electoral politics signifies the maturity and efficacy of

NSOU CC-PS-01 _____ 233 democracy in a country. Liberal democracy sees citizenship as the principal prerequisite of the democratic system where the citizens act as an active participant in the processes of decision making around public policy. This is based upon the principles that citizens should be considered the best judge of their own interests. They are capable of making social and political decisions and also hold the key to political influence through the media of participation, discussion, voting and through the movement towards political equality. This perspective obliges elective representatives and public servants to be cognisant of the values, beliefs and needs of the citizenry, to cultivate necessary levels of political competence in the citizenry and to activate those sections of the citizenry who generally fail to articulate their views. This therefore, suggests for participatory processes to avail the requisite political need. Thus, political participation turns out to a cornerstone of democracy and the primary mechanism through which citizens influence political officials and hold their governments accountable. So, it provides the ideological and philosophical bases for the relationship between a state and its citizens. Ajit Chaudhuri in one of his article has highlighted three inherent conflicts that citizens' participation entails. Firstly, public policy in modern societies is complicated and decision making around it requires expertise, vision and strategy. At the same time, modern societies see value in extending the democratic base of such decision making through participation but participation is inherently contentious, confused and conflicting. It is rarely possible to maximise both these value preferences. Secondly, meaningful citizen participation affects power relationships in society by increasing the role of ordinary citizens in decision making, and thereby simultaneously reducing that of the elite. The view that reduced power differentials would lead to better public policy and therefore, to better governance is in sharp contrast with the view that the maintenance of differentials is a precondition to social order and that the elite are better able to handle society's decision making responsibilities. Thirdly, participation requires participants who are motivated to act. Empirical evidence suggests, that such motivation is negligible among the general citizenry but high among organised interest groups looking to use apathy around public decision making processes to bend policy towards their aims. Needless to say, that any decision on the usage of participatory processes has to take into account the above stated three dilemmas and adequately address them for a better planning, implementing and monitoring of public services. 17.2 Meaning of Political Participation Political Participation, as one of the basic concept in political science has been

234 _____ NSOU CC-PS-01 defined by scholars in different ways. The concept has gained a key place in contemporary political science in general and political sociology in particular. In a very general sense, political participation essentially means taking part in politics. However, getting involved in politics may imply participation at varying degrees and at different levels. For instance, some may be highly active and may even choose politics as a career while there may be others who may appear to abstain completely from political activity and may even refuse to apply polling right. As a concept, political participation includes both the cited extremes and as obvious therefore, makes the concept complex and highly controversial. Adoption of a standard definition on the concept automatically tends to include or excludes certain activity from the purview of political participation thereby, leading to debates in ascertaining an activity to be regarded at all as an act of participation into politics. For example, political participation is defined as those voluntary actions in which people seek to influence the making of public policy, then the emphasis on voluntary actions appears to exclude those forms of mass participation that are obligatory or coerced as for example the requirement of shows of symbolic support for authoritarian regimes. Such a definition might further exclude the act of voting in democratic countries where voting is required by law. The recent Taliban occupancy in Afghanistan might invite almost a similar debate with regard to the concept. There have been several attempts in Political Science to define political participation and analyse its nature from different perspective. Sidney Verba and Norman Nie state that 'political participation will refer to those voluntary activities by which members of a society share in the selection of rulers and directly and indirectly in the formation and influencing of public policy.' They view political participation as legal activities which are aimed at influencing the selection of governmental personnel and the actions they take. Samuel P. Huntington and Joan M. Nelson defined political participation as 'the activity by private citizens designed to influence governmental decision making.' This is almost similar to Verba and Nie's definition. Michael Rush has viewed political participation from a rather broader angle. To him, 'political participation is the involvement of the individual at various levels of activity in the political system, ranging from non involvement to the holding of political office.' This definition sheds the legal overtones of the earlier two definitions. However, in almost all definitions there is a latent emphasis on voluntary participation by the people. Obligatory or coerced mass action, such as the show of symbolic support for authoritarian rules, is not considered as political participation. Infact, it is a point of debate among the political scientists whether political participation should include only voluntary participation by the people or otherwise. A more inclusive definition was provided by G. Parry, G. Moyser and N.Day. According to them, 'political participation consists of

NSOU CC-PS-01 _____ 235 taking part in the process of formulation, passage and implementation of public policies. This implies to include those actions which seeks to shape the attitudes of decision makers to matters yet to be decided, or it may be action in protest at the outcome of some decision.' According to Parry, 'political participation is not confined to successful actions only. Those actions that fail to fulfil their desired goal are also regarded as political participation. The present definition therefore, broadens the ambit of political participation. 17.3 Factors affecting Political Participation Political scientists have identified a number of socio-economic and political factors which influence the degree and rate of political participation. Robert E. Lane makes a meticulous study to identify those socio-psychological and political variables to explain various forms of political participation in USA. His generalisation could be easily taken into consideration for understanding the nature of political participation, in general. All these factors are not equally effective and important at all places and at all times. Their relative importance and effectiveness are time-place specific. The different factors as identified, can be summed up in the following manner- a) Psychological factors The psychological factor emerges from individual personality traits and cognitive structures. Such structures involves political activities of man's need for power, competition and achievements, affiliation, aggression, money prestige, status, recognition, approval, manipulation, sympathy and responsibility. Participation may also be classified in terms of goals. These are- instrumental and consummatory. Instrumental political activities are primarily oriented towards concrete goals such as the party's victory in the election. Consummatory or expressive activities are aimed at more immediate satisfaction. For example, common people who cast their vote and feel elated for being involved in the decision making process. b) Social factors Political participation is determined to a great extent by social factors such as education, income, age, place of residence, religion etc. Some of these factors for convenience are discussed below- i) Education - Education acts as an important determinant in formulating reasonable thinking and voting. It is widely understood, that there is a natural and necessary correlation between an individual's educational

236 _____ NSOU CC-PS-01 qualifications and his/her participation in politics. Almond and Verba opine that education attracts the individual towards democratic political culture. Education gives information about politics and expands the horizon of one's interest in the political process. It enables the individual to develop the skill for political participation. ii) Income - People belonging to the higher income groups are generally found to be interested in political participation. This however, does not mean that a rise in income has a uniformly proportionate effect on political participation. Although, income at the individual level is an important correlate of political participation, it may not necessarily be so at the national level. A recent study contradicts the facts and claims that low income groups are easily mobilized and actively participate in political activities. Vendors, hawkers, riksha pullers, auto drivers etc. are now more politically vigilant than the middle class and their turn out in polls at times outnumber the middle class people. iii) Age - Along with education and income age and sex are also sometimes important in explaining political participation. Those who are too young lack experience about politics. The lack of stability and security at the early age usually makes the young evasive of political participation. Older people on the other hand, cannot participate very actively due to the lack of physical fitness and declining political efficacy. Middle aged citizens are usually free from the problems of the too young or the too old and tend to participate more actively. However, there can be exceptions to this general rule depending upon the type of political participation. For example, if within the domain of political participation the protests movements of the students are included then such movements launched by students and youths of different countries shows that the above explanation no longer holds good. iv) Place of residence - It is often argued that an individual's place of residence has its impact upon his/her fate of political participation. Usually, urbanites are found to be more participative than their rural counterparts. City dwellers get greater opportunities of education which helps in their greater understanding of political issues. They are much more exposed to different forms of mass media. It makes them more informed about politics. Rural people are generally denied these opportunities. This negatively affects their rate of participation. However, such a rural-urban divide does not hold good in all cases. Researches have shown that in Japan, the rural

NSOU CC-PS-01 _____ 237 folk participate more than the city people. Again, it is also suggested that the longer a person resides in a given community, the greater are the chances of his/her political participation. v) Religion - Some studies on political participation have attempted to indicate that religion also sometimes has an impact on political participation. It has been shown mainly in the context of the western political systems that generally catholics participate more in elections that involves issues like legislation on birth control or matters touching the affairs of educational institutions imbued with catholic beliefs. The impact of religion on politics is more evident in political systems that are not secular in the real sense of the term. Religions in such cases are often used in various ways as a major component of political behaviour – particularly in the arena of electoral politics and also outside its boundary. c) Economic factors Economy has an impact in formulating political participation. Affluent class of the society either controls political participation through muscle and money or tries to maintain the status quo of the political system. They rebel against the evils of the society and clamour for positive change. But the people at the lowest economic ebb do not rationalise their voting behaviour. They are swayed by emotions and mobilised by local area elites. Therefore, in a developed society the level of political participation is high as compared to the developing society. d) Political factors Political participation is no doubt a political activity, but it is highly influenced by non political variables like caste, community etc. However, it cannot be suggested that political factors are of no use. They do play a crucial role in articulating political participation. The natures of political system have impact on the political participation. Constitutional structure, election procedure, party system, role of press and the functions of the organs of state decides the voting behaviour in any political system. Political orientations, affiliations ideological commitments and cognition of issues and events determine political participation. 17.4 Types of Political Participation Earlier citizen's involvement in the political process was regarded as the only

238 _____ NSOU CC-PS-01 form of political participation.

Then the perspective of the concept was limited. However, with the widening of the concept of politics from state centric, institutional and legal analysis to individual socio-political behaviour or interaction, the scope of the concept of political participation was enhanced beyond electoral participation. Political participation, thus, can broadly be classified into two types namely- 1. Participation in the electoral process 2. Participation through other modes

1. Participation in the electoral process Modern day democracies are indirect, representative democracies. To realize the idea of representative democracy in practice, various institutional arrangements are needed. The electoral system is one of the most important of these. It is through the electoral process that individuals choose their representatives who perform the act of governing on their behalf. Shefali Roy in her book on Political Sociology has highlighted some of the major types of political participation.

a) Voting - Electorate in order to safeguard themselves and secure their rights needs to be critical in analysing government performance. Citizens must not be guided by social psychological pressures, rather, should cast votes on the basis of political efficacy. So voting becomes not only a political right of a citizen but also a basic duty. Adult franchise is universally practiced where an adult citizen takes initiative to vote and to control the reigns of power holders.

b) Campaigning - An individual can take part in the electoral processes in a number of ways, for instance as a voter, as a candidate, taking part in election campaigns, discussing politics, distributing party literature, attending political meetings and so on. In whatever ways a citizen takes part, the individual actually performs the act of political participation. Such participation naturally assumes greater importance in a democratic political system. One such major form of political participation is campaigning. Citizens actively involve themselves in canvassing. Citizens use their vehicles, money or man power in canvassing for a particular political party or for a particular political candidate. Though they are not the main political actor, yet they seek and capture power as a reward of their loyalty towards a party or a person. Those persons who have keen interest in political affairs motivate masses to cast vote, and makes an effort to produce collective mobility.

c) Self interest - Self interest makes an individual an active citizen. They are

NSOU CC-PS-01 _____ 239 continuously involved in political activities right from reading newspapers to taking processions. They always assess and express the performance of the government through processions and debates. Moreover, they always remain ready for forming interest groups with the government officials to get their work or others work done with or without gratification.

d) Collective activity - In such a type of political participation, citizens do not act on their own rather joins a group to influence the decision making process. The citizens may even put pressure on the government and get certain policies framed. They work for collective gain, but in most of the cases, they promote a small group of interests. Such an activity is mainly the output of vested interests.

2. Participation through other modes In addition to taking part in the electoral process and voting, there are many other ways by which the individual can participate in politics. A number of political scientists have attempted to identify and classify different types of political participation. Anthony Birch has included many other kinds of activities than that of merely voting, within the purview of political participation. These are, for example, active membership of a political party or a pressure group, taking part in political demonstrations, industrial strikes with political objectives and similar activities aimed at changing public policy. While identifying different forms of political participation, Michael Rush and P. Althoff arrange them in a hierarchical order on the basis of the degree or extent of participation. They place the types of activities in a descending order-

i) Holding political or administrative office ii) Seeking political or administrative office iii) Active membership in a political organization iv) Passive membership in a political organization v) Active membership of a quasi political organization vi) Passive membership of a quasi political organization vii) Participation in public meetings and demonstration viii) Participation in informal political discussion ix) General interest in politics

240 _____ NSOU CC-PS-01 x) Voting xi) Political Apathy What is significant in this hierarchical arrangement is that the act of voting has been placed almost at the lowest level. The argument forwarded is that in all political systems the election is an occasional, periodic happening. Moreover, the act of voting requires minimum involvement and labour on part of the individual. Milbrath's classification tends to show that political participation basically is of two types namely active and passive. This distinction actually is a necessary outcome of the most common fact that political participation in every society has a cost that involves time, energy and resources. Not all people are equally able or even willing to bear these costs and hence, all are not direct and active participants in every society. Political participation may further be classified in terms of its purpose as instrumental and expressive. Instrumental political participation is essentially directed to the achievement of concrete goals like securing party victory or the passage of a bill or just a rise in one's status or influence. Expressive political participation, on the other hand, does not aim at the realisation of any concrete goal. It is concerned with some immediate satisfaction or a mere release of feeling. Thus, some vote because they are really interested in the political results flowing from the elections or in any material gain for themselves, but because they just have a feeling of satisfaction in exercising their voting right. Milbrath classified the acts of political participation into three categories namely 'Gladiatorial Activities', 'Transitional Activities' and 'Spectator Activities'. In Milbrath's scheme, political participation was seen as a hierarchical activity. He arranged the American population in three groups namely 'gladiator', 'spectator' and 'apathetic'. His classification of activities for convenience is discussed in the following manner: - a) Gladiatorial Activities- This category includes the activities which are part of routine of the political parties, such as elections to political post, participation in election to legislature, gathering fund for the party, movements to increase membership, and organization of meetings everywhere to form public opinion in its favour etc. b) Transitional Activities- These include activities of the helpers and well wishers of the political parties, such as hearing the lectures of the leaders, donating to the fund of the party and maintaining contact with the leader of the party. c) Spectator Activities- This category includes voting, influencing others vote, NSOU CC-PS-01 _____ 241 participating in political debate, being influenced by political stimuli, wearing badges of the political party and distributing leaflets etc. However, the analysis of Milbrath throws light upon the nature of the political participation which is always changing, from time to time and place to place. Some later studies on political participation felt the need to amend Milbrath's one dimensional hierarchical model. This was reflected in the important researches by Verba, Nie and J.O.Kim. These researches pointed to a picture of highlighted specialisation in political participation. The research done by Parry, Moyser and Day on participation in Britain showed that among those people who did more than vote four sub groups could be distinguished namely- a) Protestors b) Election campaigners c) People active in community groups and d) People who specialised in individual contacts with officials, politicians or the media. Most legislators are familiar with constituents in this last category. Based on their findings a more elaborate and sophisticated classification of political participation was presented. The participants were classified into six classes namely- a) Totally Passive b) Voter whose only activity is to vote in elections c) Localist whose activities are limited within the boundaries of local level politics d) Parochial who is interested only in those activities that fulfil his/her personal needs e) Campaigner whose involvement in politics centres around some particular political issues and problems and f) Total Activist who takes an active part in the political process as a whole. These different types of political participation can be placed at different points along a continuum whose one end starts with total passivity and at the other lies the total activist. 17.5 Types of Non Political Participation If political participation happens to be one of the crucial yardstick to measure the success of democracy then simultaneously it has to be noted that there are cases of non participation as well. It is essential to identify the major types of non participation since this will enable us to analyse the reasons behind the passivity with regard to

242 _____ NSOU CC-PS-01 political actions by the citizens.

Broadly, there are four main types of non participation which are – a) Apathy – Social scientists have shown interest in certain forms of political non participation of which apathy is one of them. Apathy is a type of political passivity which provides support for the regime, but enables the individual to avoid the politicization of his/her whole being. There are different causes of apathy. In a democracy one usually comes across two types of apathetics. There are those who fail to participate because of a lack of information about and interest in the political world which results from their political indifference and incapacity and also from a lack of the opportunity to participate. This kind of political apathy which is far from deliberate and is usually found among the uneducated, the inarticulate, the parochial, the isolated and also among those whose very roles operate only on the basis of a kind of political passivity. At the same time, there is another group of persons who are highly aware of the political changes and they are either frustrated and helpless or highly satisfied and wills no change whatsoever, to bring in the polity, and therefore, deliberately keeps themselves away from the political activities. There may be very many reasons why an individual deliberately shuns political involvement. In the first, it may be due to the fact that political involvement to an individual may appear to be far less rewarding than other kinds of human activity. One may tend to derive higher psychological satisfaction and greater amount of concrete material benefits from one's preoccupation with family, friends and the like than from political involvement. The extent to which political participation will thus, be lowly valued by an individual, however, depends on two factors- psychological and social. An individual's mental make up may be such that he has a greater interest in his primordial, biological and psychological needs than in the distant and vague results likely to flow from political involvement. Secondly, an individual is likely to be disinterested in his/her political participation, if he/she somehow goes by the belief that it really makes no sense in as far as it will never be able to change the existing state of things. Thirdly, political apathy may also result from the fact that an individual is too satisfied with the efficiency and efficacy of the political system of which he/she belongs to. He/she may have so great a confidence in the excellence of a political system that he/she may be led to the belief that the system will go on functioning smoothly and efficiently no matter whether he/she is politically involved or not. This explains why voting turn outs raise high in times of economic crisis in USA in 1936.

NSOU CC-PS-01 _____ 243 Apathy leads to the decline of political vitality and vigilance. This might ultimately result in depriving this particular section of the society who need most to be represented for exercising the right to influence the decision making process. Sometimes political apathy becomes an ideology which is detrimental to the interests of the nation. Infact, political apathy makes politics confused, complicated and contradictory, and political communication becomes mere propaganda. Personal reasons may also account for apathy. It develops certain degree of mental laziness to a phobia toward a serious thought of political decay. Whatever be the cause or causes, political apathy remains a crucial problem. b) Cynicism – Cynicism etymologically means complete distrust towards others. It is a psychological disorder where good deeds of others are always taken into suspicion and doubt. Such a person grows a cell around him/her and becomes isolated. They also become pessimistic and regard political leaders as actors of oppression. Political cynicism, if increases qualitatively or quantitatively, it weakens the foundation of democracy. Cynical person regards voting as a futile effort to control the government. They are fed up with the existing political system and at the same time they are not optimistic towards bringing about change. Thus, cynicism leads to lack of legitimacy and popular support for the political system. c) Alienation- Alienation as a concept was elucidated by Satre and Marx which is a stage of dilemma. The inherent conflict and the loss of judgement lead to it. In a political system such a condition of a man/woman divorces him/ her from the day to day activities. A person purposefully segregates themselves from the polity. d) Anomie- This is another psychological phenomenon which refers to a sense of rootlessness, loss of values and lack of direction among individuals. Anomie inhibits political participation because as in the case of apathy it implies a feeling of ineffectiveness or a feeling that authorities do not care about the common people. However, there is also a difference between the two. While the former is passive in nature, latter involves fear, panic, violence and destruction. The implication of anomic attitude is reflected at the individual level in the form of suicide, as riot at the group level and as terrorism at the country and cross country level. This is a very serious problem as it involves devaluation of norms and goals.

244 _____ NSOU CC-PS-01 This suggests that participation by the people in the political process is regarded as one of the essential preconditions for the success of democracy. Thus, in a democracy, non participation may be viewed as a disease or a crisis. 17.6 Voting behaviour One of the major concern of political participation in a representative democracy is the voting behaviour. It is in a true democracy, that, election provides opportunities for the most overt forms of political participation. Broadly speaking, the factors responsible for voting behaviour can be classified into three categories namely socio- economic, psychological and political. a) Socio-economic The socio-economic factors are governed by the following:- 1) Caste- The study of electoral behaviour suggests that the main force behind voting in India is caste. Rajani Kothari had a firm belief that voting is an extended family affair usually guided by the choice of the head of the family or caste affiliation. He further added that caste and community are two easily identified social clusters which are keenly and deliberately exploited by the politicians for the electoral gain. The most glaring example in India can be Mandal and Kamandal Politics. 2) Class- Class cleavage in the society though being a sociological concept has a lasting political impact. Karl Marx rightly claims that there are only two class in the society- haves and have-nots. The economically dominant class according to him, remains more authoritative than the middle income group. Politicians take help from capitalist class in contesting elections, and in return give them certain favours. Class factor remains important in orienting voting behaviour. The role of class in electoral politics has come in for critical review in the work of Geoffrey Evans where it was indicated adequately how class is still relevant as an important explanatory variable in voting behaviour. 3) Community- Religious affinity and race can also turn into communal frenzy. The dictates of religious heads or priests in guiding voting behaviour needs to be discouraged. As it happens to be a sensitive issue politicians try to gain optimum result out of it. Be it Ram Janam Bhumi or Babri Masjid or the Khalistan issue religious sentiments are exploited

NSOU CC-PS-01 _____ 245 for vested interests. The influence of religion is more pronounced in the developing countries like that of India where the pace of secularisation is slow and the grip of tradition is strong. 4) Region- Geographical proximity also plays a crucial role in influencing the voting pattern. The north south divide in India is a glaring example of opposed political behaviour. The autonomy of the state within a federal structure is a result of regional imbalances and strikingly different political culture. The emergence of regional parties was mainly due to the fact that Congress as a party failed to serve the interests of the nation as a whole. It was alleged to be a party of north India and south Indians as a sharp reaction to it found their own regional parties for promoting their sectional interests. 5) Language- Linguistic loyalty often forms the basis for the formation of political parties dedicated to meet the requirement of specific groups. Language affinity is a direct offshoot of regional grievances and is purposefully used by political leaders for seeking or holding power. Unfortunately, Hindi as a language has been a bone of contention between north and south India. 6) Money- Food, security and adequate means of livelihood remains the most complicated problem in a larger democracy like that of India. Welfare state functions on the principle of just and human order. India too, follows its footsteps but the non delivery of the services at the grassroot level aggravates the problem. b) Socio-Psychological factors The voting behaviour reveals the fact that human psychology also has an impact on exercising of vote. Even in western democracies, personality or sympathy voting cannot be denied. The sudden demise of a political leader pulls sympathy of the masses which are often reflected in the in their voting behaviour. For example, post poll results after the assassination of Indira Gandhi and her son Rajiv Gandhi reveals this truth. Film stars and celebrities find easy to become representatives because of the popular support. Age is also a difficult factor to treat as an independent variable. However, older voters tend to vote for conservative parties. Though there is no final finding regarding gender as a determinant of voting behaviour but Lipset found that

246 _____ NSOU CC-PS-01 women are more sensitive towards ethical issues and therefore, corruption criminalisation adversely affects their behaviour. c) Political factors The major political determinants of voting behaviour includes- political orientation, political issues and events, political ideological allegiance, political efficacy and anti incumbency factor. Political variables have not received due attention. What motivates the electorate to become a voter is its sense of political security rather than performance efficacy. Matured political systems demand political orientation of the electorate. Here, the role of the political party becomes highly crucial and responsible. Political parties disseminate political ideas and information and make voters aware of their polling rights. Elections are contested primarily based on issues where there is ideological ambiguity in the party system. Long term continuities in allegiance to particular group or ideologies inspite of the changes in the issues or in the role of different political parties remains stable conditions underlying mandate. For example- older people have a very strong affiliation to Indian National Congress and they are not ready to undermine its importance even with the changing behavioural pattern of the party. People link themselves with the political system and political parties, as they do with caste or community. It has also been found that ideological allegiance varies from area to area. There are many factors responsible for political allegiance. The family orientation, the individual interest or the ideological affiliation work together as man is a product of multiple and dynamic environmental factors. The most analytical and critical voting behaviour is based on evaluating performance of political parties. Political participation is a human activity fundamentally and therefore, cannot be completely free from personal preferences. The analysis of the past elections provides us many examples where voters were influenced by immediate political speeches and normative agendas. It is true that voting behaviour cannot provide a final explanation of the voting participation. Yet, it cannot be denied that they establish some important links. These links are extremely important since through continuous verification of these links in different historical conditions, one may finally arrive at some reliable propositions and it is in the perspective of these propositions that one can make an attempt of a theoretical analysis of the phenomenon of political participation.

NSOU CC-PS-01 _____ 247 17.7 Political Participation of Women
Role of women in political participation has been a topic of much discussion in the recent years. The participation of women in electoral process can be defined not only in terms of the equality and freedom with which they share political power with men, but also in terms of the liberty and space provided for women in the democratic framework of electoral politics. The marginalisation of female from electoral participation in India stems not mainly from competition arisen between national and regional parties in terms of seat allotments but also from the patriarchal prejudices that shrouded the political parties and refrain them to be in command even within the organization. In contrast to the poor allotment of seats to women by political parties in the elections and marginalisation within the party structure, female electoral participation as voters has been a notable upsurge in the late 1990's as voter turnout in the last few elections. The electoral participation of women in India, invites a wide range of opinions and divergent views. On the one hand, some theorists argued that the electoral process in India is fraught with male patriarchy and dominance that act as impediments to women participation. The lack of political voice and poor representation in the Parliament bears the testimony of such claims. On the other hand, there are theorists who dispute this argument and feel that the increased participation of women in electoral competition as voters and sharing of political power at the grassroot level reveal that electoral politics in India is no more gender exclusive but is quite inclusive. The participation of women has been systematically analysed by Praveen Rai in one of his article published in Economic and Political Weekly (EPW) using a pyramidal electoral participation model stratified at four levels on a quantitative basis. This model suggests the following four strata- 1) In the top strata, is female representation in the lower house of the Parliament and in Legislative Assemblies which is the narrowest and most constricted numerically. 2) In the second strata, are women as candidate in electoral competition participating as members and functionaries of political parties where their representation in quantitative terms is more than that at the top layer. 3) In the third strata, as active campaigners for political parties where female participation is much larger in numbers than that in the second strata.

248 _____ NSOU CC-PS-01 4) In the bottom strata, with the widest base of women in numerical terms as single time voters. The levels of female participation at the top tiers of electoral competition are fairly low as compared to Indian men and the only level of electoral participation where they have achieved some degree of parity are as voters in elections. Thus, women's participation in electoral competition has been restricted to being periodic electors, something that is not only promoted and encouraged by the political parties and society but also by the state organs in India. Before analysing the low level of representation of women in the lower house of the Parliament, it is worthwhile to compare their positions with other countries of South Asia in recent years. The representation of women in the lower house of Afghanistan Parliament is the highest ie. 27% as witnessed at the first parliamentary election after the downfall of the first Taliban rule. Apart from Afghanistan, Iraq and Pakistan are the two countries in the region where women representatives occupy more than 20% seats in the lower house of the Parliament. The reasons for other countries being ranked higher than India is mainly due to reservation of seats for women in the lower house of the Parliament. Thus, India (10.86) and Srilanka (4.89) are two countries in the region where representation in the Parliament is below the world average of 20% representation of women. The main factors as identified by P.Rai includes the following- Firstly, socio-economic forces inherited from nationalist movement, current social policies and the gendered nature of citizenship in hampering women's political participation in government structures, elections and community organisations. Secondly, lack of reservation of seats for women in the Parliament and state legislatures. Thirdly, lack of national consensus and willingness among political parties to give more tickets to women in elections. Fourthly, perpetuation of a patriarchal political structure together with caste, class and gender subordination acting as strong deterrents to women contesting elections. Finally, lack of awareness and knowledge of electoral politics combined with a lack of support from the family and political parties in resources severely affects women's chances to contest and win elections. However, despite the gloomy reality, the silver lining over women's participation in electoral politics in India, is the participatory upsurge witnessed among women as voters since 1990s. Women's participation has also noticeably increased in campaign

NSOU CC-PS-01 _____ 249 activities during the election. It is obvious to address the key barriers restricting women's participation in politics on a priority basis and simultaneously efforts on part of the government and the civil society to motivate women for their active participation in formal politics is needed to be ensured. An increased participation of women in active politics will not only ensure equality with men but will further enhance the scope to address larger serious issues concerning women which were otherwise mostly neglected. 17.8 Conclusion Electoral politics in liberal democracies are going through revolutionary changes with the ushering in of new techniques of electoral propaganda and marketing strategy. If the new politics based on new social movements have tended to activate the civil society in influencing the elections then the role of technology particularly internet and social media have engulfed the country with cyber campaigns. The increasing use of opinion polls and development of several research groups meant for elections (like MARG, IMRB etc.) have helped political parties and candidates to develop a marketing strategy. The intense usage of such tools not only gave birth to media hype centering on elections but has a significant influence upon the electoral behaviour of the voters. 17.9 Summing Up Political participation as one of the basic concept in Political Science has been defined by scholars in different ways. In a very general sense, political participation essentially means taking part in politics. However, getting involved in politics may imply participation at varying degrees and at different levels. Political scientists like Robert E. Lane have identified a number of socio- economic and political factors which influence the degree and rate of political participation. Political participation can broadly be classified into two types namely- participation in the electoral process and participation through other modes. There are cases of non participation in democracy too, such as apathy, cynicism, alienation and anomie. One of the major concerns of political participation in a representative democracy

250 _____ NSOU CC-PS-01 is the voting behaviour. Factors responsible for voting behaviour can be classified into three categories namely socio-economic, psychological and political. The marginalisation of female from electoral participation in India stems not mainly from competition arisen between national and regional parties in terms of seat allotments but also from the patriarchal prejudices that shrouded the political parties and refrain them to be in command even within the organization.

17.10 Probable Questions Essay Type Questions : 1. What is political participation? What are its different types? 2. Identify the major factors influencing political participation. Long Questions : 1. What is political non participation? Examine its different types. 2. State the factors influencing the voting behaviour of a country with special reference to India. Short Questions : 1. Write a short note on women’s participation in Indian politics. 2. Explain Milbrath’s classification of political participation.

17.11 Further Reading 1. Rush, M and Althoff, P. An Introduction to Political Sociology, London, Nelson, 1971. 2. Mukhopadhyay A. ‘Political Participation’ in Chakraborty S. ed. Political Sociology, New Delhi, Macmillan India, 2005. 3. Roy, S. Society and Politics in India : Understanding Political Sociology, Delhi, PHI, 2014. 4. Mukhopadhyay A.K., Political Sociology, Calcutta, K.P.Bagchi, 1977. 5. Rai Praveen, ‘Electoral Participation of Women in India: Determinants and Barriers’ in Economic and Political Weekly, Vol. 46, no 3, 15 January 2011. 6. Chaudhuri Ajit, ‘A Treatise on Participation’ in Economic and Political Weekly, Vol. 48, no 40, 5 October, 2013.

NSOU CC-PS-01 _____ 251 Unit-18 □□□□ Representation– Meaning, Theories and Models Structure 18.0 Objective 18.1 Introduction 18.2 Idea of Representation 18.3 Theories of nature of suffrage 18.4 Theories of Representation 18.5 Models of Representation 18.6 Conclusion 18.7 Summing Up 18.8 Probable Questions 18.9 Further Reading 18.0 Objective The present chapter helps us to analyse ? The meaning of representation ? The different theories relating to suffrage ? Different theories on representation ? A variety of models related to representation 18.1 Introduction Electorate and Representation happens to be one of the most significant areas of discussion with regard to liberal democracies of contemporary world. Democracy implies popular sovereignty and popular sovereignty becomes meaningful only when

252 _____ NSOU CC-PS-01 electorate exercises their right to vote to constitute a government. So to make democracy effective in practical plane, it is the elections that play the most crucial role. The practice of periodic elections in liberal democracies and in electing representatives to act as a custodian of masses gave rise to the idea of representation. However, the method to ensure representation had given rise to severe controversies amongst scholars. Subsequently, a number of theories in representation have been introduced based on distinct ideological and political assumptions. Growing political consciousness of the masses led to the belief that governmental actions must conform to the interest of the public. Under the ancient democracies, the citizens of the city states participated in the making of laws and administration of public business. In the large nation states of the later ages, direct popular participation became impossible. Consequently, the practice of electing periodically some representatives, who would work as the trustee of the people, came to be developed. This gave birth to the idea of representation.

18.2 Idea of Representation What is Representation? If we go by the meaning of the term representation in accordance to the Oxford Advanced Learner, it implies, “the act of presenting someone or something in a particular way”. However, this is a very general meaning of the term. Specifically, in political parlance representation is the process through which influence by the entire citizenry or a part of them is exerted upon governmental action, with their express approval, exercised on their behalf by a smaller number among them with binding effect upon those represented. Historically, the idea of representation was often used synonymously with responsible government. But here, a clear line of distinction is required to be drawn between the two. Usually, the purpose of representation is the attainment of responsibility. But there may be governments, which inspite of the fact that they are characterised by representative assemblies, are not responsible in their manners of operation. The fascist government of Italy and the government in Hitler’s Germany had elections yet, they were not responsible governments. Contrarily, a government may be responsible without being representative. For instance, the ancient democracies operating through direct popular vote did not have any system of representations. In a democracy, however, representation is a method of securing responsible government.

NSOU CC-PS-01 _____ 253 Again, representation is often referred to mean delegating authority to somebody and thereby, surrender their right of judgement of policy. However, modern representation is not merely another name for delegation. Representation implies both direction and control. Infact, delegation requires the consent of the governed, whereas representation requires the fulfilment of their will. The purpose of representation is as much to choose representatives as to exercise control over the direction of governmental policy. The principles of representation have generated profound and recurring political controversies. With the spread of democracy in the 19 th and 20 th centuries, questions arose largely centering upon the issue who should be represented. Initially, representatives were elected by only male, propertied section of the society. However, later the question was largely been resolved through the widespread acceptance of the principle of political equality in the formal sense by means of universal suffrage. Women were enfranchised in Switzerland in 1971, and racial criterion for voting was swept away in South Africa in 1994. But equating representation merely with elections and voting makes the approach of representation too simplistic, since then it tends to ignore a more difficult question as how one person can represent the interests of others and what it is that he/she represents. Furthermore, the transformation of the older social unity based on territory into diverse specialised interests has created a problem in the theory of representation. It is often argued, as how can diverse individual opinions and group interests be represented. A partial solution to this problem can be found in the political parties. Insofar as the parties cut across local and personal prejudices, sectional and occupational differences, they serve to integrate the diverse forces. Still, the representation of the multifarious interests through the political parties is not quite satisfactory. Infact, a representation cannot be expected to represent all the interests in the constituency. That is why, several methods of representations have been suggested to resolve the problems arising out of it. Nature of Representation History throws some light on the nature of representation. As the ancient democracies operated through direct popular participation in public affairs, the problem of representation did not arise at all. However, with the emergence of the kings in the feudal societies of Europe, the custom of calling representatives from the communities developed. This was necessary for the purpose of obtaining their consent to extraordinary taxes or levies. The local representatives presented complaints and petitions, and bargained on grants of money. Hence, they were not true representatives but acting as local powers under special instructions or mandates.

254 _____ NSOU CC-PS-01 Generally speaking, in the past a representative used to represent the councils of the king which was a close knit community with a distinctive unity of its own. It could well serve the purpose of the constituency. However, only highlighting upon the local interests, the question of national interest seems to have been neglected. Thus, this led to the theory that a representative must rise above petty localism and represent the national interests. In contemporary times, constituencies are strips of territory where various kinds of voters live. Hence, the boundaries of constituencies are frequently readjusted to give representations by populations. 18.3 Theories of nature of suffrage As the question of representation is integrally connected with the voting system, it is worthwhile to note the different theories as propounded surrounding the nature of this political right. These are briefly discussed in the following manner: The Natural Right Theory This theory is actually derived from the theory of social contract which expresses an explanation with regard to the origin of the state. The contract theory assumed a hypothetical state of nature where the people were supposed to be living a free and equal life under the laws of nature. Since the state was created by the people through a contract among themselves, they have a natural right to take part in the government. This right to vote is thus, an abstract right derived from the ancient laws of nature. The Legal Right Theory This theory treats suffrage not as a natural right but as a political right granted by the law of the state. Voting is a public function and the electorate is an organ of government. Hence, the composition and powers of the electorate are determined by law. The Ethical Theory This theory regards the right to vote as a means for the self expression of the individual in political affairs. By allowing the individual to associate itself with the government, suffrage ensures the development of human personality. The Tribal Theory The conception of inclusive citizenship developed among the early Greek, Roman and German led to the theory of suffrage. Within a narrow citizen class,

NSOU CC-PS-01 _____ 255 voting was supposed to be a part of the life of the community. It was necessary attribute of membership of the state. Citizenship as a qualification for voting today is a survival of the tribal theory. The Feudal Theory This theory as developed in the latter part of the middle ages, argues, that the right to vote depends on a particular social status. In the past, it was usually associated with the ownership of land. The modern emphasis in some states on property qualification may be said to be a relic of the feudal theory. Though the feudal theory and the legal theory tend to limit the right to vote by imposing some restrictions but the widest possible extension of suffrage was supported by the tribal theory, the natural rights theory and the ethical theory. However, a controversy arises concerning voting whether to be regarded as a moral duty or a legal obligation. Whatever be the motive behind its practice, it cannot be denied that voting to be made a compulsory act if at all, the will of the electorate is to be ensured. 18.4 Theories of Representation It is difficult to determine representation through a single general theory. The theories of representation evolve mainly over the issue of the role to be played by representation in the process of policy making. Different theories have been propounded by thinkers in analysing the role to be played by representatives and in evaluating it against their control of the entire process. O.P.Gaubha has identified the major theories of representation which for our convenience, are discussed in the following manner- Reactionary Theory of Representation The chief exponents of this theory are Thomas Hobbes (1588-1679) and Alexander Hamilton (1756-1804). The reactionary theory largely depends on the superior knowledge and wisdom of the politicians who are regarded as the best custodians of public interest. Hobbes defined representation as acting in the name of another who has authorised the action. So when a representative is authorized to act on behalf of the represented, the latter is bound to accept the consequences of this act. When people authorize a sovereign, to act in their behalf, they make him their unlimited representative. This gives rise to absolute sovereignty. This theory is democratic only so long as it accepts the primacy of public interest in policy making.

256 _____ NSOU CC-PS-01 Conservative Theory of Representation The chief exponents of this theory are namely Edmund Burke (1729-1797) and James Madison (1751-1836). It is more progressive than the reactionary theory because it grants a measure of public control without encouraging popular participation in the process of government. It is also an elitist theory because it allows people to choose their representatives from an elite group. However, if the representatives fail to satisfy them, they can be replaced by other suitable members of the elite group at the next election. Burke defined the role and duties of a parliamentary representative to put 'great wieght' on the wishes of his constituents and accord their opinions high respect. However, he did not want him to receive instructions from his constituents, but to exercise his own judgement. Liberal Theory of Representation The chief exponents of this theory are John Locke (1632- 1704) and Thomas Jefferson (1743-1826). This theory banks on the wisdom of the masses and treats their representatives only as their agents or messengers. In its view, representatives of the people are their true representatives. Instead of using their own judgement they must translate the judgements of their constituents into concrete policy proposals. Locke not only wanted that the government should rule with the consent of the people but also argued that no taxes could be imposed on the owners of property. He has no special rights or powers, but only special obligations. Radical Theory of Representation Its chief exponents are J.J.Rousseau (1712-78) and the New Left. This theory holds wisdom of the people in highest esteem and goes to the extent of depreciating representative government itself. It holds that wisdom of the people is bound to be diluted through the process of representation. It therefore, exalts direct democracy as the only truly democratic form of government. 18.5 Models of Representation There are contesting models on representation which are based on distinct ideological and political assumptions. These models of representation dictate very different behaviour on the part of representatives. It is often questioned, if the representatives are bound by policies and positions as outlined during election. It is also argued, if it is the responsibility of the representatives to form a public opinion and thereby, determine the public interest. However, here it is further pointed out that

NSOU CC-PS-01 _____ 257 more than one interest actually operates within the same political system. This suggests that no single model sufficient enough to secure a representative government. A. Heywood, has identified four principal models of representation which are advanced for our discussion in the following manner- Trustee Model The classic expression of representation as trusteeship is found in Edmund Burke's writings. A trustee is

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a person who is vested with formal responsibility for another's property or affairs.

For Burke, the essence of representation was to serve one's constituents by the exercise of mature judgement and enlightened conscience. In short, representation is a moral duty; those with good fortune to possess education and understanding should act in the interests of those who are less fortunate. This implies that the mass of people do not know their own best interests. A similar view was advanced by J.S. Mill in the form of liberal theory of representation. This was based on the assumption that, although all individuals have a right to be represented, not all political opinions are of equal value. Mill therefore, proposed a system of plural voting in which four or five votes would be allocated to holders of learned diplomas or degrees, two or three to skilled or managerial workers and a single vote to ordinary workers. Trustee representation thus, portrays professional politicians as representatives insofar as they are members of educated elite. It is based on the belief that knowledge and understanding are unequally distributed in society, in the sense that not all citizens know what is best for them. This model of representation is not beyond criticisms. Firstly, it is often argued that this model is anti democratic. This is so, since if politicians happen to be the best judge of actual conditions and the public is ignorant, poorly educated or deluded then surely it is a mistake to allow the public to elect their representatives in the first place. Secondly, the link between representation and education is also questionable. Finally, as argued by Thomas Paine, that if politicians, are allowed to exercise their own judgement, they will simply use that latitude to pursue their own selfish interests. Delegate Model A delegate is

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a person who is chosen to act for another on the basis of clear guidance or instructions.

This model of representation usually supports mechanisms that ensure that politicians are bound as closely as possible to the views of the represented. This includes what Paine referred to as frequent interchange between representatives and their constituents in the form of regular elections. In addition, 258 _____ NSOU CC-PS-01 radical democrats have advocated the use of initiatives and the right of recall as means of giving the public more control over politicians. Although delegation stops short of direct democracy, its supporters nevertheless usually favour the use of referendums to supplement the representative process. One of the greatest advantages of this model is that it provides broader opportunities for popular participation and serves to check the actions of the professional politicians in securing their self interests. This model has been criticised on several grounds. In the first place, in ensuring that representatives are bound to the interests of their constituents, it tends to breed narrowness and foster conflict. Secondly, delegation limits the scope for leadership and statesmanship. Politicians are forced to reflect the views of their constituents and are thus, not able to mobilise the people by providing vision and inspiration. Mandate Model New theories of representation have emerged viewing the limitations of the Trustee and Delegate models of representation. It is often argued that the above two models were developed before the emergence of modern political parties when representatives were viewed essentially as independent actors. However, in contemporary times candidates are rarely elected on the basis of their individual capacities. Rather they are supported as a member of the political party whose programmes and policies receives attention and are accepted to a certain extent by the majority. The most influential amongst the new theories is the doctrine of the mandate. This is based on the idea that, in winning an election a party gains a popular mandate that authorises it to carry out whatever policies or programmes it outlined during the election campaign. As it is the party, rather than individual politicians, that is, the agency of representation, the mandate model provides a clear justification for party unity and party discipline. As such a politician tends to serve their constituents

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by remaining loyal to their party and its policies. The strength of the mandate doctrine is that it takes account of the undoubted practical importance of party labels and party policies. However, it

is also subjected to severe criticisms. Firstly,

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it is based on a highly questionable model of voting behaviour, insofar as it suggests that select parties on the grounds of policies and issues.

According to this model, voters are assumed to be rational and well informed which may not be true in all respects. They can also be influenced by a range

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of irrational factors such as the personalities of the leaders, the images of parties, habitual allegiances and social conditioning.

Secondly, even if voters are influenced by policies, it is likely that they will be attracted by certain commitments. A vote for NSOU CC-PS-01 _____ 259 a party cannot therefore, be taken to be an endorsement of its entire manifesto or any election promise. Thirdly, it limits government policies to those positions and proposals that the party took up during the election, and leaves no scope to adjust policies in the light of changing circumstances. Finally,

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the doctrine of the mandate can only be applied in the case of majoritarian electoral systems,

and it may turn out to be farce, if the winning party fails to gain fifty percent of the popular vote. Resemblance Model The last but never the least, model of representation is based on whether the representatives typify or resemble the group they claim to represent. This means

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a representative government would constitute a microcosm of the larger society, containing members drawn from all groups and sections in society and in numbers that are proportional to the size of the groups in society at large.

This model was endorsed by socialist and radical thinkers. They argue that the under representations of groups such as the working class, women and racial minorities at senior levels in key institutions ensures that their interests are marginalised and neglected. This model therefore, suggests that only people who came from a particular group and have shared the experiences of that group can fully identify with its interests. This model too raises some difficulties which are worth to note. Firstly, this model portrays representation in exclusive or narrow terms believing that only women can represent women and so on. If all representatives simply advance the interests of the groups from which they come, the consequences would be social division and conflict with no one being able to defend the common good. Secondly, a government is said to represent the society but how far it is likely to benefit is questionable particularly in a society in which majority of the population happens to be apathetic to common interests, or ill informed or even poorly educated. Finally, it is often argued, that microcosmic ideal can only be achieved by imposing powerful constraints upon electoral choice and individual freedom. In the name of representation political parties may be forced to select quotas of female or minority candidates. As such, in this system the electorate might have to be classified on the basis of class, gender, caste, race and so on and only be allowed to vote for candidates from their own group. 18.6 Conclusion The long history of democracy suggests that representation as a major principle emerged due to two reasons. Firstly, the ever growing population can be endured

260 _____ NSOU CC-PS-01 with it and secondly, the rising mistrust of several scholars like Dahl over the capacity and motivation of the majority of individuals to be governed directly. In contemporary times, representation is found everywhere in social and political milieu. This is more prevalent in the spheres of civil society activities and also in transnational governance. However, such representations are not bound to election. Infact many social and political spheres give input to political decision making and generate representation without electoral authorization. While examining concepts about representation beyond elections and states, it is often found that the context of representation becomes more meaningful. As argued by Henrike Knappe that representative relationship can be seen as something socially constructed which is difficult to be captured through a single dimensional concept like election. When electoral politics rely on a clear temporal sequences of authorization vide election and held the representatives responsible for their actions, in non electoral politics the authorization and accountability are diverse and often diffused in nature. This becomes true particularly for informal representative relationships like social movements in which represented groups are shaped and sometimes even constructed in the process of representation. Thus, it can be said that democratic representation is not a mere substitute for direct democracy. With a recent note of change in representation, as socially constructed, the norms of representation depend to a large extent on the definition of representative relationships. This implies that democratic representation may be differently practiced if individuals, groups, interests or the common good is represented. 18.7 Summing Up To make democracy effective in practical plane, it is the elections that play the most crucial role. The practice of periodic elections in liberal democracies and in electing representatives to act as a custodian of masses gave rise to the idea of representation. Historically, the idea of representation was often used synonymously with responsible government. The principles of representation have generated profound and recurring political controversies.

NSOU CC-PS-01 _____ 261 The question of representation is integrally connected with the voting system so it is worth to note the different theories on suffrage namely—The Natural Right Theory, The Legal Right Theory, the Ethical Theory etc. There are several contesting theories of representation which have evolved mainly over the issue of the role to be played by representation in the process of policy making. 18.8 Probable Questions Essay Type Questions : 1. What is the nature of representation? In this respect, discuss the different theories on the nature of suffrage. 2. Do you think the idea of representation can ensure a responsible government? Argue your case. Long Questions : 1. What is Representation? How it is integrally connected with the voting system? 2. Examine the different models of Representation. Short Questions : 1. Define representation in your own words. 2. Write a short note on the Mandate Model of representation. 18.9 Further Reading 1. Heywood A., Politics, London, Macmillan Press Ltd., 1997. 2. Gauba O.P., Political Ideas and Ideologies, Delhi, Macmillan India, 2010. 3. Thomas Christiano, 'Democracy' in McKinnon C.ed. Issues in Political Theory, New York, OUP, 2008.

262 _____ NSOU CC-PS-01 Unit-19 □□□□ Functional Representation Structure 19.0 Objective 19.1 Introduction 19.2 Elections: Some Paradoxes 19.3 Functions of Elections 19.4 Direct and Indirect Elections 19.5 Methods of voting 19.6 Functional Representation 19.7 Limitations of Functional Representation 19.8 Advantages of Functional Representation 19.9 Minority Representation 19.10 Problems of Minority Representation 19.11 Conclusion 19.12 Summing Up 19.13 Probable Questions 19.14 Further Reading 19.0 Objective The present chapter helps us to- ? Analyse the paradoxes of elections ? Learn the functions of elections ? Examine the different methods of voting ? Analyse the method of Functional Representation ? Make a critical assessment of Functional Representation ? Explain the method of Minority Representation

NSOU CC-PS-01 _____ 263 19.1 Introduction With the rising popularity of the democratic systems in the past years the significance of elections cannot be questioned. Elections provide the public with its clearest formal opportunity to influence the political process, and also help directly or indirectly, to determine who will hold government power. From this perspective, elections are about results. This view is encouraged by media coverage, which with the goal of opinion polls increasingly turns elections into horse races. Nevertheless, politicians are not backward in claiming that elections have a broader and more profound meaning. Elections are, in this sense, seen as nothing less than a visible manifestation of the public interest. However, the term public interest is highly ambiguous since it also raises a question, if at all, any such thing as public interests exists. Generally, public interests tend to refer common or collective interests of all citizens but it is difficult to perceive for an indivisible public interest. This is so, since interests of individuals vary as it is not expected them to act selflessly in accordance with a general or collective will. At best, what electoral results can be accepted as to reveal is the preferences of a majority or a plurality. 19.2 Elections: Some Paradoxes Election is one of the necessary conditions to ensure representation but it cannot be claimed to be the sufficient condition. Firstly, elections are widely used to fill those public offices whose holders have policy making responsibilities yet, there are certain key political institutions which are sometimes treated as exceptions. This applies for instance, to the second chambers of legislature in states like the UK and Canada and also in those states where constitutional monarchs still serve as heads of the state. Secondly, though restrictions on the right to vote based on factors such as property ownership, education, gender and racial origin have been abandoned in most countries, yet there may be informal restrictions, as in the practice in most US states of leaving electoral registration entirely in the hands of the citizens. This results in non registration and non voting as a widespread phenomenon. On the other hand in Australia, Belgium and Italy, for instance, voting is compulsory. Thirdly, modern political elections are generally held on the basis of secret ballot. The secret ballot is usually seen as the guarantee of a fair election. However, Heywood observed that it also keeps the dangers of corruption. Infact electoral 264 _____ NSOU CC-PS-01 fairness need not alone depends on how people vote. It is also affected by the voters' access to reliable and balanced information, the range of choice offered to them, situation in which campaigning took place and finally how scrupulously the vote is counted. Finally, electoral competition concerns not merely the right of the people to stand for election and the ability of political parties to nominate candidates and campaign legally. There exist also other significant factors that might affect party performance such as the sources of funding and access to the media. In this respect , the nature of the party system may be as crucial to the maintenance of genuine competition as are rules about who can stand and who can vote. 19.3 Functions of Elections Liberal democratic electoral systems has been popularised particularly with the collapse of the communist regime by the disintegration of erstwhile Soviet Union, since 1990s. Being essentially characterised by universal adult suffrage, the secret ballot and electoral competition, it has expedited the advance of democratisation.

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The conventional view is that elections are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion. This emphasises the bottom up functions of elections,

political recruitment, representation, making government, influencing policy and so on. On the other hand, a radical view of elections as developed by theorists like Ginsberg

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portrays them as a means through which government and political elite can exercise control over their population. This view emphasises top down functions

like building legitimacy, shaping public opinion and strengthening elites. This shows, how elections have no single character. Heywood has identified several functions of election which are enumerated below: - Political Recruitment In modern democracies elections serve the principal source of political recruitment. It takes into account the processes through which parties nominate candidates. However, elections are typically not used to fill posts that require specialist knowledge or experience such as those in the civil service or judiciary. Forming Governments Elections only make governments directly in states like USA, France etc. However, in most other parliamentary systems it influence the formation of

NSOU CC-PS-01 _____ 265 governments, most strongly when the electoral systems tends to give a single party a clear parliamentary majority. Providing Representation Elections happen to be a means through which demands, when they are fair and competitive, are placed before the government from the masses. However, people do not possess any means to ensure that mandates are carried out effectively apart from their decision not to vote for the same in the next election. Influencing Policy Elections restrict the government from pursuing radical and deeply unpopular policies. However, in case of predominance of a single issue in the election campaign then it is said to influence the policy directly. Nonetheless it is also argued that government policy is in any case shaped more by practical dictates such as the state of the economy than it is by electoral considerations. Awaring Voters The process of campaigning provides the electorate with an abundance of information, about parties, candidates, policies, the current government's record, the political system and so on. However, this becomes meaningful, if it engages public interest and stimulates debate. At the same time, it may also be noted that the same may likely to have an adverse effect, if the citizens are provided with incomplete and distorted information. Creating Legitimacy A valid reason why even an authoritarian regime bother to hold elections lies in the fact that it helps to foster legitimacy by providing justification for a system of rule. This is so, since by encouraging citizens to participate in politics even in the limited form of voting, elections mobilise active consent. Supporting Elites Elections can also serve as a means through which elites can control and manipulate the masses. Political discontent and opposition can also be neutralised by elections that channel them in a constitutional direction and allow governments to come and go while the regime itself survives.

266 _____ NSOU CC-PS-01 19.4 Direct and Indirect Elections The electoral functions can be exercised either directly or indirectly. Direct democracy means the rule by the people of a state, town or another political community by means of direct participation in the management of public affairs. Some examples of direct democracy are found in ancient Greek city states, some of ancient Indian Republics etc. This system can operate in an area having a small number of citizens who can periodically meet at one place. However, it is not practicable in larger states of modern times. In case of indirect election, the electorate chooses a smaller body which in turn elects the final representatives. In India, the bulk of the members of the Council of States are elected indirectly. Modern democracies therefore, have indirect or representative democracy where government is conducted by the representatives of the people, who are elected at regular intervals. Thus, in modern times the term democracy is used as a synonym of representative democracy unless otherwise indicated. The advocates of direct election regard it as more democratic since the system allows the electorate to take part in constituting the government directly. Also direct election is supposed to promote political education of the electorate and to arouse interest in politics. Against this system, it is argued that when the people exercise the electoral function directly rational voting is made impossible. Indirect election is often suggested as an antidote to the vices of direct election. However, despite its advantages, the system of indirect election has been found incompatible with the spirit of democracy. As the representatives are finally elected not by the whole electoral body, but by a smaller group, the system in most cases helps political corruption. For a smaller group is more easily swayed by special interests. Further, as a means of political education indirect election is supposed to be inferior to direct election. Being deprived of the direct responsibility of electing representatives the primary voters may not take much interest in politics. Finally, it is pointed out that the system of indirect election is reduced to a mere formality by the operation of the party system which serves as the link between the primary voters and the intermediate electors.

NSOU CC-PS-01 _____ 267 19.5 Methods of voting Several methods of voting have been adopted by different democratic countries over time. Some are discussed below: Public and Secret Voting The method by which voting is exercised may be public or secret. The practice of oral or public voting was prevalent in Prussia, Denmark, Soviet Russia etc. It was however, subsequently abandoned. Eminent writers like Montesquieu and Mill defended public voting. To Montesquieu, it was a means for the education of the common people under the guidance of the enlightened. Though theoretically sound, public voting has been found to be practically defective. This is because, it does not enable its voters to exercise its choice freely and independently the government in powers or powerful individuals or groups could influence the voters and pressurise upon them. Hence, to ensure free and independent voting or secret voting, votes through ballots were introduced and practiced universally. Plural and Weighted Voting In contemporary times, the equal weighing of votes is practically universal. But plural or weighted voting also known as differential voting was not lacking in the past. In Belgium for instance, plural suffrage was introduced as early as in 1893. Votes were graduated on the basis of educational, property and professional qualifications. The main argument for plural voting rested on the idea that in the choice of public officials, the opinions of the intelligent few must have a greater weight than the rest. The main objection of plural voting, however, rests on the fact that no suitable standard or criterion is to base political right on wealth which is clearly undemocratic. 19.6 Functional Representation There is hardly any single method of representation rather there are a number of competing methods, each citing its own advantages and limitations in a particular way. However, despite their differences in mechanism, there is no doubt that all the major methods of electoral representations arises mostly to overcome the shortcomings

268 _____ NSOU CC-PS-01 of one or the other methods. Heywood for instance, has argued how the majoritarian systems are thought to be at their weakest when evaluated in terms of their representation of functions. To a greater extent, all majoritarian system distorts the popular preferences in the sense that party representation is not commensurate with electoral strength. This is most glaringly apparent in their unfairness to small parties and parties with evenly distributed geographical support and their over fairness in relation to large parties. For example, in 1997 in the UK the Labour Party gained 63% of the parliamentary seats with 44% of the vote while the Conservatives had won 25% of the seats with 31% of the votes and the Liberal Democrats gained merely 7% of the representation with 17% of the vote. Such biases are not justified in representative terms specially since the third parties are often centrist parties and not the extremist parties of popular image. Similarly, limitations of territorial representation have prompted to harness the arguments in favour of functional representation. The system of territorial representation is based on the assumption that people residing in the same area share common interests. The advocates of functional representation have contested this thesis and pointed out that not territorial community but interests can be represented. Their contention is that representation should be functional and in this way individuals can be more accurately represented on the basis of occupational or economic interests. Usually it is argued, a constituency comprises diverse economic groups such as traders, farmers, employers, industrial workers etc. Hence, it is not possible for one representative to represent all the views of the constituents. However, such representatives take part in the enactment of laws affecting these diverse interests. It is sure to lead to the making of ineffective laws that have little or no relevance to the choice of effective means. The advocates of functional representation find in it, a remedy against these defects of territorial representation. Their scheme is to treat every important specialised interests or functions as a unit for representation. The legislature would thus, be composed of the representatives of organised interests and not of the people residing in particular geographical areas. There have always been advocates of the system of functional representation. At the time of the French Revolution it was supported by Mirabeau and Sieyes. Later eminent writers like Duguit, Guild Socialists and the like have proposed different schemes for the representation of interests or functions.

NSOU CC-PS-01 _____ 269 19.7 Limitations of Functional Representation The system of functional representation has been attacked by several eminent writers. The most serious criticisms against it have been discussed in the following manner: Firstly, it is argued that this system seeks to bolster up the claims of particular interests at the expense of the general national interests. Anxious care is taken under a scheme of functional representation to make provisions for the representations of the various economic and occupational groups but there is no room for a unified central authority epitomising the conceptions of the national interest. However, too much preoccupation with the clear articulation and vindication of function weakens the sense of community of belonging to something that contains but transcends the function. Secondly, if representation is based on particular functions there would be as many parties as there are functions. Consequently, the present party system, which seeks to patch up group interests and throw up a unified conception of general interest, would cease to function under a system of functional representation. Thirdly, such system of representation operating through the mechanism of a multiplicity of functional organisations would automatically lead to the same governmental paralysis as taken place under the system of proportional representation. Fourthly, it can be remarked by way of conclusion that democracy lives by the organisation of centripetal rather than centrifugal forces. This is so, since functional representations seeks to release the disruptive forces in a community and it is inimical to the spirit of democracy. Finally, the utility of the functional representation has been questioned on the ground that various interests are needed to be represented. However, it is argued that instead of making provisions for the representation of various interests in the legislature, arrangements in recent years are made for their representation through advisory committees attached to particular government departments that deal with the administration of laws affecting some functional groups. 19.8 Advantages of Functional Representation Every dark cloud has a silver lining and so does the method functional representation. It has several advantages which for convenience are discussed below: Firstly, through this system the legislature is likely to be formed by members

270 _____ NSOU CC-PS-01 coming from different functional and occupational groups representing diverse organised interests. It is thus, argued that by this mechanism the interests of the members as reflected would be distinct and seeks to be more effective in providing the expertise to policy formulation. Secondly, it is often argued that a representative of a particular geographical territory cannot take care of the interests of all sections of people living in that territory. As such, functional representation is suggested, so that representatives can be send to decision making body on the basis of economic and professional interests and exerts its influence in policy framing. So it claims to reflect democracy in the truest sense of the term. Finally, in most cases it has been found that functional representations have largely been tried under totalitarian systems particularly in pursuance of corporatism. In doing so, it is argued that the class conflict could be easily avoided. In Mussolini's corporative state a non representative fascist or Corporative Chamber was developed on the basis of economic grouping. To facilitate the working of a highly regimented economic system, Nazi Germany organised a system of "estates" representatives of economic interests. The Salazar regime in Portugal has also tried this system. 19.9 Minority Representation Democracy is based on the principle of popular sovereignty which implies that along with the majority, the minorities too have a role to play in the process of legislation. However, democracy in practice thrives for a majority to form an effective government. This imply that to ensure the voice of the minorities in safeguarding their interests, it is essential to have their representation in the legislature. Nevertheless, it is very difficult to underpin the meaning of a minority in a nation state since the term is used ambiguously to indicate several usages. Sometimes it may stand for a political party like the United Socialist Party or Jana Sangha in India which is a minority party as compared to other national parties like Indian National Congress or Bharatiya Janata Party. Besides such political minorities, there may be racial, linguistic and religious minorities. Thus, from the communal stand point in India the Hindus are in the majority and the Muslims or the Anglo Indians are the minorities.

NSOU CC-PS-01 _____ 271 Various methods have been suggested for securing the representation of minorities, some of which are discussed below: Cumulative Vote System This system involves multi member constituencies. The voter has the right to cast as many votes as there are seats in a constituency. But his/her votes may be spread over several candidates or concentrated on one candidate only. Hence, the voter belonging to a minority party may elect their representative by concentrating all their votes on him/her. Limited Vote System The constituency under this system are multi member. The voters are allowed to cast a certain number of votes which is less than the number of seats to be filled. By limiting the number of votes of each voter, this system acts as a check on the monopolisation of representation in a constituency by a single political party, and helps the minority to get atleast one seat. Communal Representation Special arrangements are sometimes made for the representation of minority communities. There may be separate electorates for separate communities. Under British rule such a system was introduced in India. Thus, voters of each community voted for the candidates of their own community. A second method of communal representation is the reservation of seats in a joint electorate. Under this system, the voters may cast their votes for the candidates of communities other than their own. But in deciding the result a member of the community having reservation of seats, which gets the highest number of votes among the candidates of that community, will be declared elected despite candidates of other communities might have acquired a larger number of votes. Under Articles 330 and 332 of the Indian Constitution, there are provisions for the reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People and in the Legislative Assemblies of the states. Concurrent Majority In the United States, during the first half of the 19 th century, a debate ensued between the North and the South on the question of the abolition of slavery. The

272 _____ NSOU CC-PS-01 South was in favour of continuance of slavery but the North wanted the abolition of slavery to ensure supply of workers for the newly set up industries. The North enjoyed majority in the American Congress, hence, it was most likely to win its case. At this juncture John C. Calhon (1782-1850) advanced the principle of concurrent majority with a view to safeguard the interests of the South which was in minority. This imply that if, the government of a country takes a decision on the basis of numerical majority, the minority affected by that decision should have the power to veto that decision. So Calhon proposed to replace the prevalent federal system of the United States by a constitutional structure wherein each of the important economic functional or regional interest interests of the country would have the right to indicate its organ of self expression and concurrence of all these organs would become necessary for every important decision. In America this proposal was never accepted but this principle has invoked on the question of the role of minority in the decision making process. Consociational Democracy This system involves an elaborate arrangement to ensure minority representation. It is regarded particularly suitable for the governance of the societies which are deeply divided by religious, ideological, regional, cultural, racial or ethnic differences. It involves four basic principles namely- a) Executive power sharing which entails a grand coalition of the representatives of all significant segments. b) Greater autonomy of different segments implying that decisions on all issues of common concern should be made jointly by the representatives of all important segments. c) Proportionality which made provisions for allocation of political offices, administrative appointments and public funds in proportion to the population of each segment. d) Minority veto which is the ultimate weapon for the minority segments to protect their vital interests. A veto may be invoked by the minority for the protection of its position in case of a possibility of being outvoted by the majority.

NSOU CC-PS-01 _____ 273 19.10 Problems of Minority Representation There are certain practical difficulties associated with minority representation. Firstly, any system of minority representation is sure to multiply the number of parties in the legislature. In such a case, it is likely that no single party is to have the required majority in the legislature to form the government. Consequently, a coalition ministry becomes inevitable which is likely to function on a principle of temporary compromise. Such a coalition government would therefore, be feeble and short lived. Secondly a strong allegation is made against minority representation by arguing that it seeks to pay premium on anti democratic forces in a country and thus, in future might imperil the operation of democracy. Thirdly, a system of minority representation deliberately divides people into hostile camps. It encourages the minority to indulge in minority thinking. A minority in viewing from such perspective is likely to have a distorted idea over reality. Consequently, democracy which postulates the existence of a common will, suffers most under the system of minority representation. Finally, provisions of minority representation would encourage formation of political parties on the basis of narrow sectional interests rather than on the basis of larger national interests representing reconciliation of conflicting group interests. 19.11 Conclusion The shortcoming of the different methods of representation suggests that there can hardly be an universally acceptable system of representation. If critics argue for violation of political equality as one of the major weaknesses of functional representation, as was the case of Hong Kong in the recent past, then there are equally strong arguments against geographical representations as well. Various strategies have been explored ranging from broadening of electoral basis through a balanced bicameral legislature to adequate minority representation, yet none seems to be flawless and highly effective to satisfy all situations and people. No matter how much reforms and suggestions are advanced by scholars, debates and controversies over the right kind or the ideal type of representation would continue to exist and thereby, motivates intellectual intrigues for further research in the arena. 274 _____ NSOU CC-PS-01 19.12 Summing Up Elections are a visible manifestation of the public interest. Generally, public interests tend to refer common or collective interests of all citizens but it is difficult to perceive for an indivisible public interest.

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The conventional view is that elections are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion.

Election is one of the necessary conditions to ensure representation but it cannot be claimed to be the sufficient condition. The electoral functions can be exercised either directly or indirectly. Direct democracy means the rule of the people by means of direct participation in the management of public affairs. In case of indirect election, the electorate chooses a smaller body which in turn elects the final representatives. The advocates of functional representation have pointed out that not territorial community but interests can be represented. Their contention is that representation should be functional and in this way individuals can be more accurately represented on the basis of occupational or economic interests. The critics of functional representation argued, that this system seeks to bolster up the claims of particular interests at the expense of the general national interests. It further argues that functional representations seeks to release the disruptive forces in a community and it is inimical to the spirit of democracy. However, through this system the legislature is likely to be formed by members coming from different functional and occupational groups representing diverse organised interests. To ensure the voice of the minorities in safeguarding their interests, it is essential to have their representation in the legislature. Various methods have been suggested for securing the representation of minorities like Cumulative Vote System, Limited Vote System, Communal Representation, Concurrent Majority and Consociational Democracy.

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Type Questions : 1. Examine the different paradoxes of elections and discuss its different functions. 2. How can representation of minorities be ensured? Long Questions : 1. Can all kinds of representation be ensured through elections? Argue your case. 2. What is Functional Representation? Evaluate this system with adequate illustrations. Short Questions : 1. Discuss three major functions of elections. 2. What is Concurrent Majority system? Where and why was it initiated? 3. Write a short note on Consociational Democracy. 19.14 Further Reading 1. Heywood A., Politics, London, Macmillan Press, 1997. 2. Gauba O.P., Political Ideas and Ideologies, Delhi, Macmillan, 2010.

276 _____ NSOU CC-PS-01 Unit-20 □□□□ Territorial Representation Structure 20.0 Objective 20.1 Introduction 20.2 Universal Adult Franchise 20.3 Types of Representation 20.4 Territorial Representation 20.5 Merits and Demerits of Territorial Representation 20.6 Safeguards of Territorial Representation 20.7 Classification of Representative System 20.8 Conclusion 20.9 Summing Up 20.10 Probable Questions 20.11 Further Reading 20.0 Objective The present unit helps us to analyse- ? The arguments and counter arguments of Universal Adult Franchise ? To identify the different types of representative system ? To have a comprehensive understanding of Territorial Representation ? To locate the different safeguards of Territorial Representation ? To evaluate the different representative system

NSOU CC-PS-01 _____ 277 20.1 Introduction Modern democracies function mostly through electoral representations. Elections in recent years turned out to be an essential condition for the sustenance of democracy. As such, elections are often referred as the very heart of democracy. In identifying democracy simply as a political method, it is the elections with which it sets its journey. The mechanisms of elections vary from country to country and its varied forms often give rise to severe controversy amongst scholars. The mechanism to conduct elections thus, assumes significance in analysing the nature of democracy in contemporary times. Through a considerable extension of franchise from a narrow, frequently unequal and indirect system to one which is now virtually universal and equal the history of democracy has traversed towards a more steady and stable evolution. The changes undoubtedly have helped democracy to earn its credibility and this becomes evident with a rising number of democratic countries all across the globe in the past years. 20.2 Universal Adult Franchise In a representative democracy elections are usually held on the basis of Universal Adult Franchise. Now, on the question of who to have the voting right has given rise to severe debates. Opinions varied from a group favouring universal suffrage to the other seeking to restrict suffrage. The arguments in favour of universal suffrage are enumerated in the following manner: Firstly, it is often argued, that, if democracy implies popular sovereignty then suffrage must be universal. The logic behind it is firmly rooted on the ground that popular sovereignty becomes meaningful only when every individual has the right to take part in constituting and conditioning the government. Secondly, it is also argued that since the laws and policies of the state affect all so all must have the right to vote and practically gets actively involved in shaping of the state policies. Thirdly, it is often forwarded that a restricted electorate cannot ensure the welfare of the masses, as deprived of suffrage implies deprivation of the benefits of the government. Finally, Universal Adult Franchise also provides an opportunity to the citizens in expressing their opinions in public affairs. In doing so, the dignity and self respect of the individual is not only enhanced but it also helps in the development of

278 _____ NSOU CC-PS-01 individual personality. Through their right to vote the citizens constitute the government and thereby, take interest in political questions which help to promote political consciousness. If the arguments in favour of Universal Adult Franchise are strong then there also existed some counter arguments too which are discussed below: Aristocratic Argument Writers like Macaulay, Lecky and Sir Henry Maine considered it unwise and dangerous to extend the franchise to the ignorant masses. Lecky in his Democracy and Liberty, denounced the system of universal suffrage as he could not reconcile with the view that progress could be ensured under a government by the ignorant rather than the intelligent. According to Sir Henry Maine, universal suffrage is inimical to scientific progress. Though much of these statements are highly exaggerated as there is no evidence to show that universal suffrage is an obstacle to progress yet these criticisms also reveals certain truths. For instance, if the people are given the right to constitute the government then they should be properly trained up and made fit for the job. In this respect there is inherent truth in Mill's remark when he said that universal education must precede universal enfranchisement. Property Owning and Tax Paying Arguments In the 19 th century the main qualification for the franchise was the possession of property or the payment of taxes. Until 1832, the parliamentary franchise in England was limited in the countries to freeholders possessing property worth forty shillings a year. In Japan until 1925, there was a taxpaying requirement which led to the disfranchisement of a large portion of the population. The property owning and taxpaying tests are also in operation in some of the American states too. Insofar as, property qualification was supposed to be a guarantee of education and hence, of political competence can be debated over time but as a general test the ownership of property undoubtedly leads to injustice. For in most cases where multitudes do not possess property due to misfortune or in consequence of rigid economic class divisions in the society the test of property ownership tends to become clearly reactionary. The taxpaying test is however, to some extent justified as the state may legitimately expects something from its members in return for the protection it guarantees to them. Also the operation of the state is made possible by the contribution of its members. Still it may be argued that the function of the tax payment depends on the capacity to pay which in turn is largely determined by the income earning opportunities made available to the citizens. A state which fails to

NSOU CC-PS-01 _____ 279 provide employment for its masses has no justification for its policy of excluding those who cannot pay taxes from the voting right. Property is after all not a bar to political competence. Educational Qualification Many writers have favoured educational tests for voting. It is accepted as a measure of electoral ability. Since the essence of democracy is popular judgement, the plea for educational qualifications seems to be logical. There is however, practical difficulty in finding out an objective test for determining political intelligence. Also it is highly doubtful, if political intelligence is a function of formal education. In the field of politics, human behaviour is in most cases as Graham Wallas point out determined by intuitions, passion and desires. It is the consciousness of one rather than intellectual achievement which condition the voter's attitude. Hence, it is not logical to believe that the ignorant masses will not be able to know what to vote for. The literacy test presupposes that the state, as Mill said must ensure adequate educational opportunities for all. But such opportunities hardly exist today. However, an enlightened and intelligent electorate is really an asset to democracy. So what is necessary is that every social vehicle for promoting political knowledge like the press, radio etc, should be properly utilised and the electorate should be made to depend on wise and honest leadership. Sex Qualification The political enfranchisement of women is quite a recent phenomenon. The exclusion of women from the suffrage was a general rule even after the democratic movement had led to the enfranchisement of the masses. It was further perpetuated, even after the emergence of the modern states, by the general economic and legal dependence of women. The earlier discrimination against them was gradually removed owing to their increasing employment in different professions and their equal access to educational opportunities. Also, the movement for female suffrage was greatly strengthened by the admirable role women played in the two world wars. Political parties in their zeal for the support of the newly enfranchised did much to emancipate women. Thus, in most of the states, today, women have been given equal political rights with men. Race qualification Racial barriers sometimes work against the extension of suffrage. During Hitler's regime the Jews in Germany were not allowed to vote.

280 _____ NSOU CC-PS-01 Nationality Qualification Modern states grant the right to vote only to their nationals, ie. those who have acquired citizenship by birth or naturalisation. Again, naturalised citizenship does not always carry with it the right to vote. Age Qualification In no country is the right to vote granted to persons of every age. As a matter of fact, all states exclude the children and restrict the suffrage to those who have attained maturity though the question of maturity of the voters is highly controversial. Miscellaneous Qualification Most states deny the right to vote to insane persons, the bankrupts and those who have been convicted of great crimes. In fact almost everywhere the residence in the country and in the voting district, and registration as a voter are the most common requirements. 20.3 Types of Representation Representative systems in contemporary times can be classified into two alternative systems namely 1. Territorial Representation and 2. Functional Representation Territorial Representation Territorial Representation is often called geographic representation. The territorial principle of representation is prevalent in most countries having representative governments. According to this principle, the whole country is divided into districts or areas of approximately equal population and a single representative is selected from each district by majority vote. To make the system equitable, it is necessary to redraw the boundaries of constituencies frequently and fairly to keep pace with the growth and variations of the population. Also the task of redrawing the boundaries should be placed in the hands of a non partisan body, as in Great Britain. Functional Representation Functional Representation implies that the people belonging to different occupations or functions should be allowed to elect their representatives on this very

NSOU CC-PS-01 _____ 281 basis. These representatives should vote on issues relating to their specific function. For instance, those belonging to industry should vote on industrial policy and so on. 20.4 Territorial Representation The Territorial Representation system is apparently based on the assumptions that each constituency has uniform interests. Under territorial or geographic representation the whole country is divided into geographical areas of nearly equal population, which are called constituencies. Voters of each constituency are entitled to elect their representatives or representatives. With a growth of population, boundaries of different constituencies may be required to be redrawn. It is imperative to ensure that any changes in these boundaries do not result in any advantage or disadvantage to any political party. The system is simple and convenient. It enables the electorate to know their representative more closely. However, sometimes it may lead to undue prominence of simple, routine issues relegating the complex, policy issues to the background. 20.5 Merits and Demerits of Territorial Representation Merits of Territorial Representation The greatest advantage of territorial representation is that it is simple and very easy to be implemented. The voter, under the system, is required simply to cast a vote for one representative in a constituency. Secondly, the limited area of a constituency enables the voter to know his representative intimately. Also, the representative keeps in touch with and becomes responsible to his constituency. Thirdly, owing to the restricted area of each district, the system is economical for the representatives. Finally, as the operation of this system has proved in several countries, it secures a stable majority in the legislature and thus, ensures a strong and stable government. Demerits of Territorial Representation The system of Territorial Representation has a tendency to represent the local interests more than the national interests. The representative becomes an agent for securing every advantage for his own locality and takes little care to advance the national interest. Secondly, when this system encourages the election of only the residents of a district, it naturally narrows the list of candidates available to the voter. Consequently, inferior men are often chosen and able men are discouraged from

282 _____ NSOU CC-PS-01 running for office. Thirdly, since the constituency is small in size, a government can easily influence adequate number of voters and thus, obtain the return of its own candidates. Fourthly, this system produces a peculiar practice of "Gerry mandering". It means manipulation of the boundaries of constituencies to enable the party in power to capture as many seats as possible. Fifthly, under this system a relative majority is required to win a seat. As such, Finer observed that this may produce injustices in some constituencies and general nationwide misrepresentation. The system, therefore, may lead to the permanent voicelessness of a perpetual minority. 20.6 Safeguards of Territorial Representation Harold Laski has suggested three safeguards to improve the electoral machinery of the system which is discussed below: Firstly, the electoral choice should not be limited to one of the residents of a district. What is needed in politics is experienced leadership and not parochialism. Secondly, the candidate elected from a constituency must not be merely a delegate for the representations of the local interests. Nor should he be a servant of the party which is in the majority in the constituency. Finally, in between elections the electors have some means of registering their dissatisfaction if any, either with their elected representative or with the government. For this purpose the limited recall can be accepted as a method of last resort. 20.7 Classification of Representative System The available system of representation can be divided into two broad categories

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on the basis of how they convert votes into seats.

On the one hand, there are majoritarian systems, in which

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larger parties typically win a higher proportion of seats than the proportion of votes they gain in the election. This increases the chances of a single party gaining a parliamentary majority and being able to govern on its own.

A classic example in this case is United Kingdom. On the other hand, there is proportional systems which guarantee an equal or at least more equal relationships between the seats won by a party and the votes gained in the election.

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In a pure system of proportional representation a party that gains 45% of the votes would be NSOU CC-PS-01 _____ 283 exactly 45% of the seats. Proportional Representative systems

therefore, make single party majority rule less likely, and are commonly associated with multiparty systems and coalition governments. Plurality Systems Under plurality system, or simple majority system election may be won by simple majority. If there are only two candidates in the field for one seat, there will be no problems in deciding the winner. But in case of three or more candidates in a single member constituency, situation becomes a bit complicated as the voter can cast vote for one candidate only. It implies that any candidate obtaining the largest number of votes will be declared elected. It is not necessary for him/her to secure absolute majority. That is more than 50% of the total number of valid votes. This practice is widely followed. Again, under the simple majority system the votes scored by different political parties might not correspond to the number of seats won by them in the legislature. Advantages Firstly, as there exist a clear link between the representative and the electorates so there is a scope to ensure that duties of the constituencies are met adequately. Secondly, it provides the electorate a clear choice of potential parties of government. Thirdly, it makes for a strong and stable government which rarely collapse as a result of disunity and internal friction. Finally, it helps to keep away extremism since it becomes difficult for small parties to gain seats and credibility. Disadvantage Firstly, there is immense wastage of votes in this system since there are people who would be casting votes in favour of the losing candidate and also some voting for the winner over the plurality mark. Secondly, it has duopolitic tendencies thereby, limiting the electoral choices.

284 _____ NSOU CC-PS-01 Thirdly, it distorts electoral preferences by under representing small parties. Finally, it might lead to unaccountable government in the legislature. Majoritarian System In a majoritarian system a candidate to win election is required to obtain an absolute majority ie. 50% of the valid votes cast. If the total number of candidates amount to two then there will be no problem. But if, there are more than three contestants in a single member constituency and no candidate wins an absolute majority then the following two methods are adopted for the purpose. They are: 1. Alternative Vote 2. Second Ballot Alternative Vote The alternative vote system, also known as the method of preferential voting, does not involve two elections. In an election, the voters are required to make their order of preference for the candidates in a constituency. Thus, a voter is to mark 1 opposite his first choice on the ballot and accordingly 2 and 3 opposite to his second and third alternative preferences. Then if, on the counting of the first preferences of all the voters none of the candidates is found to get an absolute majority, the candidate getting the lower number of votes is dropped out of the contest and the second choices of the voters who voted for him as their first choice are distributed according to their preferences. In the second counting that follows, the first and second choices are totalled to see if any candidate gets an absolute majority. Even then if an absolute majority for someone does not emerge, the process of eliminating candidates from the bottom of the poll continues, till one gets an absolute majority. Advantages Firstly, compared to the Plurality system fewer votes are wasted in this system of voting. Secondly, though in this system winning candidate is required to secure atleast 50% support yet single majority government is not ruled out entirely. Finally, the outcome cannot be influenced by deals made between candidates.

NSOU CC-PS-01 _____ 285 Disadvantage Firstly, this system is biased in favour of large parties. Secondly, the outcome may be determined by the preferences exhibited by voters in small numbers which has the potential threat of extremist parties. Finally, winning candidates may enjoy little first preference support thereby, making the government not stable enough to tackle situations. Second Ballot The second ballot system involves second or runoff elections immediately after the first. Under this system, the voter is required to vote for one candidate only. If no candidate is able to obtain absolute majority, second ballot is held to decide the winner. This system of voting was prevalent in France and Germany for some time. Under this system constituencies are drawn on a geographical basis on the lines of plurality system. Hence, this may suffer from the same disadvantages as noticed in the case of the plurality system. Advantage Firstly, the system provides a wide range of choices for the electorates. Secondly, strong and stable government can be formed out of this system. Finally, as candidates win elections by a majority support so they are encouraged to make their appeal as broad as possible. Disadvantage Firstly, it may distort the preferences and is often unfair to the third parties. Secondly, it may found to be too stressful for the electorates and may even test their patience and interest in politics. Finally, runoff candidates are encouraged to abandon their principles in search of short term popularity. Proportional Representation The single member constituency system does not ensure mathematically exact representation of the electorate. Certain small minorities, under this scheme, may go

286 _____ NSOU CC-PS-01 all together unrepresented and the legislature may not reflect proportional representation of the actual majorities and the minorities. To remedy this defect, political theorists and practical politicians of different shades of option have sought to bring forward various arrangements for what is known as proportional representation. There are many variations of these electoral systems. But whatever may be the diverse technicalities, this system involves multimember constituencies instead of single member ones. Advantages Firstly, in a society there are various sections with their peculiar problems and opinions. To make the legislature a true mirror of the nation, it is essential that all sections are directly represented. Proportional representation enables due representation of all types of groups, such as ethnic groups, women, different interests and ideologies. Secondly, under this system, there will not be any necessity for reappointment and redrawing of the boundaries of electoral districts with a rapidly fluctuating relationship of population to districts. Thus, this system will eliminate the incentive to "Gerry mandering." Disadvantage Firstly, the critics of proportional representation argue that it encourages divisive, centrifugal forces, and aggravates sectionalism. Secondly, the whole logic of democracy is based on the conception of national welfare and a common interest. The idea is that, various sectional interests will work out an ultimate compromise. Proportional representation by widening the area of conflict rather than that of agreement, spells a danger for democracy. Thirdly, the inevitable consequence of organised group interests and minority thinking is the splintering of political parties. By substituting narrow sectional interests for the national welfare, proportional representation tends to equate a faction with a political party. Fourthly, the splintering of political parties makes the legislative body filled with numerous groups. No single party possess the independent strength to form a

NSOU CC-PS-01 _____ 287 government. Hence, weak coalition governments are formed. The government lacks the solidarity for effective legislative leadership and for the formulation of a coherent policy. Fifthly, the vast size of the electoral districts under a system of proportional representation involves a number of difficulties. It renders impossible an intimate connection of the candidate with his constituency. In a single member constituency, the candidates can visit the different sections and try to understand the 'configuration of opinion'. But when a gigantic multimember constituency consists of hundreds and thousands of voters, neither can the candidate make contact with all nor do can voters know him/her well. Finally, what is more dangerous is that proportional representation tends to widen the gap between the electorate and the government further. The effect is that the electorate fails to understand who should be held responsible for a policy and consequently feels remote from governing. There are two main schemes for proportional representation namely- 1. Hare System 2. List System Hare System The single transferable vote, called the Hare system, was first suggested in 1857 by an Englishman named Thomas Hare in a pamphlet entitled The Machinery of Representation. In a Hare system, large constituencies are set up and the voter has only one effective vote. Under this system, a voter is required to indicate his/her order of preference against the names of different candidates. For each constituency a quota is set which a candidate needs to reach. The quota is determined by dividing the total number of votes cast by one more than the number of seats to be filled and then by adding one to the result. $Quota = \frac{\text{Total Number of Votes} + 1}{\text{Number of seats} + 1}$ The candidates who reach the quota on the result of the first counting of the ballots was declared elected. His/her 'surplus votes' ie. first preferences over and above the electoral quota are redistributed among those candidates whom these voters have given their next preference, in proportion to the number of second

288 _____ NSOU CC-PS-01 preferences obtained by each of such candidates. The candidate obtaining the least number of first preferences is eliminated and the next preferences of his/her voters are added to the first preferences of those candidates this process of redistribution from both sides is repeated till the number of candidates securing the electoral quota equals the number of seats available, who are then declared elected. This system has been used in the national elections of Irish Republic and Malta. List System This system is widely used in continental European countries. It takes two forms, the bound list and the free list. Under either type, each political party prepares lists containing the names of its candidates in the constituencies. Thus, if from one constituency, six members are to be elected, each political party will make a list containing six names of its own candidates. The voter must vote for the list prepared by a political party. Under this system the voter is required to mark one list according to his/her choice. In case of a bound list the voter is not allowed to express his own preferences for the candidates listed by the party. He/she is simply to follow the order of preference determined by the party. The free list system, however, allows the voter to indicate his/her own preference among his/her party's candidates and in some countries like Switzerland, the voter may even write in additional name. The list system is employed in voting for national elections in Germany, Italy, Israel, Switzerland, Finland etc. 20.8 Conclusion Democracy in contemporary era is passing through a stage of perpetual crisis. This becomes more evident when even in democratic countries underneath a formal democratic institutions, public leaders are found to be engaged in serious democratic abuse which often adversely affects the conviction of integrity attached to the democratic principles. The rising cost of running an election in a hugely populous country has places many of the developing countries in grave economic crisis. The roles of media are further not beyond the range of influences. Infact, private and social media have many of their obligations to be fulfilled which restricts them from their inherent neutrality and often prompts them to embody certain biases. Even individual journalist closer to political actors lose their ability to work independently and with credibility. With political parties prone more towards internal struggles for power and growing deficiencies in intellectual and ideological capacities of political

NSOU CC-PS-01 _____ 289 leaders have made the voters look forward for a more complementary element of participation and accountability required for the system. This calls for a more effective electoral management system that might struggles against the possible adversaries of democracies and ensures a more adequate and systematic representation for the next generation possible voters. 20.9 Summing Up Elections in recent years turned out to be an essential condition for the sustenance of democracy. In a representative democracy elections are usually held on the basis of Universal Adult Franchise. Opinions varied from a group favouring universal suffrage to the other seeking to restrict suffrage. Representative systems in contemporary times can be classified into two alternative systems namely Territorial Representation and Functional Representation. Territorial Representation is often called geographic representation. The territorial principle of representation is prevalent in most countries having representative governments. The available system of representation can be divided into two broad categories

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on the basis of how they convert votes into seats namely majoritarian

systems and proportional systems. 20.10 Probable Question Essay Type Questions : 1. Explain the majoritarian system. 2. What is the method for minority representation? Examine its advantages and disadvantages. Long Questions : 1. Examine the debates with regard to Universal Adult Franchise.

290 _____ NSOU CC-PS-01 2. What is Territorial Representation? What are its advantages and disadvantages? State its various safeguards. 3. Classify the different methods of representation. State their advantages and disadvantages. Short Questions : 1. Write a short note on Hare system. 2. What are the different safeguards of territorial representation? 3. What is the Second Ballot system? 20.11 Further Reading 1. Heywood A., Politics, London, Macmillan Press, 1997. 2. Gauba O.P., Political Ideas and Ideologies, Delhi, Macmillan India, 2010.

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The individual is free in so far as he or she is not interfered with or coerced by others. 22 ----- -----		The individual is free insofar as he or she is left alone, not interfered with or coerced by others.		
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<p>It is managed by what Adam Smith referred to as an invisible hand.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>it is managed by what Adam Smith referred to as an 'invisible hand'.</p>		
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<p>The Man versus the State. Spencer developed a strong defence of the doctrine of laissez-faire drawing upon</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>The Man versus the State ([1884] 1940). Spencer (1820–1904), the UK philosopher and social theorist, developed a vigorous defence of the doctrine of laissez-faire, drawing upon</p>		
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<p>form of individualism is identified as possessive individualism, where individuals are owner of their own persons and capacities, owing nothing to society</p> <p>SA Global Politics home work by pearl.docx (D31938865)</p>				
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<p>a process of natural selection operates within human society, which is characterized by the principle of the 'survival of the fittest.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>a process of natural selection also exists within human society, which is characterized by the principle of 'the survival of the fittest'.</p>		
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<p>is that it enables individuals to develop, to acquire talents, skills and knowledge and to refine their sensibilities.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>is that it enables individuals to develop, to gain talents, skills and knowledge and to refine their sensibilities.</p>		

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<p>Although this undoubtedly modified classical liberal theory, it did not amount to the rejection of core liberal ideas. Modern liberalism</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Although this undoubtedly involved a revision classical liberal theories, it did not amount to the abandonment of core liberal ideas. Modern liberalism</p>		
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<p>Influenced by the German philosopher Hegel who described the state as an ethical</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Influenced by the German philosopher Hegel (1770–1831), who portrayed the state, is an ethical</p>		
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<p>fairness and economic justice. It gives all people the opportunity to rise and fall on the basis of talent and hard work.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>fairness and economic justice. The market gives all people the opportunity to rise or fall on the basis of talent and hard work.</p>		
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<p>therefore, threatens to degenerate into unrestrained egoism and is incapable of promoting cooperation.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>therefore threatens to degenerate into unrestrained egoism and is incapable of promoting cooperation</p>		
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<p>to recognise the significance of gender differences and propagating a conception of personhood that is dominated by male traits and characteristics. Despite these criticisms it is</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>to recognize the significance of gender differences, and too often champions a conception of 'personhood' that is dominated by male traits and characteristics. Women, it is</p>		
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<p>evident in the growing reluctance of liberals to present their ideas as universal.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>evident in the growing reluctance of liberals to present their ideas as universal</p>		

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<p>Liberalism was the product of the breakdown of feudalism and the growth of a market</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>Liberalism was the product of the breakdown of feudalism and the growth, in its place, of a market</p>		
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<p>is based on the belief that social inequality can be justified only if it is of benefit to the least</p> <p>SA Global Politics home work by pearl.docx (D31938865)</p>				
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<p>turned Hegel on his head by investing Hegelian dialectic with a materialist interpretation.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>turned Hegel on his head' by investing this Hegelian dialectic with a materialistic interpretation.</p>		
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<p>In his preface to a Contribution to the Critique of Political Economy</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>In the preface to A Contribution to the Critique of Political Economy,</p>		

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<p>The driving force of change is the dialectic, a process of interaction between competing forces. Infact progress is the consequence of internal conflict. In Hegel's formulation this explains the movement of the world spirit towards self realization through conflict between a thesis, and its opposing force, an anti-thesis producing a synthesis, which in turn constitutes a new thesis.</p>		<p>the driving force of historical change was the dialectic, a process of interaction between competing forces that leads to a higher stage of development. In progress is the consequence of internal conflict. For Hegel, this explained the movement of the 'world spirit' towards self-realization through conflict between a thesis and its opposing force, an antithesis, producing a higher level, a synthesis, which in turn constitutes a new thesis.</p>		
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<p>an economic phenomenon and highlighted the possibility of turning world war into class war.</p>		<p>an economic phenomenon and highlighted the possibility of turning world war into class war.</p>		
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<p>most important ideological shift was to propound the doctrine of 'Socialism in one country'. He proclaimed that Soviet Union could succeed in building socialism without the need for international revolution. This clearly distinguished</p>		<p>most important ideological shift was to embrace the doctrine of 'Socialism in One Country', initially developed by Bukharin. Announced in 1924, this proclaimed that the Soviet Union could succeed in 'building socialism' without the need for international revolution. This clearly distinguished</p>		
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<p>dictated the drive for industrialization, and collectivization, justified by the need to resist capitalist encirclement and to eliminate kulak as a class.</p>		<p>dictated the drive for industrialization and collectivization, justified by the need to resist capitalist encirclement and to eliminate the kulaks (rich peasants) as a class.</p>		
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<p>drew attention to the degree to which the class system is upheld not simply by unequal economic and political power, but also by bourgeois hegemony.</p>		<p>drew attention to the degree to which the class system is upheld not simply by unequal economic and political power but also by bourgeois 'hegemony',</p>		
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<p>relations of production, is the real foundation of society. It is the basis on which rises a legal and political superstructure and to which correspond definite forms of social consciousness. The</p> <p>SA B.A.(H) Pol. Sci._Eng Medium_Sem-I_understanding political Theory.doc (D147988916)</p>				
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<p>the spiritual and cultural supremacy of the ruling class brought about through the spread of bourgeois values and beliefs via civil society.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
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<p>recast the classical ideas of Marx while remaining faithful to certain Marxist principles.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
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<p>critical theory, a blend of Marxist political economy, Hegelian philosophy and Freudian psychology.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
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<p>attempt to explain collective action in terms of rational calculation of</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				

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<p>an attempt to salvage certain key Marxist insights by attempting to reconcile Marxism with aspects of post-modernism and post-structuralism. Ernesto Laclau and Chantal Mouffe contended that the priority traditionally accorded</p>		<p>an attempt to salvage certain key Marxist insights by attempting to reconcile Marxism with aspects of postmodernism and poststructuralism. Ernesto Laclau and Chantal Mouffe (1985) accepted that the priority traditionally accorded</p>		
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37/119	SUBMITTED TEXT	18 WORDS	71% MATCHING TEXT	18 WORDS
<p>social class and the central position of the working class in bringing about social change is no longer sustainable.</p>		<p>social class, and the central position of the Political Ideologies 3rd edition An Introduction Andrew Heywood working class in bringing about social change, were no longer sustainable.</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
38/119	SUBMITTED TEXT	24 WORDS	85% MATCHING TEXT	24 WORDS
<p>The advent of new social movements is seen as evidence of the fact that power in contemporary societies is increasingly dispersed and fragmented. The</p>		<p>The emergence of new social movements is widely seen as evidence of the fact that *power in postindustrial societies is increasingly dispersed and fragmented. The</p>		
<p>W https://studfile.net/preview/5055316/page:4/</p>				
39/119	SUBMITTED TEXT	17 WORDS	88% MATCHING TEXT	17 WORDS
<p>University Press, 1968) 2. Kolakowski, Leszek, Main Currents of Marxism, 3 Vols. (Oxford : Oxford University Press. 1978) 3.</p>		<p>University Press). Kolakowski, L. (1979) Main Currents of Marxism, 3 vols (Oxford: Oxford University Press).</p>		
<p>W https://studfile.net/preview/5055316/page:4/</p>				
40/119	SUBMITTED TEXT	29 WORDS	65% MATCHING TEXT	29 WORDS
<p>associated with a positive set of political ideas. Anarchists propagate the idea of abolition of government and law in the belief that a more natural and spontaneous social order will</p>		<p>associated with a positive and systematic set of political ideas. Anarchists do advocate the abolition of law and government, but in the belief that a more natural and spontaneous social order will</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				

41/119	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Bakunin's anarchism was based on a belief in human sociability,</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Bakunin's anarchism was based on a belief in human sociability,</p>		
42/119	SUBMITTED TEXT	23 WORDS	66% MATCHING TEXT	23 WORDS
<p>expressed in the desire for freedom within a community of equals. He propounded a view of free individuals which put him at odds with</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>expressed in the desire for freedom within a community of equals and in the 'sacred instinct of He embraced a view of collectivism as self-governing communities of free individuals, which put him at odds with</p>		
43/119	SUBMITTED TEXT	32 WORDS	68% MATCHING TEXT	32 WORDS
<p>In his writings he developed the image of a corrupt and false modern civilization. He believed that salvation could be attained by living according to religious principles and returning to a simple rural</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>In his political writings, the Russian novelist Tolstoy developed the image of a corrupt and false Political Ideologies 3rd edition An Introduction Andrew Heywood modern civilization. He suggested that salvation could be achieved by living according to religious principles and returning to a simple, rural</p>		
44/119	SUBMITTED TEXT	22 WORDS	45% MATCHING TEXT	22 WORDS
<p>The influence of anarchism also subsided with success of Bolshevik revolution in Russia and the growing prestige of communism within the revolutionary movements. 4.3</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>The influence of anarchism was also undermined by the success of Lenin and the Bolsheviks in 1917, and thus by the growing prestige of communism within the socialist and revolutionary movements.</p>		
45/119	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>that human beings could be selfish and competitive as well as sociable and cooperative</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>that human beings could be selfish and competitive as well as sociable and cooperative (</p>		

46/119	SUBMITTED TEXT	36 WORDS	48% MATCHING TEXT	36 WORDS
<p>through a system of market exchange. Warren claimed that individual right to property is supreme. However, they are forced to work with others to take advantage of division of labour. He believed that this could be achieved by</p>		<p>through a system of market exchange. Warren thought that individuals have a sovereign right to the property they themselves produce, but are also forced by economic logic to work with others in order to gain the advantages of the division of labour. He suggested that this could be achieved by</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
47/119	SUBMITTED TEXT	19 WORDS	86% MATCHING TEXT	19 WORDS
<p>a minimal state, whose principal function is to protect individual rights. Ayn Rand, Murray Rothbard and David Friedman pushed</p>		<p>a minimal state, whose principal function is to protect individual rights. Other thinkers, for example Ayn Rand (1905– 82), Murray Rothbard (1926–95) and David Friedman, have pushed</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
48/119	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS
<p>should be owned in common by the community rather than by any single individual. Private property is,</p>		<p>should therefore be owned in common by the community, rather than by any single individual. In sense, property is</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
49/119	SUBMITTED TEXT	16 WORDS	61% MATCHING TEXT	16 WORDS
<p>Kropotkin sought to provide a scientific basis for social solidarity by re-examining Darwin's theory of evolution.</p>		<p>Kropotkin attempted to provide a biological foundation for social solidarity by a re-examination of Darwin's theory of evolution.</p>		
<p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
50/119	SUBMITTED TEXT	26 WORDS	74% MATCHING TEXT	26 WORDS
<p>has been developed on the basis of two rival traditions: liberalism and socialism. Thus anarchism can be thought of as a point of intersection between liberalism and</p>		<p>has been developed on the basis of two rival traditions: socialist *communitarianism and liberal *individualism. Anarchism can thus be thought of as a point of intersection between *socialism and *</p>		
<p>W https://studfile.net/preview/5055316/page:4/</p>				

51/119	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>collectivist anarchists advocate an economy based upon cooperation and collective ownership. 4.7</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Collectivist anarchists advocate an economy based upon cooperation and collective ownership,</p>		
52/119	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>Marshall, P., Demanding the Impossible : A History of Anarchism. (London : Fontana, 1993) 54</p> <p>-----</p> <p>-----</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Marshall, P., Demanding the Impossible: A History of Anarchism (London: Fontana, 1993).</p>		
53/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>eds) The Oxford Handbook of Political Ideologies. (Oxford : Oxford University Press, 2013) 3.</p> <p><small>SA</small> Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
54/119	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Conservative thought has varied considerably as it has adapted itself to</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Conservative thought has varied considerably as it has adapted itself to</p>		
55/119	SUBMITTED TEXT	21 WORDS	52% MATCHING TEXT	21 WORDS
<p>Conservative ideas emerged in response to the rapid pace of social, political and economic change ushered in by the French Revolution.</p> <p><small>SA</small> Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				

56/119	SUBMITTED TEXT	30 WORDS	85% MATCHING TEXT	30 WORDS
	familiar to the unknown, tried to the untried, fact to the mystery, the actual to the possible, the limited to the unbounds, the near to the distant, the sufficient to the		familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the	
W	https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/1st%20sem_pol%20t ...			
57/119	SUBMITTED TEXT	18 WORDS	86% MATCHING TEXT	18 WORDS
	conservatism is neither simple pragmatism nor mere opportunism. It is based upon a particular set of political beliefs about		Conservatism is neither simple pragmatism (see p. 11) nor mere opportunism. It is founded upon a particular set of political beliefs about	
W	https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			
58/119	SUBMITTED TEXT	25 WORDS	86% MATCHING TEXT	25 WORDS
	they live in and the importance of a specific set of political values. Hence, like liberalism and socialism, it should rightfully be described as an ideology. 5.3		they live in and the importance of a distinctive set of political values. As such, like liberalism and socialism, it should rightfully be described as an ideology.	
W	https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			
59/119	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
	base their theories on the belief that human beings are both imperfect and unperfectible.		base their theories instead on the belief that human beings are both imperfect and unperfectible.	
W	https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			
60/119	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
	cautious behaviour, or a lifestyle that is conventional, even conformist, or fear of			
SA	Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)			

61/119	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>blind resistance to change, but rather a prudent willingness to change in order to conserve.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>blind resistance to change, but rather a prudent willingness to 'change in order to conserve'.</p>		
62/119	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
<p>recast politics in accordance with abstract principles such as liberty, equality and fraternity.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>recast French politics in accordance with abstract principles such as liberty, equality and fraternity,</p>		
63/119	SUBMITTED TEXT	14 WORDS	75% MATCHING TEXT	14 WORDS
<p>The desire to conserve is the underlying theme of conservative ideology though it is</p> <p><small>SA</small> Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
64/119	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>the organic conservative belief that society is held together by an acceptance of duty and obligations.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>the organic conservative belief that society is held together by an acceptance of duty and obligations.</p>		
65/119	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>these ideas provided the basis of what is called one nation conservatism.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>these ideas provide the basis of what is called 'one-nation conservatism',</p>		
66/119	SUBMITTED TEXT	14 WORDS	93% MATCHING TEXT	14 WORDS
<p>on the need for a 'middle way' between the extremes of laissez-faire liberalism and</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>on the need for a non-ideological, 'middle way' between the extremes of laissez-faire liberalism and</p>		

67/119	SUBMITTED TEXT	27 WORDS	89% MATCHING TEXT	27 WORDS
<p>human beings tamper with natural law, they are challenging the will of god and as a result they are likely to make human affairs worse rather than better.</p> <p><small>SA</small> Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
68/119	SUBMITTED TEXT	13 WORDS	85% MATCHING TEXT	13 WORDS
<p>The purpose of paternalistic conservatism is to consolidate hierarchy rather than to remove it.</p> <p>The purpose of one-nation conservatism is to consolidate hierarchy rather than to remove it,</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
69/119	SUBMITTED TEXT	14 WORDS	90% MATCHING TEXT	14 WORDS
<p>This idea was most clearly expressed in Harold Macmillan's book 'The Middle Way'. Macmillan</p> <p><small>SA</small> Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
70/119	SUBMITTED TEXT	15 WORDS	71% MATCHING TEXT	15 WORDS
<p>The principal concerns of the neo-conservatives are law and order, public morality and national identity.</p> <p>The three principal concerns of the conservative new right are with law and order, public morality and national identity.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
71/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>to strengthen national identity in the face of threats from within and without.</p> <p>to strengthen national identity in the face of threats from within and without.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				

72/119	SUBMITTED TEXT	20 WORDS	75% MATCHING TEXT	20 WORDS
<p>which combines state ownership or regulation of certain aspects of the economy with the drive and initiative of private enterprise.</p> <p><small>SA</small> Andrew+Heywood+--+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
73/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>eds), The Oxford Handbook of Political Ideologies. (Oxford : Oxford University Press, 2013) 3.</p> <p><small>SA</small> Andrew+Heywood+--+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
74/119	SUBMITTED TEXT	16 WORDS	71% MATCHING TEXT	16 WORDS
<p>the procedure of inquiry by which reliable knowledge could be obtained and reliable conclusions could be</p> <p><small>SA</small> B.A.(H) Pol. Sci._Eng Medium_Sem-I_understanding political Theory.doc (D147988916)</p>				
75/119	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>On the other hand, approach is a wider term which</p> <p><small>SA</small> B.A.(H) Pol. Sci._Eng Medium_Sem-I_understanding political Theory.doc (D147988916)</p>				
76/119	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>attempt to offer a dispassionate and impartial account of political reality.</p> <p><small>W</small> https://studfile.net/preview/5055316/page:4/</p>				
77/119	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>the history of all hitherto existing society is the history of class struggle</p> <p>The history of all hitherto existing societies is the history of class struggle.'</p> <p><small>W</small> https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				

78/119	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>of standards governing the inclusion and exclusion of questions and data</p> <p>SA B.A.(H) Pol. Sci._Eng Medium_Sem-I_understanding political Theory.doc (D147988916)</p>				
79/119	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>based on liberty, consent of the governed, and equality before the</p> <p>SA Ideologies+--+Majd+Alramadan.pdf (D56644725)</p>				
80/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>government of the people, by the people and for the people. This</p> <p>government of the people, by the people and for the people'. This</p> <p>W https://studfile.net/preview/5055316/page:4/</p>				
81/119	SUBMITTED TEXT	14 WORDS	84% MATCHING TEXT	14 WORDS
<p>University, Press, 1994) 2. C. B. Macpherson : The Life and Times of Liberal Democracy, Oxford,</p> <p>SA democracy final draft .doc (D140687843)</p>				
82/119	SUBMITTED TEXT	15 WORDS	73% MATCHING TEXT	15 WORDS
<p>viewed democracy as a system of mob rule at the expense of wisdom and property,</p> <p>viewed democracy as a system of rule by the masses at the expense of wisdom and property.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
83/119	SUBMITTED TEXT	20 WORDS	92% MATCHING TEXT	20 WORDS
<p>Democracy is the worst form of government, except for all those other forms that have been tried from time to time."</p> <p>SA N3AnastasiaValeeva.pdf (D6475718)</p>				

84/119	SUBMITTED TEXT	33 WORDS	87% MATCHING TEXT	33 WORDS
	liberal-democratic political system have a hybrid character: they embody two distinct features, one liberal, the other democratic. The liberal element reflects a belief in limited government; the democratic element reflects a commitment to popular rule".		liberal-democratic political systems have a hybrid character: they embody two distinct features, one liberal, the other democratic. The liberal element reflects a belief in limited government; the democratic element reflects a commitment to popular rule.	
	W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			

85/119	SUBMITTED TEXT	11 WORDS	87% MATCHING TEXT	11 WORDS
	In the nineteenth century, liberals often saw democracy as thereatening or dangerous.'		In the nineteenth century, liberals often saw democracy as threatening or dangerous.	
	W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			

86/119	SUBMITTED TEXT	23 WORDS	71% MATCHING TEXT	23 WORDS
	the hybrid nature of liberal democracy reflects a basic 174 ----- _____ NSOU CC-PS-01 ambivalence within liberalism towards Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)			

87/119	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
	By the end of the twentieth century, liberal democracy appeared to have vanquished its major rivals'.		by the end of the twentieth century, liberal democracy appeared to have vanquished its major rivals.	
	W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html			

88/119	SUBMITTED TEXT	90 WORDS	98% MATCHING TEXT	90 WORDS
<p>Liberal democracy is an indirect and representative form of democracy. Political office is gained through success in regular elections, conducted on the basis of formal political equality – 'one person, one vote; one vote, one value'. * "It is based upon competition and electoral choice. This is ensured by political pluralism, a tolerance of a wide range of contending beliefs, conflicting social philosophies and rival political movements and parties." * It is characterized by a clear distinction between the state and civil society. This is maintained both by internal and external checks on government 178</p> <p>-----</p> <p>-----</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>Liberal democracy is an indirect and representative form of democracy. Political office is gained through success in regular elections, conducted on the basis of formal political equality – 'one person, one vote; one vote, one value'. It is based upon competition and electoral choice. This is ensured by political pluralism, a tolerance of a wide range of contending beliefs, conflicting social philosophies and rival political movements and parties. It is characterized by a clear distinction between the state and civil society. This is maintained both by internal and external checks on government</p>		
89/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>power and the existence of autonomous groups and interests, and by the market</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>		<p>power and the existence of autonomous groups and interests, and by the market</p>		
90/119	SUBMITTED TEXT	21 WORDS	70% MATCHING TEXT	21 WORDS
<p>By the twentieth century', says Andrew Heywood, 'a large proportion of liberals had come to see democracy as a virtue.' 7</p> <p>^{SA} Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In... (D144218157)</p>		<p>By the twentieth century', says Andrew Heywood, 'a large proportion of liberals had come to see democracy as a virtue.' 7</p>		
91/119	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>is 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide</p> <p>W http://www.kaspermhansen.eu/Work/Hansen2004.pdf</p>		<p>is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide</p>		

92/119	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>means of a competitive struggle for the people's vote.</p> <p>SA Definitions of democracy111.pdf (D6477615)</p>				
93/119	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
<p>effective participation, voting equality at the decisive stage, enlightened understanding, control over the agenda, and inclusion.</p> <p>W https://www.researchgate.net/publication/318082860_Deliberative_Democracy_as_Open_Not_Just_Repres ...</p>				
94/119	SUBMITTED TEXT	17 WORDS	85% MATCHING TEXT	17 WORDS
<p>University, Press, 2009. 2. Robert Dahl : A Preface to Democratic Theory, Chicago, University of Chicago Press, 1986. 3.</p> <p>SA democracy final draft .doc (D140687843)</p>				
95/119	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>a form of democracy that emphasizes the role of discourse and debate in helping to define the public interest'.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
96/119	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>in 1990's deliberative democracy began to attract substantial attention from political scientists.</p> <p>W https://human.libretexts.org/Bookshelves/Philosophy/Political_Philosophy_Reader_(Levin_et_al.)/02 ...</p>				
97/119	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>deliberative democracy began to attract substantial attention from political scientists.</p> <p>W https://human.libretexts.org/Bookshelves/Philosophy/Political_Philosophy_Reader_(Levin_et_al.)/02 ...</p>				

98/119	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>preferences should be shaped by deliberation in advance of decision-making.</p> <p>SA Political theory Revised.pdf (D110787950)</p>				
99/119	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>kratos' meaning 'power or rule'. Democracy thus, means 'rule by the demos'.</p> <p>kratos, meaning power or rule. Democracy thus stands for 'rule by the demos',</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
100/119	SUBMITTED TEXT	25 WORDS	83% MATCHING TEXT	25 WORDS
<p>If government, through taxation possessed the power to expropriate property, citizens were entitled to protect themselves by controlling the composition of the tax setting body; the legislature.</p> <p>If government, through taxation, possesses the power to expropriate property, citizens are entitled to protect themselves by controlling the composition of the tax-making body – the legislature.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				
101/119	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>shifts the emphasis from the outcome of the decision to the quality of the process. 15.7</p> <p>SA Political theory Revised.pdf (D110787950)</p>				
102/119	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>government of the people, by the people, for the people.</p> <p>SA Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
103/119	SUBMITTED TEXT	14 WORDS	85% MATCHING TEXT	14 WORDS
<p>individual liberty and minority rights may be crushed in the name of the people.</p> <p>Individual liberty and minority rights can thus be crushed in the name of the people.</p> <p>W https://pdfcoffee.com/download/politics-ideologies-pdf-free.html</p>				

104/119	SUBMITTED TEXT	11 WORDS	87% MATCHING TEXT	11 WORDS
<p>Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy,</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>Political Parties: A Sociological Study of the Oligarchal Tendencies of Modern Democracy (</p>		
105/119	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>a person who is vested with formal responsibility for another's property or affairs.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>a person who is vested with formal responsibility for another's property or affairs.</p>		
106/119	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>a person who is chosen to act for another on the basis of clear guidance or instructions.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>a person who is chosen to act for another on the basis of clear guidance or instructions.</p>		
107/119	SUBMITTED TEXT	32 WORDS	95% MATCHING TEXT	32 WORDS
<p>by remaining loyal to their party and its policies. The strength of the mandate doctrine is that it takes account of the undoubted practical importance of party labels and party policies. However, it</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>by remaining loyal to their party and its policies. The strength of the mandate doctrine is that it takes account of the undoubted practical importance of party labels and party policies. Moreover, it</p>		
108/119	SUBMITTED TEXT	25 WORDS	80% MATCHING TEXT	25 WORDS
<p>that the franchise should be extended to all but those who are illiterate. In the process, he suggested, that suffrage should also be extended to women.</p> <p>^{SA} Andrew+Heywood+-+Political+Ideologies_+An+Introduction+%282021%2C+Red+Globe+Press+%28Macmillan+In ... (D144218157)</p>				
109/119	SUBMITTED TEXT	24 WORDS	92% MATCHING TEXT	24 WORDS
<p>it is based on a highly questionable model of voting behaviour, insofar as it suggests that select parties on the grounds of policies and issues.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>it is based upon a highly questionable model of voting behaviour, insofar as it suggests that voters select parties on the grounds of policies and issues,</p>		











110/119	SUBMITTED TEXT	18 WORDS	65% MATCHING TEXT	18 WORDS
<p>of irrational factors such as the personalities of the leaders, the images of parties, habitual allegiances and social conditioning.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>of 'irrational' factors such as the personality of leaders, the image of parties, habitual allegiances and social conditioning. -208-</p>		
111/119	SUBMITTED TEXT	16 WORDS	87% MATCHING TEXT	16 WORDS
<p>the doctrine of the mandate can only be applied in the case of majoritarian electoral systems,</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>the doctrine of the mandate can be applied only in the case of majoritarian electoral systems</p>		
112/119	SUBMITTED TEXT	35 WORDS	97% MATCHING TEXT	35 WORDS
<p>a representative government would constitute a microcosm of the larger society, containing members drawn from all groups and sections in society and in numbers that are proportional to the size of the groups in society at large.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>a representative government or *parliament would constitute a microcosm of the larger society, containing members drawn from all groups and sections in society, and in numbers that are proportional to the size of the groups in society at large.</p>		
113/119	SUBMITTED TEXT	33 WORDS	91% MATCHING TEXT	33 WORDS
<p>The conventional view is that elections are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion. This emphasises the bottom up functions of elections,</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>The conventional view is that elections, when they are fair and competitive, are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion. This emphasises the 'bottom-up' functions of elections.</p>		
114/119	SUBMITTED TEXT	22 WORDS	54% MATCHING TEXT	22 WORDS
<p>portrays them as a means through which government and political elite can exercise control over their population. This view emphasises top down functions</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>portrays them as largely a mechanism through which governments and political elites can exercise control over their populations. This view emphasises the 'top-down' functions</p>		
















115/119	SUBMITTED TEXT	27 WORDS	88% MATCHING TEXT	27 WORDS
<p>The conventional view is that elections are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>The conventional view is that elections, when they are fair and competitive, are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion.</p>		
116/119	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>on the basis of how they convert votes into seats.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>on the basis of how they convert votes into seats.</p>		
117/119	SUBMITTED TEXT	37 WORDS	94% MATCHING TEXT	37 WORDS
<p>larger parties typically win a higher proportion of seats than the proportion of votes they gain in the election. This increases the chances of a single party gaining a parliamentary majority and being able to govern on its own.</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>larger parties to win a significantly higher proportion of seats than the proportion of votes they gain in the election. This increases the chances of a single party gaining a parliamentary majority and being able to govern on its own. -199-</p>		
118/119	SUBMITTED TEXT	33 WORDS	57% MATCHING TEXT	33 WORDS
<p>In a pure system of proportional representation a party that gains 45% of the votes would be NSOU CC-PS-01</p> <p>-----</p> <p>_____ 283 exactly 45% of the seats. Proportional Representative systems</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>In a pure system of proportional representation (PR), a party that gains 45 per cent of the votes would win exactly 45 per cent of the seats. Examples of proportional systems</p>		
119/119	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>on the basis of how they convert votes into seats namely majoritarian</p> <p>W https://studfile.net/preview/5055316/page:4/</p>		<p>on the basis of how they convert votes into seats. Majoritarian</p>		

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PREFACE In a bid to standardize higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, generic, discipline specific, elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern which finds efficacy in sync with credit system, credit transfer, comprehensive continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility to choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry their acquired credits. I am happy to note that the university has been recently accredited by National Assessment and Accreditation Council of India (NAAC) with grade "A". UGC (Open and Distance Learning Programmes and Online Programmes) Regulations, 2020 have mandated compliance with CBCS for U.G. programmes for all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Material (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English / Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success.

Professor (Dr.) Subha Sankar Sarkar Vice-Chancellor

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Act, 1784 1.5 Charter Act, 1833 1.6 Charter Act, 1853 1.7 Government of India Act, 1858 1.8 Indian Councils Act, 1861 1.9 Indian Councils Act, 1892 1.10 Indian Councils Act, 1909 1.11 The Government of India Act, 1919 1.12

Nehru Report, 1928 1.13 Jinnah's Fourteen Points 1.14 Simon Commission Report, 1930 1.15 The Government of India Act, 1935 1.16 The Cripps Mission 1.17 The Quit India Resolutions 1.18 Simla Conference 1.19 Parliamentary Delegation 1.20 Cabinet Mission 1.21 Formation of Interim Government 1.22 Mountbatten Plan 1.23 The Indian Independence Act, 1947 1.24 Conclusion 1.25 Summing up 1.26 Probable Questions 1.27 Further Readings
 NSOU ? CC-PS-02 8 1.1 Objectives ? To discuss various laws enacted by the British Parliament which led to the constitution of the Constituent Assembly for making a Constitution for India on achieving independence. ? To highlight the Indian reactions to these laws. ? To expose the British machinations to divide India on religious lines. 1.2 Introduction India achieved independence on 15 th August, 1947. The passage of

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the Indian Independence Act, 1947, passed by the British parliament, led to the independence of India. The

Constituent Assembly which was formed in 1946 became a sovereign body and acted as the legislature of independent India along with its original function of framing a constitution for India. The constitution was finally adopted on 26 th November, 1949. Dr. RajendraPrasad was unanimously elected as the first President of India and the constitution came into force on 26 th January, 1950 with India emerging as a sovereign, democratic republic securing justice, equality and fraternity for all Indians. Constitutional development in India has a long history. This history is closely linked to the history of British rule in India. The British Parliament passed several Charters and Acts which are considered as sources of the constitutional development in India. A brief discussion of these Charters and Acts is in order to get a glimpse of how they contributed to the path of constitutional development in India. 1.3

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Regulating Act, 1773 The first step taken by the British Parliament to control and regulate the affairs of the East India Company in India was through this Act. It designated the Governor of Bengal (Fort William) as the Governor-General of Bengal. Warren Hastings became the first Governor-General of Bengal. Executive Council of the Governor-General was established with four members. There was no separate legislative council. It NSOU ? CC-PS-02 9 subordinated the Governors of Bombay and Madras to the Governor-General of Bengal. The Supreme Court was established at Fort William (Calcutta) as the Apex Court in 1774. It prohibited servants of the company from engaging in any private trade or accepting bribes from the natives. Court of Directors (the Governing Body of the Company) was entrusted with the responsibility to report its revenue. 1.4 Pitt's India Act, 1784

The Act made a distinction between commercial and political functions of the company. Under the Act, the Court of Directors would deal with commercial matters and the Board of Control would look after the political affairs. It

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reduced the strength of the Governor General's council to three members

and

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placed the Indian affairs under the direct control of the British Government. The Companies' territories in India were called "the British possessions in India". Governor's councils were established in Madras and Bombay. 1.5 Charter Act, 1833 The

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Governor-General of Bengal became the Governor-General of India. First Governor-General of India was Lord William Bentinck. This

Act centralized the administration in India. It made the Governor-General the sole authority to enact laws and regulations for British possessions in

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India. Beginning of a Central legislature for India took away the legislative powers of Bombay and Madras Provinces. The Act ended the activities of the East India Company as a commercial body and it became a purely

political and administrative body. This Act is generally considered to be an extensive measure between the Pitt's India Act and the Queen's Proclamations of 1858. 1.6

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Charter Act, 1853 The legislative and executive functions of the Governor-General's Council were separated. Six members

were there
in the

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Central legislative council. Four out of six members were appointed by the Provisional Governments of Madras, Bombay, NSOU ? CC-PS-02 10 Bengal and Agra. It introduced a system of open competition as the basis for the recruitment of civil servants of the Company (Indian Civil Service was opened to all). 1.7 Government of India Act, 1858 The rule of Company was replaced by the rule of the Crown in India. The powers of the British Crown were to be exercised by the Secretary of State for India and he was to be assisted by the Council of India, having 15 members. He was vested with complete authority and control over the Indian administration through the Viceroy as his agent. The Governor-General came to be known as the Viceroy of India. Lord Canning became the first Viceroy of India. The Act abolished Board of Control and Court of Directors.

It formalized the process of the end of the Company rule and placed India under the direct control of the Crown. The assumption of the Government of India by the British Crown was announced formally by a proclamation of Queen Victoria on first November, 1858. 1.8

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Indian Councils Act, 1861 It introduced, for the first time, Indian representation in the institutions like Viceroy's Executive-Legislative council (non-official). Three Indians entered

the Legislative council. Legislative councils were established in Center and the Provinces. The Act

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provided that the Viceroy's Executive Council should have some Indians as the non-official members while transacting the legislative businesses. It accorded statutory recognition to the portfolio system and initiated the process of decentralization by restoring the legislative powers to the Bombay and the Madras Provinces 1.9 India Councils Act, 1892 The Act introduced indirect elections (nomination). It enlarged the size and the functions of the Legislative Councils and gave them the power of discussing the Budget and addressing questions to the Executive.

The number of additional members in the Council was raised. Due to pressures exerted by the Indian National Congress, NSOU ? CC-PS-02 11 the Government permitted elections to be held in India under the rules, although the members so elected could take their seats only on being nominated by

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the Government. 1.10 Indian Councils Act, 1909 This Act is also known as the Morley-Minto Reforms. Direct elections to legislative councils

were mooted and the Act could be said to be the first attempt at introducing representative and popular elements in governance.

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It changed the name of the Central Legislative Council to the Imperial Legislative Council. The number of members of the Central Legislative Council was increased to 60 from 16 and introduced a system of communal representation for Muslims by accepting the concept of 'Separate Electorate'. Indians, for the first time,

were given representation to the Viceroy's Executive Council. The Act sowed seeds of communal disharmony in India. It created confusion because although it introduced parliamentary reforms, it did not bestow responsibility on an equal basis. The election introduced by the Act was indirect and there was hardly any touch between the people and the members on the Legislative Council. The Indian National Congress vehemently criticized the Act for its pro-communal stance and expressed its dissatisfaction at the non-establishment of a Council for the Central Provinces and Berar. K.M. Munshi went to the extent of describing the Councils as 'glided shams with 'magnified non-entities whose constituency was the Government House' 1.11 The Government of India Act, 1919 (The Mont-Ford Reforms)

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This Act is also known as the Montague-Chelmsford Reforms. The Central subjects were demarcated and separated from those of the Provincial subjects. The scheme of dual governance, 'Diarchy', was introduced in the Provincial subjects.

Under the diarchy

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system, the provincial subjects were divided into two parts– transferred and reserved. On reserved subjects, Governor was not responsible to the Legislative Council. The Act introduced, for the first time, bicameralism at the center. Legislative Assembly with 140 members and Legislative Council with 60 members. The Act also required that the three of the six members of the Viceroy's Executive NSOU ? CC-PS-02 12 Council (other than Commander-in-Chief) were to be Indians.

This Act provided for the establishment of the Public Service Commission. The Govt. of India Act, 2019 failed to bring about the desired gains for the Indians so much so that the Indian National Congress criticized the Reforms as inadequate, unsatisfactory and disappointing. The major criticism against the Act was that it destroyed the national unity by introducing separate electorates for not only the Muslims but also for the Sikhs, Christians, Anglo-Indians and Europeans. 1.12 Nehru Report, 1928 Main features of the Nehru Report : 1. There was a compromise between two groups, one who favoured dominion status and those who supported complete independence. The majority favoured dominion status not as a distant goal but as "the next immediate step". 2. Secularism was envisaged as the basic feature of the constitution. The report proposed joint electorates with reservation of seats for the minorities in proportion to population with the right to contest additional seats. 3. No seats were to be reserved for any community in Bengal and Punjab. 4. The citizens were to enjoy 19 fundamental rights. 5. The government was to derive its authority from the people. 6. The federal structure was to be introduced. 7. The report recommended the organization of the Provinces on linguistic basis and granting of Provincial autonomy in internal administration. 8. The report demanded that full responsible governments should be set up at the central and the Provincial levels. 9.

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The governor-general was to be appointed by the British Government. He was to act on the advice of the Executive Council. The Prime Minister was to be appointed by the governor-general and other ministers were to be appointed on the advice of the Prime Minister. 10. The

report provided for two houses for Parliament.

NSOU ? CC-PS-02 13 11. The government of the Provinces was supposed to have a Governor

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to be appointed by the British Crown. He was to act on the advice of the Provincial Executive Council which was to be

responsible to the Provincial legislature. 12. The report held that the Supreme Court was to be the final court of appeal in India. The Nehru report suggested the establishment of parliamentary system in India both at the central and the state level. The Congress party accepted the report in its Calcutta session on December 31 in 1928. The Muslims were critical about the report as the report did not provide for separate electorate for them as was given to them by the 1909 and 1919 Acts. 1.13 Jinnah's Fourteen Points In response to the Nehru Report, M.A. Jinnah placed his 14-point demands. Jinnah called a meeting of the Muslim League in Delhi in 1929 and put forward his 14-points. Discarding the Nehru report, Muslim League declared that no future constitution would be acceptable to the League unless and until the 14 points are implemented. The basic principles of Jinnah's 14-points are as follows : 1. The form of the future constitution should be federal with the residuary powers being vested in the Provinces. 2. A uniform measure of autonomy shall be granted to all Provinces. 3. All legislatures in the country and other elected bodies shall be constituted on the principle of adequate and effective representation of minorities in every Province without reducing the majority in any province to a minority or even equality. 4. The central legislature will give the Muslims one-third representation. 5. Representation of communal groups shall continue to be by separate electorates as at present provided: it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorates. 6. Any territorial re-distribution that at any time might be necessary shall not in any way affect the Muslim majority in the Punjab, Bengal and North-West Frontier Province.

NSOU ? CC-PS-02 14 7. Full religious liberty, i.e., liberty of belief, worship and observance, propaganda, association and education shall be guaranteed to all communities. 8. No bill or resolution or any part thereof shall be passed in any legislature or any elected body if three-fourths of the members of any community in that particular body oppose such a bill, resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative method is devised as may be found possible and practicable to deal with such cases. 9. Sind should be separated from Bombay presidency. 10. Reforms should be introduced in the North-West Frontier Province and Baluchistan on the same footing as in other Provinces. 11. Provision should be made in the constitution providing the Muslims an adequate share along with other Indians in all the services of the State and in local-self- government bodies with due regards to the requirements of efficiency. 12. The Constitution should embody sufficient safeguards for the protection of Muslim culture and for the promotion of Muslim education, language, religion, personal laws and Muslim charitable organizations and for their due share in the grants-in-aid given by the state and by the self-governing bodies. 13. No cabinet, either Central or Provincial, should be constituted without there being a proportion of at least one-third Muslim ministers. 14. No change should be effected in the constitution except with the approval of the states forming the Indian federation. The British rulers did not accept either the Nehru report or Jinnah's 14 points. They, with communal divisions in mind, came up with the communal award which insisted on giving the Muslims, the Sikhs, the Christians and the Anglo-Indians and Europeans separate representations. The Depressed Classes were given a number of seats to be filled by election from special constituencies where the depressed class voters could only vote. Mahatma Gandhi opposed this move and as a result, Gandhi- Irwin Pact was signed. The Viceroy offered dominion status which was rejected by the Indian national congress and in its Lahore congress, it declared that Swaraj or full independence was its aim and empowered the AICC to start Civil Disobedience movement. Henceforth, 26th January, 1930 was declared as India's Independence Day, and civil disobedience movement started in March, 1930 followed by repressions by the British colonial rulers.

NSOU ? CC-PS-02 15 1.14 Simon Commission Report, 1930 In the midst of a very charged situation of civil disobedience movement, the Simon Commission submitted its report in June, 1930. The Commission was constituted under the provisions of the 1919 India Act. Under pressure from the rising momentum of the nationalist upsurge, the Commission was formed two years earlier in 1928 under Sir John Simon and when it landed in India, it faced widespread protests and it was shown black flags. Hartals and Boycotts were organized against the Commission. "Go back" slogans were raised. Despite all these, the Simon Commission continued its work and submitted its report in June, 1930. The main focus of the Commission was to prepare the framework of the future constitution of India and the position the Provinces should enjoy. The important recommendations of the Simon Commission were : 1. The future constitutional development of India should be on the lines of federalism. 2. Diarchy in Provinces should be done away with. 3. Each Province should be supreme in its own sphere and the Governor was to be vested with over-riding powers over the Legislature. 4. The size of the Provincial Legislature should be enhanced. 5. The Upper house of the Central Legislature would be as it is while the size of the Lower house would be enlarged and its members would be elected by the Provincial Legislative Councils. 6. There should be no responsible government at the Centre. The governor-General should be empowered to select and appoint the members of his Executive Council. 7. There should be less functions for the Council of the Secretary of the State for India and its membership should also be reduced. 8. A Council for Greater India should be set up with representatives of the States and British India for consultative purposes. 9. A Provincial Financial Fund should be created for providing enough resources to the Provinces.

NSOU ? CC-PS-02 16 10. The High Courts should be under the control of the government of India. 11. Burma should be seceded from India in the new constitutional scheme of things. 12. Sindh and Orissa should be given adequate consideration for the status of Provinces. 13. The presence of British troops and British officers in Indian regiments should be there for many years, but

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the Commander-in-Chief should not be a member of the

Vice-Roy's Executive Council and he should not be a part of the Central Legislature. The report of the Simon Commission could not satisfy the aspirations of the Indian people. There was fear that the Governor-General and the Governors would be very powerful if the report of the Simon Commission had been accepted. The nationalists and even the Muslim League opposed the Report. Despite the opposition to the Report by the Indians, the British Government accepted it and convened the First Round-Table Conference (1930-31) in London with a view to discussing the future constitutional reforms in India. 1.15 The

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Government of India Act, 1935 After the failure of the Third Round-Table Conference, the British Government

decided to enact a new law for India. The Joint Committee was given the task of formulating this Act. After a year and half,

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the Committee came out with a draft bill on 5 th February, 1935. The bill was discussed in the House of Commons and in the House of Lords and finally, the King signed the bill and it came into force as the Government of India Act, 1935 in July, 1935. The main features of the

Act are as under : 1. Federal Government was to be introduced between the Central government and the Provinces and States. But ultimately, the Central Government continued to function as per the 1919 Act and only the part of the 1935 Act dealing with the Provincial Governments came into effect. 2. The Act provided for three lists: 1. Federal List 2. Provincial List and 3. Concurrent list. The residuary powers were vested in the hands of the Governor- General.

NSOU ? CC-PS-02 17 3. The Governor-General was made the head of the Central Administration and enjoyed good amount of power relating to administration, legislation and finance. He was to be helped by the Council of Ministers in the discharge of his functions and the number of Ministers was limited to 10. 4. Diarchy was to be in operation at the center. However, it was abolished at the Provincial level. 5. The Federal Legislature was to consist of two houses, namely, the Council of State and the Federal Assembly. The term of the Federal Assembly was to be 5 years. However, the Governor-General was given the authority to extend its term. 6.

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The Council of State was to consist of 260 members out of which 156 were to be elected

by the Britishers and the rest was

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to be nominated by the Princely States. 7. The Federal Assembly was to have 375 members out of which 250 were to be elected by the Legislative Assembly of the British Indian Provinces

while the rest were to be nominated by the rulers of the Princely States. 8. The Central Legislature was given the power to pass any Bill subject to the approval of the Governor-General. The Governor- General was to have

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the power to frame ordinances. 9. The Indian Council of the Secretary of State was done away with. Instead, advisors were nominated to assist the Secretary of State for India. 10. The Secretary was barred to interfere in

matters vested in the Governor. 11. Autonomy was accorded to the Provinces in relation to subjects delegated to them. 12. Indian legislatures were denied legislative powers on a number of subjects and Governor-Generals or Governors were granted powers to override their ministers and legislators in certain cases including assumption of unlimited powers in a situation of constitutional breakdown. 13. Two new Provinces Sindh and Orissa were constituted. 14. Reforms were undertaken relating to North-West Frontier Province and in other Provinces. 15. Separate electorates were retained as before. 16. Muslims were allowed to have one-third representatives in the Central legislature. NSOU ? CC-PS-02 18 17. The federal court was constituted at the central level with jurisdictions over the States and Provinces. 18. Reserve Bank of India was formed to control currency and ensure financial stability in the country. The Act was vehemently opposed by the Congress party and the Muslim League but they took part in Provincial elections in 1936-37 held under the provisions

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of the Act. When Independence came, both the two dominions, India and Pakistan accepted the Act as their provisional

constitutions with certain amendments here and there. 1.16 The Cripps Mission The First World War forced the British rulers to change their policy towards India. They sent Sir Stafford Cripps, a minister in the British cabinet, to India to find a 'just and final solution' of the constitutional crisis. The Cripps Mission envisaged the granting of dominion status to India and framing a constitution for India after the end of the War. The Provinces were given freedom to accept or reject the constitution. The Muslim League did not accept the proposals as its demand for partition was not conceded. The National Congress also declined the proposals of the Cripps Mission. Gandhiji called the offers made by the Mission 'a post-dated cheque on a crashing bank'. The British Government was not amenable to the conditions put forward by the National Congress leaders and as a result, the Cripps Mission ended in a total failure. 1.17 The Quit India Resolutions Soon after the failure of the Cripps Mission, the Indian National Congress leaders met at Bombay in August, 1942 and adopted the famous "Quit India" resolutions for the immediate end of the British rule in India. Gandhi played a very crucial role in adopting the resolutions. The British Government, in response to the resolutions, put almost all the Congress leaders behind bars and banned all Congress organizations. This led Indians NSOU ? CC-PS-02 19 to waging an all-out revolution against the British known as 'August Revolution'. The British rulers crushed this revolution with all its might. Consequently, war efforts of the British Government were seriously hampered due to apathy shown by the Indians. 1.18 Simla Conference The Allies' victory in world war-I came in 1945, three years after the Cripps Mission. The Governor-General ordered the release of the jailed Congress leaders as a step towards holding negotiations with them. A conference was convened at Simla where leaders of all political parties assembled, but no agreed solution came out of it. Lord Wavell, the then Governor-General of India went to England amidst the Labour party coming to power defeating the Conservative party. Lord Wavell came back and announced that the British Government was serious enough to give India self-governance. 1.19 Parliamentary Delegation In 1946, the Prime Minister of Britain, Clement Attlee declared that a Parliamentary Delegation would visit India to discuss various issues connected with the self-rule in India. The Delegation came to India and discussed things with the leaders of various political parties which led to further understanding of the constitutional issues regarding self-rule of the Indians. The Labour Government in England felt convinced about the need to grant self-governance for the Indians. For this to happen, the British Government sent another Mission called 'Cabinet Mission' to India. 1.20 Cabinet Mission The Cabinet Mission consisting of three members of the British Cabinet, Sir Stafford Cripps, Lord Pethic Lawrence and A.V. Alexander came and started deliberating on the future political set-up of India, known as 'Cabinet Mission Plan'. The Plan envisaged a confederation of three autonomous groups of states each

NSOU ? CC-PS-02 20 having separate constitution thereby creating opportunities for people belonging to various religions to live unitedly but at the same time, enjoying complete autonomy in areas where they were in a majority. The Plan had two sides- one pertaining to future political set-up of India and the second relating to the establishment of an immediate Indian Interim Government. The Cabinet Mission was against giving the Muslims a separate state. It also envisaged that the constitution of the Union and the Groups could have a provision whereby any Province, by a majority vote in the Legislature, could call for a reconsideration of the terms of the constitution after an initial period of ten years and thereafter at ten-year interval. The Muslim League accepted both the two parts of the Plan while the Indian National Congress accepted only the long-term programmes. As a result, the Muslim League rejected the Plan wholesale and declared that it would depend on direct action to achieve its demands. Meanwhile, the elections in the British Indian Provinces were held and the Provincial autonomy scheme of the Constitution Act, 1935 was given effect to. But the issue of forming an Interim Government at the Centre still remained unresolved. The Cabinet Mission Plan was praised and it was seen as an opportunity to reconcile the stands taken by the Congress and the Muslim League. It upheld the long-standing demand of the Indians for establishing a Constituent Assembly. Congress was elated for the fact that the Plan rejected the demand for a separate Muslim State. Muslim League was happy for the fact that the provision of grouping of Provinces coupled with the requirement of a majority of all religious communities for settlement of all major communal issues. But it cannot be denied that this Plan also led to the passage of the Mountbatten Plan and thereafter the Indian Independence Act of 1947 leading to the partition of India.

1.21 Formation of Interim Government The direct action programme announced by the Muslim League hampered Lord Wavell's efforts to bring the rival political parties to some agreement. Communal tensions gripped the country and communal disturbances spread like a violent conflagration. In the midst of such disturbances, Lord Wavell invited Nehru to

NSOU ? CC-PS-02 21 consider the proposals for the formation of Interim Government at the Centre and fortunately the discussions led to the formation of an Interim Government on 2 nd of September, 1946.

1.22 Mountbatten Plan Events in India were moving so fast and dangerously that it was felt both in India and England that unless immediate action was taken, things could go out of hands. The British Government replaced Wavell by Lord Mountbatten as the new Governor-General of India. On 20 th February, 1947, the British Government made a historic announcement of transferring power to responsible Indian hands not later than June, 1948. Lord Mountbatten, the new Governor-General, plunged into action and started negotiating with the leaders of various political parties. He came to the conclusion that the only solution to the ongoing communal violence and bloodshed was to transfer power in the hands of the Indians. With a view to transferring power and accommodating the interests of the two leading religious communities, Mountbatten devised a plan for partition of the country-India and Pakistan. It was according to the Plan that Punjab and Bengal were also partitioned between the two new nations of India and Pakistan and the Plan was accepted by both the two leading political

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parties- The Indian National Congress and the Muslim League. 1.23 The

Indian Independence Act, 1947 The decision to transfer power was announced by the British Parliament in June, 1947 and

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accordingly the Indian Independence Act was passed providing for the setting up of two Dominions- the Dominion of India and

the Dominion of Pakistan on August 15, 1947. As a result, on the historic day of 15 th August, two Dominions of India and Pakistan were born. Main features of the Indian Independence Act, 1947 : a. This Act fixed 15 th August, 1947 for setting up of the two Dominions. b. The Legislatures of the two Dominions were given complete authority to legislate laws which would have extra-territorial jurisdiction.

NSOU ? CC-PS-02 22 c. The British Government was to have no have no control over the affairs of the Dominions after 15 th August, 1947. d.

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The Act made the existing Constituent Assemblies the legislatures for the Dominions for the time being. The

Assemblies were empowered to exercise all powers exercised earlier by the Central Legislatures, in addition to its power to frame a new constitution. e. Until a new constitution was framed, each of the Dominion and all the Provinces were to be governed as per the provisions of the Government of India Act, 1935. Each Dominion was empowered to make amendments to the Act as per the Indian Independence Act, 1947. f. The Governor-General was authorized to modify the Government of India Act, 1935 as would be necessary till March, 1948 after which it was the Constituent Assembly which had the power to modify or adapt the same Act. g. The power of the King to veto laws or to reserve laws for his pleasure was done away with and this power was given to the Governor-General. h. The Act terminated the authority of the Crown over the Indian states. All treaties, agreements and functions exercisable by his Majesty with regard to the states and their rulers were made to lapse from 15 th August, 1947. i. Agreements with the tribal population of the North-Western Frontier Province of India were to be sorted out by the successor Dominion. j. The office of the Secretary of State was to be done away with and his functions were to be transferred to the Secretary of State for Commonwealth Affairs. k. The title of "Emperor of India" was to be dropped from the Royal style and titles of the King of England. l. It was decided that there shall be a Governor-General for each of the Dominions who would be appointed by His Majesty and would represent

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His Majesty for the purposes of the government of the

Dominions. m. The Act laid down temporary provisions for the Government of the Dominions by giving the two Constituent Assemblies the status of Parliament with full powers of Dominion legislatures.

NSOU ? CC-PS-02 23 The Indian Independence Act, 1947 freed India from the clutches of the British colonial rulers and gave freedom but at the cost of partition. Two independent and separate countries- Pakistan and India were born on 14 th and 15 th August of 1947 respectively. India became an independent and sovereign country. The first Prime Minister of Independent India, Pt. Jawaharlal Nehru observed, "At the stroke of midnight hour, when the world sleeps, India will awake to life and freedom...." The Constituent Assembly started working on the drafting of a Constitution for free India since 9 th December, 1946. After working for almost three years, the Constituent Assembly came out with a Constitution on 26 th November, 1949 and the same was given effect to from 26 th January, 1950 declaring India a Sovereign, Democratic Republic and electing Dr. Rajendra Prasad as the first President of India (26 th January 1950- 13 th May, 1962).

1.24 Conclusion The constitution of India is a product of the freedom movement of the people of India against the British colonial rulers. As the freedom struggle intensified, the British colonial rulers started enacting various laws paving the way for formulating a constitution for free India. Unfortunately for the people of India, the British colonial rulers divided the country on religious lines- India and Pakistan, the roots of which are to be found in the laws enacted by the British Parliament, particularly the laws of 1909 and 1919. The British rulers were forced, both by the peaceful agitations and armed uprisings resorted to by the Indian people, to choose the legislative route to ensure a Constitution for the Indians of their own choice but it was done at the cost of the partition of the country.

1.25 Summing up ? Under pressure from the Indians, the British rulers enacted various laws towards gradually giving the Indians the opportunity to be part of the colonial administration and ultimately the right to frame their own constitution on achieving independence. ? Both the Indian National Congress and the Muslim League reacted to these laws in their own way keeping their own interests in mind.

NSOU ? CC-PS-02 24 ? The British rulers sowed the seeds of communal disharmony among the Hindus and the Muslims through 1909 and 1919 Acts which ultimately led to the partition of India into two separate and independent countries – India and Pakistan. ? After partition, both the two countries constituted their own Constituent Assembly to frame the constitution of their choice. 1.26 Probable Questions Essay Type Questions : 1. Write a note on the historical background of the Indian Constitution. 2. Discuss the Government of India Act, 1935. 3. Analyse the Nehru Report. 4. Evaluate Jinnah’s Fourteen Points. 5. Briefly analyse the Indian Independence Act, 1947. Long Questions : 1. Discuss the Government of India Act, 1919. 2. Discuss the Simon Commission Report. 3. Discuss the important features of the Cripps Mission. Short Questions : 1. What is Regulating Act of 1773? 2. What do you know about Pitt’s India Act, 1784? 3. What is Charter Act of 1833? 4. What is Mountbatten Plan? 5. What is Simla Conference all about? 1.27 Further Readings 1.

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NSOU ? CC-PS-02 26 Unit 2 ?The Preamble Structure 2.1 Objectives 2.2 Introduction 2.3 The Preamble 2.4 Key concepts of the Preamble and their elucidation 2.5 Nature of the Preamble 2.6 Significance of the Preamble 2.7 Can the Preamble be amended? 2.8 Conclusion 2.9 Summing up 2.10 Probable Questions 2.11 Further Readings 2.1 Objectives ? To discuss the Preamble proper and the ideals contained in the Preamble as the philosophy of the constitution. ? To analyse the nature and significance of the Preamble. ? To deal with the question of amendability of the Preamble. 2.2 Introduction The Constitution of every country has a philosophy. This philosophy includes those ideals or policies on which is based the Constitution. Jawaharlal Nehru’s ‘Objectives Resolution’ helps us understand the philosophy of the Indian Constitution. Nehru placed these resolutions before the Constituent Assembly on 23rd December, 1946 and they were adopted in an amended form on 22 nd January, 1947. These resolutions declared India as an “Independent Sovereign Republic”. Indian people

NSOU ? CC-PS-02 27 were described as the source of all power and authority. In addition, social, economic and political justice, equal status and opportunities, equality before law, freedom of expression, faith, and religion and adequate provisions for the preservation of the interests of the SCs and STs were included in the resolutions. Nehru’s ‘Objectives Resolution’also incorporated ideals like the integrity of the territory of the Republic, promotion of world peace and the welfare of mankind.

The preamble of the Indian constitution has given an important place to the ‘Objectives Resolution’ of Nehru. 2.3

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The Preamble "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 the individual 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." 2.4

Key concepts of the Preamble

and their elucidation 1. Sovereign 2. Socialist 3. Secular 4. Democratic 5. Republic 6. Justice 7. Liberty NSOU ? CC-PS-02 28 8. Equality 9. Fraternity 1. Sovereign This

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word implies that India is neither a dependence nor a dominion of any other nation but an independent state. There is no authority above it, and it is free to conduct its own affairs (both internal and external).

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Being a sovereign state, India can either acquire a foreign territory or cede a part of its territory in favour of a foreign state. 2. Socialist Even before the term was added by the 42nd Amendment in 1976, the Constitution had a socialist content in the form of certain Directive Principles of State Policy.

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Notably, the Indian brand of socialism is a 'democratic socialism' and not a 'communistic socialism' (also known as 'state socialism') which involves the nationalization of all means of production and distribution and the abolition of private property. Democratic socialism, on the other hand, holds faith in a 'mixed economy' where both public and private sectors co-exist side by side'. As the Supreme Court says, 'Democratic socialism aims to end poverty, ignorance, disease and inequality of opportunity. Indian socialism is a blend of Marxism and Gandhism, leaning heavily towards Gandhian socialism'. 3.

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Secular The term 'secular' too was added by the 42nd Constitutional Amendment Act of 1976. However, as the Supreme Court said in 1974, although words 'secular state' is not mentioned in the Constitution, there can be no doubt that

Constitution-makers

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wanted to establish such a state and accordingly Articles 25 to 28 (guaranteeing the fundamental rights to freedom of religion) have been included in the constitution. The Indian Constitution embodies the positive concept of secularism i.e., all religions in our country (irrespective of their strength) have the same status and support from the state. 4. Democratic A democratic polity, as stipulated in the Preamble, is based on the doctrine of popular sovereignty, that is, possession of supreme power by the people.

NSOU ? CC-PS-02 29 The Indian Constitution provides for the

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representative parliamentary democracy under which the executive is responsible to the legislature for all its policies and actions. Universal adult franchise, periodic elections, rule of law, independence of judiciary, and absence of discrimination on certain grounds are the manifestations of the democratic character of the Indian polity. The term 'democratic' is used in the Preamble in the broader sense embracing not only political democracy but also social and economic democracy. 5.

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Republic A democratic polity can be classified into two categories—monarchy and republic. In a monarchy, the head of the state (usually King or Queen) enjoys a hereditary position, that is, he comes into office through succession

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Britain. In a republic, on the other hand, the head of the state is always elected directly or indirectly for a fixed period

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USA. Therefore, the term 'republic' in our Preamble indicates that India has an elected head called the President. He is elected indirectly for a fixed period of five years. 6.

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Justice The term 'justice' in the Preamble embraces three distinct forms—social, economic and political, secured through various provisions of Fundamental Rights and Directive Principles. Social justice denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means

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absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward

sections of society like the SCs, the STs, the OBCs and the Women. 7.

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Liberty The term 'liberty' means the absence of restraints on the activities of individuals, and at the same time, providing opportunities for the development of individual personalities. The Preamble secures to all citizens of India liberty of thought, expression, belief, faith and worship, through their Fundamental Rights, enforceable in court of law, in case of violation. Liberty as elaborated in the Preamble is very essential for the successful functioning of the Indian democratic system. However, liberty does not mean NSOU ? CC-PS-02 30 'license' to do what one likes, and has to be enjoyed within the limitations mentioned in the Constitution itself. In brief, the liberty conceived by the Preamble or fundamental rights is not absolute but qualified. 8.

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Equality The term 'equality' means the absence of special privileges to any section of the society, and the provision of adequate opportunities for all individuals without any discrimination. The Preamble secures to all citizens of India equality of status and opportunity. This provision embraces three dimensions of equality—civic, political and economic. 9.

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Fraternity Fraternity means a sense of brotherhood. The Constitution promotes this feeling of fraternity by the system of single citizenship. Also, the Fundamental Duties (Articles 51-A) say that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, regional or sectional diversities. The Preamble declares that fraternity has to assure two things, the dignity of the individual and the unity and integrity of the nation. The word 'integrity' has been added to the preamble by the 42nd Constitutional Amendment, 1976. 2.5

Nature of the Preamble It should be noted that the first Constitution to have a preamble was that of the United States of America in the year 1787. The other countries having a preamble to their Constitutions include Japan, Ireland, Myanmar, India etc. In India, there is much debate about whether the preamble is the part of the constitution. In Berubari case, the Supreme Court refused to recognize the preamble as part of the Constitution. But in Keshavananda Bharati case, the majority of Judges of the Supreme Court of India, mentioning the debates in the Constituent Assembly, opined that the preamble is very much a part of the Constitution. In fact, in spite of the preamble being an inviolable part of the Constitution, it cannot be considered to be the source of power as well as it cannot impose NSOU ? CC-PS-02 31 restrictions on power. In Berubari case in 1960 and in Indira Gandhi vs. Rajnarayan judgement in 1975,

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the Supreme Court Judges opined that the preamble is a part of the constitution but it is not a part of the effective part of the constitution.

Renowned constitution expert, Dr. Durgadas Basu also agreed with this opinion. Despite being not an effective part of the constitution, it cannot be denied that the preamble helps us get a clear idea about the objectives of the framers of the constitution. Taking part in a debate of the Constituent Assembly, Alladi Krishnaswamy Iyer commented that the preamble is 'a sort of introduction to the Statute'. In Golaknath case in 1967 and in Keshavananda Bharati case, the Supreme Court expressed the similar view. From the above, it can be said that the preamble to the Indian constitution has very little legal importance. Firstly, it is not associated with the effective part of the constitution and secondly, it cannot give legal explanation of the effective part of the constitution. All the functions of the Indian state are conducted and controlled as per the basic part of the constitution. Moreover, if any citizen ignores the ideals and principles of the preamble, the Court has no power to force him or her to follow these ideals and principles.

2.6 Significance of the Preamble Although the Preamble is not a part of the basic constitution, its importance and significance cannot be denied.

1. The Preamble helps in the clarification of any ambiguities relating to any word or sentence of the effective part of the constitution. The Preamble plays a very important role in removing the ambiguities of the constitution.
2. The Preamble acts as a key to opening the mindset of the constitution-makers. In other words, the Preamble helps us understand the objectives and concerns of the makers of the constitution. In Berubari and Golaknath case, the point, that through the Preamble, the aspirations of the constitution-makers have found expression, has been made very clear. While delivering the judgement, the then Chief Justice of Supreme Court commented that the Preamble was, in short, an expression of the "ideas and aspirations" of the constitution.

NSOU ? CC-PS-02 32 3. The Preamble is the philosophical foundation of the constitution. The social, economic and political ideals of the makers of the constitution have got reflected through the Preamble. The Preamble has not only reflected the ideals of popular sovereignty, state sovereignty, democracy, socialism, secularism and republicanism, determination to establish economic and political justice, freedom of expression, faith and belief, equality, fraternalism has also found an important place in the Preamble. Moreover, the Preamble has gone to the extent of declaring establishing a welfare state coupled with democratic socialism in the country. Unity and integrity of the country have also been emphasized on by the Preamble. In this way, the Preamble has, in a nutshell, described the aims and objectives and principles of our constitution. Even, we can know the date of adoption of the constitution and the date from which it came into effect. Subba Rao commented that the ideals and principles, on which our constitution is based, have been given a place of pride in the Preamble.

4. The Preamble is very important not only nationally but also internationally. The majority ruling in the Golaknath case categorically stated that the Parliament has no power to amend the fundamental features enshrined in the Preamble as the edifice of Indian constitution rests on these features. If any one of these features is weakened, the entire structure of the constitution will break down. Internationally, the Preamble plays a very important role as the principle 'Fraternity' acts as the basis of our national and international affairs. Our foreign policy is bound to fail unless bound by fraternity. Article 51 of our constitution has clearly stated the ideals of our foreign policy and for these policies to be realized, we must adopt the ancient Indian principle of "Basudhaiva Kutumbakam". The 'Fraternity' principle must not be confined within the four walls of our national boundary, it must also be extended to the international sphere.
5. The Preamble has immense moral significance. No government can ignore the principles and ideals embedded in the Preambles that will spell political doom for the party in power. Hence, it is considered to be a moral duty of any government to implement these ideals and principles contained in the Preamble. Considering

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the importance of the Preamble, Thakurdas Bhargav said that the Preamble is "the most precious part of the constitution". It is the 'soul' of the NSOU ? CC-PS-02 33 constitution, a key to understand the

essence of the constitution. Bhargav considered the Preamble as "a jewel set in the constitution" and "superb prose-poem". Dr. Dhirendranath Sen went to the extent of calling the Preamble as a "solemn resolve". He criticized the Preamble as nothing more than a law serving the interests of the capitalist class. So, it must be kept in mind that what is important is not the ideals and principles enshrined in the Preamble, but its class-character. Any Preamble should be analysed in terms of the criterion of political power of the class concerned.

2.7 Can the Preamble be amended? There is much disagreement

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as regards whether the Preamble can be amended under Article 368 of the constitution.

Even the Supreme Court judgements in various cases at different times are not similar. The reason for this may be due to the fact that the Preamble is not related to the effective part of the constitution and thus, it has no legal value. Whether the Preamble is amendable under Article 368 came to be discussed by the Supreme Court first in the Keshavananda Bharati vs the State of Kerala case in 1973. The petitioners claimed that the power to amend the constitution under Article 368 was not unlimited and an implied limitation has been imposed by the Preamble on this power of the Parliament as

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the basic elements or the fundamental features of the constitution have been codified in the Preamble.

These features cannot be changed by amendment of the constitution. In addition, as the Preamble is not a part of the constitution, it cannot be amended with the help of Article 368 as this Article can be used only to amend the constitution. The Supreme Court gave this ruling in Berubari case in 1960. But in Keshavananda Bharati case in 1973, the Supreme Court was of the view that as the Preamble is very much a part of the constitution, it can be amended by Article 368. But it should be kept in mind that the majority of the judges in this case opined that certain conditions must be followed while amending the Preamble. They said that the Preamble could be amended by applying Article 368 but the basic features contained in the Preamble could not be amended under any circumstances as our constitutional edifice was grounded on these basic features. So the judgement of the

NSOU ? CC-PS-02 34 Keashavananda Bharati case made it clear that although the Preamble is amendable, the basic structures of the constitution are not. It may be in order to mention that in 1976, constitution was amended and like other parts of the constitution, Preamble was also amended and three words were inserted into the Preamble, namely, 'socialist, 'secularism' and 'integrity'. Nobody objected to these amendments as these were important principles like already-existing ones like 'sovereignty', 'democratic', 'republic', 'social-economic and political justice', 'freedom of expression', 'faith and belief' etc. There was no novelty in inserting these three principles as there were provisions already existing in the constitution relating to these principles as enshrined in the Directive Principles of State Policy and Fundamental rights. They were just explicitly given place in the Preamble. 2.8 Conclusion The Preamble is the cornerstone of the Indian constitution. Although it is not binding on the Government of the day to always act in accordance with the Preamble, it is at its own political risks that the Government can disregard or ignore the principles and ideals enshrined in the Preamble. The Preamble represents the spirit of the Indian political system as a democratic, sovereign, socialist, secular republic. The Preamble has lost much of its sheen due to the policy of liberalization, privatization and globalization initiated since 1991 by the then Congress led Government at the Centre. The ideals enshrined in the Preamble are at odds with the market-oriented principles of governance being resorted to by the rulers of our country. 2.9 Summing up ? Indian Constitution has a highly admired Preamble. ? Preamble of the Indian Constitution has immense political and moral significance. ? Preamble of the Indian Constitution can be amended keeping the basic features of the constitution in mind. ? Preamble of the Indian Constitution acts as a guide for the rulers of the day.

NSOU ? CC-PS-02 35 ? Ideals enshrined in the preamble have lost much of their sheen due to market oriented policies followed by the Governments at the national level since the 1990s of the last century. 2.10 Probable Questions Essay Type Questions : 1. Write a brief note on the Preamble of the Indian Constitution. 2. Analyse the nature and significance of the Preamble. Long Questions : 1. Why is the Preamble considered as the philosophical basis of the Indian constitution? 2. "India is a sovereign, socialist, secular, democratic republic" – Explain. 3. What is the significance of the Preamble of the Indian constitution? 4. Do you think that the Preamble is a part of the constitution? Give reasons for your answer. Short Questions : 1. Why is India called a Republic? 2. Can India be called a Socialist State? 3. Do you think that India is a secular country? 4. What is the importance of the Preamble? 5. What is the Preamble of the Indian Constitution? 2.11 Further Readings 1.

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NSOU ? CC-PS-02 37 Unit 3 ? Features of Constitution Structure 3.1 Objectives 3.2 Introduction 3.3 Salient Features of the Indian Constitution 3.4 Conclusion 3.5 Summing up 3.6 Probable Questions 3.7 Further Readings 3.1 Objectives ? To dwell on the features of the Constitution in some detail. ? To make an assessment of these features. 3.2 Introduction The features of a constitution help us understand the nature or character of the same. The Constitution of India is a unique constitution framed by a Constituent Assembly. The Constituent Assembly took almost three years to frame the constitution after a lot of debates and discussions. It is the largest written democratic constitution of the world and it contains a number of important features which help us understand not only the character of our constitution but also the nature of the Indian political system. Since its inauguration on 26th January 1950, the Constitution of India has more or less successfully influenced the direction and progress of India. 3.3 Salient Features of the Indian Constitution 1) Written constitution – Like the constitutions of various other countries of the world, the constitution of India is also a written one. There were 395 articles and 8

NSOU ? CC-PS-02 38 schedules in the original Indian constitution. Subsequently, as a result of amendment of the constitution, the number of Articles and Schedules got increased. In the present constitution, there are more than 450 Articles and 12 Schedules. The amendments at various times have made the constitution a sizable one which has, in turn, made it a complex constitution too. 2) Unwritten conventions – Though the Indian constitution is written and there is no place for the convention in it, yet these have made their way into it. The conventions and traditions grow automatically and make their entry into the constitutional system. Though these are not recognized by the Courts, yet, these are there and not violated. The constitution of UK has influenced our constitution in this regard. The important conventions of the Indian Constitution are : ? The PM in Lok Sabha and the CMs in the State Legislatures are the leaders of their respective parties. ? Generally, the Speaker of the Lok Sabha belongs to the majority party and Deputy Speaker is chosen from the opposition. ? The President dissolves the Lok Sabha on the recommendation of Prime Minister, etc. 3) Constitution starts with a Preamble – The constitution of India starts with a Preamble. Although the Preamble is not a part of the Constitution, yet through the 42nd Amendment, the Parliament has increased its importance manifold. The Preamble has its own importance, that is why it is variously known as the “mirror of the Constitution”, “soul of the Constitution” or the “key to the constitution”. It includes the objectives and ideals of the Constitution such as Sovereignty, Democracy, Republicanism, Socialism, Secularism Liberty, Equality, and Justice, Fraternity etc. From the Preamble we can know the source of the constitution, date of its adoption etc. 4) Constitution was drawn from various sources – The constitution of India has been drawn from various sources as our objective was not to enact an original

NSOU ? CC-PS-02 39 constitution rather enact a good and workable constitution. The following basic principles were taken from other constitutions such as : 1. Parliamentary form of Government and the Rule of Law from the British Constitution. 2.

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Fundamental Rights from the Constitution of the USA. 3. Directive Principles of State Policy from the Constitution of Ireland. 4.

Federal system of India from the Constitution of Canada. 5. Emergency powers of President from the Constitution of Germany. 5) Rigid as well as a Flexible constitution – The unique feature of the Indian constitution is that it is a mixture of rigidity and flexibility. It is neither as rigid as the constitution of the USA nor as flexible as the constitution of Great Britain. Article 368 Some parts

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of the Constitution can be amended by the Union Parliament by passing a resolution with 2/3rd majority of the members present and voting

like the Fundamental Rights, Directive Principles of State Policy etc. Then, in amending some parts like the election of the President, distribution of powers between the Center and the States etc, support of two-thirds majority is required for passage by the Parliament and then the approval of half of the Legislature of the States is a must. These two methods are proof of the rigidity of the Indian constitution. Besides, there are certain other parts of the constitution which can be amended by the Parliament with a simple majority like the changing of the boundary of a state or changing of the name of a state and the abolition or the creation of the Legislative Council etc. So, the constitution of India is a mixture of rigidity and flexibility. 6) Universal Adult Franchise – India is a democratic state, therefore, the constitution of India, under article 326, provides for universal adult franchise and every citizen, male or female, who is 18 years of age is given the right to vote without making any discrimination on the basis of sex, caste, color, religion, etc. 7) Single Integrated Judicial system – The constitution of India provides for the single integrated judicial system. Unlike other federal countries of the world, in India, there are no separate courts for the states and the union government.

NSOU ? CC-PS-02 40 The entire judicial system of India is organized into a hierarchical order : Supreme Court is

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at the top of the judicial administration. Below that there are High Courts at the state level

and District courts at the district level. All the courts of India are bound to accept the decision of the Supreme Court. 8) Rule of Law – The Constitution of India provides for rule of law for which our constitution is indebted to the Constitution of Britain. The rule of law means that nobody is above law and everybody is equal before the law. 9) Single Citizenship – In some federal States, people enjoy double citizenship. First, they get the citizenship of the State in which they live and then they enjoy the citizenship of the country. This principle of double citizenship has been adopted in federal States like the USA, Canada, etc. But in India there is single citizenship. A person may be living in any State but he is a citizen only of India. 10) Hindi to be the official language of the Union Government – The Constitution of India has given recognition to 22 regional languages and to promote unity and mutual cooperation among the people speaking different regional languages, Article 343

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states, 'The official language of the Union shall be Hindi in Devnagri Script.' 11)

Independent Judiciary – The Constitution of India makes provisions for the independence of the Judiciary because only an independent Judiciary can safeguard the rights and liberties of the people, and can protect the supremacy of the Constitution. To make the Judiciary independent, the following provisions have been made : 1. An impartial method has been adopted for the appointment of the Judges. 2. Provisions have been made for long tenure of the Judges. Judges of the Supreme Court work till the age of 65 and the Judges of the High Courts can be in service till the age of 62. 3. No Judge can be removed except on grounds of proved 'misbehavior' and 'incapacity' 4. No question can be asked in the Parliament relating to the reasonability of the rulings of the Judges. NSOU ? CC-PS-02 41 5. No Judge can act as a lawyer in any court after retirement. 6. The salary and allowances of the Judges cannot be reduced generally during their office. But the sad fact is that many Judges in our country don't hesitate to become pro- government of the day in order to have plum posting after retirement. Corruption has also made its presence felt in the Judiciary. 12) Secular State – The Constitution of India has declared India to be a secular State and

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the word 'secular' was inserted into the Preamble of the Constitution through the 42nd amendment of

the Constitution made in the year 1976. But this does not mean that India was not secular before 1976. India was secular even before 1976 because the Right to Religious Freedom was in existence in the Constitution since the very beginning. Every citizen is free to profess, practice and propagate the religion of his or her choice. But it has also been directed by the Constitution that

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no religious instruction shall be provided in any educational institution wholly maintained by State funds.

Also, no tax can be imposed by the State in the name of religion. No discrimination will be allowed to be made while making an appointment in higher offices, rather appointments are to be made on the basis of required qualifications. 13) Special provisions for the protection of the interests of the Scheduled Castes, Scheduled Tribes and Backward Classes and Minorities – The Constitution of India has made special provisions for the protection of the interests of Scheduled castes, Scheduled Tribes, Backward Classes, and the Minorities. According to the Constitution, everybody is given the right to equality. Untouchability has been prohibited and practice of it in any form is declared a crime and punishable under the law. Provisions are also there for

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the reservation of seats for Scheduled Castes in Lok Sabha, State Legislative Assemblies and

Local Self-Governments. Special provisions have been made for the protection of the interests of minorities under Articles 29 and 30 of the Constitution.

NSOU ? CC-PS-02 42 14) Fundamental Rights – Rights are essential for the development of an individual and to achieve this purpose, Fundamental Rights have been included in Chapter 3 of the Constitution under Articles 12 to 35. Following are the fundamental rights of the Indian citizens : 1.

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Right to Equality 2. Right to Freedom 3. Right against Exploitation 4. Right to Religious Freedom 5. Cultural and Educational Rights 6. Right to Constitutional Remedies 15)

Directive Principles of State Policy –
Articles 36 to 51

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of the constitution deal with the Directive Principles of State Policy and the

constitution makers were inspired by the Constitution of Ireland in this regard. These principles are considered to be the guiding principles for the Government to make India a welfare state. Directive Principles concerning social ideals, legal and executive reforms and international relations are also of great importance. But we must remember that these principles

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are not enforceable by the Courts but these principles are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws.

So, these principles have moral importance to the Government and it is morally bound to fulfill these principles. In case of failure to implement these principles, the Government may have to pay a heavy political price too. 16) Balancing between the supremacy of the Judiciary and the sovereignty of the Parliament – One of the important features of the Indian Constitution is to make a balance between the supremacy of the Judiciary and the Parliamentary sovereignty. In the USA, the Supreme Court is guided by the 'due process of law' principle and hence it can declare any law passed by the Congress as null and void if such law is found to be unconstitutional or is against natural justice. But in India, the Supreme Court can consider any law passed by the Indian Parliament on the basis of the principle of 'procedure established by law', that is, it can declare any law as null and void only in case such law is not passed in accordance with the rightful procedure.

NSOU ? CC-PS-02 43 It cannot nullify any law on the ground of its being anti-natural justice. On the other hand, the Indian Parliament can override any ruling of the Supreme Court by amending the Constitution. It may be mentioned that in 1986, the government headed by Rajiv Gandhi passed a law for overriding the ruling of the Supreme Court in the Shahbanu case. Earlier, by amending the Constitution (24 th and 25 th amendment acts), the then government made the ruling of

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the Supreme Court in Golaknath case ineffective. In Keshavananda Bharati case, the Supreme Court ruled that the Parliament

has no power to amend the 'basic structure' of the constitution.

But the then Government headed by Indira Gandhi passed the 42 nd Constitution Amendment Act and brought the matter of constitution amendment outside the purview of the consideration of the Supreme Court. In 1980 Minarva Mills Case, the Supreme Court nullified those parts of the 42 nd Amendment Act. Thus, a tug of war continues between the Supreme Court and the Parliament around the issue of supremacy. This is also a fact that the Supreme Court, many a time, asserted itself and acted independently leading to the emergence of 'Judicial Activism' which has become a debatable point in Indian politics. 16) Federal in form but Unitary in nature – Indian constitution is regarded as a mixture of both Federalism and Unitarianism. Features of federalism exist in India like

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the distribution of powers between the Center and the States by the constitution, existence of a

written and rigid constitution and the presence of a Federal Court, that is, the Supreme Court. So far as centralizing tendencies are concerned, the Central Government can issue directions to the States, the President can impose President's rule in any State, the prevalence of the Central legislation over the State legislation in case of a conflict between the two. Centralization may also occur through the power of the Central Government to utilize the 'Grants-in-Aid' as per its preferences. K.C.Wheare has described the Indian constitution as 'quasi-federal'. 17) Fundamental Duties of the citizens- Although the original constitution had no provision for fundamental duties, 42 nd Constitution Amendment Act passed in 1976 has added 10 fundamental duties for the citizens of India by inserting IV-A in the fourth part of the constitution. Later, one more fundamental duty has been added and presently, there are 11 fundamental duties in our constitution. 18) Provisions for emergency powers of the President – To meet emergency situations, the President of India has been given three types of emergency powers and NSOU ? CC-PS-02 44 they are there in the 18 th part of the constitution. President has emergency powers relating to 1. National Emergency (Article 352) 2. President's rule in the states

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in case the administration of a State cannot be carried on in accordance with the constitution (Article 356) (

Constitutional Failure). 3. Financial Emergency (Article 360). It should be remembered that the President cannot declare any type of emergency without

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the approval of the Council-of-Ministers headed by the Prime Minister. 19)

Pacifism – In the Indian constitution, emphasis has been put on the establishment of world peace and fraternalism in the international sphere. Article 51 has clearly stated this position of the Indian Government. This craving for peace is most evident in the foreign policy of the Indian State. Author like A.R.Desai does not agree with this formulation. According to him, being a capitalist country, India is more inclined towards the capitalist world but the reason for India seeking world peace is that India is economically and militarily weak. 20) Special status for Jammu and Kashmir – Through Article 370, J&K was given special status under which Jammu and Kashmir would enjoy certain privileges like having a constitution of its own and autonomy in some other spheres. This made the State a bone of contention to many. The present dispensation at the centre, after coming to power for the second time in 2019, has done away with this special privilege enjoyed by the state of Jammu and Kashmir. 3.4 Conclusion The features of the Indian constitution are innovative in all respects. Through these features, the ideal of individualism had been combined with the ideal of social welfare and efforts were evident in making India a welfare state. But post-economic reforms in the nineties of the last century, the concept of welfare state has taken a back seat and neo-liberal philosophy has been adopted as the guiding principle of governance. As a result, the aims and objectives of the Indian State have got changed from being a welfare State to a minimal State in keeping with the dictates of the International Financial Organizations.

NSOU ? CC-PS-02 45 3.5 Summing up ? Indian Constitution is the largest written Constitution of the World and as such, contains so many important features. ? Understanding these features is very crucial for knowing not only the character of our constitution but also the nature of the Indian political system. ? The features of the Indian Constitution are innovative in many respects. ? These features have combined the ideal of Individualism with the ideal of Collective Welfare. ? Due to adoption of principles like Liberalization, Privatization and Globalization, many features of the Indian Constitution have lost their earlier importance. 3.6 Sample Questions Essay Type Questions : 1. Discuss the features of the Indian Constitution. 2. Discuss how a balance has been made between the supremacy of the Judiciary and the sovereignty of the Parliament in India. 3. Write a note on the independence of the Indian Judiciary. Long Questions : 1. Why is the constitution of India called a mixture of both rigidity and flexibility? 2. What are the emergency powers of the President of India? 3. What do you mean by integrated judicial system in India? Short Questions : 1. What is rule of law? 2. How many fundamental rights are there in the Indian constitution? 3. Why is India called a secular state? 4. What is single citizenship? 5. What is universal adult franchise?

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NSOU ? CC-PS-02 47 Unit 4 ?Fundamental Rights Structure 4.1 Objectives 4.2 Introduction 4.3

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Important features of the Fundamental Rights 4.4 Amendability of the Fundamental Rights 4.5 Fundamental Rights (Right to Equality, Articles 14-18) 4.6 Right to Freedom (Articles 19-22) 4.7

Restrictions on the

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Right to Freedom 4.8 Right Against Exploitation (Articles 23-24) 4.9 Right to Freedom of Religion (Articles 25-28) 4.10 Cultural and Educational Rights (Articles 29-30) 4.11 Right to Constitutional Remedies (Article 32) 4.12

Writs 4.13 Suspension of Fundamental Rights 4.14 Conclusion 4.15 Summing up 4.16 Probable Questions 4.17 Further Readings 4.1 Objectives ? To discuss the important features and amendability of the Fundamental Rights. ? To study the Fundamental Rights as enshrined in various Articles. ? To dwell on the Writs issued by the Courts (Supreme Court and High Courts) to protect the Fundamental Rights of the citizens. ? To highlight the circumstances under which Fundamental Rights can be suspended.

NSOU ? CC-PS-02 48 4.2 Introduction In any democratic set-up, fundamental rights are a must for the citizens. It is due to the fundamental rights that the individuals are able to develop their personalities to the full. Like many constitutions of other countries of the world, Indian constitution has provided the Indian citizens with some fundamental rights. The Constituent Assembly set up many committees for constitution making and one committee headed by Sardar Patel was entrusted with the stupendous task of dealing with the fundamental rights of the citizens. After much discussions and deliberations, the committee came to identify the essential rights for the citizens of India making them enforceable in courts. Fundamental rights have been highly praised and their importance highlighted. They have been called, "conscience of the constitution" and the very "soul of the constitution".

4.3 Important features of the Fundamental Rights ? Fundamental rights are different from ordinary legal rights in the manner in which they are enforced. If a legal right is violated, the aggrieved person cannot directly approach the SC bypassing the lower courts. He or she should first approach the lower courts. ? All the fundamental rights are available to the citizens, while persons other than citizens residing in India are entitled to enjoy some fundamental rights. ? Fundamental rights are not absolute rights. They have reasonable restrictions which means they are subject to the conditions of state security, public morality and decency and friendly relations with foreign countries. ? They are justiciable, implying they are enforceable by courts under Articles 32 and 226. People can approach the Supreme Court directly in case of violation of fundamental rights. High courts can also be approached through Article 226. ? Fundamental rights can be amended by the Parliament by a constitutional amendment but only if the amendment does not alter the basic structure of the Constitution.

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Fundamental rights can be suspended during a national emergency. But, the rights guaranteed under Articles 20 and 21 cannot be suspended. ?

The application of fundamental rights can be restricted in an area which has been placed under martial law or military rule. ? Fundamental rights can be classified into two types-Positive and Negative. Some fundamental rights like Article 14, 15(1), 16(2), 18(1), 20, 21, 22(1), and 28(1) impose restrictions on the state from doing something. On the other hand, Articles 19(1), 25, 29(1), and 30 (1) are positive fundamental rights in the sense that they direct the state to perform certain functions. Former Chief Justice of India, Justice P.B.Gajendragadkar went to the extent of saying that, "a legally enforceable right governing the relations between the state and citizens has both a negative and positive aspect. It must, as the words indicate, be fundamental. It does not mean a right of liberty permissible under law: it also means a Right to Liberty in a positive sense which enables an individual to develop his personality and his faculties and to live his life in his own interest and in the interests of the community as a whole." ? Fundamental rights are not only binding on the state and its agencies but also on the individuals and organizations. If untouchability or any other discrimination is practiced by any person then he or she is subjected to punishment under the law ? Certain fundamental rights are there which are available against private individuals like Article 15 (2), Article 17, Article 18 (3)-(4), Article 23 and Article 24. ? Another important feature of the fundamental rights is that the Right to Property, which was a fundamental right, has been taken away from the chapter of the fundamental rights by the 44 th constitution amendment act, 1978 and it has been made a legal right under Article 300A which says, "

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No person shall be deprived of his property save by authority of law." 4.4

Amendability of the Fundamental Rights The fundamental Rights are a bulwork against the State interference as well as individual infringement of fundamental rights. Still, the question of amenability of the fundamental rights takes us to the point whether the fundamental rights can be amended

NSOU ? CC-PS-02 50 under Article 368. Till the time Golaknath case was not there, it was the general view that no part of the constitution is immune from amendment and the Parliament can amend any part of the constitution taking advantage of Article 368. But in Golaknath case of 1967 it was upheld by the Supreme Court that fundamental rights as enshrined in Part-III of the constitution cannot be amended by any authority as the fundamental rights have been given a transcendental position by the constitution. To override this judgement, Parliament passed the 24 th Amendment Act in 1971 and made the fundamental rights amendable in accordance with the procedure of Article 368. In the case of Keshavananda Bharati v. State of Kerala, the opinion of the Supreme Court may be expressed in a nutshell: 1) Golak Nath's case is

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overruled; 2) Article 368 does not enable Parliament to alter the basic structure of the Constitution; 3) The 24th Constitution Amendment Act, 1971 is valid. 4.5

Fundamental Rights
Right to Equality (Articles 14 to 18) Article 14 states, "

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The state shall not deny any person equality before law or equal protection of the laws within the territory of India." This

is both a negative and positive fundamental right. The positive side relates to the equal protection of all persons under equal circumstances and the negative side relates to the expression equality before law which implies the absence of privilege or favour towards any individual irrespective of his status or rank. Equality before law means that among equals, the law should be equal and the like should be treated alike. The Supreme Court of India, while interpreting the ambit of Article 14, upheld that a. Equal protection means equal protection under equal conditions b. The state can make reasonable classification for purposes of making laws c. Presumption of reasonableness is for legislation d. The burden of proof is on those who will prefer to challenge the laws However, there are some exceptions in Article 14 which are as follows : i. The President or the Governor of a state shall be exempted from being

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answerable to any court for the exercise and performance of the powers and NSOU ? CC-PS-02 51 functions of their office or any act done or to be done in the exercise of their powers and

functions ii. No criminal proceedings can be initiated against

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the President or the Governor of a state in any court during his/her term of office. iii. No

civil proceedings can be initiated against the President or a Governor of a state when he or she is in office relating to any act done or to be done in exercise of his or her powers and functions. Article 15 :

Article 15 states that 1.

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the state shall not discriminate against any citizen on grounds only of religion, caste, sex, place of birth, or any of them

and 2. Any citizen would not

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be subject to any disability, liability, restriction, or condition with regard to a. Access to shops, public restaurants, hotels, places of public entertainment or the use of Wells, Tanks, Bathing Ghats, Roads

and

Places of public Resorts maintained wholly or partially by

the state fund or dedicated to the use by the people. However, there are four exceptions. These are— 1. Nothing in this

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Article shall prevent the state from making any special provisions for the

women and the children. 2. Nothing in this

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Article shall prevent the State from making any special provision for the advancement of the socially and educationally backward classes of people or for the

people belonging to Scheduled Castes or Scheduled Tribes. 3. This clause was added by 93rd Amendment Act, 2005. It empowers the State to make special provisions for the above mentioned classes regarding their admission to private educational institutions. 4. This clause was added by 103rd Amendment Act, 2019. It states that nothing in Art. 15 shall prevent

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the State from making any special provision for the advancement of any economically weaker sections of citizens,

other than the classes mentioned in clauses (4) and (5).

NSOU ? CC-PS-02 52 Article 16 :

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Article 16 stipulates that, 1. There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. 2. No citizen shall, on grounds of religion, race, caste, sex, descent, place of birth or

any of them,

be ineligible for

any office under the State. There are certain exceptions in Article 16 regarding public employment : a. Parliament may lay down the condition of residence within the State for employment [(Article 16 (3)) b. The State may reserve any post

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or appointment in favour of any backward classes of citizens who, in the view of the State, are not adequately represented in the services under the State (Article 16 (4))

c. Offices related to a religious or denominated institution may be reserved for members professing the particular denomination to which the institution relates [(Article 16 (5)) d.

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The claims of the people belonging to Scheduled Castes or Tribes shall be taken into consideration in matters of appointment to services and posts

under the Union and the States in keeping with the maintenance of efficiency in the administration (Article 335) Art 16(6) was added by 103rd Amendment Act, 2019. It states, "Nothing in this article shall prevent the State from making any

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provision for the reservation of appointments or posts in favour of any economically weaker sections of citizens

other than the classes mentioned in clause (4)." Article 17 : Article 17 states that, "Untouchability is

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abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law."

This particular Article has to be read along with Article 35 which confers on the Parliament the power to make laws for prescribing punishments for offences as mentioned in Part-III of the constitution. Acting on this provision, the Parliament NSOU ? CC-PS-02 53 passed the Untouchability (Offences) Act 1955 which was later amended in 1977 and renamed as the Protection of Civil Rights Act, 1955. The Act recommended certain acts of untouchability as offences : 1. Refusing admission any person to public institutions, such as Hospitals, Dispensary, Educational Institutions; 2. Preventing any person to from worshipping or offering prayers in any place or public worship; 3. Subjecting any person

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to any disability with regard to access to any shop, public restaurant, hotel, or

public entertainment or with regard to the use of any reservoir, tap or other sources of water, road, cremation ground or any other place where services are rendered to the public. The scope of the Act was further widened in 1976 following an amendment. The various aspects of the amendment are : 1. Insulting anybody belonging to Scheduled Caste or Scheduled Tribe community on the ground of untouchability 2. Preaching untouchability, directly or indirectly 3. Justifying untouchability on historical, philosophical or religious grounds or on grounds of religious tradition. Article 18 : Article 18 of the Indian constitution abolishes the use any sort of titles which were conferred by the British rulers when India was under their subjugation.

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The Article enshrines : 6. No title, not being a military or academic distinction, shall be conferred by the State 7.

No citizen of India shall accept any title from any foreign State 8. No person who is not a citizen of India shall accept without the consent of the President

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any title from any foreign State 9. No person holding any office of profit or trust under the State shall, without the consent of the President,

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accept any present, emolument, or office of any kind from or under any foreign State. The constitution of

India seeks to prevent such abuse of titles by prohibiting the NSOU ? CC-PS-02 54 State from conferring any title at all as such abuse creates artificial distinctions in society. The State is allowed to confer military or academic distinctions and it can also confer awards or distinctions for excellence in social, cultural, public service or extra-ordinary services leading to achievement in art, literature and science, like Bharat Ratna, Padma Vibhushan, Padma Bhushan and Padma Shri, which cannot be used as titles. 4.6 Right to Freedom (Articles 19-22) Right to Freedom in the Indian constitution consists of four Articles, Article 19, 20, 21 and 22. Article 19 has given us several rights. They are : e.

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Right to freedom of speech and expression f. Right to assemble peacefully and without arms g. Right to form associations or unions h. Right to move freely throughout the territory of India i. Right to reside and settle in any part of the territory of India j. Right to practice any profession, or to carry on any occupation, trade or business 4.7

Restrictions on the Right to Freedom No freedom can be unrestricted. Therefore, to strike a balance between individual freedom and public order, reasonable restrictions have been imposed under Article 19 in the sub-clauses (2) to (6). The grounds of restrictions can be Public Order or Morality, Sovereignty and Integrity of India, the Security of the State, and Friendly relations with foreign Nations etc. For example, the rights of a non- ST citizen can be restricted in an area exclusively inhabited by the Scheduled Tribes. The freedoms guaranteed by Article 19 are sought to be protected further by Articles 20, 21 and 22. NSOU ? CC-PS-02 55 Protection in respect of conviction of offences. Article 20 protects us from conviction in respect of certain offences. The Article states : 10.

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No person shall be convicted of any offence except for violation of

existing laws. 11.

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No person shall be prosecuted and punished for the same offence more than once. 12. No person accused of any offence shall be compelled to be a witness against himself. Protection of Life and Personal Liberty. Article 21

provides for protection

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and personal liberty. It says, "No person shall be deprived of his life or personal liberty except according to procedure established by law."

Subsequent judicial pronouncements and interpretations have broadened the scope of Article 21 to include within it a number of rights like livelihood, clean environment, good health, speedy trial and humanitarian treatment for those who are behind the bar. Right to Education. The right to education at the elementary level has been made one of the fundamental rights under Article 21 A by the 86 th Constitution Amendment Act, 2002.

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The newly added Article 21 reads thus, "The State shall provide free and compulsory education

of

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children of the age of six to fourteen years in such manner as the State may, by law, determine."

Protection against Arbitrary Arrest and Detention. Article 22

provides specific rights to arrested and detained persons: 13. The arrested person must be informed about the ground of arrest. 14. The arrested person must be allowed to consult a lawyer of his or her own choice. 15.

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The arrested person must be produced before nearest Magistrate within 24 hours of arrest and the

freedom not to be detained beyond that period without an order of the Magistrate. The above safeguards are not allowed to

be enjoyed by a. an enemy alien 2. A person arrested or detained under a law permitting preventive detention. Article 22 provides for what the State can do in case a person is detained under laws relating to preventive detention: NSOU ? CC-PS-02 56 1. The State can detain such person without trial for only three months and 2. Any detention for a longer period must be authenticated by the Advisory Board. 3. The person who has been detained will have the right to be informed about the grounds of detention and be allowed to make a representation against detention at the earliest opportunity. Preventive Detention Act was first enacted by the Indian Parliament in the year 1950. Subsequently, this was replaced by Acts like MISA in 1971, COFEPOSA in 1974, NSA in 1980, and ESMA in 1980 and the latest being UAPA. All these laws empower the State to put people under detention. The Preventive Detention Act was challenged in the Gopalan v the State of Madras case, 1950 when the Court went to the extent of observing that Preventive Detention

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could not be challenged on the pretext of violation of fundamental rights

as guaranteed under Article 19. This ruling was overturned in the subsequent Maneka Gandhi's case in 1978. 4.8 Right Against Exploitation (Articles 23 and 24) Articles 23 and Article 24 of the constitution ensure the right of the citizens, particularly of the weaker sections of society, against exploitation by upholding 2.

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Traffic in human beings and begar and similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law 3. Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service, the State shall not make any discrimination on grounds only of religion, race, caste or class of

any of them.

These provisions bear similarity with the 13 th Amendment of the American constitution through which slavery or involuntary servitude was done away with. Indian constitution, in order to make the purview of Article 23 wider, has inserted the term 'traffic in human beings' instead of slavery so that it not only prohibits slavery, but also any kind of traffic in women or children or the crippled for immoral or other purposes. Article 24 states

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that, "No child below the age of fourteen years, shall be NSOU ? CC-PS-02 57 employed to work in any factory or mine or engaged in any other hazardous employment." This Article

can be said to be related to the Directive Principles of State Policy which imposes the duty on the State to ensure universal compulsory and free primary education for children of the age upto 14. 4.9 Right to Freedom of Religion (Articles 25-28) The Preamble of the constitution of India has ideals of secularism inscribed in it. It has described India as a secular State. India has no 'State Religion'. 'Articles 25-28 ensures the religious neutrality and impartiality of the Indian State and also guarantees the minority rights. Article 25 contains the

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freedom of conscience and free profession, practice and propagation of religion.

It states

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that: 3. "Subject to Public order, Morality, Health and to other provisions

of this part,

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all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion. 4.

Nothing in this Article shall affect the operation of any existing law or prevent the State from making any law— a) regulating or restricting

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any economic, financial, political or other secular activity which may be associated with religious practice;

b) providing for social welfare and

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reform or throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.”

However, it must be kept in mind that although this Article has given the right to propagate and spread the tenets of one’s religion, it has prohibited forceful conversion of people belonging to one religion to another religion. The wearing and carrying of kripans by the Sikhs are to be thought of as a part of the profession of the Sikh religion and the sub- clause (b) of (2) refers to Hindus which must include a reference to persons professing religions like Sikhism, Jainism or Budhism and the Hindu religious institutions must be construed as such.

NSOU ? CC-PS-02 58 Article 26 bestows upon the various religious denominations the right to manage their own religious affairs. As per this Article, religious communities shall have the right, subject to public order, morality and health, 1.

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to establish and maintain institutions for religious and charitable purposes; 2. to manage its own affairs in matters of religion; 3. to own and acquire movable and immovable property; and 4. to administer such property in accordance with law. Article 27 is

related to the right with regard

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to payment of taxes for promotion of any particular religion.

According to this article, “

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No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious

denominations.” Article 28 is with reference to

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the freedom as to attendance at religious worship in certain educational institutions. It enshrines; “(1) No religious instructions shall be provided in any educational institution wholly maintained out of State funds. (2)

Nothing in Clause (l) shall apply to

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educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such

situations. (3)

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No person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or

to attend

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any religious worship that may be conducted in such institution or in any premises attached

thereto unless such person or if such person is a minor, his guardian has given his consent thereto." 4.10 Cultural and Educational Rights (Articles 29-30) Indian constitution guarantees cultural and educational rights to the citizens which are very crucial for the preservation of one's language, script or

NSOU ? CC-PS-02 59 culture. Article 29 aims at protecting the interests of the minorities. It goes thus; "(1) Any section of citizens residing in the territory of India or

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any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. (2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds of any religion, race, caste, language

or any one of them."

Article 30 empowers the minorities to establish and administer their own educational institutions and says; (1) "

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All minorities whether based on religion, language shall have the right to establish and administer educational institutions of their choice. (1)

A) In

making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause. (2) The

State shall not, in

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granting aid to educational institutions, discriminate against any educational institution on the ground that it is managed by a minority, whether based on religion or language." 4.11 Right to Constitutional Remedies (

Article 32) A declaration of fundamental rights is of no meaning unless there is an effective machinery for implementation of the rights. For this reason, the framers of our constitution argued for special provisions guaranteeing the right to constitution remedies. Article 32 provides for such right. Article 32 has four sections. The first section is general and says

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that "the right to move the Supreme Court by appropriate proceedings for the enforcement of the rights

conferred by this Part is guaranteed."

NSOU ? CC-PS-02 60 The second section deals, in more specific terms, with the power of

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the Supreme Court to issue writs including writs in the nature of habeas corpus, mandamas, prohibition, quo warranto and certiorari for the enforcement of any rights. The

third section empowers Parliament to confer the power of issuing writs or orders on any other courts without prejudice to the power of issuing writs on any courts. The last section deals with the conditions under which this right can be suspended. Therefore, the Supreme Court has been given the authority to play the role

as

the guarantor and protector of the

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fundamental rights. The power to issue writs for the enforcement of the fundamental rights has been conferred on the Supreme Court (Article 32) and High Courts (

Article 226). Supreme Court can issue writs under Article 32 only for enforcement of fundamental rights whereas the High Courts, acting under Article 226, can issue writs for enforcing fundamental rights as well as for redress of any injury or illegality arising out of violation of ordinary legal rights. It should be noted that the right guaranteed under Article 32 cannot be suspended except during Proclamation of Emergency in the manner laid down by the Constitution (Article 359). 4.12 Writs Habeas Corpus It is a Latin term meaning "to have the body". In India, the court secures the body of a person detained or imprisoned to be brought before it and secure the release of the person from confinement if it is found that there is no ground of detention and hence unlawful. This writ can be issued both by the Supreme Court or High Courts. By issuing this writ, the Court directs the person who has kept another person in detention, to bring the body of the detained person before the court. Mandamas Mandamas means, "We order". It is an order issued by the Supreme Court and High Courts directing a person to perform some public or quasi-public

NSOU ? CC-PS-02 61 duty which he or she has refused to do and there is no legal remedy left for its enforcement. The High Court may refuse to issue Mandamus if there is alternative remedy available for redress of injury. A writ of Mandamus can be issued not only against officers or persons engaged in public duty, but also the government itself. Apart from protecting fundamental rights, the High Courts can issue a writ of Mandamus for purposes of enforcement of the performance of a statutory duty of a public officer conferred upon him by a statute or the constitution itself, to compel a Court or Judicial Tribunal to exercise its jurisdiction which it has failed to do and to direct a public official or the Government not to enforce any law which may be unconstitutional. Prohibition It is a writ issued by the Supreme Court to refrain the lower courts from usurping jurisdiction or overstepping their jurisdiction in any proceedings before it. Prohibition is a writ which warrants inaction when Mandamus wants public officials to act. It is applicable only against a body empowered to exercise public functions of a judicial or quasi-judicial character. Certiorari It is a prerogative writ by which order can be issued for removal of a suit from an inferior court to higher court. By a writ of certiorari, a decision of a lower court or tribunal can be quashed when there is an error of law or the subject is beyond the jurisdiction of the body or it assumes jurisdiction on the basis of a wrong decision or the inferior court or tribunal has violated the principle of natural justice. High Courts can issue this writ and quash the decision of a lower/inferior court while the Supreme Court can issue this writ if some fundamental rights have been infringed upon in such cases. Quo Warranto By issuing this writ, the Supreme Court or the High Courts may prevent a person from occupying a public office which he or she is not entitled to hold and may remove the person from enjoying the office and declare the office to be vacant. But a writ of Quo Warranto can only be issued when there is a usurpation of an office of public nature and an office which is substantive in nature, and there has been a breach of constitutional norms or a statute or NSOU ? CC-PS-02 62 statutory instrument in appointing that person to that particular office. This writ is a discriminatory remedy and may be refused by the Court on the basis of factual and legal evidences. 4.13 Suspension of Fundamental Rights Despite being the 'conscience of the constitution', fundamental rights are not unrestricted and one can enjoy these rights subject to restrictions like, the Sovereignty and Integrity of the country, the Security of the State, Public order, Decency or Morality. The fundamental rights remain suspended during National Emergency proclaimed by the President of India (Article 352). Even in normal times, these fundamental rights can be restricted when someone has been booked under Preventive Detention Act like MISA, NSA, ESMA, COFEPOSA, POTA, TADA, UAPA etc. The misuse of these restrictions by authorities can make the enjoyment of fundamental rights by the citizens a complete mockery. 4.14 Conclusion Fundamental rights are essential for the development of individual personality. These rights are expected to create a congenial atmosphere so that individuals would be able to develop their personalities to the fullest extent. Indian constitution has given six fundamental rights to the citizens of India. It was not an easy task for the Constituent Assembly to draw up a list of fundamental rights. It had to make difficult compromises in order to arrive at a consensus on fundamental rights. In independent India, fundamental rights have come to face many hurdles created both by the Legislature and the Executive. Critics argue that fundamental rights are not fundamental rights in reality, but they are just an apology for them. More important rights like the right to work, education have been left out. Many are of the opinion that draconian laws like preventive detention have taken much of the spirit and substance of the 3rd chapter of the constitution. Another category of people argue that the fundamental rights have been hedged in with so many exceptions, explanations and qualifications that it becomes very difficult for ordinary citizens to understand what exactly is available to them in the form of NSOU ? CC-PS-02 63 fundamental rights. The only consolation has been the role played by the Supreme Court and the High Courts. Whenever fundamental rights of the citizens have been infringed, the Courts have come forward to protect these rights. Overall, the chapter of fundamental rights has worked as a bulwark of individual liberty, a code of public conduct and a strong and sustaining basis of Indian democracy. 4.15 Summing up ????? Fundamental Rights are those rights which help individuals to be at their best selves, that is, with the help of these rights, the individuals can develop their personalities to the fullest extent. ????? Fundamental Rights are not absolute. Reasonable restrictions can be imposed on them and they can be suspended during national emergency and even in normal times when someone is booked under the Preventive Detention Act. ????? Fundamental Rights are amendable as has been proved by the fact that by the 44th Constitution Amendment Act, 1978, the Fundamental Right to property has been abolished and it has been made a legal right under Article 300(A) of the Indian Constitution. ?????

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The Supreme Court and the High Courts have been given the power to protect these fundamental rights

in case of violation and they have the power to issue various writs like Habeas Corpus, Mandamas etc. for the purpose of protecting the fundamental rights of the Indian Citizens. 4.16 Probable Questions Essay Type Questions : 1. Discuss the Right to Equality. 2. Write a note on the Right to Freedom. 3. Analyse the Right to Freedom of Religion. Long Questions : 1. Discuss some important features of the Fundamental Rights.

NSOU ? CC-PS-02 64 2. Write a note on the amendability of the Fundamental Rights. 3. Discuss the Right against Exploitation. 4. What is the Right to Education and Culture? 5. Evaluate the Right to Constitutional Remedies. Short Questions : 1. What is Habeas Corpus? 2. What is Mandamas? 3. What is Certiorari? 4. What is Prohibition? 5. What is Quo Warranto? 4.17 Further

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the Directive Principles and the Fundamental Rights 5.4 Features of the Directive Principles of State Policy 5.5

Art 36 to 51 5.6 Significance of the Directive Principles of State Policy 5.7 Conclusion 5.8 Summing up 5.9 Probable Questions 5.10 Further Readings 5.1 Objectives ? To show the distinctions between

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the Directive Principles and the Fundamental Rights. ? To study the important features of the Directive Principles. ? To describe the Directive Principles of State Policy

as enshrined under Articles 35 to 51. ? To analyse the significance of the Directive Principles. 5.2 Introduction

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Directive Principles of state policy exist in the Part-IV of the Indian constitution.

Ivor Jennings opined that the constitution-makers were influenced by the principles of Fabian socialism in incorporating these principles in the constitution. According to Durgadas Basu, the constitution of Ireland has its imprint on

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the directive principles of state policy as enshrined in the

Indian constitution. In order for democracy to be successful, civil and political rights are not enough, economic and social rights are also necessary. Economic and social rights have found their place in the form of Directive Principles of State Policy in the constitution. The framers of the constitution, through these principles, wanted to make India a welfare state. Many are of the opinion that the directive principles of state policy are major steps forward towards realizing Nehru's "socialistic pattern of society." Unlike the fundamental rights, directive principles are not justiciable, that is, they cannot be enforced by the courts. The importance of these principles lie in their being the guiding principles of governance.

5.3 Distinctions between the Directive Principles and the Fundamental Rights There are some differences between the Directive Principles and Fundamental rights which are as follows :

- a) Directive principles are positive in the sense that they direct the state what it should do while the fundamental rights are negative as they impose limitations on the state as regards what it cannot do.
- b) Directive principles cannot be operational without laws, but fundamental rights can come into force without laws.
- c) Directive principles are not justiciable, that is, no citizen can go to the courts for enforcement of the Directive Principles but fundamental rights are enforceable by the courts. If one's fundamental rights are violated then one can seek redressal in the court.
- d) Government cannot enact any law on the basis of Directive Principles, but the government can enact laws on the basis of fundamental rights. For example, Parliament has enacted some laws on untouchability basing on Article 17 which has prohibited behaviour and campaigning relating to untouchability.
- e) Article 13 of the constitution has stipulated that any law enacted by parliament or any executive order which is against fundamental rights will be declared null and void by the court. In 1950, the Supreme Court nullified a part of the preventive detention act passed by the parliament in 1950. But the courts cannot declare any law null and void if it is against any directive principle.
- f) If any conflict arises between a fundamental right and a directive principle, the fundamental right will prevail. At present, directive principles under Articles 39 (B and C) will prevail over Article 14 and Article 19 which deal with the right to equality and right to freedom.
- g) According to many, the objective of the fundamental rights is to build up a democratic society but the objective of the directive principles is to create a welfare state. In other words, fundamental rights are political in nature but the directive principles are social and economic in nature.
- h) Fundamental rights are not unlimited. The state can impose limitations on them in public interests. So a kind of balance between individual interests and collective interests has been forged through the fundamental rights. But no limitation can be imposed on the directive principles.
- i) Fundamental rights have limited the powers of the state. On the other hand, directive principles have expanded the state's power both nationally and internationally.
- j) According to some, fundamental rights are not as dynamic as the Directive Principles of State Policy.
- k) The importance of the directive principles lies in the fact that they are expected to play an important role in socio-economic revolution. On the other hand, fundamental rights are more geared to ensure political equality.

5.4 Features of the Directive Principles of State Policy ?

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Directive Principles of State Policies are not enforceable in a court of law. ? They were made non-justifiable considering that the State may not have enough resources to implement all of them

or it may even come up with some better and progressive laws. ? It consists of all the ideals which the State should follow and keep in mind while formulating policies and enacting laws for the country.

NSOU ? CC-PS-02 68 ? The Directive Principles of State Policies are like a collection of instructions and directions, which were issued under the Government of India Act, 1935, to the Governors of the colonies of India. ? It constitutes a very comprehensive economic, social and political guidelines or principles and tips

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for a modern democratic State that aimed towards inculcating the ideals of justice, liberty, equality and fraternity as given in the Preamble. The

Preamble consists of all the objectives that needs to be achieved through the Constitution. ? Adding Directive Principles of State Policies was all about creating a "welfare state" which works for the individuals of the country which was absent during the colonial era. 5.5 Art 36-51 Article 36. Definition.—In this Part, unless the context otherwise requires, "the State" has the same meaning as in Part III. Article 37. Application of the principles contained in this Part.—The provisions contained in this Part shall not be

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enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.

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Article 38. State to secure a social order for the promotion of welfare of the people : (1)

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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. (2)

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The State shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

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Article 39. Certain principles of policy to be followed by the State.—

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The State shall, in particular, direct its policy towards securing— (a) that the citizens, men and women equally, have the right to an adequate means of livelihood;

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b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good; (c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment; (d) that there is equal pay for equal work for both men and women; (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that

children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity. Article 39. Equal justice and free legal aid.—

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The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and

shall,
in particular, provide free legal aid, by suitable legislation or schemes or in any other way,

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to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

Article 40. Organization of village panchayats.—

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The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

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Article 41. Right to work, to education and to public assistance in certain cases.—

The State shall, within the limits of its economic capacity and development, make effective provision for securing

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the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement,

and in other cases of undeserved wants.

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Article 42 : Provision for just and humane conditions of work and maternity relief.—

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The State shall make provision for securing just and humane conditions of work and for maternity relief.

Article 43. Living wage,
etc., for workers.—

The State shall endeavour to secure, by suitable legislation or economic organization or in any other way,

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to all workers, agricultural, industrial or otherwise, work, living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall

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endeavour to promote cottage industries on an individual or co-operative basis in rural areas.

NSOU ? CC-PS-02 70 Article 43A. Participation of workers in management of industries.—

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The State shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organizations engaged in any industry.

Article 43B. Promotion of co-operative societies.—

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The State shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies.

Article 44.

Uniform Civil Code for the citizens.—

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The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.

Article 45.

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Provision for early childhood care and education to children below the age of six years.—

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The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. Article 46. Promotion of

educational

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and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.—

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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. Article 47. Duty of the State

to raise the
level of nutrition and the

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standard of living and to improve public health. The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

Article 48. Organization of

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agriculture and animal husbandry.—The State shall endeavour to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.

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Article 48A. Protection and improvement of environment and safeguarding of forests and wild life

in the country-

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The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

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Article 49. Protection of monuments and places and objects of national importance.—

It shall be
the obligation of the State

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to protect every monument or place or object of artistic or historic interest, declared by or under law made by Parliament to be of national importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.

Article 50. Separation of Judiciary from Executive.
The

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State shall take steps to separate the judiciary from the executive in the public services of the State. Article 51. Promotion of international peace and security.—

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The State shall endeavour to (a) Promote international peace and security; (b) Maintain just and honourable relations between nations; (c) Foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and (d) Encourage settlement of international disputes by arbitration. 5.6

Significance of

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the Directive Principles of State Policy In the Indian constitution, the Directive Principles of State Policy

have been given a lot of importance so far as socio-economic implications are concerned. But compared to fundamental rights, the Principles enjoy secondary position in legal terms. In spite of legal inferiority, the principles have political and moral significance. If any government fails to implement these principles then the government may have to face an unsatisfied electorate at the time of election. The principles have also constitutional significance as Article 37 stipulates that

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it is the duty of the state to keep these principles in mind at the time of

enacting laws. The central government can issue directives to the states to implement 1) Article 39(d) relating to equal pay for equal work irrespective of gender 2) Article 40 regarding introduction of the Panchayat system and 3) Article 47 prohibiting intoxicating drinks and drugs. The Directive principles are considered to be complimentary to social revolution through constitutional means as they have not only socialist principles in them, they have also helped us to find ways of implementing these principles. G.Austine described these

NSOU ? CC-PS-02 72 principles as "clearer statement of the social revolution". Moral importance of these principles cannot also be denied as they act as a reminder to the government as regards its economic, social and international duties. The Directive Principles are said to have no legal importance. But this is not wholly true because the Supreme Court, many a time, has considered the validity of laws on the basis of these principles. Prof. K.C.Wheare has pointed out the educative value of these principles. These principles make the people aware of their rights and duties. In fine, it can be said that these principles have given birth to new wants and aspirations among the people. Prof. Pylee has described these principles as symbol of minimum hopes and aspirations of the Indian people. Directive Principles can make India a welfare state, if implemented seriously. It should be kept in mind that both the Fundamental rights and the Directive Principles are complementary to each other. What is necessary is that both the two should made to balance each other. As Austin says, "By establishing these positive obligations of the State, the members of the Constituent Assembly made it the responsibility of future Indian governments to find a middle way between individual liberty and the public good, between preserving the property and privilege of the few and bestowing benefits on many in order to liberate the powers of all men equally for contributions to the common good."Hence, it can be said that the Directive Principles are no less important than the Fundamental Rights in making India a truly democratic country. 5.7 Conclusion Despite high ideals being expressed through the Directive Principles of State Policy, exploitation of the people, particularly the poor, discrimination based on caste, gender are very much in existence in India. Ignorance, caused by illiteracy on the part of a large section of people in society,has led to their religious enchainment and superstitious behavior. Liberalization, privatization and globalization policies followed by Governments since the 90s of the last century have weakened the objective of making India a 'socialistic pattern of society' as dreamt of by Nehru through the implementation of these Directive Principles of State Policies. What needs to be noted in particular is the non-enforceability of these principles where

NSOU ? CC-PS-02 73 more important socio-economic rights of the people reside. The unwillingness to implement the important Directive Principles by Governments coming to power at various times for political reasons has also been a bane for establishing a society based on equality. 5.8 Summing up ? Economic and social rights have found their place in the form of Directive Principles of State Policy. ? Directive Principles are different from the Fundamental Rights in many respects. ? While the objective of the Fundamental Rights is to build a democratic society, the objective of the Directive Principles of State Policy is to create a welfare state. ? Directive principles of state policy are not justiciable, that is, the courts can do nothing in case any principle is not implemented by the Government. ? Directive principles of state policy consist of principles—which can be categorised as social, economic and international. Maintenance of international peace and security has been given an important place in the Directive Principles. 5.9 Probable Questions Essay Type Questions : 1. Discuss the distinctions between the Directive Principles and the Fundamental Rights. 2. Write a note on the Directive Principles of State Policy. Long Questions : 1. What are the important features of

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the Directive Principles of State Policy? 2. Discuss the significance of the Directive Principles of State Policy.

Short Questions : 1. Discuss whether a Government is bound to implement the Directive Principles. 2. What are the Directive Principles linked to International Relations?

NSOU ? CC-PS-02 74 3. Mention four Directive Principles. 4. Why are the Directive Principles significant? 5. Mention two Directive Principles having social significance. 5.10 Further Readings 1.

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NSOU ? CC-PS-02 75 Unit 6 ? The Union Legislature : House of the People Structure 6.1 Objectives 6.2 Introduction 6.3 Electoral method 6.4 Essential qualifications to become a member 6.5 Term of Lok Sabha 6.6 Sessions of Lok Sabha 6.7 Powers and Functions 6.8 Speaker of the Lok Sabha 6.9 Powers and Functions of the Speaker 6.10 Position of the Speaker 6.11 Conclusion 6.12 Summing Up 6.13 Probable Questions 6.14 Further Reading 6.1 Objectives The present Unit will help us to– ? Understand the nature of the lower house of the Union Legislature ? Explain the method of election through which the members of the lower house get elected ? Know the essential qualifications to become a member of the house ? Get acquainted with the criterion through which membership can be called off ? Analyse the powers and functions of the Lok Sabha

NSOU ? CC-PS-02 76 6.2 Introduction India has adopted a parliamentary system of government. Like in England, its union legislature is called a 'Sansad' which means a Parliament. The Parliament of India is composed of two houses namely

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the upper house or the Council of States and the lower house or the

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House of the People. The House of the People is commonly known as the Lok Sabha. It is the lower

or the popular chamber of the Indian Parliament. The members of the Lok Sabha are elected directly by the people. Unlike many other constitutions, the maximum numbers of member to be elected to the Lok Sabha is fixed by the Constitution. Originally, this number was fixed at 500. But the Seventh Amendment of the Constitution following the reorganization of the states in 1956 raised it to 520. The Forty Second Amendment of the Constitution further raised it to 545(Art 81). However at present it consists of 550 elected members. Of these a maximum of 20 seats are reserved for members from the Union Territories. The remaining 530

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members are to be chosen by direct election from territorial constituencies in the States.

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For this purpose, each State is allotted a certain number of seats on the

basis of its population in proportion to the total population of all the States. 6.3 Electoral Method For the purpose of election, each State is divided into territorial constituencies which are more or less of the same size in regard to population.

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Though the Constitution has abolished the system of Communal electorates, it provides for the reservation of seats for

the scheduled castes and scheduled tribes.

For the

purpose of

election from the territorial constituencies, a number of seats are allotted to each State and Union Territory

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in such a manner that the ratio between the number of the representatives and the size of

population is as far as practicable,

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the same for all the units of the Indian Union. Each state is therefore, divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it, is as far as practicable

and is the same throughout the State. Under the Delimitation Commission Act of 1962, the Election Commission is NSOU ? CC-PS-02 77 authorized to determine forthwith

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the number of seats in the Lok Sabha on the basis of the latest census

figures with due regard to the constitutional provisions on the subject. Accordingly, on the basis of the 1951 Census, India had a population of 360 million. But in 1981, it was about 700 million and by 1991 it has gone over 840 million. By the year 2001, the population of India has exceeded 1000 million. Yet, there has been no change in the total number of elected members to the Lok Sabha. Infact, by an amendment of the Constitution in 2001, the present strength of the Lok Sabha will remain the same until the year 2026. Here, it may be pointed out that the election of the House of the People being direct requires that the territory of India should be divided into suitable territorial constituencies, for the purpose of holding such elections. Article 81 has provided for uniformity of representation in two respects – (a) as

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between the different States and (b) as between the different constituencies in the same State.

Thus,

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there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State. As regards the House of

the

People and the Legislative Assembly of the State

the system of proportional representation

has been abandoned and instead, the Constitution has adopted the single member constituency with reservation of seats for some backward communities namely scheduled castes and tribes. The reasons held by the Constituent Assembly for not adopting proportional representation were the following:- i) Proportional Representation presupposes literacy on a large scale. It presupposes that every voter should be a literate, at least to the extent of being in a position to know the numerals and mark them on the ballot paper. ii) Proportional representation is ill suited to the Parliamentary system of government laid down by the Constitution. One of the disadvantages of the system of proportional representation is the fragmentation of the Legislature

NSOU ? CC-PS-02 78 into a number of small groups. This means that every time anything happened which displeased certain groups in Parliament, would on those occasions withdraw support to the government with the result that the Government, losing the support of certain groups, would fall to pieces. 6.4 Essential Qualifications to become a Member To be qualified for election to the Lok Sabha, the following conditions are required to be fulfilled :- 1.

Must

be a citizen of India. 2. He must be above 25

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years of age. 3. Must possess all other qualifications that are prescribed by law of the Parliament. 4.

No person can be a member of both the houses of the Parliament, or of a house of the Parliament and of some State Legislature at the same time. 5.

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Must not hold any office of profit under the Government of India or of some State

except that of a Minister or any other exempted by

a law of the Parliament. 6. Must not be a man of unsound mind or a bankrupt declared by the court. In case there is any complaint about the disqualifications of a member of the Parliament, it must be addressed to the President who will take suitable action after having the report of the Election Commission. Criterion

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for disqualification The Constitution has laid down certain disqualifications for membership. These are

the following :- 1. No person can be a member of both the

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houses of Parliament or a member both of Parliament and of a State Legislature. 2.

A person will be disqualified, if he/she absents himself/herself for a period of sixty days from the meetings of the house without the permission of the house.

NSOU ? CC-PS-02 79 3. If he/she holds an office of profit under any Government in India. 4. If he/she

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voluntarily acquires the citizenship of another country or is under any acknowledgement of allegiance to a foreign State.

In pursuance of the powers granted under Article 372 to regulate matters of election, the Representation of the People's Act of 1951 also lays down certain conditions for disqualifications which are also applicable to the members of a State Legislature. These are :- 1. A member must not have been found guilty by a Court or an election Tribunal

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of certain election offences or corrupt practices in the elections. 2. He must not have been convicted

by a Court of any offence and sentenced to imprisonment for a period of more than two years. 3.

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He must not have failed to lodge an account of his/her election expenses within the time

and in the manner prescribed by law. 4. He must not have been dismissed for corruption or disloyalty from Government

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services. 5. He must not be a director or a managing agent nor hold an office of profit under any corporation in which the Government has any financial interest. 6. He must not have

any interests in Government contracts, execution of governmental work or service. It is required that the candidate seeking election to the Lok Sabha must not incur any of these disqualifications at time of filing his/her nomination papers.

6.5 Term

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the Lok Sabha The normal term of the Lok Sabha is five years. It begins from the date of its first meeting. The President is empowered to dissolve Lok Sabha at any time

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cannot be challenged in a court of law. When the

second Lok Sabha was dissolved by the President on 11 th March 1962, a few days earlier than the full term of five years, a writ petition was filed by Dr. N.C.Samantsinha in the circuit bench of the Punjab High Court in New Delhi under Article 226 praying that a rule nisi be

NSOU ? CC-PS-02 80 issued declaring the premature dissolution void and ineffective. It was dismissed by the court on April 4 1962. Further, the President is also empowered to extend the life of the house for one year at a time during a National Emergency. But in any case, the life of the house cannot be extended beyond six months after the emergency has ceased to operate. Infact it is necessary that elections must take place at the most within a period of six months after the revocation of emergency. 6.6 Sessions of Lok Sabha The house

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shall meet atleast twice a year and the interval between two consecutive sessions shall be less than six months. The time and

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place of meeting will be decided by the President who will summon the house to meet. He/

she has also the power to prorogue the house. For a session to be legally valid it is essential for the Lok Sabha to assure the presence of minimum number of members which is known as the quorum. Without a quorum, Lok Sabha cannot legally decide over a matter nor can it comply any of its essential functions. The quorum of Lok Sabha is 1/10 th of the total strength of the house. Its presiding officer is the Speaker who is assisted by the Deputy Speaker during the period of his/her absence. The debates and discussions within a Lok Sabha is usually done either in English or in Hindi but in case a member is not comfortable in either of the two languages then the member may do so in his/her mother tongue. 6.7 Powers and Functions India has adopted the model of a parliamentary democracy. In such a system usually the authority of the lower house is established. This is so, since, the House is composed of members who are directly elected by the people. In India too, the importance of Lok Sabha is established in carrying out the administration of the country. The powers and functions of the Lok Sabha are wide and varied. For our convenience, they can be discussed in the following manner :- 1. Legislative : The principal business of the Lok Sabha is to deal with the matters relating to legislation. A non-money bill can originate in either house of the Parliament and it cannot be taken as passed by the Parliament unless NSOU ? CC-PS-02 81 it is so agreed to by both the houses of the Parliament. In the event of a difference

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of opinion between the two houses, the President is required to call a Joint Session

for resolving the deadlock. The Lok Sabha can make a law relating to subjects included

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in the Union List and the Concurrent List but in case of

subjects under State list, certain conditions on part of the Lok Sabha is required to be fulfilled. They are : i. To make a law under State list it is required for the Rajya Sabha to pass a special resolution. ii. The Lok Sabha can do so, if, National Emergency under Article 352 is declared for the entire country iii. If there is a request by two or more states iv. If there is the implementation of some international treaty or convention. However, it may also be noted that the Lok Sabha has exclusive control over the residuary subjects. 2.

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Executive : The Lok Sabha exercises control over the Executive. According to the Indian Constitution the Union Council of Ministers headed by the Prime Minister shall be collectively responsible to the

Lok Sabha. The Council of Ministers will have to resign, if, a vote of no confidence is passed in the Parliament. In case the Lok Sabha rejects a Government bill or a budget, or disapproves official policy, or shows its lack of confidence in the Government by making alterations in the policies and programmes of the Government against its wishes, it shall amount to the expression of a vote of no confidence. Infact the executive power of the Lok Sabha extends to the control of the executive through various devices like calling attention motion, questions and supplementary questions, tabling motions on matters of urgent public importance for discussion, half an hour discussion, No Confidence Motion and other means.

3. Financial : As far as the financial power of the Lok Sabha is concerned

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a Money bill can originate only in the Lok Sabha. It is sent to the Rajya Sabha

where it is required to pass within a period of 14 days. In case the Rajya Sabha returns the money bill with some recommendations of its own, it shall depend upon the will of the Lok Sabha to accept them or not. However, a NSOU ? CC-PS-02 82 money bill can in no case be referred back to the Rajya Sabha for a second time. Moreover, it is one of the

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powers of the Speaker to decide whether a bill is a money bill or not. It is therefore, clear that the Lok Sabha

alone is powerful in the sphere of financial legislation. Again, the annual budget is placed before both the houses but it is adopted by

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the Lok Sabha alone. Again, Rajya Sabha has no power to vote on the demand for grants

of the Ministries / Departments, as this is the exclusive domain of the Lok Sabha. The Lok Sabha has further control over the Contingency Fund of India. It bears the sole responsibility to study the reports of the Estimate Committee and Public Accounts Committee. 4. Judicial : The Lok Sabha shares equal powers with that of the Rajya Sabha in taking punitive action against the outsider as well as its own members who commit a breach of its privileges. Lok Sabha jointly with Rajya Sabha can establish a High Court in the Union Territories and can even enhanced its power in such areas. Lok Sabha shares equal powers relating to

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the removal of the Chief Justice and the Judges of the Supreme and High Court. 5.

Powers related to Amendment : Lok Sabha plays a crucial role with regard to the amendment of the bills. It shares equal authority with that of the Rajya Sabha in this respect. If a constitutional amendment bill is passed in the Lok Sabha but is rejected in the Rajya Sabha then the bill becomes non functional. Not only that, on issues related to Supreme Court High Court, distribution of powers between Union and the States, Constitutional Amendment, election of the President requires the ratification of half of the states as well. However, on all other issues Parliament can alone amend the Constitution of India. 6. Miscellaneous Powers : Lok Sabha performs a number of miscellaneous functions. It shares with the Rajya Sabha equal authority in matters relating to the election and removal of the President. It elects its Speaker and Deputy Speaker. It shares with the Rajya Sabha authority in matters relating to the approval of the Emergency declared by the President. Both the houses of the Parliament can act in emergency times for setting up Martial Law Courts for NSOU ? CC-PS-02 83 dealing with the offences committed by the civilians. Besides, the Lok Sabha shares with the Rajya Sabha, the powers of discussing reports submitted by autonomous officials, agencies like

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the Union Public Service Commission, Comptroller and Auditor General of India,

Finance Commission, Language Commission, Minorities Commission, Scheduled Castes and Scheduled Tribes Commission and the like. Lok Sabha also plays a severe role in providing important information related to the administration. The members query about governmental policies and activities on which the ministers concern had to reply. The answers of the ministers are expected to be based on informations collected from the official sources. These information helped the people to have an idea of the governmental activities. Lok Sabha also criticizes the governmental policies, if, it goes against the interest of the public. So, in this sense it tries to aware the people and alerts them on governmental activities. It in a way, helps to form the public opinion and it is public opinion which helps the democracy to flourish even further. 7. Other Powers : i. According to Article 2 of the Indian Constitution, Parliament by its discretion can create a new state or can include any part within the territory of India. According to Article 3 Parliament can enact a law relating to reorganizations of the states and of creating a new state. Parliament can expand the territory of a particular state or can even limit its territorial boundary and can even change the name of the state. ii. Parliament by virtue of Article 16 can determine additional residential qualification regarding jobs under state governments or that of the Union Territories. iii. Parliament can make final decision regarding creation or elimination of the upper chambers of the state legislatures. If the majority members present and the 2/3 rd members of State Legislature agreed to pass a bill then, the Parliament based on such decision can take a decision in its favour. Here, it must also be noted that the Lok Sabha shares equal authority with that of the Raya Sabha in this respect. NSOU ? CC-PS-02 84 6.8 Speaker of the Lok Sabha

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Each house of Parliament has its own presiding officer and secretarial staff. There shall be Speaker to preside over the House of the People.

The office of the Speaker is of great honour, dignity and authority.

In the Order of Precedence, he/she is ranked seventh and is bracketed with the Chief Justice of India. The Speaker represents

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the house and because the house represents the Nation, in a particular way, the Speaker becomes the symbol of

the Nations liberty and freedom. The Speaker is chosen by house from amongst its members. He/she holds his/her office until he/she ceases to be a member or resigns from his/her office or he/she is removed from the office by

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a resolution of the house passed by a majority of all the then members of the house.

In fact, under Article 93 of our Constitution, both the Speaker and Deputy Speakers are elected.

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Usually a member belonging to the ruling party is elected

as a Speaker. However, in most cases the ruling party generally nominates its candidate after informal consultations with the leaders of other parties in

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the house. There are also instances when members not belonging to a ruling party or coalition were elected to the office of the Speaker.

Somnath Chatterjee has been associated with the Communist Party of India (Marxist) for most of his/her life but he/she was the Speaker of the Lok Sabha from 2004 to 2009 when UPA I was in power and the Left Parties had extended support from outside. The first meeting after election in which Speaker is elected by the members of Lok Sabha, is held under the senior most member of Parliament who is commonly known as the Proterm Speaker. The Proterm Speaker

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presides over the sitting in which the Speaker is elected, if it is a newly constituted house. Tenure The

normal term of a Speaker is that of five years. There is however, no restriction on his/her seeking another term or terms. He/she continues in office notwithstanding the fact, that the house has been dissolved, and he/she vacates it immediately before the first meeting of the new house after General Election.

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The Speaker or a Deputy Speaker will normally hold office during the life of the house, but his/her office may terminate earlier in any of the following

ways :

NSOU ? CC-PS-02 85 i) By his/her ceasing to be a member of the house ii) By resignation in writing, addressed to the Deputy Speaker and vice versa. iii) By removal

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from office by a resolution, passed by a majority of all the then members of

the
house (

Art 94). Here it must also be noted, that at least 14 days notice should be given to the Speaker in case a motion of no confidence is brought to remove him/her from office. It is also provided that the Speaker shall not preside over the house in case such a motion is under consideration. But in such a case, he/she will have every right to present himself/herself in the house for speaking anything in his/her defence. He/she may also entitle to take part in the proceedings of, the house, and shall have a right of vote except in the case of equality of votes (Art 96). 6.9 Powers and Functions of the Speaker The Speaker occupies an office that carries both great dignity and high authority. The functions and powers of the Indian Speaker emanate both from

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the provisions of the Constitution and the Rules of Procedure

made in pursuance of them for conducting the business of the Parliament. Two things deserve special mention at this stage. First, the Speaker possesses some unwritten or unspecified powers to supplement his/her other powers. The reason for this should be discovered in the important position that the speaker holds. Second, though the office of the presiding officer of our popular chamber is largely modelled on that of the English Speaker, the Indian Speaker has wide powers than his/her counterpart in the United Kingdom. The powers of the Speaker may be roughly classified into four parts like regulatory, supervisory and censoring administrative and special or miscellaneous. 1. Regulatory : In the first place, the regulatory powers of the Speaker include his/her entire authority and responsibility for conducting the business of the house in an orderly manner. Thus, he/she maintains order and decorum in the house. He/she allots time for the debates and discussion and allows the members to express their views within the time determined by him/her. The Speaker interprets the rules of the Constitution and of the Procedure for the guidance of the members. He/she puts matters for division and announces

NSOU ? CC-PS-02 86 the result. In the event of a tie he/she exercises his/her casting vote. It is within his/her powers to admit motions, resolutions and points of order and then make arrangements for discussion on them. The Speaker may adjourn the house in the event of the absence of quorum or grave disorder. He/she may make his/her address on an important matter under consideration for the enlightenment of the members. The business of the house is conducted in English and Hindi languages, but he/she may allow a member to speak in some other language that happens to be his/her mother tongue and then make arrangements for authentic translation of the statements of the member into Hindi and English languages. No representation can be moved by members of the house without his/her consent. A secret meeting of the house can take place at the request of the leader of the house after its approval by the Speaker. Finally, the Speaker gives his/her ruling to settle a matter of dispute and his/her version is final. It can be challenged only when a substantive motion is brought by the members of the house. 2. Supervisory : Allied with the regulatory powers of the Speaker are also his/ her supervisory or censoring powers. The Speaker is the head of the Parliamentary Committees. Some important committees like Rules Committee and Business Advisory Committee work under his/her chairmanship. He/she appoints the Chairman of the various committees of the house and may issue instructions and directions for their guidance. He/she may ask the Government to supply such information to the house or to its committees that is so essential in the public interest. The Speaker sees to it that no member speaks unparliamentary language or becomes unnecessarily argumentative or verbose in his/her expression. He/she may force a member to withdraw his/her indecent expression or make amends. He/she may warn the member in the event of his/her disorderly behaviour or he/ she may also ask him/her to withdraw from the house. He/she may also make use of his/her Marshal for getting a member out of the house in the event of his/her highly disorderly behaviour. He/she may even adjourn the house in the event of grave disorder or some serious situation. No member can be arrested, nor can any legal proceedings be served on him/her without the permission of the Speaker. The Speaker may even issue warrants of arrest for bringing an alleged offender of the privileges of the house and it is his/her function to implement the decision of the

NSOU ? CC-PS-02 87 house with regard to the punishment given to a person for the breach of privileges or contempt of the house. 3. Administrative : The Lok Sabha Secretariat functions under the control and direction of the Speaker.

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The Speaker's authority over the Secretariat staff of the house, its precincts and its security arrangements is supreme. All strangers, visitors and press correspondent are subject to

his/her discipline and orders. No alternation and

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addition can be made in the Parliament house, and no new structure can be erected in the Parliament Estate without the Speaker's permission.

He/she makes provisions for the accommodation and other amenities of life granted to the members of the house. He/she regulates the lobbies and galleries meant for the press and the public. It is his/her concern to make arrangements for the sittings of the house and its Committees. He/she is the custodian of the honour of the house. It is his/her concern to see that the life and persons of members are secure and that the staff and property of the house are immuned from any danger. Besides, by virtue of 33 rd Constitution Amendments Act of 1974, he/she has been empowered not to accept the resignation of a member of the house in case he/she finds it submitted under duress. He/she may disqualify a member from the membership of the house and then declare his/her seat vacant on the ground of being a defector. On 11 January 1991s the Speaker gave a historic ruling whereby he/she disqualified eight members of the ruling Janata Dal including five ministers, on the ground that they were defectors under Schedule X of the Constitution and as such their seats were declared vacant. He/she ruled that a split in the ranks of the Janata Dal had taken place on 5 th November and the event of persons leaving the original party on that date could be taken as a split. Moreover, they could be given a benefit of doubt in view of the highly uncertain conditions of the time. But the defection of eight other members after a few days could not be regarded as a split, because their number could not be equal to the 1/3 rd strength of the residual strength of the Janata Dal. The important point of his/her ruling to be noted here, is that the spilt could be one time affair and could not be an ongoing or continuous process or phenomenon.

NSOU ? CC-PS-02 88 4. Miscellaneous : Finally we come to the miscellaneous or special powers of the Speaker. He/she gives his/her certificate to a Bill that is passed by the house. He/she alone can decide whether

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a bill is a money bill or not. He/she

presides over the Joint Session of the Parliament. He/she acts as a sole channel of communication between the President and the house. He/she makes obituary reference in the house and delivers a valedictory address on the expiry of the term of the house. He/she makes formal reference on some occasions to important national and international events. He/she can correct patent errors in a bill after it has been passed in the house. He/she may even make changes in the bill consequential on the amendments accepted by the house. He/she acts as a ex officio chairman of the conferences of the presiding officers in the country. He/she can make nominations for the Parliamentary delegations visiting various parts of the country or abroad. 6.10 Position of the Speaker A study of the powers of the Speaker in practice, however, shows that he/she has not been able to gain that high level of dignity which is enjoyed by his/her English counterpart for the obvious reason that India is yet develop a sound tradition of our Speakers being a non - partyman. That is why, there have been occasions when a move for removing the Speaker from office was made or that some angry members went to the length of undermining the high office of the Speaker until they were forcibly pushed out of the house by the Watch and Ward Staff headed by the Marshal. G.V. Mavalankar dismissed the proposal of Speaker's being a distinctly non political man on the ground that he/she could establish another tradition of remaining above politics inside the house while living like a man of politics out of it. It was certainly the biggest day in the history of the Speakership in India when N.Sanjiva Reddy after being elected to this great office on 17 March 1967. He/she observes that his/her office requires him/her to be impartial and judicious in the conduct of his/her work. Unfortunately, this high tradition failed to prevail when Sanjiva Reddy relinquished his/her office to jump into the fray of the politics of the Presidential election in 1969. As such the tradition had a serious setback.

NSOU ? CC-PS-02 89 No less unfortunate has been the tradition of conferring gubernatorial assignments on the persons after their retirement from the great office of the Speaker. In this way, instead of setting up of a healthy tradition like that of conferring the distinguished membership of the Upper Chamber of our Parliament by means of Presidential nominations upon one after his/her retirement from the office of the Speaker, new rooms for lucrative temptations have been opened whereby the occupant of this great office might fall prey to the charm of executive patronage. Sometimes the bias of the Speaker becomes well discernible in his/her attitude towards the Party in power as a result of which vocal members of Opposition lose their temper and demonstrate their resentment by means of shouts and walkouts. The Speaker often do so on the request of the ruling party and sought to justify his/her unjustifiable action in the name of 'extra-ordinary circumstances'. The office of the Speaker has a dignity of its own. As such it is a matter of regret that his/her authority is undermined on several occasions. There are several important reasons behind it of which some has been enumerated by J.C. Johari in the following manner : 1. The holders of this office seldom resign their political affiliations and remain active politicians. 2. They generally pronounce rulings and decisions, admit or reject motions, appoint members to various committees and treat members on partisan lines. 3. They remain ambitious to become Ministers, Governors or Chief Ministers, try to form factions and win favour from their groups. 4. They tend to please the powers and favour them out and out. 5. The leaders of the Opposition may resort to unparliamentary methods to fight the ruling party in the house. When checked by the Speaker, they defy and blame him/her. 6. The Opposition leaders are seldom consulted at the time of the election of the Speaker and for this reason, they look upon him/her as the nominee of the ruling party. Thus, the above mentioned circumstances suggests that the Speaker is sometimes compelled to adopt a partisan line and favour the ruling party either because he/she gets

NSOU ? CC-PS-02 90 political favour and patronage which is required by him/her to remain in office or he/she needed the support of the majority in the house for conduction of the house properly. 6.11 Conclusion A comparative study of the functions and powers of the two houses of our Parliament may leads to an impression that

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the Lok Sabha is more powerful than the Rajya Sabha.

There is no doubt that the Indian Parliament is constituted on the basis of the principle of bicameralism, that is, legislature having two houses or chambers. The lower house or the House of the People being composed of directly elected members has an edge over the upper chamber. But here, it must be noted that the Constitution has also established a federal system of government. Even there was unanimity among the framers for achieving a balance between the direct representation of the people and the representation of the units. Keeping in mind the aspirations of our forefathers, the two houses should not be designated as such to exalt one and denigrate the other. Infact, what should prevail is the convention of harmony and cooperation between the two. 6.12 Summing Up ? The House of the People is commonly known as the Lok Sabha. It is the lower or the popular chamber of the Indian Parliament. ? The members of the Lok Sabha are elected directly by the people. ? At present it consists of 550 elected members. Of these a maximum of 20 seats are reserved for members from the Union Territories. ? Members of the Lok Sabha are elected from each state which is divided into territorial constituencies that are more or less of the same size with regard to population. ?

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Each state is divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it, is

and as far as practicable, same throughout the state.
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The normal term of the Lok Sabha is five years which begins from the date of its first meeting. ? The

house

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shall meet atleast twice a year and the interval between two consecutive sessions shall be less than six months. ? The powers and functions of

the Lok Sabha are wide and varied which includes legislative, executive, judicial along with other essential powers. ? The lower house or the House of the People being composed of directly elected members has an edge over the upper chamber or the Rajya Sabha. ? Each house of Parliament has its own presiding officer called the Speaker who presides over the House of the People. ? The Speaker occupies an office that carries both great dignity and high authority. The functions and powers of the Indian Speaker emanate both from

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the provisions of the Constitution and the Rules of Procedure

made in pursuance of them for conducting the business of the Parliament. ? However, a study of the powers of the Speaker in practice, shows that he/she has not been able to gain that high level of dignity in India which is enjoyed by his/her English counterpart since India is yet to develop a sound tradition of Speakers being a non - party man. 6.13 Probable Questions Essay Type Questions : 1. Discuss the composition of the Indian Parliament with special reference to the electoral methods, term

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and session of the lower house. 2. Analyse the powers and functions of the Lok Sabha. 3. Examine the powers and functions of the

Speaker. Long Questions : 1. Why the lower house of the Indian Parliament has an edge over its upper chamber? NSOU ? CC-PS-02 92 2. How the members of the Lok Sabha are elected? Explain the essential criterion of qualifications and also disqualifications of the member of the lower house. 3. Analyse the position of the Speaker of Lok Sabha in India. Short Questions : 1. On what grounds the members of the Constituent Assembly had abandoned the method of proportional representation? 2. Write a short note on the legislative powers of the Lok Sabha. 6.14 Further Reading 1. Pylee, M.V. India's Constitution, S. Chand and Company Ltd., New Delhi. 2013. 2. Basu

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NSOU ? CC-PS-02 93 Unit 7 ? Legislative Procedures in the Parliament Structure 7.1 Objectives 7.2 Introduction 7.3 Procedures related to sessions of the Legislature 7.4 Procedures for questions in the Legislature 7.5 Motions and Resolutions 7.6 Discussion 7.7 Legislative Process: Ordinary Bill 7.8 Legislative Process: Money Bill 7.9 Committee System 7.10 Conclusion 7.11 Summing Up 7.12 Probable Questions 7.13 Suggested Reading 7.1 Objectives The present Unit enables the learners- ? To know the procedures as practiced in the Union Legislature ? To understand the procedures followed by members in raising questions over a political issue ? To grasp how and when a discussion takes place in the Parliament ? To gain knowledge how a Bill becomes an Act. ? To get acquainted with the functioning of the different committees in the Parliament 7.2 Introduction The significance of the Parliament consists in its multifunctional role. In a traditional sense, the Parliament is just a law making organ of the state. But in a modern empirical study, it is a multifunctional institution. However, at the same time it cannot be denied that NSOU ? CC-PS-02 94 the primary function of Parliament is law-making. Historically, it was the function of making laws that made the legislature a distinctly separate department of the Government. In spite of all the additional functions that a Parliament takes up as a result of the complexities of modern Government, law making still remains its most important activity. A Parliament without legislative work ceases to be a Parliament in the real sense. Now modern society is so complex that laws which govern it have necessarily to be complex. Naturally law making too has become a complex process. Further, the concept of a welfare state has entrusted additional responsibility upon the state. So not only the functions of the state have been extended but it has been done so at a rapid speed over the years. 7.3 Procedures related to sessions of the legislature The Parliament is also required to make laws within a definite constitutional framework. Law making in every country has to be done by a process prescribed under the Constitution of the country. This is true for India as well. Here it is worthwhile to discuss in brief, about the actual working of the Parliament. For this we need to have some knowledge of its practice and procedure according

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to the Rules of Procedure and Conduct of Business in

two houses. For the sake of convenience we may discuss them in the following manner :- Summoning of the house :

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The President summons the sessions of the houses of Parliament. It is necessary that there should not be a gap of more than six months

in the holding of the sessions. In practice the Minister for Parliamentary Affairs, proposes the date to

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the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha then the

Secretaries General of the

two houses obtain orders from the President to this effect and they issue summons to the members individually. In case the new Lok Sabha is to meet, the President appoints its senior most member of the house as protem Speaker who presides so as to administer the oath to the members. Then, the Speaker is elected by the house who conducts the proceedings. After sometime, the members elect a Deputy Speaker. Here it must be noted, that generally the Parliament has three sessions each year- i) Budget Session-February to May ii) Monsoon Session-July to August iii) Winter Session-November to December Inauguration of the Session : A session of the Parliament after a general election begins with the inaugural address delivered by the President. He/she addresses both the house assembled together in the Central Hall of Parliament house. He/she reads out a speech written and approved by the Parliament. It contains a review of the activities of the Government during the preceding year as well as a statement of the policies and programmes of the new government for the ensuing year. After this, the two houses meet in their respective chambers and then the members has the right to discuss the address in the light of all aspects of administration. They also have a right to put amendments. Quorum, Adjournment and Prorogation : Quorum means minimum attendance without which the proceedings of the house cannot be conducted. In our country 1/10 th of the strength of the house has been fixed for this purpose.

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It means that there must be at least 55 members present in the Lok Sabha, if the work is to be conducted.

In case the presiding officer finds that there is no quorum, he/she may ring the quorum bell so that the members sitting in the lounge or elsewhere may rush to the house. In the event of the lack of quorum the presiding officer may adjourn the sitting for some time. The President has the power to prorogue the session. In case the house is adjourned, the presiding officer may call its session as per his/her pleasure. In case it is prorogued then the President shall issue the summons for the next session. Point of Order : The business of the house should be conducted according to the rules of procedure as given in

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the Constitution and in the Rules of Procedure and Conduct of Business

so that it is in order. In case there is any breach of it, a member may raise a point of order so that nothing is done that is against the rules of law or procedure. The point of order is an extraordinary process which when rose has the effect of suspending the proceedings before the house. Hence, it is governed by certain specific conditions. It can be raised only in relation to the business before the house at that time. A member is not allowed to raise a point of order just for explaining his/her personal views, or asking for information from a minister, or when a matter is being put by the Chairman before the house for discussion or when the matter is being put to vote of the house.

NSOU ? CC-PS-02 96 7.4 Procedures for Questions in the legislature Questions and Supplementary Questions : The first hour of every sitting is called the Question Hour. It is during the Question Hour that the members of Parliament may ask questions on different aspects of administration and Government policy in the national and International spheres.

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Questions are of three types—Starred, Unstarred and Short Notice. A Starred question

is one to which a member desires an oral answer in the house and which is distinguished by an asterisk mark. An unstarred question is one which is not called for oral answer in the house and on which no supplementary question can consequently be asked. An answer to such question is given in writing. Minimum period of notice for starred/unstarred questions is 10 days. A short notice question may only be answered on short notice if so, permitted by the Speaker and the Minister concerned is prepared to answer it at a shorter notice. A short notice question is taken up for answer immediately after the Question Hour. Keeping in view the time factor, it

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has been provided in the Rules of Procedure and Conduct of Business

that a member of Lok Sabha cannot ask more than 5 questions in a day (starred as well as unstarred). Not more than 3 starred questions in the Rajya Sabha and not more than 1 starred question in the Lok Sabha by the same member can be admitted on a single day. The member in whose name the question stands may ask two supplementary questions. The total number of questions in a stirred list for a day is not more than 20 in Lok Sabha. The maximum number of questions in the unstarred list for a day is 230 in the Lok Sabha. In Rajya Sabha there is no such limit but normally the member of unstarred questions listed for a day is less than 200. 7.5 Motions and Resolutions Apart from questions, the members may move motions and resolutions relating to a matter of urgent public importance. Motions are of different kinds. They are namely Adjournment Motion, Calling Attention Motion, No Confidence Motion, Censure Motion and Statutory Motion. Adjournment Motion A member may move on adjournment motion of urgent public importance having a definite and factual basis with a prior notice being given to the Speaker or the Minister or the Secretary General. Calling Attention Motion The concept of Calling Attention is another device which combines the asking of a question for answer with supplementary and short comments in which different points of view are expressed concisely and precisely.

A member may with the

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prior permission of the Speaker call attention of a Minister on any matter or of urgent public importance.

This gives an opportunity to the members of Parliament to highlight the failure or inadequate action of government on a matter of urgent public importance. No Confidence Motion Another device of utmost importance is No Confidence Motion. As

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the Council of Ministers is collectively responsible to the Lok Sabha,

once

they lose the confidence of the house, a motion of this sort can be moved with prior notice being given to the Speaker. Either the Prime Minister may move that the house has the confidence in the Government, or the members belonging to the Opposition parties may move that the house expresses the lack of confidence in the Government. Just after the Question Hour the Speaker may ask the mover to ask for leave of the house and in case the move is supported by at least 50 members he/she may rule that it is admitted. The matter is discussed within 10 days of the leave being granted and the time is specified on the recommendation of the Business Advisory Committee. However, the motion is finally decided by the votes. The Prime Minister takes care to reply all the charges. In case the motion is passed the government must resign. Censure Motion It is sometimes identified with the No Confidence Motion. Both have the same effect. It contains specific charges against the Government and no leave of the house is required to move it. It is in the discretionary power of the Government to find time and fix a date for its discussion. Resolution : Finally we come to resolutions which though like motions are different from them in the sense that while all the motions may not be put to vote necessarily, all resolutions are required to be voted upon. The resolutions may be moved by the Ministers as well as by private members. A member who wants to move a resolution has to give notice to the

NSOU ? CC-PS-02 98 Secretary General of the house informing him/her of his/her intention to this effect the names of three members in the Lok Sabha and five members in the Rajya Sabha from among those who have expressed their desire to move it are desired by ballot to allow them to give notice of one resolution each. In case a resolution

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is tabled in pursuance of a provision of the Constitution or an Act of Parliament,

it is called a Statutory Resolution. Such a resolution may relate to the approval of the Parliament for the continuance of Emergency under Article 352 in the country or under Article 356 in the State of the Indian Union or under Article 249 for shifting an item of the State List to the Union List or to the concurrent list etc. When passed it has a binding effect on the government. It may also be pointed out here, that while a government resolution may be taken up on any day from Monday to Thursday, a private members resolution can be taken up only on Fridays and the time of last two and a half hours is devoted for discussion on it. 7.6 Discussion One may also refer to discussion as an important item in the list of Parliamentary procedures. Discussions are of different types. They are- Short Duration discussion : At least three members of the house may demand a short duration discussion on some matter of urgent public importance. A notice to this effect should be given to the Chairman/ Speaker and in case it is admitted he/she may allot two sittings in a week for discussion. The Business Advisory Committee may be consulted for the allotment of time that is of one hour and normally Tuesdays and Thursdays are chosen for it. But in Rajya Sabha the Chairman may allot time in consultation with the leader of the house and here, the duration of allotted time may be of two and half hours. The only purpose is that ample light is thrown on a matter of urgent public importance. Half an Hour discussion : The members of the house may also demand discussion on some matter of urgent public importance and normally the last half an hour of the day is allotted for the purpose. Under Rule 377, a member of the Lok Sabha may raise any important matter in the house with the permission of the Speaker.

NSOU ? CC-PS-02 99 7.7 Legislative Process: Ordinary Bill Legislative proposals are brought before in either houses in the form of a Bill. A bill is the draft of a legislative proposals, which when

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passed by both houses of Parliament and assented to by the President,

becomes an Act of the Parliament. There are Government bills and Private members bills. Bills may also be classified as Public bills and Private bills. A Public bill is one referring to a matter applying to the Public in general, whereas a Private Bill relates to a particular person or corporation or institution. The first stage of legislation is the introduction of the bill. It embodies the provisions of the proposed law.

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If a Private member desires to introduce a bill, he/she must give notice of his/her intention to

the Speaker. Every bill that is introduced in the house has to be published in the Gazette. There is provision however, for the publication of any bill with the consent of the Speaker even before its formal introduction. Usually, at the time of the introduction of the bill there is no debate. The person who is given leave to introduce the bill, if he/she so chooses, may make a short statement indicating broadly its aims and objectives.

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The introduction of the bill is also called the first reading of the bill.

The crucial stage in the life of a bill is its second reading. Now the bill is taken up for a detailed discussion. All principles of the bill are thoroughly debated. Amendments may also be moved. The house may take one of the four options. The four options are the following :- 1. The bill may be taken into consideration. 2. It

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may be referred to a Select Committee of the house 3. It may be referred to a Joint Committee of both the houses. 4. It may be circulated for the purpose of eliciting public opinion

on it.

In the case of every proposed legislative measure which is likely to arouse public controversy and agitate public opinion, resort to the last alternative is invariably made. But there are many bills which are of minor importance or pertain to routine matters, and others of an emergent nature, which may not therefore, permit any long delay. In their case one or the other of the first three alternatives is adopted. The Select Committee or Joint Committee is expected to give its report within a specified date. The members of the Select Committee are selected generally on the basis

NSOU ? CC-PS-02 100 of their ability or expert knowledge on the subject. The usual practice is that the mover of the bill will himself/herself propose the names of members of the Committee and the house adopts them. Members of the Opposition are well represented in the Committee. In the case of a Joint Committee, the concurrence of the other house is taken. Of the total number of members of the Joint Committee, two-thirds belong to the Lok Sabha and one-third to the Rajya Sabha. The Committee may give an unanimous report or a majority report. In the latter case, members in a minority will have the right to give "minutes of dissent". Submission of the report of the Committee may be taken as the beginning of the third stage. It is during this stage that members can send in their amendments to the different provisions of the Bill. The next stage is on a date fixed by the Business Advisory Committee, the bill is taken up for the third reading. This is the last stage and this is again a formality like the first reading. No discussion takes place and within a couple of minutes this formality is done. Thereafter, the bill goes to the second house where it passes through similar stages. In case the bill has been cleared by the Joint Select Committee of the Parliament, and then there is no need to refer to a Select Committee. The second house may pass that bill or return it with its recommendations. In that case the first house may pass it again after accepting the recommendations of the other house or not. The bill shall again go to the second house and in case it sticks to its earlier recommendations, there is a situation of serious disagreement or deadlock. The President may call a Joint Session of both the houses to resolve this crisis. Two important points should be kept in view here. First, while the Lok Sabha may delay the passage of the bill for any length of time, the Rajya Sabha has to pass it after it is passed by the Lok Sabha within 6 months. Second, the Speaker shall preside over the Joint sitting and the decision shall be taken by the majority of votes. But a Joint session can be held only in the case of a non money bill to be passed by simple majority. A bill that is finally passed by both the houses goes with the signature of the Speaker, to the President for his/her

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assent. This is normally the last stage. If the President gives his/ her assent, the bill becomes an Act and is placed on the Statute Book.

But even at this last stage, the bill can be stopped from becoming an Act. The President is empowered, if he/she so chooses to refuse assent to a bill that is placed before him/her. He/she may send the bill back to the Parliament for reconsideration. For instance, President Zail Singh returned the Postal Amendment Bill for reconsideration. This will reopen almost the whole process and

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if the bill is passed by both the houses again with or without amendments

it
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to the President for the second time. At this stage the President shall not withhold his/her assent. After receiving the assent of the President, the bill becomes an Act

and is placed on the Statute Book. 7.8

Legislative Process: Money Bill There is a special procedure in respect of financial business. A money bill is introduced in the Lok Sabha. Since it can be introduced with a prior recommendation of the President, it is always a Government Bill. Article 110 defines a Money Bill as one dealing with

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the imposition, abolition, remission or alteration of any tax or regulation or borrowing of money by the Government or the payment of money into or their withdrawals from the Consolidated or the Contingency Fund of India,

or declaring a new item to be charge on the Consolidated Fund of India and the like. It is also given that in the event of any controversy as to whether a bill introduced in the Parliament is a money bill or not, the Speaker shall decide and his/her ruling shall be final. A money bill, like any

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bill, must be passed by both the houses of the Parliament.

The Rajya Sabha must pass it within 14 days. In case it returns the bill with some recommendations, the Lok Sabha may accept them, or not. The bill shall not be referred to the Rajya Sabha again. The President has no power to veto such a bill. The budget or Annual Financial Statement of the Government is presented in two parts. On some date in the last week of February, the Railway Minister presents his/her budget. But on the last day of this month the Finance Minister presents his/her general budget. He/she also delivers a long speech highlighting the salient points of his/her budget. After a gap of few days the Business Advisory Committee specifies a time of about 4 days for a general discussion of the Budget. The members have the occasion to speak in favour or against the provisions of the budget. It is followed by voting on the demands for grants. The budget has two sides namely revenues and appropriations. Thus, the budget is converted into two bills namely the Finance Bill and the Appropriation Bill. The Finance Bill incorporates all the financial proposals of the government for the ensuing year. Discussion on this bill covers matters relating to general administration. It

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must be passed by the Parliament and assented to by the President within

a period of 75 days. The expenditure side of the budget is covered by

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the Appropriation Bill. It incorporates all the demands for grants voted by

the Lok Sabha along with expenditures charged on the NSOU ? CC-PS-02 102 Consolidated Fund. Discussion on this bill affords another chance to the members of the parties in Opposition to criticize the administration in general. The Government sees to it that both the bills are passed by the Lok Sabha. The Rajya Sabha is given a chance to discuss the budget and pass the bills within 14 days. It may return the two bills with some recommendations which may or may not be appreciated by the Lok Sabha. Since both the bills are Money Bills, these receives the assent of the President. A pertinent question at this stage is to what would happen in case the budget is not passed by the Parliament before the commencement of the next financial year, or what would happen in case the government feels the need for more money to be raised and appropriated on certain unforeseen conditions as those of war and national calamity. Art 116 has a special provision for a vote on account. It empowers the Lok Sabha to sanction any grant in advance for a part of any financial year pending the completion of the budgetary process. Normally it is taken for two months and it should be roughly equal to 1/6

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of estimated expenditure for the entire year under various demands for grants.

This period may be enhanced to 3 or 4 months in the case of special urgency. 7.9 Committee System One of the most crucial innovations to streamline the working of the Parliament in an increasingly complex political and administrative system is the Committee System of the Parliament. Most of the countries have adopted a welfare state system which resulted in an enhanced legal responsibility of the Parliament. So the legal responsibilities of the Parliament increases greatly. Keeping in mind the amount of legislation that takes place in a Parliament in modern times, a detailed discussion of the matter is not possible in the house. Further, the sessions in the Parliament is of short duration. What even makes things more difficult is the highly complexities of the law making procedure in India. It demands expertise knowledge over the issue. It would be wrong to expect such expertise knowledge on all matters from the general members of the Parliament. To overcome these limitations the significance of the committee system cannot be denied in a democratic state system. The importance of the committee system is manifold. For our convenience they can be discussed in the following manner :- 1. The Parliament can save its precious time through the committee system and it can ensure required consideration by the committee over different issues.

NSOU ? CC-PS-02 103 2. Flawless, effective and high quality legislation is possible on part of the Parliament only due to the existence of the committee system. This is so since committees are usually composed by a selected few members of the Parliament who can ensure a detailed and a long drawn discussion. Generally it is Parliament through the Committee system that can assure a detailed discussion on all major issues which reduces the possibility of errors. 3. The members of the Committee are generally the experts of their chosen areas and they may discuss the matter in a committee room where they have more time to speak and also in most of the cases they are not bound by the party whips. 4. Parliament through their committees may control the activities of the executive. 5. The committees also help the Parliament to regulate the income and expenditure of the government. 6. The committees enable the Parliament to feel the pulse of the public on proposals of legislation that are introduced for its consideration. It affords a platform to the common people to participate in the decision making of the Parliament by giving written memoranda or oral depositions, as may be required, to the committees as and when asked for. 7. They also help to realize better and more constructive cooperation from the oppositions for various measures initiated by the government. To sum up one can say that they make parliamentary work smooth, efficient and expeditious. In India, the history of the committee system may be traced back to 1854, when the first legislature was established in the form of a Legislative Council which in turn appointed its own committees to consider what should be its standing orders. In post-independence period, Lok Sabha consisting of more than 500 members made situation being essential for the creation of Parliamentary Committees as well. Indian Parliament is composed of two houses namely Lok Sabha and Rajya Sabha. Several committees exist in both the houses. For the sake of convenience, all the committees may be placed into two categories namely Standing Committee and Ad hoc committees. Standing Committees Standing Committees are the committees elected by the house or nominated by the NSOU ? CC-PS-02 104 presiding officer each year or from time to time and they are in permanent in nature. These are– i) Financial Committees like Estimate Committee, Public Accounts Committee, Committee on Public Undertaking. ii) House Committees like Business Advisory Committee, Committee on the Absence of members from the sittings of the house, Rules Committee, Committee on Private members Bills and Resolutions. iii) Enquiry Committee as Committee on petitions, Privileges Committee. iv) Scrutiny Committee like

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Committee on Government Assurances, Committee on Subordinate Legislation, Committee on papers laid on the Table of the house, Committee on

the welfare of Scheduled Castes and Scheduled Tribes.

v) Service Committee like

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General Purposes Committee, house Committee, Library Committee, Joint Committee on Salaries and Allowances of

MP's. Adhoc Committees Adhoc Committees are those committees that are constituted by the house or its presiding officer to consider and report on specific matters and which go after doing that job. A select committee or a Joint Parliamentary Committee or a Joint Committee on Offices of Profit may be referred here. The strength of the members of the committee varies. The Public Accounts Committee and the Committee on Public Undertakings consist of 22 members each and the Committees on Welfare of Scheduled Castes and Tribes have 30 members each. Generally there are 10 members in each of the Standing Committees in

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the Rajya Sabha. The members of the committee are elected by the

house. They may also be nominated by the Presiding Officer. In case a bill is referred to a Select Committee, it invariably includes the minister concerned, if, it is a Government bill or the mover in case it is a private member's bill and the minister concerned may be included in it. In the case of a Joint Committee of the Parliament the members are appointed on a motion nominated by one house and agreed to by the other house. In the meetings of the committees the quorum is one third of the total strength of political parties in the house. As a result of this the ruling party has a safe position in the committees on account of being in majority in the house itself. In most of the committees

NSOU ? CC-PS-02 105 the ministers are not included unless so necessary. The whips are issued very sparingly. The backbenchers have a chance to play a noticeable role in the committees. On 29 th March, 1993, the Lok Sabha took a very important decision when it unanimously adopted a motion to set up a number of standing committees for examining grants and reports of all departments in order to ensure better and more effective parliamentary control over the functioning of the executive. Though the proposals had been hanging for the last 20 years, it could be cleared now when the rules committee of the house gave to it a final shape and the members accepted the view of the then Speaker, Mr. Shivraj Patil that this system should be given a chance for two reasons: first, it would mean better control of the Parliament over the working of all departments of the Government and second, it would reduce the burden of the business of Parliament. This motion was adopted by the Rajya Sabha as well. Accordingly, 17 Standing Committees each consisting of 30 members of the Lok Sabha and 15 of the Rajya Sabha were set up. Apart from demands for grants, these committees shall examine bills of a technical nature, annual reports and long term policies. Political parties shall have representation on these committees in proportion to their strength in the two houses of the Parliament. The concerned committees shall discuss the grants during the break period ie, when houses are adjourned and submit their reports within the time given to them. In respect of the bills the committees shall consider general principles and clauses of the bills referred to them and then make a report on them. The committees shall consider only such bills introduced in either house of Parliament and give their reports within the allotted time. Their reports shall be based on broad consensus and the member shall have the right to give his/her note of dissent. They may avail of expert opinion or seek public reactions before making their report. No committee shall consider a matter relating to the field of other committees. The noteworthy feature is that the members of the Council of Ministers shall not be included in these committees. Committee system exists as delegated legislation has become an absolute necessity in a modern state. Infact the utility of these committees is borne out by the fact that today most of the serious business of the Parliament is transacted through these committees. This has resulted in an innumerable increase in the numbers of committees. Delegated legislation has become an inescapable necessity in modern welfare state, as the Parliament has neither enough time nor unlimited ingenuity to make laws complete in all respects so as to require nothing by way of amplification or supplementation effected by the rule implementing organ

NSOU ? CC-PS-02 106 to the operation of its law. If delegation of legislative power to the executive department by the Parliament is unavoidable under the present conditions of Public administration, it is also required that the Parliament must keep control over the executive. For this purpose, the Lok Sabha set up its committee in subordinate legislation. The procedure of the committee on the subordinate legislation is governed by the instructions and directions issued by the Speaker from time to time. It is required that all rules and regulations made by the executive departments be laid on the table of the house within a period of 15 days after their publication in the Gazette in case the Lok Sabha is in session. Otherwise they are to be laid on the table of the house as soon as possible but in any case within 15 days of the commencement of the next session. A preliminary scrutiny is conducted by the Lok Sabha Secretariat which examines all the legislative notifications issued by the government. After preliminary examination, the Secretariat sends its comments to the departments concerned for the latter's explanation. It may however, seek the opinion of the experts on any point in case it does not feel satisfied with departmental action. Now let us examine the role played by some of the important committees in our Parliament. For the sake of convenience let us discuss them in the following manner :-

The Business Advisory Committee This committee is constituted at the commencement of the house with a view mainly to regulate the time table of the work of the house and has fifteen members. The Speaker is its Chairman. The Committee on Private Members Bills and Resolution This again is a committee of fifteen whose main function is to examine all private members bills from different points of view before recommending them to be placed before the house for its consideration. Select Committees on Bills The occasion for the appointment of a Select Committee on any bill arises as and when a motion that the bill be referred to a Select Committee is made. Members of a Select Committee are appointed by the house. A Select Committee may hear expert evidence and representatives of special interests affected by the measure before them, and submit its report to the house.

NSOU ? CC-PS-02 107 **The Committee on Petitions** This committee is nominated by the Speaker at the commencement of the house and it too, has strength of 15 members. The financial business of Parliament is so complex that Parliament is unable to devote to it, the time and energy required for discharging satisfactorily its responsibilities for financial control. Hence, two committees have been set up to enable Parliament to discharge its functions in this connection more efficiently namely—The Estimate Committee and the Public Accounts Committee. **The Estimates Committee** The scrutiny of the expenditure proposed by the Government is made by the house in the informal atmosphere of a committee known as the Committee on Estimates or the Estimates Committee. After the annual financial statement is presented before the House of the People, this committee is annually constituted. It is in charge with the detailed examination of the budget estimates. Therefore, it has a powerful position to influence the activities of the Government not only in the financial field but also in other fields. There are four specific functions allotted to this committee. They are :- a)

To report what economies, improvements in organization, efficiency or

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administrative reform, consistent with the policy underlying the estimates may be effected. b) To suggest alternative policies in order to bring about efficiency and economy in administration. c) To examine whether the money is well laid out within the limits of the policy implied in the estimates, and d) To suggest the form in which the estimates shall be presented to the Parliament.

The committee has 30 members who are elected in accordance with the system of proportional representation from among the members of the Lok Sabha for a period of one year. One special feature of the work of the committee, is that, its work is not over with the final passage of the budget even though it is mainly concerned with the estimates. It goes on working all the year round selecting to its own choice, any department or agency of the Government for the purpose of its scrutiny.

NSOU ? CC-PS-02 108 The Public Accounts Committee This committee is the twin sister of the Estimate Committee. If the latter is concerned with the examination of estimates, then the former is concerned with the manner and results of spending public funds. The Public Accounts Committee is not new to India. As early as 1923, a Public Accounts Committee was set up by the Central Legislative Assembly. So, consequently today, the Committee has behind it a set of well established traditions. The Committee consists of 22 members of whom 7 are from Rajya Sabha. The members are elected by a system of proportional representation. No minister can

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be a member of the committee. The term of office of the members is not to exceed one year. The function of the committee

is the examination of accounts of the Government in all its financial transactions. In this respect, it is its duty to scrutinise

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the appropriation accounts and the report of the Comptroller and Auditor General of India. The committee should satisfy itself the following :- a) That the money shown in the accounts having been disbursed, were legally available for and applicable to the service or purpose to which they have been applied or charged.

b)

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That the expenditure conforms to the authority which governs it

and

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c) That every reappropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority. It

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also the duty of the committee to examine the statements of accounts showing the income and expenditure of State Corporations, and Manufacturing concerns, autonomous and semi autonomous bodies, together with their balance sheets and profit and loss accounts. Unlike the

Estimate Committee, the Public Accounts Committee has, at its disposal, the expert advice

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of the Comptroller and Auditor General. The Comptroller and Auditor General

is the guardian of the public purse and it is his/her function to see that not a paisa is spent without the authority of the Parliament. It is the business of the CAG to audit the accounts of the Union and to satisfy himself/herself that the expenditure incurred has been sanctioned by the Parliament and that, it has taken

NSOU ? CC-PS-02 109 place in conformity with the rules sanctioned by the Parliament. The Committee of Privileges The Speaker nominates this committee at the commencement of the house and it consists of 15 members. It is concerned with the examination of questions of privilege and the determination of any breach of privilege in the case which are referred to it. The Committee on Subordinate Legislation The main function of this Committee is to scrutinise

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and report to the house whether the powers to make regulations, rules, sub-rules, bye rules etc. conferred by the Constitution or delegated by the Parliament are being properly exercised within the limits of such delegation. The Committee on Government Assurances

It is the function of this committee to scrutinise the various

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assurances, promises, undertakings etc. given by ministers from time to time on the floor of the house and

to report on the extent to which such assurances have been implemented.

The Rules Committee The main function of this Committee is

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to consider matters of procedure and conduct of business in the house and to recommend any amendments or additions to these rules that may be deemed necessary. The Committee is nominated by the Speaker and

has 15 members. The Speaker is its ex officio Chairman. The Committee on Public Undertakings In November 1963, the Lok Sabha adopted a motion to set up a Committee on Public Undertakings consisting of 10 members of the Lok Sabha and 5 of the Rajya Sabha. The committee will examine the following :- a) The reports and the

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accounts of the Public Undertakings b) The reports, if any, of the Comptroller and Auditor General on the Public Undertakings c) To

check

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whether their affairs are being managed in accordance with sound business principles and prudent commercial practices.

NSOU ? CC-PS-02 110 A critical evaluation A critical study of the working of the Committee on Subordinate Legislation shows that it has done much useful service to the cause of parliamentary control over executive legislation in the country. By 1971, it has been rightly observed by scholars that the committee has done a formidable task during the first four Lok Sabha and earned appreciation as a vigorous and independent body. Yet, it cannot be denied that it has failed in some other respects. The members of the committees are ranked politicians who are much more concerned with the world of politics in which they remain involved all the time and for this reason they have very little time to perform their duties. Moreover, most of them are not legal experts and as such cannot understand the legal and technical aspects of the problems. 7.10 Conclusion Despite such criticisms, it cannot be denied that the committees have undoubtedly been an effective instrument in controlling the executive despotism. Infact the people, the press and also the Parliament have all their vigilant eyes on the executive and the rules framed by it. Infact the establishment of the Committee System has been taken as a sort of innovation in the parliamentary system of the country as a result of which a greater degree of transparency and accountability have been ensured in the functioning of the executive agencies. 7.11 Summing Up ? The significance of the Parliament consists in its multifunctional role. ? Of all the additional functions, that a Parliament takes up as a result of the complexities of modern Government, law making still remain its most important activity. ? The Parliament is also required to make laws within a definite constitutional framework. Law making in every country has to be done by a process prescribed under the Constitution of the country. ? Legislative proposals are brought before in either house in the form of a bill. A bill is the draft of a legislative proposal, which when

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passed by both houses of Parliament and assented to by the President,

becomes an Act of Parliament.

NSOU ? CC-PS-02 111 ? One of the most crucial innovations to streamline the working of the Parliament in an increasingly complex political and administrative system is the committee system of the Parliament. ? Indian Parliament is composed of two houses namely Lok Sabha and Rajya Sabha. Several committees exist in both the houses. For the sake of convenience all the committees may be placed into two categories namely Standing Committee and Ad hoc committees. 7.12 Probable Questions Essay Type Questions : 1. Discuss the different legislative procedures practised in the Indian Parliament. 2. Evaluate the role of the Committees in Indian Parliament. Long Questions : 1. How many types of bills are there in the Indian Parliament? Explain how a bill is passed in the Parliament? 2. Examine the provisions of motions and resolutions in the Indian Parliament. Short Questions : 1. Write a short note on Question Hour. 2. Explain in brief, the role of the Estimates Committee. 7.13 Further Reading 1.

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NSOU ? CC-PS-02 113 Unit 8 ? The Executive: President of India Structure 8.1 Objectives 8.2 Introduction 8.3 Essential Qualifications 8.4 Election of the President 8.5 Evaluation of the method of election of the President 8.6 Tenure and Removal from office 8.7 Powers and Functions 8.8 Emergency Powers 8.9 Critical Appraisal of Powers 8.10 Position of the President 8.11 Conclusion 8.12 Summing Up 8.13 Probable Questions 8.14 Further Reading 8.1 Objectives The present lesson helps the learners to- ? Understand the aim of the framers of the Constitution to have a Constitutional head in the country ? Know the essential qualifications required to become the President ? Get acquainted with the actual term of office of the President and the causes for his/her removal ? Examine the powers and functions of the Indian President including the emergency powers

NSOU ? CC-PS-02 114 ? Assess the powers as given by the Constitution and the real experience in Indian politics ? Analyse the constitutional position of the President of India 8.2 Introduction India has adopted a federal system of government. At the head of the Union executive, stands

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the President of India. The Constitution of India provides for a President of India and the executive power of the Union Government including the supreme command of the defence forces,

is vested on him/her. Infact, Article 52 states that

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there shall be a President of India. Article 53 declares that the executive power of the Union shall be vested in the President.

However, it must be noted that India has adopted for a

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Parliamentary form of government in which the President happens to be the constitutional head and the real executive powers vested in the Council of Ministers. The Prime Minister

being head of the Council of Ministers is the real head

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of the executive. Article 74 mandates that there shall be a Council of Ministers to aid and advice the President in the exercise of his/her functions. It is further prescribed that the President shall act in accordance with such advice. The

Constitution has no article stating that the President is answerable or responsible to the Lok Sabha. Thus, the President being the titular or formal head, exercises all powers and functions conferred on him/her on

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the aid and advice of the Council of Ministers. 8.3 Essential Qualifications Article 58 of the Constitution requires that a candidate for the office of the

President
should

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possess the following qualifications : 1. She/he must be a citizen of India. 2. She/he must have completed 35 years of age. 3. She/he must

possess all qualifications prescribed

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for election as a member of the Lok Sabha. 4. Besides she/he must hold any office of profit under the government of India NSOU ? CC-PS-02 115 or any State Government or any local authority subject to the control of

central or State Government. 5. Article 59 says that she/

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he must not be a member of either house of Parliament or of any State Legislature.

It means that in case the member of the Union or the State Legislature is elected for this office, his/her seat in the Legislature

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shall be deemed to have been vacated from the date on which he/ she assumes his/her office as the President of India. 8.4 Election of the President

The procedure of Presidential election is contained in Article 54 and 55 of our Constitution.

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The President of India is elected by indirect election, that is, by an electoral college, in accordance with the system of proportional representation by means of

a single transferable vote.
According to Article 54

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the Electoral College shall consist of – (a) The elected members of both houses of Parliament and (b) The elected members of the Legislative Assemblies of the States.

Article 55 provides for the formula of

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uniformity in the scale of representation of different states, as far as

practicable, by incorporating the method of proportional representation with single transferable vote system. This condition seeks to ensure that the votes of the states, in the aggregate,

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in the Electoral College for the election of the President,

shall be equal to that of the people of the country as a whole. In this way

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the President shall be a representative of the nation as well as a representative of the people in the different States.

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It also gives recognition to the status of the States in the federal system. The whole procedure of Presidential election

has been discussed by J.C. Johari

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with the help of the following steps : 1. Each elected member of a State Legislative Assembly shall have as many votes as there are the multiples of one thousand in the quotient by dividing the population of the State

as given in the last census report

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by the total number of the elected members of the Assembly. Moreover, if after taking the said multiples of one thousand, the remainder is more than 500 then the NSOU ? CC-PS-02 116 votes of each member shall be further increased by one.

Its

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formula may be put as under : Total number of votes Population of the State = ----- ÷ 1,000 of an elected M.L.A. Total no. of elected

M.L.A.'s To take a hypothetical example, we may say, that if there is a population of 5,000,000 in a State and there are 50 elected M.L.A.s, then

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the value of the votes of each of them will be: 5,000,000/ 50= 100,000/ 1000 = 100. 2. Each elected member of the Parliament shall have such number of votes as may be obtained by dividing the total number of votes assigned to all

the elected
M.L.A.'

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s of the country by the total strength of the elected M.P.'s is

to be counted as one vote more, otherwise it shall be discarded. Its formula may be put as under : Total number of votes = Total number of votes assigned to all elected M.L.A.'s of an elected M.P. -----
Total number of the elected members of Parliaments To take a hypothetical example again, we may say that in case the total value of votes of all the elected M.L.A.'s of the country is 2,00,000 and the total strength of the elected M.P.'S is 500, then the value of the votes of each elected M.P. will be 400. 3. Finally, it is provided that the election

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of the President shall be by secret ballot and in accordance with the system of proportional representation with single transferable vote.

It means that the voter shall be given a ballot paper having the names and party symbols of the candidates on the left side with blank columns on the right that he/she has to fill up by showing his/her preferences. The voter shall place the figures of 1,2,3 and so on in the blank columns to show his/her order of preferences after the polling is over, counting shall take place. First of all, invalid paper shall be rejected and electoral quota shall be taken out by means of this formula : Electoral Quota = Total number of valid votes polled ----- + 1 + 1 = 2 ÷

NSOU ? CC-PS-02 117 Then counting will begin. In case a candidate secures vote's upto the figure of electoral quota in the first round, he/she shall be declared elected. Otherwise, subsequent rounds shall be made to declare the results. A candidate having least number of votes shall be eliminated and his/her votes shall be transferred to other candidates according to second preferences. Thus, the votes of other candidates will be enhanced. The process will continue until the result is available. A historical study of the Presidential polls tells us that not first, second and third, but the fourth and fifth elections assumed unprecedented significance. The fourth election of 1967 and, shortly after that, the fifth one of 1969 made a history of their own in view of the dwindling position of the Congress Party heading towards an inevitable split. The fourth Presidential election witnessed a meaningful political contest between a united Congress and a more or less united Opposition. It looked like a straight fight between Dr. Zakir Hussain as the nominee of the Congress party and K. Subba Rao as a chosen leader of the opposition parties, excluding the leftist element. But a more significant episode took place in the fifth Presidential poll of 1969. It marked an unprecedented contest between a divided Congress and a dis- united opposition each thriving on the bickering of the other. The result was that no candidate could win in the first round and the victory of the unofficial Congress nominee (Mr.V.V.Giri) at the expense of the official candidate (Mr.N.Sanjiva Reddy) occurred owing to the process of elimination.

8.5 Evaluation of the method of election of the President A critical examination of the system of the Presidential election in India shows that there are certain serious loopholes in it though some of them have been removed in course of time :

1. The expression of Article 55(3) providing for proportional representation system is incorrect in the sense that there can be no proportion unless there are at least two seats. That is, the system of proportional representation cannot apply to a single member constituency. Prof. M.P.Sharma was the first critic to point out in 1950 that the nomenclature of proportional representation is incorrect. According to him, the question of proportion can arise only when there are at least two things to compare. Infact in his book entitled The Government of the Indian Republic, he argued in favour of preferential or alternative vote system.
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The Constitution is not clear as to what shall happen if the

Electoral College is in a lame-duck situation. The XI Constitution Amendment Act was rushed through in 1961 to provide that the election of the President shall not be invalid if there were some vacancies in the Electoral College. However, it does not lay down whether the election will take place if any state is under President's rule. It must also be noted that a new device of half state emergency was invented in 1966 to keep the Legislative Assembly of Punjab under suspended animation. The question arises as to what shall happen if there is no Legislative Assembly in a state. This controversy arose in 1974 owing to President's rule in Gujrat. The matter was referred by the President to the Supreme Court for its advisory opinion. The Court advised in favour of the Government desiring election without a State Assembly.

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The present system of Presidential election hardly provides any chance for the election of a non political personality.

The prospects of victory are there for one supported by the party having its overwhelming majority in the Electoral College, or for one backed by a combination of parties, big and small, that somehow manage to come together for the purposes of having a friend of their own in the Rastrapati Bhawan.

4. The procedure of Presidential election is highly complex and is beyond the understanding of the ordinary citizens. If a political party ceases to have unanimous and absolute majority in both the houses of the Parliament and if, in such a situation many candidates of different political parties express their desires to contest for Presidential election then, there is no doubt that such a procedure of Presidential election is bound to be even more complicated.
5. Dr. K.V.Rao in his book entitled Parliamentary Democracy of India has mentioned the voting system of the President as highly unscientific. According to him, this system of election is more or less like a knock out tournament since in the method of proportional representation the first preference is given a greater value compared to the second one.

NSOU ? CC-PS-02 119 On the question of Presidential election opinion in the Constituent Assembly was at first divided. There were those who advocated the adoption of the Presidential system of government prevalent in the United States of America and advocated in favour of the direct election. But they formed only a small minority and the overwhelming majority was decisively in favour of an indirect election. Several reasons were cited in this regard by the members. They are : 1. India has adopted a parliamentary system of government. The President is a mere titular head in such a system. If the President is directly elected then there might arise a possibility of conflict between the President and the Prime Minister. It is not desirable for the President to get involved into a conflict with the Prime Minister and Council of Ministers. 2. The role of the President in India is mere constitutional. It was also desired by some other members that, as the manner of direct election would amount to a colossal waste of time, energy and money and also would lead to immense political difficulties, the President should be elected by the member of the Parliament. 3. Incase of direct election of the President for two or more candidates there is a possibility of electing the one who has the support of the majority. As such what was finally accepted was the Nehru –Ambedkar formula of indirect election of the President by an enlarged electoral college consisting of

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the elected members of the Union and the State legislatures in accordance with the principle of proportional representation with single transferable vote

system. This formula, as stressed by Nehru and Ambedkar, had the support of three essential reasons- vast size of our electorate, strain on the administrative machinery and nominal position of the head of the State in our parliamentary form of the government. In this way, the principle of the indirect election of the President had its happy coincidence with the framework of our federal system implying division of powers between the Centre and the States with the President being a chosen nominee of both. Thus, it has been remarked that the method adopted for the election of our President "is an original contribution to constitutional practice."

NSOU ? CC-PS-02 120 8.6 Tenure and Removal from Office

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The President holds his/her office for a period of five years from the date he/she

takes the

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oath in the presence of the Chief Justice of India.

As the Constitution says nothing regarding the number of terms that a person may avail of, it is clear that the President is eligible for any number of elections. The President may also resign before the expiration of his/her term of office for any reason. It is provided that his/ her resignation should be addressed to the Vice-President who is required to communicate it to the Speaker of the Lok Sabha. A voluntary resignation of the President may presumably be in any of the following four cases : 1. He/she may resign due to the reason of continued ill-health. 2. There may be a voluntary abdication in a case where the President may not be in harmony with the Council of Ministers and would prefer to quit rather than create a constitutional crisis. The resignation in such a situation may also be due to a directive from the high command of the party in order to avoid the likely conflict. 3. The resignation of the President may also be to avoid removal by impeachment when such proceedings seem to be in progress. The resignation of the President may also be a threat against the ministry or the majority party on some vital issue which might reveal something damaging to the ministers who can thus, be coerced to reconsider their stand, reconsider their differences, if possible, or offer themselves to resign. Infact a vacancy of

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the office of the President may be caused in any of the following ways- (i) On the expiry of his/her term of five years. (ii) By his/

her death. (iii) By his/her resignation. (iv) On his/her removal by impeachment. (v) Otherwise.

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When the vacancy is going to be caused by the expiration of the term of the sitting President, an election to fill the vacancy must be completed before the

NSOU ? CC-PS-02 121 expiration of the term [Article 62(1)] but it is at the same time provided that the outgoing President must continue to hold office, until his/her successor enters upon his/her office [Art 56(1)]. In case of a vacancy arising due to reason of any cause other than the expiry of the term of the incumbent in office, an election to fill the vacancy must

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be held as soon as possible after, and in no case later than, six months from the date of occurrence of the vacancy.

Apart from the permanent vacancy, the President may be temporarily unable to discharge his/her functions, owing to his/her absence from India, illness or any other cause, in which case the Vice President shall discharge his/her functions until the date on which the President resumes his/her duties. [Art 65 (2)]. Article 56(1) provides that

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the President of India may be removed by the process of impeachment

for the 'violation of

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the Constitution.' An impeachment is a quasi- judicial procedure in Parliament. Either house may prefer the charge of violation of the Constitution before the other house which shall then either investigate the charge itself, or cause the charge to be investigated. But the charge cannot be preferred by a house unless— (a) A resolution containing the proposal is moved after

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days' notice in writing signed by not less than $\frac{1}{4}$ of the total number of members of that house and (b) The resolution is then passed by a majority of not less than $\frac{2}{3}$ of the total membership of the house.

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The President shall have a right to appear and to be represented at such investigation. If, as a result of the investigation, a resolution is passed by not less than 2/3 of the total membership of the house before which the charge has been preferred declaring that the charge has been sustained, such resolution shall have the effect of removing the President from his/her office with effect from the date on which such resolution is passed [Art 61]. Since the Constitution provides the

mode and ground for removing the President, he/she cannot be removed otherwise than by impeachment, in accordance with the terms of Arts. 56 and 61. A critical examination of the procedure for the impeachment of the President shows that it is full of loopholes and inconsistencies which may be enumerated as under :

NSOU ? CC-PS-02 122 1. The phrase 'violation of the Constitution is delightfully vague. It is not clear as to what it includes and what it excludes. One may, and one may not agree with the view of Dr. Ambedkar that President's refusal to summon the Parliament, for example, on the advice of the Prime Minister constitutes a violation of the Constitution. Prof. B.M.Sharma feels, that any act of the President without or against the wishes of the Council of Ministers would amount to a violation of the Constitution. 2. The members of the state legislatures have been deprived of any part in this process in spite of the fact that they have their full part in the election of the President. There ought to have been some provision for the ratificatory role of the state legislative assemblies. 3. The provision of at least 1/4 members at the time of the initiation of the move in either house of the Parliament and of 2/3 majority of the whole house at the time of the adoption of the resolution include all the members of the house whether elected or nominated. One may ask, as to why the nominated members of the house have been given the right to take part in th impeachment proceedings when they have no such rights in matters of Presidential election. 4. The provision that the other house of the Parliament shall investigate the charge is understandable but it is not clear whether the house will do the tedious job itself or appoint some judicial commission for the said purpose. 5. It is not clear, as to what time the investigating house will give to the President for making his/her defence, since the term 'short notice' does not give any idea of specific time period and personal equation with the President and are more likely to influence the outcome. 6. As

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the President has the power to summon and prorogue the Parliament and dissolve the Lok Sabha,

he/she might use these powers thereby delaying the process of impeachment. 7. The Constitution makes no mention of the disqualifications that a person shall incur after his/her removal from the office of the President. 8. Above all, the requirement of the 2/3 majority of the house makes the whole affair highly tedious that goes to the benefit of the President.

NSOU ? CC-PS-02 123 8.7 Powers and Functions India is a democratic republic. As such, it has a democratically elected Government. That is why, the head of the State is neither a nominated representative, nor a hereditary monarch, but an elected representative of the people even though the election may be indirect.

The President of India

is the head of the State and occupies the highest office in India. Under Article 53 of

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the Constitution, the executive power of the Union vested in the President who is empowered to exercise it either directly or through officers subordinate to him/

her. Owing to the manifold expansion of the functions of the State, all residuary functions have practically passed into the heads of the executive. Viewed in this perspective, it appears that the President is the highest authority of the land in matters of executive as well as legislative powers. For the sake of convenience, the normal powers and functions of the President can be classified into five categories namely- Executive, Legislative, Financial, Judicial and others. Let us discuss them in the following manner :- Executive Powers :

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The President is the chief executive of the Indian administration. The supreme executive authority of the Union is vested in

him/her that he/she can exercise it either directly or through officers subordinate to him/her. The executive power may be enumerated in the following manner :- 1. The entire administration of the Union Government is conducted in the name

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of the President and all important decisions of the Government of India are formally taken

by him/her. He/she makes rules of business whereby the work of the Government is conducted. He/she also allocates works among the Ministers. 2. The President must be kept informed by the Prime Minister of all decisions of the cabinet. He/she can ask the Prime minister to submit a decision of any Minister

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for the consideration of the Council of Ministers in order to have the decision of the

cabinet as a whole on that important subject. 3. Important appointments are made by the President and they include the Prime Minister and all Union Ministers and Deputy Ministers, Attorney NSOU ? CC-PS-02 124 General of India, Comptroller and Auditor General of India and so on. Besides he/she has the power to appoint the Chairman and members of several commissions and statutory bodies like the Election Commission, Finance Commission, Official Language Commission and so on. As he/she is the appointing authority, he/she can also remove the officers appointed by him/her in certain situations. For instance, he/she can dismiss the

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Judge of the Supreme Court or of a High Court

and can even remove a member of the UPSC after having an enquiry report from a Judge of the Supreme Court. 4. The President is the administrator of all Union Territories and Tribal areas.

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Every union territory is administered by him/her through an administrator appointed by him/

her. He/she may also entrust the administration of a neighbouring union territory to the Governor of a state who will act according to the instructions of the President and not according to the Council of Ministers of his/her State. 5. By virtue of being the head of the State, the President maintains the foreign relations. All diplomatic business is conducted in the name of the President. All treaties and international agreements are negotiated in his/her name, though they cannot be effected unless ratified by

the Parliament subsequently. 6. The President

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is the Supreme Commander of the Defence Forces. He/she appoints the Chiefs of the Army, Navy and Air Force. He/

she may confer the title of Field Marshall. He/she is the head of the National Defence Committee. Thus, as per the decision of this important body, he/she may make a declaration of war and peace. 7. The President has the power of making rules and regulations governing matters like the Joint Session of the Parliament, appointment of the officers of the Supreme Court, administrative power of the Comptroller and Auditor General and so on. Similarly the prior approval of the President is necessary for certain administrative actions or decisions of other authorities as those of the Supreme Court governing its procedure, determination of the forms of accounts by the Comptroller and Auditor General and Union Public Service Commission or Joint Public Service Commission serving the needs of some of the States. NSOU ? CC-PS-02 125 8. Finally, the President can issue directives to the State Governments whereby their administration should be carried on. In this direction, he/she has the power of exercising superintendence and control over the administration of the States. He/she can issue instructions which the State Governments must follow to ensure due compliance with the Union Laws and unimpeded operation of the union administration. In case a State Government fails to carry out the instructions or directions of the President, he/she may invoke Article 356 to take over its administration in his/her own hands. Legislative Powers : Like the British Monarch the President is the integral part of the Parliament. Our Constitutional arrangement like that of its English counterpart should be described in this connection, as the President in Parliament. The legislative powers of the President should be taken as a supplementary part of his/her formal powers vested in him/her as the Head of the State. The legislative powers of the President can be enumerated in the following manner : 1.

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The President has the power to summon and prorogue the session of the Parliament.

He/she can dissolve the Lok Sabha.

It is required that the President shall summon the sessions of the Parliament in a way that the intervening gap is of a duration of not more than six months. In case of a deadlock situation between the two houses on a non- money bill, the President may call a joint session of the Parliament and frame rules for the transaction of business therein. 2.

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The President nominates twelve members to the Rajya Sabha from among persons having special knowledge or practical experience in

respects of literature, science, arts and social service.

He/she can nominate two persons from the Anglo Indian Community to the Lok Sabha in case he/she finds that this community has not been able to have its adequate representation in the popular chamber. 3.

The President has the power

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to address and send messages to the Parliament. He/she may address either house of the Parliament or both assembled together and for that purpose require the attendance of the members. The

first

NSOU ? CC-PS-02 126 session of the Parliament after a General election and its first session of a new year must open with the inaugural address of the President. The President may send his/her message

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to either house of Parliament with respect to a bill then pending or otherwise, and

may be required by the President to be taken up for consideration. 4. The bills passed by the Parliament can only become laws after

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the President has given his/her assent to them. The President has veto power over bills passed by the Parliament.

In the case of a Non-Money Bill, he/she may either give his/her assent, or withhold it or he/she may return the bill to the Parliament for its reconsideration. It is provided, that in case the same bill is re passed by the Parliament, whether his/her recommendations have been accommodated or not, he/she cannot withhold his/her assent. However, it must be noted that he/she has no veto power over the money bills and constitutional amendment bills nor does he/she have a pocket veto like that

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of the American President. 5. Money bills cannot be introduced in the Lok Sabha without prior consent of the President.

Bills seeking alterations of State boundaries or changes in the name of State again has to

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be introduced in the Parliament with the prior consent of the President.

This category also includes a bill making provision for the enactment of certain laws relating to some language, or an amendment affecting taxation in which the States are interested, or which involves expenditure from the Consolidated Fund of India. 6. In the event of some special necessity, but at a time when the Parliament is not in session, the President may promulgate an ordinance that shall have the force of law. Such a step is taken by the President if he/she is satisfied that the obtaining circumstances so require. The 42 nd Amendment Act has made the Presidential act immuned from judicial scrutiny but the 44 th Amendment Act has repealed it. The President may withdraw his/her ordinance at any time, or it shall cease to have effect after six weeks. 7. The President is required to lay before the Parliament, the reports and recommendations of several important bodies like

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the Union Public Service Commission, Finance Commission, Comptroller and Auditor General of India

and so on.

NSOU ? CC-PS-02 127 8. The President has absolute veto power over bills passed by the State Legislatures. In case of a state bill which

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may be reserved by the Governor for the consideration of the President,

if it happens to be essential by the Parliament or may be in conflict with the Union legislation already in force, or with any policy matter considered essential by the Governor of the state. The President for such bills may give his/her assent, withhold it, with or without assigning any reason, or may return it to the state after seeking the opinion of his/her Council of Ministers or of the Supreme Court. 9. Finally, the President has the power to direct by a public notification that from such date, as may be specified therein, some Union or State law shall not apply to any major part or shall apply the subject to such exceptions or modifications as may be specified therein. Financial Powers : The financial powers of the President may include the following :- 1. No money bill and particularly

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no bill imposing or varying any tax or duty in which the states are interested can be introduced in the

Lok Sabha without his/her prior recommendations. 2.

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The Contingency Fund of India is at his/her disposal. He/she can make advances out of it to meet unforeseen expenditure pending its authorization by the Parliament. 3. The

President shall cause to be laid before the Parliament the budget and supplementary budget if any, for its approval. 4. The President can also appoint from time

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to time a Finance Commission to make recommendations regarding the distribution of certain taxes between the Union and the States.

He/she may take action on the report of the Finance Commission, if he/she thinks it to be necessary. 5. The President has the power to determine state's

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share of the income tax, and the amount of yearly grants-in-aid to certain eastern states in lieu of their share of the jute export duty.

NSOU ? CC-PS-02 128 Judicial Powers :

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The judicial powers of the President constitute his/her prerogative of mercy. He/ she has the power to pardon offenders, or remit, or suspend or commute their

sentence in three cases- i) Where the punishment is given by the court martial ii) Where it is for an offence against a

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law relating to a matter to which the executive power of the Union extends and iii) Where it is a sentence of death. In

Kehar Singh's case in the year 1989 the following principles were laid down :- a) The convict seeking relief has no right to insist on oral hearing. b) No guideline needs to be laid down by the Supreme Court for the exercise of the power.
c)

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The power is to be exercised by the President on the advice of the Central Government. d) The President

can go into the merits of the

case and take a different view. e) Exercise of the power by the President is not open to judicial review. Miscellaneous Powers : There are some miscellaneous powers of the President which are the following: 1. The President may refer any question of public importance involving a question of law as well as of fact to the Supreme Court for having its opinion. 2. He/she may make regulations determining the number of the members of the Union Public Service Commission, their tenure and conditions of service etc. 3. In the matter of official language, although the use of English has been retained by the Official Language Act of 1963 (as amended in 1967) he/she can authorize the use of Hindi in addition to it for such official purposes as he/she thinks fit and may appoint the Official Language Commission from time to time for their recommendations over the issue. 4. The President has some very important powers in regard to the administration of Jammu and Kashmir. He/she may issue orders for the extension of the

NSOU ? CC-PS-02 129 provision of fundamental rights, or of the jurisdiction of the Election Commission and the Supreme Court. His/her prerogative of mercy covers the state of Jammu and Kashmir as well. 8.8 Emergency Powers The executive of Indian administration is assigned with certain special powers to meet the critical situation. This is required since normal powers do not help to face the abnormal or emergency situation. That is why, in most of the states at the time of emergency the chief of the executive is granted with certain additional special powers. This is more required in case of a federal system of administration since in a federation the power is decentralized. With decentralized power structure, it is not possible to overcome the emergent conditions. As such its definition and its nature cannot be determined. K.V. Rao in his book entitled, Parliamentary Democracy in India has stated that emergency situation creates such a dangerous situation that immediate action becomes inevitable. Such a situation as arisen is sudden and unexpected. The Government of India Act of 1935 has also mentioned about the system of rules related with the emergent situation. Article 102 of this Act grants the power to proclaim the emergency to the Governor General of our country. The administrative legacy of the colonial period finds its reflection in the Constitution of India as well. That is why, the President of India is granted with three kinds of emergency powers. The abnormal functions and powers of the President are contained in Part XVIII of the Constitution titled, 'Emergency Provisions'. The Constitution stipulates three kinds of emergencies namely the National Emergency caused by war, external aggression or armed rebellion, in the country (Art 352); State Emergency caused by the breakdown of constitutional machinery in a state (Art356) and Financial Emergency when the financial stability or the credit of India or any part thereof is in danger (Art 360). Let us discuss these three emergency powers of the President in the following manner :- National Emergency : Article 352 empowers the President to declare National Emergency whenever he/ she is satisfied that a serious situation has arisen, or is most likely to arise,

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the security of the country by war, external aggression or armed rebellion in the

country. The satisfaction of the President, for all practical purposes, depends upon the advice of the Council of Ministers. It is, however, subject to the control of the Parliament. Such a Proclamation shall be laid before the Parliament and unless approved by it shall cease to have its effect. Such a proclamation can remain in force for a period of one month at the most, or its extension must be approved by the Parliament. The Constitution, further, provides that in case the Lok Sabha stands dissolved, the power of giving any approval shall be exercised by the Rajya Sabha. If the Rajya Sabha passes it, it must still be approved by the house within thirty days after the meeting of the new Lok Sabha. If the Rajya Sabha itself has not approved the proclamation, it will cease to be valid. It must also be noted that the power of the President to declare an Emergency may be made use of even

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before the actual occurrence of the aggression or disturbance, if the President is satisfied that there is imminent danger. The 44

th Constitutional Amendment Act of 1978 has made some important changes. Apart from substituting the phrase 'internal disturbance' by 'armed rebellion' and reducing the period of 'two months' by 'one month' at the most whereby the declaration of the President may remain imposed without the approval of the Parliament, it makes the following important arrangements :- 1. Such a proclamation can be made by the President on the written advice of the Union Cabinet. 2. The approval of the Parliament shall require adoption of the resolution in each house by a majority of the members, present and voting. 3. A specific time limit has now been set. It says that the extension of duration in one instance cannot be for a period of more than six months. However, no maximum time-limit has been specified. 4. It is also given that at least one tenth members of Lok Sabha may place a requisition of a special session at any time to reconsider the continuity

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of the proclamation. Such a notice shall be addressed to the Speaker (in case the house is in session) or to the President (

in case

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the house is not in session). Thus, a special sitting would be held within fourteen days of the receipt of such notice.

NSOU ? CC-PS-02 131 5. Such a proclamation may be varied or

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revoked by the President at any time by a subsequent proclamation.

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The effects of a Proclamation of Emergency may be discussed under four heads

namely Executive ii) Legislative iii) Financial and iv) As to Fundamental Rights. For our convenience, we will discuss them in the following manner :- (i) Executive : When a proclamation of emergency has been made, the executive power of the Union shall, during the operation of the proclamation extends to the

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giving of directions to any state as to the manner in which the executive power thereof is to be exercised [

Art 353(a)].

In normal times, the Union Executive has the power to give directions to a state, which includes only the matters specified in Arts. 256-257. But under a proclamation of emergency, though the State Government will not be suspended, it will be under the complete control of the Union Executive, and the administration of the country insofar as the proclamation goes, will function as under a unitary system with local sub-divisions. (ii) Legislative : (a) While
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proclamation of emergency is in operation, Parliament may, by law, extend the

normal
life of the
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for a period not exceeding one year at a time and not extending in any case beyond

the period of six months after the period of proclamation has ceased to operate. (b) During the operation of Proclamation of Emergency, Parliament shall have the power to legislate as regards State List as well [Art 250(1)] though the Proclamation will not suspend the State Legislature; it will suspend

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the distribution of legislative powers between the Union and the States.

So far as, the Union is concerned, the Union Parliament may meet the emergency by legislation over any subject as may be necessary as if, the Constitution were unitary. (c)

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in order to carry out the laws made by the Union Parliament under its extended jurisdiction as

outlined above, Parliament shall also have the power to make laws, in respect of any matter, even though such matter normally belonged to state's jurisdiction [Art 353(b)]. (iii) Financial : During the operation of the

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proclamation of Emergency the President shall have the constitutional power to modify the provisions of the Constitution relating to the allocation of financial resource relation between NSOU ? CC-PS-02 132 the Union and the States,

by his/her own order. But no such order

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shall have effect beyond the financial year in which the proclamation itself ceases to

operate, and further such order of the President shall be subject to approval by the Parliament [Art 354]. (iv) As regards Fundamental Rights : Articles 358-359 lay down the effects of a proclamation of emergency upon fundamental rights. With a proclamation of National Emergency Article 358 comes into operation automatically to suspend Art 19. Again the suspension of enforcement under Article 359 shall relate only to those fundamental rights which are specified in the President's order, excepting Articles 20 and 21. The President shall be entitled to suspend fundamental freedoms enshrined in Article 19 and their enforcement given in Arts 32 and 226 of the Constitution. He/she shall also be entitled for suspending the enforcement of any of the fundamental rights except those of life and personal liberty given in Articles 20 and 21. It is, however, required that such an order of the President shall be placed for the approval of the Parliament, as soon as possible. It does leave some option for the President to make reasonable delay in placing his/her order for the suspension of enforcement of fundamental rights before the Parliament for its approval. National Emergency has been declared in our country three times so far. For the first time, emergency was declared on 26 October 1962 after China attacked the Indian borders in the north-east. This national emergency lasted till 10 January 1968. For the second time, it was declared on 3 December 1971 in the wake of the second India-Pakistan war, and was lifted on 21 March 1977. While the second emergency on the basis of external aggression was in operation, third national emergency (called internal emergency) was imposed on 25 June 1975. This emergency was declared on the ground of internal disturbance.

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Both the second and third proclamations were revoked in March, 1977.

State Emergency The provision of State Emergency is contained in Art 356 of the Constitution that empowers the President to take over the administration of any state in the event of the breakdown of the constitutional machinery there. Either on the report of the Governor of the state concerned or on the basis of his/her own satisfaction, that NSOU ? CC-PS-02 133 virtually implies the satisfaction of the Union Cabinet, the President may invoke this article of the Constitution.

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The proclamation under Art. 356, shall remain in force for a period of two months at the

most, unless the period of extension is approved by the Parliament. In regard to the duration of this type of emergency, the constitution provides that a resolution to this effect must be passed by each house in with simple majority. Incase the Lok Sabha stands dissolved the Rajya Sabha may pass a resolution to this effect. However, the duration so extended by the Rajya Sabha shall continue for thirty days at the most. The 44 th Amendment Act has once again restored the original position of six months. It means that a resolution of the Parliament can extend the duration of state emergency for a period of six months in one instance which may be further extended for the same length of time. However, the total period of state emergency cannot go beyond three years. It should carefully be noted here that phrase 'breakdown of the constitutional machinery in the states' as described by M.C.Setalvad, is of 'widest import'. It may mean anything from the actual disintegration of the state administration to the struggle for preventing the option from parties forming an alternative government. In June, 1977 it was invoked by the Janata Government to sack nine Congress Government on the plea that the Lok Sabha election results of March, 1977 had demonstrated loss of people's faith in Congress rule. The Congress (I) Government under Mrs. Gandhi took almost a similar stand some three years after. The scrutiny of the political development, in this direction, leaves this important impression that the rulers of the centre has largely may use of this important reserve power in the interest of their party politics. While factional rivalry between the two congress leaders like Gopi Chand Bhargava and Bhim Sen Sachar was enough to call for the invocation of the Art.356 in Punjab for the first time in 1951, smooth transfer of the assets and liabilities between the state of Punjab and the newly created state of Haryana warranted the imposition of state emergency in 1966. The extraordinary arrangement of half state emergency was withdrawn after the state of Haryana found its place in the political map of India. We find that the Centre has made use of this reserve power sometimes to remove a political deadlock and sometimes to maintain he status quo in its own favour, while at other times to frustrate the efforts of other parties to have the opportunity of making an alternative government. This constitutional provision has been said to be explained by the ruling party at the Centre according NSOU ? CC-PS-02 134 to its political expediency. That is why, a good number of states have come under the President's rule on several occasions. Again, one peculiar development that has taken place in this regard is the imposition of, what may be termed, 'half emergency'. It depends upon the will of the President to dissolve or suspend the State Legislative Assembly. In case the Assembly is dissolved, there is full state emergency and the way is cleared for the next general election, in case there is half emergency, it means that the Assembly is placed under 'suspended animation' and it depends upon the President to revive it or to destroy it. That is, half emergency may be converted into full emergency or non emergency. The effects of the imposition of emergency under Art 356 may be given below : 1. The President shall assume all functions of the State Government and conduct its administration through the Governor or administrator who may, or may not, be assisted with some advisors. 2. As the state legislature shall be out of work on account of being dissolved or kept in a state of suspended animation, the Parliament shall have the power to make laws or pass budget for that state. It should be noted here that the law made by the Parliament for such a state during this period shall remain in force unless withdrawn by it earlier, but cease to operate beyond a period of six months at the most after the revocation of the emergency. A State law already in force shall be treated as 'suspended' during the period of emergency to the extent it is repugnant to the law made by the Parliament. 3. In case

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the Lok Sabha is not in session, the President may

issue an order authorizing the expenditure out of the Consolidated Fund of that State subject to the eventual sanction of the Parliament. 4. The President may make any necessary or incidental or consequential changes in the provisions of the Constitution relating to the state authority so as to give desirable effect to the objects of the proclamation. The President either on his/her own initiative or on the resolution of

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the Parliament may confer powers or impose duties upon the Union, its officers and authorities. 5.

This type of emergency does not entitle the President to curtail or take away the powers of the High Court.

NSOU ? CC-PS-02 135 Emergency under Article 356 was first imposed in 1951 in the state of Punjab. In 1959, Kerala was put under the President's Rule. There have been many cases of proclamation of state emergencies over the years like in Orissa in 1961, Haryana in 1967, U.P. in 1970, Tamil Nadu in 1976, nine states in India in 1977, Pondicherry in 1978 and so on. In fact emergency under Art 356 has been imposed in various states for one reason or the other for more than hundred times. However, after 1995 the use of this provision has rarely been made.

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Financial Emergency If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory thereof is threatened, he/she may by a proclamation make a declaration to that effect [

Art 360(1)]. The consequences of such declaration are : 1. During the period any such proclamation is in operation,

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the executive authority of the Union shall extend to the giving of directions to any state to observe such canons of financial propriety as may be specified in the directions. 2. The President may

give any direction that includes a provision requiring the reduction of the

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salaries and allowances of all or of any class of persons serving in connection with the affairs of the

State Governments, or a provision requiring that all money bills or other bills to which the provision of Art. 270 apply to be reserved for his/her consideration by the Governors after they are passed by the legislators of the States. 3. It shall be competent for the President during the period that any such proclamation is in operation

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to issue directions for the reduction of salaries and allowances of all or any class of persons serving in connection with the affairs of the Union including the Judges of the Supreme Court and the High

Court [

Art 360 (3) and (4)]. The language of Art 360 is delightfully vague. It is not clear whether proclamation of such an emergency shall apply to the whole of the country or to some of its part or parts. It may also be pointed out that while other types of emergencies shall be declared in the event of some factual situation, it might be invoked in the event of the opinion of

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the President acting on the advice of his/her Council of Ministers. The

NSOU ? CC-PS-02 136 most formidable part of this provision finds place in its psychological impact. Instead of dealing with a situation of emergency, it might lead to the emergence of a situation of greater emergency. Finance is a very delicate matter and any declaration of emergency in this regard would create such a panic as any bring about a condition of economic instability. Till date the financial emergency has never been proclaimed in India. 8.9 Critical Appraisal of Powers The enormous powers of the President during the times of three kinds of emergencies have been studied by the critics with a sense of lurking apprehensions. These have been labelled as 'undemocratic' 'unfederal' and inherent with the possibilities of any amount of mischief. 1. It is pointed out that these provisions confer sweeping power on the President who may transform himself/herself from the role of a guardian to a power drunk ruler. Here, is discovered a very dangerous opening for the creation of an absolute State with unlimited sovereignty. 2. The emergency provisions are incompatible with the doctrine of federalism. The way Art. 356 has been invoked in the past bears a clear testimony to the fact that the ruling party at the centre has broken the tips of the State Governments in the hands of other parties and played havoc with the phrase 'breakdown of the constitutional machinery'. In fact on the unscrupulous use and deliberate misuse of Art 356, Prof. Rao comments that, no doubt, our constitution contains many unfederal features, but this Article "may be called the crown of all". 3. A deeper study of the provision of the State Emergency leads to the examination of many serious loopholes. If the people are the makers of the Government, they are capable enough to be also its unmakers, or the judges, or the controllers of its activities. Whenever there is a political crisis in a state, the people must look towards the centre to come to their rescue, or, they must create problems for the centre so that the imposition of the President's rule becomes unavoidable. The issue then becomes like a tussle between the centre and the people of the state.

NSOU ? CC-PS-02 137 4. What is a matter of grave concern is that the duration of national and financial emergencies can be extended for any length of time and the government may not like to revoke it even when normal times may be said to prevail. 8.10 Position of the President In view of the powers of the President we need to analyse the position that he/ she occupies in the political system. The Indian Constitution has hardly any detailed explanation with regard to the real nature of the Indian Presidency. As such it has given rise to serious debates and controversy amongst the scholars on the Indian Constitution. An overall assessment however, suggests that in different aspects the President has been assigned with greater powers by the Constitution of India. Judged from a theoretical perspective this cannot be denied. Despite such enormous powers assigned to the President by the Constitution, yet like Pylee, we too fear whether these powers are at all to be exercised by him/her or not. On the answer to this question will depend the real position of the President in the governmental system established by the Constitution rather than what may appear from a literal reading of the Constitutional provisions. It is here, that we have to turn to the nature as well as the working of the Government of India. Infact to a great extent the position of the President depends on the nature of relationship which he/she shares with the Council of Ministers more particularly with that of the Prime Minister. To view the actual position of the Indian President it is essential for us to review the political system of the country. Along with it, is equally essentially to examine the vision or the objective which the framers had in their mind in creating the post of the President. In a Parliamentary form of government, the tenure of office of the virtual executive is dependent on the will of the Legislature while in a Presidential government the tenure of office of the executive is independent of the will of the Legislature. Thus, in the Presidential form, the model for which is the United States- the President is the real

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head of the executive who is elected by the people for a fixed term.

He/she is independent of the Legislature as regards his/her tenure and is not responsible to the Legislature for his/her acts. On the other hand, in the parliamentary system represented by England, the head of the executive i.e. the Crown is a mere

NSOU ? CC-PS-02 138 titular head and the virtual executive power is wielded by the Cabinet, a body formed of the elected members of the legislature and is responsible to the popular house of the legislature for their office and actions. Being a Republic, India could not have a hereditary monarch. So an elected President is at the head of the executive power in India. The tenure of his/her office is for a fixed term of years as of the American President. But on the other hand, he/ she is more akin to the English king than the American President insofar as he/she has no 'functions' to discharge on his/her own authority. While the Cabinet of the American President is responsible to himself/herself and not to the Congress, the Council of Ministers of our President shall be responsible to the Parliament. The reason why, the framers of the Constitution discarded the American model after providing for the election of the President of the Republic by an electoral college lies in the fact, that in combining stability with responsibility, they gave more importance to the latter and preferred the system of 'daily assessment of responsibility' to the theory of 'periodic assessment' upon which the American system is founded. Under the American system, conflicts are bound to occur between the Executive, Legislature and Judiciary. What was wanted by the framers of the Constitution was that India on her attaining freedom after one and half century of bondage was a smooth

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form of government which would be conducive to the manifold development of the country

without the least friction. Thus, parliamentary system was better suited than the presidential. In due time, a serious controversy had arisen with regard to the real position of the Indian President and the relation on which he/she shares with that of the Council of Ministers. A section of constitutional experts theoretically believed that the President is the real executive. They affirm that our President is much more than the mere replica of the English Monarch, since he/she is endowed with an area of discretionary powers whereby he/she may act like an independent ruler over and above the head of the Council of Ministers and the Parliament and he/she may choose to establish what may be termed as 'constitutional dictatorship'. On the other hand, there is a second school known as the Political School who believed that the President is the mere constitutional head. Infact, they designate our President as the prototype of English Monarch and carry their argument to the extent of treating him/ her as a powerless officer, virtually a constitutional non entity. Now, let us examine

NSOU ? CC-PS-02 139 the logical arguments of each school one by one. The first or the legal school advanced several arguments to show that the President may enhance his/her authority to act like real executive. Such arguments may be enumerated as under :- 1.

According to
Article 53(1)

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of the Indian Constitution the executive power of the Union shall be vested on the President and shall be exercised by him/her either directly or through

his/her officers subordinate to him/
her and this to be exercised in accordance with
the Constitution. According to
Article 74

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there shall be a Council of Ministers headed by the Prime Minister to aid and advice the President. To

many constitutional experts, the subordinate officers as mentioned in Article 53 and the Council of Ministers as mentioned in Article 74 are replica of each other. So, the Council of Ministers are the officials placed under the President and it is the President who can exert his/ her commands over them. 2. According to Article 75(1), it is the President who appoints the Prime Minister and other ministers. Not only that, but they remain in their post at the pleasure

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of the President. Though it is mentioned in the Constitution that the President is to act on the aid and advice of the Council of Ministers

yet there

still remains an area of what may be termed as prerogative powers where the President may act independently. He/she may at times use these prerogatives in the matter of appointment and dismissal of the Prime Minister and in a very limited measure in the matter of dissolution of the Lok Sabha. 3. When the Parliament is not in session, the President may promulgate an ordinance if he/she is satisfied that circumstances exists compelling him/her to take immediate action. A Presidential Ordinance

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has the same force and effect as an Act of Parliament.

The President may also withdraw the Ordinance at any time he/she likes. Nowhere in the Constitution is it stated that such Ordinances has to be promulgated on the advice of the Council of Ministers thereby indicating his/her power of discretion. 4. The entire administration

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of the country is carried out in the name of the President.

All the decisions and directions of the union government are taken in his/her name. How the directives are to be made effective depends on the NSOU ? CC-PS-02 140 rules and regulations which are being made under his/her name. Not only that but also so far as the legal aspect of these rules are concerned, it cannot be questions in the judiciary. So according to the Constitution, these directives as issued by the President are not created by the Council of Ministers but by the higher officials in the department of the administration. 5. Indian President is entrusted with certain constitutional powers which may fall under his/her power of prerogatives. The President may proclaim an emergency. Through such proclamation, the President may convert a democratic political system into a dictatorship in which he/she himself/ herself may emerge as dictator with immense power. He/she may in such a situation establish his/her constitutional dictatorship. Again, it must at the same time be noted that

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the President is the supreme commander of the armed forces.

All these may make out the passage for his/her despotic rule. 6. According to 42 nd and 44 th Constitutional Amendment Act

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the President is bound to act on the advice of the Council of Ministers.

Such advice tendered to the President cannot be inquired in any court. Though 42 nd Amendment Act has

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made the advice of the Council of Ministers binding upon the President, the 44 th Amendment Act

has retained the language of Art 74(1) and added another provision i.e. the provision of asking for recommendation of such advice by the President to the Council of Ministers. So, a new power added to the list of powers enjoyed by the President. 7. It has been argued that if,

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the President declines to act in accordance to the advice of the Council of Ministers

then it is not clearly mentioned in either he 42 nd or 44 th Amendment Act the punishment which the President may entail. Though there is a provision of impeachment for the violation of the Constitution yet the required majority for an impeachment is not always available to the Union Ministry. Again the procedure of impeachment is also inherent with serious loopholes and an ambitious President may very well make use of them for the sake of his/her defence. 8. The President may want to know regarding an important decision of a minister or Council of Ministers. In this respect, it is the responsibility of the Prime Minister to make him/her acquainted with the decision and provide NSOU ? CC-PS-02 141 necessary information in this regard. This implies that he/she is not a mere titular head. He/she may seek for information with regard to the administration of the state. 9. According to Article 53(1) the Indian President has to act in accordance with the provisions of the Constitution. Besides he/she takes an oath to preserve and protect the Constitution. If at any time, the President feels that any particular decision of the Union Cabinet is likely to undermine seriously the Constitution, then the President may reject such an advice and thereby, face the consequences. 10. On several matters like dismissing the ministry, if, it loses its majority in the Parliament , enjoying his/her discretion of appointing the Prime Minister or if none of the political party exerts their majority in forming the government, or even dismissing the Prime Minister, if he/she loses his/her command over the political party, dismissing the Lok Sabha, proroguing and summoning the session of the Parliament or if there is a coalition at the Union or if there is no party demanding majority in the house – in all such cases the President has an area of discretion in which he/she may act independently of the Council of Ministers. The above arguments show that the President is not a mere constitutional head like that of the British Crown. In contrast to the above arguments, the political school forward their arguments in establishing that he/she is a mere constitutional entity. They forwarded the following arguments in their favour : 1. It is an indisputable fact that India have adopted the parliamentary form of government on the lines of British constitutional system that places our President in the position of the dignified executive of the land. The real working head of the State is not the President but the Prime Minister who along with his/her

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Council of Ministers is collectively responsible to the Lok Sabha.

Infact, there remained no doubt at all when Dr. B.R.Ambedkar declared that

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the President occupies the same position as the king in the British Constitution. 2. In carrying out the administration of the country it is

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the Council of Ministers that are collectively responsible to the Lok Sabha. This is

in accordance with

NSOU ? CC-PS-02 142 Article 75(3) of the Indian Constitution. So, it implies that the Council of Ministers enjoys the real powers since without granting real powers the question of responsibility does not arise. Thus,

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it is the responsibility of the Prime Minister with the support of the Council of Ministers to

govern the

country while the President may be permitted now and then to seek for their aid and advice. 3. There are certain provisions in the Constitution on the basis of which the President is required in almost all the cases to act in accordance with the advice provided to him/her by

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the Council of Ministers headed by the Prime Minister. In fact the President

may likely to execute all his/her executive powers

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in accordance with the provisions of the Constitution. It is

pointed out that the Indian President cannot violate the Constitution. He/she is under an oath to protect and preserve it. In case the President is found guilty, he/ she can be removed by impeachment. Leaving aside his/her normal powers even his/her emergency powers can also be exercised only on the advice

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of the Cabinet. 4. Article 74(1) says that there shall be a Council of Ministers with Prime Minister at the head to aid and advice the President who shall in the exercise of his/her functions act in accordance with such advice,

though he/she may require

them to reconsider their view. It is argued that the President has no area of reserve powers where he/she may act without the aid and

advice
of the
Union

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Council of Ministers. 5. Article 74(1) state that there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President in the exercise of his/ her functions.

Though nowhere in the original Constitution, it has been stated that the President is bound to act in accordance to the advice provided to him/her by

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the Council of Ministers headed by the Prime Minister but the 42 nd Amendment Act of

the Constitution (1976)
modified this provision

to the effect that in the exercise of his/her functions, the President shall act in accordance with such advice. The 44 th Amendment Act however, added further to Article 74(1) according to which the President may, if require, ask

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the Council of Ministers to reconsider such advice either generally or NSOU ? CC-PS-02 143 otherwise and the President shall act in accordance with the advice tendered after such

recommendation. No court of law has the power to enquiry as to whether any advice was given by the Ministers and if so, what it was. So acceptance by the President of the advice tendered by the Council of Ministers has become obligatory, particularly, after the 42 nd and 44 th Constitutional Amendment. 6. It has been argued that the President is not directly elected by the people. So he/she cannot demand to be representative of the people. On the other hand, the Council of Ministers is constituted by the real representatives of the people. As such on the basis of people's representation, it is Council of Ministers and not the President who wield the real powers. The President has been made a formal or constitutional head of the executive and the real executive powers are vested in the Ministers or the Cabinet. 7. Again to say, that the President may go to the last extent of using his/her military powers to repudiate the control of the Cabinet and the Parliament is altogether implausible in view of his/her authority being very much tied by the Acts of the Parliament and other elaborate arrangements like those of the National Defence Committee. It is on record that President Radhakrishnan felt bewildered when he/she heard the news about the march of our armed forces into the Lahore sector in 1965. Thus, much could happen at the behest of the Prime Minister that he/she communicated to the President afterwards. 8. According to the Constitution, the decision with regard to the policy formulation and its execution is required to be intimated to the President. The President may even seek for information with regard to administration of the country. It is the responsibility of the Prime Minister to convey the decision over the policy formulation and execution to the President. The President may simply be acquainted with the decision. He/she cannot request the Prime Minister or give any advice to him. The decision are however, taken

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by the Council of Ministers headed by the Prime Minister

thereby, making explicitly clear that the Prime Minister is the real executive while the President being the nominal head. NSOU ? CC-PS-02 144 9. Finally, the Supreme Court through its judgements in various cases however, has asserted that the role of the President in Indian administration is mere constitutional. For instance, in several famous cases like Ram Jawaya vs. State of Punjab in 1955, Samsher Singh vs. State of Punjab in 1974, the Supreme Court gave its judgement that India has the same system of parliamentary executive as in England. So, the role of the President like the British Crown will be mere constitutional. 8.11 Conclusion After examining the two sides of the controversy, to conclude we may say that while the Constitution places the President in the category of the English Monarch, much depends upon the personal equation of the holder of the office and the role he/ she plays in

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the moments of exceptional crises. The President is the head of the State. He/she is the

guardian of the

Constitution. But he/she is neither a real executive like the American President, nor he/she is a mere figurehead of no worth like the President of France under the Third and Fourth Republics. If the nature of Presidency is judged from a judicial perspective then the President may appear as a mere political non entity or just like a rubber stamp. But again, if we unfurl the pages of history and examine the role of different Presidents of India, then no wonder the tenure of Dr. Rajendra Prasad earmarked a difference. The way he/she acted in visiting the Somnath temple and then attending the funeral ceremony of Sardar Patel or visiting foreign countries like the Soviet Union or even showing resentment towards Nehru's China's policy when Tibet was raped and so on indicated his/her sensitivity in exercising his/her powers thereby converting the post from a mere non entity to a one with independent authority. Again, the inherent power of the great office could be noticed when the philosopher President Dr. Radhakrishnan occupied the post of a President against a weak Prime Minister Mrs. Indira Gandhi as she was then. If it is absurd to call the Indian President a rubber stamp, it is equally untenable to regard him/her as quiescent volcano. What is really expected and desired is mutual harmony and cooperation between the President and his/her Ministers. In fact

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the Indian President has to perform the role of a friend, philosopher and guide of the government.

NSOU ? CC-PS-02 145 8.12 Summing Up ? At the head of the union executive stands

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the President of India. ? The President of India is elected by indirect election, that is, by an electoral college, in accordance with the system of proportional representation by means of

a single transferable vote. ?

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The President holds his/her office for a period of five years from the date he/she

takes the

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oath in the presence of the Chief Justice of India. ?

The normal powers and functions of the President can be classified into five categories namely- Executive, Legislative, Financial, Judicial and others. ? The President of India is assigned with certain special powers to meet the arisen critical situation. The abnormal functions and powers of the President are contained in Part XVIII of the Constitution titled, 'Emergency Provisions'. The Constitution stipulates three kinds of emergencies namely the National Emergency (Art 352); State Emergency (Art356) and Financial Emergency (Art 360). ? The President of India is neither a real executive like the American President, nor he/she is a mere figurehead of no worth like the President of France under the Third and Fourth Republics.

8.13 Probable Questions Essay Type Questions : 1. Discuss the powers and functions of the Indian President. 2. Evaluate the emergency provisions as assigned to the President of India. Long Questions : 1. How is the President of India elected? Make a critical assessment of the electoral methods followed in electing the Indian President. 2. Is the Indian President simply 'a rubber stamp?' Give arguments to justify your position. Short Questions : 1. Write a short note on the legislative powers of the President

NSOU ? CC-PS-02 146 2. Explain briefly, the tenure and the procedure of removal of the President from his/her office.

8.14 Further Reading 1. Siwach J.R. The Indian Presidency, Hararyana Prakashan, Delhi. 1971. 2. Basu D.D. An

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Unit 9 ? Prime Minister and Union Council of Ministers Structure 9.1 Objectives 9.2 Introduction 9.3 Selection and Appointment 9.4 Term of Office 9.5 Powers and Functions 9.6 Position of the Prime Minister 9.7 Union Council of Ministers 9.8 Composition and Classification 9.9 Powers and Functions 9.10

Conclusion 9.11 Summing Up 9.12 Probable Questions 9.13 Further Reading 9.1 Objectives The present lesson introduces the learners with- ? The selection, appointment and term of

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office of the Prime Minister ? A detailed analysis of the powers and functions of the Indian Prime Minister ? The constitutional and real position of the Prime Minister ? Composition and classification of the Union Council of Ministers ? The powers and functions of the Union Council of Ministers

NSOU ? CC-PS-02 148 9.2 Introduction Inspired by the British parliamentary model, India has constituted its administrative system.

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The framers of our Constitution intended that though formally all executive powers were vested in the President, he/she should act as the constitutional head of the Executive like the English Crown, acting on the advice of Ministers responsible to the popular house of the legislature.

In England, the Prime Minister is the keystone of Cabinet arch. Infact the position of the Prime Minister has been described by Lord Morley as primus inter pares i.e., 'first among equals'. In theory, all Ministers or members of the Cabinet have an equal position, all being advisors of the Crown, and all being responsible to Parliament in the same manner. However, just like in England, in India too, the Prime Minister has a pre eminence, by convention and usage. Art 74(1)

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of the Constitution expressly states that the Prime Minister shall be at the head of the Council of Ministers.

Almost all the powers enjoyed by the British Prime Minister through the conventions are in as much in general applicable to the Indian Prime Minister as well. The power of advising the President as regards the appointment of the other Ministers is, thus, embodied in Article 75(1). As to the function of acting as

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the channel of communication between the President and the Council of Ministers, Art.78 provides—it shall be the duty of the Prime Minister to communicate to the President all decisions of the affairs of the Union and proposals for legislation.

The written provisions of our Constitution in this regard are extremely sketchy. They do not cover the area of entire authority that the Prime Minister has to exercise. Moreover, like in England, the Indian Prime Minister is expected to play the role of the efficient executive in view of the paramount fact that the President constitutes the dignified part of the Union Executive. It should also be borne in mind that there are four important factors that either circumscribe the authority of the Prime Minister or force him/her to push back the barriers in order to play the role of a great national leader. These are written constitution, federal system, judicial review and multi-party system. The functions of the Prime Minister, thus, should be examined in the light of several limitations hedged around his/her office and the ability and the courage with which he/she discharges them for the ultimate good of the people without violating the provisions of the Constitution.

NSOU ? CC-PS-02 149 Even then, over the years, the way the Prime Ministers have acted have surely pointed to the direction that the Office of the Prime Minister is significant as well as commands great respect and authority in relation to his/her Cabinet, Council of Ministers, Parliament as well as the President of India. 9.3 Selection and Appointment The Prime Minister is selected by the party commanding clear majority in the Lok Sabha and appointed by the President. Normally selection by the party comes first and appointment by the President afterwards. What really matters is not the action of the President in issuing invitation to form the government but the role of the party commanding absolute majority in the Lok Sabha that has to deal with the crucial issue of choosing its nominee. In such a situation, the President is expected to act very cautiously. He/she should either invite the leader of the majority party in case he/she is sure that the party has no other possible contestant. He/she must wait till the decision of the party in clear majority is available to him/her in case he/she finds that the battle for selection is impending. As an instance, it is worth to note that President S. Radhakrishnan appointed Gulzarilal Nanda as the officiating Prime Minister after the death of Nehru in response to the recommendations of the Emergency Committee of the cabinet. A new practice started henceforth, that in case of sudden vacancy, the senior most member of the cabinet shall have the chance to act as the officiating Prime Minister until the decision of the majority party is available. A fundamental change, in this direction, occurred in March 1977, when the acting President (B.D. Jatti) appointed Morarji Desai as the fourth Prime Minister of India. The election results registered thumping victory for the Janata Party (a combination of four parties namely, Bharatiya Lok Dal, Congress O, Bharatiya Jana Sangh and Socialists and also in alliance with the CFD, CPM, Akali Dal and the DMK). Infact, the problem of appointing the Prime Minister found its manifestation in the political development of July, 1979 when Morarji Desai, instead of facing the no-confidence motion tabled against his/her ministry by the then leader of the Opposition, Mr. Y. B. Chavan of the Congress (S) resigned. A section of the erstwhile Janata Party formed the Janata (S) and thus, under the leadership of Charan Singh staked its claim. The President gave the first opportunity to the leader of the NSOU ? CC-PS-02 150 Opposition. Since, Chavan regretted his/her inability, the claims of the Janata leader (Desai) and of the Janata (S) (Charan Singh) were carefully studied. Both leaders submitted lists of their supporters. Since the side of Charan Singh became heavier the chance of forming an alternative government was given to him by the President with a word of advice that he would seek the confidence of the Lok Sabha at the earliest possible date. However, this government failed to secure the vote of confidence. It fell after 24 days, when the Congress (I) decided not to support the confidence motion tabled by the Prime Minister. Once again, the war of succession ensued. The newly elected leader of the Janata Party (Jagjivan Ram) staked his claim without agreeing to submit a list of his supporters. The President thought mid-term poll as the only way out to solve the tangled issue. So, we see the President, for the first time, exercised his/her discretion and then won the applause of the people for taking the best possible action under the obtaining circumstances. On 31 st October 1984, President Zail Singh took a different step by appointing Rajib Gandhi within hours of Mrs. Gandhi's assassination on the advice of some very senior Cabinet Ministers. Subsequently, his name was approved by the CPP. Undoubtedly, the language of Art 75 (1) is quite vague in regard to the appointment

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of the Prime Minister by the President. It simply says that the Prime Minister shall be appointed by the President.

It therefore, says nothing about the discretionary authority of the Head of the Stat in this regard, nor does it lay down anything about

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the Prime Minister's being a member of the Parliament at the time of appointment.

It is further inferable from the said illustration that the President may perhaps be in a position to exercise his/her individual judgement under abnormal conditions, that is, in case no party secures absolute majority in the Lok Sabha. In fact an examination of the whole arrangement leaves an impression that the President may appoint anyone as the Prime Minister provided (i) he/she is able to carry the majority of the members of the Lok Sabha with him/her and (ii) in the event of being the non member of the Parliament, he/she is able to get his/her seat preferably in the Lok Sabha within the period of next six months as happened in the case of P.V.Narasimha Rao. 9.4 Term of Office Generally the Prime Minister stays in his/her office for a period of five years i.e. from one General election of the Lok Sabha till the next parliamentary election. NSOU ? CC-PS-02 151 However, at the time of extraordinary or emergency situation the period may enhance and so accordingly is enhanced the tenure of the Prime Minister. Again, if Lok Sabha is dissolved by the President before normal terms of five years then that too brings an end to the tenure of the Prime Minister. In other words, the term of Prime Minister actually depends on the term of the Lok Sabha. 9.5 Powers and Functions There is no doubt that the Indian Constitution confers a position of importance upon the Prime Minister but the Constitution does not confer on the Prime Minister of India any specific

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powers and functions. Actually, the powers and functions of the Prime Minister can be

derived from two major sources. They are firstly, some through the constitutional provisions assigned for the Council of Ministers headed by the Prime Minister and secondly, the norms and conventions of the Parliamentary democracy. To analyse the real powers and functions of the Prime Minister we need to examine the relation which the Prime Minister shares with that of the President, Council of Ministers, Parliament, Political Party to which he/she belonged and the popular masses. For our convenience, let us discuss them in the following manner :- 1. Prime Minister and the President : As a chief advisor

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the Prime Minister is the leader of the Council of Ministers. By virtue of his/her

position he/she is the chief advisor of

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the President. On the basis of the advice provided to the President by the Prime Minister the entire administration of the country is carried out. It is on the advice of the Prime Minister that the President

makes appointment of several important posts like the Governors of the State, Comptroller and Auditor General, Attorney General, the Chairman of Election Commission and so on. Again, the decision to proclaim an emergency is also done

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by the President on the advice of the Prime Minister. Art 74(1) of the Constitution mentioned about the advice of the

Council of Ministers

but in effect, it has virtually turned out to be the advice of the Prime Minister. For instance, it was on the advice of Mrs. Indira Gandhi that in 1975 the controversial decision to proclaim an emergency was made.

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Prime Minister is the sole channel of communication between the President and the Council of Ministers. The Constitution enjoins upon him/her to communicate to the President all decisions

taken by
his/her cabinet and

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to furnish him/her information relating to the administration of the country as well as the proposals for legislation as the President may call for.

It indicates that, like the British Monarch, our President has no official means of knowing anything about cabinet's decision except what the Prime Minister may choose to tell him. Infact the President has the right to be kept informed. Though the cabinet meeting is never presided over by

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the President, it is the duty of the Prime Minister to communicate to the President

either personally or through his/her ministers

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all decisions of his/her Council of Ministers relating to the administration of affairs to the Union and proposals for legislation.

It is, indeed, by meeting the ministers individually that the President knows about the decision taken by them relating to the departments and, if he/she does not agree with any of them, he/she may ask

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the Prime Minister to submit a matter for the consideration of the Council of Ministers

provided it has not already been considered by it. 2. Prime Minister and the Council of Ministers : Conventionally, the position of the Prime Minister within the Council of Ministers is usually first amongst equals but in India this is not entirely true. According to Art. 74 of the Indian Constitution

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the Prime Minister is the leader of the Council of Ministers.

So his/her position is at the top. The first and foremost function even the most difficult of all functions, of

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the Prime Minister relates to the composition of the Council of Ministers. The text of

Art 75(1) is very sketchy. It says that all

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ministers shall be appointed by the President on the advice of the Prime Minister. The

selection of the names and the distribution of

portfolios among them is a matter of exclusive concern of the Prime Minister and the appointment of the ministers by the President is just mere observance of a technical formality. In a real sense, the function of the President is to accept the lists of the ministers with their portfolios submitted to him/her by the Prime Minister. While forming the Council of Ministers the Prime Minister enjoys the prerogative of selecting his/her colleagues so that he/she can retain his/her strong position within the party and also preserving comfortable majority in the popular chamber of the Parliament. The Indian Prime Ministers, authority in this respect is also circumscribed by various considerations

NSOU ? CC-PS-02 153 like administrative, political, territorial, religious and the like. Again, there are instances when we find the Prime Minister keen to experiment in forming a Cabinet of all talents. Such had happened in India at the initial stages when Pandit Nehru included in his cabinet leading Non- Congressman like Shanmukham Chetty (a man of parochial disposition by virtue of his intimate association with the Justice Party of Madras), Dr. B. R. Ambedkar (a leader of the depressed classes and highly critical of the Congress policies towards the untouchables), Dr. S. P. Mookerjee (a man of alleged Hindu communalist disposition by virtue of his long association with the Hindu Mahasabha), and John Mathai (an advocate of free enterprise). Again some of the ministers consider and claim themselves to be specially cut out for certain jobs and the Prime Minister has to take their claims into consideration in view of his/her awareness of the political fact that their exclusion may be a source of embarrassment. Some instances are available in our country like Sardar Patel insisted and got the portfolio of Home in the interim Government. Again, T.T. Krishnamachari declined the offer of Nehru to rejoin the cabinet after the third general elections of 1962 unless he was given the portfolio of Economic Coordination. Further, sometimes even the Prime Minister may be compelled by the demands of the senior members of the Party at a particular situation while forming the Council of Ministers. Infact, Mrs. Gandhi's preparedness to take Morarji Desai as her deputy Prime Minister with the portfolio of Finance instead of Home after the Fourth General election of 1967 may be cited as the most glaring case where a powerful party leader could tighten the hands of the Prime Minister resulting in the materialization of a package deal after a lot of intense and tough political bargaining. However, the authority of the Prime Minister with regard to the selection of his/her colleagues and distribution of portfolios among them however, ought to be studied in a very careful manner. True that the hands of the Prime Minister are sometimes tightened by the factors of party politics, it does not imply that his/her colleagues may have very much to say about their political assignments at every turn of movement. Authentic evidence illustrates the point that the party stalwarts, who stake their claims are not unaware of the fact that any serious point of difference with the Prime Minister must not be taken to an unpatchable extent as their dropping out from the first selection might entail their exclusion from office not merely for that term of the Parliament but for the good of all.

NSOU ? CC-PS-02 154 Now if the Prime Minister enjoys the prerogative of making his/her Council of Ministers, he/she has the complementary power, equally discretionary in character to a quite large extent, of making changes in it subject to the political considerations before him/her and the circumstances in which he/she is caught up. He/she has the undisputed right to get appointed, reshuffled or even removed his/her colleagues in the interest of his/her effective and efficient administration. He/she may keep any department under his/her control or bifurcate even trifurcate a department to be placed under the charge of a different minister. He/she may, in a direct or indirect manner, demand the resignation of his/her ministers or even advise the President to dismiss one if he/she forfeits his/her confidence. Further, there may arise a situation when a reluctant minister may have no better course than to resign in order to save the position of the Prime Minister feeling equally reluctant to allow his/her colleague to go. It happened in the case of Defence Minister Menon in Jan, 1963 when Nehru yielded to the pressure of circumstances in first demoting and then removing his blue eyed son from his government. As the cabinet is a team of very important ministers the Prime Minister carefully includes only those who are his/her best confidants. Besides, as the element of confidence is quite unstable, changes in the ministerial assignments take place from time to time. However, this is not applicable to a coalition government in the like manner. The way Morarji Desai and V.P.Singh formed Council of Ministers in two installments' is a clear testimony to this fact that the hands of the leader of a coalition government are very much tied by the tugs and pulls of the intra party politics. 3. Prime Minister and the Party : The leader of the political party having a majority in the Parliament is appointed as

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the Prime Minister of the country. So, the party commanding a majority in the Lok Sabha

is the very basis of his/her significant position. Practically, the powers of the President and his/her party are interrelated to each other. The Prime Minister is always very careful in retaining the dignity and image of the party both within the house and also outside it. He/she plays a special role in preserving the unity and fraternity amongst the party members. The party provides the Prime Minister with the required support and so in return the party expects a responsible leadership and also expects effort to fulfill the promises it had made to the masses before the election.

NSOU ? CC-PS-02 155 To a great extent the fate of the party depends on his/her potential to provide able leadership. The power of the party also depends on the personality and dignity of the concern individual who occupies the office of the Prime Minister. In fact the future of the party depends on several issues, such as, how the Prime Minister carries out the administration of the country, how far he/she succeeds in fulfilling the promises made before the people, formulating and implementing policies in this regard, how far could he/she popularize the governmental programmes and so on. He/she is required to play a lead role in the General Lok Sabha election so that his/her party could manage to win majority seats and thereby, form the Government. Here, it may also be noted that the personality, dignity and popularity of the Prime Minister are used as a means for propaganda for the upcoming elections. The relationship between the Prime Minister and the Political Party remains incomplete if we do not take into account the relation which the Prime Minister shares with that of the Party President. Although the two great offices of the President of the Party and the Prime Minister seem to be essentially complimentary in theory, the case is quite different in practice. Sometimes the Party President acts as a king maker. Such an incident was evident when the Congress President Mr. Kamraj played the role of a king maker in selecting Mrs. Indira Gandhi for the candidature of the third Prime Minister. However, this trend proved a short lived affair, as the influence of Prime Minister Indira Gandhi did not take long to over- shadow the influence of the king maker. It confirmed that the influence of the Congress President will depend upon not only upon her own leadership capacities but also upon the degree to which she enjoys the confidence of the Prime Minister. Again at times the party President surrenders all his/her authority in favour of the Prime Minister thereby, playing the role of an obedient student subservient to the Prime Minister. In this respect, the role played by Congress Party President Mr. Debhanta Barua at the time, when Mrs. Gandhi was the Prime Minister of India is worth mentioning. Again, there are times when the Party President and the Prime Minister are found to be in constant confrontation with each other thereby, balancing the political power to a great extent. As an illustration one can cite the relation between Mr. Kripalani and Pt. Nehru, Nehru and Tandon, Indira Gandhi and Nijlingappa and so on. Moreover, there are occasions when the same individual occupies both the

NSOU ? CC-PS-02 156 post that is the post of the Party President and that of the Prime Minister. For instance Nehru shortly after the defeat of his candidate, Kripalani in the party elections of 1949, by all means became the centre of power in his party as well as in his government after he virtually grabbed the highest office of the party by the apparently unanimous resolve of the AICC in its meeting held in New Delhi in Oct, 1951. Mrs. Gandhi in her second phase of Prime Ministership became very influential and established her authority over both the party and the government. Again, Prime Minister Rajib Gandhi also held the post of the President in the Party. 9. Prime Minister and the Lok Sabha : By virtue of being the leader of the majority party, the Prime Minister functions as the leader of the Lok Sabha as well. In this regard two practices have developed. First, in case the Prime Minister does not belong to the Lok Sabha (as Mrs. Indira Gandhi was a member of the Rajya Sabha at the time of her first appointment in Jan. 1966). Second, it has been the practice that during the protracted absence of the Prime Minister as in the event of his/her going abroad, the minister for Parliamentary Affairs in consultation with the Prime Minister intimates to the Speaker as to who would act as the leader of the house. Thus, the office of the leader of the house has a significance of its own as the Prime Minister is privileged with a dual capacity— leader of the Parliamentary Party and of the Lok Sabha- that makes him/her the central figure in the Parliamentary business. The functions of the Prime Minister as the leader of the house is very important. He/she makes proposals for the dates of summoning and proroguing the session for the approval of the Speaker. He/she has to draw up the programme of official business to be transacted in a session of Parliament- bills, motions, discussions on various important activities of the government and the like. He/she is the member of the Business Advisory Committee that determines the allocation of time for official bills and other business on the basis of suggestions made by him/her from time to time. He/she shapes the course and content of legislation in as much as often his/her is the final voice in deciding as to what amendments will be acceptable, what private members bill will receive support of the government and whether question should be left to a free vote or a whip be issued invariably. Though it is true, that the President alone can dissolve the house, but it can happen only on the advice of the Prime

NSOU ? CC-PS-02 157 Minister. However, two important points are taken for consideration by the Prime Minister and the President before resorting to this drastic measure. These are firstly; President must accept the advice of the Prime Minister only when he/she is not a defeated leader of the Council of Ministers and that there are no prospects of forming an alternative ministry. Second, having a multi – party system, the President should be guided more by the practices of the dominions than by the English convention alone. As the leader of the house, the Prime Minister deals with the procedural matters relating to the business of the house, and advises the house in moments of some difficulty or crisis. He/she can request the Speaker to fix a date for the closed session of the house or move a resolution that a seat of such a member be declared vacant under clause (4) of Art 101 or that the proceedings of the house of a secret session be no longer treated as secret. Two important points should be noted in this direction. First, while acting as the leader of the house, the Prime Minister not merely behaves like the leader of the majority party, it is also expected that he/she should behave like the leader of the house having other parties as well. Thus, the words of the leader of the house are sometimes taken as the voice of the mouthpiece of the whole house. Second, the Prime Minister by virtue of being the leader of the house, in a way becomes the guardian of the legitimate rights of the Opposition. He/she is expected to see as to what the Opposition leaders are really striving for and how far their demands can be conceded. It is therefore, clear that the Prime Minister by virtue of holding the office of the leader of the house functions vis-à-vis three important counts namely The Speaker, the Government and the Opposition. He/she assists the Speaker in maintaining order and discipline in the house so that parliamentary business is conducted smoothly. 5. The Prime Minister and the People: The Prime Minister is the real chief of the executive in India. In this respect he/ she is recognized as the mass leader. It is his/her responsibility to realize and understand the public mind and accordingly control it in his/her favour. It is through print and electronic media that propaganda regarding the personality, dedication to truth, bravery and popularity of the Prime Minister is highlighted. Accordingly, the

NSOU ? CC-PS-02 158 image of the Prime Minister is brightened. All these campaigns create a feeling of trust and attraction towards the Prime Minister. His/her political activity, public speeches, comments over various, issues even his/her dress code, attitude creates an impression in the minds of the people. The success and popularity of the Government to a great extent depends on the role played by the Prime Minister. His ability to lead the country at critical juncture of crisis helps him/her to strengthen his/her position as

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the Prime Minister. Infact, it is on the popularity of the Prime Minister that the

popularity of his/her Government and his/her political party depends. As such he/she is always eager to create a favourable image for his/her Government as well as for his/her political party. The Prime Minister uses the mass media to meet this end. Through television, radio and public meetings the speeches of the Prime Minister reaches the masses. The Prime Minister made the people aware over important governmental socio economic policies of the country. At the time of socio-economic or political crisis the governmental concern over the issues, effort taken at the governmental level to resolve it and employment of governmental mechanisms in this regard is intimated to the public so that they are not panic stricken and feel relieved. Practically,

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it is the sole responsibility of the Prime Minister to communicate to the

people, the governmental opinion over important national and international issues. 9.6 Position of the Prime Minister The powers and responsibility of the Prime Minister are quite wide in a parliamentary democratic system of India. In reality, it is the Prime Minister who is the leader of the people. The success and failure of the Indian Government to a great extent depends on the leadership provided by the Prime Minister. It is argued, that, over the years the powers and position of the Prime Minister has been enhanced with the centralization of bureaucracy which is placed mainly at the disposal of the Prime Minister. As such many were of the opinion in calling Indian administrative system, instead of a cabinet system as the Prime Ministerial Government. However, in this regard, it is also essential to point out that the Indian Prime Minister cannot convert himself/herself into a dictator since not only the constitutional provisions but there NSOU ? CC-PS-02 159 are certain political limitations of his/her powers and authority as well. First of all, public opinion can serve as an important check on the powers of the Prime Minister. The Prime Minister cannot ignore the desires and demands of the citizens, since it is on their electoral support that the future existence to political power will depend n. Again, the interest and pressure groups of our country are also eager in carrying out the demands in their favour. Similarly, the criticisms of the governmental policies by the opposition and mass media further checks and balance the powers and authority of the Prime Minister. What are perhaps more interesting lies in the fact that since nineties, due to the formation of coalition government at the centre, the role played by the regional parties has assumed a greater significance. Infact, these regional parties has opened a new vista of an era of political bargain which further restricted the powers of the Prime Minister. 9.7 Union

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Council of Ministers According to Article 74, of the Indian Constitution there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President.

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The President appoints the leader of the Party having a majority in the Lok Sabha as the Prime Minister.

While

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the Prime Minister is selected by the President, the other Ministers are appointed by the President on the advice of the Prime Minister [

Art 75 (1) and the allocation of portfolios amongst them is also made by him/her. Further, the President's power of dismissing an individual minister is virtually a power in the hands

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of the Prime Minister. Ministers may be chosen from members of either house and a minister who is a member of one house has

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right to speak in and to take part in the proceedings of the other house though he/she has no right to vote in the house of which he/

she is not a member (Art 88). Under our Constitution, there is no bar to the appointment of a person from outside the Legislature as Minister. But he/she cannot continue as Minister for more than six months unless he/she secures a seat in either house of the Parliament (by election or nomination as the case may be). By virtue of this provision, Pandit Pant, who was not a member of Parliament, was appointed Minister for the Union and, subsequently, he secured a seat in the Upper house, by election. Even Dr. Manmohan Singh, when he assumed the office of the Prime Minister in 2004 was not a member of the Lok Sabha but that of the Rajya Sabha. Thus, the convention that the Prime Minister belongs to the Lok Sabha has not always strictly been followed. Earlier

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the number of members of the Council of Ministers was not specified in the Constitution.

By
the
Constitution 91st Amendment Act, 2003,

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the total number of ministers, including the Prime Minister, shall not exceed 15% of the total number of the members of the House of the People.

Term of the Council of Ministers Generally the term of the Council of Ministers is same as that of the term of the Lok Sabha i.e. of 5 years. But, if the Lok Sabha is dissolved before the tenure of 5 years then the term of Council of Ministers will also come to an end. Again if, the tenure is enhanced then the tenure of the Council of Ministers will also enhance. Again, if a vote of No Confidence is passed then in the Lok Sabha, then

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the Council of Ministers shall be under a constitutional obligation to resign as soon as it loses the confidence of the popular house of the legislature. The collective responsibility is to the House of the

People even though some of the ministers may be members of the Council of States. This indicates that their tenure depends upon the support of the majority members within the Lok Sabha. So, long as they could retain their majority in the Lok Sabha the term of their office is ensured and secured. 9.8 Composition and Classification At this juncture of our discussion, it is essential for us to know what exactly is meant by the term Council of Ministers. According to Prof. D. D. Basu the Council of Ministers is a composite body, consisting of different categories.

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The Constitution does not classify the members of the Council of Ministers into different ranks. All this has been done informally, following the English practice.

It has now got legislative sanction, so far as the Union is concerned, in Section 2 of the Salaries and Allowances of the Ministers Act 1952. Mr. Gopalswami Ayyenger in his report presented in the year 1949, classified the Ministers into three broad categories namely (1) Cabinet Ministers, (2) Ministers of State and (3) the Deputy Ministers. NSOU ? CC-PS-02 161 The rank of different ministers is determined by the Prime Minister according to whose advice the President appoints the ministers and also allocates business amongst them. While the Council of Ministers is collectively responsible to the House of the People, Art 78 (c), enjoins the Prime Minister, when required by

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the President, 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.

In

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practice, the Council of Ministers seldom meets as a body. It is the cabinet, an inner body within the council, which shapes the policy of the Government.

While cabinet

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ministers attend meetings of the cabinet of their own right, ministers of state are not members of the cabinet and they can attend only if, invited to attend any particular meeting. A Deputy Minister assists the

Minister in Charge of a Department of Ministry and takes no part in Cabinet deliberations. Let us examine these three types in the following manner :- 1. Cabinet Ministers : The first categories of ministers are the Cabinet Ministers. They are the members of the cabinet and are in charge of important ministries. They play a major role in the formulation and implementation of governmental policies. Generally, a cabinet is composed of the Prime Minister and the experienced members of the Council of Ministers. 2. Ministers of State : The second categories of ministers are known as the Ministers of State. They are not the members of the Cabinet. However, despite being non members of the cabinet they were called upon for attending cabinet meeting in case there is a discussion with related to their concerned department at the cabinet meeting. The Minister of State can be either entrusted with independent charge of a particular department or can be placed under a cabinet minister. 3. Deputy Minister : So far as importance and position is concerned, the deputy ministers occupies the third category of ministries. They help the departmental minister in carrying out the administration of the department. They never could attend the cabinet meeting.

NSOU ? CC-PS-02 162 Accordingly, as observed by Prof. Pylee a three tier ministerial hierarchy was established, with the cabinet Ministers at the top, Ministers

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of State in the middle and Deputy Ministers in the lowest rung of the ladder. A clear distinction was drawn between Ministers who were members of the cabinet

and others. The cabinet was composed of senior most ministers who were not mere departmental chiefs but whose responsibilities transcended departmental boundaries into the entire field of administration. It was, naturally, a smaller body and the most powerful body in the Government. Thus, the growth of the cabinet as a separate body from the Council of Ministers was only a natural product of the application of the administrative theory of organization. Soon, the cabinet became not only a distinct entity, different from the Council of Ministers, but also an institution with its own detailed organization. In the process, it has also taken over functions assigned by the Constitution to the Council. For instance, the constitutional responsibility of advising the President is the Council's. But this function, today, is exercised exclusively by the cabinet. Here, it must be noted that in recent years the authority of the cabinet is well established in India. Though theoretically, the real powers and responsibility of the executive are entrusted to the Council of Ministers but in reality it is the cabinet who wields the actual power. Many describe the dominance of the cabinet as the cabinet dictatorship. Consequently, Lok Sabha controlling the Council of Ministers has been converted into a mere myth. Lok Sabha cannot control the Council of Ministers instead it is the cabinet who regulates the Parliament. So, the first line of leaders belonging to a political party having a majority in the Lok Sabha together constitutes the cabinet who established their supremacy and dominance in the executive. The strength of the Indian cabinet today, is the result of support that it receives from the party to which it belongs and the overwhelming strength of the party in Parliament. With a stable parliamentary support, the cabinet, in reality, becomes the leader of Parliament. The initiatives for all the policies and programmes of the Government are in the hands of the cabinet. Nevertheless, it must be pointed out that the Indian cabinet has been treating Parliament with greater consideration and respect than is usual elsewhere under conditions of overwhelming parliamentary majorities. This has been mainly due to two reasons. First, on some occasions, on questions of

NSOU ? CC-PS-02 163 great importance which vitally affect the nation as a whole, the cabinet itself has given over the initiative to Parliament. The best example of this is provided by the initiative taken by Parliament in settling the question of reorganization of the state of Bombay at the time of adoption of the States Reorganization Act of 1956. Secondly, members of Parliament have often evinced a willingness to forget party affiliation when questions of purity in administration are brought before it. On such occasions, the Indian Parliament has shown that it is the mirror and custodian of public opinion in the country and a true representative of the electorate. The manner in which Parliament dealt with the allegations brought before it against a State enterprise like the Life Insurance Corporations in 1957 is a classic example in point. Parliamentary pressure has also brought about perceptible changes in later years in the policies of the government towards industry, labour, taxation, defence, etc. However, despite the threefold classification of the ministers, it is the Prime Minister who has the final say with regard to the composition, reorganization, distribution of portfolios and dismissal of a minister within the council. In the Indian Constitution there is no mention of the post of Deputy Prime Minister. But in the tenure of different Prime Minister a number of cabinet Minister has been appointed as the Deputy Prime Minister. Even in the report of the Administrative Reforms Commission the post of the deputy Prime Minister was supported. While unfurling the pages of history, we find that when Nehru was the Prime Minister, Sardar Patel was appointed as the Deputy Prime Minister. Again, at the time of Indira Gandhi, Morarji Desai was appointed as the Deputy Prime Minister, when Morarji Desai became the Prime Minister of the Janata Government there were two Deputy Prime Ministers namely Mr. Charan Singh and Mr. Jagjivan Ram and so on. 9.9 Powers and Functions Today the functions of the cabinet, for all practical purposes, are identified with those assigned to the council under the Constitution. For our convenience they can be summed up in the following manner :- 1. Determination and implementation of the policies: Theoretically in a Parliamentary administrative system, it is the Parliament

NSOU ? CC-PS-02 164 which determines the policy. On the basis of such policies the cabinet takes the official decision and accordingly directs the governmental works. So, cabinet is expected to act as a functional committee of the Parliament. But the real situation is somewhat different from the theoretical position. It is the cabinet who determines the policies. Such policies are recognized and ratified in the Parliament. The cabinet ministers are usually the first rank of leaders of the Party. That too of a party having a majority in the Parliament. So the policies as determined by the cabinet have therefore, the assurance of acceptance and getting ratified in the Parliament. In other words, the policies as determined by the cabinet are therefore, final and their ratification in the Parliament is a mere routine or official function.

2. Formulation of Laws : The Parliament is empowered to formulate laws but in reality it is on the initiative of the Council of Ministers that laws are being made. The number of Private Bills by an individual member is hardly any placed before the Lok Sabha. Infact, most of the bills are Governmental and are placed before the Parliament by the Minister. Even with regard to the formulation of the bills the primary role is being played by the cabinet members. The draft of the bills is made under the direction and supervision of the union cabinet. Since the cabinet members enjoyed the support of the majority in the Lok Sabha, so they hardly face any difficulty in passing the bill into a law.

3. Administrative Responsibility : The most important role of the cabinet is in the field of administration. Though the Indian Constitution has granted the executive power to the President of the country yet it is the Council of Ministers more particularly the cabinet who carries out the administration of the country. Through the permanent government officials of the various department the concerned ministers discharges the executive functions of the Government. So, the cabinet is the real administrative authority of India. Not only that, the cabinet also plays an active role in implementing the laws passed in the Parliament.

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4. Financial Responsibility : One of the primary responsibilities of the cabinet is to determine the income and expenditure of the Indian Government. At the beginning of a financial year, an annual budget is presented before the Parliament. In this respect, the primary responsibility of the budget lies with the Finance Minister. But all the major financial issues like imposition of Income Tax, allocation of funds and so on are determined by the cabinet members.

5. Ensuring coordination : The cabinet coordinates between the Executive and the Legislature in the Parliament. The role played by the cabinet in this respect is highly significant. All the cabinet ministers are in charge of one and sometimes even more than one departments. Through the officials of the department the ministers discharges their responsibilities. Such a situation demands inter departmental coordination for the smooth functioning of the Government. It is the cabinet who takes serious initiative in retaining coordination amongst the department. For example, it can be cited that the cabinet creates opportunities for consultation and discussion amongst the departments, appoint inter departmental committees and so on. Here, the role played by cabinet Secretariat particularly the role of the Cabinet Secretary deserves a special mention.

6. Powers related to Appointment : Article 74 of the Constitution lays down

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that the President, in the exercise of his/her functions, act in accordance with the advice tendered by the Council of

Ministers. The President appoints Governors, Ambassadors and other diplomatic representatives,

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the Chief Justice and other Judges of the Supreme Court, High Courts,

Attorney General and Auditor General of India and various Commissions such as the Finance Commission of India, and the Election Commission of India. All these appointments are suggested by the cabinet which is the main body of the Council of Ministers and on the basis of such recommendations the President makes all appointments to the posts mentioned above. The President has a power to remove the Attorney-General

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the Governors of the States, etc. but in removing these officers he/ she has to act on the advice of the Council of

Ministers. 7. Powers related to Foreign States : One of the principal responsibilities of the cabinet is to determine, control and execute the foreign policies. On the basis of political ideology of the existing ruling party at the union, the foreign policy of India is formulated and thereby executed. The External Affairs Department plays a crucial role and this department occupying an important position is placed under a cabinet minister. However, the Prime minister also takes eager interest in supervising and providing leadership in the formulation of foreign policies. Infact, the executive power relating to foreign affairs is exercised by the Council of Ministers in reality. All treaties and international agreements are negotiated and concluded by the Council of Ministers in the name of the President. Declaration of war and conclusion of peace are performed by the Council of Ministers in the name of the President. 8. Power related to Emergency : Though constitutionally it is the President who is empowered to declare an emergency yet he/she does so mostly on the advice of the Council of Ministers particularly the Prime Minister. So, the decision of declaration of emergencies, whether

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arising out of war, aggression or armed rebellion, emergency arising out of failure of constitutional machinery in a State

and financial emergency

are done or are exercised by the cabinet in the name of the President. Infact, the

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President can declare emergency only under the written advice of the cabinet

specially the Prime Minister. The above discussion on the powers and functions of the Council of Ministers particularly, the cabinet suggests that

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the cabinet is the steering wheel of the ship of the State. The cabinet is in practice the Government of India. The

voice of the State at a given time, to all intents and purposes, is a voice of the cabinet. That is why S.L. Sikri in his Indian Government and Politics wrote that the cabinet is the core of the Indian Constitutional system. It is also the most powerful organ of the Union Government. Its functions are numerous and as varied as the functions performed by a country's Government.

NSOU ? CC-PS-02 167 9.10 Conclusion Despite several limitations, the Prime Minister need not always be constrained and guided by the political situation of a time. Infact, much depends on the personal equation of the holder of the office of the supreme ruler along with the nature of the prevailing political situation. In case, the Prime Minister has been able to establish his/her legitimacy independently of his/her constitutional and institutional power structure he/she would be in a safe position to exercise more powers than a person whose support structure is coterminous with the legal and constitutional boundaries of the political system. Keeping in view the position of Mrs. Indira Gandhi, one may observe that, in case the Prime Minister succeeds in earning legitimacy from the people and establishes a sort of direct rapport with them then she would enjoy a comfortable situation of less constraints over her authority. 9.11 Summing Up ? Just like in England, in India too, the Prime Minister has a pre eminence, by convention and usage. Art 74(1)

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of our Constitution expressly states that the Prime Minister shall be at the head of the Council of

Ministers. ? According to

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Article 74 of the Indian Constitution, there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President. The President appoints the leader of the

party having a majority in the Lok Sabha as the Prime Minister.

While

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the Prime Minister is selected by the President, the other ministers are appointed by the President on the advice of the Prime Minister [

Art 75 (1)] and the allocation of

portfolios amongst them is also made by him/her. ? Generally the Prime Minister stays in his/her office for a period of five years i.e. from one General election of the Lok Sabha till the next Parliamentary election. However, if Lok Sabha is dissolved by the President before normal terms of five years then that too brings an end to the tenure

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of the Prime Minister. ? The powers and functions of the Prime Minister can be

derived from two major sources. They are firstly, some through the constitutional provisions assigned for NSOU ? CC-PS-02 168 the Council of Ministers headed by the Prime Minister and secondly, the norms and conventions of the parliamentary democracy. ? The real

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powers and functions of the Prime Minister can be examined through the

relations which the Prime Minister shares with that of the President, Council of Ministers, Parliament, Political Party to which he/she belong and the popular masses. ?

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The Prime Minister is selected by the President, the other ministers are appointed by the President on the advice of the Prime Minister [

Art 75 (1)] and the allocation of

portfolios amongst them is also made by him/her. ? Mr. Gopalswami Ayyenger in his/her report presented in the year 1949 classified the Ministers into three broad categories namely (1) cabinet Ministers, (2) Ministers of State and (3) the Deputy Ministers. ? The functions of the cabinet, for all practical purposes, are identified with those assigned to the council under the Constitution. 9.12 Probable Questions Essay Type Questions : 1. Discuss the powers and position of the Indian Prime Minister. 2. Examine the powers and functions of the Union Council of Ministers. Long Questions : 1. Show how India has adopted a British Parliamentary model with respect to its composition of the Executive. 2. Explain how the Prime Minister heading the Union Council of Ministers enjoys the real power of the executive? Short Questions : 1. Write a short note on the classification of the Union Council of Ministers. 2. How the Prime Minister is appointed in India with special reference to a coalition?

NSOU ? CC-PS-02 169 9.13 Further Reading 1. Basu D.D. An

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NSOU ? CC-PS-02 170 Unit 10 ? Council of States Structure 10.1 Objectives 10.2 Introduction 10.3 Composition 10.4 Debate related to bicameralism in India 10.5 Eligibility and disqualifications for membership 10.6 Session 10.7 Powers and Functions 10.8 Relation between Lok Sabha and Rajya Sabha 10.9 Evaluation of Rajya Sabha 10.10 Conclusion 10.11 Summing Up 10.12 Probable Questions 10.13 Further Reading 10.1 Objectives The present Unit will enable the learners to- ? Understand the nature, composition and tenure of the Rajya Sabha ? Get acquainted with the debate related to a bicameral legislature in India ? Examine the powers and functions of the upper chamber of the Parliament ? Analyse the relation between the two houses of the Indian Parliament ? Make a critical assessment of the functioning of the Rajya Sabha 10.2 Introduction In accordance to the Constitution of India, a bicameral legislature exist at the Union in India. Bicameralism implies that there are two houses or chambers in the NSOU ? CC-PS-02 171 Parliament namely Lok Sabha and the Rajya Sabha. As the Constitution established a federal system of government, there was almost unanimity among the framers for achieving a balance between the direct representation of the people and the representation of units as such, by setting up two houses, one representing the people as a whole and the other the federated units. Infact

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the Parliament of India consists of the President and the two houses. The lower house is called the House of the People while the upper house is

called The Council of States.

This is in accordance with Article 79. The lower house is popularly known as the

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Lok Sabha while the upper house is well known as the Rajya Sabha.

The names of the houses fairly reflect the character of their composition. The House of the People is composed of directly elected representatives on the basis of adult franchise and territorial constituencies. The Council of States is composed mainly of representatives of the states elected by the State Assemblies.

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The President is an integral part of the Parliamentary Government. Although the President is not a member of

the Legislature, his/her participation in the legislative process is ensured by making him/her a part of the Parliament. The fact that he/she is the chief executive authority and

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that the executive power is co extensive with the legislative power

also makes it necessary that he/she should become an integral part of the Legislature. Now before discussing the composition and functions of both the houses it is essential for us to know what prompted India to adopt a Parliamentary model over the Presidential one? The often repeated argument of the previous experience of the Indians in running the governmental system based on Parliamentary model, no wonder, is one of the reason but it is not the only factor behind its adoption. The adoption of the Parliamentary system of governance by the Constituent Assembly was more in keeping with the advantages expected to accrue from the institution of the Parliament in future than the familiarity of Indians with the functioning of representative bodies in the country in the past. First, as Austin pointed out, the framers sought to achieve the objective of unity in the country through the mechanism of popular government by uniting Indians into one mass electorate having universal adult suffrage and by providing for the direct representation of the voters in genuinely popular assemblies, the culmination of which are to be found in the Parliament.

NSOU ? CC-PS-02 172 Second, the parliamentary system appeared to be the thing that could have accommodated all sorts of imperatives bothering the Constitution makers on the eve of Independence, quite evidently, along with the democratic system of governance, the federal nature of polity with the supremacy of the Constitution responsible for the successful functioning of other institution, independent judiciary—all these would not have been possible without the adoption of the parliamentary model. As against it, going in for a Presidential model for the sake of a strong executive to ensure the unity and integrity, if the nation may also have the dangers of the President turning into a despot as happened in many other newly independent countries including her neighbours. Finally, the institution of Parliament was probably the only operational guarantee which the framers could think of, to ensure the harmonious coexistence of the centre as well as the states under the overall rubric of the Union of India. Infact, the well thought out mechanism of ensuring the sanctity of federal nature of the polity and formulating the broad guidelines regulating the relations between the centre and the states was obtained in the form of the Parliament. The Rajya Sabha is the indirectly elected upper chamber. The upper house created with the aim of assuring a superior quality of debates and discussions. Structurally the Rajya Sabha is made a smaller house in comparison with the Lok Sabha. The Constituent Assembly was though unanimous about the usefulness and necessity of the Council of States as an integral part of the general scheme of the Union Government, there was however, divergence of opinion with respect to its composition, maximum membership and functions. Several suggestions were made in connection with the composition of the house. Some wanted equality of status among the states in the matter of representation while other denounced it a undemocratic and outmoded. Some were bitterly opposed to nomination of members while others wanted functional representation. While indirect election was opposed by some, election by the method of proportional representation was welcomed by others. Despite the large number of amendments based upon these and other ideas, the provisions embodied in the Draft Constitution were passed without any substantial modification except in regard to the method of the election of members.

NSOU ? CC-PS-02 173 10.3 Composition The maximum membership of the Council of States is limited to 250, just about half of the maximum membership originally fixed for the House of the People. Its composition has unique features. Out of 250 members, there shall be 12 members nominated by the President and the remaining members i.e. 238 shall be

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representatives of the States and the Union Territories elected by the method of indirect election.

This is in accordance with Article 80 of our Constitution. For convenience let us examine the members of the Council of States in the following manner :- 1. Nomination : The 12 nominated members shall be chosen

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by the President from amongst persons having special knowledge or practical experience in literature, science, art and social service. The

Constitution thus, adopts the principle of nomination for giving distinguished persons a place in the upper chamber. 2. Representation of States :

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The representatives of each state shall be elected by the elected members of the legislative assembly of the state in accordance with the system of proportional representation by means of the single transferable vote. 3. Representation of Union Territories : The representatives of union territories shall be chosen in such manner as Parliament may

prescribe [Art 80(5)]. Under this power, Parliament has prescribed that

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the representatives of union territories to the Council of States shall be indirectly elected by members of an electoral college for that territory, in accordance with the system of proportional representation by means of the single transferable vote.

Here, is an attempt to combine different principles of representation in the composition of the same legislative body. The American principle of equality of states in representation which has been followed by several federal constitutions and was rejected as undemocratic. At the same time, the election of the majority of its members by the state assemblies is intended to give recognition to the federal principle. Another principle that is given recognition in the composition of the Council of States is representation of talent, experience and service. The number of nominated members is constitutionally limited to 12. Such members would be

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persons having special knowledge or practical experience in respect of matters like literature, science, art or social service. The Council

of States is a permanent body like the American Senate. This means it is a continuing chamber and not subject to dissolution like that of the Lok Sabha. Like the American Senators

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the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re-elected. This provision enables the council to retain its political complexion in a more stable manner than the House of the People which after every election is a completely new house.

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It follows, that there will be an election of 1/3 of the membership of the Council of States at the beginning of every third year [

Art 83(1)].The order of retirement of the members is governed by the Council of States Order, 1952, made by the President in exercise of powers conferred upon him/her by

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the Representation of the People Act, 1951. The representation of the People Act 1951

provided that in order to be elected as a member of Rajya Sabha from a state the candidate must be an ordinary resident of that state. This qualification was deleted in 2003. The election to Rajya Sabha was done by secret ballot. By the same amendment Act in 2003 it was made an open ballot. However, regarding composition of Rajya Sabha several criticisms had been advanced by scholars which for our convenience can be discussed in the following manner :- 1. It is argued that enough justice is not done in keeping parity with the name i.e. Council of States and the nature of the house. It was assumed that the upper chamber of the Parliament is likely to be composed of representatives of different states but 12 members were nominated by the President.

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It is quite possible that the nominated members represent the centre and not the states

and may tilt the balance in crucial moments of division. So, Rajya Sabha in real terms may not be regarded as the Council of States. 2. The composition of the Rajya Sabha is often viewed as against the conventions and structures of a federation. The composition is not done on the basis of population or area of a state. Many are of the opinion that such composition is unjust in the sense that it places bigger states of the Indian Union in a position of greater advantage.

NSOU ? CC-PS-02 175 3. M.P.Sharma interestingly opined that Rajya Sabha represents neither the people, nor the Government nor the State Legislature. It may so happen that after the second annual election of the Rajya Sabha, General Assembly election is held in a state and there may occur drastic change in electoral seats in such an assembly election. Under such circumstances, the newly elected government in the state may not be able to control the members of the Rajya Sabha. 10.4 Debate related to bicameralism in India Now why India has adopted a system of bicameralism, its advantages along with its negative aspects are some of the essential questions which are needed to be answered at the very beginning of our discussion. On the basis of Indian Administration Act of 1919 bicameralism was first introduced in India. Later the Indian Administrative Act of 1935 has also retained this system. After achieving independence Indian Parliament too followed the legacy of the British era and established a bicameral legislature. Infact, during the days of the framing of the Constitution the problems related to bicameralism has not been discussed in detail. The scholars too seem to have divergent opinions with regard to the advantages of the bicameral system. There were many who were against it. This is perhaps one of the reasons, why many were reluctant to have a second chamber called Rajya Sabha along with the Lok Sabha in India. Many were even critical of the significance or the advantages in the very existence of the second chamber in India. However, in citing the significance of the second chamber in India several arguments were forwarded by one of the members of the Drafting Committee namely Gopalaswami Ayyenger. Citing him/her the following arguments can be advanced : 1. There is a fear that in case of a single chamber legislature a law passed may be a product of a temporary emotions and excitement. But if there are two chambers in a Parliament then a bill is likely to be passed with sufficient consideration and carefulness. A bill passed in a house is placed in before the second house in which it is thoughtfully re-evaluated. This might results in evolving a more accurate and error free law. So in a way, it helps to secure the national interest of the country. Again, the existence of the Rajya Sabha NSOU ? CC-PS-02 176 as an upper chamber plays the role of regulating and to some extent controlling the popular chamber of the Parliament. In doing so, it assumes a significant position in the liberal democratic country like that of India. It is through constructive debates, contradictions discussions and evaluation of both the houses that a law is evolved in our country. Consequently, it provides a greater assurance for an evolution of welfare and well thought law of our country. 2. The second chamber is composed of indirectly elected members along with a few nominated one. So several personalities who are well experts and experienced in respective field are usually the members of the upper house. They hardly want to get involved in the electoral process and contest election. So, it is expected to have the presence of these unassociated personalities as members of the house. In doing so, their skill and expertise knowledge may be found useful in the formulation of laws. In Lok Sabha only 12 members are nominated but in Rajya Sabha the composition of the house being different gives an opportunity to reasonable people

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who might be willing to participate in the debate with an amount of learning and importance not really associated with the House of the People. 3. The

existence of a second chamber is regarded as inevitable, if one adopts a federal system of administration. The second house is also composed of the members of the federating units. This helps to reserve the interest of the states. Infact, there is a need to retain a balance between the interest of a nation and the regional interest within a federal system of government. The national interest is well represented by the popular or the Lok Sabha of the country while the member of the Rajya Sabha represents the interest of the states. So without Rajya Sabha the regional interest would not have been represented in the Parliament. 4. If there is a Unicameral Legislature then there is a possibility of the house to turn into a dictator. But, if Parliament is composed of two houses then the possibility of turning into a dictator is probably bleak. So the existence of two houses counter check each other. This enhances the liberty of an individual. According to Lord Acton the second chamber of the Parliament provides an inevitable security to individual liberty. So, Rajya Sabha can

NSOU ? CC-PS-02 177 prevent Lok Sabha from turning into a dictator and it can also ensure the liberty of the individual. If the Lok Sabha takes an initiative to pass a bill which opposes individual liberty then the Rajya Sabha may take positive initiative in preventing it. 5. The responsibilities of the state have increased to a great extent in the recent years since it has declared itself as a welfare state. As a result, the workload of the Parliament has also expanded. A bicameral legislature to a certain extent may distribute the workload into two houses. So the pressure of the lower house is also shared to a certain extent by the upper house as well. The formulations of laws on comparatively less significant issues can be vested to the Rajya Sabha by the Lok Sabha. 6. One of the limitations of a liberal democratic system is that it tends to safeguard the interests of the majority. Keeping this in mind, it may be noted that the members of the Rajya Sabha are elected by means of proportional representation. As a result the minority communities in India also get an opportunity to send their representatives in Rajya Sabha. So the interests of the minorities are not only represented but also well preserved in the Parliament. 7. The debates and discussions that are likely to take place in the Rajya Sabha are expected to be rich in content since the members are renowned in their own distinctive fields and their expertise knowledge has a great educational value and therefore, its significance cannot be denied. Infact it was argued that

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the second chamber was expected to hold dignified debates on important issues and to delay legislation which might be the outcome of passions of the moment

until passions have subsided and calm consideration could be bestowed before the Legislature. Now, if there are arguments showing the significance of the principles of bicameralism then there are also counterarguments as well to show the limitations of the system. Let us examine them in the following manner :- 1. As rightly being pointed out by Harold Laski, that legislation is not made out of clean sky, finds it a way to the statute book. The drafts of each bill are prepared by lawyers. After a thorough and careful evaluation and discussion

NSOU ? CC-PS-02 178 the bill is passed in the popular chamber. A bill in order to become an Act has to pass through several stages. At every stage debates, discussions and exchange of opinion takes place between the Government bench and the members of opposition. The crux matter of the bill is also communicated to the masses through print and electronic media. This helps in formulating a public opinion regarding the bill. The reaction of the people and an analysis of the nature of public opinion help in taking final decision regarding the bill. That is why, it is argued by many that a fear relating law to be enacted out of sporadic emotions is baseless. Infact for a well thought formulation of law the role played by Lok Sabha is sufficient and there is hardly any need of the second chamber. 2. Many critics argue that the composition of Rajya Sabha is undemocratic. This is so since the members of the Rajya Sabha are either indirectly elected through proportional representation or they

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are nominated by the President of India. At the other side, the members of the Lok Sabha are elected directly by the people.

So it is a democratic body in the truest sense of the term. In such a situation the interference of the Rajya Sabha over the decisions of the Lok Sabha implies opposing the democratic conventions. A question has been raised whether it is at all desirable by an undemocratic body like that of Rajya Sabha to do so for a highly democratic institution like Lok Sabha. This is perhaps one of the major reasons that in practice Rajya Sabha hardly succeed in obstructing a decision of the Lok Sabha against its will. So viewed from this perspective its existence becomes less meaningful. 3. One of the logical argument behind the existence of the Rajya Sabha lies in the fact, that it is composed of distinguished personalities from various fields whose expertise knowledge are applied in framing up of the laws. This argument too, has been discarded by many. They argued, even if the members of the Rajya Sabha are elected by proportional representation they are in reality being done on the basis of their party affiliation. Consequently, the possibility of electing an unassociated, impartial and experienced expert is nothing but a myth. Again, the members who are nominated by the President are actually being done on the basis of advice given by the Prime Minister to the President. This again implies that an expert is a one who is

NSOU ? CC-PS-02 179 in reality nominated by the Union Government or specifically the political party in power at the Union. As such K.C.Wheare remarked that, if second chambers are to be anything more than debating societies or discussion circles, party is bound to come in. Practically, the Rajya Sabha preserves the interest of a particular class. 4. The argument that Rajya Sabha preserves the right of the state has also been challenged. The Indian Constitution is a written one and is partially flexible. The distinction of powers between the centre and the states has been explicitly stated in the Constitution. Apart from that, the rights of the states from the clutches of the Union have also been protected in the Constitution. Further, the country also has a federal court known as the Supreme Court of India who along with other functions is also entrusted with the protection of the interests of the federating units. 5. Further, the members of the Rajya Sabha are elected indirectly by proportional representation on the basis of population of the state. This has resulted into a division among states on the basis of population. Densely populated states have a greater say as they are represented in more numbers in Rajya Sabha compared to the lowly populated states. This had adversely affected the federal structure of the country. So it is argued that the protection of interests of the smaller states is almost at a stake as even ignoring their interest and desires the bigger states can change the federal system of the country. 6. Rajya Sabha is expected to retain the interests of the minority communities. But this is also not acceptable entirely by many since minority based political parties do not always sent their representatives to the Rajya Sabha in adequate numbers. 7. Again, it is argued that the existence of Rajya Sabha does not enable the Lok Sabha to take quick decisions over an issue. Sometimes it becomes an absolute necessity on part of the Government to take swift decision which is not possible due to the mere existence of the Rajya Sabha. 8. Moreover, the expenditure incurred for maintaining the system of bicameralism is a huge one. As such expenses for the Rajya Sabha seems to be unjustified for many as they feel there is hardly any relevance of its existence. NSOU ? CC-PS-02 180 10.5 Eligibility and disqualifications for membership A candidate for the Rajya Sabha's election

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must possess the following qualifications :- 1. He must be a citizen of India. 2. He must be above 30 years of age. 3. He must

possess all other qualifications

as laid down by an Act of the Parliament. The Representation of the People Act of 1951 says that a person to be chosen as a member of this house from any state excluding Jammu and Kashmir must be an elector for a parliamentary constituency in that state. Disqualifications The disqualifications

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for the membership of the house are the following :- 1. Holding any office of profit under the Government of India or

of the states except that of a minister or any other exempted by a law of Parliament. 2. Being of unsound mind as declared by the competent court. 3. Being an undischarged bankrupt. 4. Being an alien or non citizen. 5. A member may be disqualified, if he/she remains absent from all meetings and sessions of the house for a period of 60 days without the permission of the house or if he/she is expelled from the house. 6. Being disqualified under any law of Parliament. 10.6 Session The Rajya Sabha holds its session under the chairmanship of the Vice – President who is its ex-officio presiding officer. It elects its own Vice Chairman who functions during the absence of the Chairman. Its quorum is 1/10 of the total number of the members. The presiding officers of the Council of States are called the Chairman and the Deputy Chairman.

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The Vice President of India is the ex officio Chairman of the Council of States. As the presiding officer of the Rajya Sabha his/her functions and powers are

the same as those of the Speaker of the Lok Sabha.

He/she is however,
NSOU ? CC-PS-02 181 not a member of the house. The Vice President will act for the President under certain contingencies. During such period he/she will

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not perform the duties of the office of the Chairman of the Council nor will he/she draw the salary or allowances payable to the Chairman. In the absence of the

Chairman, the Council is presided over by the Deputy Chairman. He/she is a member of the house and is elected by the members of the house. When he/she ceases to be a member of the council he/she automatically vacates the office of the Deputy Chairman. The Deputy Chairman is empowered to discharge all the functions and to perform all duties of

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the office of the Chairman, whenever Chairman's office is vacant or when the Vice President is acting

for the President. The Council of States

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also has a panel of members called "Vice Chairmen" nominated by the Chairman for the purpose of presiding over

the house

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in the absence of both the Chairman and the Deputy Chairman. The Secretariat of the Rajya Sabha is headed by a Secretary General who discharges the

same functions as his/ her counterpart in the Lok Sabha. 10.7

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Powers and Functions For our convenience the powers and functions of the Rajya Sabha can be discussed under the following heads :-

Firstly,

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the Rajya Sabha has almost equal powers as compared to the powers of

the

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Lok Sabha in non-money matters. It is provided that a non money bill may originate in either house of Parliament and that no bill can be taken as passed by the Parliament unless agreed to by both the houses. In the event of disagreement between the two houses, the President is empowered to call a joint session of the two houses in order to dissolve the deadlock.

In this way, the position of the Rajya Sabha is not weak like that of the English House of Lords that may do nothing else than to obstruct the will of the House of Commons by causing a delay of one year. However, it may be pointed out

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that the position of the Rajya Sabha, in this direction is not as strong as that of the American Senate. In the

United States, it is provided that in the event of a conflict between the two houses of the Congress, the matter shall be resolved by the role of the conciliation committee having equaled number of representatives taken from both the houses and the decision of the committee shall be final.

NSOU ? CC-PS-02 182 Different from this, in our country,

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the position of the Rajya Sabha is comparatively weak due to three reasons. First, the Joint Session is to be presided over by the Speaker of the

Lok Sabha. Second,

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the factor of numerical strength is likely to go in favour of

the Lok Sabha, unless there is a very sharp cross division among the members of the popular chamber. Third,

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the initiative of calling a joint session or dropping the piece of controversial legislation depends upon the

decision of the Council of Ministers that is collectively responsible to the Lok Sabha. Secondly, the Rajya Sabha has some executive powers. It is true to say

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that the Council of Ministers is collectively responsible to the Lok Sabha; it

does not mean that the Rajya Sabha has no control over the Government. In fact the Rajya Sabha may exercise its

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control over the government by means of asking questions, tabling important motions, introducing resolutions and call attention motions and demanding half an hour discussions.

Thus, it has ample opportunities to criticize the policies and activities of the government. Thirdly, the Rajya Sabha is powerless in money matters.

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A money bill can originate in the Lok Sabha alone and the Rajya Sabha has to adopt it within a period of 14 days.

In case it returns a money bill with some recommendations to the Lok Sabha, it depends upon the will of the lower house to accept them or not. Fourthly, the Rajya Sabha has some other powers where it has equal authority with the Lok Sabha. They are : 1. It has equal powers in matters of constitutional amendment where it is required that a bill

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must be passed by both the houses by special majority. Such a bill may originate in either house of

the Parliament and it is not provided that in the event

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of disagreement between the two houses, the President shall call a joint session to resolve the deadlock. 2. The Rajya Sabha enjoys equal authority with the Lok Sabha in the election and removal of

the

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President. It also applies to the passing of a special address to remove the Chief Justice and a Judge of a Supreme Court or High Courts or some High Officers like Comptroller and Auditor General of India. 3. A proclamation of emergency made by the President must be approved by both the houses of

the Parliament.

NSOU ? CC-PS-02 183 4. Annual reports of various autonomous agencies like the UPSC, Comptroller and Auditor General of India, Minorities Commission etc. are considered by both the Rajya Sabha and the Lok Sabha. 5.

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In cases the government makes a proposal to take away an appointment from the purview of the UPSC both the Rajya Sabha

and Lok Sabha must agree to it. 6. Every order issued by the President suspending the enforcement of Fundamental Rights or laying down the canons of financial propriety is to be laid before each house of the Parliament. 7. Rajya Sabha shares equal powers with Lok Sabha

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in matters like setting up Martial Law Courts during National Emergency

for dealing with offences committed by the civilians and indemnifying officers for their acts done in good faith 8. Lastly,

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the delegated legislation and the rules framed by various departments must be approved by both the houses. Finally, there are certain special powers which the Rajya Sabha

exclusively enjoy and are not at all shared by the Lok Sabha. These are :- 1. The Rajya Sabha vide Article 249 may pass a resolution by its 2/3rd

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majority to shift an item of the State List to the Concurrent List or to the Union List on the plea that it is expedient in the national interest. 2. The Rajya Sabha

vide Art 312, is empowered to create an

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All India Service if it adopts a resolution by its 2/3 majority saying that it is necessary or expedient in the national interest. 3. It is the Rajya Sabha alone that can apply a democratic check on the exercise of the emergency powers of the President in case the Lok Sabha stands dissolved. 4. Finally, the Rajya Sabha alone can initiate proposals for removing the Vice President of India. 10.8

Relation between Lok Sabha and Rajya Sabha Discussion on the pros and cons of a bicameral system would make it much easier for us to analyse the relation between the House of the People and the Council NSOU ? CC-PS-02 184 of States. The relation between the two houses can be done from three perspectives in terms of exercising their powers in different areas. Broadly, there are three main ways through which the relation of both the houses is to be discussed. They are :- 1. Lok Sabha sharing equal powers with that of the Rajya Sabha. 2. Lok Sabha enjoying greater powers as compared to Rajya Sabha and 3. Rajya Sabha having certain special powers which Lok Sabha does not seem to enjoy. For our convenience let us discuss them in the following manner :- Lok Sabha and Rajya Sabha sharing equal powers Lok Sabha and Rajya Sabha shares equal powers with each other on the following :- a) On matters related to

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election of the President and Vice President b) Removal of the Judges of the Supreme Court and High

Court, c) Removal of the Chairman and the other members of UPSC, d) Removal of Chief Election Commissioner, Comptroller and Auditor General and so on. e) In all other matters of legislation, including constitutional amendments, the extent of the council's power is the same as

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that of the house. A bill can be initiated either in the house or in the council. The council may amend or reject a bill

that is passed by the house. If the house does not agree with the action of the council, the contested measure is placed before a Joint sitting of both the houses and passed by a simple majority. f) Annual reports of various autonomous agencies like the UPSC, Comptroller and Auditor General of India, Minorities Commission etc. are considered by both

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the Rajya Sabha and the Lok Sabha. g) Rajya Sabha shares equal powers with Lok Sabha in

matters like setting up Martial Law Courts during National Emergency for dealing with offences committed by the civilians and indemnifying officers for their acts done in good faith. NSOU ? CC-PS-02 185 Lok Sabha having more powers than Rajya Sabha a) Dominant position in the

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Executive: The Lok Sabha exercises control over the Executive. According to the Indian Constitution the Union Council of Ministers headed by the Prime Minister shall be collectively responsible to the

Lok Sabha. Infact Lok Sabha exercises exclusive power with relation to the formation of Council of Ministers, its existence and even demanding for its resignation before its normal tenure of five years. The Council of Ministers will have to resign if a vote of no confidence is passed in the Parliament. In case the Lok Sabha rejects a Government bill or a budget, or disapproves official policy, or shows its lack of confidence in the Government by making alterations in the policies and programmes of the Government against its wishes, it shall amount to the expression of a vote of no confidence. If a no confidence motion is passed in the Rajya Sabha, it will not have any impact upon the party forming the government and in power at the centre. Infact the Council of Ministers has every right to be fully informed of all matters connected with the government's activities which are raised on its floor. But it has no right to pass a censure motion against the Government

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of the day. The confidence of the Parliament means the confidence of the House of the People and the responsibility of the Executive means the responsibility to the House of the

People. This principle can be justified only on the basis of the popular character of the house. How vulnerable is the position of the Rajya Sabha can be cited through an instance. In 1978, Rajya Sabha passed a proposal for forming an investigation committee against Kantibhai Desai, the son of then Prime Minister Mr. Morarji Desai. The Morarji Government ignored and rejected the proposal. So, it shows that the Rajya Sabha has the power to discuss and debate over matters of important issues but it can no way pass a vote of no confidence against it. So, the Rajya Sabha has hardly any power to control the executive of the country. Lok Sabha happens to be supreme in this domain. b) Money Bill: Rajya Sabha has no power related to money bill. As far as the financial power of the Lok Sabha is concerned

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a money bill can originate only in the Lok Sabha. It is sent to the Rajya Sabha

which it must pass within a period of 14 days.

In case the Rajya Sabha returns the money bill with

NSOU ? CC-PS-02 186 some recommendations of its own, it shall depend upon the will of the Lok Sabha to accept them or not. However, a money bill can in no case be referred back to the Rajya Sabha for a second time. Moreover, it is one of the

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powers of the Speaker to decide whether a bill is a money bill or not. It is therefore, clear that the Lok Sabha

alone is powerful in the sphere of financial legislation. c) Ordinary Bill: In case of ordinary bill apparently, it seems that Rajya Sabha and Lok Sabha shares equal powers but in reality it is not so. An ordinary bill requires the approval of both the houses. It cannot be taken as passed by the Parliament unless it is so agreed to by both the houses of the Parliament. In the event of a difference

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of opinion between the two houses, the President is required to call a Joint Session

for resolving the deadlock. A joint sitting is presided by the Speaker of the Lok Sabha. Again, the numbers of members are more in Lok Sabha than in Rajya Sabha. So naturally, even in a joint sitting the probability of retaining the decision of the Lok Sabha is therefore, much higher. However, there are certain instances of exception as well. In 1961, in a joint sitting of both the houses, one of the proposal of Rajya Sabha was included in the Dowry Prohibition Bill. But at the same time it must be noted that they are exceptions and rarely happens. d) Emergency: Lok Sabha shares with the Rajya Sabha authority in matters relating to the approval of the emergency declared by the President. But according to 44 th Constitutional Amendment Act of 1978, if, the Lok Sabha accepts the proposal relating to the dissolution of the emergency then the President is bound to abide by its decision and declared it as off. Again if 1/10 th members of Lok Sabha request to discuss on matters of emergency then the President is bound to summon a session and the Speaker is also bound to create an opportunity for its discussion. Here it must be noted, that Rajya Sabha has no powers relating to it. Domain locating Rajya Sabha enjoying more power than Lok Sabha There are certain provisions in the Constitution which confer upon the council as the sole representative of the states, powers in its own right and to the exclusion of the house. These are of considerable importance from a constitutional point of view. They are the following :-
NSOU ? CC-PS-02 187 a) Under Article 249, the Council with the support of two-third of its members sitting and voting is empowered

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to declare that, in the national interests, Parliament should make laws with respect to a matter

that is included in the State Legislature list. On the passing of such a resolution, it becomes lawful for Parliament to make laws with respect to a matter that is included in the State Legislature List. On the passing of such a resolution, it becomes lawful for Parliament to make laws with respect to that matter

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for the whole or any part of India for a period of one year. b) The

second exclusive power of the Council is connected with the setting up of All India Services. The special characteristic of an All India Service is that it is common to the Union and the States. As such, the setting up of such a service affects the powers of the States. Therefore, here again, the Council is given the power to decide by a resolution supported by a two-thirds majority the question of setting up of an All India Service. Hence, any laws connected with such a service can be initiated only if, the Council passes such a Resolution. c) The Vice President by virtue of its position is the Chairman of the Rajya Sabha. He/She presides the meetings of the Rajya Sabha. The proposal relating to

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the removal of the Vice President can be initiated only in the Rajya Sabha and not in Lok Sabha.

For this reason, Rajya Sabha has special powers and dignity within the political system of the country. d) Along with the above mentioned constitutional provisions there is also an operational advantage of the Rajya Sabha which at critical juncture might enhance its power. The Council of States is a permanent body like the American Senate. This means it is a continuing chamber and not subject to dissolution like that of the Lok Sabha. Like the American Senators

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the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re elected. This provision enables the Council to retain its political complexion in a more stable manner than the House of the People which after every election is a completely new house.

What is worth mentioning, is that, an unprecedented change takes place in the functioning of the Upper Chamber when a party has a comfortable majority in Rajya Sabha while it formed the Opposition in the Lok Sabha.

NSOU ? CC-PS-02 188 Such an incident occurred in the year 1977, when the Congress had a majority in the Rajya Sabha while occupied the opposition bench in the Lok Sabha. It placed the then Janata Government in a very difficult position. The Non Congress government had the taste of its strong position when the Congress members stalled two official bills on April 11, 1977. Almost a similar situation can be traced in the recent years when the Modi Government despite its majority in the Lok Sabha finds it difficult to pass a bill in the Rajya Sabha. This creates a compelling ground on part of the Union Government to win over and maintain a fruitful relation with some of the State Government, so that, it could ensure their support in the Rajya Sabha. These provisions make the Council

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an important part of the Governmental machinery and not an ornamental superstructure or an inessential adjunct.

It was not designated to play the humble role of an unimportant advisor, nor of an occasional check on hasty legislation. Its comparatively small and therefore, compact size, its permanent character which ensures a certain degree of stability and continuity in thought and action, and its having a large number of "elder statesmen" among its members, and its broad based representative character, all these, in course of time, should help to establish it not only as a respectable but also beneficial and influential body though not equal in power in all respects with the House of the People. In India, the Council of States in relation to the House of the People is nowhere near as powerful as the American Senate, nor is it at par with its Australian counterpart; but it is much more powerful than the Canadian Senate. It is true that the Constitution clearly recognizes the supremacy of the House of the People over the Council in certain matters but not in all. The co equal power of the Council on constitutional amendment is of great significance. It means that the Constitution cannot be amended unless the Council of States as the representatives of the States also agrees to such change. This provision alone will show the significantly important role the framers of the Constitution have assigned to the Council. Infact, what is perhaps required is the participation and collaboration of both the houses for all legislative activities. Without such collaboration practically nothing can be done in the legislative field. Infact a bicameral legislature was probably the only operational guarantee which the framers could think of, to ensure the harmonious coexistence of the centre as well as the states under the overall rubric of the Union of India.

NSOU ? CC-PS-02 189 10.9 Evaluation of Rajya Sabha A critical study of the composition and working of the Rajya Sabha shows that it has neither proved itself like a mere ornamental chamber as is found in the British House of Lords nor has it been able to assert itself like a powerful upper chamber having a formidable replica in the American Senate. In fact what is interesting to learn, that it has never intended to be a pale shadow of the lower chamber. It has indeed provided occasional checks on the activities of the popular chamber of the Parliament but in doing so hardly created a deadlock situation thereby, obstructing the functioning of the government. It therefore, in a sense, has evolved itself into a house of action when situation so demands thereby, giving a unique Indian version of the institution. Let us enumerate certain points for a critical study of the Rajya Sabha in the following manner :- First, the mode of composition of this house is defective. As the name Council of States suggests it ought to have representatives from the states but it is surprising to see that it has members nominated by the President. So

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it is quite possible that the nominated members represent the centre and not the states

and may tilt the balance in crucial moments of division. Second, the principle of distribution of seats according to the factor of population is unjust in a sense that it places bigger states of the Indian Union in a position of greater advantage. It therefore, violates the principle of uniformity that desires equal representation of the federal units irrespective of their geographical size or their demographic composition. Third, the method of indirect election by means of proportional representation with single transferable vote

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system makes it highly convenient for a very affluent person to purchase votes in the election

and thereby, have the privilege of being a member of the Indian Parliament. Fourth, the indirect election enables even the minor parties to grab some seats in proportion to their strength in the State Legislative Assemblies. The Rajya Sabha thus, has the representatives indirectly elected by the State Vidhan Sabha's who are supposed to fight for the cause of their parties than that of the States as a whole.

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it is also possible that after the state general election the assembly may have a different party wise composition that might entail their loss of control over

the representatives chosen by the previous house for a term of six years. The result is that the members of this house are the representatives of neither the state governments nor of the state legislature. Sixth, the actual working of the Rajya Sabha has failed to realize the expectations of the founding fathers who desire to give an opportunity to seasoned people more interested in participating in debates. Though we cannot deny the fact, that this house has seen several seasoned people but a matter of pity is that

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party politics has done a lot of damage to the high standards of this chamber. On several occasions, persons rejected

in general polls but having very strong position in the party hierarchy or are close associates of the party chief has been inducted into the house without judging their abilities and efficiency so required in this regard. Finally, what is worth mentioning is that an unprecedented change takes place in the functioning of the Upper Chamber when a party has a comfortable majority in Rajya Sabha while it formed the Opposition in the Lok Sabha. Such an incident occurred in the year 1977, when the Congress had a majority in the Rajya Sabha while occupied the Opposition bench in the Lok Sabha. It placed the then Janata Government in a very difficult position. 10.10 Conclusion A thorough study of the Council of States suggests that there may be a huge gap between what the second chamber should be and what the present Council of States is. Yet, despite its weakness it cannot be denied, that it has succeeded in not letting the floor of the Council a battleground between centre and the states. Infact, what is therefore, desired that both the houses must act in close cooperation with each other as neither of the two houses by itself constitutes the Parliament. It is both the houses together that constitute

the Parliament

of India. 10.11 Summing Up ?

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The Parliament of India consists of the President and the two houses. The lower house is called the House of the People while the upper house is

called The Council of States.

NSOU ? CC-PS-02 191 ? The lower house is popularly known as the

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Lok Sabha while the upper house is well known as the Rajya Sabha. ?

The Rajya Sabha is the indirectly elected upper chamber. The upper house was created with the aim of assuring a superior quality of debates and discussions. ? The maximum membership of the Council of States is limited to 250, just about half of the maximum membership originally fixed for

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the House of the People. ? Like the American Senators the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re elected. ?

On the basis of Indian Administration Act of 1919 bicameralism was first introduced in India. Later the Indian Administrative Act of 1935 has also retained this system. ? The Rajya Sabha holds its session under the chairmanship of the Vice – President who is its ex-officio presiding officer. It elects its own Vice Chairman who functions during the absence of the Chairman. Its quorum is 1/10 of the total number of the members. 10.12 Probable Questions Essay Type Questions : 1. Examine the powers and functions of the Rajya Sabha 2. Discuss the relations between Lok Sabha and Rajya Sabha of the Indian Parliament. Long Questions : 1. Do you think a bicameral legislature was a need of the hour for India? Justify. 2. Make a critical assessment of the functioning of Rajya Sabha. Short Questions : 1. Explain why India has adopted a parliamentary system of government? 2. Write a critical note on the composition of the Upper Chamber of the Indian Parliament.

NSOU ? CC-PS-02 192 10.13 Further Reading 1. Basu D.D. An

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NSOU ? CC-PS-02 193 Unit 11 ? The Judiciary : Supreme Court, High Court, Judicial Activism Structure 11.1 Objectives 11.2 Introduction 11.3 The expansion of judicial process in India 11.4 The Supreme Court 11.4.1 Composition and appointment 11.4.2 Tenure and qualifications for judges of the Supreme Court 11.4.3 Removal of Judges 11.4.2 Powers and Jurisdictions 11.5 The High Courts 11.5.1 Composition and appointment 11.5.2 Qualifications and tenure of Judges 11.5.3 Powers and Jurisdictions of High Court 11.6 Judicial Activism : Meaning 11.6.1 Methods of Judicial Activism 11.6.2 Some examples of Judicial Activism 11.7 Conclusion 11.8 Summing up 11.9 Probable Questions 11.10 Further Reading 11.1 Objectives By reading this unit learners will be acquainted with the following : ? The evaluation of the judicial system in India.

NSOU ? CC-PS-02 194 ? The structure of the Indian judicial system. ? Composition, functions and jurisdictions of the Supreme Court in India. ? Composition, functions and jurisdiction of the High Courts in India. ? The concept of Judicial Activism and its overview. 11.2 Introduction Judicial System in India is one of the most positive and effective systems in the world. Like many other countries, the constitution of India also maintained mainly three independent organs which work in parallel and independently for protecting the rights of its citizen and making law and order system in the country. The legislative organ (The Parliament) makes laws for the country, the executive organ of the government enforces those laws, and the Judiciary act as the guardian of the constitution of India. The judiciary guarantees fairness and justice and protects the citizen from the despotism of the Government. There is no such democracy without an efficient and independent judiciary. Because judicial independence serves as a safeguard for the rights and privileged by a limited constitution and prevents executive and legislative encroachment upon those rights of the citizen. It also serves as a foundation for the rule of law and democracy. There are various levels of judiciary in India – different types of courts, each with varying powers depending on the tier and jurisdiction bestowed upon them. They form a strict hierarchy of importance, in line with the order of the courts in which they sit, with the Supreme Court of India at the top, followed by High Courts of respective states with district judges sitting in District Courts and Magistrates of Second Class and Civil Judge (Junior Division) at the bottom. Courts hear criminal and civil cases, including disputes between individuals and the government. The Indian judiciary is independent of the executive and legislative branches of government according to the Constitution.

NSOU ? CC-PS-02 195 The hierarchy of the Indian Judicial System is as shown below : SUPREME COURT OF INDIA HIGH COURTS OF VARIOUS STATES CENTRAL ADMINISTRATIVE TRIBUNALS DISTRICT AND SESSIONS COURTS 11.3 The expansion of Judicial process in India The Government of India Act.1935 introduced the federal principle into Indian constitutional law. It also made necessary a Federal Court decide constitutional matters. Appeals lay from the Federal Court to the Judicial Committee. Under the constitution of India, 1950, and preceding Indian legislation, the Supreme Court succeeded to the jurisdiction of the Federal Court and the Judicial Committee. The constitution of India, with its chapters on Fundamental Rights and Directive Principles coupled with the federal system, inevitably threw new burdens on the Indian judiciary. The Indian Judiciary has, during the last few decades, acted extensively in the case where protection of fundamental rights or basic human rights is concerned. LOWER COURTS (CIM, SUB-JUDGES, MUNSIFF COURTS AND COURTS OF SMALL CAUSES

NSOU ? CC-PS-02 196 11.4 The

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Supreme Court The Constitution of India has established an integrated judicial system. Supreme Court at the

apex of the Indian Judiciary is the highest authority to uphold the constitution of India, to protect the rights and liberties of citizens, and to uphold the values of rule of law. Hence it is known as the guardian of our Constitution. On 26 January 1950, the day India's constitution came into force, the Supreme Court of India was formed in Delhi. On January 28, 1950, the Supreme Court of India was inaugurated by the president, Babu Rajendra Prasad, Present on the occasion were Chief Justice Harilal Kania, along with Justice Fazal Ali, Patanjali Sastri, Mehr Chand Mahajan, B.K. Mukherjee and S.R. Das, Attorney General Setalvad, and Advocate Generals of different states. Also, present the first prime minister of India, Pandit Jawaharlal Nehru, his Cabinet colleagues, and members of the diplomatic corps. 11.4.1 Composition and appointment : The constitutional provisions related to the Supreme Court are contained in part V from articles 124 to 147.

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The Indian constitution under Article 124(1) states that there shall be a Supreme Court of India consisting of a Chief justice of India and 32

other judges.

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The original Constitution of 1950 envisaged a Supreme Court with a Chief Justice and 7 puisne Judges-leaving it to Parliament to increase this number. In the early years, all the Judges of the Supreme Court sit together to hear the cases presented before them. As the work of the Court increased and arrears of cases began to accumulate, Parliament increased the number of Judges from 8 in 1950 to 11 in 1956, 14 in 1960, 18 in 1978, and 26 in 1986. As the number of Judges has increased, they sit in smaller Benches of two and three—coming together in larger Benches of 5 and more only when required to do so or to settle a difference of opinion or controversy. 11.4.2

Tenure and qualifications for judges

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of the Supreme Court: According to article 124(3), a person for appointment as a judge of the Supreme court

requires qualifications as follow :

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He or she must be a citizen of India. ? He or she must

a judge in the high court for at least 5 years. or. ? He or she should have worked as an advocate of

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a high court for at least 10 years. or. ? He or she must be a distinguished jurist in the opinion of the president

of India. Article 124(2) states that

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every judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the judges of Supreme Court and the High Courts in the states.

Appointment of ad hoc Judges (Art 127) states that if at any time there is a lack of quorum of Judges

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of Supreme Court, the Chief justice of India may with the previous consent of the President and Chief Justice of High Court concerned request in writing

the attendance of

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Judge of High Court duly qualified to be appointed as Judge of Supreme Court.

Appointment of retired judges of the supreme court or high court (Art 128).

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The Chief justice of India at any time with the previous consent of the President

Here the collegium system (appointment of judges to the courts) was followed also known as the three judges cases, which

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comprises of the Chief Justice of India and four senior-most judges of the Supreme Court.

However, due to lack of transparency and delay in appointment, a new article 124 A was incorporated in the constitution [

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through the ninety-ninth Constitution Amendment Act-2014] under which the National Judiciary Appointments Commission (NJAC) replaced the collegium system for the appointment of judges

as mandated in the existing pre- amended constitution by a new system. However, the amendment was nullified by the Supreme Court. Hence, the existing collegium system continues. Tenure : According to article 124, every judge of the Supreme Court holds office till

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the age of 65 years. To be appointed as a Judge of the Supreme Court, a person must be a citizen of India and must have been, for atleast five years, a Judge of a high court NSOU ? CC-PS-02 198 or two or more such Courts in succession, or an advocate of a high court or two or more such Courts in succession for at least 10 years or he/

she

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must be, in the opinion of the president, a distinguished jurist. 11.4.3

Removal of Judges : According to article 124(A),

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A judge of the Supreme Court can be removed only from the office by the President based on a resolution passed by both the Houses of parliament with a majority of the total membership and a majority of not less than two-thirds of the members present and voting in each house, on

the

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grounds of proved misbehavior or incapacity of the judge in question.

Hence, a democratic country like India needs a judiciary because democratic values tend to lose their prominence without proper checks and balances. 11.4.4 Powers and Jurisdictions : The Jurisdiction of the Supreme Court of India can broadly be categorised into : a) Original jurisdiction (Article-131) b) Appellate jurisdiction (Article-132-134) and c) Advisory jurisdiction (Article-143) However, there are other multiple powers of the Supreme Court. Original jurisdiction : This jurisdiction extends to cases originating in Supreme Court only and states that Indian Supreme Court has original and exclusive jurisdiction in cases between : i)

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Government of India on one hand and one or more states on the other ii) Government of India and

any state
or more
states

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on one side and one or more states on the other iii) Two or more states Apart from those cases if and insofar as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends.

In addition, Article 32 of

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the Constitution gives an extensive original jurisdiction to the Supreme Court regarding enforcement of Fundamental Rights. It is empowered

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to issue directions, orders, or writs, including writs like habeas corpus, mandamus, prohibition, quo warranto, and certiorari

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to enforce them. The Supreme Court has been conferred with power to direct transfer of any civil or criminal case from one State.

Appellate Jurisdiction (Art 132, 133, 134) :

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The appellate jurisdiction of the Supreme Court can be invoked by a certificate granted by the High Court concerned

under Article 132(1), 133(1) or 134 of the Constitution

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in respect of any judgment, decree, or final order of a High Court in both civil and criminal cases, involving substantial questions of law

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as to the interpretation of the Constitution. Appeals also lie to the Supreme Court in civil matters if the High Court

concerned certifies : (

a)

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that the case involves a substantial question of law of general importance, and (b) that, in the opinion of the High Court, the said question needs to be decided by the Supreme Court.

In criminal cases,

an appeal

lies to the Supreme

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Court if the High Court : (a) has on appeal reversed an order of acquittal of an accused person and sentenced him to death or to imprisonment for life or a period of not less than 10 years, or (

b)

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Has withdrawn for trial before itself any case from any Court subordinate to its authority and has in such trial convicted the accused and sentenced him to death

or imprisonment for life or a period of not less than 10 years,
or c) Certified that the case is a fit one for the appeal to the Supreme Court. Parliament is authorised to confer on the Supreme Court any further powers to entertain and hear appeals

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from any judgment, final order, or sentence in a criminal proceeding of a High Court.

The Supreme Court has also a very wide appellate jurisdiction over all Courts and Tribunals in India in as much as it may, in its discretion, grant special leave to appeal under Article 136 of the Constitution

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from any judgment, decree, determination, NSOU ? CC-PS-02 200 sentence, or order in any cause or matter passed or made by any Court or Tribunal in the territory of India.

Advisory Jurisdiction : Article 143 of the Indian Constitution confers

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upon the Supreme Court advisory jurisdiction. The President may seek the opinion of the Supreme Court on any question of law or fact of public importance on which he thinks it expedient to obtain such an opinion.

On such reference from the President, the Supreme Court, after giving it

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such hearing as it deems fit, may report to the President its opinion thereon.

The opinion is only advisory, which the President is free to follow or not to follow. However, even if the opinion given in the exercise of advisory jurisdiction may not be binding, it is entitled to great weight. The first reference under Article 143 was made in the Delhi Laws case, (1951) SCR 747. In almost sixty years, only twelve references have been made under Article 143

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of the Constitution by the President for the opinion of the Supreme Court. Enlargement of the jurisdiction of the Supreme Court : The Jurisdiction of the Supreme Court

may also be enlarging concerning any matter in the Union List by a parliamentary law. The Parliament may confer on the court the power to issue directions, orders, or write for any other purpose in addition to the enforcement of Fundamental Rights. it may also invest the court with additional power, not consistent with the Constitution, to enable it to discharge its duties more effectively. (Art. 138) 11.5 The High Courts The High Court stands at the head of a State's judicial administration.

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The Constitution provides for a High Court for each state. However, the Parliament can by law establish a common High Court for two or more states and a Union Territory.

At present Punjab, Haryana and Chandigarh have a common High Court. Besides this, there is a common High Court for seven North-eastern states- Assam, Nagaland, Manipur, Tripura, Meghalaya, Arunachal Pradesh, and Mizoram. Tamil Nadu and Pondicherry also have a common High Court. All 21 High Courts are working in India. These are next only to the Supreme Court of India.

NSOU ? CC-PS-02 201 JURISDICTION AND SEAT OF HIGH COURTS Sl. Name Year of Territorial establishment Seat No. establish- jurisdiction ment 1.

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Allahabad 1866 Uttar Pradesh Allahabad (Bench at Lucknow) 2. Andhra 1956 Andhra Pradesh Hyderabad Pradesh 3. Bombay 1862 Maharashtra, Goa, Bombay (Benches at Dadra and Nagar Haveli Nagpur, Panaji and and Daman and Diu Aurangabad) 4. Calcutta 1862 West Bengal Calcutta (Circuit Bench at Port Blair) 5. Delhi 1966 Delhi Delhi 6. Guwahati 1 1948 Assam, Manipur, Guwahati (Benches at

Meghalaya, Nagaland, Kohima, Aizwal & Tripura, Mizoram and Imphal. Circuit Bench Arunachal Pradesh at Agartala &

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Shillong) 7. Gujarat 1960 Gujarat Ahmedabad 8. Himachal 1971 Himachal Pradesh Shimla Pradesh 9. Jammu & 1928 Jammu & Kashmir Srinagar & Jammu Kashmir 10. Karnataka 2 1884 Karnataka Bangalore 11. Kerala 1958 Kerala & Lakshadweep Ernakulam 12. Madhya 1956 Madhya Pradesh Jabalpur (Benches at

Pradesh

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Gwalior and Indore) 13. Madras 1862 Tamil Nadu & Madras Pondicherry NSOU ? CC-PS-02 202 14. Orissa 1948 Orissa Cuttack 15. Patna 1916 Bihar Patna 16. Punjab & 1975 Punjab, Haryana & Chandigarh Haryana 3 Chandigarh 17. Rajasthan 1949 Rajasthan Jodhpur (Bench at Jaipur) 18. Sikkim 1975 Sikkim Gangtok 19.

Chhattisgarh 01/11/2000 Chhattisgarh Bilaspur (Chhattisgarh) 20. Jharkhand 2000 Jharkhand Ranchi 21. Uttarakhand 2000 Uttarakhand Nainital 1. Originally known as the

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Assam High Court, renamed Guwahati High Court in 1971. 2. Originally known as Mysore High Court, renamed as Karnataka High Court in 1973. 3. Originally known as Punjab High Court, renamed as Punjab & Haryana High Court in 1966. 11.5.1

Composition and Appointment : The constitution says that there shall be a

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High Court for each State. Every High Court shall consist of one chief justice and such other judges as the President may from time

deem it necessary to appoint. Since the number of the judge

of the state High Courts has not been fixed by the constitution. It varies from court to court.

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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. In appointing other judges of the High Court, the President, besides consulting the Chief Justice of India and the Governor, also consults the Chief justice of the High Court. Besides, the President has the power to appoint (a) Additional Judges for a temporary period not exceeding two years,

for the clearance of areas of work in a High Court;
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an acting judge, when a permanent judge of a High Court (other than Chief Justice) is temporarily absent or unable to perform his duties or is appointed to act temporarily as Chief Justice. 11.5.2

Qualifications and Tenure

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of judges : The qualifications for appointment as a judge of a High Court

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are that– i) A person must be a citizen of India. ii)

He/she has for at least ten years held for a judicial office

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or iii) Has for at least 10 years been an advocate of a High Court

in any State. or Tenure A Judge

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of the High Court shall hold office until the age of 62 years.

Every Judge, permanent, additional, or acting,

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may vacate his office earlier in any of the following

ways; a) by resignation in writing addressed to the President; b) by being appointed

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a Judge of the Supreme Court or being transferred to any other High Court,

by the President; c) by removal by the President on an address of both Houses of Parliament (supported by the vote of 2/3 of the members present) on the ground of proved misbehaviour or incapacity, the mode

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of removal of a Judge of the High Court shall thus be the same as that of a judge of the Supreme Court. 11.5.3

Powers and Jurisdictions of High Court : The constitution does not attempt detailed definitions or classification of the different types of jurisdiction of the High Courts. It was presumed that the High Courts which were functioning with well-defined jurisdiction at the time of the framing of the Constitution would continue with it and maintain their position as the highest courts in the States. The Constitution, accordingly, provided that the High Courts would retain their existing jurisdiction and any future law that was to be made by the Legislatures.

NSOU ? CC-PS-02 204 Besides, the original and appellate jurisdiction, the Constitution vested in the High Court's four additional powers : (1) The power

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to issue writs or orders for the enforcement of Fundamental Rights or any other purpose. (2) The power of superintendence over subordinate courts. (3)

The power to transfer cases to themselves pending in the subordinate courts involving interpretation of the Constitution; and (4) The power to appoint officers. A) Original Jurisdiction : The Constitution does not attempt detailed definitions and classification of the different types of the jurisdiction of the High Court as it has done in the case of the supreme court. This is mainly because most of the High Courts at the time of the framing of the constitution had been functioning with well-defined jurisdictions whereas the Supreme Court was a newly-created institution necessitating a clear definition of its power and functions.

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The High Courts are primarily courts of appeal. Only in matters of admiralty, probate, matrimonial, contempt of Court, enforcement of Fundamental Rights, and cases ordered to be transferred from a lower court involving the interpretation of the Constitution

to

their file, they have original jurisdiction. Formally, the High Court of Bombay, Calcutta, and Madras had both Original and Appellate jurisdictions. They could hear civil cases involving an amount exceeding Rs. 2000 (two thousand). They had original jurisdiction regarding criminal cases referred to as presidency magistrates. The new constitution has not withdrawn their rights. Every high Court has original jurisdiction regarding admiralty, will, divorce, marriage laws, fall outside their pale of influence. According to the Art. 225 the present Constitution has extended their original jurisdiction to revenue cases also. Besides passing the right to issue a writ of habeas corpus, High Courts have now been empowered to issue a mandamus, writ of prohibition, quo warranto, and certiorari to protect the fundamental rights of the citizen. NSOU ? CC-PS-02 205 B) Appellate Jurisdiction : The Courts, as stated earlier also, in

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the highest court of appeal in any State. It entertains appeals against the judgments of the subordinate courts.

If a Sessions Judge awards death sentence, an appeal lies to High Court. On the civil side, it entertains appeals involving an amount exceeding rupees five thousand.

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It also hears cases relating to patent and designs, succession, land acquisition, insolvency, and guardianship.

C) Power

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of Superintendence and Transfer : Every High Court has a power of superintendence over all courts and tribunals throughout the territory concerning which it exercises jurisdiction, excepting military tribunals [Art. 227]. This power of superintendence is very wide in as much as it extends to all courts as well as tribunals within the State, whether such court or tribunal is subject to the appellate jurisdiction of the High Court or not.

Further, this power of superintendence would include a revisional jurisdiction to intervene in case of gross injustice or non-exercise of abuse of jurisdiction, even though no appeal or revision against the orders of such tribunal was otherwise available. However, this jurisdiction of the High Court has been taken away in respect of Administrative Tribunals set up under Article 323A, by the Administrative Tribunals Act. 1985.

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If the High Court is satisfied that a case pending in a court subordinate to it involves a substantial question of law as to the interpretation of the Constitution,

it may transfer the case of itself. After the case has come to the file of the High Court, it

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may dispose of the whole case itself or may determine the constitutional questions involved and return the case to the court from which it has been withdrawn together with a copy of its judgment on such question and direct it to dispose of the case in conformity with such judgment.

The Constitution, thus, denies subordinate courts the right to interpret the Constitution so that there may be the maximum possible uniformity as regards constitutional decisions. It is accordingly, the duty of the subordinate courts to refer

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the High Court a case that involves a substantial question of law as to th interpretation of the Constitution

and the

case cannot be disposed of without the determination of such question. The High Court may also transfer the case to itself upon the application of the party in the case. D) Writ jurisdiction : Article 226 of the Constitution empowers every High Court, throughout the territories about its which exercises jurisdiction to issue to any person or authority, including in appropriate cases, any Government, within those territories, directions,

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orders or writs, including writs like habeas corpus, mandamus, prohibition, quo warrantor and certiorari, or any of them, for the enforcement of any of the Fundamental Rights and for any other

purpose. The Constitution by 42 nd . amendment omitted the provision "for any other purpose", but the Forty-fourth amendment has restored it. The peculiarity of this jurisdiction is that is conferred by the Constitution, it cannot be taken away or abridged by anything short of an amendment of the Constitution itself. Although the Supreme Court and the High Courts have concurrent jurisdiction in the enforcement of Fundamental Rights, the Constitution does not confer to the High Court's the special responsibility of protecting Fundamental Rights as the Supreme Court is vested with such a power. Under Article 32 the Supreme Court is made the guarantor and protector, of Fundamental Rights whereas in the case of the High Court the power to enforce Fundamental Rights as part of their general jurisdiction. The jurisdiction to issue writs under these Articles is larger in the case of High Court in as much as while the Supreme Court can issue them only where a fundamental right has been infringed, a High Court can issue them not only in such cases but also where an ordinary legal right has been infringed, provided a writ is a proper remedy in such cases, according to well-established principles. E)

Court of record : The

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High Court is a court of record and has all the powers of such a court including the power to punish for contempt

of itself. The two characteristics of a

NSOU ? CC-PS-02 207 court of record are that the records of such a Court are admitted to be of evidentiary value and that they cannot be questioned when produced before any court and that it has

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the power to punish for contempt of itself. Neither the Supreme Court nor the

Legislature can deprive a High Court of its power of punishing contempt of itself.

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The High Court of India has been given full freedom and independence in imparting justice to the people and ensure that

the

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executive and legislature shall in no way interfere in the day-to-day life of the people. As a Court of record, the High Court has the power to punish those who are adjudged as guilty of contempt of court. All its

decision is binding and cannot be questioned in the lower court. As the Judiciary has a vital role in the working of the constitution and in the maintenance of the balance of authority and liberty and as a safeguard against the abuse of power by the executive, its independence is secured by the

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permanence of tenure and the conditions of service of the judges. 11.6

Judicial Activism : Meaning Judicial Activism means the rulings of the court based on political and personal rational and prudence of the Judges presiding over the issue. It is a legal term referring to court rulings based, in part or in full, on the political or personal factors of the Judge, rather than current or existing legislation. According to Black's Law Dictionary

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judicial activism is a philosophy of judicial decision-making whereby judges allow their personal views about public policy, among other factors, to guide their decisions.

The judicial activism was evolved through the process of judicial review which can be pursued from the unwritten constitution of Britain during the period of Stuart (1603-1688). In the year 1610, the power of Judicial Review was acknowledged for the first time in Britain through the activism of Justice Coke. The then Chief Justice Coke stated that if a law made by Parliament breached the principles of common law; and reason, then it could be reviewed and adjudicated as void by the judiciary. In the modern age, the concept of Judicial activism was reshaped in the US in 1947. It has been seen in India since the Emergency days. Judicial activism in NSOU ? CC-PS-02 208 India implies the authority of the Supreme Court and the high courts, but not the subordinate courts, to declare the regulations unconstitutional and void if they breach or if the legislation is incompatible with one or more of the constitutional clauses. A judiciary is an independent body that is even-handed, unbiased, and unprejudiced. It functions within the framework of the constitution, defined under the concept of the separation of powers. It interprets the supreme constitution and at times needed, supports the rule of law and the standards laid down in the constitution. The Supreme Court of India is considered the sentinel quiver and protects the fundamental and constitutional rights of the people. The Supreme Court of India in its initial years was more technocratic but slowly began to become more active through constitutional interpretation. The court became an activist through its involvement and interpretation of law and statutes but the whole transformation took years and it was a gradual process. The origins of Judicial activism can be seen in the court's premature and early assertion regarding the essence and nature of Judicial Review. India's Judicial activism can be positive as well as negative : 1. A court engaged in altering the power relations to make them more equitable is said to be positively activist and 2. A court using its ingenuity to maintain the status quo in power relations is said to be negatively activist. Judicial activism reflects the suggested patterns in the administrative namely : expansion of hearing privileges over administrative lapses, the extension

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of judicial control over discretionary forces, expansion of judicial review over the administration,

and extending the conventional translation guidelines in its quest for financial, cultural, and academic goals. 11.6.1
Methods of judicial Activism : Various methods of judicial activism are followed in India. They are : 1.

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Judicial review (power of the judiciary to interpret the constitution and to declare any such law or order of the legislature and executive void, if it find them in conflict with the

Constitution).

NSOU ? CC-PS-02 209 2. PIL (The person filing the petition must not have any personal interest in the litigation, this petition is accepted by the court only if there is an interest of large public involved; the aggrieved party does not file the petition). 3. Constitutional interpretation. 4. Access to international statute for ensuring constitutional rights. 5. Supervisory power of the higher courts on the lower courts. 11.6.2 Some examples of Judicial Activism : After the independence, Judicial activism was almost silent for the first decade. The executive and legislative organs of the government actively dominated and intervened in the working of the judiciary. It was started in 70s when the Allahabad High Court rejected the candidature of Indira Gandhi in 1973. ? In 1979, The Supreme Court of India ruled that undertrials in Bihar had already served time for more period than they would have, had they been convicted. ? Golaknath case : The questions, in this case, were whether the amendment is a law; and whether Fundamental Rights can be amended or not. SC contended that Fundamental Rights are not amendable to the Parliamentary restriction as stated in Article 13 and that to amend the Fundamental rights a new Constituent Assembly would be required. Also stated that Article 368 gives the procedure to amend the Constitution but does not confer on Parliament the power to amend the Constitution. ? Kesavananda Bharati case : In the landmark Keshvananda Bharti case, just two years before the emergency declaration the apex court of India declared that the executive had no right to intercede and tamper with the basic tructure of the constitution. Though the exigency imposed by the then Prime Minister Indira Gandhi could not be prevented by the Judiciary, the concept of judicial activism started gaining more power from there. ? In the 2G scam, the Supreme Court cancelled 122 telecom licenses and spectrum allocated to 8 telecom companies because the process of allocation was flawed.

NSOU ? CC-PS-02 210 ? The Supreme Court rolled out a blanket ban on firecrackers in the Delhi– NCR area with certain exceptions in 2018. Judicial activism is an effective tool for upholding citizens' rights and implementing constitutional principles when the executive and legislature fail to do so. Citizens have the judiciary as the last faith for protecting their rights when all other doors are closed. The Judiciary of India has also been considered as the guardian of the Indian Constitution. There are provisions in the constitution itself for the judiciary to adopt a proactive role. Article 13 read with Articles 32 and 226 of the Constitution provides the power of judicial review to the higher judiciary to declare any executive, legislative or administrative action void if it is in contravention with the Constitution. Judicial activism has also faced criticism several times. In the name of judicial activism, the judiciary often mixes personal bias and opinions with the law. Another criticism is that the theory of separation of powers between the three arms of the State goes for a toss with judicial activism. So many times, the judiciary, in the name of activism, interferes in an administrative domain, and undertakings into judicial adventurism. In many cases, no fundamental rights of any group are involved. In this context, judicial restraint is talked about. 11.7 Conclusion India, since independence, has remained firmly embedded in rule of law and democracy. In addition to devotion to the rule of law and principles of democracy, the presence of a strong and independent judiciary, free press, and the growth of a wide network of NGOs has contributed greatly to the awareness of human rights and the protection of human rights of individuals, groups, minorities, and others. Indian Constitution has given special status to the Supreme Court and High Courts. Indian higher judiciary has the power to review any legislative, executive, and administrative activities of the State. The Higher Courts in India entertain the petitions which are being filed by the public-spirited persons in the public interest. It is also true that it is all because of the judicial activism that the needy persons, members belonging to

NSOU ? CC-PS-02 211 socially and educationally backward classes, victims of human trafficking or victims of a beggar, transgender, etc. have somehow been provided with adequate legal assistance in the process of the enforcement of their fundamental rights. Moreover, Article 142 of the Indian Constitution gives the Supreme Court the power to pass a suitable decree or order for doing complete justice in any pending matter. It is no exaggeration to say that the ability, wisdom, and patriotism of our future judges depends to some extent on the future of the rule of the law and parliamentary democracy in India.

11.8 Summing up ? One of the basic principles of democracy is the presence of a strong and independent judiciary. ? India has a strong independent judiciary. ? Indian Constitution has given special status to the judiciary. ? Article 142 of the Indian Constitution assigns the Supreme Court, the power to pass a suitable decree or order for doing complete justice in any pending matter. ? The judicial activism also supports needy persons, to provide adequate legal assistance.

11.9 Probable Questions Essay Type Questions : 1. "Supreme Court is the guardian of Indian Constitution and a protector of Fundamental Rights" –Explain. 2. Describe the composition, powers and jurisdiction of High Courts of Indian states. 3. Do you think that judicial activism can lead to a conflict between the judiciary and the executive? Give reason for your answer. Long Questions : 1. Explain the original and appellate jurisdiction of the Supreme Court.

NSOU ? CC-PS-02 212 2. Give a brief account of the judicial system of India. 3. How is judicial activism related to the protection of fundamental rights? Has it helped in expanding the scope of fundamental rights? Short Questions : 1. Discuss the Supreme Court to be a court of record. 2. Discuss the qualifications and appointment of judges of the Supreme Court. 3. Mention four examples of the cases of judicial activism in India.

11.10 Further Reading 1. Abbas, H, R. Kumar, M., Alam. Indian Government and Politics : New Delhi, Pearson, 2010. 2. Basu, Durga Das. Introduction to the Constitution of India. Nagpur : Lexis Nexis, Nagpur, 2018. 3. Chakrabarty, Bidyut. Indian Constitution : Text, Context and Interpretation : Sage Publications, 2017. 4. Chakrabarty, Bidyut. Indian Government and Politics : Sage, 2008. 5. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021. 6. Ghosh, Peu. Indian Government and Politics; New Delhi, PHI Learning, 2012. 7. Niraja, Gopal Jayal and Pratap Bhanu Mehra, eds. The Oxford Companion to Politics in India : – Student Edition : Oxford, October 2011. 8. Kirpal, B.N.

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NSOU ? CC-PS-02 213 Unit 12 ?Federalism : Meaning, Nature of Indian Federation Structure 12.1 Objectives 12.2 Introduction 12.3 Federalism : Meaning 12.3.1 Definition 12.4 Features of Indian Federalism 12.5 Nature of Indian Federal System 12.6 Conclusion 12.7 Summing up 12.8 Probable Questions 12.9 Further Reading 12.1 Objectives This unit deals with the meaning and nature of Indian Federalism. After studying this unit the learner will able to ? Explain the meaning of the concept of Federalism. ? Explain the features of Indian Federalism. ? Understand the nature of Indian Federalism. ? Identify the powers and responsibilities of the union and state government. 12.2 Introduction The inheritance of the Indian government and administration was influenced by the different foreign rulers like French, Portuguese, Dutch, Shaka, Hunas, Kushanas, Mughals, and Britishers. After Independence, the Indian Parliamentary Democracy was established by the constituent assembly (1946-1950). This assembly was influenced by the various Acts of British Government ever passed to rule India from the

NSOU ? CC-PS-02 214 Regulating Act 1773 to the Government of India Act. 1935. The act of 1935 became the most influencing act for the constituent assembly as well as the Constitution of India; this was quoted by W.S. Mauris Jhons in his various research and findings. The constitution of free India comes into effect on January 26, 1950. One of the most important features of the Indian Constitution included the distribution of powers between the union and different state governments. It was considered prudent not to introduce the Unitary Government but only the Federal Government which was widely welcomed by all shades of opinion. The elements of the federation are present in the Indian Constitution, although the word 'federation' does not find a place in the whole text of the Indian Constitution. Articles 1 of

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the Indian Constitution describes India as a Union of States

instead of a federation, though in India Federal form of Government has been adopted. The federal features which influenced the founding fathers of the Indian Constitution were mainly from American, Canadian, and Australian Federations. The framers of the Constitution were influenced by the federal principles, with exceptions and modifications of the US and Canadian constitutions. On the other hand, Indian Leaders like Jawaharlal Nehru who was a staunch supporter of liberal democracy was committed to democratic socialism and agrarian redistribution. For their policies to be successful, they believed that there should be a centralised direction for the establishment of a federal system in India. Dr. B.R. Ambedkar wrote "It will be noticed that the committee has used the term Union instead of Federation. Nothing much turns on the name, but the committee has preferred to follow the language of the Preamble to the British North America Act. 1867, and considered that there are advantages in describing India as a Union although its Constitution may be Federal in Character." 12.3 Federalism : Meaning The term federation is derived from the Latin word "Foedus" meaning 'Treaty or Agreement'. Hence it is the result of an agreement between two sets of governments, which is the Central or Federal government and State government. Historically, a federation means a union of some states brought about through the instrumentality of a treaty. Federation has come to mean a union of two or more states. In such a union there is a central government and there are state governments. Thus, there is a state authority, and NSOU ? CC-PS-02 215 the powers of the state are divided between the central and regional governments. The term 'federalism' has been used in a variety of contexts. Indeed, the extent of terminological and conceptual abuse has obscured its meaning. Like the word 'democracy, federalism stands to mean different things to different people. In principle, by federal concept is meant the idea of organization of state whereby a compromise is achieved between concurrent demands for union and territorial diversity within a society, by the establishment of a single political system, within which, general (Central) and regional (State) governments are assigned coordinate authority so that neither level of government is legally or politically subordinate to the others. 12.3.1 Definition : KC. Wheare, an authority on federalism says that "Federation is a system which consists of two sets of governments that are independent, co-ordinate, and distinct. Prof. A.V. Dicey, says : "Federation

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is a political contrivance intended to reconcile national unity with the maintenance of State Rights."

Dr. B.R. Ambedkar, "The partition of legislative and executive power of the centre and units is the main criteria of the federation." In 1961, M.J.C. Vile, attempted to substitute the idea of interdependence in the place of independence, and according to him, "Federalism is a system of government in which neither level of a government is wholly dependent on the other not wholly independent of the other." In 1964, W.H. Riker, pointed out that, "A constitution is federal if (i) two levels of government rule the same land and people and (ii) each level has at least one area of action in which it is autonomous, and (iii) there is some guarantee of the autonomy of each government in its own sphere." According to A.H.

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Birch, "A federal system of government is one in which there is a division of powers between one general and several regional authorities, each of which, in its sphere, is

coordinate with the other, and each of which acts directly on the people through its administrative agencies."

NSOU ? CC-PS-02 216 However, by 'federation', we mean, in short, a type of polity operating a constitution that works on two levels of government as a nation and as a collection of related, but self-standing units. And the main objective of a federation is to form a government for the people and by the people. 12.4 Features of Indian Federalism The Constitution of India is unique concerning its extreme detail and substance. It is the longest constitution in existence in the world totaling three hundred ninety- five articles and eight supporting schedules embraced in two hundred and seventy- two pages. Its uniqueness is attested to by its emphasis on constitutional detail, covering legislative procedure, administrative relationships between the Centre and the component states, and the inclusion of a constitution for the states with equal detail as that for the national political organism. The essential reason for this phenomenon is the basic distrust of the members of the Constituent Assembly of human beings, the communal ill-will prevailing between Muslims and Hindus, the fear of provincialism in the nation, and the need to empower the national government with sufficient strength to develop a national, industrialized economy from a backward state. The character of the Indian Constitution is in a federal form. Federalism involves the distribution of sovereignty between the national government and the constituent member states. Within each sphere, each government is supreme. The Indian Constitution itself does not characterise the form of government as federal, but rather, describes India (Bharat), as a Union of States (Article-1). However, the Drafting Committee of the Constituent Assembly referred to this when it reported the draft constitution to the Constituent Assembly stating that the committee preferred to follow the language found in the preamble of the British North America Act, 1867. The main features of the Indian Federal system are as follows : i) Division of Powers : One of the most important features in any federal system is

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the division of powers between two levels of government is an essential feature of federalism. Federalism means the distribution of powers

of the state

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The basis of such distribution of power is that in matters of national importance,

in which a uniform policy is desirable in the interest of the units, authority

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is entrusted to the centre and matters of local concern remain with the states.

In a Federation, there should be

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clear division of powers so that the units and the centre are required to enact and legislate within their sphere of activities and none violates its limits and tries to encroach upon the functions of others. The Seventh schedule contains three legislative lists which enumerate subjects of administration

and legislation viz., Union, State, and Concurrent lists.

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The union list consists of 100 subjects, the more important of which are defines, railway, posts and telegraph, currency, etc. The state list consists of 61 subjects, including public order, police, administration of justice, public health, education, agriculture, etc. The concurrent list embraced 52 subjects including criminal law, marriage, divorce, trade unions, electricity,

etc.

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The residuary powers have been vested in the central government.

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Supremacy of the Constitution : A federal-state derives its existence from

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the constitution. The constitution in a federal state constitutes the supreme law of the land. As Prof.

K. C. Wheare rightly says, "these two institutions the supremacy of the constitution and the written constitution are, then essential institutions to a federal government. The Supremacy of

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the Constitution is essential if the government is to be federal; the written constitution is essential if the federal government is to work well."

In a federation, the constitution should be the supreme source of strength, both for the centre as well as the federating units. Accordingly, the Indian

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constitution is also supreme and not the handmaid of either the centre or of the states. If for any reason, any organ of the state dares to violate any provision of the constitution, the court of law is there to ensure

the dignity of the constitution, which is upheld at all cost. iii) A Written Constitution : A Federal constitution must almost be a

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written constitution. It will be practically impossible to maintain the supremacy of the constitution

and division of powers between the centre and the states

unless the terms of the constitution have been reduced into writing. Accordingly,

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the Indian constitution is a written document containing 395 Articles and 12 Schedules and NSOU ? CC-PS-02 218 therefore fulfills this basic requirement of a federal government. The Indian constitution is the most elaborate in the world.

All the modern federations like the U.S.A., Australia, Switzerland, and Canada have hammered their constitutions, and they are 'written' in nature. However, it should be noted that in the U.S.A., in addition to the federal constitution, each state has its constitution. The Indian constitution demarcates the powers between the centre and the state. Dual polity and a clear written constitution are essential for the functioning of federalism. In a written constitution the central government will not encroach upon the state powers, and both have to work within their jurisdiction. The United States of America, Australia, Switzerland, Canada, and India are examples of a federal constitution. iv)

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Rigid Constitution : A natural corollary of a written constitution is its rigidity.

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In a rigid constitution, the procedure of amendment is complicated and difficult. But this does not mean that the constitution should be legally unalterable.

A rigid constitution, as we know, cannot be changed easily.

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The Indian constitution is partly rigid. All the provisions of the constitution concerning federal-state relations can be amended only by the joint actions of the state legislatures and the union parliament. Such provisions can be amended only if the amendment is passed by a two-thirds majority of the members present and

by voting in the parliament, and is ratified by at least one-half of the states. However, in India, the constitution prescribes three different methods for amending the different provisions of the constitution. In the first category, it can be amended

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by a majority of the total membership in each house, and by a majority of not less than two-thirds of the members present, and voting

in each house of parliament. In the second category, it requires

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a majority of the total membership in each house, and a majority not less than two-thirds of the members present, and voting in each house

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of parliament, and ratification by at least one-half the state legislatures. The third category

requires a simple majority in each house of the parliament. v) Independent Judiciary : Impartial and independent judiciary is essential for a federation. A Federal court is indispensable to a federation. It acts as the guardian NSOU ? CC-PS-02 219 of the constitution. Especially, this principle has been playing an important an key role in the working of the federal government. The judiciary has occupied a very important status in federal countries like the United States, Switzerland, Australia, Canada, and

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India. The constitution has provided for a Supreme Court, and every effort has been made to see that the judiciary in India is independent and supreme. The Supreme Court of India can declare a law unconstitutional if it contravenes any provisions of the constitution. To ensure the impartiality of the judiciary, our judges are not removable by the executive and their salaries cannot be curtailed by

the

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Parliament. vi) Bicameral Legislature : A bicameral system is considered essential in a federation because it is in the Upper House alone that the units can be given equal representation. The Constitution of India also provides for a bicameral legislature at the Centre consisting of the Lok Sabha and the Rajya Sabha. While the Lok Sabha consists of the elected

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representatives of people, the Rajya Sabha mainly consists of representatives elected by State Legislative Assemblies. 12.5

Nature of Indian Federal System The Indian constitution adopts the strict application of the federal principles, as a result, some of the political events would reveal that the states are not the agents or instrumentalities of the center. Despite, the strong central tendency the states have been able to assert their rights. There have been territorial disputes between Karnataka and Maharashtra; and Punjab and Haryana. Disputes, over sharing of water, took place between Karnataka and Tamil Nadu. Nagaland, Tripura, and Manipur have laid claims to each other's territory. A more stark fact supporting the existence of federalism is the spectacle of different parties in power in different states. In West Bengal and Kerala, the left front has formed the government several times. In Madhya Pradesh, Maharashtra, Uttar Pradesh, Himachal Pradesh, and Rajasthan the Bhartiya Janta Party-led governments enjoyed power. In Tamil Nadu and Andhra Pradesh, the local parties have been in the seat of government for a long time. And all this when a different party or coalition was ruling at the center. It is

NSOU ? CC-PS-02 220 the success of federalism in giving effect to the aspiration of the people that there is a never-ending demand for the creation of new states. In the constitution of 1950, there were 9 Part A and 5 Part B states. As of today (after the abolition of Part B states), the total number of states is 28. Another piece of evidence is the loud clamor for obtaining more grants from the center and assertion of autonomy in matters about law and order (especially in West Bengal and Bihar). The central government has been paying more to the State government than recommended by the Finance Commissions appointed under Article 280. But at the same time, some principles of Indian federalism may be characterised as a prefectural federal system. some important constitutional provisions substantiate this idea. Under the Indian federal system, the Union is indestructible and the states are destructible. In other words, a "state's" identity can be altered or even obliterated, and 20 acts have been passed by Parliament under Articles 3 and 4 of the Constitution to bring about changes in the areas, boundaries, and names of states. Ascertaining the views of the concerned states by the President is not mandatory because he is competent to fix a time limit within which states must express their opinion. Moreover, Parliament is not bound to accept or act upon the views of the state legislature even if those views are received in time. According to Article 200 of the Constitution,

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certain bills passed by state legislatures may be reserved by the governors for the consideration of the President

of India. A governor's action in this regard has been held to be non-justiciable. Under Article 201, the President may give his assent to such state bills at any time, without time limit, or exercise his veto power over them. Ambedkar's argument that "the States under our Constitution

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are in no way dependent upon the centre for their legislative or executive authority"

is only a federal myth. Granville Austin has rightly pointed out that "in theory Articles 200 and 201 invalidate the division of powers for there is no means of overriding a President's veto in the case of State legislation." This un-federal provision has been used extensively by the Union government and thereby has undermined the legislative autonomy of the states. NSOU ? CC-PS-02 221 Through the office of the state governor, the central government can control and command the state governments. As nominees of the center, the governors act as their agents to send periodic reports to the President, dismiss unwanted state governments, and reserve state bills for the consideration of the President. Article 254(1) empowers the Union Parliament to exercise its "pre-emptive power" overstate legislation

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if any provision of a law made by the legislature of a state is repugnant to any provision of a law made by Parliament or to any provision of existing law concerning matters enumerated in the Concurrent List. In such cases, the parliamentary law shall prevail, whether passed before or after the law enacted by the

state legislature, and the state law shall, to the extent of the repugnancy, be void.

Although Clause (2) of this article grants the states permission to legislate under the Concurrent List even if some provisions of the law are repugnant to the Union law, the state is subject to two conditions : first, that the state legislature should have received presidential assent, and second,

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that nothing in this clause shall prevent Parliament from enacting

a law concerning

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the same matter, including a law adding to, amending, varying, or repealing the state law.

Articles 248 and 249 give further scope to the Union Parliament to establish its legislative supremacy. Under Article 248, Parliament has residual powers of legislation, and under Article 249 there is a possibility of its "big intrusion" into state legislative jurisdiction in the name of national interest based on a resolution passed by the upper chamber (Council of States). The arguments advanced by some state governments for the abrogation of Article 249 are worthy of consideration. The article short-circuits the amending process prescribed in Article 368 and enables one house to transfer unilaterally any subject from the State List to the Concurrent List. Also, the two-thirds majority in the Council of States may not necessarily reflect the consent of the majority of states through their representatives. Finally, the initial life of the law, though limited to one year, maybe extended indefinitely through successive resolutions of the upper house. Articles 256 and 257 place a mandatory duty on the states regarding the exercise of their executive power.

Article 256 states that

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the executive power of every state shall be exercised in such a manner as to ensure compliance with the laws made by NSOU ? CC-PS-02 222 Parliament, and

if necessary, the central government can give directions to a state for this purpose. Article 355 empowers the central government to intervene in the affairs of states under three circumstances : external aggression, internal disturbance, and when a state government cannot be carried on by the provisions of the Constitution. The state emergency power or President's Rule provision of Article 356 empowers the Union government to use it as a bludgeon to threaten or supersede unwanted state governments. Instead of keeping it as a last resort, as visualised by the constitution-makers, to be used as a salvage operation in an ailing state, the Article has been wantonly and brazenly employed for partisan purposes on most occasions. The word "otherwise" in Article 356 gives wide scope to the center to dismiss any state government even without the governor's report. Emergency powers of the President contemplated under Articles 352, 356, and 360 can transform the federal system into a unitary system. While a proclamation of national emergency under Article 352 is in operation,

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the Union Parliament has the power to make laws for the whole or any part of the territory of India concerning any of the matters enumerated in the State List, under the terms of Clause (1) of

Article 250. The

provision for All-India Services under Article 312 is another federal aberration. Based on the recommendation of the Council of States, the Parliament may by law create All-India Services. At present three such services are working.

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Inequality of representation in Rajya Sabha-the US Senate accords equal representation to all the states irrespective of their size, the Indian constitution accords representation to various states in the Rajya Sabha

based on their population.

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Emergency Provisions-under emergency, the normal distribution of powers between the Center and states undergo a vital change, and the center becomes all-powerful.

In the opinion of Prof. Wheare, the Indian constitution is almost "quasi-federal"

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a unitary state with subsidiary federal features, rather than a federal state with subsidiary unitary features.

Jennings has characterised it as "a federation with a strong centralizing tendency." Austin and A.H. Birch used the term "Cooperative federalism" for the Indian system, i.e., it is neither purely federal nor purely unitary, NSOU ? CC-PS-02 223 but a combination of both. Dicey holds that the extent of federalism in India is largely watered down by

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the needs or progress and development of a country that has to be nationally integrated, politically, and economically coordinated and socially, intellectually, and spiritually uplifted.

Although Dr. Ambedkar thought that our

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constitution is federal "in as much as it establishes a dual polity,"

he also said in the constituent assembly, that our Constitution makers had

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avoided the "tight mold of federalism" in which the American constitution was

forged. Dr. Ambedkar, one of the principal architects of our constitution considered our constitution to

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be "both unitary as well as federal according to the requirements of time and circumstances."

He

said that rigidity and legalism were the two serious weaknesses of federalism. India adopted a federal structure as the different parts of the country were at different stages of development, and it would have been different to control from one center and to ensure minorities their due place. However, Indian federalism is unique because of its mode of formation, i.e., from union to states (creation of autonomous units and then combining them into a federation), and not vice versa. It is to be noted that the term "Union of States" and not "federation of states" is used in the constitution (the term "federal" or "federation" is not used anywhere in the constitution). In addition, the units have no right to secede (as in a confederation). In a classic federation, the federal government enjoys only those powers that are by an agreement surrendered to it by the units. Neither the parliament nor the state legislation is "sovereign" because each being limited by the constitutional provisions affecting the distribution of powers. The constitution enshrines the principle that despite federalism, the national interest ought to be paramount. Thus,

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the Indian constitution is mainly federal with unique safeguards for enforcing national unity and growth. 12.6

Conclusion The theory and practice of Indian federalism substantiate that the Union government functions under prefectural federalism that gives it a commanding NSOU ? CC-PS-02 224 position and overriding powers. The existence of states and the very survival of their elected governments is dependent upon the will of the Union government. The single Constitution for the whole country (except Jammu and Kashmir), the unilateral power of Parliament to amend it, the provision for supersession of state governments and centrally appointed state governors, the discretionary powers of governors to reserve state bills for the consideration of the President and his veto power over such bills, the prosperity of the Union government, the vertical planning system, and the centralised party system have been mainly responsible for the aberration, distortion, and perversion of Indian federalism. During the period of one-party rule (Congress dominance) from 1951 to 1967, center-state differences, if any, were resolved within the party. Jayaprakash Narayan observed : "Center-State relations were mainly a reflection of relations between the State branches of the Congress party and Central leadership. The federal structure never had a chance to operate.... If a particular state succeeded in enlarging its autonomy, it was because the local Congress leadership was in a position to browbeat the High Command..." The breakdown of Congress dominance in 1967 led to the emergence of strong regional parties and the formation of non-Congress governments in some states. Since 1967, center-state relations and state autonomy have become the cardinal issues of Indian federalism. An overcentralized federal system is incapable of dealing effectively with socioeconomic challenges and strengthening national unity. Hence, it is appropriate to restructure Indian federalism to make it more effective and promote center-state partnership. 12.7 Summing up ? One of the most important features of the Indian Constitution included the distribution of powers between the union and different state governments. ? The elements of the federation are present in the Indian Constitution, although the word 'federation 'does not find a place in the whole text of the Indian Constitution. NSOU ? CC-PS-02 225 ? The framers of the Constitution were influenced by the federal principles of the US and Canadian Constitutions. ? Indian federalism is quasi federal in nature and that is why is often regarded as unique. 12.8 Probable Questions Essay Type Questions : 1. Define federalism. Discuss the Nature of Indian Federalism. 2. Discuss the main features of Indian federalism. 3. Do you think that Indian Federalism is a Prefectorial federal system? Give reasons for your answer. Long Questions : 1. What are the main issues against the Indian Federal system? 2. Mention any five features of Federalism. Short Questions : 1. What is the Supremacy of the Constitution? 2. Write a note on Article 356. 3. Write a short note on Independent Judiciary in India. 12.9 Further Reading 1. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018. 2. Chakrabarty, Bidyut. Indian Government and Politics : New Delhi, Sage, 2008. 3. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, NSOU ? CC-PS-02 226 Sahitya Bhawan Publications. 2021. 4. Ghosh, Peu. Indian Government and Politics;

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Rajashekara, H.M. "The Nature of Indian Federalism : A Critique" Asian Survey, Mar., 1997, Vol. 37, No. 3, pp. 245-253. (1997). 7. Singh, M.P., Indian Federalism, New Delhi : NBT, 2011. NSOU ? CC-PS-02 227 Unit 13 ? Division of Powers-Constitutional Provisions Structure 13.1 Objectives 13.2 Introduction 13.3 Origin of the division of powers in the Indian Constitution 13.4 Division of powers : Constitutional provisions 13.4.1 Union List, State List and Concurrent List 13.5 Centre-State Relations 13.5.1 Legislative Relations 13.5.2 Administrative Relations 13.5.3 Financial Relations 13.6 Conclusion 13.7 Summing up 13.8 Probable Questions 13.9 Further Reading 13.1 Objectives By reading this unit learners will be able to : ? Explain the division of power within Union and State governments. ? Understand the constitutional provision regarding the division of powers. ? Discuss the Division of Power and Indian Federalism. ? Discuss the relation between center and State in India. 13.2 Introduction In every federal constitution, the central and state governments are firmly enclosed and the jurisdiction of the one excludes the other. Division of powers is an

NSOU ? CC-PS-02 228 important aspect of any federal political system and it is a typical feature of federalism also. The power is divided between multiple vertical levels of government like union or nation government, provincial or state government, district or local government which allows multiple access levels for citizens to approach. Federalism makes sure the independence and coordination go hand in hand between both union and state government ideally. The subject of federalism in any country covers a vast area, embracing legislative, executive, and judicial powers, as distributed between the union and its units. In India, the Union Government and different State governments are the two main parts to enjoy their power according to the constitution. There is also a provision for the allocation of the powers by the union to the states and vice versa. The forte and success of such a scheme require cooperation and coordination between Centre and States. There are different provisions to distribute those powers. 13.3 Origin of the division of powers in the Indian Constitution The division of powers, in general, follows the Government of India Act of 1935 both in form and substance. This Act having a proposal to establish an All India Federation which would comprise British India Provinces and princely States. The terms on which a state could join the federation were mentioned in the Instrument of Accession. It was at the discretion of the state whether it wanted to join the federation that was given by the Government of India Act, 1935. 6 Chief Commissioner's provinces and 11 Governor's provinces and some states who agreed to merge in the stated federation were constituent units of that federation. It had been proposed through this Act that if

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princely states were entitled to half of the state's seats in the upper house of the federal legislature			

then the federation of India would come into existence. The part of the legislation that had not been implemented earlier was implemented after the first election under this Act was held. This legislation came into force in 1937 two years after the establishment of the Government of India Act, 1935. The approach to form the federation and implement provincial autonomy paved the way for the

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division of subjects between the Centre and the Provinces. The			

NSOU ? CC-PS-02 229 division of subjects that were given by the Government of India Act, 1919 was revised and added some more subjects in it by this Act of 1935 and included

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three lists. This act divided powers between the Centre/Federal and the provinces very clearly. Three lists gave the subjects under each government. These were : a) Federal List (for centre) b) Provincial List (for Provinces) and c) Concurrent list (for both			

governments). The Viceroy was vested with residual powers. This combined with the primacy of the federal law when federal and provincial legislation clash, gave it a quasi-federal nature. This Act centralised all the ruling power in one body, i.e., the Centre. Although the Centre possessed a lot of power, it could not interfere in the laws made on the subjects mentioned in the provincial list by the Provinces. This is because this Act gives the province the power of autonomy i.e., they can make laws on the subject matter of the provincial list and centre will not interfere in that particular law that is made. This is the power of 'provincial autonomy'. The Governor-General on behalf of Majesty utilises its power either directly or through the appointment of subordinate officer(s). But this power did not prevent the federal legislature from functioning upon subordinate authorities. This Act proposed that a Finance Bill could not be placed in the Central Legislature unless the Governor-General gives his assent or his consent. 13.4 Division of powers : Constitutional provisions After independence of India, the constitution of India came into effect on the 26 th day of January 1950. The scheme of division of powers into three lists (Federal, Provincial and Concurrent) of the Government of India Act, 1935 appears in the constitution of India. The Constitution of India has introduced its structure having a two-fold distribution of legislative powers :

NSOU ? CC-PS-02 230 a) Concerning territory and b) Concerning the subject matter. a) Territorial Jurisdiction : Article 254 (1) of the constitution says that the

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Parliament may make laws for the whole or any part of the territory of India.

Article 254(2) provides that a

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law made by Parliament shall not be invalid merely on the ground that it would have extra- territorial operation.

Article 254 (1) states that

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the State legislature may make laws for the whole or any part of the state.

In other words, the State legislature is not empowered to make such laws having extra-territorial operation i.e. state laws would be void if it has operated outside the concerned state. b) Jurisdiction concerning the subject-matter : There exists a threefold distribution of power under the constitution of India when it comes to subject matter.

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The 7th Schedule of the Indian Constitution deals with the division of powers between the Union government and State governments. The division of powers between Union and State is notified through three kinds of

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mentioned in the seventh schedule : 1. Union List – List I 2. State List – List II 3. Concurrent List – List III 13.4.1

Union List, State List, Concurrent List : Article 246 deals with the 7 th Schedule of the Indian Constitution that mentions three names as Union List, State List, Concurrent List which specify the division of power between Union and different State governments. The key features of the Union List, State List, Concurrent List are : A) Features of the Union List : i) It originally had 97 subjects. Now, it has 100 subjects. Some of the important subjects are-Defence, Railways, Army, International Relations, Communication, Ports Highways etc.

NSOU ? CC-PS-02 231 ii) Centre has exclusive powers to makes laws on the subjects mentioned under the Union List of Indian Constitution. iii) The Union List signifies the strong centre as it has more subjects than the state list. iv) It contains more important subjects than included in any of the other two lists. v) All the issues/matters that are important for the nation and those requiring

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uniformity of legislation nationwide are included in the Union List. vi) The dominance of

Union List over State List is secured by the Constitution of India as in any conflict between the two or overlapping, the Union List prevails. vii)

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Law made by the Parliament on a subject of the Union List can confer powers and impose duties on a state, or authorise the conferring of powers and imposition of duties by the Centre upon a state.

viii)

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There are 15 subjects in the Union List on which Parliament has

an exclusive power to levy taxes. ix) The 88th Amendment of the constitution added a new subject in the Union List called 'taxes on services.' B) Features of the State List : i) It has 61 subjects. Earlier, it had 66 items. Some of the important subjects are : Public order, Police, Hospitals, and dispensaries, Betting and gambling, Public health and sanitation. ii) The laws can be made on the subjects enumerated under the State List of the Indian Constitution exclusively by the State legislatures. However, all these can be done only under 'Normal Circumstances'. iii) Article 249 gives Parliament the power to legislate concerning a subject enumerated in the State List in the national interest. NSOU ? CC-PS-02 232 iv) Parliament can legislate on subjects that are enumerated under the State List on three conditions : a) When Rajya Sabha passes resolution, b) during a national emergency (Article 250), and c) When two or more states pass a resolution requesting Parliament to legislate on subjects under State List. v)

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The matters of regional and local importance and the matters which permit diversity of interest are specified in the State List.

vi) There are 20 subjects in the State List on which states' legislatures have an exclusive power to levy taxes. vii) The 69th Constitutional Amendment Act of 1991 made special provisions about National Capital. Laws cannot be made by the Delhi government on three subjects under State List named as – Public Order, Police & Land. One of the important changes in the State list was made by the 42 nd amendment of the constitution. This amendment

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shifted five subjects from the state list to the Concurrent list.

Those are Education, Forest,

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Weights and measures, Protection of wild animals and birds and Administration of justice, constitution, and organisation of all courts except the Supreme Court and the High Courts.

C) Features of the

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Concurrent List : i) The concept of 'Concurrent List' in the Indian Constitution has been borrowed from the

Constitution of Australia. ii) It has 52 subjects enumerated under it. some of the important subjects are Education, Forest, Trade unions, Adoption, Marriage, Succession etc. iii) Central Government and State Government both can make laws

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on the subjects mentioned under the Concurrent List. iv) While both Central and State Government can legislate on subjects mentioned under the Concurrent List,

however, in case of any conflict, the law made by the Central Government prevails.
NSOU ? CC-PS-02 233 v)

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The matters on which uniformity of legislation throughout the country is desirable but not essential are enumerated in the concurrent list.

vi) There are 03 subjects in the Concurrent List on which both Central and state governments have the power to levy taxes. 42nd amendment Act 1976

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shifted five subjects from State list to Concurrent List : like Education, Forests, Protection of wild animals and birds, Weights and measures and Administration of justice, constitution and organisation of all courts except the Supreme Court and the High Courts. 13.5

Centre-State Relations The Constitutional framework defines the political principles, procedures, powers, and duties of various levels of governmental institutions and lays down the fundamental rights and duties of the citizens, etc. The Constitution follows a parliamentary system of government. Further, it follows the doctrine

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of the division of powers. It has divided the legislative, executive, and financial powers between the centre and the states, which gives the constitution a federal character whereas the judiciary is integrated into a hierarchical structure. The centre-state relations are divided into three parts, which are mentioned below : (A) Legislative Relations (Article 245-255) (B) Administrative Relations (Article 256-263) (C) Financial relations 13.5.1 Legislative Relations : Articles 245 to 255 in Part XI deals with different aspects of legislative relations between centre and states. These include :

a)

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Territorial jurisdiction of laws made by the Parliament and by the Legislatures of States (Art. 245) b) Power of the parliament to legislate with respect to a matter in the State List (

Art. 246)

NSOU ? CC-PS-02 234 c) Distribution of legislative subjects d) Centre's control state legislation The extent of the parliamentary laws and the laws

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by the State legislature : According to Art. 245, subject to the constitutional provisions, Parliament may legislate for the whole or any part of the

Indian territory, a State legislature for the State territory, and no parliamentary legislation shall be invalid because of having extra-territorial operability. The subject matter of the parliamentary laws and laws made by the state legislature : According to Art. 246 : a) The Union Parliament, notwithstanding anything under clause 2 and clause 3, is exclusively empowered to legislate in respect of any matters enshrined in the Union List (List-I). b) The Union Parliament and the State Legislature, notwithstanding anything under clause 3 and also clause 1, is empowered to legislate on any matters contained in the Concurrent List (List-III). c) The State Legislature, excluding anything under clause 1 and clause 2, is exclusively empowered to legislate for such state and it's any part with respect to any of the matter contained in the State List (List-II). d) The Union Parliament is empowered to

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legislate with respect to any matter for any part of the Indian territory not included (in a State) notwithstanding such matter is enumerated in the State List.

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Power of the Parliament to provide for the establishment of certain additional courts :

According to Art. 247, notwithstanding anything under this chapter, the

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Parliament may by law provide for the establishment of any additional courts for the better administration of Parliamentary laws or of any existing laws with respect to matter enumerated in the Union List.

Thus, the

Parliament is empowered by the provision

NSOU ? CC-PS-02 235 of this Article to establish Courts or judicial bodies for better administering the laws passed by the Parliament or relating to any laws under the State List. Residuary power of legislation : According to art. 248, The Parliament is exclusively empowered to legislate

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with respect to any matter absent in the Concurrent List or State List. Also, such power shall include the legislative power for imposing a tax not mentioned in either of those Lists. Therefore, the

Parliament has the power to make laws concerning any matter which is not present in either

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the concurrent list or the State List, including the power

to make laws on tax imposition. Parliamentary legislative power

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with respect to a matter in the State list in the national interest (Art. 249) :

According to the Art. 249 if the Rajya Sabha passes a resolution relating to a matter of national interest with a two-thirds majority. Such a resolution empowers

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the Parliament to legislate with respect to any matter in the State List, then it shall be lawful for the Parliament to legislate. Such legislation can extend to the whole or any part of the

Indian territory until the legislation operates. Such a resolution normally lasts for a year and may be renewed upon the necessity but such extension cannot exceed a year. These Parliamentary laws, however, shall cease to operate after the expiration of 6 months, following the cessation of the resolution. Thus, the Parliament is competent to legislate on any law which is based on a resolution passed by a majority in the Upper House of the Parliament, if such resolution contains any matter of national importance. However, such a resolution can last for a year and can be extended for a period at a maximum of one year. Power of the

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Parliament to legislate with respect to any matter in the State List if a Proclamation of Emergency is in operation. (

Art. 250) During the operation of

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the Proclamation of Emergency, the Parliament shall be empowered to legislate for the entire Indian territory or any of its parts with respect to all the matters enumerated in the State List.

NSOU ? CC-PS-02 236 However, such law shall come to cessation on the expiration of 6 months following the cessation of the Proclamation of Emergency. During an Emergency, the Parliament has the power to make any law which shall be applicable over the entire or any part of India, and such law shall be applicable for only a year after the emergency is withdrawn. Inconsistency between laws made by the

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Parliament under articles 249 and 250 and laws made by the Legislatures of States. (

Art. 251)

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Nothing in articles 249 and 250 shall restrict the power of the Legislature of a State to make any law which under this Constitution it has

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power to make, but if any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament has under either of the said articles power to make, the law made by Parliament, whether passed before or after the law made by the Legislature of the State, shall prevail, and the law made by the Legislature of the State shall to the extent of the repugnancy, but so long only as the law made by Parliament continues to have effect, be inoperative Parliamentary legislative power for two or more States by consent and adoption of such legislation by any other State

According to Art. 252, If it appears to the two or more State Legislatures that it is

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desirable that any of the matters with respect to which Parliament lacks any legislative power for the States except as provided under the Articles 249 and 250 should be regulated

so that the

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States by Parliamentary law, and if resolutions are passed to that effect by all the House of those State Legislatures, it shall be lawful for Parliament to pass an Act to regulate that matter accordingly, and any Act so passed shall apply to such States and to any other State by which it is adopted

later through a

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resolution passed in that behalf by the House or Houses of the State Legislature, as the case may be. Any Parliamentary Act can be amended or repealed solely by a Parliamentary Act passed or adopted in resembling manner but not

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by an act of the State Legislatures. Legislation for giving effect to international agreements (Art. 253) Notwithstanding anything in the foregoing provisions of this chapter,

the

Parliament has

the

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power to make any law for the whole or any part of the territory of India for-

NSOU ? CC-PS-02 237 ? Implementation of

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any treaty, agreement, or other convention with another country; ? Implementing any decision made at any international conference, or

international association, or international body. The Parliament is hereby empowered to pass any law relating to implementing any international treaty, or agreement or convention, as the case may be; and related to any law for any decision taken at any international conference or association, and shall be applicable over the whole or any part of the nation. Inconsistency between Parliamentary laws and the laws by the State Legislature (Art. 254) a) If any legal provision made by the State Legislature is repugnant to any legal provision made by the Parliament over which it has the competency, or to any existing legal provision with respect to any

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of the matters contained in the Concurrent List, then, subject to the provisions of the clause. b) The law made by Parliament, whether passed prior or following the enactment by the State Legislature or, as the case may be, the existing law, shall prevail over the law passed by the State Legislature. Where an enactment by the State Legislature with respect to any matter enumerated in the concurrent List is repugnant with the provisions of the prior Parliamentary law or existing law

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respect to that matter, then, the State law, if it has been reserved for the Presidential consideration and has received his assent, prevail in that State. Provided that nothing in this clause shall prevent

the Parliament from legislating any law any time with respect to the same matter including the addition of law, amendment, variation, or repealing of the law enacted by the Legislature of the State. 13.5.2 Administrative Relations :

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The administrative relations between the Centre and the States are stated under Article 256 to Article 263 of the Constitution of India. The Government of India has also constituted the Punchi Commission in 2007, to determine the Centre-State Relations.

NSOU ? CC-PS-02 238 Responsibility of States and the Union Article 256 states that "

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The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose." Control of the Union over States in certain cases. (Art. 257) (1) The executive power of every State shall be so exercised as not to impede or prejudice the exercise of the executive power of the Union, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose. (2) The executive power of the Union shall also extend to the giving of directions to a State as to the construction and maintenance of means of communication declared in the direction to be of national or military importance : Provided that nothing in this clause shall be taken as restricting the power of Parliament to declare highways or waterways to be national highways or national waterways or the power of the Union with respect to the highways or waterways so declared or the power of the Union to construct and maintain means of communication as part of its functions with respect to naval, military and air force works. (3) The executive power of the Union shall also extend to the giving of directions to a State as to the measures to be taken for the protection of the railways within the State. (4) Where in carrying out any direction given to a State under clause (2) as to the construction or maintenance of any means of communication or under clause (3) as to the measures to be taken for the protection of any railway, costs have been incurred in excess of those which would have been incurred in the discharge of the normal duties of the State if such direction had not been given, there shall be paid by the Government of India to the State such

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sum as may be agreed, or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of India, in respect of the extra costs so incurred by the State. Power of the Union to confer powers, etc., on States in certain cases. (Art. 258) (1) Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends. (2) A law made by Parliament which applies in any State may, notwithstanding that it relates to a matter with respect to which the Legislature of the State has no power to make laws, confer powers and impose duties, or authorise the conferring of powers and the imposition of duties, upon the State or officers and authorities thereof. (3) Where by virtue of this article powers and duties have been conferred or imposed upon a State or officers or authorities thereof, there shall be paid by the Government of India to the State such sum as may be agreed, or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of India, in respect of any extra costs of administration incurred by the State in connection with the exercise of those powers and duties. Jurisdiction of the

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Union in relation to territories outside India. (Art. 263) The Government of India may by agreement with the Government of any territory not being part of the territory of India undertake any executive, legislative or judicial functions vested in the Government of such territory, but every such agreement shall be subject to, and governed by, any law relating to the exercise of foreign jurisdiction for the time being in force.

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Cooperation between the Centre and the States The constitution lays down various provisions to secure cooperation and coordination between the centre and the states. These include :

NSOU ? CC-PS-02 240 Public acts, records, and judicial proceedings. (Art. 261) (1)
Article 261 states that "

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Full faith and credit shall be given throughout the territory of India to public acts, records and judicial proceedings of the Union and of every State." (2) The manner in which and the conditions under which the acts, records and proceedings referred to in clause (1) shall be proved and the effect thereof determined shall be as provided by law made by Parliament. (3) Final judgments or orders delivered or passed by civil courts in any part of the territory of India shall be capable of execution anywhere within that territory according to law.

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According to Article 262, the parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley.

a)

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Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution, or control of the waters of, or in, any inter-State river or river valley. b) Notwithstanding anything in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as

is referred to in clause.

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Provisions with respect to an Inter-State Council. (Art. 263) If at any time it appears to the President that the public interests would be served by the establishment of a Council charged with the duty of— (a) inquiring into and advising upon disputes which may have arisen between States; (b) investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States, have a common interest; or (c) making recommendations upon any such subject and, in particular, recommendations for the better co-ordination of policy and action with respect to that subject, it shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organisation and procedure.

NSOU ? CC-PS-02 241 The inter-state council was established based on the recommendations of the Sarkaria Commission (1988). The Council was established in 1990 pursuant to a Presidential order. It functions as a permanent independent national forum for consultation. The Council was recently reconstituted in 2019, with the Prime Minister as its chairperson.

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As per Article 307, Parliament may by law appoint such authority as it considers appropriate for carrying out the purposes of the constitutional provisions related to the inter-state freedom of trade and commerce. Centre-State Relations during Emergency (i) During a national emergency (under Article 352), the state government becomes subordinate to the central government. All the executive functions of the state come under the control of the union government. (ii) During a state emergency (under Article 356), the president can assume to himself all or any of the functions of the Government of the State and all or any of the powers vested in or exercisable by the Governor or authority in the State other than the Legislature of the State. (iii) During the operation of financial emergency (under Article 360), the Union may give directions to any State to observe such canons of financial propriety as may be specified in the directions, and to the giving of such other directions as the President may deem necessary and adequate for the purpose. 13.5.3 Financial Relations : The Constitution deals with the centre-state financial relations in Article 268-293 of Part XII. Allocation of taxing powers. The Constitution has provided the union government and the state governments with independent sources of revenue. It allocates the powers to centre and the states in the following way : (i) The parliament has exclusive power to levy taxes on the subjects mentioned in the Union List. NSOU ? CC-PS-02 242 (ii) The state legislatures have exclusive power to levy taxes on the subjects mentioned in the State List. (iii) Both the parliament and the state legislature are empowered to levy taxes on the subjects mentioned in the Concurrent List. (iv) The parliament has exclusive power to levy taxes on the matters related to the residuary subjects. However, in case of tax revenue distribution : ? Article 268 states that duties are levied by the Union but are collected and appropriated by the States. ? Service tax levied by Union and collected and appropriated by the Union and the States (Article 268-A). ? Taxes levied and collected by the Union but assigned to the States (Article 269). ? Taxes were levied and collected by the Union but distributed between the Union and the States (Article 270). ? Surcharge on certain duties and taxes for purposes of the Union (Article 271). Under Article 275, the parliament is authorised to provide grants-in-aid to any state as parliament may determine to require assistance, and different sums may be fixed for different States. Under Article 282, the union or a state may make any grants for any public purpose, notwithstanding that the purpose is not one with respect to which Parliament or the Legislature of the State, as the case may be, may make laws. Under Article 352, during the operation of a national emergency, the distribution of revenues between the centre and the states can be altered by the president. Under Article 360, during the financial emergency, the executive authority of the Union shall give directions to any State to observe such canons of financial propriety as may be specified in the directions and to give the directions as the President may deem necessary and adequate for the purpose. NSOU ? CC-PS-02 243 The important recommendations of the first administrative reforms commission related to the centre-state relations are : i) Decentralization of powers to the states as much as possible. ii) More transfer of financial resources to the states.

iii)

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Arrangements for devolution in such a way that the states can fulfil their obligations.

iv) The

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advancement of loans to states should be related to as 'the productive principle'. v) Deployment of central armed forces in the states either on their request or otherwise. During state emergency, under Article 356, President's Rule can be imposed in event of the failure of constitutional machinery in a state. 13.6

Conclusion

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The Indian Constitution aims to establish either collaborative or cooperative federalism. Through the division of powers between the Centre and the States, a certain autonomy is granted to the States to ensure that the administration at the grass-root level remains efficient. Simultaneously, the Centre exercises its power over the States to maintain a balance. There are several challenges in the way of maintenance of a federation but the key solution is healthy debate and discussion between the parties involved. 13.7

Summing up • The division of power, in general, follows the Government of India Act of 1935 both in form and substance.
 • The scheme of division of powers into three lists (Federal, Provincial and Concurrent) of the Government of India Act, 1935 appears in the Constitution of India.
 NSOU ? CC-PS-02 244 • According to

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the Constitution of India, the division of powers between Union and State is notified through three kinds of

the list mentioned in the seventh schedule. • Article 246 deals with the 7 th Schedule of the Indian Constitution that mentions three categories of powers to be exercised by the Union and the State and is referred under as Union List, State List and Concurrent List. • The Constitutional framework defines the political principles, procedures, powers, and duties of various levels of governmental institutions and lays down the fundamental rights and duties of the citizens. 13.8 Probable Questions Essay Type Questions : 1. Discuss the features of the constitutional provisions of division of powers. 2. Explain the administrative relation between the union and the states. 3. In which conditions the union parliament can also make laws on state subjects?-Discuss. Long Questions : 1. What will be your suggestions for smooth Center-state relations?- Explain. 2. Discuss the legislative relations

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between the union and the states. 3. Explain the financial relations between the union and the states.

Short Questions : 1. What do you mean by concurrent list? Give any five examples of its subjects. 2. What do you know about the state list? 3. Mention the main features of the union list. 13.9 Further Reading 1. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018.

NSOU ? CC-PS-02 245 2. Ghosh, Peu. Indian Government and Politics : New Delhi, PHI Learning, 2012. 3. Chakrabarty, Bidyut. Indian Government and Politics : New Delhi, Sage, 2008. 4. Jagannadham, V. Division of Powers in the Indian Constitution." The Indian Journal of Political Science. January—March, Vol. 8, No. 3 (1947) : pp. 742- 751. 5. Legislative Department. The Constitution of India : New Delhi, Ministry of Law and Justice, Government of India, 2020. 6. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021.

NSOU ? CC-PS-02 246 Unit 14 ? Emergency Provisions Structure 14.1 Objectives 14.2 Introduction 14.3 Origin of emergency provisions under British rule in India 14.4 Emergency provisions in the Indian Constitution 14.4.1 National Emergency (Article 352) 14.4.1.1 Parliamentary approval and duration 14.4.1.2 Revocation of proclamation 14.4.1.3 Effects of National Emergency 14.4.1.4 Uses and Reasons of National Emergency in India 14.4.2 Emergency in state or president's rule (Article 356) 14.4.2.1 Grounds of imposition 14.4.2.2 Approval of the parliament and duration 14.4.2.3 Revocation of proclamation 14.4.2.4 Effects of Emergency in the state or president's rule 14.4.3 Financial Emergency 14.4.3.1 Effects of Financial Emergency 14.4.3.2 Financial Crisis and Financial Emergency in India 14.5 Conclusion 14.6 Summing up 14.7 Probable Questions 14.8 Further Reading

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Objectives After studying this unit learners will be able to : ? Explain the origin of

emergency provisions under British rule in India. ? Discuss the conditions in which the President can proclaim a national emergency under Article 352. ? Discuss the various effects of National Emergency relating to the executive, legislative, and financial matters, and fundamental Rights. ? Understand the process of approval of the parliament against the proclamation of national emergency. ? Explain the circumstances in which the President can proclaim 360. ? Discuss the effects of an emergency in the state or president's rule. ? Cite examples of national emergencies proclaimed in the country with their duration. 14.2 Introduction Almost all constitutions are intended to cope with uncertain times and events, therefore, emergency provisions are highly important. In constitutional terms, an emergency is a situation that includes 'some imminent danger to the life of the nation, requiring some immediate action' by the government to preserve the prevailing constitutional order. The concept of emergency has passed into political theory. However, the exercise of emergency powers is oftentimes curtailed by various conditions, both in theory and in practice. To guard against the accidental emergence of dictatorship as a result of war, external aggression, or internal disturbance, it is always desirable to make specific emergency provisions in the constitution. With this end in view, the Constitution of India has allotted a separate part altogether to emergency provisions. Part XVIII, therefore, is an element of modernism in our Constitution.

NSOU ? CC-PS-02 248 14.3 Origin of emergency provisions under British rule in India Before the independence of India, the Colonial ruler has also introduced certain emergency provisions for the Governor-General and the Governors of Indian states for managing the affairs of the Indian Colony. In the Government of India Act. 1935, various provisions established the executive's supremacy over other branches of the government, especially through the execution of emergency provisions. The head of the executive was the Governor-General, a nominee of the British government, who had enormous powers over his dominion. emergency provisions in the 1935 Act were introduced not to preserve the constitutional order, but to provide an opportunity to the colonial rulers to declare a state of siege or to take extra-constitutional steps. Section 12(1) of the 1935 Act defines some special responsibilities of the Governor- General, including- (a) the prevention of any great menace to peace or tranquillity of India. (b) safeguarding the financial stability and credit of the Federal government. This section is the source for granting complete freedom to the Governor-General and the Governors of Indian states for proclaiming emergency and promulgating laws accordingly. The 1935 Act defined two types of emergencies : those emerging from a failure of constitutional machinery (Section-45); and those arising due to 'war or internal disturbance' (Section-102). In the case of failure of constitutional machinery, the Governor-General had vast discretionary powers to proclaim emergency at the Federal level. In contrast, the Federal Legislature was toothless and had no role to play in circumscribing the authority of the Governor-General either by ensuring that the emergency was proclaimed as the last resort or in checking the Governor General's law-making powers for the duration of the emergency. Nonetheless, the proclamation of emergency had to be approved by the British Parliament within six months of its proclamation, and this extended the period of the emergency for another year from the date of such approval. Overall, an emergency could not carry on continuously for more than three years. Thus, the Governor General's emergency powers were time-bound under the first kind of emergency.

NSOU ? CC-PS-02 249 However, the laws made under the exercise of emergency powers could continue to have effect for up to two years after the emergency had expired, unless repealed or re-enacted by the Federal Legislature. Similar emergency powers vested in Governors in their respective provinces, empowering them to proclaim emergency at the provincial level (Section 93). In the second type of emergency, emerging from war or internal disturbance, the power of proclamation of emergency once again vested in the Governor-General without any checks and balances to ensure its use only in extreme circumstances. As with the first kind of emergency, the British Parliament had to approve the proclamation within six months. However, the second kind was not time-bound and was not subject to any form of legislative approval for continuance in force. Though, the law-making power with regards to provinces during the emergency was granted to the Federal Legislature. Still, the ultimate authority to repeal or approve a statute remained with the Governor-General. 14.4 Emergency provisions in the Indian Constitution The Indian Constitution is one of the few constitutions which provide some provisions for dealing with extraordinary situations. In doing so it follows the Government of India Act 1935, which embodied emergency provisions in section 45 in the case of the Centre and section 93 in the case of the Provinces. Moreover, present provisions for an emergency in India are borrowed from the Weimar Constitution of Germany. Emergency Provisions in the Constitution of India are contained in Part-18 and are embodied in 9 articles (352-360). Three types of extraordinary or crises are envisioned. First, when there is a war or external aggression has been committed or there is the threat of the same, or if internal disturbances amounting to armed rebellion take place. Second, when it becomes impossible for

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the government of a State to be carried on in accordance with the

Constitution; and third, if the credit or financial stability of the country is threatened. In each case,

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the Indian Constitution gives President the authority to declare three types of emergencies

with varying consequences.

NSOU ? CC-PS-02 250 a) National Emergency (Article 352) b) Emergency in state or president's rule (Article 356) and c) Financial Emergency (Article 360) However, it's only in some of the special and pre-mentioned cases that such a huge step can be taken by the president of the country. Also, with the amendments, it has now been mandated to present the declaration of emergency in the written form. 14.4.1 National Emergency (Article 352) Article 352 states that if the President

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is satisfied that a grave emergency exists whereby the security of India or any part of the territory thereof is threatened, whether, by war or external aggression or armed rebellion,

he/

she may, by Proclamation, make a declaration to that effect

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in respect of the whole of India or of such part of the territory thereof as may be specified in the Proclamation.

The President

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can declare a national emergency even before the actual occurrence of war or armed rebellion or external aggression.

The term 'armed rebellion is inserted by the 44 th amendment of the constitution, 1978. Before this term, it was known as an internal disturbance. 14.4.1.1 Parliamentary approval and duration

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The proclamation of emergency must be approved by both the houses of

the

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Parliament within one month from the date of its issue. However, if the proclamation of emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution takes place during one month without approving the proclamation, then the proclamation survives until 30 days from the first sitting of Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it. If approved by both the houses, the Emergency continues for 6 months and can be extended to an indefinite period with an approval of the Parliament for every six months. Every resolution approving the proclamation of emergency or its continuance must be passed by either House of Parliament by a special majority.

Special majority

NSOU ? CC-PS-02 251 means

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a majority of 2/3 rd . members present and voting supported by

more than 50% of the total strength
of the house. 14.4.1.2 Revocation of proclamation

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A proclamation of Emergency may be revoked by the President at any time by a subsequent proclamation. Such proclamation does not require parliamentary approval. The emergency must be revoked if the Lok Sabha passes a resolution by a simple majority disapproving its continuation. 14.4.1.3

Effects

of National Emergency

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A proclamation of Emergency has drastic and wide-ranging effects on the political system. These consequences can be categorised into 3 groups : i) Effects on the centre-state relations : While a proclamation of Emergency is in force, the normal fabric of the Centre- State relations undergoes a basic change. this can be studied under three heads : Executive : Centre becomes entitled to give executive directions to a state on 'any' matter Legislative : The parliament becomes empowered to make laws on any subject mentioned in the state list, the president can issue ordinances on State subjects also, if the parliament is not in session. The laws made on state subjects by the parliament become inoperative six months after the emergency has ceased to be in operation. Financial : The president can modify the constitutional distribution of revenues between the centre and the states. ii) Effect on the life of the Lok Sabha and State Assembly : iii) While a proclamation of National Emergency is in operation, the life of the Lok Sabha may be extended beyond the normal term for one year at a time. However, this extension cannot continue beyond a period of six months after the emergency has ceased to operate. Similarly, the Parliament may extend the normal tenure of a state Legislative Assembly by one year each time during a national emergency, subject to a maximum period of six months after the emergency has ceased to operate.

NSOU ? CC-PS-02 252 iv)

Effect

on fundamental rights : Articles 358 and 359 describe

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the effect of a National Emergency on Fundamental Rights. These two provisions are explained below : 1. Suspension of Fundamental rights under Article 19 : According to Article 358, when a proclamation of National Emergency is made, the six fundamental rights under article 19 are automatically suspended. Article 19 is automatically revived after the expiry of the emergency. 2. The 44 th Amendment Act laid out that Article 19 can only be suspended when the National Emergency is laid on the grounds of war or external aggression and not in the case of armed rebellion. 3. Suspension of other Fundamental Rights : Under Article 359, the President is authorised to suspend, by order, the right to move any court for the enforcement of Fundamental Rights during a National Emergency. Thus, remedial measures are suspended and not the Fundamental Rights. 4.

a.

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The suspension of enforcement relates to only those Fundamental Rights that are specified in the Presidential Order. b. The suspension could be for the period during the operation of an emergency or for a shorter period. c. The Order should be laid before each House of Parliament for approval. d. The 44 Amendment Act mandates that the President cannot suspend the right to move the court for the enforcement of Fundamental Rights guaranteed by Articles 20 and 21. 14.4.1.4

Uses and Reasons of NationalEmergency in India :

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This type of emergency has been proclaimed three times so far in 1962, 1971, and 1975.

All three emergencies were held between the years 1962 to 1977. The first national emergency was imposed on the country from October 26, 1962, to January 10, 1968, by then-president, Dr. Sarvepalli Radhakrishnan. It was regarding the rising external aggression during the Indo-China war. The second time, the national emergency was imposed from December 3, 1971,

NSOU ? CC-PS-02 253 to March 21, 1972. This emergency was imposed by the president, V.V. Giri. Here also, the reason was the external aggression but during the Indo-Pak war. The third time a national emergency was imposed by the President, Fakhruddin Ali Ahmed. Indira Gandhi, then-prime minister asked for permission from the president and was successful in declaring a national emergency. It lasted for nineteen months, that is from 25 June 1975 to 21 March 1977. Here, the reason was stated to be a clash between the legislature and the Judiciary. 14.4.2 Emergency in state or President's rule (Article 356) When the constitutional machinery breaks down in a state, the president's rule is imposed by centre. This can be proclaimed if the president

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is satisfied that the governance of a state can't be carried in accordance with the

constitution. In this case, the president can act with or without the governor's report. Also when a state doesn't follow any directive from the centre, the president's rule can be imposed. 14.4.2.1 Grounds of imposition : The president's ruler can be proclaimed under Articles 355, 356 and 365.

Article 355 says

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it shall be the duty of the union to protect every state against external aggression and internal disturbance and to ensure that the government of every state is carried on in accordance with the provision of

the constitution.

Article 356

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says 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 cannot be carried on in accordance with the provisions of this constitution, he/she may issue a proclamation.

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Article 365 says that whenever a state fails to comply with or to give effect to any direction from the centre, it will be lawful for the President to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the constitution.

By that proclamation, the president- a) may assume to him/herself all or any of the powers vested to the Governor.

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May declare that the powers of the legislature of the state shall be exercisable to the President. The president cannot, however, assume

to himself. Any of the power vested in the

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High court or suspend the operation of any provisions of the Constitution relating to the high Court. The Parliament can confer on the President, the power to make laws for the state. The parliament may also authorise the president to delegate such power to any other authority as specified by

him/
herself.

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If the Lok Sabha is not in session, the President may authorise expenditure from the consolidated fund of the state, pending sanction of such expenditure by

the parliament. 14.4.2.2 Approval of the Parliament and duration : a) Under article 356, the president acts on the

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report of the Governor, or otherwise, the president can act even without the Governor's report. A proclamation issued under article 356 must be laid before each House of the Parliament

and must be approved by both the houses of parliament by a simple majority

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within two months from the date of its issue. However, if the proclamation of President's rule is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided that the Rajya Sabha approves it in the meantime.

b)

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A proclamation so approved shall, unless revoked, be in operation for six months from the date of the issue of the proclamation. It can be approved by the parliament for a future period of six months. c) A proclamation issued under Art. 356, can, therefore, be in force normally for a maximum period of one year. Stretch. However, it can be extended by the parliament not beyond three years from the date of issue of the proclamation, if

NSOU ? CC-PS-02 255 i)

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A proclamation of emergency under art. 352 is in operation in the whole of India or any part of the country at the time of passing of such resolution. ii) The Election commission certifies that the continuance in force of the proclamation beyond the one year is necessary on account of difficulties in holding

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the general election to the legislative assembly of the concerned date. 14.4.2.3 Revocation of proclamation A president's proclamation can be revoked by the president

anytime [this doesn't need parliament's approval]. Parliament on its own can't revoke the president's rule. The President rule has been imposed four times in West Bengal Term Date of Date of Duration Reasons to impose the imposition revocation President Rules 1 1 July 8 July 7 days Interim Period between the death of 1962 1962 incumbent Chief Minister and election of the new leader. 2 20 25 1 year, The state was placed under the February February 5 days president's rule following the collapse 1968 1969 of two successive short-lived coalition governments. 3 19 March 2 April 1 year, The collapse of the United Front 1970 1971 14 days 4 28 June 19 March 265 days The collapse of the United Front 1971 1972 14.4.2.4 Effects of Emergency in the state or

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president's rule The President acquires the following extraordinary powers when the President's rule is imposed in a state :

The President of India assumes all executive power of the state to him/herself. The state administration is run directly by him/her or through a person the designated for the purpose by him/her. It is the Governor of state who runs the state administration on behalf of the President.

NSOU ? CC-PS-02 256 During the President's rule, the state assembly is either dissolved or kept under suspension. The State assembly is kept under suspended animation if there is hope that a new Council of Ministers can be formed within a short time. During this period, the MLAs do not lose their membership of the Assembly, nor there is an election held to the Assembly. The President makes laws on all subjects included in the State List. It also passes the state budget. However,

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if the Lok Sabha is not in session, the president may

authorise any expenditure from the Consolidated Fund of State. The president

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can declare that the powers of the state legislature are to be exercised by the parliament. He can take all other necessary steps including the suspension of the constitutional provisions relating to anybody or authority in the state.

During the state emergency, the High Court of the state, as before, functions independently without any of its powers being curtailed. The President has also the power to proclaim guidelines in the state.

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Scope of judicial review : The 38 th Amendment act of 1975 made the satisfaction of the President in invoking Article 356 final and conclusive which would not be challenged in any court on any ground. But, this provision was subsequently deleted by the 44 th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.

That means, Presidential proclamation imposing the president's rule is subject to judicial review 14.4.3 Financial Emergency (Art. 360)

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Grounds of declaration : Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened. The

authority to impose such an emergency

is with the President only. However, this does not exempt the President's power from judicial review. The 44th Amendment, 1978 says that the top court has the power to review the declaration of Financial Emergency.

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Parliamentary approval and duration : A proclamation declaring financial emergency must be approved by both the Houses of Parliament

by a simple majority

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within two months from the date of its issue. However, if the proclamation of Financial Emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it. Once

the declaration is approved by both the Houses it lasts indefinitely till it is revoked (no maximum period) without the need for further legislative approvals. This proclamation may also be revoked by the president at any time without the consent of parliament. 14.4.3.1

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Effects of Financial Emergency Extension of the executive authority of the Union over the financial matters of the States. The President may order the States to limit the salary, and allowances of government employees or any class of persons serving in the State. Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State. Direction from the President for the reduction of salaries and allowances of all or any class of persons serving the Union; and the judges of the Supreme Court and the High Courts. 14.4.3.2

Financial Crisis and Financial Emergency in India : Financial Emergency has never been imposed in India to date. Though, India faced an economic crisis in 1991 and Covid-19 pandemic in 2020. The crisis of 1991, was the serious financial crisis in the history of India. The Indian economy was in a state of flux. The 1980s saw significant and increasing fiscal imbalances, which contributed to the economic crisis. The federal government's and states' combined

NSOU ? CC-PS-02 258 cumulative fiscal deficits increased dramatically. India's foreign exchange reserves had depleted to the point that it could only fund three weeks' worth of imports, because of this, the Indian rupee was devaluated sharply. The exchange rate of India was severely adjusted in mid-1991. But even in such a tough situation that took India to the brink of bankruptcy, the financial emergency was not declared. While this situation posed a classic cause for calling a financial emergency, it was averted by restructuring and devaluing the rupee. During the lockdown in March 2020, the Center for Accountability and Systemic Change (CASC) filed a writ petition in the form of Public Interest Litigation, requesting that a financial emergency be declared as a result of the Covid-19 outbreak. However, the plea was rejected because though courts have special authority, the law of separation of powers mandates that the president determine the viability of a financial emergency. The President has the authority to declare a financial emergency, the Supreme Court can only review such declaration. The petition stated that: covid-19 is the country's most serious emergency since independence, and it must be handled in accordance with constitutional laws by a joint command between the Union and state governments. It would help in the recovery of the economy after the nationwide lockdown is over. 14.5 Conclusion

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Some members of the Constituent Assembly criticised the incorporation of emergency provisions in the constitution on the following grounds : i) The federal character of the constitution will be destroyed and the union will become all-powerful. ii) The powers of the State- both the Union and the Units- will entirely be concentrated in the hands of the union executive. iii) The president will become a dictator.

NSOU ? CC-PS-02 259 iv)

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The financial autonomy of the state will be nullified. v) Fundamental rights will become meaningless and, as a result, the democratic foundation of the constitution will be destroyed.'

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While defending the emergency provisions in the Constituent Assembly, Dr. Ambedkar accepted the possibility of their misappropriation. He observed, 'I do not altogether deny that there is a possibility of the Articles being abused or employed for political purposes.'

Having dealt with all the Emergency provisions, it is easy to see what the purpose was behind making such provisions available in the Constitution in the first place. But in reality, it has been seen that even if these provisions are provided for the security of the nation and also the protection of the people, the provisions in themselves give a lot of drastic discretionary powers in the hands of the Executive. It affects the federal structure of the nation essentially turning it into a unitary one while it seeks to safeguard the interests of the state and the people. It should be a system of check and balance brought into place so that unlike in the 1975 emergency, there is no misuse of power by the ruling party and the executive. Though suspension of Fundamental Rights has been time and again tried to be justified. It is true, that they are the most basic to the very existence of the citizens in a democracy. As the experience has been so far and observed in our study that inspires the safety measures that were added by the 44th Amendment to the Constitution in the emergency provisions there are still chances for the unjust violation of the fundamental rights. Therefore as there is a provision in the other federal constitutions such as of Australia and Canada the courts should be given the power to agree to the extent the Centre can expand its powers, as it will act as a built- in mechanism to check the arbitrary use of the discretionary powers available under the emergency provisions to the parliament and the executive. 14.6 Summing up ? In constitutional terms, an emergency is a situation that includes 'some imminent danger to the life of the nation, requiring some immediate action' by the government to preserve the prevailing constitutional order.

NSOU ? CC-PS-02 260 ? The Government of India Act. 1935, defined two types of emergencies. ? The Indian Constitution is one of the few constitutions which provide some provisions for dealing with extraordinary situations. ? Emergency Provisions in the Constitution of India are contained in Part-18 and are embodied in 9 articles (352-360). ?

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The Indian Constitution gives President the authority to declare three types of emergencies

with varying consequences. ? Three types of emergencies are National Emergency (Article 352) Emergency in state or president's rule (Article 356) and Financial Emergency (Article 360). ? The National

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emergency has been proclaimed three times so far in 1962, 1971, and 1975. ?

Financial Emergency has never been imposed in India till date. 14.7 Probable Questions Essay Type Questions : 1. Write a critical note on the emergency provisions in the Indian constitution. 2. Discuss the reasons and methods to impose emergency in the state or president's rule. 3. Explain the effects of a national emergency. Long Questions : 1. Write a note on financial emergency. 2. Discuss the effects of an emergency in the state or president's rule. 3. Mention the uses and reasons for the National Emergency in India to date. Short Questions : 1. Mention the Grounds of imposition financial emergency. 2. Write a short note on article 356. 3. What are the methods of parliamentary approval to the proclamation of national emergency?

NSOU ? CC-PS-02 261 14.8 Further Reading 1. Sharma, I.D. "Emergency Government Provision in The Indian Constitution." The Indian Journal of Political Science, Oct.-Dec. 1960, Vol. 21, No. 4, (1960) : pp. 355-360. 2. Dash, S.C. "Emergency Provisions and Union-State Relations In India." : The Indian Journal of Political Science, January-March, April-June, Vol. 22, No. 1 & 2 (1961) : pp. 53-63. 3. Legislative Department. The Constitution of India : New Delhi. Ministry of Law and Justice, Government of India, 2020. 4. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018. 5. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021. 6. Kirpal, B.N.

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NSOU ? CC-PS-02 262 Unit 15 ? Fifth and Sixth Schedule Structure 15.1 Objectives 15.2 Introduction 15.3 The Fifth Schedule [Article 244(1)] 15.3.1 Meaning of Scheduled Areas 15.3.2 Amendment of the Schedule 15.3.3 Criteria for Declaring Scheduled Areas 15.3.4 Scheduled areas in India 15.3.5 Important features of the Scheduled Areas 15.3.6 Tribes Advisory Council (TAC) 15.3.7 Powers of the Governor under Fifth Schedule 15.4 The Sixth Schedule 15.4.1 Main features of Sixth Schedule 15.4.2 Autonomous District Council and Regional Councils 15.5 Conclusion 15.6 Summing up 15.7 Probable Questions 15.8 Further Reading 15.1 Objectives This unit deals with the fifth and sixth schedules of the constitution. After studying this unit the learner will able to ? Understand the purposes and objectives of the fifth and sixth schedule of the constitution. ? Understand the importance of the fifth and sixth schedule of the constitution.

NSOU ? CC-PS-02 263 ? Differentiate the subject matters of the 5th and 6th schedule of the constitution. ? Discuss the Governance of the scheduled areas under 5th and 6th. Schedule. ? Understand different provisions of scheduled areas and their administration. ? Explain the difference between the fifth and sixth schedules of our constitution. 15.2 Introduction In India, the number of individual ethnic groups notified as Scheduled Tribes is 705. Scheduled Tribe population is 8.6 percent of the country's population, that is over 104.3 million individuals according to the Census, 2011. Tribal societies are traditionally governed by customary laws of different tribes and have been historically isolated from mainstream societies. They are also backward in terms of socio- economic development and thus, they require special provisions for governance. Founding fathers of our constitution provide some provisions in the constitution to preserve their identity and indigenouness, and also improve their socio-economic conditions so that they could maintain their tribal identity without any coercion or exploitation. To serve those purposes, in our constitution make some arrangements through schedule fifth and schedule sixth. The fifth and Sixth Schedules were discussed and passed by Constituent Assembly between September 5-7, 1949. These days are remembered by tribal rights activists every year. The Fifth Schedule was planned by the founding fathers of the constitution as an innovative device for promoting the welfare and advancement of Scheduled Tribes and the administration of scheduled areas. It discusses special powers for governance in scheduled areas, on the governor of a state having scheduled areas. The basic thrust of the fifth and sixth schedule of the constitution is the protection of the cultural distinctiveness of tribal. The two schedules entail the details about the control and management of the Scheduled and Tribal Areas. 15.3 The Fifth Schedule [Article 244(1)] The Fifth Schedule is a very important provision of the constitution deals with the control and administration of the Scheduled Areas. Article 244 deals with the

NSOU ? CC-PS-02 264 Scheduled and Tribal Areas and Art. 244 (1) of the Indian Constitution defines Scheduled Areas as the areas defined so by the President of India and are mentioned in the fifth schedule of the Constitution. 15.3.1 Meaning of Scheduled Areas : The constitution empowers the President to declare any areas as scheduled areas. The president can increase or decrease its area or alter its boundaries. He/she can cancel such designation after consultation with the governor or can make fresh orders redefining the schedule

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areas. (1) In this Constitution Article 244(1), the expression "Scheduled Areas" means such areas as the President may by order declare to be Scheduled Areas. (2) The President may at any time by order — (a) direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area. Increase the area of any Scheduled Area in a State after consultation with the Governor of that State; (b) alter, but only by way of rectification of boundaries, any Scheduled Area; (c) on any alteration of the boundaries of a State or the admission into the Union or the establishment of a new State, declare any territory not previously included in any State to be, or to form part of, a Scheduled Area; [(d) rescind, in relation to any State or States, any order or orders made under this paragraph, and in consultation with the Governor of the State concerned, make fresh orders redefining the areas which are to be Scheduled Areas;] and any such order may contain such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under sub-paragraph (1) of this paragraph shall not be varied by any subsequent order.

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Executive Power of State and Centre : Subject to the provisions of this schedule, the executive power of a state extends to the scheduled areas therein. The governor of each state having scheduled areas annually, or whenever required by the president, make a report to the president regarding the administration of the scheduled areas in that state. The executive power of the union extends to the giving of directions to the state as to the administration of

such areas.

NSOU ? CC-PS-02 265 15.3.2

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Amendment of the Schedule : (1) Parliament may from time to time by law amend by way of addition, variation, or repeal any of the provisions of this Schedule and, when the Schedule is so amended, any reference to this Schedule in this Constitution shall be construed as a reference to such Schedule as so amended. (2) No such law as is mentioned in sub-paragraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for

article 368. 15.3.3 Criteria for Declaring Scheduled Areas : The Criteria followed for declaring an area as Scheduled Area are : i) The preponderance of the tribal population. (when tribal people are in majority in an area) ii) Compactness and reasonable size of the area. iii) Underdeveloped nature of the area. iv) The a marked disparity in the economic standard of the peopleas compared to the neighboring areas. These criteria are not spelled out in the Constitution of India but have become well established. They embody principles followed in declaring 'Excluded' and 'Partially- Excluded' Areas under the Government of India Act 1935, Schedule B of recommenda- tions of the Excluded and Partially Excluded Areas Sub Committee of Constituent Assembly and the Scheduled Areas and Scheduled Tribes Commission 1961. 15.3.4 Scheduled areas in India : In India, 10 states are having scheduled areas except for Assam, Meghalaya, Tripura, and Mizoram. Table-1 Scheduled Areas in India Sl. State Schedule Areas No. 1. Andhra Pradesh Visakhapatnam, East Godavari, West Godavari, Adilabad, Srikakulam, Vizianagaram, Mahboobnagar, Prakasam (only some mandals are scheduled mandals NSOU ? CC-PS-02 266 Sl. State Schedule Areas No. 2. Jharkhand Dumka, Godda, Deogarh, Sahabgunj, Pakur, Ranchi, Singhbhum (East & West), Gumla, Simdega, Lohardaga, Palamu, Garwa, (some districts are only partly tribal blocks) 3. Chattisgarh Sarbhujia, Bastar, Raigad, Raipur, Rajnandgaon, Durg, Bilaspur, Sehdol, Chindwada, Kanker 4. Himachal Pradesh Lahaul and Spiti districts, Kinnaur, Pangi tehsil and Bharmour sub-tehsil in Chamba district 5. Madhya Pradesh Jhabua, Mandla, Dhar, Khargone, East Nimar (Khandwa), Sailana tehsil in Ratlam district, Betul, Seoni, Balaghat, Morena 6. Gujarat Surat, Bharaucah, Dangs, Valsad, Panchmahl, Sadodara, Sabarkanta (partsof these districts only) 7. Maharashtra Thane, Nasik, Dhule, Ahmednagar, Pune, Nanded, Amravati, Yavatmal, Gadchiroli, Chandrapur (parts of these districts only) 8. Orissa Mayurbhanj, Sundargarh, Koraput (fully scheduled area in these threedistricts), Raigada, Keonjhar, Sambalpur, Boudhkondmals, Ganjam, Kalahandi, Bolangir, Balasor (parts of these districts only) 9. Rajasthan Banswara, Dungarpur (fully tribal districts), Udaipur, Chittaurgarh, Siroi (partly tribal areas) 10. Telangana Adilabad, Komrambheem-Asifabad, Mancherial, Mulug, Warangal (Rural), Mahbubabad, Bhadradri-Kothagudem, Khammam, and Nagarkurnool. 15.3.5 Important features of the Scheduled Areas : The Fifth Schedule is a very important provision of the constitution that deals with the control and administration of the Scheduled Areas. Some of the important features of the Schedule are : NSOU ? CC-PS-02 267 ? The Governor has the power to adopt laws passed by Parliament and State legislature in such a way that it suits these areas. ? It provides Governor with the power to make regulations for good governance and peace for the area. ? The Fifth Schedule also deals with the extension of direction by the Union to a State for the administration of the Scheduled Areas. ? Under Fifth Schedule, the most important institution is the Tribes Advisory Council (TAC). The fifth Schedule provides for the

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establishment of a Tribes Advisory Council in any State having Scheduled Areas. ?

In the Tribes Advisory Council, Scheduled Tribe MLAs in the state consist of its three-fourth membership. ? Since Tribes Advisory Council is formed by the provisions of the Fifth Schedule it has the status of a constitutional body. ? The Schedule is aimed towards making the State responsible for the promotion of the educational and economic interests of the Tribal. It also aims to provide social justice to the tribals and prevent them from the exploitation of any kind. ? The Central Government also provides special financial assistance to the states under Article 275 for the implementation of schemes that would lead to the development of Schedule Tribes. ?

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The Union Government shall have executive powers to give directions to the States as to the administration of the Scheduled Areas. ? Part 10 of the

Indian Constitution entails the provisions related to Scheduled and Tribal Areas with Articles 244-244 A. ? With the consultation of the Governor of the state, the President can alter, add, diminish the boundary of a Scheduled Area ? Both the Centre and the State have their roles to play in the administration of the Scheduled areas. While the governor of the state has to report annually to the President over the management of such areas,

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the Centre gives directions to the state regarding the administration of such areas. 15.3.6 Tribes Advisory Council (TAC) : Each state having scheduled areas has to establish a Tribes Advisory Council (

TAC) to advise on the welfare and advancement of the scheduled tribes.

The fifth

NSOU ? CC-PS-02 268 schedule also provides to establish Tribes Advisory Council (TAC) in states which have Schedule Tribes population but not have Schedule Areas if the President so directs for the formation of Tribes Advisory Council (TAC) in those areas. Since Tribes Advisory Council is formed by the provisions of the Fifth Schedule it has the status of a constitutional body. Ten

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states viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telangana have

established Tribal Advisory Councils in Scheduled areas. Further, two other States Viz. Tamil Nadu and West Bengal, have also set up TAC in Non-scheduled areas. (Up to Feb. 2016) Compositions : ? Establishment of

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Tribes Advisory Council consisting of not more than twenty members

including the chairman. ? Three-fourth of its representatives would consist of Schedule Tribes members

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of the State Assembly. ? In case the number of such representatives is less than the number of seats that are to be filled then the remaining seats shall be filled by other members of

the tribe. ?

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The number of members of these councils, mode of their appointment, the appointment of the chairman, officers and staff of these councils, conduct of its meeting, and

general business are controlled by the Governor of the state in question. Functions and Duties of Tribes Advisory Council : The Tribes Advisory Councils have some duties like : i) To take care of the welfare of the Scheduled Tribes within their area. ii)

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Tribes Advisory Council advises on matters related to the welfare and advancement of the Scheduled Tribes in the state which are referred to

the council by the Governor. iii) It also aims to provide social justice to the tribals and prevent them from the exploitation of any kind.

NSOU ? CC-PS-02 269 iv) The Central Government also provides special financial assistance to the states under Article 275 for the implementation of schemes that would lead to the development of Schedule Tribes. The Tribes Advisory Councils have the responsibility to implement the objectives. 15.3.7 Powers of the Governor under Fifth Schedule : ? The Powers of the Governor is important in the application of the provision of the Fifth Schedule. He/She enjoys the power to modify, annul or limit the application of any law made by Parliament or State legislature in the areas designated as Schedule Areas. ? Governor can also make rules for the better management of peace and good governance in such areas. ? He regulates land allotments to members of Schedule Tribes. He is also authorised to regulate business like money lending in the Fifth Schedule

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area. ? In making such regulations, the Governor may repeal or amend any Act of Parliament or of Legislature of the State or any existing law after obtaining

the assent of the President. ? Governor also can make a

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notification that any particular Act of Parliament or the Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State. ?

Thus, article 244 confers plenary power on the Governor to bring independent legislations in respect of tribal affairs in consultation with the Tribes Advisory Council (TAC). Due to this, the role of TAC is very crucial in the governance of Scheduled Areas. The negligence to constitute the TAC is equal to negating the rights of tribals and stalling the process of governance. 15.4 The Sixth Schedule Article 244 deals with the Scheduled and Tribal Areas.

The Sixth Schedule under Article 244 (2) of the Constitution relates to those

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areas in the States of Assam, Meghalaya, Tripura and Mizoram which are

declared as "Tribal Areas" and provides for District or Regional Autonomous Councils for such areas. Article 244 deals with

NSOU ? CC-PS-02 270 the administration of the Scheduled and Tribal Areas. These councils envisage protecting and preserving tribal culture. The rationale behind the creation of Autonomous District Councils (ADC) is the belief that the relationship to the land is the basis of tribal or indigenous identity. The culture and identity of indigenous people can be preserved by ensuring their control over land and natural resources, as these factors to a large extent determine the lifestyle and culture of the indigenous people. However, this arrangement has resulted in the rise of conflict between different groups, for instance, tribal vs. non-tribal. Further, it undermines the social harmony, stability and economic development of the state and the region. Table-2 Tribal Area under Sixth Schedule Sl. No. State Tribal areas 1. Assam North Cachar Hills District & Karbi Anglong District; Bodoland Territorial Areas District 2. Tripura Tripura State, except Shillong Municipal and Cantonment Area 3. Mizoram Chakma District, Mara District & Lai

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District 4. Meghalaya Khasi Hills District, Jaintia Hills District & Garo Hills District 15.4.1		

Main features of Sixth Schedule : i) The Sixth Schedule was originally intended for the predominantly tribal areas (tribal population over 90%) of undivided Assam, which was categorised as "excluded areas" under the Government of India Act, 1935 and was under the direct control of the Governor ii) The Sixth Schedule consists of

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provisions for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram,			

according to Article 244 of the Indian Constitution. iii) The sixth schedule passed by the Constituent Assembly in 1949, it seeks to safeguard the rights of the tribal population through the formation of Autonomous District Councils (ADC). NSOU ? CC-PS-02 271 iv) Autonomous District Councils (ADCs) are bodies representing a district to which the Constitution has given varying degrees of autonomy within the state legislature. That means the Sixth Schedule provides for autonomy in the administration of these areas through Autonomous District Councils (ADCs). v) These councils are empowered to make laws in respect of areas under their jurisdiction, which cover the land, forest, cultivation, inheritance, indigenous customs and traditions of tribals, etc. and also to collect land revenues and certain other taxes. vi) The governors of these states are empowered to reorganize boundaries of the tribal areas. vii) In simpler terms, she or he can choose to include or exclude any area, increase or decrease the boundaries and unite two or more autonomous districts into one. viii) The Governor can also alter or change the names of autonomous regions without separate legislation. ix) ADCs are like miniature states having specific powers and responsibilities in respect of all the three arms of governance: Legislature, executive and judiciary. 15.4.2 Autonomous District Council and Regional Councils :

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There shall be a separate Regional council for each area constituted			

as an autonomous region under this schedule. These district and Regional Councils are made for the exercise of certain legislative and judicial functions.

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In an autonomous district with region Councils, the District Council shall have only such power with respect to the areas under the authority of the Regional Council as may be delegated to it by the Regional Council in addition to the powers conferred on it by this schedule with respect to such areas. The Governor shall make rule for- i) The composition of the District Council for Regional Councils			

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and the allocation of states therein. ii) The delimitation of territorial constituencies for the purpose of elections to those councils.

NSOU ? CC-PS-02 272 iii)

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The qualifications for voting at such elections and the preparation of electoral roll therefor. iv) The qualifications for being elected at such elections as members of such councils. v) The term of office of members of regional councils vi) Any other matter relating to or connected with elections or nominations to such councils.

Composition of Autonomous District Council (ADC) and Regional Councils :

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Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.

Each autonomous region also has a separate regional council. Each regional council

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consists of not more than 30 members, of which four are nominated by the

governor and the rest

via elections. All of them remain in power for a term of five years. The Bodoland Territorial Council, however, is an exception as it can constitute up to 46 members out of which 40 are elected. Of these 40 seats, 35 are reserved for the Scheduled Tribes and non-tribal communities, five are unreserved and the rest six are nominated by the governor from unrepresented communities of the Bodoland Territorial Areas District (BTAD). Term :

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The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the Governor. Powers and functions of the Councils : The District and Regional Councils

have been granted power to frame laws with respect to items such as— a)

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The management of any forest not being a reserved forest. b) The use of any canal or water –course for agriculture. c) The regulation of practice of Jhum or other forms of shifting cultivation. d) The establishment of village or town communities or councils and their powers.

e) The appointment of succession of chiefs or headman.

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f) Any other matter related to village or town administration, including village or town police and public health and sanitation. g) The inheritance of property, social customs, marriage and divorce.

However, all such laws passed by the councils shall have to be produced before the Governor before come into execution if the Governor deems so. The Governor may also have directed by order that the laws passed by the State Legislature may not apply or shall apply with modifications to the territories of District Councils and Regional Councils. The same applies to laws passed by the Parliament, but the Governor here has to act in consultation with the President.

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The district and regional councils administer the areas under their jurisdiction.

Some other duties are— ? The Autonomous District Council (ADCs) are empowered with civil and judicial powers can constitute village courts within their jurisdiction to hear the trial of cases involving the tribes. Governors of states that fall under the Sixth Schedule specifies the jurisdiction of high courts for each of these cases. ? Also, Acts passed by the Parliament and State Legislatures may or may not be levied in these regions unless the President and the Governor gives her or his approval, with or without modifications in the laws for the autonomous regions. ? The district and

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the regional councils may constitute village councils or courts for the trial of suits and cases between the parties all of whom belong to Scheduled Tribes within such areas. ?

Along with ADCs, the Sixth Schedule also provides for separate Regional Councils for each area constituted as an autonomous region. ?

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The district council can establish, construct, or manage primary schools, dispensaries, markets, ferries, fisheries, roads, road transport and waterways in the district. ?

A district fund for each autonomous district, and a regional fund for each autonomous region is constituted to which money received respectively by the district council. ?

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The district and the regional councils have powers to assess and collect land revenue and to impose certain taxes.

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district council is empowered to make regulations for the Control of money- lending and trading by non-tribals. ?

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Estimated receipts and expenditure pertaining to autonomous districts has to be shown separately in the annual financial statement

of the state. ?

An act

of the Parliament or of

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the Legislature of the state does not apply to an autonomous districts and autonomous regions or apply with specified exceptions and modifications. ? The

roles of the central and state governments are restricted from the territorial jurisdiction of these autonomous regions. ?

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If at any time the Governor is satisfied that an act or resolution of a district or a regional council is likely to endanger the safety of India, he may suspend such an act or resolution and take such steps. ?

The governor can appoint a commission to look into and report on the matters related to administration of the autonomous districts or regions. ? Village councils :

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The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor. 15.5 Conclusion The

basic thrust of the Fifth and Sixth Schedule of the constitution is the protection of the cultural distinctiveness of the Tribal population. Both provide protection to the tribals on account of their economic disadvantages so that they could maintain their tribal identity without any coercion or exploitation. The fifth schedule designates Schedule areas in large parts of India in which the interests of the Scheduled Tribes are to be protected. The Scheduled area has more than 50 percent tribal population. On the other hand, the sixth schedule related to the administration of north-eastern states (Assam, Meghalaya, Tripura, and Mizoram) has provisions for the formation of autonomous districts and autonomous regions within the districts as there are different schedule tribes within the district.

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The Fifth Schedule of the Constitution

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deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes

residing in any State other than the States of Assam, Meghalaya, Tripura, and Mizoram.

These two schedules provide for alternate or special governance mechanisms for certain 'scheduled areas' in the mainland and certain 'tribal areas' in northeastern India. It is true, special constitutional protections are indeed required for marginalised sections to ensure that historical wrongs done to them are reversed and not repeated, but it has denied justice to the non-tribals, who have lived in ADCs for generations but ended up marginalised. Hence, the government and other agencies need to win the confidence of the tribals and non-tribals within the region and bring a sense of security and belongingness among them to deal with this sensitive issue.

15.6 Summing up • The Fifth and Sixth Schedules were discussed and passed by Constituent Assembly between September 5-7, 1949 • In India, the number of individual ethnic groups notified as Scheduled Tribes is 705. • The Fifth Schedule was planned by the founding fathers of the constitution as an innovative device for promoting the welfare and advancement of Scheduled Tribes and the administration of scheduled areas. • The Fifth Schedule is a very important provision of the constitution that deals with the control and administration of the Scheduled Areas • The constitution empowers the President to declare any areas as scheduled areas. • In India, 10 states are having scheduled areas except for Assam, Meghalaya, Tripura, and Mizoram. •

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Each state having scheduled areas has to establish a Tribes Advisory Council (

TAC) to advice on the welfare and advancement of the scheduled tribes. •

Article 244 deals with the Scheduled and Tribal Areas. • The Sixth Schedule consists of

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provisions for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram,

according to Article 244 of the Indian Constitution.

NSOU ? CC-PS-02 276 15.7 Probable Questions Essay Type Questions : 1. "Sixth Schedule of the Indian constitution has been successful in protecting the tribal culture and inclusivity". Analyse. 2. What is the scheduled area? Discuss

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the important features of the Scheduled Area. 3. What are the objectives of the sixth schedule of the Indian Constitution? Mention the main features of the

sixth schedule. Long Questions : 1. Write a note on Autonomous District Council (ADC). 2. Write a note on Tribes Advisory Council (TAC). 3. What are the differences between the 5th and 6th schedules? Short Questions : 1. What are the criteria for declaring Scheduled Areas? 2. Mention the powers of the Governor under Fifth Schedule. 3. Discuss the powers and functions of the Autonomous District Council (ADC). 15.8 Further Reading 1. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018. 2. Behura, Nab Kishor. Nilakantha Panigrahi. Tribals and the Indian Constitution : Functioning of Fifth Schedule in the state of Orissa : Rawat Publicatios, 2006. 3. Hansaria, B.L. Sixth Schedule to the Constitution : Universal Law Publishing Company, 2005. 4. Hidayatullah, Mohammed. The Fifth and Sixth Schedules to the Constitution of India : New Delhi, Ashok Publishing House, 1979. 5. Legislative Department. The Constitution of India : New Delhi. Ministry of Law and Justice, Government of India, 2020. 6. Sharma, B.D. The fifth Schedule : Sahyog Pustak Kuteer Trust, 2000. 7. Choudhury, S. et al (eds), The Oxford Companion of the Indian Constitution, New Delhi : OUP, 2016.

NSOU ? CC-PS-02 277 Unit 16 ? Government in States : State Legislature Structure 16.1 Objectives 16.2 Introduction 16.3 Composition of State Legislature 16.3.1 The Legislative Assembly (Vidhan Sabha) 16.3.1.1 Speaker and Deputy Speaker of Legislative Assembly 16.3.1.2 Power and Functions of the Speaker 16.3.2 The Vidhan Parishad (Upper House of the State Legislature) 16.4

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Powers and Functions of State Legislature 16.5 Comparison of two Houses of State Legislatures 16.6

Conclusion 16.7 Summing up 16.8 Probable Questions 16.9 Further Reading 16.1 Objectives This unit deals with the composition, power and functions of the state legislature. After studying this unit, the learner will be able to ? Understand the composition of government in the state. ? Explain

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the powers and functions of the state legislature. ? Discuss the differences between the two houses of the state legislatures. ? Understand the position of the

state legislature in the Indian Parliamentary system.

NSOU ? CC-PS-02 278 16.2 Introduction The most important role of the State legislatures is to represent the people. It is, however, important to remember that in parliamentary polity the legislature has also to provide from within itself a representative, responsible and responsive government to the people. One way to judge whether the system is working well or not is to see whether it has brought into being governments that last their terms and succeed in providing good governance to the community. The overriding objective has to be to make both government and legislature relevant to meet today's challenges which bear little comparison to those faced by our society in the middle decades of the twentieth century. The fundamental challenges are economic and technological. The legislature has a decisive role in refashioning the national economy, keeping in the forefront the ideas of a self-reliant economy that serves the real needs and aspirations of our vast masses. State Legislature can play this historic role only if it consciously reforms its procedures and priorities its work. India is a Union of States. It means that there is one Union Government and several State Governments, it also means that Union (Centre) is more powerful than

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States. At present, there are 28 States in the Indian Union and each one of them has a Legislature. The State Legislature is a law-making body at the state level. 16.3 Composition of State Legislature

In most of the States, the Legislature consists of the Governor and the Legislative Assembly (Vidhan Sabha). This means that these states have unicameral legislature. In a few states, there are two houses of the Legislature namely, Legislative Assembly (Vidhan Sabha) and Legislative Council (Vidhan Parishad) besides the Governor. Where there are two Houses, the Legislature, is known as bicameral. Six states have a bicameral, legislature (Andhra Pradesh, Karnataka, Telengana, Maharashtra, Bihar and Uttar Pradesh). The Legislative Assembly is known as the lower house or popular house. The Legislative Council is known as the upper house. Just as Lok Sabha has been made powerful at the Union level, the Legislative Assembly has been made a powerful body in the States.

NSOU ? CC-PS-02 279 16.3.1 The Legislative Assembly (Vidhan Sabha) : Composition : There is a Legislative Assembly (Vidhan Sabha) in every State. It represents the people of the State.

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The members of Vidhan Sabha are directly elected by people based on the universal adult franchise. They are directly elected by all adult citizens registered as voters in the State. All men and women who are 18 years of age and above are eligible to be included in the voters' List. They vote to elect members of

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State Assembly. Members are elected from territorial constituencies. Every State is divided into as many (single member) constituencies as the number of members to be elected. As in

the case of Lok Sabha, a

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certain number of seats is reserved for Scheduled Castes and in some States for Scheduled Tribes also. This depends on

the population of these weaker sections in the State. The number of Vidhan Sabha members cannot be more than 500 and not less than 60. However, very small States have been allowed to have a

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lesser number of members. Thus Goa has only 40 members in its Assembly.

Uttar Pradesh (is a big state even after the creation of Uttaranchal from this state in 2002) has 403 seats in the Assembly. As

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in the case of the Lok Sabha, some seats are reserved for the members of Scheduled Castes and Schedule Tribes.

Qualifications for members :

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To become a Member of Vidhan Sabha a person must: be a citizen of India; have attained the age of 25 years; his/her name

must be

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in voters' list; must not hold any office of profit i.e.; should not be a government servant.

Tenure :

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The tenure of Vidhan Sabha is five years, but the Governor can dissolve it before the completion of its term on the advice of the Chief Minister. It may be dissolved by the President in case of

a constitutional emergency proclaimed under Article 356 of the Constitution. In case of a proclamation of national emergency (under Article 352) the Parliament can extend the term of the Legislative Assemblies

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for a period not exceeding one year at a time. 16.3.1.1 Speaker and

Deputy Speaker of Legislative Assembly : The members of Vidhan Sabha elect their presiding officer.

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The Presiding officer is known as the Speaker. The Deputy Speaker presides over the meeting during the absence of the Speaker. He is also elected by the Assembly from amongst its

NSOU ? CC-PS-02 280 members. 16.3.1.2 Powers and Functions of the Speaker There is a need for a head or a supreme authority of every legislative part. The Speaker and Deputy Speaker perform the same purposes in the Legislative Assembly. Therefore, Article 178 of the Indian Constitution has provisions about the same. The Constitution contains identical provisions relating to the Speaker and Deputy Speaker of the Lok Sabha and their counterparts in the state legislative assemblies. It lays down only the main duties and power of the Speaker. Which are as follows : 1. To permit a member who cannot adequately express himself in Hindi or English or the official language of the state, to address the House in his mother tongue. 2. To exercise

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a casting vote in the case of an equality of votes. 3.

To determine whether a Bill is a Money Bill and to certify a Money Bill. 4. To preside over the House, whenever he is present in the House, excepting when a resolution for his removal from office is under consideration. 5. To adjourn the House when there is no quorum. The detailed duties and responsibilities of the Speaker are laid down in the Rules of Procedure which each House is empowered to make under Article 208 of the Constitution with, of course, the condition that such rules shall be "subject to the provisions of the Constitution". Though the Rules of Procedure vary from state to state, the position regarding the powers and functions of the Speaker is more or less identical, as generally the rules of the assemblies on this behalf are modeled on the Lok Sabha Rules. The more important powers and functions of the Speakers of state assemblies, in general, are briefly noted below. As the principal spokesman of the House, the Speaker represents its collective voice and is its sole representation to the outside people. His position as the presiding officer of the House is one of essential authority : ? He regulates the debates and proceedings of the House ? He is charged with the maintenance of order in the House and is equipped with all powers necessary for enforcing his decisions. ? He

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also works on points of order raised by members and his decision is final.

NSOU ? CC-PS-02 281 Various powers are conferred on the Speaker about asking questions to Ministers. Though the guiding principles regarding admissibility of questions are prescribed in the rules and its interpretation is vested in the Speaker. He/she has a general discretion regarding the admissibility of resolutions and motions also, similar to the one relating to the admissibility of questions. He/she decides

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whether a motion expressing want of confidence in the Council of Ministers is in order.

The Speaker has also the power to select amendments concerning Bills and motions and can refuse to propose an amendment which in his opinion is trivial. It is the fundamental duty of the Speaker to maintain order in the house. He derives his disciplinary powers from the rules, and the decisions taken by him in matters of discipline are not to be challenged except on a substantive motion. He/she may direct any member guilty of disorderly conduct to withdraw from the House, and name a member for suspension if the member disregards the authority of the chair and persists in obstructing the proceedings of the House. The Speaker also has the power that he/she may also adjourn or suspend the business of the House in case of grave disorder. To enable the Speaker to deal with unexpected situations and regulate matters of detail, the rules expressly vest "residuary powers" in him/her. In fine,

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the Rules of Procedure and Conduct of Business in the

state assemblies confer wide discretionary powers on the Speaker. The rules have been codified on the premise that the Speaker's chair would be occupied by scrupulously dispassionate and impartial persons. The Speaker's supreme authority inside the House is based on his absolute and unvarying impartiality and all the powers vested in him are intended to enable him to ensure the smooth functioning of the House. Therefore, in no case would it be justified for a Speaker to use his powers arbitrarily or in such a manner as to prevent the House from functioning. 16.3.2 The Vidhan Parishad (Upper House of the State Legislature):

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Vidhan Parishad is the upper House of the State Legislature. It

is not in existence in every State. Very few States have a bicameral Legislature that means having two Houses. Legislative Councils are the legacy of the British period. The Parliament can create Vidhan Parishad in a State where it does not exist, if the Legislative Assembly of the

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State passes a resolution to this effect by a majority of the total membership NSOU ? CC-PS-02 282 of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting,

and sends the resolution to the Parliament. Similarly, if a State has a Council and the Assembly wants it to be abolished, it may adopt a resolution by a

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similar majority and send it to Parliament. In this situation, Parliament resolves to abolish the concerned Legislative Council. Accordingly, Councils of Punjab, Andhra Pradesh, Tamil Nadu and West Bengal were abolished.

Qualifications for members :

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In order to be a member of the Legislative Council the person concerned should i) be a citizen of India.

ii)

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have attained the age of 30 years. iii) be a registered voter in the State.

iv) not hold any office of profit. Composition : According to the Constitution,

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the total number of members in the Vidhan Parishad of a State should not exceed one-third of the total number of members

of Vidhan Sabha but this number should not be less than 40.

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The Vidhan Parishad is partly elected and partly nominated. Most of the members are indirectly elected in accordance with the principle of proportional representation using single transferable vote system. Different categories of members represent different interests.

The composition of

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the Legislative Council is as follows : a) One-third of members of the Council are elected by the

members of the Vidhan Sabha.

b) One-third

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of the members of the Vidhan Parishad are elected by the electorates consisting of members of Municipalities, District Boards and other local bodies in the State.

c) One-twelfth members are elected by the electorate consisting of

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graduates in the State with a standing of three years.

d) One-twelfth members are elected by the electorate consisting of teachers of

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educational institutions within the State not lower in standard than a secondary school

who have teaching experience of at least three years.

NSOU ? CC-PS-02 283 e) The remaining, i.

e. about one-sixth members

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are nominated by the Governor from amongst the persons having special knowledge

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of literature, science, arts, co-operative movement and social service.

The Vidhan Parishad,

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like Rajya Sabha, is a permanent House. It is never dissolved. The tenure of its members is six years. One-third of its members retire after every two years. The retiring members are eligible for re-election. In case of

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vacancy arising out of resignation or death by-election is held for the remaining period of such members' tenure.
Chairman : The presiding officer of the

Vidhan Parishad (Legislative Council) is known as the Chairman, who is elected by its members. The business of Vidhan Parishad is conducted by the Chairman.

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He presides over the meetings and maintains discipline and order in the House.

In addition to his vote as a member,

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he can exercise his casting vote in case of a tie. In

his absence, Deputy Chairman presides over

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the House. He is also elected by the members of the Parishad from amongst themselves. Sessions : The State Legislature meets at least twice a year and the interval between two sessions cannot be more than six months. The Governor summons and prorogues the sessions of State Legislature. He addresses the Vidhan Sabha or both Houses (if there is

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bi-cameral Legislature) at the commencement of the first session after each general election and at the commencement of the first session of the year. This address reflects the policy statement of the government which is to be discussed in the Legislature, and the privileges and immunities of the members of the State Legislature are similar to that of members of Parliament. The privileges of the

members of State Assembly : The members of a state Assembly enjoy the same privileges and immunities as the members of the Parliament. They

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have freedom of speech in the House and they cannot be tried in any court in respect of anything said

by them on the floor of the house. They are entitled to receive such salaries and allowances as re-fixed by the Legislature of the state.

NSOU ? CC-PS-02 284 16.4 Powers and Functions of State Legislature The functions of the state legislature are legislative, financial, and relating to control over administration. Legislative powers :

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The primary function of the State Legislature, like the Union Parliament, is law- making. The State Legislature is empowered to make laws on State List and Concurrent List. The Parliament and the Legislative Assemblies have the right to make the laws on the subjects mentioned in the Concurrent List. But in case of contradiction between the Union and State law on the subject, the law made by the Parliament shall prevail. Bills are of two types—(a) Ordinary bills and (

b)

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Money bills. Ordinary bills can be introduced in either of the Houses (if the State Legislature is bicameral), but the Money bill is first introduced in the Vidhan Sabha. After the bill is passed by both Houses, it is sent to the Governor for his assent. The Governor can send back the bill for reconsideration. When this bill is passed again by the Legislature, the Governor has to give his assent. You have read when the Parliament is not in session and if there is a necessity of certain law, the President Issues Ordinance. Similarly, the Governor can issue an Ordinance on the State subjects when the legislature is not in session. The Ordinances have the force of law. The Ordinances issued are laid before the State Legislature when it reassembles. It ceases to be in operation after the expiry of six weeks unless rejected by the Legislature earlier. The Legislature passes a regular bill, to become a law, to replace the ordinance. This is usually done within six weeks after

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reassembly of Legislature. Financial powers : The State Legislature keeps control over the finances of the State. A money bill is introduced first only in the Vidhan Sabha. The money bill includes authorisation of the expenditure to be incurred by the government, imposition or abolition of taxes, borrowing, etc. The bill is introduced by a Minister on the recommendations of the Governor. The money bill cannot be introduced by a private member. The Speaker of the Vidhan Sabha certifies that a particular bill is a money bill. After a money bill is passed by the Vidhan Sabha, it is sent to the Vidhan Parishad. It has to return this NSOU ? CC-PS-02 285 bill within 14 days with, or without, its recommendations. The Vidhan Sabha may either accept or reject its recommendations. The bill is deemed to have been passed by both Houses. After this stage, the bill is sent to the Governor for his assent. The Governor cannot withhold his assent, as money bills are introduced with his prior approval. Control over the Executive : The control of the legislative Assembly over the Council of Ministers is

real and complete. The Minister is drawn from the majority party in the assembly over the Council of Minister is real and complete. The Ministers are drawn from the majority party in the Assembly. Constitution holds them collectively responsible to the legislature. The term responsibility implies that the Ministry can remain in the office during the pleasure of the Assembly. It can make its influence felt by accepting adjournment motion, censure motion, a cut in the Minister's salary, or by rejecting a Government Bill. By expressing its lack of confidence, it can obtain the registration of the Ministry. The Council of Ministers has only one weapon to use against the Assembly. It can have recommended the dissolution of the House leading to fresh elections. Electoral Powers

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The elected members of the Vidhan Sabha are members of the Electoral College for the election of the President of India. Thus they have to say in the election of the President of the Republic. The members of the Vidhan Sabha also elect members of the Rajya Sabha from their respective States. One-third of members of the Vidhan Parishad (if it is in existence in the State) are also elected by the members of the Vidhan Sabha. In all these elections, members of the Vidhan Sabha (Assembly) cast their votes in accordance with a single transferable vote system. 16.5

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Comparison of Two Houses of State Legislature Legislative Assembly (Vidhan Sabha) like the Lok Sabha, occupies a dominant position. Legislative Council (Vidhan Parishad) enjoys much fewer powers as compared to the powers of Vidhan Sabha even in relation to ordinary bills. The Rajya Sabha at the Centre enjoys equal powers in consideration of bills other than money bills, but Vidhan Parishad enjoys much lesser powers as compared to the Rajya Sabha. The

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relative position of the Vidhan Sabha and Vidhan Parishad is as under. In

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case of the Parliament, if there is a disagreement between the two Houses over an ordinary bill, the President summons a joint sitting of both the Houses and if the bill is passed there by the majority of votes, the bill is taken as passed by both Houses of the Parliament. But this provision of joint sitting does not exist in the States. Although an ordinary bill can originate in either House of the State Legislature, yet both Houses have unequal powers. If a bill is passed in the Vidhan Sabha, it is transmitted to the Vidhan Parishad for consideration. When it is passed by Vidhan Parishad without any amendment, the bill is sent to the Governor for his assent. In case, the bill is (a) rejected by the Parishad or (b) more than three months elapsed without the bill being passed by the Parishad, or (c) bill is passed with an amendment to which the Vidhan Sabha does not agree, the Vidhan Sabha may pass the bill again in the same or the subsequent session. After that, the bill is again sent to the Vidhan Parishad. If the Vidhan Parishad does not return the bill within one month, the bill is deemed to have been passed by both Houses of the State Legislature and is sent to Governor for his assent. Thus the Vidhan Parishad can delay the bill for a maximum period of four months. On the other hand, if the bill is first passed by the Vidhan Parishad and rejected by the Vidhan Sabha, the bill is rejected and cannot become a law. Like in the Lok Sabha,

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money bill is introduced first in Vidhan Sabha. It cannot be initiated in the Vidhan Parishad. The Speaker of the Vidhan Sabha certifies whether a particular bill is a money bill. After the bill is passed in the Vidhan Sabha, it is sent to the Vidhan Parishad. The Vidhan Parishad gets 14 days to consider the bill. If the Parishad passes the bill, it is sent to the Governor for his assent. If the bill is not returned by the Vidhan Parishad within 14 days, it is deemed to have been passed by the Vidhan Parishad. If it suggests certain changes in the bill and sends to Vidhan Sabha, the Vidhan Sabha may accept or reject the changes suggested by the Parishad. The bill is then sent to the Governor for his assent who is bound to give his assent.

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Only the elected members of the Vidhan Sabha are entitled to participate in the election of the President of India. The members of the Vidhan Sabha do so in their capacity as members of the Electoral College. But the members of the Vidhan Parishad are not entitled to vote in the election of the President. Members of the Rajya Sabha from each State are elected only by the members of the Assembly and not of the Council. The above NSOU ? CC-PS-02 287 discussion makes it clear that the Vidhan Parishad is a powerless and non influential House. It has become a secondary House. Thus many States prefer to have

a unicameral Legislature. But the Vidhan Parishad is not superfluous.

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It serves as a check on hasty Legislation made by Vidhan Sabha by highlighting the short bills comings or defects of the bill. It lessens the burden of the Vidhan Sabha, as some bills are initiated in the Vidhan Parishad. 16.6

Conclusion

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The State Legislature consists of the Governor, the Legislative Council (Vidhan Parishad) and the Legislative Assembly (Vidhan Sabha). In most states, there are unicameral Legislatures. These State Legislatures consist of the Governor and the Legislative Assembly. The Parliament is empowered to set up or abolish the Vidhan Parishad in a State. The Vidhan Parishad is partly indirectly elected and partly nominated. It is a permanent House like the Rajya Sabha. It is never dissolved. The tenure of its members is six years. One-third

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members retire after every two years. The minimum age for the membership of the Vidhan Parishad is 30 years, it is 25 years for Vidhan Sabha. Members of the Vidhan Sabha are directly elected by the people of the State based on universal adult franchise. Its tenure is five years, but the Governor can dissolve it earlier on the advice of the Chief Minister. In case of constitutional breakdown, it may be dissolved by the President. The powers of the State Legislature are law-making, control over the finances, and the executive, electoral functions and constitutional functions 16.7

Summing up ?

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The State Legislature consists of the Governor, the Legislative Council (Vidhan Parishad) and the Legislative Assembly (Vidhan Sabha). ? In most states, there are unicameral Legislatures. ?

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The elected members of the Vidhan Sabha are members of the Electoral College for the election of the President of India. ?

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The power of the State Legislature includes law-making, control over the finances, and the executive, electoral functions and constitutional functions. ?

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The State Legislature is empowered to make laws on State List and Concurrent List.

NSOU ? CC-PS-02 288 16.8 Probable Questions Essay Type Questions : 1. Discuss the composition and functions of the state legislature. 2. Discuss the power and functions of the Speaker of the state Legislative Assembly. 3. Compare the Vidhan Sabha and Vidhan Parishad. Long Questions : 1. Discuss the composition, tenure and qualifications for members of the state legislature 2. Analyse the law-making functions of the state legislature. 3. Explain the composition and qualifications for the member of Vidhan Parishad Short Questions : 1. Point out the role of Chairman of Vidhan Parishad. 2. Write a note on the importance of State Legislatures in an Indian state. 3. Write a short note on the Privileges of the members of the State Assembly. 16.9 Further Reading 1. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018. 2. Ghosh, Peu. Indian Government and Politics, PHI Learning, 2012. 3. Jain, C.K. Union and State Legislatures in India : New Delhi, Allied Publishers, 1993. 4. Jha, Dayadhar. State Legislature in

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NSOU ? CC-PS-02 289 Unit 17 ? State Executive : Governor, Chief Minister and Council of Ministers Structure 17.1

Objectives 17.2 Introduction 17.3 The State Executive 17.4 The Governor 17.4.1 Appointment 17.4.2

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Powers and functions of the Governor 17.5 The Chief Minister 17.5.1 Powers and functions of the Chief Minister 17.6 The State Council of Ministers: 17.6.1 Powers and functions of the State Council

of Ministers 17.7

Conclusion 17.8

Summing up 17.9 Probable Questions 17.10 Further Reading 17.1 Objectives This unit deals with the state executive. After studying this unit, the learner will able to ? Understand the role of the state executive in the state administration. ? Explain the powers, functions and the role

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of the Governor. ? Explain the functions and the role of the Chief Minister of a state. ? Understand the

functions of the state Council of Ministers. ? Discuss the relation between the Chief Minister and the Council of Ministers.

NSOU ? CC-PS-02 290 17.2 Introduction

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The legislature, executive and judiciary are the three organs of

government. Together, they perform the functions of the government, maintain law and order and look after the welfare of the people. The Constitution ensures that they work in coordination with each other and maintain a balance among themselves. In a parliamentary system, the executive and the legislature are interdependent : the legislature controls the executive, and, in turn, is controlled by the executive. In this unit, we shall discuss the composition, structure and function of the executive organ of the state government. India is a federation having governments at two levels : state level and union or central level. Every citizen is related to and influenced by the governments functioning at both levels. We are all guided by the laws made by state and union legislatures, administered by both the governments and get justice from courts at both levels. All the three branches of government, executive, legislature and judiciary exist and function at both levels. The executive is the branch of government responsible for the implementation of laws and policies adopted by the legislature. The executive is often involved in the framing of policy. The official designations of the executive vary from country to country. Some countries have presidents, while others have chancellors. The executive branch is not just about presidents, prime Ministers, and Ministers. It also extends to the administrative machinery (civil servants). While the heads of government and their Ministers, saddled with the overall responsibility of government policy, are together known as the political executive, those responsible for day-to-day administration are called the permanent executive. 17.3

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The State Executive The State executive consists of the Governor, the Chief Minister, and the Council of Ministers and Advocate-General of State. 17.4

The

Governor The Governor, as President, heads the state government. Article 153-167 in the Indian Constitution deal with the provisions related to the state governments of the

NSOU ? CC-PS-02 291 country. Governor is a titular head or nominal executive head and also the constitutional head of the state. He/she forms an important part of the state executive where he acts as the chief executive head. Central Government nominates the Governor for each state. Normally, the Governor exercises all his/her powers on the advice of the Council of Ministers. 17.4.1 Appointment : Constitution of India lays down for the office the Governor of each State." However, one person can also function as a Governor of two or more states (Article 153). The President of India appoints the Governor of each state and while doing so he acts upon the advice of the Prime Minister. Two important practices regarding the appointment of a Governor : i) The first practice is that the person being appointed as the Governor is mostly not a resident of the state for which he is appointed. ii) Before appointing a Governor, the Union Governments consults the concerned State Government particularly the Chief Minister of that State. It is now a respected rule. Along with these two healthy practices, an unhealthy practice has also developed. Sometimes 'defeated' or very old political leaders are appointed as Governors. Further, sometimes the unhealthy practice of wholesale transfers or removals of Governors takes place after a change of government at the Centre.

Term of office

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of the Governor (Art. 156) a) The Governor shall hold office during the pleasure of the President. b) The Governor may, by writing under his hand addressed to the President, resign his office. c) Subject to the foregoing provisions of this Article, a Governor shall hold office for a term of five years from the date on which he enters upon his office. Provided that a Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

Qualifications for appointment as Governor (Art. 157)

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No person shall be eligible for appointment as Governor unless he is a citizen of India and has completed the age of thirty-five years.

NSOU ? CC-PS-02 292 Tenure :

The

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Governor is appointed for five years. However, he holds office during the pleasure of the President.

The

President can remove or transfer him at any time. Oath or Affirmation by the Governor : Every person appointed as Governor has to take the oath of his office. It has to be taken

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in the presence of the Chief Justice of the concerned State High Court. 17.4.2

Powers and Functions

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of the Governor : A) Executive Powers : Governor is the head of the State. The Constitution gives executive powers of the state to the Governor. He appoints the Chief Minister and other Ministers on the advice of the Chief Minister.

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Ministers hold office during the pleasure of the Governor. The Governor can remove the Chief Minister of the

province in case he feels that his government does not enjoy the confidence of the majority in the State Legislative Assembly or is not working according to the provisions of the Constitution. All major appointments (Advocate General, Chairman and Members of Public Service Commission, Vice-Chancellors) in the state are made by the Governor. But in doing so,

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the Governor depends upon the advice of the State Chief Minister and the State Council of Ministers. The Chief Minister of the State has to keep the Governor informed about the state administration and the decisions taken by his ministry.

Governor can seek from the Chief Minister any information about the state administration. He may call upon the Chief Minister to place the decision of an individual Minister before the Council of Ministers for consideration.

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The President consults the Governor while appointing the judges of the State High Court. The Governor

acts as the Chancellor of the state universities. Normally, the Governor exercises all his executive powers

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in accordance with the advice of the State Council of Ministers and the

Chief Minister. The Ministers are responsible for all the acts of the Governor. But during a constitutional emergency in the states the Governor becomes a real executive head of the state uses all executive powers with the help of some advisors. NSOU ? CC-PS-02 293 B) Legislative Powers : The Governor is not a member of the state legislature and yet he is a part of it. All bills passed by the state legislature become laws only after the signatures of the Governor. He can withhold his assent or can return

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a bill (other than a money bill) to the legislature for reconsideration. But if

the bill is passed a second time, he cannot withhold his assent from that bill. Several legislative measures can be reserved by him for Presidential assent.

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The Governor summons and prorogues the sessions of the state legislature. He

can dissolve the state legislative assembly. He nominates 1/6 members of the Legislative Council from persons having distinguished careers in the field of science, art, literature, or social service, normally all these functions are performed by the Governor under the advice of the State Chief Minister. When the state legislature is not in session, the Governor can issue ordinances. Any ordinance so issued by the Governor

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has the same force as the law of the legislature. It, however, ceases to operate after six weeks from the date on which the state legislature comes into session. It also ceases to operate when a resolution is passed by the

state legislature disapproving the ordinance. The Governor issues ordinances only on the advice of the state Chief Minister and his Council of Ministers. C)

Financial Powers :

A

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money bill can be introduced in the state legislature only with the prior permission of the Governor. He orders that the annual

budget be placed before

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the state legislature. The contingency fund of the state is at his disposal and he can order expenditure out of it to meet any unforeseen expenditure.

In reality, these powers are also exercised by him under the advice of the CM and his State Council of Ministers. D)

Judicial Powers : The Governor of the state has some judicial powers. He can influence the appointments, postings and promotions of the district judges and other judicial officials. He

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has the power to grant pardon, reprieve or remission of punishment or to suspend, remit or commute the sentences of any person, convicted of any offense against any law.

While appointing

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the Chief Justice and other judges of the State High Court, the President

of India consults the Governor of the Concerned State.
NSOU ? CC-PS-02 294 17.5 The Chief Minister Each State has

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a Council of Ministers to aid and advise the Governor in the exercise of his functions.

Chief Minister

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is the head of the government in the State. The Council of Ministers with the Chief Minister as its head exercises real authority at the State level. Qualifications : The

Constitution does not prescribe any qualifications for the office of the Chief Minister. Although it is expected that he/she must be a member of the legislative assembly. It may be noted that there is no constitutional bar to the appointment of the outsider of a non-member of the assembly Chief Minister. On several occasions, a person has been appointed as Chief Minister

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even though they were not members of the state legislature.

There have been instances where the leaders defected at the poll were appointed as a Chief Minister. However, such person on appointment as Chief Minister must become the members of the state legislature within six months, otherwise, they cease to be Chief Ministers. Tenure : Under normal circumstances, the term

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of the Chief Minister is five years. The term of the Chief Minister is automatically extended, if, the

life of the State legislature is extended. The term of Chief Minister can be cut short by his/her resignation, death, or removal from party leadership.

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Appointment of Chief Minister The Chief Minister of a state is appointed by the Governor of that state. The leader of the political party/

coalition that gets the majority of the seats of the Legislative assembly, is appointed as the Chief Minister of the state. In case, no party gets a majority, then the Governor uses his discretion and appoints a Chief Minister. 17.5.1 Powers and Functions

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of the Chief Minister : The Chief Minister plays an important role in the administration of the State. We can discuss his functions as follows : Head of the Council of Ministers The Chief Minister is the head of the Council of Ministers. The Ministers are appointed by the Governor on the advice of the Chief Minister

and

he

also has a free hand in making a list of his colleagues. The Chief Minister can reconstruct his Ministry as and when the need arises.

NSOU ? CC-PS-02 295 He/she further has the right to demand the resignation of any of the Ministers under him. The Chief Minister also controls the agenda for the Cabinet meetings. Furthermore, he supervises and coordinates the policies of several Ministers and Departments. Chief

Minister presides over the Cabinet meetings. He/she coordinates the functioning of different ministries.

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He/she guides the functioning of the Cabinet. Aids and Advises the Governor ? The Constitution provides that the Chief Minister shall communicate to the Governor all decisions of the Council of Ministers relating to the administration and the affairs of the State and proposals for legislation. ? The Chief Minister

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is the sole link of communication between the Cabinet and the Governor. The Governor has the right to be informed by the Chief Minister about the decisions taken by the Council of Ministers. ?

He/she also needs to furnish any

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information relating to the administration of the State as the Governor may call for. ? If the Governor so requires, the Chief Minister submits for 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 Cabinet.

Leader of the House a) Being the leader of the house, he gets to make all the announcements concerning the new or amended policies. Maintaining discipline of the Members of his/her party also comes under his hat. Adding to this, the Chief Minister can appoint a whip whose directive must be obeyed by all the legislators. b)

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Chief Minister plays a key role in framing the laws and policies of the State Government. c) Bills are introduced by the Ministers in the State legislature with his/her approval. d) He/she is the chief spokesman of the policies of his government both inside and outside the State Legislature. All the

policies are announced by him/her on the floor of the house.

NSOU ? CC-PS-02 296 e) He/she recommends the dissolution of the legislative assembly to the Governor. f) He/she advises the Governor regarding summoning, proroguing the sessions of the State Legislative Assembly from time to time. Other Functions ? At the ground level, he is the authority to be in contact with the people regularly and knows about their problems to bring about policies on the floor of the assembly. ? He/she acts as the chairman of the State Planning Commission. ? He/she is the

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vice-chairman of the concerned zonal council in rotation for a period of one year. ?

During the crisis in the state, he/she acts as the crisis manager in the state.

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The above functions show that the real authority is vested with the Council of Ministers headed by the Chief Minister. The Council of Ministers is the real executive in the State. The position of the State Council of Ministers largely depends upon the strength of the ruling party in the State Assembly and the personality of the Chief Minister. The position of the Chief Minister is more powerful when his party is in power in the Centre as well. As long as the Chief Minister and his Council of Ministers enjoy the confidence of

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majority in the Legislative Assembly, he exercises the real executive power in the State. 17.6

The State

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Council of Ministers According to article 163(1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.

The Governor appoints the Chief Minister and other Ministers

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on the advice of the Chief Minister. The Ministers included in the Council of Ministers must belong to either House of the State legislature. A person who is not a member of the State legislature may be appointed a Minister, but he/she ceases to hold office if he/she is

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not elected to the State legislature within six months of his appointment. The portfolios to the members of the Council of Ministers are allocated by the Governor on the advice of the Chief Minister. Chief Minister is the head of the Council of Ministers of his State. The constitutional position of the Chief Minister is more or less similar to that of the Prime Minister. The

Council of Ministers constitutes the real executive in the State. Although the administration is carried on in the name of the Governor, actual decisions are normally made by Ministers. Under ordinary circumstances, the Governor has to follow their advice. The Chief Minister of a State has to communicate to the Governor regarding administration and the affairs of the State. Thus, in theory, the Governor may dismiss a Minister if he so likes, but because of

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the collective responsibility of the Council of Ministers to the

State Legislative Assembly, he /she is not likely to use this power in actual practice. The Constitution defines

the position
of the Council of Ministers about the State Legislature by providing

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that the Council of Ministers is collectively responsible to the Legislative Assembly of the State. This means that

they can remain in office only if they enjoy the support of a majority of members of the State Legislative Assembly. The only constitutional requirement is

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that in the States of Bihar, Madhya Pradesh, and Orissa

the Council of Ministers must have

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a Minister in charge of Tribal welfare and the same Minister may also be entrusted with the welfare of the Scheduled Castes and Backward Classes

in the State. 17.6.1 Powers and functions of the State Council of Ministers : The Council of Ministers performs the following functions : Legislative functions : Most of the bills passed by the legislature are government bills, prepared by the ministries. They are introduced, explained and defended in the State Legislature by the Ministers. The Cabinet prepares the Governor's Address in which it sets forth its legislative programme at the commencement of the first session of the Legislature each year. For weeks at a stretch, the Cabinet's proposals take over every working moment of the House. The Cabinet makes sure that all government bills will be translated into laws.

NSOU ? CC-PS-02 298 Executive functions :

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The executive power is to be exercised in such a way as to ensure compliance with

state laws. The Constitution empowers

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the Governor to make -rules for the more convenient transaction of the business of the Government.

All such rules are made on the advice of the Council of Ministers. Formulation of the Policies : The Ministers formulate the policies of the government. The Cabinet takes decisions on all major problems—public health, relief to the disabled and unemployed, prevention of plant diseases, water storage, land tenures and production, supply and distribution of goods. When it has formulated a policy, the appropriate department carries it out. Financial Functions : The State budget containing the estimates of income and expenditure for the ensuing year is placed by the Finance Minister before the State Legislature. The Legislature cannot take the initiative in the case of a Money Bill. Such a Bill must be recommended by the Governor and can be introduced only by a Minister. The initiative in financial matters lies with the Executive. Functions about the execution of Union laws : The Union Government is empowered to give directions to the State-governments in certain matters. The States should exercise their executive power

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to ensure compliance with the laws made by Parliament. They should not do anything which would hamper the executive power of the Union.

Railways, for instance, is a Union subject, but police, including railway police, is a State Subject. The Union Government can give directions to the State Executive

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as to the measures to be taken for the protection of railways within the State.

Appointment-related functions :

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The Governor has the power to appoint the Advocate-General and the Members of the State Public Service Commission.

The Vice-Chancellors of the State Universities and members of various Boards and Commissions are all appointed by the Governor. The Governor cannot make these appointments at his will. He must exercise these functions on the advice of his Ministers. 17.7 Conclusion

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The Chief Minister is the real head of the Government at the State level. The Governor appoints the Chief Minister.

The person who commands the support of a NSOU ? CC-PS-02 299 majority in the State Legislative Assembly is appointed as

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the Chief Minister by the Governor. Other Ministers are appointed by the Governor on the advice of the Chief Minister. The Chief Minister presides over the Cabinet meetings. He/she lays down the policies of the State Government. He/she is the sole link between his Ministers and the Governor. He/she coordinates the functioning of different ministries.

During normal times, the Governor exercises his/her powers on the advice of the Chief Minister but when there is a breakdown of constitutional machinery in the State, the Governor sends

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a report to the President whenever he is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution

and thereby inviting the President to

impose President's rule

in the concerned State. 17.8 Summing up ? In a parliamentary system, the executive and the legislature are interdependent. ? The executive is the branch of government responsible for the implementation of laws and policies adopted by the legislature. ? The Governor, like the President who heads the country, heads the state government. This is in accordance Article 153-167. ? Governor is a titular head or nominal executive and is regarded as mere constitutional head of the state. ? Each State has

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Council of Ministers to aid and advise the Governor in the exercise of his functions. ? Chief Minister is the head of the government

in the State. ?

According to article 163(1)

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there shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor. ? The Council of

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Ministers constitutes the real executive in the State. ? The Constitution defines the position of the Council of Ministers

about the State Legislature by providing

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that the Council of Ministers is collectively responsible to the Legislative Assembly of the State.

NSOU ? CC-PS-02 300 17.9 Probable Questions Essay Type Questions : 1. Analyse the functions of a Chief Minister of a state in India. 2. Explain the powers and functions of the Governor of a state. 3. Discuss the composition and function of the state Council of Ministers. Long Questions : 1. Elaborate on the relationship between the Governor and the Chief Minister of a state. 2. Analyse the relation between the Chief Minister and the Council of Ministers. 3. Write a short note on the composition of the state executive. Short Questions : 1. Point out the appointment procedure of the Chief Minister. 2. Mention the term of office of Governor. 3. Write a short note on the judicial powers of the Governor. 17.10 Further Reading 1. Basu, Durga Das. Introduction to the Constitution of India : Nagpur, Lexis Nexis, 2018. 2. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021. 3. Ghosh, Peu. Indian Government and Politics, PHI Learning, 2012. 4. Jain, C.K. Union and State Legislatures in India : New Delhi, Allied Publishers, 1993. 5. Jha, Dayadhar. State Legislature in India : New Delhi, Abhinav Publications, 2003. 6. M.V. Pylee, India's Constitution, S. Chand,

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NSOU ? CC-PS-02 301 Unit 18 ? Panchayati Raj—The Concept, Composition and Functions of Panchayati Raj in West Bengal Structure 18.1 Objectives 18.2 Introduction 18.3 Panchayati Raj : The Concept 18.4 Development of PRI in India (since independence) 18.5 The Panchayati Raj Institutions (PRI) in West Bengal 18.5.1 The Gram Panchayat (GP) Composition and Functions 18.5.2 Panchayat Samiti : Composition and Functions 18.5.3 Zilla Parishad : Composition and Functions 18.6 Conclusion 18.7 Summing up 18.8 Probable Questions 18.9 Further Reading 18.1 Objectives This unit deals with the Panchayat Raj—its concept, composition and functions. After studying this unit, the learner will be able to— ? Understand the concept and theoretical outline of Panchayat Raj Institutions. ? Discuss the composition and function of Panchayat Raj Institutions in West Bengal. ? Identify and explain the different tiers of Panchayat Raj Institutions in West Bengal. ? Discuss the functions of different levels of Panchayat Raj Institutions in West Bengal.

NSOU ? CC-PS-02 302 18.2 Introduction Democracy is considered one of the best forms of government because it ensures participation and control of governance by the people of the country. Such participation is possible only when the powers of the state are decentralised to the district, block, and village levels where all the sections of the people can sit together, discuss their problems and suggest solutions and plan to execute as well as monitor the implementation of the programs. It is called the root of democratic decentralisation. Panchayat Raj is an interconnected and interdependent pattern of democracy, a system of sharing powers and responsibilities with the people. The Panchayat system is the prototype of all forms of Self-Government and democracy that have ever been evolved in various parts of the world. India is a vast agrarian country, it needs some healthy institutions to work or administrative, economic and social development to the people living in widespread villages Panchayat Raj Institutions (PRI) are successfully meet up those needs.

Panchayat Raj provided a system of self-governance at the village level or grass-roots level. It is a complex unit of Local Self Government consisted of popular representatives and exercising the function of coordination and possessing a degree of autonomy. The institution of Panchayat Raj has been the main pillar of rural social structure also. In India, there was the option to introduce panchayat, but after the 73rd amendment (1993) of the constitution, it is mandatory and gets constitutional status. West Bengal has also introduced the panchayat system after independence. 18.3 Panchayati Raj : The Concept Democracy at the top could not be a success unless it was built on the foundation below. In India, Mahatma Gandhi, Jawaharlal Nehru and Jai Prakash Narayan described democracy as the government that gives 'power to the people. Gandhi said : "True democracy could not be worked by some persons sitting at the top. It had to be worked from below by the people of every village." Nehru also advocated democracy at the lower levels when he opined: "Local self-government was and must be the basis of any true system of democracy. People had got into the habit of

NSOU ? CC-PS-02 303 thinking of democracy at the top and not so much below". Jai Prakash Narayan also favoured power to the people of the village along with the government at the centre when he remarked: "To me the Gram Sabha signifies village democracy. Let us not have only representative government from the village up to Delhi, one place, at least let there be direct government, direct democracy. The relationship between the Panchayat and the Gram Sabha should be that of Cabinet and the Assembly." Mahatma Gandhi's vision was that democracy through people's participation could be ensured only by way of 'Gram Swarajya'. Wanted Gram Swarajya in villages where there will be a village republic and the management of the village would be done by the people themselves. They would elect their president and common decisions would be taken unanimously by the Gram Sabha of the village. According to Gandhiji's Gram Swarajya, "every village should be a democracy in which they will not depend even on neighbour for major needs. They should be self-sufficient. For other needs, where cooperation of others would be essential, it would be done through cooperation. It will be swarajya of the poor. No one should be without food and clothing. Everybody should get sufficient work to meet one's necessities. This ideal can be asset only when the means of production to meet to the primary needs of life are under the control of the people. True swarajya cannot be achieved by power to a few people. People should have the capacity to prevent misuse of power. People have the capacity to get hold of power and regulate it." The late Prime Minister of India, Lal Bahadur Shastri, was also opined that only the panchayats know the needs of villages and hence the development of villages should be done only by the panchayats. Prosperous people in villages should ensure that powers given to the panchayats are used in the interest of the poor. The panchayats are the foundation of democracy and if the foundation is based on correct leadership and social justice, there can be no danger to democracy in this country. The theoretical assumptions underlying thinking can be classified into four categories: i) That Panchayati Raj will enable the people to effectively participate in politics; ii) That by making the local community the author of the change, and by awakening plan-consciousness among the people, it will make economic development both speedy and efficient;

NSOU ? CC-PS-02 304 iii) That the 'transference' of power to village panchayats will enable basic institutions—the cooperatives, the community development centres and the Jojana Samiti to usher in a new social order. Panchayati Raj, in other words, will pave the way for a Sahakari Samaj; and lastly iv) That based on common and shared experiences among the people at large, such a system of political organisation would lead to genuine national unity. In sum, Panchayati Raj is conceived as the closest approximation, under existing conditions, to the ancient concept of direct democracy as practiced in Athens and, also in ancient India as well. On this conceptual basis, in the discussion of the constitutional Assembly, Gandhiji's dream of building democracy at and from the bottom was sought to be fulfilled. But the Draft Constitution of independent India framed by the Drafting Committee, of which Dr. Ambedkar was the Chairman, contained nothing about the village Panchayats. In the Constituent Assembly Dr. Ambedkar, in justifying this deliberate omission, condemned these villages in very strong terms. He said: "That they have survived through vicissitudes may be a fact. But mere survival has no value. The question is on what plane they have survived. Surely on a low selfish level. I hold that these village republics have been the ruination of India. I am, therefore,

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surprised that those who condemn provincialism should come forward as champions of

the village. What is the village but a sink of localism and a den of ignorance, narrow-mindedness and communalism? I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit". Perhaps Dr. Ambedkar, though correct to some extent, carried things to an excess and his statement raised a storm of protest and reaction in different quarters. All felt that Dr. Ambedkar did not attach proper value, and significance to the role the villages played in the past and are expected to play in the future. The Constituent Assembly then started the discussion of the Directive Principles during which an amendment was moved for inserting a provision regarding the panchayat. Dr. Ambedkar accepted the amendment, and it is finally enacted as a Directive Principle

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of our Constitution that "The state governments shall take steps to organise Village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government" (Article 40 of the

Constitution
of
India).

NSOU ? CC-PS-02 305 18.4 Development of PRI in India (since independence) India made its Constitution and was implemented in 1950. After its independence. Under the Indian Constitution article 40 states that the state must encourage the introduction of independent bodies as Gram panchayats. The first five-year plan mentioned the dissemination of the powers reflecting the concept of development of rural and urban development. There were various committees set up regarding the local self-governments : Balwant Rai Mehta Committee : It was established in 1957, it showed the insistence of proper functioning elected organisation at the ground level and recommended a three-tier system of governance. Ashok Mehta Committee : It was incorporated in 1977 and suggested the need for 2 tier system at the ground level of governance. Sarkaria Commission : It was incorporated in 1983, it observed that dissemination of the powers to the ground level will not be effective until the management of villages i.e. rural areas is improved. GVK Rao Committee : It submitted its report in 1985 and put forward the problem that election in local governments is required to be conducted regularly. L.M. Singhvi Committee : It was the most significant committee in the upliftment of local self-governments, in 1987 it emphasised the need for constitutional recognition of the local self-government. To protect their autonomy and systematically providing monetary assistance. The 73rd Amendment (1992) : The 73rd Amendment added

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a new Part IX to the constitution titled "The Panchayats" covering provisions from Article 243 to 243(O); and a new Eleventh Schedule covering 29 subjects within the functions of the Panchayats.

This amendment implements
article 40
of

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the Directive Principles of State Policy which says that "State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government"

and

have upgraded them from non-justifiable to justifiable part of the constitution and has put a constitutional obligation upon states to enact the Panchayati Raj Acts as per provisions of Part IX. However, states have been given enough freedom to take their geographical, politico-administrative and other conditions into account while adopting the Panchayati Raj System. The basic features of the 73 rd amendment are : ? Establishment of 'Gram Sabha' at the village level comprising

100%

MATCHING BLOCK 829/905

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of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat. ?

Establishment of a three-tier system of Panchayat. ? All levels of Panchayats will consist of persons elected directly from the territorial constituencies in the Panchayat area. ? All members of the Panchayat whether or not directly elected

100% MATCHING BLOCK 831/905

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shall have the right to vote in the meetings of the Panchayats. ? Reservation of seats

for SCs/STs in proportion to their population in the Panchayat

68% MATCHING BLOCK 837/905

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area and seats may be allotted by rotation. ? One-third of the total number of seats,

both in reserved and unreserved categories shall be apart for women in every Panchayat and seats may be allotted by rotation. ? Fixed tenure of

76% MATCHING BLOCK 832/905

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five years for Panchayats from the date appointed for its first meeting and

the tenure cannot be extended. ? Constitution of a Finance Commission in the State within one year from the commencement of the Constitution Amendment Act. ? An audit of the accounts of the Panchayats must be done.

18.5The Panchayati Raj Institutions (PRI) in West Bengal Since independence, all these attempts has been done all are tried to improve and renewed emphasis on the revival of the panchayats. Different states have enacted the necessary and relevant laws and now there is panchayat legislation in all the states of India. West Bengal is also taking various initiatives after independence. The West Bengal Panchayat machinery, as envisaged under the Act of 1957, is a two-tier system-the Gram Panchayats and the Anchal Panchayats. After that, The NSOU ? CC-PS-02 307 West Bengal Panchayat Act of 1957 was passed for establishing Panchayats in the state. The Act recommended the constitution of four-tier bodies by splitting the earlier Union Board into Gram Panchayat and Anchal Parisad. In 1963 West Bengal Zilla Parishad Act was passed to replace the District Board with Zilla Parishad and provided for the constitution of Anchal Parishad at the block level. However, the system never took root because of a lack of political will resulting in the little assignment of responsibilities and flow of funds to those bodies as well as political unrest during the period. Ultimately, all the representatives of 15 Zilla Parishads and 315 Anchal Parisads were removed in the year 1969 and Administrators were engaged. All those local bodies remained under the Administrators till the election was held in the year 1978. The legal framework for the second generation of Panchayats was established through the passing of the West Bengal Panchayat Act, 1973. The Act provided for the establishment of three-tier Panchayats. Thus, Gram Panchayat (GP) was to be constituted for a cluster of villages; Panchayat Samiti (PS) was to be constituted at the Block level and Zilla Parishad (ZP) was to be constituted at the District level. NB-I : All the Panchayat Samitis within the geographical limit of a district come under the said District Panchayat or Zilla Parishad.

NSOU ? CC-PS-02 308 NB-II : All the Gram Panchayats within the geographical limit of Panchayat Samiti come under it. Panchayat Samiti and Development Block is co-Terminus. NB-III : A Gram Panchayat will have at least five and a maximum of 30 members. Each member has a specified area and voters (constituency) that he/she represents which is called Gram Sansad (village parliament) The main features related to the legal framework of the Act were : i) Members will be elected directly for each tier from respective constituencies. ii) Candidates may contest the election with their party symbol. iii) The members will elect their Chairperson and Vice Chair-Persons for each Panchayat to be called Pradhan and Upa-Pradhan for the GP; Sabhapati and Saha Sabhapati for the PS and Sabhadhipati and Saha Sabhadhipati for the ZP. iv) Vertical division of power was made by assigning different duties and responsibilities to different tiers of Panchayats. v) Within each tier responsibility was divided among various Standing Committees (for ZP and PS) and UpaSamitis (for GP) to deal with different subjects. v) There has to be an election after every five years. vi) Direct accountability to the people at the Gram Sansad level for ensuring their participation in the functioning of the Gram Panchayat. However, election to the three-tier Panchayats was conducted based on the new Act in the year 1978 only and elections are being held regularly after every five years. Many of the State Government employees were given a dual role by giving them responsibilities for working for the Panchayats in their ex- officio capacities. 18.5.1 The Gram Panchayat (GP) Composition and Functions : Gram Panchayat is the primary unit of Panchayati Raj Institutions (PRI) or local self-government. It is the Executive Committee of Gram Sabha. Out of three institutions established under the Act, the Gram Panchayat (GP) constitutes the most effective tier of PRI. Every GP is a body corporate with perpetual succession, capacity to acquire, hold, transfer the proper and authority to enter into contracts. It functions as a unit of local self-government with the participation of people. All

NSOU ? CC-PS-02 309 villages do not have Panchayats as some of them are very small. That is why some very small villages are clubbed to make a Panchayat. A Gram as defined under the Act (meaning a village or a cluster of villages) is divided into a minimum of five constituencies (again depending on the number of voters the Gram is having). From each of these constituencies, one member is elected. The body of these elected members is called the Gram Panchayat. The size of the GPs varies widely from state to state. In states like West Bengal, Kerala etc. a GP has about 20000 people on average, while in many other states it is around 3000 only. In most of the states, each constituency of the members of the Gram Panchayat is called the Gram Sabha and all the voters of the same constituency are members of this body. In West Bengal, it is called Gram Sansad (village parliament). Gram Sabha in West Bengal has a different meaning. Here all the voters of the Gram Panchayat as a whole constitute the Gram Sabha. Under the Constitution, there can be only three tiers of the Panchayat. The Gram Sabha is not a tier of the PR system. It does not have any executive function and operates as a recommending body only. Every Gram Panchayat shall, at its first meeting at which a quorum is present, elect, in the prescribed manner, one of its members to be the Pradhan and another member to be the Upa-Pradhan of the Gram Panchayat. Gram Unnayan Samiti (GUS) : Gram Unnayan Samiti (GUS) (Village Development Committee) is a small committee constituted by Gram Sansad and chaired by the elected GP member of the same Gram Sansad. Its function is to help the GP prepare village level plan execute them through social mobilization etc. Generally speaking, the functions related to a particular locality are entrusted to the village panchayat. This is the reason why the functions of panchayats in most of the states are similar. The provisions of panchayat acts of the various states relating to the functions of the panchayats in India are not identically worded. Functions : The functions of the GUS are to help and assist the Gram Sansad in the preparation of its perspective plan for five years and annual plan as a part of the same, for achieving the economic development and social justice, mobilization of revenue from the Gram Sansad area etc. So that the entire population, irrespective of their political identity or orientation, can work together the GUS is to be constituted based on consensus between the elected and the opposition member and there should be fair representation from all the categories of people living in that

NSOU ? CC-PS-02 310 area. However, the overt or covert political rivalry has dampened the spirit of bringing all the people together to work for their development. Where the GUS has been formed and functioning well they are also allowed to open a bank account and receive fund from the GP for taking up petty works Gram Sansad : Gram Sansad is the assembly of all the voters of a polling station and is the forum for direct accountability of the GP to all its voters. Meetings of the Gram Sansad are to be held in every Gram Sansad twice a year and the date & time of the meeting is to be publicized at least seven days before the meeting. The Gram Sansad will guide and advise the GP regarding the schemes to be undertaken and identify or lay down the principles for the identification of beneficiaries. A Gram Panchayat shall not ordinarily omit or refuse or act any recommendations of the Gram Sansad. The proper functioning of the Gram Sansad is very important for effective local governance. Necessary information as mentioned above has to be disclosed to the public by circulating printed booklets. Ideally the same should be published well before the meeting or the documents should be available in the rural library for wider dissemination. However, the same is hardly done and people are not in a position to participate with prior information about the functioning of the Gram Panchayat. Participation of the people in the meeting is also important, which is still quite low and on the decline. Powers and Duties of Gram Panchayat : Obligatory duties of Gram Panchayat : (1) A Gram Panchayat shall function as a unit of self-government and, to achieve economic development and secure social justice for all, shall, subject to such conditions as may be prescribed or such directions as may be given by the State Government. (a) Prepare a development plan for the five-year term of the office of the members and revise and update it as and when necessary with regard to the resources available; (b) Prepare an annual plan for each year by October of the preceding year for the development of human resources, infrastructure and civic amenities in the area; NSOU ? CC-PS-02 311 (c) Implement

100% MATCHING BLOCK 833/905

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schemes for economic development and social justice as may be

drawn up by, or entrusted upon it. (2) The duties of a Gram Panchayat shall be to provide within the area under its jurisdiction for (a) Sanitation, conservancy and drainage and the prevention of public nuisances; (b) Curative and preventive measures in respect of malaria, smallpox, cholera or any another epidemic; (c) Supply of drinking water and the cleansing and disinfecting of the sources of supply and storage of water; (d) The maintenance, repair, and construction of public streets and protection thereof; (e) The removal of encroachments of public streets or public places; (f) The protection and repair of buildings or other property vested in it; (g) The management and care of public tanks, subject to the provisions of the Bengal Tanks Improvement Act, 1939, common grazing grounds, burning ghats and public graveyards; (h) The supply of any local information which the District Magistrate, the Zilla Parishad [the Mahakuma Parishad, the Council] or the Panchayat Samiti within the local limits of whose jurisdiction the-Gram Panchayat is situated may require; (i) Organising voluntary labour for community works and works for the upliftment of its area; (j) The control and administration of the Gram Panchayat Fund established under the Act. (k) The imposition, assessment and collection of the taxes, rates or fees leviable under the Act. (l) The maintenance and control of Dafadars, Chowkidars and Gram Panchayat Karmees within its jurisdiction and securing due performance by the Dafadars, Chowkidars and Gram Panchayat Karmees of the duties imposed on them under the Act. (m) The constitution and administration of the Nyaya Panchayat established.

NSOU ? CC-PS-02 312 (3) A Gram Panchayat shall not omit or refuse to act upon any recommendations of a Gram Sansad relating to prioritisation of any list of beneficiaries or scheme or programme so far as it relates to the area of the Gram Sansad unless it decides in a meeting for reasons to be recorded in writing that such recommendation or recommendations are not acceptable or implementable under the provisions of the Act or any rule, order or direction thereunder; such decision of the Gram Panchayat shall be placed in the next meeting of the Gram Sansad. Other duties of Gram Panchayat. (1) A Gram Panchayat shall also

91% MATCHING BLOCK 834/905

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perform such other functions as the State Government may assign to it

in respect of- (a) Primary, social, technical [vocational, adult or non-formal education;]. (b) Rural dispensaries, health centres and maternity and child welfare centres. (c) Management of any public ferry under the Bengal Ferries Act, 1885. (d) Irrigation [including minor irrigation, water management and watershed development]. (e) Agriculture including agricultural extension and fuel and fodder. (f) Care of the infirm and the destitute. (g) Rehabilitation of displaced persons. (h) Improved breeding of cattle, medical treatment of cattle and prevention of cattle disease. (i) It's acting as a channel through which Government assistance should reach the villages. (j) Bringing wasteland under cultivation [through land improvement and soil conservation]. (k) Promotion of village plantations [social forestry and farm forestry]. (l) Arranging for the cultivation of land lying fallow. (m) Arranging for co-operative management of land and other resources of the village.

NSOU ? CC-PS-02 313 (n) Assisting in the implementation of land reform measures in its area. (o) Implementation of such schemes as may be formulated or performance of such acts as may be entrusted to the Gram Panchayat by the State Government. (p) Field publicity on matters connected with development works and other welfare measures undertaken by the State Government. (q) Minor forest produce. (r) Rural housing programme (s) Rural electrification including distribution of electricity. (t) Non-conventional energy sources; and (u) Women and child development. (2) If the State Government is of opinion that a Gram Panchayat has persistently made default in the performance of any of the functions assigned to it under sub-section (7), the State Government may, after recording its reasons, withdraw such function from such Gram Panchayat. Discretionary duties of Gram Panchayat. Subject to such conditions as may be prescribed, a Gram Panchayat may, and shall if the State Government so directs, make provision for- (a) The maintenance of lighting of public streets. (b) Planting and maintaining trees on the sides of public streets or in other public places vested in it; (c) The sinking of wells and excavation of ponds and tanks; (d) The introduction and promotion of co-operative fanning, co-operative stores, and other co-operative enterprises, trades and callings; (e) The construction and regulation of markets, the holding and regulation of fairs, meals and hats and exhibitions of local produce and products of local handicrafts and home industries; (f) The allotment of places for storing manure; (g) assisting and advising agriculturists in the matter of obtaining State loan and their distribution and repayment;

NSOU ? CC-PS-02 314 (h) Filling up of insanitary depressions and reclaiming of unhealthy localities; (i) The promotion and encouragement of cottage [Khadi, village and small- scale including food processing] industries; (1) Promotion of dairying and poultry; (2) Promotion of fishery; (3) Poverty alleviation programme; (j) The destruction of rabbit or ownerless dogs; (k) Regulating the production and disposal of foodstuffs and other commodities in the manner prescribed; (l) The construction and maintenance of surais, dharmasalas, rest houses, cattle sheds and cart stands; (m) The disposal of unclaimed cattle; (n) The disposal of unclaimed corpses and carcasses; (o) The establishment and maintenance of libraries and reading rooms; (p) The organisation and maintenance of akharas, clubs and other places for recreation or games; i) Cultural activities including sports and games. ii) Social welfare including the welfare of the handicapped and mentally retarded. iii)

Welfare of socially and educationally backward classes of citizens

85%

MATCHING BLOCK 835/905

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and, in particular, of the Scheduled Castes and the Scheduled Tribes; iv) public distribution system; v) maintenance of community assets; (

q) the maintenance of records relating to population census, crop census, cattle census and census of unemployed persons and of other statistics as may be prescribed; (r) the performance in the manner prescribed of any of the functions of [the Zilla Parishad or the Mahakuma Parishad or the Council, as the case may be,] with its previous approval, calculated to benefit the people living within the jurisdiction of the Gram Panchayat;

NSOU ? CC-PS-02 315 (s) rendering assistance in extinguishing fire and protecting life and property when fire occurs; (t) assisting in the prevention of burglary and dacoity; and (u) any other local work or service of public utility which is likely to promote the health, comfort, convenience or material prosperity of the public, not otherwise provided for in this Act.

18.5.2 Panchayat Samiti : Composition and Functions Composition (1) For every Block the State Government shall constitute a Panchayat Samiti bearing the name of the Block. (2) The Panchayat Samiti shall consist of the following members, namely: (i) Pradhans of the Gram Panchayats within the Block, ex-officio; (ii) Elected members of the block area, such number of persons not exceeding "three as may be prescribed to be elected from each Gram within the Block, the Gram being divided for the purpose into as many constituencies as the number of persons to be elected and the election being held by secret ballot at such time and in such manner as may be prescribed. (iii)

92%

MATCHING BLOCK 836/905

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Members of the House of the People and the Legislative Assembly of the State

elected thereto from a constituency comprising the Block or any part thereof, not being Ministers. (iv) Members of the Council of States, not being Ministers, [(registered as electors within the area of the Block;)] (v) Members of the Zilla Parishad, not being Sabhadhipati or Sahakari Sabhadhipati, elected thereto from the constituency comprising any part of the Block. Sabhadhipati is the head of the Panchayat Samiti (block level) elected by the Panchayat Samiti members. The Block Development Officer is the Executive Officer of Panchayat Samiti and a key functionary in the functioning of the Panchayat Samity. Sector officers at the block level are members of different standing committees. The Joint Block Development Officer assists the Block Development Officer in the regular implementation of developmental activity in the block.

NSOU ? CC-PS-02 316 Power, Duties, and Functions of Panchayat Samiti (1) A Panchayat Samiti shall function as a unit of self-government and, to achieve economic development and secure social justice for all, shall prepare. (i) A development plan for the five-year term of the office of the members, and (ii) An annual plan for each year by the month of January of the preceding year, in furtherance of its objective of development of the community as a whole and socio-economic upliftment of the individual members of the community and, without prejudice to the generality of the above provisions, shall have power to (a) (i) undertake schemes or adopt measures, including the giving of financial assistance, relating to the development of agriculture, fisheries, livestock, khadi, cottage and small-scale industries, the co-operative movement, rural credit, water-supply, irrigation and minor irrigation including water management and watershed development, public health and sanitation including establishment and maintenance of dispensaries and hospitals, communication, primary and secondary education, adult and non-formal education, the welfare of students, social forestry and farm forestry including fuel and fodder, rural electrification including distribution, non conventional energy sources, women and child development, social welfare and other objects of general public utility; (ii) undertake the execution of any scheme, performance of any act, or management of any institution or organisation entrusted to it by the State Government or any other authority; (iii) manage or maintain any work of public utility or any institution vested in it or under its control and management; (iv) make grants in aid of any school, public institution or public welfare organisation within the Block; (b) make grants to the Zilla Parishad [or Mahakuma Parishad or Council] or Gram Panchayat:

NSOU ? CC-PS-02 317 (c) contribute with the approval of the State Government such sum or sums as it may decide, towards the cost of water-supply or anti- epidemic measures undertaken by a municipality within the Block; (d) adopt measures for the relief of distress; (e) co-ordinate and integrate the development plans and schemes prepared by Gram Panchayats in the Blocks if and when necessary; (2) Notwithstanding anything in sub-section (1), a Panchayat Samiti shall not undertake or execute any scheme confined to an area over which a Gram Panchayat has jurisdiction unless the Gram Panchayat is of opinion that the implementation of such a scheme is beyond its competence financially or otherwise and passes a resolution to that effect. In the latter case the Panchayat Samiti may execute the scheme itself or entrust its execution to the Gram Panchayat and give such assistance as may be required: (3) A Panchayat Samiti may undertake or execute any scheme if it extends to more than one Gram. Power of Panchyat Samiti to transfer roads or properties to the State Government or the Zilla Parishad or a Gram Panchyat. A Panchayat Samiti may transfer to the State Government or to the Zilla Parishad [or Mahakuma Parishad or Council] [or to a Gram Panchayat] any road or part of a road or any other property, which is under its control or management, or which is vested in it, on such terms and conditions as may be agreed upon. Power of Panchyat Samiti to divert, discontinue or close road. A Panchayat Samiti may direct, discontinue or close temporarily any road, which is under its control and management or is vested in it, and may, with the approval of the State Government, close any such road permanently. Power of supervision by Panchyat Samiti over the Gram Panchyat, etc. (1) A Panchayat Samiti shall exercise general powers of supervision over Gram Panchayats in the Block and it shall be the duty of these authorities to give effect to the directions of the Panchayat Samiti. (2) A Panchayat Samiti may (a) inspect, or cause to be inspected, any immovable property used or occupied by Gram Panchayat within the Block or any work in progress under the direction of a Gram Panchayat,

NSOU ? CC-PS-02 318 (b) inspect or examine, or depute an officer to inspect or examine, any department of a Gram Panchayat, or any service, work or thing under the control of the Gram Panchayat, (c) inspect or cause to be inspected utilization of funds in respect of schemes or programmes assigned to the Gram Panchayats by the State Government for execution either directly or through the Zilla Parishad [or the Mahakuma Parishad or Council] or the Panchayat Samiti, (d) require a Gram Panchayat, for inspection or examination, (i) to produce any book, record, correspondence or other documents, or (ii) to furnish any return, plan, estimate, statement of accounts or statistics, or (iii) to furnish or obtain any report or information. Power to prohibit certain offensive and dangerous trades without license and to levy fee. (1) No place within a Block shall [on conviction by a Magistrate,] be used for any trade or business declared by the State Government, by notification, to be offensive or dangerous, without a license, which shall be renewable annually, granted by the Panchayat Samiti, subject to such terms and conditions as the Panchayat Samiti may think fit to impose. (2) The Panchayat Samiti may levy in respect of any license. (3) Whoever uses without a license any place for any trade or business declared under sub-section (1) to be offensive or dangerous, or fails to comply with any condition in respect of such license, shall be punished with a fine, which may extend to one hundred rupees, and to a further fine, which may extend to twenty-five rupees for each day after conviction during which he continues to do so. (4) The Panchayat Samiti may, upon the conviction of any person for failure to comply with any condition of a license granted under subsection (1), suspend or cancel the license granted in favour of such person. Power of Panchyat Samiti to grant a license for market. A Panchayat Samiti may require the owner or the lessee of a hat or market or an owner or a lessee of land intending to establish a hat or market thereon, to obtain a

NSOU ? CC-PS-02 319 license in this behalf from the Panchayat Samiti on such terms and conditions as may be prescribed and subject to the provisions of section 133, on payment of a fee for such license. Powers, functions and duties of Sabhapati and Sahakari Sabhapati. (1) The Sabhapati shall (a) be responsible for maintenance of the records of the Panchayat Samiti; (b) have general responsibility for the financial and executive administration of the Panchayat Samiti : (c) exercise administrative supervision and control over the work of the staff of the Panchayat Samiti and the officers and employees whose services may be placed at the disposal of the Panchayat Samiti by the State Government; (d) for the transaction of business connected with this Act or to make any order authorised thereby, exercise such powers, perform such functions and discharge such duties as may be exercised, performed or discharged by the Panchayat Samiti under this Act or the rules made thereunder: (e) exercise such other powers, perform such other functions and discharge such other duties as the Panchayat Samiti may, by general or special resolution, direct or as the State Government may by rules made in this behalf, prescribe. (2) The Sahakari Sabhapati shall (a) exercise such of the powers, perform such of the functions and discharge such of the duties of the Sabhapati as the Sabhapati may, from time to time, subject to rules made in this behalf by the State Government, delegate to him by order in writing: (b) during the absence of the Sabhapati, exercise all the powers, perform all the functions and discharge all the duties of the Sabhapati; (c) exercise such other powers, perform such other functions and discharge such other duties as the Panchayat Samiti may, by general or special resolution, direct or as the State Government may, by rules made in this behalf, prescribe.

NSOU ? CC-PS-02 320 18.5.3 Zilla Parishad : Composition and Functions Composition For every district [except the district of Darjeeling] the State Government shall constitute a Zilla Parishad bearing the name of the district. The Zilla Parishad shall consist of the following members, namely : (i) Sabhapatis of the Panchayat Samitis within the district, ex officio; (ii) Such number of persons, not exceeding three, as may be prescribed on the basis of the number of voters in the area from each Block within the district, the Block being divided for the purpose into constituencies in the prescribed manner, elected by secret ballot at such time and in such manner as may be prescribed from amongst the persons whose names are included in the electoral roll, about any Block within the district, prepared in accordance with such rules as may be made in this behalf by the State Government and in force on such date as the State Election Commissioner may declare for an election, by persons whose names are included in such electoral roll about the constituency comprised in such Block. Every Zilla Parishad constituted under this section 7 shall be notified in the Official Gazette and shall come into office with effect from the date of its first meeting at which a quorum is present. Every Zilla Parishad shall be a body corporate having

81%**MATCHING BLOCK 839/905****SA**

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perpetual succession and a common seal and shall by its corporate name sue and be sued.

Notwithstanding anything contained in the foregoing provisions of this section, when the area of a district (herein after referred to as the former district) is divided to constitute two or more districts, for each of the newly constituted districts the State Government shall by notification constitute a Zilla Parishad bearing the name of the district with the following members, namely : (i) Sabhapatis of the Panchayat Samitis within the newly constituted district, ex officio; (ii) the members elected to the Zilla Parishad of the former district under clause (ii) of sub-section (2) from the constituencies referred to therein comprised in the Blocks within the newly constituted district;

NSOU ? CC-PS-02 321 (iii)

92%**MATCHING BLOCK 838/905****W**

members of the House of the People and the Legislative Assembly of the State

elected thereto from a constituency comprising the newly constituted district or any part thereof, not being Ministers; (iv) members of the Council of States, not being Ministers, having a place of residence in the newly constituted district. The Sabhapati (head of the Zilla Parishad) is a key functionary of the Zilla Parishad elected by Zilla Parishad members. He/she chairs the district planning board meeting as head of the District Panchayat Administration. He/she is assisted by District Magistrate as the executive officer of Zilla Parishad. The DM is assisted by an Additional Executive Officer in the rank of Additional District Magistrate. The DM is responsible for all matters, relating to the implementation of schemes approved by the Zilla Parishad through its standing committees. There are ten different standing committees headed by Karmadhakya elected from among the members of Zilla Parishad. These Standing committees are i) Artha Santha Unnayan O Parikalpana Sthayee Samity ii) Janaswastha O Paribesh Sthayee Samity iii) Krishi, Sech O Samabaya Sthayee Samity iv) PurtaKarya O Paribahan Sthayee Samity v) Siksha, Sanskriti, Tathya O Krira Sthayee Samity vi) Khadya Silpa Tran O Janakalyan Sthayee Samity vii) Bon O Bhumi Sanskar Sthayee Samity viii) Matsya O Prani Sampad Bikash Sthayee Samity ix) Khadya O Sarbaraha Sthayee Samity x) Bidyut O Achiracharit Shakti Sthayee Samity. Powers, Function and Duties of Zilla Parishad A Zilla Parishad shall function as a unit of self-government and, to achieve economic development and secure social justice for all, shall prepare

NSOU ? CC-PS-02 322 (i) a development plan for the five-year term of the office of the members, and (ii) an annual plan for each year by the month of January of the preceding year, in furtherance of its objective of development of the community as a whole and socio-economic upliftment of the individual members of the community and, without prejudice to the generality of the above provisions, shall have power to A) (i) undertake schemes or adopt measures, including the giving of financial assistance, relating to the development of agriculture, fisheries, live- stock, khadi, cottage and small-scale industries, cooperative movement, rural credit, water-supply, irrigation and minor irrigation including water management and watershed development, public health and sanitation including establishment and maintenance of dispensaries and hospitals, communication, primary and secondary education, adult and non-formal education, physical education and games and sports, the welfare of students, social forestry and farm forestry including fuel and fodder, rural electrification including distribution, non-conventional energy sources, women and child development, social welfare and other objects of general public utility, (ii) undertake the execution of any scheme, the performance of any act, or management of any institution or organisation entrusted to it by the State Government or any other authority, (iii) manage or maintain any work of public utility or any institution vested in it or under its control and management, (iv) make grants in aid of any school, public library, public institution or public welfare organisation within the district, (v) contribute such sums as may be agreed upon towards the cost of maintenance of any institutions, situated outside the district, which are beneficial to, and habitually used by, the inhabitants of the district, (vi) establish scholarships or award stipends within the State for the furtherance of technical or other special forms of education, (vii) acquire and maintain village hats and markets;

NSOU ? CC-PS-02 323 B) make grants to the Panchayat Samitis or Gram Panchayats; C) contribute, with the approval of the State Government, such sum or sums as it may decide, towards the cost of water-supply or anti-epidemic measures undertaken by the commissioners of a municipality within the district; D) adopt measures for the relief of distress; E) co-ordinate and integrate the development plans and schemes prepared by Panchayat Samitis in the district; and (2) A Zilla Parishad shall have the power to advise the State Government on all matters relating to the development work among Gram Panchayats and Panchayat Samitis. (3) Notwithstanding anything in sub-section (1), a Zilla Parishad shall not undertake or execute any scheme confined to a block unless the implementation of such a scheme is beyond the competence of the Panchayat Samiti concerned financially or otherwise. In the latter case the Zilla Parishad may execute the scheme itself or entrust its execution to the Panchayat Samiti and give it such assistance as may be required: Provided that a Zilla Parishad may undertake or execute any scheme referred to in sub-clause (ii) of clause (a) of sub-section (1) confined to an area over which a Panchayat Samiti has jurisdiction. (4) A Zilla Parishad may undertake or execute any scheme if it extends to more than one block. Zilla Parishad to have powers of Magistrate in district to which the Vaccination Act extends. In a district to which the Bengal Vaccination Act, 1880, has been, or may hereafter be extended, the Zilla Parishad shall

100% MATCHING BLOCK 840/905

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exercise all or any of the powers exercisable by the

Magistrate of the district under section 25 of the said Act. Power of Zilla Parishad to divert, discontinue or close road. A Zilla Parishad may divert, discontinue or close temporarily any road, which is under its control and management or is vested in it, and may, with the approval of the State Government, close any such road permanently.

NSOU ? CC-PS-02 324 Power of Zilla Parishad to transfer roads to State Government or Panchayat Samiti. A Zilla Parishad may transfer to the State Government, the commissioners of a municipality, Panchayat Samiti or a Gram Panchayat any road or part of a road or any other property which is under its control or management or which is vested in it, on such terms and conditions as may be agreed upon. Vesting of Zilla Parishad with certain powers. (1) A Zilla Parishad may be vested by the State Government with such powers under any local or special Act as the State Government may think fit. (2) A Zilla Parishad shall perform such functions as may be transferred to it by notification under section 31 of the Cattle-trespass Act, 1871. (3) A Zilla Parishad shall exercise such other powers, perform such other functions or discharge such other duties as the State Government may, by general or special order, direct. Power of Zilla Parishad to grant a license for fair or mela. A Zilla Parishad may require the owner or the lessee of a fair or mela or an owner or a lessee of land intending to hold a fair or mela thereon to obtain a license in this behalf from the Zilla Parishad on such terms and conditions as may be prescribed and on payment of a fee for such license. Power of supervision by Zilla Parishad over the Panchayat Samiti, etc. (1) A Zilla Parishad shall exercise general powers of supervision over Panchayat Samitis and Gram Panchayats in the district and it shall be the duty of these authorities to give effect to any directions of the Zilla Parishad. (2) A Zilla Parishad may— (a) inspect, or cause to be inspected, any immovable property used or occupied by a Panchayat Samiti under it or any work in progress under the direction of the Panchayat Samiti, (b) inspect or examine, or depute an officer to inspect or examine, any department of the Panchayat Samiti, or any service, work or thing under the control of the Panchayat Samiti,

NSOU ? CC-PS-02 325 (c) inspect or cause to be inspected utilisation of funds in respect of schemes or programmes assigned to the Panchayat Samiti by the State Government for execution either directly or through the Zilla Parishad, (d) require a Panchayat Samiti, for the purpose of inspection or examination, (i) to produce any book, record, correspondence or other documents, or (ii) to furnish any return, plan, estimate, statement, accounts or statistics, or (iii) to furnish or obtain any report or information. 18.6 Conclusion Studies of the actual working of panchayats in States where democratic decentralisation has been implemented have, in fact shown that while progress has been made on some other counts, the new system has failed to evoke individual initiative. But it was precisely the need for such initiative that led to the advocacy of the new system. Functioning of the Panchayats critically depends on proper understanding of roles and responsibilities of all the Panchayat functionaries including the employees and competence of discharging their assigned responsibilities. The ordinary elected member should also have adequate knowledge for playing their role. In addition to that, it is the ordinary citizen who needs to participate in various affairs of the Panchayats and keep a vigilant eye for ensuring that the Panchayats are working in their interest. Out of all those, the most crucial is the capability of the elected functionaries. They need to understand the basic rules related to the functioning of the Panchayats, their powers and limitations, the accountability mechanism in the system and the need for maintaining the transparency of functioning etc. They should also internalise the essentiality of functioning based on rules and laid procedures and to always maintain objectivity in decision making. They, therefore, need to be trained on those issues in adequate depth, which is quite difficult. The problem is aggravated by the fact that most of the members change after the election due to rotation in the reservation as well as other factors and many of them are being associated with the public office for the first time. Thus, there is little accumulation of experiences. In fact, out of all those members elected during the general election to Panchayats in 2008 only around 23% had some training on the functioning of Panchayats before

NSOU ? CC-PS-02 326 being elected. In addition to that the individual capacity to learn about the governance and functioning of Panchayats varies widely due to variation of their personal background. Therefore, building individual capacity through training as well as improving institutional capacities through various methods like clearly prescribing procedures, reengineering the processes involved in the functioning of the Panchayats and introduction of Information and Communication Technology (ICT) is a tremendous need. All the Panchayat functionaries are, therefore, given training after taking responsibility as well as subsequently. To augment the training infrastructure, District Training Centres (DTC) are being established in every district in addition to strengthening the State Institute of Panchayat and Rural Development (SIPRD) and the five Extension Training Centres (ETC) of the SIPRD. All the employees working for the Panchayats are also trained regularly and the process needs to be strengthened for equipping them in carrying out their responsibilities. Special measures are also taken for capacity building under the BRGF and the ISGP as mentioned earlier. Training a huge number of personnel who are associated with the functioning of the Panchayats is also attempted to be addressed by the satellite-based communication channel through which training can be organised in distance mode with a classroom at the Block Development office and the ETC/DTC and teaching end at the PRDD Headquarter. The PRDD also takes measures for improving understanding of the ordinary rural people to know better about the Panchayats and how they can participate better in the functioning of the Panchayats. One such initiative is the weekly radio programme which propagates important information on the institutional aspect as well as the implementation of various programmes related to Panchayat and Rural Development.

18.7 Summing up ? Panchayat Raj is an interconnected and interdependent pattern of democracy, a system of sharing powers and responsibilities with the people. ? The Panchayat system is the prototype of all forms of Self-Government and democracy ? In India, Panchayat Raj provided a system of self-governance at the village level or grass-roots level. ? In India, Mahatma Gandhi, Jawaharlal Nehru and Jai Prakash Narayan described democracy as the government that gives 'power to the people.

NSOU ? CC-PS-02 327 ? Mahatma Gandhi's vision was that democracy through people's participation could be ensured only by way of 'Gram Swarajya'. ? Under the Indian Constitution article 40 states that the state must encourage the introduction of independent bodies as Gram Panchayats. ? The Constitution (Seventy-Third Amendment) Act, 1992, which came into force w.e.f. 24th April, 1993, inserted Part IX in the Constitution of India and accorded Panchayats a Constitutional status as institutions of local self-governance for rural India.

18.8 Probable Questions Essay Type Questions : 1. Analyse the concept of Panchayati Raj Institutions in India. 2. Discuss the composition and functions of Gram panchayat in West Bengal. 3. Explain the composition and functions of Zila Parishad in West Bengal. Long Questions : 1. Explain the functions of Panchayat Samiti in West Bengal. 2. Evaluate the importance of Gram Samsad. 3. Discuss the main features of 73rd. Constitutional Amendment Act 1992. Short Questions : 1. Point out the basic features of PRI in West Bengal. 2. Write a note on Gram Unnayan Samiti. 3. Mention the name of the different subcommittee of Zila Parishad.

18.9 Further Reading 1. Alok, V.N. P.K. Chaubey. Panchayats in India : Measuring Devolution by States : New Delhi, Macmillan, 2010. 2. Bhattacharya, Mohit. Governing Rural India : New Delhi, Uppal Publishing House, 1991.

NSOU ? CC-PS-02 328 3. Bhattacharya, Moitree. Panchayati Raj in West Bengal : Democratic Decentralisation or Democratic Centralism. New Delhi, Manak Publications, 2002. 4. Datta, Pravat Kumar. Decentralisation, Participation and Governance. Delhi, Global Media, 2006. 5 Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021. https://burdwanzp.org/images/gov_notification_files/1517982138Local_Self_Governance.pdf accessed on 17.4.21 6. Kothari, Rajni "Panchayat Raj : A Reassessment" Economic and Political Weekly, Special Issue, May, 1961. 7. M.N. Roy, Rural Local Governance in West Bengal, 8. Mukherjee, Subrata Kumar. Local Self-Government, Calcutta, Dasgupta, 1974.

NSOU ? CC-PS-02 329 Unit 19 ? Municipal Corporations and Municipalities Structure 19.1 Objectives 19.2 Introduction 19.3 Municipal Corporations: Composition and Functions 19.4 Municipalities: Composition and Functions 19.5 Conclusion 19.6 Summing up 19.7 Probable Questions 19.8 Further Reading 19.1 Objectives By reading this unit learners will be able to : ? Understand objectives of the urban local self-government ? Explain the structure of the urban local self-government ? Discuss the composition and function of the Municipal Corporations. ? Understand the composition and function of the Municipal Corporations 19.2 Introduction In the developing countries, the Colonial Governments during the period of their domination established several statutory institutions. Among them Urban Local Self-Government institutions are most prominent. Ever since the establishment of Madras (Chennai) Municipal Corporation four centuries ago, there has been a proliferation of municipal bodies to manage the town and city. Lord Rippon's resolution in 1882 sought to place these Urban Local Government institutions on a sound organisational footing. They have been working with different degrees of success in administering the city. In this Unit, we shall examine the nature of urbanisation in India, different

NSOU ? CC-PS-02 330 types of urban local bodies, administrative structure, the role of bureaucracy, municipal finance, control over local bodies ,and their problem areas. Two common forms of Local Self-Government are Urban Local Self-Government and Rural Local Self-Government. We have Panchayati Raj Institutions in the rural areas. In the urban areas - in the cities and towns -there are Municipal Corporations and Municipalities. According to the 74th Constitutional Amendment the Urban- Local Self-Government has been classified into three types, that is, Municipal Corporation, Municipal Council, and Municipal Committee. Far-reaching changes have been brought about for both Municipal Government and Panchayati Raj Institutions through the two Constitutional Amendments: The Seventy-third (73rd) Constitutional Amendment Act, 1992 for Panchayati Raj, and the Seventy-fourth (74th) Constitutional Amendment Act, 1992 for Municipal Bodies. The Constitution of India now provides for three types of institutions of Urban Local Self-Government. These are Municipal Corporations in larger urban areas, Municipal Councils in urban settlements, and Nagar Panchayats in 'transitional' areas, which are neither fully urban nor fully rural. In addition, it provides for decentralisation of municipal administration by constituting Ward Committees in territorial areas of such municipalities, which have more than three lakh populations.

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The Constitution (74th Amendment) Act, 1992 is a landmark initiative of the Government of India to strengthen local self-government in cities and towns. The Act stipulates that if the state government dissolves a Municipality, election to the same must be held within six months. Moreover, the conduct of municipal elections is entrusted to

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statutory State Election Commission, rather than being left to executive authorities. The mandate of the Municipalities is to undertake the tasks of planning for 'economic development and social justice and implement city/town development plans.

The main features of the 74th Constitutional Amendment are as under : a) Committee : Committee means a Committee constituted under article 243S of the Constitution. b) Metropolitan area :

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Metropolitan area means an area having a population of ten lakhs or more,

comprised in one or more districts and consisting of
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two or more Municipalities or Panchayats or other contiguous areas,

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specified by the Governor by public notification to be a

Metropolitan area. c) Municipal area : Municipal area means the territorial area of a Municipality as is notified by the Governor. d) Municipality : Municipality means an institution of self-government constituted under Article 243Q of the Constitution. As per Article 243Q, every State should constitute three types of municipalities in urban areas. Provided that a Municipality under this clause may not be constituted in such urban area or part thereof as the Governor may, having regard to the size of the area and the

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municipal services being provided or proposed to be provided by an industrial establishment in that area

and such other factors as he may deem fit, by public notification, specify to be an industrial township. The constitution of three types of municipalities by every State are as under : i) Nagar Panchayat :

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Nagar Panchayat (by whatever name called) for a transitional area, that is to say,

is

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an area in transition from a rural area to an urban area. ii) Municipal Council : A Municipal Council is constituted for a smaller urban area;

and iii) Municipal Corporation : A Municipal Corporation is constituted for a larger urban area. The Governor declares a transitional area, or smaller urban area or larger urban area based on the

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population of the area, the density of the population therein, the revenue generated for local administration,

the percentage of employment in non- agricultural activities,

the economic importance or such other factors as he may deem fit, specify by public notification for the purposes.

19.3Municipal Corporations : Composition and Functions The administration of civic affairs in a city is a challenge. The distinct characteristic of a city is the huge concentration of population within a limited area. The

NSOU ? CC-PS-02 332 management of civil services, therefore, requires an effective organisational structure, adequate finance, and efficient personnel. The Municipal Corporation as a form of city Government occupies the top position among the local authorities in India. Normally, the Corporation form of urban Government is found in major cities like Mumbai, Delhi, Kolkata, Chennai, Hyderabad, Bangalore, etc. Municipal Corporation is established through a special statute, which is passed by the State legislature. In the case of Union Territories, they are established through Acts passed by the Parliament. Such legislation may be enacted especially for a particular corporation or for all Corporations in a State, for example, the Mumbai and Kolkata Corporations were established through separate legislation. Whereas in Uttar Pradesh and Madhya Pradesh, the State level legislation governs the constitution and working of the Corporation. The Municipal Corporation generally enjoys a greater measure of autonomy than other forms of local government. In almost all the States, the Municipal Corporations have been assigned numerous functions such as the supply of drinking water, electricity, road transport services, public health, education, registration of births and deaths, drainage, construction of public parks, gardens, libraries, etc. These functions are normally divided into obligatory and discretionary. In Haryana, there is only one Municipal Corporation (MC) that is in Faridabad with more than 5 lakhs population. MC is constituted for governing the area. It has both elected and nominated (ex-officio) members. MC, Faridabad has at present 24 elected Councillors. Under the amended municipal law of the State, election to the municipal bodies must take place every five years, unless a municipal body is dissolved earlier. The Mayor elected by the members of the Corporation from amongst themselves is the first citizen of the city and presides over the meetings of the city Corporation. Because of the importance of the city, the Mayor who is the first citizen of the city is a Political Head. He presides over the meetings of the Corporations and generally exercises limited administrative control over the working of the Municipal Corporation. The general pattern in India is that the Council elects the Mayor for a term of one year and he can be re-elected. Normally, the Mayors are ceremonial Heads without any executive authority.

NSOU ? CC-PS-02 333 West Bengal has seven Municipal Corporations at present (2021) Sl. No. Name of the Municipal Corporation District 1. Asansol Municipal Corporation Paschim Barddhaman 2. Bidhan Nagar Municipal Corporation North 24-Parganas 3. Chandernagore Municipal Corporation Hooghly 4. Durgapur Municipal Corporation Barddhaman 5. Howrah Municipal Corporation Howrah 6. Kolkata Municipal Corporation Kolkata 7. Siliguri Municipal Corporation Darjeeling Municipal Corporation : It is the topmost of urban local government and is for an urban area/centre with a population above 3 lacs. As an institution, it is more respectable and enjoys a greater measure of autonomy than other forms of local government. It is set up under a special statute passed by the respective state's legislature. However, in an exception, in Delhi (due to it being the National Capital Territory), the power to set up a Municipal Corporation lies with the Union Parliament. 2. Councillor : Members of the Municipal Corporation are elected based on universal adult suffrage for five years and they are called Councillors. These Councillors collectively called the Municipal Council, exercise deliberative functions and the executive functions are performed by the Municipal Commissioner. 3. Municipal Commissioner and Mayor : He is an Indian Administrative Services official appointed by the state government and has the executive powers of the government of Municipal Corporations. The other executives known as the Mayor and deputy Mayor are political executives elected for a period of one year by the members of the Corporation. The Mayor is the titular head of the corporation and presides over the meetings of the corporation. These Municipal Corporations are in charge of Wards (subdivision or district of a town/city) according to its population and representatives are elected from each ward. The Municipal Corporation of Greater Mumbai which is the civic body that governs Mumbai city is divided into 6 zones each consisting of 3-5 wards each. Individual wards or collections of wards

NSOU ? CC-PS-02 334 within a corporation sometimes have their own administrative body known as ward committees. The basic objective of an urban local government has changed from the maintenance of law and order in the early years to the promotion of the welfare of the community in recent times. The State Municipal Acts provide an exhaustive list of functions, which are classified into obligatory and optional or discretionary functions. The former has to be necessarily performed by the local government and for which sufficient provision in the budget has to be made. Failure to perform any of these functions may compel the State government to supersede a municipality. Discretionary functions may be taken up depending upon the availability of funds. Municipal functions listed in the State Municipal Acts generally fall in the following broad categories: (a) public health and sanitation; (b) medical relief; (c) public works; (d) education; (e) development; and (f) administrative 19.4 Municipalities : Composition and Functions Composition of Municipalities : Article 243R of the Constitution makes the provision for the composition of Municipalities.

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All the seats in a Municipality are filled by persons chosen by direct election from the territorial constituencies in the Municipal area and for this purpose, each Municipal area shall be divided into territorial constituencies to be known as wards. The Legislature of a State may, by law, provide

the manner of

election of

the Chairperson of a Municipality.

Wards Committees : Article 243S of the Constitution makes the provisions for

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constitution and composition of Wards Committees, etc. consisting of one or more wards, within the territorial area of a Municipality having a population of three lakhs or more.

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A member of a Municipality representing a ward within the territorial area of the Wards Committee shall be a member of that Committee. Where a Wards Committee consists of

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two or more wards, one of the members representing such wards in the Municipality elected by the members of the Wards Committee shall be the Chairperson of that Committee. Article 243T

makes the provisions

for

the

reservation of seats.

Seats are

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reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to NSOU ? CC-PS-02 335 the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in

the

Municipal

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area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality. Not less than one- third of the total number of seats reserved Scheduled Caste are reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality are reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality. The office of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

Duration of Municipalities : As per Article 243U of the Constitution, every Municipality, unless sooner dissolved under any law for the

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time being in force, shall continue for five years from the date appointed for its first meeting and no longer provided that a Municipality shall be given a reasonable opportunity of being heard before its dissolution. Powers and Functions of Municipalities : Article 243W of the Constitution

states the

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powers, authority and responsibilities of Municipalities, etc. Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow: (a) The Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to- i) The preparation of plans for economic development and social justice; ii) The performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule;

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b) The Committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.

Article 243X of the Constitution states the

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power to impose taxes by, and Funds of, the Municipalities. The Legislature of a State may, by law : a) Authorise a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits; b) Assign to a Municipality such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits; c) Provide for making such grants-in-aid to the Municipalities from the Consolidated Fund of the State; and d) Provide for

the constitution of such Funds for crediting all amounts of

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money received, respectively, by or on behalf of the Municipalities and also for the withdrawal of such

amounts of money therefrom. Article 243Z of the Constitution states

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the audit of accounts of Municipalities. The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Municipalities and the auditing of such accounts.

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Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow– A) The Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to: (i) The preparation of plans for economic development and social justice; (ii) The performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule; B) The committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.

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Urban planning, including town planning; ii) Regulation of land-use and construction of buildings;

iii)

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Planning for economic and social development; iv) Roads and bridges; v) Water supply for domestic, industrial and commercial purposes; vi) Public health, sanitation, conservancy and solid waste management; vii) Fire services; viii) Urban forestry, protection of the environment and promotion of ecological aspects; ix) Safeguarding the interests of weaker sections of society, including the handicapped & mentally retarded; x) Slum improvement and up-gradation; xi) Urban poverty alleviation; xii) Provision of urban amenities and facilities, such as parks, gardens, playgrounds; xiii) Promotion of cultural, educational and aesthetic aspects; xiv) Burials and burial grounds; cremations, cremation grounds and electric crematoriums; xv) Cattle pounds; prevention of cruelty to animals; xvi) Vital statistics, including registration of births and deaths; xvii) Public amenities, including street lighting, parking lots, bus stops and public conveniences; and

xviii) Regulation of slaughterhouses and tanneries. Roles and Duties of a Councillor : The Councillors under the Municipal Corporations perform the following duties : a) To work towards the welfare and interests of the municipality as a whole. b) To participate in the council meetings, council committee meetings and meetings of other related bodies. c) To participate in developing and evaluating the programs and policies of the municipality.

NSOU ? CC-PS-02 338 d) To keep the privately discussed matters in council meetings in confidence. e) To get all the information from the chief administrative officer about the operation and administration of the municipality. f) To perform any other similar or necessary duties. 19.5 Conclusion The growing population and urbanization in various cities of India needed a local governing body that can work for providing necessary community services like health care, educational institution, housing, transport etc., by collecting property tax and fixed grant from the State Government. Urban governments are the organs for promoting grass-root democracy and providing not only civic services for the welfare of the local people but also for carrying out the task of urban development and planning. In this context, the proper functioning of the municipal corporation for large cities and municipalities in urban areas must be monitored for enduring free fair and transparent public service delivery. 19.6 Summing up ? Two common forms of Local Self-Government are Urban Local Self- Government and Rural Local Self-Government. ? Lord Rippon’s resolution in 1882 sought to place these Urban Local Government institutions on a sound organisational footing. ? Urban governments are the organs for promoting grass-roots democracy in urban areas and is also responsible in providing civic services for the welfare of the local people ? The Constitution of India provides for three types of institutions of Urban Local Self-Government namely Municipal Corporation, Municipal Council, and Municipal Committee. ?

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The Constitution (74th Amendment) Act, 1992 is a landmark initiative of the Government of India to strengthen local self-government in cities and towns ? 74

th Constitutional Amendment the Urban- Local Self-Government has been classified into three types, that is, Municipal Corporation, Municipal Council, and Municipal Committee.

NSOU ? CC-PS-02 339 19.7 Probable Questions Essay Type Questions : 1. Analyse the composition and functions of the Municipal Corporation. 2. Discuss the composition and function of a Municipality. 3. Explain the role of the Municipal Corporation as a unit of urban local self- government. Long Questions : 1. Discuss the composition of the Municipality. 2. Analyse the features of the 74th Constitutional Amendment Act. 3. What are the objectives of urban local self-government? Short Questions : 1. Point out the role of the Ward Committee. 2. Briefly discuss the role of councillors. 3. Write a short note on Mayor in the Municipal Corporation. 19.8 Further Reading 1. Rajpurohit, G.S. Municipal Administration in India : New Delhi, Books Arcade, 2017. 2. Baud, I.S.J. De Wit, eds. A New Forms of Urban Governance in India : Shifts, Models, Networks and Connections : New Delhi, Sage, 2009. 3. Mattewada, Chandrakal. "Administrative System of Municipal Corporations in India." Asian Review of Social Sciences Vol. 6 No. 2, pp. 40-44, (2017). 4. Prasad, R.N. Urban Local Self-Government in India : New Delhi, Mittal Publications, 2006. 5. Bhattacharya, Mohit. Essays in Urban Government, Calcutta, World Press, 1970.

NSOU ? CC-PS-02 340 Unit 20 ? Constitutional Amendment Structure 20.1 Objectives 20.2 Introduction 20.3 Flexibility of the Constitution 20.4 Constituent Assembly and the Constitutional Amendment Procedure in India 20.5 Amendment to Constitution of India : Procedure 20.6 Constitutional Amendment: Some Important Cases 20.7 Number of Amendments in the Indian Constitution 20.8 Conclusion 20.9 Summing up 20.10 Probable Questions 20.11 Further Reading 20.1 Objectives This unit deals with the objectives and the procedure of the amendment of the Indian Constitution. After studying this unit the learner will able to— ? Understand the objectives of

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the amendment of the Indian constitution ? Explain the procedure of the amendment of the Indian constitution. ? Identify the special features of the amendment of the Indian constitution. ? Understand the needs for amendment of the

constitution. ? Explain the differences between the rigid and flexible constitution. 20.2 Introduction A Constitution is the supreme law of a country. In contrast to ordinary legislation, a Constitution embodies the fundamental choices made by a country and its people that establish the basis for political and social, and economic life. Constitutions

NSOU ? CC-PS-02 341 establish the system of government, distribute and constrain power, protect the rights of citizens and deal with various additional issues of identity or substantive policy that are considered foundational in the specific context of a particular country. But the question is whether it should be rigid or flexible. Generally, constitutions are classified as 'flexible' or 'rigid' depending upon the process through which they can be amended. Prof. A.V. Dicey defines two types of constitutions—the flexible as 'one under which every law of every description can legally be changed with the same ease and in the same manner by the same body, and the rigid constitutions as 'one under which certain laws generally known as constitutional or fundamental laws, cannot be changed in the same manner as ordinary laws 'The United Kingdom having an unwritten constitution, is the best example of an extremely flexible constitution. As opposed to the U.K. system, the constitutional amendment has an important place under a written constitution like that of the U.S.A. Its importance increases where the system is federal. In most of the written constitutions, the power to amend the constitutions is either vested in a body other than the ordinary legislature or it is vested in the ordinary legislature, subject to a special procedure. In a federal system, additional safeguards like the involvement of legislatures at the state level, are also provided to ensure that the federal setup does not get altered only at the will of the federal legislature. In the case of the Indian Constitution, neither purely flexible India 20.3Flexibility of the Constitution Explaining why it was necessary to introduce an element of flexibility in the Constitution, Pandit Jawaharlal Nehru observed in the Constituent Assembly : " While we want this

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Constitution to be as solid and as permanent a structure as we can make it, nevertheless there is no permanence in Constitutions. There should be certain flexibility. If you make anything rigid and permanent, you stop a nation's growth, the growth of a living, vital, organic people. Therefore, it has to be flexible....

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In any event, we should not make a Constitution, such as some other great countries have, which are so rigid that they do not and cannot be adapted easily to changing conditions. Today especially, when the world is in turmoil and we are

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passing through a very swift period of transition, what we may do today may not be wholly applicable tomorrow. Therefore, while we make a Constitution which is sound and as basic as we can, it should also be flexible...." 20.4

Constituent Assembly and the Constitutional Amendment Procedure in India The makers of the Indian Constitution were neither in favour of the traditional theory of federalism, which entrusts the task of a constitutional amendment to a body other than the legislature nor in prescribing a rigid special procedure for such amendments. Similarly, they never wanted to have an arrangement like the British set-up where the Parliament is supreme and can do everything humanly possible. Adopting the combination of the 'theory of fundamental law', which underlies the written Constitution of the United States with the 'theory of parliamentary sovereignty as existing in the United Kingdom, the Constitution of India vests constituent power upon the Parliament subject to the special procedure laid down therein. During the discussion in the Constituent Assembly on this aspect, some of the members were in favour of adopting an easier mode of amending procedure for the initial five to ten years. Dr. P.S. Deshmukh was of the view that the amendment of the Constitution should be made easier as

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there were contradictory provisions in some places which would be more

and

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more apparent when the provisions are interpreted. If the amendment to the Constitution was not made easy,

the whole administration would suffer. Shri Brajeshwar Prasad was also in favour of

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a flexible Constitution to make it survive the test of time.

On the other hand, Shri H.V. Kamath was in favour of providing

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procedural safeguards to avoid the possibility of a hasty amendment to the Constitution.

Dr. B.R. Ambedkar, speaking in the Constituent Assembly on 4 th . November 1948, made certain observations in connection with the provisions relating to the amendment of the Constitution. To him, It is said that the provisions contained in the Draft make amendment difficult.

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It is proposed that the Constitution should be amendable by a simple majority at NSOU ? CC-PS-02 343 least for some years. The argument is subtle and ingenious. It is said that this Constituent Assembly is not elected on adult suffrage while the future Parliament will be elected on adult suffrage and yet the former has been given the right to pass the Constitution by a simple majority while the latter has been denied the same right. It is walked as one of the absurdities of the Draft Constitution. I must repudiate the charge because it is without foundation. To know how simple are the provisions of the Draft Constitution in respect of amending the Constitution one has only to study the provisions for amendment contained in the American and Australian Constitutions. Compared to them those contained in the Draft Constitution will be found to be the simplest. The Draft Constitution has eliminated the elaborate and difficult procedures such as a decision by a convention or a referendum.... It is only for amendments

of specific matters— and they are only a

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few—that the ratification of the State Legislatures is required. All other Articles of the Constitution are left to be amended by Parliament. The only limitation is that it shall be done by a majority of not less than two-thirds of the members of each House present and voting and a majority of the total membership of each House. It is difficult to conceive a simpler method of amending the Constitution.

Categories of Constitutional Amendments in India We have had the benefit of a galaxy of visionaries who were definitive about the path we should chart out for ourselves and were fully conscious of the enormity of the task involved in drafting the Constitution for a newborn nation. It is due to their sagacity and statesmanship that special provisions for 'amendment to the Constitution were incorporated in the Constitution. These provisions enabled Parliament to amend periodically the Constitution to meet the changing needs of the time. In our Constitution, Parliament has been empowered to amend any provision in compliance with the procedure laid down in article 368. Besides procedural limitations under article 368, the Supreme Court has, by judicial innovation, enunciated the 'Basic Structure Doctrine, i.e., if a Constitution amendment seeks to alter, take away or destroy the basic structure or framework

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of the Constitution, the Court has the power to declare it void or ultra vires.

The basic features are not finite and have been spelled out in different rulings, with the Supreme Court itself asserting

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that the claim of any particular feature of the Constitution to be a basic feature would be determined by the Court in each case that comes before it.

NSOU ? CC-PS-02 344 The Constitution of India provides for a distinctive amending process as compared to the leading Constitutions of the world. It may be described as partly flexible and partly rigid. The Constitution of India provides for a variety in the amending process—a feature which has been commended by Prof. K.C. Wheare for the reason that uniformity in the amending process imposes "quite unnecessary restrictions" upon the amendment of parts of a Constitution. The Constitution of India provides for three categories of amendments namely— First, those that

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can be affected by Parliament by a simple majority such as that required for the passing of any ordinary law the amendments contemplated in

articles 4, 169, para 7(2) of Schedule V and para 21(2) of Schedule VI

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fall within this category and are specifically excluded from the purview of

article 368 which is the specific provision in the Constitution dealing with the power and the procedure for the amendment of the Constitution. Second, those

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amendments that can be effected by Parliament by a prescribed 'special majority; and Third, those that require, in addition to such 'special majority', ratification by at least one-half of the State Legislatures. The

last two categories being governed by article 368. In this connection, it may also be mentioned that there are, as pointed out by Dr. Ambedkar, "innumerable articles in the Constitution" which leave the matter subject to the law made by Parliament. For example, under article 11, Parliament may make any provision relating to citizenship notwithstanding anything in articles 5 to 10. Thus, by-passing ordinary laws, Parliament may, in effect, provide,

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modify or annul the operation of certain provisions of the Constitution without actually amending them

within the meaning of article 368. Since such laws do not make any change whatsoever in the letter of the Constitution, they cannot be regarded as amendments of the Constitution nor categorised as such. 20.5Amendment to the Constitution of India : Procedure In so far as the constituent power to make formal amendments is concerned, it is article 368 of the Constitution of India which empowers Parliament to amend the NSOU ? CC-PS-02 345

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Constitution by way of addition, variation, or repeal of any provision

according to the procedure laid down therein, which is different from the procedure for ordinary legislation. Article 368, which has been amended by the Constitution (Twenty-fourth Amendment), Act, 1971 and the Constitution (Forty-second Amendment) Act, 1976, reads as follows : 368 :

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Power of Parliament to amend the Constitution and Procedure, therefore : (1) Notwithstanding anything in this Constitution, Parliament may in

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exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article. (2) An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President who shall give his assent to the Bill and thereupon the Constitution shall stand amended in accordance with the terms of the Bill : Provided that if such amendment seeks to make any change in : (a) article 54, article 55, article 73, article 162 or article 241, or (b) Chapter IV of Part V, Chapter V of Part VI, or Chapter I of

Part XI, or (c)

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any of the lists in the Seventh Schedule, or (d) The representation of States in Parliament, or (e) the provisions of this article, the amendment shall also require to be ratified by the Legislatures of not less than one-half of the States... by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent. (3) Nothing in article 13 shall apply to

the

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amendment made under this article. (4) No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this article [whether before or after the commencement of section 55 of the Constitution (Forty-second Amendment) Act, 1976] shall be called in question in any court on any ground. NSOU ? CC-PS-02 346 (5) For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition, variation, or repeal the provisions of this Constitution under this article.

An analysis of the procedure prescribed by article 368

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for amendment of the Constitution shows that : (i) An amendment can be initiated only by the introduction of a Bill in either House of Parliament; (

ii)
The
Bill
so initiated
must be

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passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting.

There is
no provision for a joint sitting in case of disagreement between the two Houses; (iii) When

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the Bill is so passed, it must be presented to the President who shall give his assent to the Bill; (

iv) Where the
amendment seeks to make any change in any

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of the provisions mentioned in the proviso to article 368, it must be ratified by the Legislatures of not less than one-half of the States; (

v) Such ratification is to be by resolution passed by the State Legislatures; (vi) No specific time limit for the ratification of an amending Bill by the State Legislatures is laid down; the resolutions ratifying the proposed amendment should, however,

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be passed before the amending Bill is presented to the President for his assent; (vii) The Constitution can be amended:
a) Only by Parliament; and b) In the manner provided.

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Any attempt to amend the Constitution by a Legislature other than Parliament and in a manner different from that provided for will be void and inoperative.

Whether the

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entire Constitution Amendment is void for want of ratification or only an amended provision required to be ratified under clause (2) of Article 368,

is a very significant point. In a case as decided in 1992, this issue was debated before the Supreme Court and is now popularly known as the Anti-Defection case, in which NSOU ? CC-PS-02 347

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the constitutional validity of the Tenth Schedule of the Constitution was inserted by the Constitution (Fifty-second Amendment) Act, 1985 was challenged. In this case, the decisions of the

Speakers/Chairmen on disqualification, which had been challenged in different High Courts through different petitions, were heard by a five-member Constitution Bench of the Supreme Court. The Constitution Bench in its majority judgment upheld the validity of the Tenth Schedule but declared Paragraph 7 of the Schedule invalid because it was not ratified by the required number of the Legislatures of the States as it brought about in terms and effect, a change in articles 136, 226 and 227 of the Constitution. While doing so, the majority treated Paragraph 7 as a severable part of the rest of the Schedule. However, the minority of the Judges held that the entire Constitution Amendment Act is invalid for want of ratification. 20.6 Constitutional Amendment : Some Important Cases Article 368 is not a "complete code" in respect of the legislative procedure to be followed at various stages.

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There are gaps in the procedure as to how and after what notice a Bill is to be introduced, how it is to be passed by each House and how the President's assent is to be obtained.

This point was decided by the Supreme Court in Shankari Prasad's case. Shankari Prasad Singh Deo vs. Union of India, (1951) Hence, barring the requirements of special majority, ratification by the

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State Legislatures in certain cases, and the mandatory assent by the President, a Bill for amending the Constitution is dealt with the Parliament following the same legislative process as

applicable to an ordinary piece of legislation. L.C. Golak Nath vs. State of Punjab (1967) the Court held that an amendment of the Constitution is a legislative process. A Constitution amendment under article 368

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is "law" within the meaning of article 13 of the Constitution and therefore if a Constitution amendment "takes away or abridges"

a Fundamental Right conferred by Part III, it is void. The Court was also of the opinion that Fundamental Rights included in Part III of the Constitution are given a transcendental position under the Constitution and are kept beyond the reach of Parliament. The incapacity of Parliament to modify, restrict or impair Fundamental Freedoms in Part III arises from the scheme of the Constitution and the nature of the NSOU ? CC-PS-02 348 freedoms. In His Holiness Kesavananda Bharati Sripadagalvaruv. State of Kerala (1971), the Supreme Court reviewed the decision in the Golak Nath's case and went into the validity of the 24th, 25th, 26th and 29th Constitution Amendments. The case was heard by the largest ever Constitution Bench of 13 Judges. The Bench gave eleven judgments, which agreed on some points and differed on others. The Court held

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that the expression 'amendment' of this Constitution in article 368 means any addition or change in any of the provisions of the Constitution within the broad contours of the Preamble and the Constitution to carry out the objectives in the Preamble and the Directive Principles of State Policy. Applied to Fundamental Rights, it would be that while Fundamental Rights cannot be abrogated,

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reasonable abridgment of Fundamental Rights could be effected in the public interest. The

true position is that every provision of the Constitution can be amended provided the basic foundation and

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structure of the Constitution remain the same. The theory of the basic structure of the Constitution was reaffirmed and applied by the Supreme Court in Smt. Indira Nehru Gandhi

vs. Raj Narain (1975) case and certain amendments to the Constitution were held void. Subsequently, on the basis of the Court's view in Kesavananda Bharati's case, upholding the concept of the basic structure, the Supreme Court in Minerva Mills Ltd. vs. Union of India (1980) declared section 55 of the Constitution (Forty-second Amendment) Act, 1976 as unconstitutional and void. The power and procedure for the constitutional amendment in India have some special points of interest : (i) There is no separate constituent body for the purposes of amendment of the Constitution; constituent power also being vested in the Legislature. (ii)

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Although Parliament must preserve the basic framework of the Constitution, there is no other limitation placed upon the amending power, that is

to say,

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there is no provision of the Constitution that cannot be amended. (

iii) The role of the States in the Constitution amendment is limited.

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The State Legislatures cannot initiate any Bill or proposal for

amendment of the Constitution. They are associated in the process of the Constitution amendment by the ratification procedure laid down in article 368 in case the

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amendment seeks to make any change in any of the provisions mentioned in the proviso to Article 368.

Besides, all that is open to them is

NSOU ? CC-PS-02 349 (1) to initiate the process for creating or abolishing Legislative Councils in their respective Legislatures and (2) to give their views on a proposed Parliamentary Bill seeking to affect the area, boundaries or name of any State or States which has been referred to them under the proviso to article 3 a reference which does not fetter the power of Parliament to make any further amendments of the Bill. 20.7Number of Amendments in the Indian Constitution During the last seventy years of its operation, the Constitution has been amended on ninety-four occasions : First—1951; Second—1952; Third—1954; Fourth and Fifth—1955; Sixth and Seventh—1956; Eighth and Ninth—1960; Tenth and Eleventh—1961; Twelfth, Thirteenth and Fourteenth—1962; Fifteenth and Sixteenth—1963; Seventeenth—1964; Eighteenth, Nineteenth and Twentieth—1966; Twenty-first—1967; Twenty-second and Twenty-third—1969; Twenty fourth, Twenty-fifth, Twenty-sixth and Twenty-seventh—1971; Twenty eighth, Twenty-ninth and Thirtieth—1972; Thirty-first and Thirty second—1973; Thirty-third, Thirty-fourth and Thirty-fifth—1974; Thirty-sixth, Thirty-seventh, Thirty-eighth and Thirty-ninth—1975;

NSOU ? CC-PS-02 350 Fortieth, Forty-first and Forty-second—1976; Forty-third—1977; Forty-fourth—1978; Forty-fifth—1980; Forty-sixth—1982; Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth and Fifty-first—1984; Fifty-Second—1985; Fifty-third, Fifty-fourth and Fifty-fifth—1986; Fifty-sixth, Fifty seventh and Fifty-eighth—1987; Fifty-ninth, Sixtieth and Sixty-first—1988; Sixty-second and Sixty-third—1989; Sixty-fourth, Sixty-fifth, Sixty-sixth and Sixty-seventh—1990; Sixty-eighth and Sixty-ninth—1991; Seventieth, Seventy-first, Seventy-second, Seventy-third and Seventy-fourth—1992; Seventy-fifth and Seventy-sixth—1994; Seventy seventh and Seventy-eighth—1995; Seventy-ninth—1999; Eightieth, Eighty-first, Eighty-second and Eighty-third—2000; Eighty-fourth and Eighty-fifth—2001; Eighty-sixth—2002; Eighty-seventh, Eighty-eighth, Eighty-ninth, Ninetieth, Ninety-first and Ninety-second— 2003; Ninety third—2005; Ninety-fourth —2006; Ninety-fifth—2010; Ninety-sixth—2011; Ninety-seven—2012; Ninety-eighth—2013; Ninety-ninth—2015;

NSOU ? CC-PS-02 351 Hundredth—2015; Hundred and one—2017; Hundred and two—2018; Hundred and three—2019; Hundred and fourth—2020. 20.8 Conclusion Although constitutional amendments require the support of a two-thirds majority in both houses of Parliament (with some amendments requiring ratification by a majority of state legislatures), the Indian Constitution is the most amended national constitution in the world. The Constitution spells out governmental powers with so much detail that many matters addressed by statute in other democracies must be addressed via constitutional amendment in India. As a result, the Constitution is amended roughly twice a year. 20.9 Summing up ? Generally, Constitutions are classified as ‘flexible’ or ‘rigid’ depending upon the process through which they can be amended. ? The United Kingdom has an unwritten Constitution, which is the best example of an extremely flexible Constitution. ? In most of the written Constitutions, the power to amend the Constitutions is either vested in a body other than the ordinary legislature or it is vested in the ordinary legislature, subject to a special procedure. ? The Constitution of India provides for a distinctive amending process as compared to the leading Constitutions of the world. ? The Parliament has been empowered to amend any provision in compliance with the procedure laid down in article 368. ? The Constitution of India provides for three categories of amendments ? Besides procedural limitations under article 368, the Supreme Court has, by judicial innovation, enunciated the ‘Basic Structure’ doctrine.

NSOU ? CC-PS-02 352 20.10 Probable Questions Essay Type Questions : 1. Analyse the procedure of the Constitutional Amendment in India. 2. Explain the special features of the Constitution Amendment procedure in India. Long Questions : 1. Elaborate on the different opinions in the constituent assembly regarding the process of amendment. 2. Analyse the important cases of the Constitutional Amendment in India. 3. What are the needs for amendment of the Constitution? Short Questions : 1. Write a short note on the Keshavananda Bharati case. 2. Write a short note on ‘number of Amendments to the Indian Constitution. 3. Mention the differences between the rigid and flexible constitution. 20.11 Further Reading 1. Achar, P.D.T, edt. Constitution Amendment in India, New Delhi, Lok Sabha Secretariat, 2008. 2. Basu, Durga Das. Introduction to the Constitution of India, Nagpur, Lexix Nexis, 2018. 3. Fadia, Dr. B.L, Dr. Kuldeep Fadia. Indian Government and Politics : Agra, Sahitya Bhawan Publications. 2021. 4. Ghosh, Peu. Indian Government and Politics; New Delhi, PHI Learning, 2012. 5. Khatra, Joginder Singh. Constitutional Amendments in India : A Horizontal Approach New Delhi : Vaibhab Publications, 2018. 6. Legislative Department. The Constitution of India : New Delhi, Ministry of Law and Justice, Government of India, 2020. 7.

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	Act, 1784 1.5 Charter Act, 1833 1.6 Charter Act, 1853 1.7 Government of India Act, 1858 1.8 Indian Councils Act, 1861 1.9 Indian Councils Act, 1892 1.10 Indian Councils Act, 1909 1.11 The Government of India Act, 1919 1.12		Act 2 3.10 Charter Act, 1833 2 3.11 Charter Act, 1853 2 3.12 Government of India Act, 1858 2 3.13 Indian Council Act, 1861 2 3.14 Indian Council Act, 1892 3 3.15 Indian Council Act, 1909 3 3.16 Government of India Act, 1919 3 3.17	
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3/905	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
	the Indian Independence Act, 1947, passed by the British parliament, led to the independence of India. The			
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4/905	SUBMITTED TEXT	126 WORDS	84% MATCHING TEXT	126 WORDS
	Regulating Act, 1773 The first step taken by the British Parliament to control and regulate the affairs of the East India Company in India was through this Act. It designated the Governor of Bengal (Fort William) as the Governor-General of Bengal. Warren Hastings became the first Governor-General of Bengal. Executive Council of the Governor-General was established with four members. There was no separate legislative council. It NSOU ? CC-PS-02 9 subordinated the Governors of Bombay and Madras to the Governor-General of Bengal. The Supreme Court was established at Fort William (Calcutta) as the Apex Court in 1774. It prohibited servants of the company from engaging in any private trade or accepting bribes from the natives. Court of Directors (the Governing Body of the Company) was entrusted with the responsibility to report its revenue. 1.4 Pitt's India Act, 1784		Regulating Act The first step was taken by the British Parliament to control and regulate the affairs of the East India Company in India. It designated the Governor of Bengal (Fort William) as the Governor-General (of Bengal). Warren Hastings became the first Governor-General of Bengal. Executive Council of the Governor-General was established (Four members). There was no separate legislative council. It subordinated the Governors of Bombay and Madras to the Governor-General of Bengal. The Supreme Court was established at Fort William (Calcutta) as the Apex Court in 1774. It prohibited servants of the company from engaging in any private trade or accepting bribes from the natives. Court of Directors (the governing body of the company) should report its revenue. Pitt's India Act	
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5/905	SUBMITTED TEXT	34 WORDS	91% MATCHING TEXT	34 WORDS
	placed the Indian affairs under the direct control of the British Government. The Companies' territories in India were called "the British possessions in India". Governor's councils were established in Madras and Bombay. 1.5 Charter Act, 1833 The		Placed the Indian affairs under the direct control of the British Government. The companies territories in India were called "the British possession in India". Governor's councils were established in Madras and Bombay. 2 © Yuvraj Charter Act The	
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6/905	SUBMITTED TEXT	17 WORDS	90% MATCHING TEXT	17 WORDS
<p>Governor-General of Bengal became the Governor-General of India. First Governor-General of India was Lord William Bentinck. This</p>		<p>Governor-General (of Bengal) became as the Governor-General of India. First Governor-General of India was Lord William Bentick. This</p>		
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7/905	SUBMITTED TEXT	34 WORDS	86% MATCHING TEXT	34 WORDS
<p>India.Beginning of a Central legislature for India took away the legislative powers of Bombay and Madras Provinces. The Act ended the activities of the East India Company as a commercial body and it became a purely</p>		<p>India. Beginning of a Central legislature for India as the act also took away legislative powers of Bombay and Madras provinces. The Act ended the activities of the East India Company as a commercial body and it became a purely</p>		
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8/905	SUBMITTED TEXT	15 WORDS	88% MATCHING TEXT	15 WORDS
<p>Charter Act, 1853 The legislative and executive functions of the Governor-General's Council were separated. Six members</p>		<p>Charter Act The legislative and executive functions of the Governor-General's Council were separated. 6 members</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
9/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>reduced the strength of the Governor General's council to three members</p>		<p>Reduced the strength of the Governor General's council to three members.</p>		
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10/905	SUBMITTED TEXT	135 WORDS	83% MATCHING TEXT	135 WORDS
	<p>Central legislative council. Four out of six members were appointed by the Provisional Governments of Madras, Bombay, NSOU ? CC-PS-02 10 Bengal and Agra.It introduced a system of open competition as the basis for the recruitment of civil servants of the Company (Indian Civil Service was opened to all). 1.7 Government of India Act, 1858 The rule of Company was replaced by the rule of the Crown in India.The powers of the British Crown were to be exercised by the Secretary of State for India and he was to be assisted by the Council of India, having 15 members. He was vested with complete authority and control over the Indian administration through the Viceroy as his agent. The Governor-General came to be known as the Viceroy of India. Lord Canning became the first Viceroy of India. The Act abolished Board of Control and Court of Directors.</p>		<p>Central legislative council. Four out of six members were appointed by the provisional governments of Madras, Bombay, Bengal and Agra. It introduced a system of open competition as the basis for the recruitment of civil servants of the Company (Indian Civil Service opened for all). Government of India Act of 1858 ? ? ? ? ? ? rule of Company was replaced by the rule of the Crown in India. The powers of the British Crown were to be exercised by the Secretary of State for India He was assisted by the Council of India, having 15 members He was vested with complete authority and control over the Indian administration through the Viceroy as his agent The Governor-General was made the Viceroy of India. Lord Canning was the first Viceroy of India. Abolished Board of Control and Court of Directors.</p>	
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11/905	SUBMITTED TEXT	22 WORDS	92% MATCHING TEXT	22 WORDS
	<p>Indian Councils Act, 1861 It introduced, for the first time, Indian representation in the institutions like Viceroy's Executive-Legislative council (non-official). Three Indians entered</p>		<p>Indian Councils Act of 1861 ? ? ? ? ? It introduced for the first time Indian representation in the institutions like Viceroy's executive+legislative council (non-official). 3 Indians entered</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

12/905	SUBMITTED TEXT	77 WORDS	79% MATCHING TEXT	77 WORDS
	<p>provided that the Viceroy's Executive Council should have some Indians as the non-official members while transacting the legislative businesses. It accorded statutory recognition to the portfolio system and initiated the process of decentralization by restoring the legislative powers to the Bombay and the Madras Provinces 1.9 India Councils Act, 1892 The Act introduced indirect elections (nomination). It enlarged the size and the functions of the Legislative Councils and gave them the power of discussing the Budget and addressing questions to the Executive.</p>		<p>provided that the Viceroy's Executive Council should have some Indians as the nonofficial members while transacting the legislative businesses. It accorded statutory recognition to the portfolio system. Initiated the process of decentralisation by restoring the legislative powers to the Bombay and the Madras Provinces. 3 © IAS 2019 India Council Act of 1892 ? ? ? Introduced indirect elections (nomination). Enlarged the size of the legislative councils. the functions of the Legislative Councils and gave them the power of discussing the Budget and addressing questions to the Executive.</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

13/905	SUBMITTED TEXT	19 WORDS	90% MATCHING TEXT	19 WORDS
<p>the Government. 1.10 Indian Councils Act, 1909 This Act is also known as the Morley-Minto Reforms. Direct elections to legislative councils</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>the Executive. Indian Councils Act of 1909 1. This Act is also known as the Morley- Minto Reforms. 2. Direct elections to legislative councils;</p>		
14/905	SUBMITTED TEXT	47 WORDS	84% MATCHING TEXT	47 WORDS
<p>It changed the name of the Central Legislative Council to the Imperial Legislative Council. The number of members of the Central Legislative Council was increased to 60 from 16 and introduced a system of communal representation for Muslims by accepting the concept of 'Separate Electorate'. Indians, for the first time,</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>It changed the name of the Central Legislative Council to the Imperial Legislative Council. 4. The member of Central Legislative Council was increased to 60 from 16. 5. Introduced a system of communal representation for Muslims by accepting the concept of 'separate electorate'. 6. Indians for the first time</p>		
15/905	SUBMITTED TEXT	32 WORDS	95% MATCHING TEXT	32 WORDS
<p>This Act is also known as the Montague-Chelmsford Reforms. The Central subjects were demarcated and separated from those of the Provincial subjects. The scheme of dual governance, 'Diarchy', was introduced in the Provincial subjects.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>This Act is also known as the Montague-Chelmsford Reforms. The Central subjects were demarcated and separated from those of the Provincial subjects. The scheme of dual governance, 'Dyarchy', was introduced in the Provincial subjects.</p>		
16/905	SUBMITTED TEXT	68 WORDS	88% MATCHING TEXT	68 WORDS
<p>system, the provincial subjects were divided into two parts– transferred and reserved. On reserved subjects, Governor was not responsible to the Legislative Council. The Act introduced, for the first time, bicameralism at the center. Legislative Assembly with 140 members and Legislative Council with 60 members. The Act also required that the three of the six members of the Viceroy's Executive NSOU ? CC-PS-02 12 Council (other than Commander-in-Chief) were to be Indians.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>system, the provincial subjects were divided into two parts – transferred and reserved. On reserved subjects, Governor was not responsible to the Legislative council. The Act introduced, for the first time, bicameralism at center. Legislative Assembly with 140 members and Legislative council with 60 members. Direct elections. The Act also required that the three of the six members of the Viceroy's Executive Council (other than Commander-in-Chief) were to be Indians.</p>		

17/905	SUBMITTED TEXT	44 WORDS	84% MATCHING TEXT	44 WORDS
<p>The governor-general was to be appointed by the British Government. He was to act on the advice of the Executive Council. The Prime Minister was to be appointed by the governor-general and other ministers were to be appointed on the advice of the Prime Minister. 10. The</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
18/905	SUBMITTED TEXT	22 WORDS	47% MATCHING TEXT	22 WORDS
<p>to be appointed by the British Crown. He was to act on the advice of the Provincial Executive Council which was to be</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
19/905	SUBMITTED TEXT	15 WORDS	62% MATCHING TEXT	15 WORDS
<p>Government of India Act, 1935 After the failure of the Third Round-Table Conference, the British Government</p> <p>Government of India Act and Establishment of the Provincial Governments: After the end of the third session of the Round Table Conference, the British Government</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
20/905	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
<p>the Commander-in-Chief should not be a member of the</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
21/905	SUBMITTED TEXT	53 WORDS	48% MATCHING TEXT	53 WORDS
<p>the Committee came out with a draft bill on 5 th February, 1935. The bill was discussed in the House of Commons and in the House of Lords and finally, the King signed the bill and it came into force as the Government of India Act, 1935 in July, 1935. The main features of the</p> <p>The Committee presented a draft Bill on 5 February 1935. The Bill was discussed for forty-three days in the House of Commons and for thirteen days in the House of Lords. After the signatures of the King, the Bill was enforced in July 1935 as the Government of India Act, 1935. 1.2.6 Government of India Act, 1935 The main features of the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional%20Science/Constitutional%20Science%20-%201935.pdf</p>				

22/905	SUBMITTED TEXT	31 WORDS	81% MATCHING TEXT	31 WORDS
<p>to be nominated by the Princely States. 7. The Federal Assembly was to have 375 members out of which 250 were to be elected by the Legislative Assembly of the British Indian Provinces</p>		<p>to be nominated by the rulers princely states. The Federal Assembly required to include 375 members, out of which 250 members were required to be elected by the Legislative Assemblies of the British Indian provinces</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
23/905	SUBMITTED TEXT	35 WORDS	41% MATCHING TEXT	35 WORDS
<p>the power to frame ordinances. 9. The Indian Council of the Secretary of State was done away with. Instead, advisors were nominated to assist the Secretary of State for India. 10. The Secretary was barred to interfere in</p>		<p>the power to pass ordinances. • The Indian Council was removed. In its place, few advisors were nominated to assist the Secretary of State of India. • The Secretary of State was not allowed to interfere in</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
24/905	SUBMITTED TEXT	19 WORDS	55% MATCHING TEXT	19 WORDS
<p>of the Act. When Independence came, both the two dominions, India and Pakistan accepted the Act as their provisional</p>		<p>of the Act. At the time of independence, the two dominions of India and Pakistan accepted the Act of 1935, with few amendments, as their provisional</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
25/905	SUBMITTED TEXT	18 WORDS	68% MATCHING TEXT	18 WORDS
<p>The Council of State was to consist of 260 members out of which 156 were to be elected</p>		<p>The Council of State was required to have 260 members, out of which 156 needed to be elected</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
26/905	SUBMITTED TEXT	21 WORDS	52% MATCHING TEXT	21 WORDS
<p>accordingly the Indian Independence Act was passed providing for the setting up of two Dominions- the Dominion of India and</p>		<p>Accordingly, the Indian Independence Act was passed by the British Parliament on 18th July, 1947 providing for the setting up a Dominion of India and</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

27/905	SUBMITTED TEXT	17 WORDS	64% MATCHING TEXT	17 WORDS
The Act made the existing Constituent Assemblies the legislatures for the Dominions for the time being. The		the Act made the existing Constituent Assemblies the Dominion Legislatures for the time being. The		
W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf				
28/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
parties- The Indian National Congress and the Muslim League. 1.23 The				
SA THESIS FINAL.pdf (D16635872)				
29/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
His Majesty for the purposes of the government of the				
SA INDIAN POLITY book.docx (D57972790)				
30/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
Bakshi, P.M., The Constitution of India : Delhi, Universal Law Publishing, 14				
SA BPASE - 31 Indian Constitution.doc (D144112532)				
31/905	SUBMITTED TEXT	15 WORDS	78% MATCHING TEXT	15 WORDS
Basu, Durgadas Introduction to the Constitution of India New Delhi, Prentice Hall of India, 1992. 3.				
SA Combine File.docx (D58915711)				

32/905	SUBMITTED TEXT	79 WORDS	100% MATCHING TEXT	79 WORDS
<p>The Preamble "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 the individual 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." 2.4</p>		<p>The Preamble "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 the individual 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".</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
33/905	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>New Delhi, NBT, 2011. 6. Pylee, M.V. India's Constitution New Delhi, S. Chand</p>				
<p>SA Combine File.docx (D58915711)</p>				
34/905	SUBMITTED TEXT	37 WORDS	98% MATCHING TEXT	37 WORDS
<p>word implies that India is neither a dependence nor a dominion of any other nation but an independent state. There is no authority above it, and it is free to conduct its own affairs (both internal and external).</p>		<p>word 'sovereign' implies that India is neither a dependency nor a dominion of any other nation, but an independent state². There is no authority above it, and it is free to conduct its own affairs (both internal and external).</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

35/905	SUBMITTED TEXT	84 WORDS	99% MATCHING TEXT	84 WORDS
	<p>Notably, the Indian brand of socialism is a 'democratic socialism' and not a 'communistic socialism' (also known as 'state socialism') which involves the nationalization of all means of production and distribution and the abolition of private property. Democratic socialism, on the other hand, holds faith in a 'mixed economy' where both public and private sectors co-exist side by side'. As the Supreme Court says, 'Democratic socialism aims to end poverty, ignorance, disease and inequality of opportunity. Indian socialism is a blend of Marxism and Gandhism, leaning heavily towards Gandhian socialism'. 3.</p>		<p>Notably, the Indian brand of socialism is a 'democratic socialism' and not a 'communistic socialism' (also known as 'state socialism') which involves the of all means of production and distribution and the abolition of private property. Democratic socialism, on the other hand, holds faith in a 'mixed economy' where both public and private sectors co-exist side by side6. As the Supreme Court says, 'Democratic socialism aims to end poverty, ignorance, disease and inequality of opportunity7. Indian socialism is a blend of Marxism and Gandhism, leaning heavily towards the Gandhian socialism'8 .</p>	
	<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>			

36/905	SUBMITTED TEXT	37 WORDS	93% MATCHING TEXT	37 WORDS
	<p>Secular The term 'secular' too was added by the 42nd Constitutional Amendment Act of 1976. However, as the Supreme Court said in 1974, although words 'secular state' is not mentioned in the Constitution, there can be no doubt that</p>		<p>Secular The term 'secular' too was added by the 42nd Constitutional Amendment Act of 1976. However, as the Supreme Court said in 1974, although the words 'secular state'9 were not expressly mentioned in the Constitution, there can be no doubt that</p>	
	<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>			

37/905	SUBMITTED TEXT	75 WORDS	96% MATCHING TEXT	75 WORDS
	<p>wanted to establish such a state and accordingly Articles 25 to 28 (guaranteeing the fundamental rights to freedom of religion) have been included in the constitution. The Indian Constitution embodies the positive concept of secularism i.e., all religions in our country (irrespective of their strength) have the same status and support from the state. 4. Democratic A democratic polity, as stipulated in the Preamble, is based on the doctrine of popular sovereignty, that is, possession of supreme power by the people.</p>		<p>wanted to establish such a state and accordingly Articles 25 to 28 (guaranteeing the fundamental right to freedom of religion) have been included in the constitution. The Indian Constitution embodies the positive concept of secularism ie, all religions in our country (irrespective of their strength) have the same status and support from the state10 . 4. Democratic A democratic11 polity, as stipulated in the Preamble, is based on the doctrine of popular sovereignty, that is, possession of supreme power by the people.</p>	
	<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>			

38/905	SUBMITTED TEXT	65 WORDS	100% MATCHING TEXT	65 WORDS
	<p>representative parliamentary democracy under which the executive is responsible to the legislature for all its policies and actions. Universal adult franchise, periodic elections, rule of law, independence of judiciary, and absence of discrimination on certain grounds are the manifestations of the democratic character of the Indian polity. The term 'democratic' is used in the Preamble in the broader sense embracing not only political democracy but also social and economic democracy. 5.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>representative parliamentary democracy under which the executive is responsible to the legislature for all its policies and actions. Universal adult franchise, periodic elections, rule of law, independence of judiciary, and absence of discrimination on certain grounds are the manifestations of the democratic character of the Indian polity. The term 'democratic' is used in the Preamble in the broader sense embracing not only political democracy but also social and economic democracy.</p>	
39/905	SUBMITTED TEXT	49 WORDS	100% MATCHING TEXT	49 WORDS
	<p>Being a sovereign state, India can either acquire a foreign territory or cede a part of its territory in favour of a foreign state. 2. Socialist Even before the term was added by the 42nd Amendment in 1976, the Constitution had a socialist content in the form of certain Directive Principles of State Policy.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Being a sovereign state, India can either acquire a foreign territory or cede a part of its territory in favour of a foreign state. 2. Socialist Even before the term was added by the 42nd Amendment in 1976, the Constitution had a socialist content in the form of certain Directive Principles of State Policy.</p>	
40/905	SUBMITTED TEXT	34 WORDS	100% MATCHING TEXT	34 WORDS
	<p>Republic A democratic polity can be classified into two categories—monarchy and republic. In a monarchy, the head of the state (usually King or Queen) enjoys a hereditary position, that is, he comes into office through succession</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Republic A democratic polity can be classified into two categories— monarchy and republic. In a monarchy, the head of the state (usually king or queen) enjoys a hereditary position, that is, he comes into office through succession,</p>	
41/905	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
	<p>Britain. In a republic, on the other hand, the head of the state is always elected directly or indirectly for a fixed period</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Britain. In a republic, on the other hand, the head of the state is always elected directly or indirectly for a fixed period,</p>	

42/905	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS
<p>USA. Therefore, the term 'republic' in our Preamble indicates that India has an elected head called the President. He is elected indirectly for a fixed period of five years. 6.</p>		<p>USA. Therefore, the term 'republic' in our Preamble indicates that India has an elected head called the president. He is elected indirectly for a fixed period of five years.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
43/905	SUBMITTED TEXT	46 WORDS	100% MATCHING TEXT	46 WORDS
<p>Justice The term 'justice' in the Preamble embraces three distinct forms—social, economic and political, secured through various provisions of Fundamental Rights and Directive Principles. Social justice denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means</p>		<p>Justice The term 'justice' in the Preamble embraces three distinct forms– social, economic and political, secured through various provisions of Fundamental Rights and Directive Principles. Social justice denotes the equal treatment of all citizens without any social distinction based on caste, colour, race, religion, sex and so on. It means</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
44/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward</p>		<p>absence of privileges being extended to any particular section of the society, and improvement in the conditions of backward</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
45/905	SUBMITTED TEXT	108 WORDS	96% MATCHING TEXT	108 WORDS
<p>Liberty The term 'liberty' means the absence of restraints on the activities of individuals, and at the same time, providing opportunities for the development of individual personalities. The Preamble secures to all citizens of India liberty of thought, expression, belief, faith and worship, through their Fundamental Rights, enforceable in court of law, in case of violation. Liberty as elaborated in the Preamble is very essential for the successful functioning of the Indian democratic system. However, liberty does not mean NSOU ? CC-PS-02 30 'license' to do what one likes, and has to be enjoyed within the limitations mentioned in the Constitution itself. In brief, the liberty conceived by the Preamble or fundamental rights is not absolute but qualified. 8.</p>		<p>Liberty The term 'liberty' means the absence of restraints on the activities of individuals, and at the same time, providing opportunities for the development of individual personalities. The Preamble secures to all citizens of India liberty of thought, expression, belief, faith and worship, through their Fundamental Rights, enforceable in court of law, in case of violation. Liberty as elaborated in the Preamble is very essential for the successful functioning of the Indian democratic system. However, liberty does not mean ' license' to do what one likes, and has to be enjoyed within the limitations mentioned in the Constitution itself. In brief, the liberty conceived by the Preamble or Fundamental Rights is not absolute but qualified.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

46/905	SUBMITTED TEXT	47 WORDS	100% MATCHING TEXT	47 WORDS
<p>Equality The term 'equality' means the absence of special privileges to any section of the society, and the provision of adequate opportunities for all individuals without any discrimination. The Preamble secures to all citizens of India equality of status and opportunity. This provision embraces three dimensions of equality—civic, political and economic. 9.</p>		<p>Equality The term 'equality' means the absence of special privileges to any section of the society, and the provision of adequate opportunities for all individuals without any discrimination. The Preamble secures to all citizens of India equality of status and opportunity. This provision embraces three dimensions of equality—civic, political and economic.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

47/905	SUBMITTED TEXT	92 WORDS	98% MATCHING TEXT	92 WORDS
<p>Fraternity Fraternity means a sense of brotherhood. The Constitution promotes this feeling of fraternity by the system of single citizenship. Also, the Fundamental Duties (Articles 51-A) say that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, regional or sectional diversities. The Preamble declares that fraternity has to assure two things, the dignity of the individual and the unity and integrity of the nation. The word 'integrity' has been added to the preamble by the 42nd Constitutional Amendment, 1976. 2.5</p>		<p>Fraternity Fraternity means a sense of brotherhood. The Constitution promotes this feeling of fraternity by the system of single citizenship. Also, the Fundamental Duties (Article 51-A) say that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, regional or sectional diversities. The Preamble declares that fraternity has to assure two things– the dignity of the individual and the unity and integrity of the nation. The word 'integrity' has been added to the preamble by the 42nd Constitutional Amendment (1976).</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

48/905	SUBMITTED TEXT	27 WORDS	44% MATCHING TEXT	27 WORDS
<p>the Supreme Court Judges opined that the preamble is a part of the constitution but it is not a part of the effective part of the constitution.</p>		<p>the Supreme Court that the Preamble is a part of the Constitution, is in consonance with the opinion of the founding fathers of the Constitution.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

49/905	SUBMITTED TEXT	34 WORDS	61% MATCHING TEXT	34 WORDS
<p>the importance of the Preamble, Thakurdas Bhargav said that the Preamble is "the most precious part of the constitution". It is the 'soul' of the NSOU ? CC-PS-02 33 constitution, a key to understand the</p>		<p>the importance of the Preamble in the following The Preamble is the most precious part of the Constitution. It is the soul of the Constitution. It is a key to the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

50/905	SUBMITTED TEXT	14 WORDS	87% MATCHING TEXT	14 WORDS
<p>as regards whether the Preamble can be amended under Article 368 of the constitution.</p>		<p>as to whether the Preamble can be amended under Article 368 of the Constitution</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
51/905	SUBMITTED TEXT	16 WORDS	71% MATCHING TEXT	16 WORDS
<p>the basic elements or the fundamental features of the constitution have been codified in the Preamble.</p>		<p>the basic elements or the fundamental features of the Constitution, which are enshrined in the Preamble.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
52/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>Bakshi, P.M., The Constitution of India : Delhi, Universal Law Publishing, 14</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
53/905	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>Introduction to the Constitution of India : New Delhi Prentice-Hall of India, 1992. 4.</p>				
<p>SA Combine File.docx (D58915711)</p>				
54/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Chaube, S.K., The Making and Working of the Indian Constitution, New Delhi:</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
55/905	SUBMITTED TEXT	24 WORDS	65% MATCHING TEXT	24 WORDS
<p>of the Constitution can be amended by the Union Parliament by passing a resolution with 2/3rd majority of the members present and voting</p>		<p>of the Constitution can be amended by the Union Parliament by passing an Amendment by a majority of total membership and 2/3rd majority of members present and voting</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

56/905	SUBMITTED TEXT	17 WORDS	70% MATCHING TEXT	17 WORDS
<p>at the top of the judicial administration. Below that there are High Courts at the state level</p>		<p>at the top of the integrated judicial system in the country. Below it, there are high courts at the state level.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
57/905	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
<p>states, 'The official language of the Union shall be Hindi in Devnagri Script.' 11)</p>		<p>states the official language of the Union shall be Hindi in Devnagri script. 24.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
58/905	SUBMITTED TEXT	19 WORDS	72% MATCHING TEXT	19 WORDS
<p>Fundamental Rights from the Constitution of the USA. 3. Directive Principles of State Policy from the Constitution of Ireland. 4.</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
59/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>the word 'secular' was inserted into the Preamble of the Constitution through the 42nd amendment of</p>				
<p>SA CHAPTERS.docx (D104265488)</p>				
60/905	SUBMITTED TEXT	14 WORDS	90% MATCHING TEXT	14 WORDS
<p>no religious instruction shall be provided in any educational institution wholly maintained by State funds.</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
61/905	SUBMITTED TEXT	22 WORDS	88% MATCHING TEXT	22 WORDS
<p>Right to Equality 2. Right to Freedom 3. Right against Exploitation 4. Right to Religious Freedom 5. Cultural and Educational Rights 6. Right to Constitutional Remedies 15)</p>		<p>Right to equality Right to freedom Right against exploitation Right to freedom of religion Cultural and educational rights Right to constitutional remedies</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

62/905	SUBMITTED TEXT	14 WORDS	71% MATCHING TEXT	14 WORDS
<p>the reservation of seats for Scheduled Castes in Lok Sabha, State Legislative Assemblies and</p> <p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
63/905	SUBMITTED TEXT	33 WORDS	79% MATCHING TEXT	33 WORDS
<p>are not enforceable by the Courts but these principles are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p> <p>are not enforceable by the courts for their violation. Yet, the itself declares that 'principles are fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws'.</p>				
64/905	SUBMITTED TEXT	17 WORDS	66% MATCHING TEXT	17 WORDS
<p>the Supreme Court in Golaknath case ineffective. In Keshavananda Bharati case, the Supreme Court ruled that the Parliament</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p> <p>the Supreme Court's judgement in the Golaknath case²¹ (1967). In case, the Supreme Court ruled that the Parliament</p>				
65/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>of the constitution deal with the Directive Principles of State Policy and the</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p> <p>of the Constitution relating to the Directive Principles of State Policy and the</p>				
66/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>the distribution of powers between the Center and the States by the constitution, existence of a</p> <p>SA Aastha Dissertation.docx (D105061028)</p>				
67/905	SUBMITTED TEXT	17 WORDS	73% MATCHING TEXT	17 WORDS
<p>in case the administration of a State cannot be carried on in accordance with the constitution (Article 356) (</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

68/905	SUBMITTED TEXT	10 WORDS	87% MATCHING TEXT	10 WORDS
<p>the approval of the Council-of-Ministers headed by the Prime Minister. 19)</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				
69/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Bakshi, P.M., The Constitution of India : Universal Law Publishing, Delhi, 2000. 3.</p> <p>SA Combine File.docx (D58915711)</p>				
70/905	SUBMITTED TEXT	24 WORDS	52% MATCHING TEXT	24 WORDS
<p>Important features of the Fundamental Rights 4.4 Amendability of the Fundamental Rights 4.5 Fundamental Rights (Right to Equality, Articles 14-18) 4.6 Right to Freedom (Articles 19-22) 4.7</p> <p>Important Features of the Constitution of India 1.4.3 Preamble of the Constitution 1.5 Fundamental Rights and Right to Equality 1.5.2 Right to Freedom (Articles 19, 20, 21</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
71/905	SUBMITTED TEXT	28 WORDS	97% MATCHING TEXT	28 WORDS
<p>Right to Freedom 4.8 Right Against Exploitation (Articles 23-24) 4.9 Right to Freedom of Religion (Articles 25-28) 4.10 Cultural and Educational Rights (Articles 29-30) 4.11 Right to Constitutional Remedies (Article 32) 4.12</p> <p>Right to freedom (Articles 19–22) • Right against exploitation (Articles 25–28) • Right to freedom of religion (Articles 25–28) • Cultural and educational Articles 29–30) • Right to Constitutional remedies (Article 32) 1.5.1</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
72/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Pylee, M.V. India's Constitution : New Delhi, S. Chand</p> <p>SA Combine File.docx (D58915711)</p>				
73/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>No person shall be deprived of his property save by authority of law." 4.4</p> <p>No person shall be deprived of his property save by authority of law."</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

74/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>Fundamental rights can be suspended during a national emergency. But, the rights guaranteed under Articles 20 and 21 cannot be suspended. ?</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
75/905	SUBMITTED TEXT	22 WORDS	93% MATCHING TEXT	22 WORDS
<p>The state shall not deny any person equality before law or equal protection of the laws within the territory of India." This</p> <p>the State shall not deny to any person equality before the law the equal protection of the laws within the territory of India. This</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
76/905	SUBMITTED TEXT	25 WORDS	88% MATCHING TEXT	25 WORDS
<p>overruled; 2) Article 368 does not enable Parliament to alter the basic structure of the Constitution; 3) The 24th Constitution Amendment Act, 1971 is valid. 4.5</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
77/905	SUBMITTED TEXT	35 WORDS	54% MATCHING TEXT	35 WORDS
<p>answerable to any court for the exercise and performance of the powers and NSOU ? CC-PS-02 51 functions of their office or any act done or to be done in the exercise of their powers and</p> <p>SA ravinddra vashita project 2.pdf (D110813839)</p>				
78/905	SUBMITTED TEXT	17 WORDS	60% MATCHING TEXT	17 WORDS
<p>the President or the Governor of a state in any court during his/her term of office. iii. No</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

79/905	SUBMITTED TEXT	22 WORDS	97% MATCHING TEXT	22 WORDS		
<p>the state shall not discriminate against any citizen on grounds only of religion, caste, sex, place of birth, or any of them</p> <p>SA INDIAN POLITY.docx (D56247133)</p>						
80/905	SUBMITTED TEXT	29 WORDS	96% MATCHING TEXT	29 WORDS		
<p>be subject to any disability, liability, restriction, or condition with regard to a. Access to shops, public restaurants, hotels, places of public entertainment or the use of Wells, Tanks, Bathing Ghats, Roads</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>						
81/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS		
<p>Article shall prevent the state from making any special provisions for the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>						
82/905	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS		
<table border="0"> <tr> <td style="width: 50%;"> <p>the State from making any special provision for the advancement of any economically weaker sections of citizens,</p> </td> <td style="width: 50%;"> <p>the state to make any special provision for the advancement of any economically weaker sections of citizens. 2.</p> </td> </tr> </table> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>					<p>the State from making any special provision for the advancement of any economically weaker sections of citizens,</p>	<p>the state to make any special provision for the advancement of any economically weaker sections of citizens. 2.</p>
<p>the State from making any special provision for the advancement of any economically weaker sections of citizens,</p>	<p>the state to make any special provision for the advancement of any economically weaker sections of citizens. 2.</p>					
83/905	SUBMITTED TEXT	24 WORDS	88% MATCHING TEXT	24 WORDS		
<p>Article shall prevent the State from making any special provision for the advancement of the socially and educationally backward classes of people or for the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>						

84/905	SUBMITTED TEXT	40 WORDS	74% MATCHING TEXT	40 WORDS
<p>Article 16 stipulates that, 1. There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. 2. No citizen shall, on grounds of religion, race, caste, sex, descent, place of birth or</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

85/905	SUBMITTED TEXT	24 WORDS	45% MATCHING TEXT	24 WORDS
<p>The claims of the people belonging to Scheduled Castes or Tribes shall be taken into consideration in matters of appointment to services and posts</p>				
<p>The claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts</p>				
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

86/905	SUBMITTED TEXT	16 WORDS	94% MATCHING TEXT	16 WORDS
<p>provision for the reservation of appointments or posts in favour of any economically weaker sections of citizens</p>				
<p>provision for the reservation of upto 10% appointments or posts in favour of any economically weaker sections of citizens.</p>				
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

87/905	SUBMITTED TEXT	28 WORDS	83% MATCHING TEXT	28 WORDS
<p>or appointment in favour of any backward classes of citizens who, in the view of the State, are not adequately represented in the services under the State (Article 16 (4))</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

88/905	SUBMITTED TEXT	25 WORDS	98% MATCHING TEXT	25 WORDS
<p>abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with law."</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

89/905	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>The Article enshrines : 6. No title, not being a military or academic distinction, shall be conferred by the State 7.</p>		<p>the Constitution. Article 18(1) declares: 'No title, not being a military or academic distinction shall be conferred by the state'.</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
90/905	SUBMITTED TEXT	25 WORDS	64% MATCHING TEXT	25 WORDS
<p>any title from any foreign State 9. No person holding any office of profit or trust under the State shall, without the consent of the President,</p>		<p>any title from any foreign state. (c) A foreigner holding any office of profit or trust under the state cannot accept any title from any foreign state without the consent of the president. (</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
91/905	SUBMITTED TEXT	14 WORDS	85% MATCHING TEXT	14 WORDS
<p>to any disability with regard to access to any shop, public restaurant, hotel, or</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
92/905	SUBMITTED TEXT	57 WORDS	82% MATCHING TEXT	57 WORDS
<p>Right to freedom of speech and expression f. Right to assemble peacefully and without arms g. Right to form associations or unions h. Right to move freely throughout the territory of India i. Right to reside and settle in any part of the territory of India j. Right to practice any profession, or to carry on any occupation, trade or business 4.7</p>		<p>Right to freedom of speech and expression. (ii) Right to assemble peaceably and without arms. (Right to form associations or unions or co-operative societies.10a (iv) to move freely throughout the territory of India. (v) Right to reside and settle in any part of the territory of India. (Right to practice any profession or to carry on any occupation, trade or business.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
93/905	SUBMITTED TEXT	17 WORDS	88% MATCHING TEXT	17 WORDS
<p>accept any present, emolument, or office of any kind from or under any foreign State. The constitution of</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

94/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>No person shall be convicted of any offence except for violation of</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>No person shall be (i) convicted of any offence except for violation of</p>		
95/905	SUBMITTED TEXT	34 WORDS	77% MATCHING TEXT	34 WORDS
<p>No person shall be prosecuted and punished for the same offence more than once. 12. No person accused of any offence shall be compelled to be a witness against himself. Protection of Life and Personal Liberty. Article 21</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>No person shall be prosecuted and punished for the same offence more than once.' And, Clause 3 says that 'no person accused of any offence shall be compelled to be a witness against himself.' Framing of the Indian Constitution NOTES Self-Instructional Material 33 Right to Life and Personal Liberty (Article 21)</p>		
96/905	SUBMITTED TEXT	22 WORDS	89% MATCHING TEXT	22 WORDS
<p>and personal liberty. It says, "No person shall be deprived of his life or personal liberty except according to procedure established by law."</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>and Personal Liberty (Article 21) no person shall be deprived of his life or personal liberty, except according to procedure established by law.</p>		
97/905	SUBMITTED TEXT	15 WORDS	75% MATCHING TEXT	15 WORDS
<p>The newly added Article 21 reads thus, "The State shall provide free and compulsory education</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>The newly-added Article 21- A declares the State shall provide free and compulsory education</p>		
98/905	SUBMITTED TEXT	16 WORDS	73% MATCHING TEXT	16 WORDS
<p>The arrested person must be produced before nearest Magistrate within 24 hours of arrest and the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>the arrested person be produced before the nearest magistrate within 24 hours of his arrest, excluding the</p>		

99/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>children of the age of six to fourteen years in such manner as the State may, by law, determine.”</p> <p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
100/905	SUBMITTED TEXT	63 WORDS	93% MATCHING TEXT	63 WORDS
<p>Traffic in human beings and begar and similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law 3. Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service, the State shall not make any discrimination on grounds only of religion, race, caste or class of</p> <p>Traffic in human beings and beggar and similar other forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.” “Nothing in this article shall prevent the state from imposing compulsory service for public purposes and in imposing such service the state shall not make any discrimination on grounds only of religion, race, caste of or any of</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
101/905	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>could not be challenged on the pretext of violation of fundamental rights</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
102/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>freedom of conscience and free profession, practice and propagation of religion.</p> <p>freedom of conscience and free profession, practice and propagation of religion,</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
103/905	SUBMITTED TEXT	31 WORDS	85% MATCHING TEXT	31 WORDS
<p>that, “No child below the age of fourteen years, shall be NSOU ? CC-PS-02 57 employed to work in any factory or mine or engaged in any other hazardous employment.” This Article</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

104/905	SUBMITTED TEXT	12 WORDS	90% MATCHING TEXT	12 WORDS
<p>that: 3. "Subject to Public order, Morality, Health and to other provisions</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
105/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion. 4.</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
106/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>any economic, financial, political or other secular activity which may be associated with religious practice;</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
107/905	SUBMITTED TEXT	17 WORDS	97% MATCHING TEXT	17 WORDS
<p>reform or throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus."</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
108/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>to payment of taxes for promotion of any particular religion.</p> <p>to payment of taxes for promotion of any particular religion</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
109/905	SUBMITTED TEXT	29 WORDS	100% MATCHING TEXT	29 WORDS
<p>No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious</p> <p>No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

110/905	SUBMITTED TEXT	38 WORDS	93% MATCHING TEXT	38 WORDS
<p>to establish and maintain institutions for religious and charitable purposes; 2. to manage its own affairs in matters of religion; 3. to own and acquire movable and immovable property; and 4. to administer such property in accordance with law. Article 27 is</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
111/905	SUBMITTED TEXT	29 WORDS	90% MATCHING TEXT	29 WORDS
<p>the freedom as to attendance at religious worship in certain educational institutions. It enshrines; "(1) No religious instructions shall be provided in any educational institution wholly maintained out of State funds. (2)</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
112/905	SUBMITTED TEXT	25 WORDS	100% MATCHING TEXT	25 WORDS
<p>educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
113/905	SUBMITTED TEXT	34 WORDS	95% MATCHING TEXT	34 WORDS
<p>No person attending any educational institution recognized by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

114/905	SUBMITTED TEXT	47 WORDS	90% MATCHING TEXT	47 WORDS
<p>any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. (2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds of any religion, race, caste, language</p>		<p>any part of having a distinct language, script or culture of its own, shall have the right to conserve the same. no citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, or language.</p>		
W	https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...			
115/905	SUBMITTED TEXT	14 WORDS	80% MATCHING TEXT	14 WORDS
<p>any religious worship that may be conducted in such institution or in any premises attached</p>				
SA	Political Process & Politics in India (EM).pdf (D139291481)			
116/905	SUBMITTED TEXT	19 WORDS	95% MATCHING TEXT	19 WORDS
<p>All minorities whether based on religion, language shall have the right to establish and administer educational institutions of their choice. (1</p>				
SA	INDIAN POLITY.docx (D56247133)			
117/905	SUBMITTED TEXT	16 WORDS	97% MATCHING TEXT	16 WORDS
<p>that "the right to move the Supreme Court by appropriate proceedings for the enforcement of the rights</p>		<p>that the right to move the Supreme Court by appropriate proceedings for the enforcement of fundamental rights</p>		
W	https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...			
118/905	SUBMITTED TEXT	30 WORDS	76% MATCHING TEXT	30 WORDS
<p>granting aid to educational institutions, discriminate against any educational institution on the ground that it is managed by a minority, whether based on religion or language." 4.11 Right to Constitutional Remedies (</p>				
SA	INDIAN POLITY book.docx (D57972790)			

119/905	SUBMITTED TEXT	25 WORDS	66% MATCHING TEXT	25 WORDS
<p>fundamental rights. The power to issue writs for the enforcement of the fundamental rights has been conferred on the Supreme Court (Article 32) and High Courts (</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>		<p>Fundamental Rights. The power to issue writs for the enforcement of the Fundamental Rights is given by the Constitution the Supreme court and High courts. (</p>		
120/905	SUBMITTED TEXT	25 WORDS	79% MATCHING TEXT	25 WORDS
<p>the Supreme Court to issue writs including writs in the nature of habeas corpus, mandamas, prohibition, quo warranto and certiorari for the enforcement of any rights. The</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
121/905	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS
<p>The Supreme Court and the High Courts have been given the power to protect these fundamental rights</p> <p>SA INDIAN POLITY.docx (D56247133)</p>				
122/905	SUBMITTED TEXT	23 WORDS	57% MATCHING TEXT	23 WORDS
<p>Readings 1. Bakshi, P.M. The Constitution of India : Delhi, Universal Law Publishing, 2000. 2. Basu, Durga Das, Introduction to the Constitution of India :</p> <p>SA Combine File.docx (D58915711)</p>				
123/905	SUBMITTED TEXT	12 WORDS	91% MATCHING TEXT	12 WORDS
<p>New Delhi, 1976. 6. Pylee, M.V., India's Constitution, New Delhi, S. Chand, 2016 (</p> <p>SA Combine File.docx (D58915711)</p>				

124/905	SUBMITTED TEXT	16 WORDS	66% MATCHING TEXT	16 WORDS
<p>the Directive Principles and the Fundamental Rights 5.4 Features of the Directive Principles of State Policy 5.5</p>		<p>the Directive Principles and the Fundamental Rights as the 'Conscience of the Constitution'2 . FEATURES OF THE DIRECTIVE PRINCIPLES 1. The phrase 'Directive Principles of State Policy'</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
125/905	SUBMITTED TEXT	24 WORDS	62% MATCHING TEXT	24 WORDS
<p>the Directive Principles and the Fundamental Rights. ? To study the important features of the Directive Principles. ? To describe the Directive Principles of State Policy</p>		<p>the Directive Principles and the Fundamental Rights as the 'Conscience of the Constitution'2 . FEATURES OF THE DIRECTIVE PRINCIPLES 1. The phrase 'Directive Principles of State Policy'</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
126/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Chaube, S.K., The Making and Working of the Indian Constitution, New Delhi:</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
127/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the directive principles of state policy as enshrined in the</p>		<p>the Directive Principles of State Policy as enshrined in the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
128/905	SUBMITTED TEXT	13 WORDS	85% MATCHING TEXT	13 WORDS
<p>Directive Principles of state policy exist in the Part-IV of the Indian constitution.</p>				
<p>SA Combine File.docx (D58915711)</p>				
129/905	SUBMITTED TEXT	23 WORDS	60% MATCHING TEXT	23 WORDS
<p>for a modern democratic State that aimed towards inculcating the ideals of justice, liberty, equality and fraternity as given in the Preamble. The</p>		<p>for a modern democratic State. They aim at realising high ideals of justice, liberty, equality and fraternity as outlined in the Preamble to the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

130/905	SUBMITTED TEXT	32 WORDS	64% MATCHING TEXT	32 WORDS
<p>enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws.</p>		<p>enforceable by any court, but the principles laid down therein are fundamental in the governance of the country, it the duty of the State to apply these principles in making laws</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
131/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>Article 38. State to secure a social order for the promotion of welfare of the people : (1)</p>		<p>Article 38: State to secure a social order for the promotion of welfare of the people 4.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
132/905	SUBMITTED TEXT	38 WORDS	100% MATCHING TEXT	38 WORDS
<p>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. (2)</p>		<p>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'.</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
133/905	SUBMITTED TEXT	32 WORDS	71% MATCHING TEXT	32 WORDS
<p>Directive Principles of State Policies are not enforceable in a court of law. ? They were made non-justifiable considering that the State may not have enough resources to implement all of them</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
134/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Article 39. Certain principles of policy to be followed by the State.—</p>		<p>Article 39: Certain Principles of Policy to be followed by the State 5.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

135/905	SUBMITTED TEXT	25 WORDS	100% MATCHING TEXT	25 WORDS
<p>The State shall, in particular, direct its policy towards securing— (a) that the citizens, men and women equally, have the right to an adequate means of livelihood;</p>		<p>The State shall in particular, direct its policy towards securing (a) that the citizens, men and women equally, have the right to an adequate means of livelihood; (</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
136/905	SUBMITTED TEXT	94 WORDS	97% MATCHING TEXT	94 WORDS
<p>b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good; (c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment; (d) that there is equal pay for equal work for both men and women; (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that</p>		<p>b) that the ownership and control of the material resources of the community are so distributed as best to sub-serve the common good; (c) that the operation of the economic system, does not result in the concentration of wealth the means of production to the common detriment; (d) that there is equal pay for equal work for both men and women; (e) that the health and strength of workers, men and women; and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; (f) that</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
137/905	SUBMITTED TEXT	38 WORDS	100% MATCHING TEXT	38 WORDS
<p>The State shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.</p>				
<p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
138/905	SUBMITTED TEXT	18 WORDS	89% MATCHING TEXT	18 WORDS
<p>to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.</p>		<p>to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. 2.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

139/905	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS
<p>The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.</p>		<p>the State shall take steps to organize village panchayats and endow them with powers and authority as may be necessary to enable them to function as units of self-government.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
140/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Article 41. Right to work, to education and to public assistance in certain cases.—</p>		<p>Article 41: Right to work, to education and to public assistance in certain cases 8.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
141/905	SUBMITTED TEXT	19 WORDS	89% MATCHING TEXT	19 WORDS
<p>The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and</p>				
<p>SA Combine File.docx (D58915711)</p>				
142/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement,</p>		<p>the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement (</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
143/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Article 42 : Provision for just and humane conditions of work and maternity relief.—</p>		<p>Article 42: Provision just and humane conditions of work and maternity relief 9.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
144/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>The State shall make provision for securing just and humane conditions of work and for maternity relief.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

145/905	SUBMITTED TEXT	32 WORDS	86% MATCHING TEXT	32 WORDS
<p>to all workers, agricultural, industrial or otherwise, work, aliving wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and socialand cultural opportunities and, in particular, the State shall</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
146/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>endeavour to promote cottage industries on an individual or co-operative basis in rural areas.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
147/905	SUBMITTED TEXT	28 WORDS	93% MATCHING TEXT	28 WORDS
<p>The State shall take steps, bysuitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organizations engaged in any industry.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
148/905	SUBMITTED TEXT	16 WORDS	97% MATCHING TEXT	16 WORDS
<p>The State shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
149/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Provision for early childhood care and education to children below the age of six years.—</p> <p>Provision for early childhood care and education to children below the age of six years 46.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

150/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
151/905	SUBMITTED TEXT	25 WORDS	92% MATCHING TEXT	25 WORDS
<p>The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. Article 46. Promotion of</p> <p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
152/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections. —</p> <p>SA Combine File.docx (D58915711)</p>				
153/905	SUBMITTED TEXT	44 WORDS	90% MATCHING TEXT	44 WORDS
<p>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. Article 47. Duty of the State</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
154/905	SUBMITTED TEXT	62 WORDS	88% MATCHING TEXT	62 WORDS
<p>standard of living and to improve public health. The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

155/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Article 48A. Protection and improvement of environment and safeguarding of forests and wild life</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>		<p>Article 48A: Protection and improvement of environment and safeguarding of forests and wild life 17.</p>		
156/905	SUBMITTED TEXT	41 WORDS	93% MATCHING TEXT	41 WORDS
<p>agriculture and animal husbandry.—The State shall endeavour to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
157/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Article 49. Protection of monuments and places and objects of national importance.—</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>		<p>Article 49: Protection of monuments and places and objects of national importance 18.</p>		
158/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
159/905	SUBMITTED TEXT	35 WORDS	100% MATCHING TEXT	35 WORDS
<p>to protect every monument or place or object of artistic or historic interest, declared by or under law made by Parliament to be of national importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

160/905	SUBMITTED TEXT	24 WORDS	94% MATCHING TEXT	24 WORDS
<p>State shall take steps to separate the judiciary from the executive in the public services of the State. Article 51. Promotion of international peace and security.—</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
161/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>the Directive Principles of State Policy In the Indian constitution, the Directive Principles of State Policy</p> <p>the Directive Principles of State Policy (c) the Fundamental Rights and the Directive Principles of State Policy (</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
162/905	SUBMITTED TEXT	17 WORDS	61% MATCHING TEXT	17 WORDS
<p>it is the duty of the state to keep these principles in mind at the time of</p> <p>It is the duty of the state to follow these principles both in the matter of</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
163/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>the Directive Principles of State Policy? 2. Discuss the significance of the Directive Principles of State Policy.</p> <p>the Directive Principles of State Policy (c) the Fundamental Rights and the Directive Principles of State Policy (</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
164/905	SUBMITTED TEXT	41 WORDS	96% MATCHING TEXT	41 WORDS
<p>The State shall endeavour to (a) Promote international peace and security; (b) Maintain just and honourable relations between nations; (c) Foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and (d) Encourage settlement of international disputes by arbitration. 5.6</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

165/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>Bakshi, P.M. The Constitution of India, Delhi, Universal Law Publishing, 2000. 2.</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
166/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>Morris, The Government and Politics of India : London Hutchinson University Library, 1967. 5.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
167/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Pylee, M.V. India's Constitution : New Delhi, S. Chand</p> <p>SA Combine File.docx (D58915711)</p>				
168/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>the upper house or the Council of States and the lower house or the</p> <p>the upper house named the Council of States and the lower house named the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
169/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Prentice-Hall of India, 2008. 9. Basu, D.D., Introduction to the Constitution of India,</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
170/905	SUBMITTED TEXT	20 WORDS	52% MATCHING TEXT	20 WORDS
<p>House of the People. The House of the People is commonly known as the Lok Sabha. It is the lower</p> <p>SA 16MB04IndianParliament.pdf (D22450078)</p>				

171/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>members are to be chosen by direct election from territorial constituencies in the States.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
172/905	SUBMITTED TEXT	17 WORDS	83% MATCHING TEXT	17 WORDS
<p>Though the Constitution has abolished the system of Communal electorates, it provides for the reservation of seats for</p> <p>Though the Constitution has abandoned the system of communal representation, it provides for the reservation of seats for</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
173/905	SUBMITTED TEXT	17 WORDS	64% MATCHING TEXT	17 WORDS
<p>in such a manner that the ratio between the number of the representatives and the size of</p> <p>in such a manner that the ratio between the population of each constituency and the number of</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
174/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>For this purpose, each State is allotted a certain number of seats on the</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
175/905	SUBMITTED TEXT	42 WORDS	69% MATCHING TEXT	42 WORDS
<p>the same for all the units of the Indian Union. Each state is therefore, divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it, is as far as practicable</p> <p>the state. For the of elections, each state shall divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it, as far as practicable,</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
176/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>between the different States and (b) as between the different constituencies in the same State.</p> <p>between the different states, and b) between the different constituencies in the same state.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

177/905	SUBMITTED TEXT	80 WORDS	92% MATCHING TEXT	80 WORDS
<p>there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State. As regards the House of</p>		<p>there shall be allotted to each State a number of seats in the House of the People in such manner that the ration between that number and the population of the State is, so far as practicable, the same for all States; and (each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State: Provided the provisions of</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
178/905	SUBMITTED TEXT	15 WORDS	66% MATCHING TEXT	15 WORDS
<p>the number of seats in the Lok Sabha on the basis of the latest census</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
179/905	SUBMITTED TEXT	16 WORDS	83% MATCHING TEXT	16 WORDS
<p>Must not hold any office of profit under the Government of India or of some State</p>		<p>must not hold any office of profit under the Government of India or the Government of State</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
180/905	SUBMITTED TEXT	16 WORDS	93% MATCHING TEXT	16 WORDS
<p>years of age. 3. Must possess all other qualifications that are prescribed by law of the Parliament. 4.</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
181/905	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>for disqualification The Constitution has laid down certain disqualifications for membership. These are</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

182/905	SUBMITTED TEXT	17 WORDS	70% MATCHING TEXT	17 WORDS
<p>voluntarily acquires the citizenship of another country or is under any acknowledgement of allegiance to a foreign State.</p>		<p>voluntarily acquired the citizenship of a foreign state or is under any acknowledgement of allegiance to a foreign state;</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
183/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>of certain election offences or corrupt practices in the elections. 2. He must not have been convicted</p>		<p>of certain election offences or corrupt practices in the elections. 2. He must not have been convicted</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
184/905	SUBMITTED TEXT	16 WORDS	91% MATCHING TEXT	16 WORDS
<p>He must not have failed to lodge an account of his/her election expenses within the time</p>		<p>He must not have failed to lodge an account of his election expenses within the time. 4.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
185/905	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>houses of Parliament or a member both of Parliament and of a State Legislature. 2.</p>		<p></p>		
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
186/905	SUBMITTED TEXT	32 WORDS	71% MATCHING TEXT	32 WORDS
<p>services. 5. He must not be a director or a managing agent nor hold an office of profit under any corporation in which the Government has any financial interest. 6. He must not have</p>		<p>services. 5. He must not be a director or managing agent nor hold an office of profit in a corporation in which the government has at least 25 per cent share. 6. He must not have</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
187/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>cannot be challenged in a court of law. When the</p>		<p>cannot be challenged in a Court of Law. 2. When the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

188/905	SUBMITTED TEXT	32 WORDS	65% MATCHING TEXT	32 WORDS
<p>the Lok Sabha The normal term of the Lok Sabha is five years. It begins from the date of its first meeting. The President is empowered to dissolve Lok Sabha at any time</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
189/905	SUBMITTED TEXT	22 WORDS	90% MATCHING TEXT	22 WORDS
<p>shall meet atleast twice a year and the interval between two consecutive sessions shall be less than six months. The time and</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
190/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>place of meeting will be decided by the President who will summon the house to meet. He/</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
191/905	SUBMITTED TEXT	15 WORDS	80% MATCHING TEXT	15 WORDS
<p>of opinion between the two houses, the President is required to call a Joint Session</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
192/905	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>in the Union List and the Concurrent List but in case of</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
193/905	SUBMITTED TEXT	30 WORDS	36% MATCHING TEXT	30 WORDS
<p>Executive : The Lok Sabha exercises control over the Executive. According to the Indian Constitution the Union Council of Ministers headed by the Prime Minister shall be collectively responsible to the</p> <p>SA Combine File.docx (D58915711)</p>				

194/905	SUBMITTED TEXT	23 WORDS	52% MATCHING TEXT	23 WORDS
<p>powers of the Speaker to decide whether a bill is a money bill or not. It is therefore, clear that the Lok Sabha</p>		<p>powers. 5. The final to decide whether a particular bill is a Money Bill or not vested in the Speaker of the Lok Sabha. 6.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
195/905	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS
<p>the Lok Sabha alone. Again, Rajya Sabha has no power to vote on the demand for grants</p>		<p>the Lok Sabha. (b) The Rajya Sabha has no power to vote on the demand for grants;</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
196/905	SUBMITTED TEXT	17 WORDS	70% MATCHING TEXT	17 WORDS
<p>a Money bill can originate only in the Lok Sabha. It is sent to the Rajya Sabha</p>				
<p>SA 16MB04IndianParliament.pdf (D22450078)</p>				
197/905	SUBMITTED TEXT	15 WORDS	70% MATCHING TEXT	15 WORDS
<p>the removal of the Chief Justice and the Judges of the Supreme and High Court. 5.</p>				
<p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
198/905	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>the Union Public Service Commission, Comptroller and Auditor General of India,</p>				
<p>SA Combine File.docx (D58915711)</p>				
199/905	SUBMITTED TEXT	24 WORDS	77% MATCHING TEXT	24 WORDS
<p>Each house of Parliament has its own presiding officer and secretarial staff. There shall be Speaker to preside over the House of the People.</p>				
<p>SA ravindra vashita project 2.pdf (D110813839)</p>				

200/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>the house and because the house represents the Nation, in a particular way, the Speaker becomes the symbol of</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
201/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>a resolution of the house passed by a majority of all the then members of the house.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
202/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Usually a member belonging to the ruling party is elected</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
203/905	SUBMITTED TEXT	25 WORDS	93% MATCHING TEXT	25 WORDS
<p>the house. There are also instances when members not belonging to a ruling party or coalition were elected to the office of the Speaker.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
204/905	SUBMITTED TEXT	26 WORDS	39% MATCHING TEXT	26 WORDS
<p>The Speaker or a Deputy Speaker will normally hold office during the life of the house, but his/her office may terminate earlier in any of the following</p> <p>the Speaker, the Deputy Speaker remains in office usually during the life of the assembly. However, he also vacates his office earlier in any of the following</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
205/905	SUBMITTED TEXT	17 WORDS	92% MATCHING TEXT	17 WORDS
<p>presides over the sitting in which the Speaker is elected, if it is a newly constituted house. Tenure The</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

206/905	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
<p>from office by a resolution, passed by a majority of all the then members of</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
207/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the provisions of the Constitution and the Rules of Procedure</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
208/905	SUBMITTED TEXT	26 WORDS	100% MATCHING TEXT	26 WORDS
<p>The Speaker's authority over the Secretariat staff of the house, its precincts and its security arrangements is supreme. All strangers, visitors and press correspondent are subject to</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
209/905	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>addition can be made in the Parliament house, and no new structure can be erected in the Parliament Estate without the Speaker's permission.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
210/905	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
<p>a bill is a money bill or not. He/she</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
211/905	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS
<p>Each state is divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it, is</p> <p>Each state is divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it is</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

212/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the Lok Sabha is more powerful than the Rajya Sabha.</p> <p>SA Aastha Dissertation.docx (D105061028)</p>				
213/905	SUBMITTED TEXT	20 WORDS	80% MATCHING TEXT	20 WORDS
<p>The normal term of the Lok Sabha is five years which begins from the date of its first meeting. ? The</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
214/905	SUBMITTED TEXT	24 WORDS	79% MATCHING TEXT	24 WORDS
<p>shall meet atleast twice a year and the interval between two consecutive sessions shall be less than six months. ? The powers and functions of</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
215/905	SUBMITTED TEXT	23 WORDS	52% MATCHING TEXT	23 WORDS
<p>and session of the lower house. 2. Analyse the powers and functions of the Lok Sabha. 3. Examine the powers and functions of the</p> <p>and functions of the Prime Minister. 6. Examine the powers and functions of the Governor. 7. Critically evaluate the powers and functions of the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
216/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the provisions of the Constitution and the Rules of Procedure</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
217/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>D.D. An Introduction to the Constitution of India, Prentice Hall of India, New Delhi. 1992. 3.</p> <p>SA RKV Suresh.pdf (D23739605)</p>				

218/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
to the Rules of Procedure and Conduct of Business in		to the Rules of Procedure and Conduct of Business in		
W	https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html			
219/905	SUBMITTED TEXT	25 WORDS	46% MATCHING TEXT	25 WORDS
The President summons the sessions of the houses of Parliament. It is necessary that there should not be a gap of more than six months		the President shall revoke the national emergency. SESSIONS OF PARLIAMENT The sessions of Parliament are convened at the discretion of the President. However, there should not be a gap of more than six months		
W	https://pdfcoffee.com/indian-constitution-4-pdf-free.html			
220/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha then the		the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha 357. The		
W	https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf			
221/905	SUBMITTED TEXT	22 WORDS	69% MATCHING TEXT	22 WORDS
It means that there must be at least 55 members present in the Lok Sabha, if the work is to be conducted.		It means that there must be at least 55 members present in the Lok Sabha and 25 members present in the Rajya Sabha, if any business is to be conducted.		
W	https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...			
222/905	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
New Delhi. 2008. 5. Awasthy, S.S. Indian Government and Politics, Har Anand Publications,				
SA	Combine File.docx (D58915711)			
223/905	SUBMITTED TEXT	12 WORDS	84% MATCHING TEXT	12 WORDS
Questions are of three types–Starred, Unstarred and Short Notice. A Starred question		questions are of three kinds, namely, starred, unstarred and short notice. A starred question (
W	https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...			

224/905	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>the Constitution and in the Rules of Procedure and Conduct of Business</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
225/905	SUBMITTED TEXT	18 WORDS	80% MATCHING TEXT	18 WORDS
<p>prior permission of the Speaker call attention of a Minister on any matter or of urgent public importance.</p> <p>prior permission of the Speaker, call the attention of a minister to any matter of urgent public importance</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
226/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the Council of Ministers is collectively responsible to the Lok Sabha,</p> <p>the Council of Ministers is collectively responsible to the Lok Sabha.</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
227/905	SUBMITTED TEXT	15 WORDS	86% MATCHING TEXT	15 WORDS
<p>is tabled in pursuance of a provision of the Constitution or an Act of Parliament,</p> <p>is always tabled in pursuance of a provision in the Constitution or an Act of Parliament.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
228/905	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>passed by both houses of Parliament and assented to by the President,</p> <p>passed by both the Houses of Parliament and assented by the President,</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
229/905	SUBMITTED TEXT	17 WORDS	89% MATCHING TEXT	17 WORDS
<p>If a Private member desires to introduce a bill, he/she must give notice of his/her intention to</p> <p>If a private member desires to introduce a Bill he / she has to give notice of his / her intention to</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

230/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>has been provided in the Rules of Procedure and Conduct of Business</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
231/905	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
<p>The introduction of the bill is also called the first reading of the bill.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
232/905	SUBMITTED TEXT	34 WORDS	86% MATCHING TEXT	34 WORDS
<p>may be referred to a Select Committee of the house 3. It may be referred to a Joint Committee of both the houses. 4. It may be circulated for the purpose of eliciting public opinion</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
233/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>if the bill is passed by both the houses again with or without amendments</p> <p>If the bill is passed by both the Houses again with or without amendments</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
234/905	SUBMITTED TEXT	28 WORDS	60% MATCHING TEXT	28 WORDS
<p>to the President for the second time. At this stage the President shall not withhold his/her assent. After receiving the assent of the President, the bill becomes an Act</p> <p>to the President for the second time. At this stage the President cannot withhold his assent. The bill after receiving the assent of the President becomes an Act.</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				

235/905	SUBMITTED TEXT	34 WORDS	41% MATCHING TEXT	34 WORDS
<p>the imposition, abolition, remission or alteration of any tax or regulation or borrowing of money by the Government or the payment of money into or their withdrawals from the Consolidated or the Contingency Fund of India,</p>		<p>The imposition, abolition, remission, alteration or regulation of any tax; 2. The regulation of the borrowing of money by the Union The custody of the Consolidated Fund of India or the contingency fund of India,</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
236/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>bill, must be passed by both the houses of the Parliament.</p>		<p>bill must be passed by both the Houses of the Parliament.</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
237/905	SUBMITTED TEXT	13 WORDS	92% MATCHING TEXT	13 WORDS
<p>must be passed by the Parliament and assented to by the President within</p>		<p>must be enacted (i.passed by the Parliament and assented to by the president) within 75</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
238/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>the Appropriation Bill. It incorporates all the demands for grants voted by</p>		<p>the appropriation bill which incorporates all the demands for grants voted by</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
239/905	SUBMITTED TEXT	26 WORDS	82% MATCHING TEXT	26 WORDS
<p>assent. This is normally the last stage. If the President gives his/ her assent, the bill becomes an Act and is placed on the Statute Book.</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
240/905	SUBMITTED TEXT	19 WORDS	72% MATCHING TEXT	19 WORDS
<p>Committee on Government Assurances, Committee on Subordinate Legislation, Committee on papers laid on the Table of the house, Committee on</p>		<p>Committee on Government Assurances (b) Committee on Subordinate Legislation (Committee on Papers Laid on the Table (Committee on</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

241/905	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>General Purposes Committee, house Committee, Library Committee, Joint Committee on Salaries and Allowances of</p>		<p>General Purposes Committee (b) House Committee (c) Library Committee (d) Joint Committee on Salaries and Allowances of</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
242/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>the Rajya Sabha. The members of the committee are elected by the</p>		<p>the Rajya Sabha). The members of this committee are elected by the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
243/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>of estimated expenditure for the entire year under various demands for grants.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
244/905	SUBMITTED TEXT	56 WORDS	81% MATCHING TEXT	56 WORDS
<p>administrative reform, consistent with the policy underlying the estimates may be effected. b) To suggest alternative policies in order to bring about efficiency and economy in administration. c) To examine whether the money is well laid out within the limits of the policy implied in the estimates, and d) To suggest the form in which the estimates shall be presented to the Parliament.</p>		<p>administrative reforms, consistent with the policy underlying the estimates, may be To suggest alternative policies in order to bring out the efficiency and economy in the To examine whether the money is well laid out within the limits of the policy implied in the estimates • To suggest the form in which the estimates shall be presented to the Parliament 3.5.1</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
245/905	SUBMITTED TEXT	23 WORDS	52% MATCHING TEXT	23 WORDS
<p>be a member of the committee. The term of office of the members is not to exceed one year. The function of the committee</p>		<p>be a member of the Committee from the date of such appointment. The term of office of the Committee is one year. Functions The functions of Estimates Committee</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

246/905	SUBMITTED TEXT	47 WORDS	73% MATCHING TEXT	47 WORDS
<p>the appropriation accounts and the report of the Comptroller and Auditor General of India. The committee should satisfy itself the following :- a) That the money shown in the accounts having been disbursed, were legally available for and applicable to the service or purpose to which they have been applied or charged.</p>		<p>the Appropriation Accounts and the Reports of the Comptroller and Auditor-General thereon, it is the duty the Committee to satisfy itself: 1. That the money shown in the accounts as having been disbursed were legally available for and, applicable to the service or purpose to which they have been applied or charged. 2.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
247/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>That the expenditure conforms to the authority which governs it</p>		<p>That the expenditure conforms to the authority which governs it. 3.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
248/905	SUBMITTED TEXT	23 WORDS	84% MATCHING TEXT	23 WORDS
<p>c) That every reappropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority. It</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
249/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>of the Comptroller and Auditor General. The Comptroller and Auditor General</p>		<p>of the Comptroller and Auditor-General: 1. The Comptroller and Auditor-General</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
250/905	SUBMITTED TEXT	36 WORDS	78% MATCHING TEXT	36 WORDS
<p>and report to the house whether the powers to make regulations, rules, sub-rules, bye rules etc. conferred by the Constitution or delegated by the Parliament are being properly exercised within the limits of such delegation. The Committee on Government Assurances</p>		<p>and reports to the House whether the powers to make regulations, rules, sub-rules, by-laws, etc. conferred by the Constitution or delegated by the Parliament are being properly exercised by the Executive within the scope of such delegation? (a) Committee on Government Assurances (</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

251/905	SUBMITTED TEXT	36 WORDS	66% MATCHING TEXT	36 WORDS
<p>also the duty of the committee to examine the statements of accounts showing the income and expenditure of State Corporations, and Manufacturing concerns, autonomous and semi autonomous bodies, together with their balance sheets and profit and loss accounts. Unlike the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
252/905	SUBMITTED TEXT	17 WORDS	88% MATCHING TEXT	17 WORDS
<p>assurances, promises, undertakings etc. given by ministers from time to time on the floor of the house and</p> <p>assurances, promises and undertakings given by ministers from time to time on the floor of the House and</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
253/905	SUBMITTED TEXT	33 WORDS	81% MATCHING TEXT	33 WORDS
<p>to consider matters of procedure and conduct of business in the house and to recommend any amendments or additions to these rules that may be deemed necessary. The Committee is nominated by the Speaker and</p> <p>to consider matters of procedure and conduct of business in the Council and to recommend any amendments or additions to these rules that may be deemed necessary. Constitution 1. The Committee on Rules shall be nominated by the Chairman and</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
254/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>whether their affairs are being managed in accordance with sound business principles and prudent commercial practices.</p> <p>whether their affairs are being managed in accordance with sound business principles and prudent commercial practices.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
255/905	SUBMITTED TEXT	20 WORDS	84% MATCHING TEXT	20 WORDS
<p>accounts of the Public Undertakings b) The reports, if any, of the Comptroller and Auditor General on the Public Undertakings c) To</p> <p>SA Combine File.docx (D58915711)</p>				

256/905	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>passed by both houses of Parliament and assented to by the President,</p>		<p>passed by both the Houses of Parliament and assented by the President,</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
257/905	SUBMITTED TEXT	22 WORDS	75% MATCHING TEXT	22 WORDS
<p>Basu D.D. An Introduction to the Constitution of India, Prentice Hall of India, New Delhi. 1992. 2. Pylee, M.V. India's Constitution, S. Chand</p>				
<p>SA Combine File.docx (D58915711)</p>				
258/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Rules of Procedure and Conduct of Business in the Lok Sabha. 2014.</p>		<p>Rules of Procedure and Conduct of Business in the Sabha.</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
259/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>New Delhi. 2008. 5. Awasthy, S.S. Indian Government and Politics, Har Anand Publications,</p>				
<p>SA Combine File.docx (D58915711)</p>				
260/905	SUBMITTED TEXT	23 WORDS	79% MATCHING TEXT	23 WORDS
<p>there shall be a President of India. Article 53 declares that the executive power of the Union shall be vested in the President.</p>		<p>There shall be a President of ARTICLE 53 : EXECUTIVE POWER THE UNION (1) The executive power of the Union shall be vested in the President</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
261/905	SUBMITTED TEXT	27 WORDS	57% MATCHING TEXT	27 WORDS
<p>Parliamentary form of government in which the President happens to be the constitutional head and the real executive powers vested in the Council of Ministers. The Prime Minister</p>		<p>Parliamentary form of government therefore is that in it the head of the State is the constitutional or formal head the real executive powers are vested in the Council of Ministers headed the Prime minister</p>		
<p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				

262/905	SUBMITTED TEXT	39 WORDS	41% MATCHING TEXT	39 WORDS
<p>of the executive. Article 74 mandates that there shall be a Council of Ministers to aid and advise the President in the exercise of his/her functions. It is further prescribed that the President shall act in accordance with such advice. The</p>		<p>of Constitution lays down that there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions in accordance with such advice. The</p>		
<p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
263/905	SUBMITTED TEXT	24 WORDS	43% MATCHING TEXT	24 WORDS
<p>the aid and advice of the Council of Ministers. 8.3 Essential Qualifications Article 58 of the Constitution requires that a candidate for the office of the</p>		<p>the aid and advice of the council of ministers. Wherever the Constitution requires the satisfaction of the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
264/905	SUBMITTED TEXT	29 WORDS	35% MATCHING TEXT	29 WORDS
<p>the President of India. The Constitution of India provides for a President of India and the executive power of the Union Government including the supreme command of the defence forces,</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
265/905	SUBMITTED TEXT	23 WORDS	76% MATCHING TEXT	23 WORDS
<p>possess the following qualifications : 1. She/he must be a citizen of India. 2. She/he must have completed 35 years of age. 3. She/he must</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
266/905	SUBMITTED TEXT	37 WORDS	57% MATCHING TEXT	37 WORDS
<p>for election as a member of the Lok Sabha. 4. Besides she/he must hold any office of profit under the government of India NSOU ? CC-PS-02 115 or any State Government or any local authority subject to the control of</p>				
<p>SA Combine File.docx (D58915711)</p>				

267/905	SUBMITTED TEXT	16 WORDS	81% MATCHING TEXT	16 WORDS		
<p>he must not be a member of either house of Parliament or of any State Legislature.</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>						
268/905	SUBMITTED TEXT	26 WORDS	46% MATCHING TEXT	26 WORDS		
<p>shall be deemed to have been vacated from the date on which he/ she assumes his/her office as the President of India. 8.4 Election of the President</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>						
269/905	SUBMITTED TEXT	25 WORDS	82% MATCHING TEXT	25 WORDS		
<p>The President of India is elected by indirect election, that is, by an electoral college, in accordance with the system of proportional representation by means of</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>						
270/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <p>uniformity in the scale of representation of different states, as far as</p> </td> <td style="width: 50%;"> <p>uniformity in the scale of representation of different states as well as</p> </td> </tr> </table> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>					<p>uniformity in the scale of representation of different states, as far as</p>	<p>uniformity in the scale of representation of different states as well as</p>
<p>uniformity in the scale of representation of different states, as far as</p>	<p>uniformity in the scale of representation of different states as well as</p>					
271/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <p>in the Electoral College for the election of the President,</p> </td> <td style="width: 50%;"> <p>in the electoral college for the election of the president.</p> </td> </tr> </table> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>					<p>in the Electoral College for the election of the President,</p>	<p>in the electoral college for the election of the president.</p>
<p>in the Electoral College for the election of the President,</p>	<p>in the electoral college for the election of the president.</p>					
272/905	SUBMITTED TEXT	25 WORDS	94% MATCHING TEXT	25 WORDS		
<p>the Electoral College shall consist of – (a) The elected members of both houses of Parliament and (b) The elected members of the Legislative Assemblies of the States.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>						

273/905 SUBMITTED TEXT 21 WORDS **71% MATCHING TEXT** 21 WORDS

the President shall be a representative of the nation as well as a representative of the people in the different States.

SA ravinddra vashita project 2.pdf (D110813839)

274/905 SUBMITTED TEXT 19 WORDS **100% MATCHING TEXT** 19 WORDS

It also gives recognition to the status of the States in the federal system. The whole procedure of Presidential election

SA Political Process & Politics in India (EM).pdf (D139291481)

275/905 SUBMITTED TEXT 41 WORDS **59% MATCHING TEXT** 41 WORDS

<p>by the total number of the elected members of the Assembly. Moreover, if after taking the said multiples of one thousand, the remainder is more than 500 then the NSOU ? CC-PS-02 116 votes of each member shall be further increased by one.</p>	<p>by the total number of the elected members of the Assembly; (b) if, after taking the said multiples of one thousand, the remainder is not less than five hundred, then vote of member referred to in sub-clause (a) shall be further increased by one; (</p>
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W <https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html>

276/905 SUBMITTED TEXT 38 WORDS **88% MATCHING TEXT** 38 WORDS

with the help of the following steps : 1. Each elected member of a State Legislative Assembly shall have as many votes as there are the multiples of one thousand in the quotient by dividing the population of the State

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277/905 SUBMITTED TEXT 25 WORDS **73% MATCHING TEXT** 25 WORDS

formula may be put as under : Total number of votes
Population of the State = ----- ÷
1,000 of an elected M.L.A. Total no. of elected

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278/905	SUBMITTED TEXT	42 WORDS	75% MATCHING TEXT	42 WORDS
<p>the value of the votes of each of them will be: $5,000,000/50 = 100,000/1000 = 100$. 2. Each elected member of the Parliament shall have such number of votes as may be obtained by dividing the total number of votes assigned to all</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
279/905	SUBMITTED TEXT	13 WORDS	66% MATCHING TEXT	13 WORDS
<p>s of the country by the total strength of the elected M.P.'s is</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
280/905	SUBMITTED TEXT	20 WORDS	66% MATCHING TEXT	20 WORDS
<p>of the President shall be by secret ballot and in accordance with the system of proportional representation with single transferable vote.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
281/905	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>The Constitution is not clear as to what shall happen if the</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
282/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>The present system of Presidential election hardly provides any chance for the election of a non political personality.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
283/905	SUBMITTED TEXT	15 WORDS	64% MATCHING TEXT	15 WORDS
<p>The President holds his/her office for a period of five years from the date he/she</p> <p>The President holds Office for a term of five years (a) from the date on he / she</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

284/905	SUBMITTED TEXT	21 WORDS	59% MATCHING TEXT	21 WORDS
<p>the elected members of the Union and the State legislatures in accordance with the principle of proportional representation with single transferable vote</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
285/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>oath in the presence of the Chief Justice of India.</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
286/905	SUBMITTED TEXT	29 WORDS	94% MATCHING TEXT	29 WORDS
<p>When the vacancy is going to be caused by the expiration of the term of the sitting President, an election to fill the vacancy must be completed before the</p> <p>When the vacancy is going to be caused by the expiration of the term of the sitting President, an election to fill the vacancy must be held the</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
287/905	SUBMITTED TEXT	24 WORDS	72% MATCHING TEXT	24 WORDS
<p>the office of the President may be caused in any of the following ways- (i) On the expiry of his/her term of five years. (ii) By his/</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
288/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>be held as soon as possible after, and in no case later than, six months from the date of occurrence of the vacancy.</p> <p>be held as soon as possible after, and in no case later than six months from, the date of occurrence of the vacancy;</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
289/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>the President of India may be removed by the process of impeachment</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

290/905	SUBMITTED TEXT	37 WORDS	66% MATCHING TEXT	37 WORDS
	days' notice in writing signed by not less than ¼ of the total number of members of that house and (b) The resolution is then passed by a majority of not less than 2/3 of the total membership of the house.		days' notice in writing signed by not less than one-fourth of the total number of members of the House has given of their to move resolution, and (b) such has been by a majority of not less than two-thirds of the total membership of the House. (3)	
	W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html			

291/905	SUBMITTED TEXT	56 WORDS	60% MATCHING TEXT	56 WORDS
	the Constitution.' An impeachment is a quasi- judicial procedure in Parliament. Either house may prefer the charge of violation of the Constitution before the other house which shall then either investigate the charge itself, or cause the charge to be investigated. But the charge cannot be preferred by a house unless— (a) A resolution containing the proposal is moved after			
	SA Political Process & Politics in India (EM).pdf (D139291481)			

292/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
	the President has the power to summon and prorogue the Parliament and dissolve the Lok Sabha,		the President has the power to summon and prorogue either House Parliament from time to and to dissolve the Lok Sabha.	
	W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf			

293/905	SUBMITTED TEXT	24 WORDS	65% MATCHING TEXT	24 WORDS
	the Constitution, the executive power of the Union vested in the President who is empowered to exercise it either directly or through officers subordinate to him/		The Constitution under Art. 53 the executive power of the Union in the President who shall exercise powers either directly or through officers subordinate to him.	
	W https://pdfcoffee.com/indian-constitution-4-pdf-free.html			

294/905	SUBMITTED TEXT	79 WORDS	68% MATCHING TEXT	79 WORDS
<p>The President shall have a right to appear and to be represented at such investigation. If, as a result of the investigation, a resolution is passed by not less than 2/3 of the total membership of the house before which the charge has been preferred declaring that the charge has been sustained, such resolution shall have the effect of removing the President from his/her office with effect from the date on which such resolution is passed [Art 61]. Since the Constitution provides the</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
295/905	SUBMITTED TEXT	15 WORDS	66% MATCHING TEXT	15 WORDS
<p>of the President and all important decisions of the Government of India are formally taken</p>				
<p>of the President are: (a) All executive actions of the Government of India are formally taken</p>				
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
296/905	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
<p>for the consideration of the Council of Ministers in order to have the decision of the</p>				
<p>for the consideration of the Council of Ministers where the Governor requires him to have the decision of the</p>				
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
297/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Judge of the Supreme Court or of a High Court</p>				
<p>Judge of the Supreme Court or of a High Court.</p>				
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
298/905	SUBMITTED TEXT	12 WORDS	75% MATCHING TEXT	12 WORDS
<p>Every union territory is administered by him/her through an administrator appointed by him/</p>				
<p>Every union territory is administered by the President acting through an administrator appointed by him.</p>				
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

299/905	SUBMITTED TEXT	19 WORDS	76% MATCHING TEXT	19 WORDS
<p>is the Supreme Commander of the Defence Forces. He/she appoints the Chiefs of the Army, Navy and Air Force. He/</p>		<p>is the supreme commander of the defence forces of India. In that capacity, appoints the chiefs of the Army, the Navy and Air Force. He</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
300/905	SUBMITTED TEXT	20 WORDS	52% MATCHING TEXT	20 WORDS
<p>The President is the chief executive of the Indian administration. The supreme executive authority of the Union is vested in</p>				
<p>SA Aastha Dissertation.docx (D105061028)</p>				
301/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>The President has the power to summon and prorogue the session of the Parliament.</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
302/905	SUBMITTED TEXT	19 WORDS	68% MATCHING TEXT	19 WORDS
<p>The President nominates twelve members to the Rajya Sabha from among persons having special knowledge or practical experience in</p>		<p>The president nominates 12 members to the Rajya Sabha from people have special knowledge or practical experience in</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
303/905	SUBMITTED TEXT	30 WORDS	59% MATCHING TEXT	30 WORDS
<p>to address and send messages to the Parliament. He/she may address either house of the Parliament or both assembled together and for that purpose require the attendance of the members. The</p>		<p>TO ADDRESS AND SEND MESSAGES TO HOUSES (1) The may address either House of Parliament or both Houses assembled together, and for that purpose require the attendance of members. (2) The</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

304/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>to either house of Parliament with respect to a bill then pending or otherwise, and</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>to either House of Parliament, with respect to a Bill then pending in Parliament or otherwise, and</p>		
305/905	SUBMITTED TEXT	18 WORDS	60% MATCHING TEXT	18 WORDS
<p>the President has given his/her assent to them. The President has veto power over bills passed by the Parliament.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>the President must give his assent to the bill. Thus, the President has the veto power over the bills passed by the Parliament10 ,</p>		
306/905	SUBMITTED TEXT	19 WORDS	52% MATCHING TEXT	19 WORDS
<p>of the American President. 5. Money bills cannot be introduced in the Lok Sabha without prior consent of the President.</p> <p>SA Combine File.docx (D58915711)</p>				
307/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>be introduced in the Parliament with the prior consent of the President.</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
308/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>the Union Public Service Commission, Finance Commission, Comptroller and Auditor General of India</p> <p>SA Combine File.docx (D58915711)</p>				
309/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>may be reserved by the Governor for the consideration of the President,</p> <p>SA Combine File.docx (D58915711)</p>				

310/905	SUBMITTED TEXT	26 WORDS	69% MATCHING TEXT	26 WORDS
<p>The Contingency Fund of India is at his/her disposal. He/she can make advances out of it to meet unforeseen expenditure pending its authorization by the Parliament. 3. The</p>		<p>the contingency fund of India Act in 1950. This fund is placed at the disposal of the president, and can make advances out of it to meet unforeseen expenditure pending its authorisation by the Parliament. The</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
311/905	SUBMITTED TEXT	20 WORDS	92% MATCHING TEXT	20 WORDS
<p>no bill imposing or varying any tax or duty in which the states are interested can be introduced in the</p>				
<p>SA Combine File.docx (D58915711)</p>				
312/905	SUBMITTED TEXT	19 WORDS	70% MATCHING TEXT	19 WORDS
<p>to time a Finance Commission to make recommendations regarding the distribution of certain taxes between the Union and the States.</p>				
<p>SA Issues in indian polity.docx (D115818322)</p>				
313/905	SUBMITTED TEXT	24 WORDS	38% MATCHING TEXT	24 WORDS
<p>share of the income tax, and the amount of yearly grants-in-aid to certain eastern states in lieu of their share of the jute export duty.</p>				
<p>SA Combine File.docx (D58915711)</p>				
314/905	SUBMITTED TEXT	22 WORDS	72% MATCHING TEXT	22 WORDS
<p>law relating to a matter to which the executive power of the Union extends and iii) Where it is a sentence of death. In</p>		<p>law relating to a matter to which the executive power of the Union extends; (all cases where the sentence is a sentence of death. (2) Nothing in</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

315/905	SUBMITTED TEXT	18 WORDS	76% MATCHING TEXT	18 WORDS
<p>The power is to be exercised by the President on the advice of the Central Government. d) The President</p>		<p>The power is to be exercised by the President on the advice of the cabinet. 4. The President</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
316/905	SUBMITTED TEXT	25 WORDS	83% MATCHING TEXT	25 WORDS
<p>The judicial powers of the President constitute his/her prerogative of mercy. He/ she has the power to pardon offenders, or remit, or suspend or commute their</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
317/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>the security of the country by war, external aggression or armed rebellion in the</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
318/905	SUBMITTED TEXT	18 WORDS	72% MATCHING TEXT	18 WORDS
<p>before the actual occurrence of the aggression or disturbance, if the President is satisfied that there is imminent danger. The 44</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
319/905	SUBMITTED TEXT	22 WORDS	58% MATCHING TEXT	22 WORDS
<p>of the proclamation. Such a notice shall be addressed to the Speaker (in case the house is in session) or to the President (</p>				
<p>SA Combine File.docx (D58915711)</p>				
320/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>revoked by the President at any time by a subsequent proclamation.</p>		<p>revoked by the President at any time by a subsequent proclamation.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

321/905	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>The effects of a Proclamation of Emergency may be discussed under four heads</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>		<p>The effects of a Proclamation of Emergency may be discussed under five heads.</p>		
322/905	SUBMITTED TEXT	20 WORDS	87% MATCHING TEXT	20 WORDS
<p>giving of directions to any state as to the manner in which the executive power thereof is to be exercised [</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>		<p>giving of directions to any State as to the manner in which the Executive Power of the State is to be exercised.</p>		
323/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>proclamation of emergency is in operation, Parliament may, by law, extend the</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>		<p>Proclamation of Emergency is in operation, the Parliament may by law extend the</p>		
324/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>for a period not exceeding one year at a time and not extending in any case beyond</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>for a period not exceeding one year at a time and not extending in any case beyond</p>		
325/905	SUBMITTED TEXT	21 WORDS	50% MATCHING TEXT	21 WORDS
<p>the house is not in session). Thus, a special sitting would be held within fourteen days of the receipt of such notice.</p> <p>SA Combine File.docx (D58915711)</p>				
326/905	SUBMITTED TEXT	17 WORDS	71% MATCHING TEXT	17 WORDS
<p>in order to carry out the laws made by the Union Parliament under its extended jurisdiction as</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>in order to carry out the laws made by it under its extended jurisdiction as</p>		

327/905	SUBMITTED TEXT	33 WORDS	47% MATCHING TEXT	33 WORDS
<p>proclamation of Emergency the President shall have the constitutional power to modify the provisions of the Constitution relating to the allocation of financial resource relation between NSOU ? CC-PS-02 132 the Union and the States,</p>		<p>Proclamation of Emergency is in operation, the President is vested with the power to alter modify the Provisions of the Constitution relating to the distribution of the revenues between the Union and the States.</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
328/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the distribution of legislative powers between the Union and the States.</p>				
<p>SA ravinddra vashita project 2.pdf (D110813839)</p>				
329/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Both the second and third proclamations were revoked in March, 1977.</p>		<p>Both the second and third proclamations were revoked in March 1977.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
330/905	SUBMITTED TEXT	13 WORDS	78% MATCHING TEXT	13 WORDS
<p>shall have effect beyond the financial year in which the proclamation itself ceases to</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
331/905	SUBMITTED TEXT	17 WORDS	66% MATCHING TEXT	17 WORDS
<p>The proclamation under Art. 356, shall remain in force for a period of two months at the</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				
332/905	SUBMITTED TEXT	14 WORDS	66% MATCHING TEXT	14 WORDS
<p>the Parliament may confer powers or impose duties upon the Union, its officers and authorities. 5.</p>		<p>the Parliament can confer powers and impose duties upon the Centre or its officers and authorities</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

333/905	SUBMITTED TEXT	39 WORDS	95% MATCHING TEXT	39 WORDS
<p>Financial Emergency If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or of any part of the territory thereof is threatened, he/she may by a proclamation make a declaration to that effect [</p>		<p>Financial Emergency Under If the President is satisfied that a situation has arisen whereby financial stability or credit of India or of any part of the territory thereof is threatened, he may by a Proclamation make a declaration to that effect.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
334/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the Lok Sabha is not in session, the President may</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
335/905	SUBMITTED TEXT	31 WORDS	92% MATCHING TEXT	31 WORDS
<p>the executive authority of the Union shall extend to the giving of directions to any state to observe such canons of financial propriety as may be specified in the directions. 2. The President may</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
336/905	SUBMITTED TEXT	19 WORDS	84% MATCHING TEXT	19 WORDS
<p>salaries and allowances of all or of any class of persons serving in connection with the affairs of the</p>				
<p>SA INDIAN POLITY.docx (D56247133)</p>				
337/905	SUBMITTED TEXT	34 WORDS	94% MATCHING TEXT	34 WORDS
<p>to issue directions for the reduction of salaries and allowances of all or any class of persons serving in connection with the affairs of the Union including the Judges of the Supreme Court and the High</p>				
<p>SA INDIAN POLITY.docx (D56247133)</p>				

338/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>the President acting on the advice of his/her Council of Ministers. The</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
339/905	SUBMITTED TEXT	13 WORDS	78% MATCHING TEXT	13 WORDS
<p>form of government which would be conducive to the manifold development of the country</p> <p>form of government that would be conducive to the manifold development of the country. 4.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
340/905	SUBMITTED TEXT	25 WORDS	77% MATCHING TEXT	25 WORDS
<p>of the Indian Constitution the executive power of the Union shall be vested on the President and shall be exercised by him/her either directly or through</p> <p>OF THE The executive power of the Union shall be vested in President and shall be exercised by him either directly or through</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
341/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>head of the executive who is elected by the people for a fixed term.</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
342/905	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>there shall be a Council of Ministers headed by the Prime Minister to aid and advice the President. To</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
343/905	SUBMITTED TEXT	26 WORDS	48% MATCHING TEXT	26 WORDS
<p>of the President. Though it is mentioned in the Constitution that the President is to act on the aid and advice of the Council of Ministers</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

344/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
has the same force and effect as an Act of Parliament.		has the same force and effect as an act of Parliament.		
W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...				
345/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
the President is the supreme commander of the armed forces.		The president is the Supreme Commander of the Armed Forces.		
W https://pdfcoffee.com/indian-constitution-4-pdf-free.html				
346/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
of the country is carried out in the name of the President.				
SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)				
347/905	SUBMITTED TEXT	18 WORDS	65% MATCHING TEXT	18 WORDS
made the advice of the Council of Ministers binding upon the President, the 44 th Amendment Act		made the advice of the council of ministers obligatory on the President. However, the 42nd Amendment Act 1976,		
W https://pdfcoffee.com/indian-constitution-4-pdf-free.html				
348/905	SUBMITTED TEXT	15 WORDS	76% MATCHING TEXT	15 WORDS
the President declines to act in accordance to the advice of the Council of Ministers		The President's liability to act in accordance with the advice of the Council of Ministers		
W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf				
349/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
Council of Ministers is collectively responsible to the Lok Sabha.		Council of Ministers is collectively responsible to the Lok Sabha.		
W https://pdfcoffee.com/indian-constitution-4-pdf-free.html				

350/905	SUBMITTED TEXT	14 WORDS	92% MATCHING TEXT	14 WORDS
<p>the President is bound to act on the advice of the Council of Ministers.</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
351/905	SUBMITTED TEXT	19 WORDS	73% MATCHING TEXT	19 WORDS
<p>the President occupies the same position as the king in the British Constitution. 2. In carrying out the administration of</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
352/905	SUBMITTED TEXT	14 WORDS	71% MATCHING TEXT	14 WORDS
<p>the Council of Ministers that are collectively responsible to the Lok Sabha. This is</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				
353/905	SUBMITTED TEXT	17 WORDS	61% MATCHING TEXT	17 WORDS
<p>it is the responsibility of the Prime Minister with the support of the Council of Ministers to</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
354/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>in accordance with the provisions of the Constitution. It is in accordance with the provisions of the Constitution. It is</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
355/905	SUBMITTED TEXT	38 WORDS	83% MATCHING TEXT	38 WORDS
<p>of the Cabinet. 4. Article 74(1) says that there shall be a Council of Ministers with Prime Minister at the head to aid and advice the President who shall in the exercise of his/her functions act in accordance with such advice,</p> <p>of the Constitution lays that there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President who shall in the exercise of his functions act in accordance with advice.</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				

356/905	SUBMITTED TEXT	33 WORDS	81% MATCHING TEXT	33 WORDS
<p>Council of Ministers. 5. Article 74(1) state that there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President in the exercise of his/ her functions.</p>		<p>Council of Ministers There shall be a Council of Ministers with the Prime Minister at the Head to aid and advice the President in the exercise of his functions (</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
357/905	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>the Council of Ministers headed by the Prime Minister. In fact the President</p>				
<p>SA THESIS FINAL.pdf (D16635872)</p>				
358/905	SUBMITTED TEXT	17 WORDS	76% MATCHING TEXT	17 WORDS
<p>the Council of Ministers headed by the Prime Minister but the 42 nd Amendment Act of</p>				
<p>SA THESIS FINAL.pdf (D16635872)</p>				
359/905	SUBMITTED TEXT	28 WORDS	78% MATCHING TEXT	28 WORDS
<p>the Council of Ministers to reconsider such advice either generally or NSOU ? CC-PS-02 143 otherwise and the President shall act in accordance with the advice tendered after such</p>				
<p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
360/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>by the Council of Ministers headed by the Prime Minister</p>				
<p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
361/905	SUBMITTED TEXT	16 WORDS	61% MATCHING TEXT	16 WORDS
<p>the moments of exceptional crises. The President is the head of the State. He/she is the</p>				
<p>SA THESIS FINAL.pdf (D16635872)</p>				

362/905	SUBMITTED TEXT	16 WORDS	97% MATCHING TEXT	16 WORDS
<p>the Indian President has to perform the role of a friend, philosopher and guide of the government.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
363/905	SUBMITTED TEXT	15 WORDS	64% MATCHING TEXT	15 WORDS
<p>The President holds his/her office for a period of five years from the date he/she</p> <p>The President holds Office for a term of five years (a) from the date on he / she</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
364/905	SUBMITTED TEXT	29 WORDS	85% MATCHING TEXT	29 WORDS
<p>the President of India. ? The President of India is elected by indirect election, that is, by an electoral college, in accordance with the system of proportional representation by means of</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
365/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>oath in the presence of the Chief Justice of India. ?</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
366/905	SUBMITTED TEXT	19 WORDS	77% MATCHING TEXT	19 WORDS
<p>Introduction to the Constitution of India, Prentice Hall of India, New Delhi. 1992. 3. Pylee, M.V. India's Constitution, S. Chand</p> <p>SA Combine File.docx (D58915711)</p>				
367/905	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>New Delhi. 2008. 6. Awasthy, S.S. Indian Government and Politics, Har Anand Publications,</p> <p>SA Combine File.docx (D58915711)</p>				

368/905 SUBMITTED TEXT 37 WORDS **42% MATCHING TEXT** 37 WORDS

Unit 9 ? Prime Minister and Union Council of Ministers
 Structure 9.1 Objectives 9.2 Introduction 9.3 Selection and Appointment 9.4 Term of Office 9.5 Powers and Functions 9.6 Position of the Prime Minister 9.7 Union Council of Ministers 9.8 Composition and Classification 9.9 Powers and Functions 9.10

SA Political Process & Politics in India (EM).pdf (D139291481)

369/905 SUBMITTED TEXT 47 WORDS **35% MATCHING TEXT** 47 WORDS

office of the Prime Minister ? A detailed analysis of the powers and functions of the Indian Prime Minister ? The constitutional and real position of the Prime Minister ? Composition and classification of the Union Council of Ministers ? The powers and functions of the Union Council of Ministers

SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)

370/905 SUBMITTED TEXT 43 WORDS **90% MATCHING TEXT** 43 WORDS

The framers of our Constitution intended that though formally all executive powers were vested in the President, he/she should act as the constitutional head of the Executive like the English Crown, acting on the advice of Ministers responsible to the popular house of the legislature.

SA Political Process & Politics in India (EM).pdf (D139291481)

371/905 SUBMITTED TEXT 37 WORDS **67% MATCHING TEXT** 37 WORDS

the channel of communication between the President and the Council of Ministers, Art.78 provides—it shall be the duty of the Prime Minister to communicate to the President all decisions of the affairs of the Union and proposals for legislation.

the principal channel of communication between the President and the council of ministers.4 It the duty of the prime minister: (a) to communicate to the President all decisions of the council of ministers relating to the the Union and proposals for legislation; (

W [https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...](https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9...)

372/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>of the Constitution expressly states that the Prime Minister shall be at the head of the Council of Ministers.</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
373/905	SUBMITTED TEXT	19 WORDS	57% MATCHING TEXT	19 WORDS
<p>of the Prime Minister by the President. It simply says that the Prime Minister shall be appointed by the President.</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
374/905	SUBMITTED TEXT	14 WORDS	80% MATCHING TEXT	14 WORDS
<p>the Prime Minister's being a member of the Parliament at the time of appointment.</p>				
SA Issues in indian polity.docx (D115818322)				
375/905	SUBMITTED TEXT	14 WORDS	82% MATCHING TEXT	14 WORDS
<p>powers and functions. Actually, the powers and functions of the Prime Minister can be</p>				
SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)				
376/905	SUBMITTED TEXT	15 WORDS	71% MATCHING TEXT	15 WORDS
<p>the Prime Minister is the leader of the Council of Ministers. By virtue of his/her</p>				
SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)				
377/905	SUBMITTED TEXT	35 WORDS	36% MATCHING TEXT	35 WORDS
<p>the President. On the basis of the advice provided to the President by the Prime Minister the entire administration of the country is carried out. It is on the advice of the Prime Minister that the President</p>				
SA INDIAN POLITY book.docx (D57972790)				

378/905	SUBMITTED TEXT	21 WORDS	60% MATCHING TEXT	21 WORDS
<p>by the President on the advice of the Prime Minister. Art 74(1) of the Constitution mentioned about the advice of the</p> <p>SA Combine File.docx (D58915711)</p>				
379/905	SUBMITTED TEXT	23 WORDS	57% MATCHING TEXT	23 WORDS
<p>to furnish him/her information relating to the administration of the country as well as the proposals for legislation as the President may call for.</p> <p>to furnish information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for;</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
380/905	SUBMITTED TEXT	27 WORDS	58% MATCHING TEXT	27 WORDS
<p>Prime Minister is the sole channel of communication between the President and the Council of Ministers. The Constitution enjoins upon him/her to communicate to the President all decisions</p> <p>SA Combine File.docx (D58915711)</p>				
381/905	SUBMITTED TEXT	20 WORDS	76% MATCHING TEXT	20 WORDS
<p>all decisions of his/her Council of Ministers relating to the administration of affairs to the Union and proposals for legislation.</p> <p>all decisions of Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation; (</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
382/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>the President, it is the duty of the Prime Minister to communicate to the President</p> <p>SA Combine File.docx (D58915711)</p>				

383/905	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
<p>the Prime Minister to submit a matter for the consideration of the Council of Ministers</p> <p>SA Combine File.docx (D58915711)</p>				
384/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the Prime Minister is the leader of the Council of Ministers.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
385/905	SUBMITTED TEXT	15 WORDS	66% MATCHING TEXT	15 WORDS
<p>the Prime Minister relates to the composition of the Council of Ministers. The text of</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
386/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>ministers shall be appointed by the President on the advice of the Prime Minister. The</p> <p>Ministers shall be appointed by the President on the advice of the Prime Minister. 2. The</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
387/905	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
<p>the Prime Minister of the country. So, the party commanding a majority in the Lok Sabha</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
388/905	SUBMITTED TEXT	15 WORDS	80% MATCHING TEXT	15 WORDS
<p>the Prime Minister. Infact, it is on the popularity of the Prime Minister that the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

389/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>it is the sole responsibility of the Prime Minister to communicate to the</p> <p>SA Combine File.docx (D58915711)</p>				
390/905	SUBMITTED TEXT	30 WORDS	80% MATCHING TEXT	30 WORDS
<p>Council of Ministers According to Article 74, of the Indian Constitution there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President.</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
391/905	SUBMITTED TEXT	23 WORDS	91% MATCHING TEXT	23 WORDS
<p>the Prime Minister is selected by the President, the other Ministers are appointed by the President on the advice of the Prime Minister [</p> <p>The Prime Minister is appointed by the President, the other ministers are appointed by the President on the advice of the Prime Minister.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
392/905	SUBMITTED TEXT	24 WORDS	81% MATCHING TEXT	24 WORDS
<p>of the Prime Minister. Ministers may be chosen from members of either house and a minister who is a member of one house has</p> <p>of the two Houses. Ministers may be chosen from members of either House a Minister who is a member of one House, has</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
393/905	SUBMITTED TEXT	26 WORDS	94% MATCHING TEXT	26 WORDS
<p>right to speak in and to take part in the proceedings of the other house though he/she has no right to vote in the house of which he/</p> <p>right to speak in and to take part in the proceedings of the other House though he has no right to vote in the House of which he</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
394/905	SUBMITTED TEXT	18 WORDS	71% MATCHING TEXT	18 WORDS
<p>The President appoints the leader of the Party having a majority in the Lok Sabha as the Prime Minister.</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				

395/905	SUBMITTED TEXT	24 WORDS	78% MATCHING TEXT	24 WORDS
<p>the total number of ministers, including the Prime Minister, shall not exceed 15% of the total number of the members of the House of the People.</p>		<p>The total number of Ministers, including the Prime Minister, in the Council of Ministers shall not exceed per cent. the total number members of the House of the People. (1</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
396/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>the number of members of the Council of Ministers was not specified in the Constitution.</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
397/905	SUBMITTED TEXT	33 WORDS	64% MATCHING TEXT	33 WORDS
<p>the Council of Ministers shall be under a constitutional obligation to resign as soon as it loses the confidence of the popular house of the legislature. The collective responsibility is to the House of the</p>				
<p>SA ravindra vashita project 2.pdf (D110813839)</p>				
398/905	SUBMITTED TEXT	31 WORDS	92% MATCHING TEXT	31 WORDS
<p>the President, 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.</p>		<p>the President so 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.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
399/905	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>The Constitution does not classify the members of the Council of Ministers into different ranks. All this has been done informally, following the English practice.</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

400/905	SUBMITTED TEXT	26 WORDS	87% MATCHING TEXT	26 WORDS
<p>practice, the Council of Ministers seldom meets as a body. It is the cabinet, an inner body within the council, which shapes the policy of the Government.</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
401/905	SUBMITTED TEXT	35 WORDS	86% MATCHING TEXT	35 WORDS
<p>ministers attend meetings of the cabinet of their own right, ministers of state are not members of the cabinet and they can attend only if, invited to attend any particular meeting. A Deputy Minister assists the</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
402/905	SUBMITTED TEXT	27 WORDS	55% MATCHING TEXT	27 WORDS
<p>of State in the middle and Deputy Ministers in the lowest rung of the ladder. A clear distinction was drawn between Ministers who were members of the cabinet</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
403/905	SUBMITTED TEXT	19 WORDS	90% MATCHING TEXT	19 WORDS
<p>that the President, in the exercise of his/her functions, act in accordance with the advice tendered by the Council of</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				
404/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>the Chief Justice and other Judges of the Supreme Court, High Courts,</p>				
SA INDIAN POLITY book.docx (D57972790)				
405/905	SUBMITTED TEXT	23 WORDS	54% MATCHING TEXT	23 WORDS
<p>the Governors of the States, etc. but in removing these officers he/ she has to act on the advice of the Council of</p>				
SA Political Process & Politics in India (EM).pdf (D139291481)				

406/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>President can declare emergency only under the written advice of the cabinet</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>President can declare emergency only on the written advice of the cabinet</p>		
407/905	SUBMITTED TEXT	22 WORDS	70% MATCHING TEXT	22 WORDS
<p>the cabinet is the steering wheel of the ship of the State. The cabinet is in practice the Government of India. The</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>The Cabinet is the steering wheel of the ship of the state." The Cabinet is the keystone of the</p>		
408/905	SUBMITTED TEXT	19 WORDS	71% MATCHING TEXT	19 WORDS
<p>arising out of war, aggression or armed rebellion, emergency arising out of failure of constitutional machinery in a State</p> <p>SA Combine File.docx (D58915711)</p>				
409/905	SUBMITTED TEXT	18 WORDS	91% MATCHING TEXT	18 WORDS
<p>of our Constitution expressly states that the Prime Minister shall be at the head of the Council of</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
410/905	SUBMITTED TEXT	32 WORDS	67% MATCHING TEXT	32 WORDS
<p>Article 74 of the Indian Constitution, there shall be a Council of Ministers with the Prime Minister at the head to aid and advice the President. The President appoints the leader of the</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
411/905	SUBMITTED TEXT	23 WORDS	84% MATCHING TEXT	23 WORDS
<p>the Prime Minister is selected by the President, the other ministers are appointed by the President on the advice of the Prim Minister [</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>The Prime Minister is appointed by the President, the other ministers are appointed by the President on the advice of the Prime Minister.</p>		

412/905	SUBMITTED TEXT	15 WORDS	89% MATCHING TEXT	15 WORDS
<p>of the Prime Minister. ? The powers and functions of the Prime Minister can be</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>OF THE PRIME MINISTER The powers and functions of Prime Minister can be</p>		
413/905	SUBMITTED TEXT	23 WORDS	91% MATCHING TEXT	23 WORDS
<p>The Prime Minister is selected by the President, the other ministers are appointed by the President on the advice of the Prime Minister [</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>The Prime Minister is appointed by the President, the other ministers are appointed by the President on the advice of the Prime Minister.</p>		
414/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>powers and functions of the Prime Minister can be examined through the</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
415/905	SUBMITTED TEXT	18 WORDS	77% MATCHING TEXT	18 WORDS
<p>Introduction to the Constitution of India, Prentice Hall of India, New Delhi. 1992. 2. Pylee, M.V. India's Constitution, S.Chand</p> <p>SA Combine File.docx (D58915711)</p>				
416/905	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>New Delhi. 2008. 5. Awasthy, S.S. Indian Government and Politics, Har Anand Publications,</p> <p>SA Combine File.docx (D58915711)</p>				
417/905	SUBMITTED TEXT	26 WORDS	85% MATCHING TEXT	26 WORDS
<p>the Parliament of India consists of the President and the two houses. The lower house is called the House of the People while the upper house is</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

418/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS		
<p>Lok Sabha while the upper house is well known as the Rajya Sabha.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>						
419/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS		
<p>The President is an integral part of the Parliamentary Government. Although the President is not a member of</p> <p>SA 16MB04IndianParliament.pdf (D22450078)</p>						
420/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS		
<p>that the executive power is co extensive with the legislative power</p> <p>SA Combine File.docx (D58915711)</p>						
421/905	SUBMITTED TEXT	14 WORDS	66% MATCHING TEXT	14 WORDS		
<p>representatives of the States and the Union Territories elected by the method of indirect election.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>						
422/905	SUBMITTED TEXT	50 WORDS	69% MATCHING TEXT	50 WORDS		
<table border="0"> <tr> <td style="vertical-align: top;"> <p>The representatives of each state shall be elected by the elected members of the legislative assembly of the state in accordance with the system of proportional representation by means of the single transferable vote. 3. Representation of Union Territories : The representatives of union territories shall be chosen in such manner as Parliament may</p> </td> <td style="vertical-align: top;"> <p>The representatives of each State the Council States shall be elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote. (5) representatives of the Union territories in the Council of States shall be chosen in such manner as Parliament may</p> </td> </tr> </table> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>					<p>The representatives of each state shall be elected by the elected members of the legislative assembly of the state in accordance with the system of proportional representation by means of the single transferable vote. 3. Representation of Union Territories : The representatives of union territories shall be chosen in such manner as Parliament may</p>	<p>The representatives of each State the Council States shall be elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote. (5) representatives of the Union territories in the Council of States shall be chosen in such manner as Parliament may</p>
<p>The representatives of each state shall be elected by the elected members of the legislative assembly of the state in accordance with the system of proportional representation by means of the single transferable vote. 3. Representation of Union Territories : The representatives of union territories shall be chosen in such manner as Parliament may</p>	<p>The representatives of each State the Council States shall be elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote. (5) representatives of the Union territories in the Council of States shall be chosen in such manner as Parliament may</p>					

423/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>by the President from amongst persons having special knowledge or practical experience in literature, science, art and social service. The</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
424/905	SUBMITTED TEXT	35 WORDS	53% MATCHING TEXT	35 WORDS
<p>the representatives of union territories to the Council of States shall be indirectly elected by members of an electoral college for that territory, in accordance with the system of proportional representation by means of the single transferable vote.</p> <p>The representatives of each union territory in the Rajya Sabha are indirectly elected by members of an electoral college specially constituted for the purpose. This election is also in accordance with the system of proportional representation by means of the single transferable vote.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
425/905	SUBMITTED TEXT	19 WORDS	70% MATCHING TEXT	19 WORDS
<p>persons having special knowledge or practical experience in respect of matters like literature, science, art or social service. The Council</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
426/905	SUBMITTED TEXT	51 WORDS	67% MATCHING TEXT	51 WORDS
<p>the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re-elected. This provision enables the council to retain its political complexion in a more stable manner than the House of the People which after every election is a completely new house.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
427/905	SUBMITTED TEXT	25 WORDS	100% MATCHING TEXT	25 WORDS
<p>It follows, that there will be an election of 1/3 of the membership of the Council of States at the beginning of every third year [</p> <p>SA ravinddra vashita project 2.pdf (D110813839)</p>				

428/905	SUBMITTED TEXT	14 WORDS	95% MATCHING TEXT	14 WORDS
<p>the Representation of the People Act, 1951. The representation of the People Act 1951</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
429/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>It is quite possible that the nominated members represent the centre and not the states</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
430/905	SUBMITTED TEXT	25 WORDS	76% MATCHING TEXT	25 WORDS
<p>who might be willing to participate in the debate with an amount of learning and importance not really associated with the House of the People. 3. The</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
431/905	SUBMITTED TEXT	22 WORDS	43% MATCHING TEXT	22 WORDS
<p>are nominated by the President of India. At the other side, the members of the Lok Sabha are elected directly by the people.</p> <p>are nominated by the President4 . 1. Representation of States The representatives of states in the Lok Sabha are directly elected by the people</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
432/905	SUBMITTED TEXT	25 WORDS	86% MATCHING TEXT	25 WORDS
<p>the second chamber was expected to hold dignified debates on important issues and to delay legislation which might be the outcome of passions of the moment</p> <p>SA Astha final.docx (D105981986)</p>				
433/905	SUBMITTED TEXT	23 WORDS	76% MATCHING TEXT	23 WORDS
<p>must possess the following qualifications :- 1. He must be a citizen of India. 2. He must be above 30 years of age. 3. He must</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

434/905	SUBMITTED TEXT	22 WORDS	52% MATCHING TEXT	22 WORDS
<p>for the membership of the house are the following :- 1. Holding any office of profit under the Government of India or</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
435/905	SUBMITTED TEXT	28 WORDS	59% MATCHING TEXT	28 WORDS
<p>not perform the duties of the office of the Chairman of the Council nor will he/she draw the salary or allowances payable to the Chairman. In the absence of the</p> <p>not perform the duties of the office of the Chairman of the of States, nor shall he be entitled to any salary or allowance payable to the Chairman of the Council of States. The</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
436/905	SUBMITTED TEXT	27 WORDS	48% MATCHING TEXT	27 WORDS
<p>The Vice President of India is the ex officio Chairman of the Council of States. As the presiding officer of the Rajya Sabha his/her functions and powers are</p> <p>SA Combine File.docx (D58915711)</p>				
437/905	SUBMITTED TEXT	17 WORDS	66% MATCHING TEXT	17 WORDS
<p>the office of the Chairman, whenever Chairman's office is vacant or when the Vice President is acting</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
438/905	SUBMITTED TEXT	19 WORDS	84% MATCHING TEXT	19 WORDS
<p>also has a panel of members called "Vice Chairmen" nominated by the Chairman for the purpose of presiding over</p> <p>SA Combine File.docx (D58915711)</p>				

439/905	SUBMITTED TEXT	20 WORDS	55% MATCHING TEXT	20 WORDS
<p>Powers and Functions For our convenience the powers and functions of the Rajya Sabha can be discussed under the following heads :-</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>POWERS AND FUNCTIONS OF CHIEF MINISTER The powers and functions of the Chief Minister can be studied under the following heads:</p>		
440/905	SUBMITTED TEXT	25 WORDS	82% MATCHING TEXT	25 WORDS
<p>in the absence of both the Chairman and the Deputy Chairman. The Secretariat of the Rajya Sabha is headed by a Secretary General who discharges the</p> <p>SA Combine File.docx (D58915711)</p>				
441/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>the Rajya Sabha has almost equal powers as compared to the powers of</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
442/905	SUBMITTED TEXT	22 WORDS	61% MATCHING TEXT	22 WORDS
<p>that the position of the Rajya Sabha, in this direction is not as strong as that of the American Senate. In the</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>that the position of the Rajya Sabha in our constitutional system is not as weak as that of the House of Lords in the</p>		
443/905	SUBMITTED TEXT	64 WORDS	93% MATCHING TEXT	64 WORDS
<p>Lok Sabha in non-money matters. It is provided that a non money bill may originate in either house of Parliament and that no bill can be taken as passed by the Parliament unless agreed to by both the houses. In the event of disagreement between the two houses, the President is empowered to call a joint session of the two houses in order to dissolve the deadlock.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				

444/905	SUBMITTED TEXT	26 WORDS	70% MATCHING TEXT	26 WORDS
<p>the position of the Rajya Sabha is comparatively weak due to three reasons. First, the Joint Session is to be presided over by the Speaker of the</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
445/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>the factor of numerical strength is likely to go in favour of</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
446/905	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>that the Council of Ministers is collectively responsible to the Lok Sabha; it</p> <p>that the Council of Ministers is collectively responsible to the Lok Sabha. It</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
447/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>the initiative of calling a joint session or dropping the piece of controversial legislation depends upon the</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
448/905	SUBMITTED TEXT	23 WORDS	87% MATCHING TEXT	23 WORDS
<p>control over the government by means of asking questions, tabling important motions, introducing resolutions and call attention motions and demanding half an hour discussions.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
449/905	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>A money bill can originate in the Lok Sabha alone and the Rajya Sabha has to adopt it within a period of 14 days.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				

450/905	SUBMITTED TEXT	19 WORDS	97% MATCHING TEXT	19 WORDS
<p>must be passed by both the houses by special majority. Such a bill may originate in either house of</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
451/905	SUBMITTED TEXT	32 WORDS	100% MATCHING TEXT	32 WORDS
<p>of disagreement between the two houses, the President shall call a joint session to resolve the deadlock. 2. The Rajya Sabha enjoys equal authority with the Lok Sabha in the election and removal of</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
452/905	SUBMITTED TEXT	51 WORDS	67% MATCHING TEXT	51 WORDS
<p>President. It also applies to the passing of a special address to remove the Chief Justice and a Judge of a Supreme Court or High Courts or some High Officers like Comptroller and Auditor General of India. 3. A proclamation of emergency made by the President must be approved by both the houses of</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
453/905	SUBMITTED TEXT	22 WORDS	72% MATCHING TEXT	22 WORDS
<p>In cases the government makes a proposal to take away an appointment from the purview of the UPSC both the Rajya Sabha</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
454/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>in matters like setting up Martial Law Courts during National Emergency</p> <p>SA Issues in indian polity.docx (D115818322)</p>				

455/905	SUBMITTED TEXT	26 WORDS	66% MATCHING TEXT	26 WORDS
<p>the delegated legislation and the rules framed by various departments must be approved by both the houses. Finally, there are certain special powers which the Rajya Sabha</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
456/905	SUBMITTED TEXT	32 WORDS	85% MATCHING TEXT	32 WORDS
<p>majority to shift an item of the State List to the Concurrent List or to th Union List on the plea that it is expedient in the national interest. 2. The Rajya Sabha</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
457/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS
<p>election of the President and Vice President b) Removal of the Judges of the Supreme Court and High</p> <p>election of the President and Vice President of India (9) Power of removing functionaries like the President and Vice- President and judges of the Supreme Court and High</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
458/905	SUBMITTED TEXT	24 WORDS	57% MATCHING TEXT	24 WORDS
<p>that of the house. A bill can be initiated either in the house or in the council. The council may amend or reject a bill</p> <p>that of the assembly: 1. A Money Bill can be introduced only in the assembly and not in the council. 2. The council cannot amend or reject a money bill.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
459/905	SUBMITTED TEXT	17 WORDS	64% MATCHING TEXT	17 WORDS
<p>the Rajya Sabha and the Lok Sabha. g) Rajya Sabha shares equal powers with Lok Sabha in</p> <p>the Rajya Sabha vis-a-vis the Lok Sabha. The Rajya Sabha has equal powers with the Lok Sabha in</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

460/905	SUBMITTED TEXT	63 WORDS	69% MATCHING TEXT	63 WORDS
<p>All India Service if it adopts a resolution by its 2/3 majority saying that it is necessary or expedient in the national interest. 3. It is the Rajya Sabha alone that can apply a democratic check on the exercise of the emergency powers of the President in case the Lok Sabha stands dissolved. 4. Finally, the Rajya Sabha alone can initiate proposals for removing the Vice President of India. 10.8</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
461/905	SUBMITTED TEXT	30 WORDS	32% MATCHING TEXT	30 WORDS
<p>of the day. The confidence of the Parliament means the confidence of the House of the People and the responsibility of the Executive means the responsibility to the House of the</p> <p>of the members of the two Houses of the Parliament. 2. the role of the Speaker of the Lok Sabha. 3. Evaluate the law-making procedure of the Discuss the privileges provided to the members of the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
462/905	SUBMITTED TEXT	28 WORDS	36% MATCHING TEXT	28 WORDS
<p>Executive: The Lok Sabha exercises control over the Executive. According to the Indian Constitution the Union Council of Ministers headed by the Prime Minister shall be collectively responsible to the</p> <p>SA Combine File.docx (D58915711)</p>				
463/905	SUBMITTED TEXT	23 WORDS	52% MATCHING TEXT	23 WORDS
<p>powers of the Speaker to decide whether a bill is a money bill or not. It is therefore, clear that the Lok Sabha</p> <p>powers. 5. The final to decide whether a particular bill is a Money Bill or not vested in the Speaker of the Lok Sabha. 6.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
464/905	SUBMITTED TEXT	17 WORDS	70% MATCHING TEXT	17 WORDS
<p>a money bill can originate only in the Lok Sabha. It is sent to the Rajya Sabha</p> <p>SA 16MB04IndianParliament.pdf (D22450078)</p>				

465/905	SUBMITTED TEXT	15 WORDS	80% MATCHING TEXT	15 WORDS
<p>of opinion between the two houses, the President is required to call a Joint Session</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
466/905	SUBMITTED TEXT	16 WORDS	87% MATCHING TEXT	16 WORDS
<p>to declare that, in the national interests, Parliament should make laws with respect to a matter</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
467/905	SUBMITTED TEXT	19 WORDS	89% MATCHING TEXT	19 WORDS
<p>the removal of the Vice President can be initiated only in the Rajya Sabha and not in Lok Sabha.</p> <p>the removal of the vice-president can be introduced only in the Rajya Sabha and not in the Lok Sabha (</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
468/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>for the whole or any part of India for a period of one year. b) The</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
469/905	SUBMITTED TEXT	51 WORDS	67% MATCHING TEXT	51 WORDS
<p>the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re elected. This provision enables the Council to retain its political complexion in a more stable manner than the House of the People which after every election is a completely new house.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

470/905	SUBMITTED TEXT	16 WORDS	78% MATCHING TEXT	16 WORDS
<p>an important part of the Governmental machinery and not an ornamental superstructure or an inessential adjunct.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
471/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>it is quite possible that the nominated members represent the centre and not the states</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
472/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>system makes it highly convenient for a very affluent person to purchase votes in the election</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
473/905	SUBMITTED TEXT	26 WORDS	59% MATCHING TEXT	26 WORDS
<p>it is also possible that after the state general election the assembly may have a different party wise composition that might entail their loss of control over</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
474/905	SUBMITTED TEXT	19 WORDS	62% MATCHING TEXT	19 WORDS
<p>party politics has done a lot of damage to the high standards of this chamber. On several occasions, persons rejected</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
475/905	SUBMITTED TEXT	27 WORDS	85% MATCHING TEXT	27 WORDS
<p>The Parliament of India consists of the President and the two houses. The lower house is called the House of the People while the upper house is</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

476/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>Lok Sabha while the upper house is well known as the Rajya Sabha. ?</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
477/905	SUBMITTED TEXT	34 WORDS	47% MATCHING TEXT	34 WORDS
<p>the House of the People. ? Like the American Senators the members of the Rajya Sabha are elected for six years. At the end of every second year, one-third of the members are re elected. ?</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
478/905	SUBMITTED TEXT	18 WORDS	77% MATCHING TEXT	18 WORDS
<p>Introduction to the Constitution of India, Prentice Hall of India, New Delhi. 1992. 2. Pylee, M.V. India's Constitution, S.Chand</p> <p>SA Combine File.docx (D58915711)</p>				
479/905	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>New Delhi. 2008. 5. Awasthy, S.S. Indian Government and Politics, Har Anand Publications,</p> <p>SA Combine File.docx (D58915711)</p>				
480/905	SUBMITTED TEXT	15 WORDS	65% MATCHING TEXT	15 WORDS
<p>Supreme Court The Constitution of India has established an integrated judicial system. Supreme Court at the</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				

481/905	SUBMITTED TEXT	114 WORDS	96% MATCHING TEXT	114 WORDS
<p>The original Constitution of 1950 envisaged a Supreme Court with a Chief Justice and 7 puisne Judges-leaving it to Parliament to increase this number. In the early years, all the Judges of the Supreme Court sit together to hear the cases presented before them. As the work of the Court increased and arrears of cases began to accumulate, Parliament increased the number of Judges from 8 in 1950 to 11 in 1956, 14 in 1960, 18 in 1978, and 26 in 1986. As the number of Judges has increased, they sit in smaller Benches of two and three—coming together in larger Benches of 5 and more only when required to do so or to settle a difference of opinion or controversy.</p> <p>11.4.2</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>The original Constitution of 1950 envisaged a Supreme Court with a Chief Justice and 7 puisne Judges – leaving it to Parliament to increase this number. In the early years, all the Judges of the Supreme Court sat together to hear the cases presented before them. As the work of the Court increased and arrears of cases began to Parliament increased the number of Judges from 8 in 1950 to 11 in 1956, 14 in 1960, 18 in 1978 and 26 in 1986. As the number of the Judges has increased, they sit in smaller Benches of two and three – coming together in larger Benches of 5 and more only when required to do so or to settle a difference of opinion or controversy.</p>		
482/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS
<p>of the Supreme Court: According to article 124(3), a person for appointment as a judge of the Supreme court</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>of the Supreme Court. Oath or Affirmation A person as a judge of the Supreme Court,</p>		
483/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>He or she must be a citizen of India. ? He or she must</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>He or she must be a citizen of India. He or she must</p>		
484/905	SUBMITTED TEXT	23 WORDS	70% MATCHING TEXT	23 WORDS
<p>a high court for at least 10 years. or. ? He or she must be a distinguished jurist in the opinion of the president</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>a High Court advocate for at least 10 years; iii) one must be a distinguished jurist in the opinion of the President.</p> <p>134</p>		
485/905	SUBMITTED TEXT	25 WORDS	90% MATCHING TEXT	25 WORDS
<p>The Indian constitution under Article 124(1) states that there shall be a Supreme Court of India consisting of a Chief justice of India and 32</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				

486/905	SUBMITTED TEXT	25 WORDS	84% MATCHING TEXT	25 WORDS
	of Supreme Court, the Chief justice of India may with the previous consent of the President and Chief Justice of High Court concerned request in writing		of the Court the Chief Justice of India may, with the previous consent of the President and after consultation with the Chief Justice of High Court concerned request, in writing,	
	W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html			
487/905	SUBMITTED TEXT	13 WORDS	78% MATCHING TEXT	13 WORDS
	Judge of High Court duly qualified to be appointed as Judge of Supreme Court.		Judge of High Court (b) Qualified to be appointed as Judge of District Court (
	W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf			
488/905	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
	The Chief justice of India at any time with the previous consent of the President		the Chief Justice of India may, at any time, with the previous consent of the President,	
	W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html			
489/905	SUBMITTED TEXT	34 WORDS	97% MATCHING TEXT	34 WORDS
	every judge of the Supreme Court shall be appointed by the President by warrant under his hand and seal after consultation with such of the judges of Supreme Court and the High Courts in the states.			
	SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)			
490/905	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
	comprises of the Chief Justice of India and four senior-most judges of the Supreme Court.			
	SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)			

491/905	SUBMITTED TEXT	22 WORDS	45% MATCHING TEXT	22 WORDS
<p>through the ninety-ninth Constitution Amendment Act-2014] under which the National Judiciary Appointments Commission (NJAC) replaced the collegium system for the appointment of judges</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
492/905	SUBMITTED TEXT	66 WORDS	80% MATCHING TEXT	66 WORDS
<p>the age of 65 years. To be appointed as a Judge of the Supreme Court, a person must be a citizen of India and must have been, for at least five years, a Judge of a high court NSOU ? CC-PS-02 198 or two or more such Courts in succession, or an advocate of a high court or two or more such Courts in succession for at least 10 years or he/</p> <p>SA Combine File.docx (D58915711)</p>				
493/905	SUBMITTED TEXT	50 WORDS	78% MATCHING TEXT	50 WORDS
<p>A judge of the Supreme Court can be removed only from the office by the President based on a resolution passed by both the Houses of parliament with a majority of the total membership and a majority of not less than two-thirds of the members present and voting in each house, on</p> <p>a Judge of the Supreme Court can only be removed from office by the President on basis of a resolution passed by both the Houses of Parliament with a majority of the total membership and a majority of not less than two-thirds of the members present and voting in each house, on</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
494/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>grounds of proved misbehavior or incapacity of the judge in question.</p> <p>grounds of proved misbehavior or incapacity of the judge in question. (6)</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
495/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>must be, in the opinion of the president, a distinguished jurist. 11.4.3</p> <p>SA Combine File.docx (D58915711)</p>				

496/905	SUBMITTED TEXT	19 WORDS	71% MATCHING TEXT	19 WORDS
<p>Government of India on one hand and one or more states on the other ii) Government of India and</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
497/905	SUBMITTED TEXT	41 WORDS	80% MATCHING TEXT	41 WORDS
<p>on one side and one or more states on the other iii) Two or more states Apart from those cases if and insofar as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
498/905	SUBMITTED TEXT	19 WORDS	86% MATCHING TEXT	19 WORDS
<p>the Constitution gives an extensive original jurisdiction to the Supreme Court regarding enforcement of Fundamental Rights. It is empowered</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
499/905	SUBMITTED TEXT	17 WORDS	79% MATCHING TEXT	17 WORDS
<p>to issue directions, orders, or writs, including writs like habeas corpus, mandamus, prohibition, quo warranto, and certiorari</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
500/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>to enforce them. The Supreme Court has been conferred with power to direct transfer of any civil or criminal case from one State.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

501/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>The appellate jurisdiction of the Supreme Court can be invoked by a certificate granted by the High Court concerned</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
502/905	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>in respect of any judgment, decree, or final order of a High Court in both civil and criminal cases, involving substantial questions of law</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
503/905	SUBMITTED TEXT	19 WORDS	54% MATCHING TEXT	19 WORDS
<p>as to the interpretation of the Constitution. Appeals also lie to the Supreme Court in civil matters if the High Court</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
504/905	SUBMITTED TEXT	30 WORDS	77% MATCHING TEXT	30 WORDS
<p>that the case involves a substantial question of law of general importance, and (b) that, in the opinion of the High Court, the said question needs to be decided by the Supreme Court.</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
505/905	SUBMITTED TEXT	36 WORDS	77% MATCHING TEXT	36 WORDS
<p>Court if the High Court : (a) has on appeal reversed an order of acquittal of an accused person and sentenced him to death or to imprisonment for life or a period of not less than 10 years, or (</p> <p>SA Combine File.docx (D58915711)</p>				

506/905	SUBMITTED TEXT	27 WORDS	94% MATCHING TEXT	27 WORDS
<p>Has withdrawn for trial before itself any case from any Court subordinate to its authority and has in such trial convicted the accused and sentenced him to death</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
507/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>from any judgment, final order, or sentence in a criminal proceeding of a High Court.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
508/905	SUBMITTED TEXT	28 WORDS	84% MATCHING TEXT	28 WORDS
<p>from any judgment, decree, determination, NSOU ? CC-PS-02 200 sentence, or order in any cause or matter passed or made by any Court or Tribunal in the territory of India.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
509/905	SUBMITTED TEXT	35 WORDS	100% MATCHING TEXT	35 WORDS
<p>upon the Supreme Court advisory jurisdiction. The President may seek the opinion of the Supreme Court on any question of law or fact of public importance on which he thinks it expedient to obtain such an opinion.</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
510/905	SUBMITTED TEXT	27 WORDS	46% MATCHING TEXT	27 WORDS
<p>of the Constitution by the President for the opinion of the Supreme Court. Enlargement of the jurisdiction of the Supreme Court : The Jurisdiction of the Supreme Court</p> <p>of the Constitution fall within the (a) Original jurisdiction the Supreme Court (b) jurisdiction of the Supreme Court (c) Appellate jurisdiction of the Supreme Court (</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

511/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
such hearing as it deems fit, may report to the President its opinion thereon.				
SA Political Process & Politics in India (EM).pdf (D139291481)				

512/905	SUBMITTED TEXT	53 WORDS	47% MATCHING TEXT	53 WORDS
Allahabad 1866 Uttar Pradesh Allahabad (Bench at Lucknow) 2. Andhra 1956 Andhra Pradesh Hyderabad Pradesh 3. Bombay 1862 Maharashtra, Goa, Bombay (Benches at Dadra and Nagar Haveli Nagpur, Panaji and and Daman and Diu Aurangabad) 4. Calcutta 1862 West Bengal Calcutta (Circuit Bench at Port Blair) 5. Delhi 1966 Delhi Delhi 6. Guwahati 1 1948 Assam, Manipur, Guwahati (Benches at				
Allahabad 1866 Uttar Pradesh Allahabad (Bench at Lucknow) 02. Andhra Pradesh 1954 Andhra Pradesh Hyderabad 03. Bombay 1862 Maharashtra, Bombay (Bench at Nagpur, Nagar Haveli, Goa and Panaji and Aurangabad) Daman & Diu 04. Calcutta 1862 West Bengal and Calcutta (Circuit Bench at Andaman & Nicobar Port Blair) Islands 05. Chhattisgarh 2000 Chhattisgarh Bilaspur 06. Delhi 1966 Delhi Delhi 07. Guwahati 1948 Assam, Manipur, Guwahati (Bench at				
W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf				

513/905	SUBMITTED TEXT	41 WORDS	76% MATCHING TEXT	41 WORDS
Shillong) 7. Gujarat 1960 Gujarat Ahmedabad 8. Himachal 1971 Himachal Pradesh Shimla Pradesh 9. Jammu & 1928 Jammu & Kashmir Srinagar & Jammu Kashmir 10. Karnataka 2 1884 Karnataka Bangalore 11. Kerala 1958 Kerala & Lakshadweep Ernakulam 12. Madhya 1956 Madhya Pradesh Jabalpur (Benches at				
Shillong) 08. Gujarat 1960 Gujarat Ahmedabad 09. Himachal Pradesh 1971 Himachal Pradesh Shimla 10. Jammu & Kashmir 1957 Jammu & Kashmir Srinagar and Jammu 11. Jharkhand 2000 Jharkhand Ranchi 12. Karnataka 1884 Karnataka Bangalore 13. Kerala 1956 Kerala and Lakshadweep Ernakulam 14. Madhya Pradesh 1956 Madhya Pradesh Jabalpur (Benches at				
W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf				

514/905	SUBMITTED TEXT	45 WORDS	67% MATCHING TEXT	45 WORDS
Gwalior and Indore) 13. Madras 1862 Tamil Nadu & Madras Pondicherry NSOU ? CC-PS-02 202 14. Orissa 1948 Orissa Cuttack 15. Patna 1916 Bihar Patna 16. Punjab & 1975 Punjab, Haryana & Chandigarh Haryana 3 Chandigarh 17. Rajasthan 1949 Rajasthan Jodhpur (Bench at Jaipur) 18. Sikkim 1975 Sikkim Gangtok 19.				
Gwalior and Indore) 15. Tamil Nadu 1862 Tamil Nadu & Madras Pondicherry 16. Orissa 1948 Orissa Cuttack 17. Bihar 1916 Bihar Patna 18. Punjab & Haryana 1966 Punjab, Haryana and Chandigarh Chandigarh 19. Rajasthan 1950 Rajasthan Jodhpur (Bench at Jaipur) 20. Sikkim 1975 Sikkim Gangtok 21.				
W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf				

515/905	SUBMITTED TEXT	35 WORDS	84% MATCHING TEXT	35 WORDS
<p>Assam High Court, renamed Guwahati High Court in 1971. 2. Originally known as Mysore High Court, renamed as Karnataka High Court in 1973. 3. Originally known as Punjab High Court, renamed as Punjab & Haryana High Court in 1966. 11.5.1</p>		<p>Assam High Court and renamed Guwahati High Court in 1971. 11. Originally known as Mysore High Court and renamed Karnataka High Court in 1973. 12. Originally known as Punjab High Court and renamed Punjab and Haryana High Court in 1966. 13.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

516/905	SUBMITTED TEXT	28 WORDS	76% MATCHING TEXT	28 WORDS
<p>The Constitution provides for a High Court for each state. However, the Parliament can by law establish a common High Court for two or more states and a Union Territory.</p>				
<p>SA Combine File.docx (D58915711)</p>				

517/905	SUBMITTED TEXT	23 WORDS	75% MATCHING TEXT	23 WORDS
<p>High Court for each State. Every High Court shall consist of one chief justice and such other judges as the President may from time</p>				
<p>SA Combine File.docx (D58915711)</p>				

518/905	SUBMITTED TEXT	32 WORDS	100% MATCHING TEXT	32 WORDS
<p>an acting judge, when a permanent judge of a High Court (other than Chief Justice) is temporarily absent or unable to perform his duties or is appointed to act temporarily as Chief Justice. 11.5.2</p>		<p>An acting judge, when a permanent judge of a High Court (other than Chief Justice) is temporarily absent or unable to perform his duties or is appointed to act temporarily as Chief Justice. 5.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

519/905	SUBMITTED TEXT	14 WORDS	84% MATCHING TEXT	14 WORDS
<p>of judges : The qualifications for appointment as a judge of a High Court</p>		<p>of the Judges 128 4.2 Qualifications for Appointment as a Judge of a High Court 128 4.3</p>		
<p>W https://www.uniqueshiksha.com/online_foundation/Study_Material/preClass_Indian_Polity.pdf</p>				

520/905	SUBMITTED TEXT	71 WORDS	55% MATCHING TEXT	71 WORDS
<p>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. In appointing other judges of the High Court, the President, besides consulting the Chief Justice of India and the Governor, also consults the Chief justice of the High Court. Besides, the President has the power to appoint (a) Additional Judges for a temporary period not exceeding two years,</p> <p>SA Combine File.docx (D58915711)</p>				
521/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>are that– i) A person must be a citizen of India. ii)</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
522/905	SUBMITTED TEXT	13 WORDS	83% MATCHING TEXT	13 WORDS
<p>of the High Court shall hold office until the age of 62 years.</p> <p>of the Supreme Court and shall hold office until the age of 65 years</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
523/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>may vacate his office earlier in any of the following</p> <p>may vacate his office earlier in any of the following</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
524/905	SUBMITTED TEXT	15 WORDS	71% MATCHING TEXT	15 WORDS
<p>or iii) Has for at least 10 years been an advocate of a High Court</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

525/905	SUBMITTED TEXT	23 WORDS	50% MATCHING TEXT	23 WORDS
<p>of removal of a Judge of the High Court shall thus be the same as that of a judge of the Supreme Court. 11.5.3</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>of India. Removal of a Judge of the Supreme Court The procedure relating to the removal of a judge of the Supreme Court</p>		
526/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>a Judge of the Supreme Court or being transferred to any other High Court,</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
527/905	SUBMITTED TEXT	22 WORDS	56% MATCHING TEXT	22 WORDS
<p>to issue writs or orders for the enforcement of Fundamental Rights or any other purpose. (2) The power of superintendence over subordinate courts. (3)</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>to issue directions or orders or for the enforcement of the Fundamental Rights and for any other purpose. 12. Article 227 vests the High Courts the power of superintendence over all courts</p>		
528/905	SUBMITTED TEXT	36 WORDS	94% MATCHING TEXT	36 WORDS
<p>The High Courts are primarily courts of appeal. Only in matters of admiralty, probate, matrimonial, contempt of Court, enforcement of Fundamental Rights, and cases ordered to be transferred from a lower court involving the interpretation of the Constitution</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
529/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS
<p>the highest court of appeal in any State. It entertains appeals against the judgments of the subordinate courts.</p> <p>SA Combine File.docx (D58915711)</p>				

530/905	SUBMITTED TEXT	13 WORDS	90% MATCHING TEXT	13 WORDS
<p>It also hears cases relating to patent and designs, succession, land acquisition, insolvency, and guardianship.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

531/905	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <p>If the High Court is satisfied that a case pending in a court subordinate to it involves a substantial question of law as to the interpretation of the Constitution,</p> </td> <td style="width: 50%; border: none;"> <p>If the High Court is satisfied that a case pending in a Court subordinate to it involves a substantial question of law as to the interpretation of the Constitution</p> </td> </tr> </table> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>					<p>If the High Court is satisfied that a case pending in a court subordinate to it involves a substantial question of law as to the interpretation of the Constitution,</p>	<p>If the High Court is satisfied that a case pending in a Court subordinate to it involves a substantial question of law as to the interpretation of the Constitution</p>
<p>If the High Court is satisfied that a case pending in a court subordinate to it involves a substantial question of law as to the interpretation of the Constitution,</p>	<p>If the High Court is satisfied that a case pending in a Court subordinate to it involves a substantial question of law as to the interpretation of the Constitution</p>					

532/905	SUBMITTED TEXT	66 WORDS	86% MATCHING TEXT	66 WORDS
<p>of Superintendence and Transfer : Every High Court has a power of superintendence over all courts and tribunals throughout the territory concerning which it exercises jurisdiction, excepting military tribunals [Art. 227]. This power of superintendence is very wide in as much as it extends to all courts as well as tribunals within the State, whether such court or tribunal is subject to the appellate jurisdiction of the High Court or not.</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				

533/905	SUBMITTED TEXT	46 WORDS	56% MATCHING TEXT	46 WORDS
<p>may dispose of the whole case itself or may determine the constitutional questions involved and return the case to the court from which it has been withdrawn together with a copy of its judgment on such question and direct it to dispose of the case in conformity with such judgment.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

534/905	SUBMITTED TEXT	30 WORDS	61% MATCHING TEXT	30 WORDS
<p>orders or writs, including writs like habeas corpus, mandamus, prohibition, quo warrantor and certiorari, or any of them, for the enforcement of any of the Fundamental Rights and for any other</p>		<p>orders or writs including writs in the nature habeas corpus, mandamus, prohibition, quo warranto and certiorari or any of them for the enforcement of the fundamental rights guaranteed by the Constitution, and for any other</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
535/905	SUBMITTED TEXT	20 WORDS	71% MATCHING TEXT	20 WORDS
<p>the High Court a case that involves a substantial question of law as to th interpretation of the Constitution</p>		<p>the High Court a case that involves a substantial question of law as to th interpretation of the Constitution</p>		
<p>SA Combine File.docx (D58915711)</p>				
536/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>the power to punish for contempt of itself. Neither the Supreme Court nor the</p>		<p>the power to punish for contempt of itself. 5. Except the Supreme Court and the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
537/905	SUBMITTED TEXT	21 WORDS	78% MATCHING TEXT	21 WORDS
<p>The High Court of India has been given full freedom and independence in imparting justice to the people and ensure that</p>		<p>the High Court. 4.3.3 Position of High Courts High courts in India have been given full freedom and independence in imparting justice to the people and ensure that</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
538/905	SUBMITTED TEXT	38 WORDS	100% MATCHING TEXT	38 WORDS
<p>executive and legislature shall in no way interfere in the day-to-day life of the people. As a Court of record, the High Court has the power to punish those who are adjudged as guilty of contempt of court. All its</p>		<p>executive and legislature shall in no way interfere in the day-to-day life of the people. As a court of record, the High Court has the power to punish those who are adjudged as guilty of contempt of court. All its</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

539/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>permanence of tenure and the conditions of service of the judges. 11.6</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>permanence of tenure and the conditions of service of the judges.</p>		
540/905	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>judicial activism is a philosophy of judicial decision-making whereby judges allow their personal views about public policy, among other factors, to guide their decisions.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Judicial activism is a philosophy of judicial decision-making whereby judges allow their personal views about public policy, among other factors, to guide their decisions".3</p>		
541/905	SUBMITTED TEXT	23 WORDS	95% MATCHING TEXT	23 WORDS
<p>High Court is a court of record and has all the powers of such a court including the power to punish for contempt</p> <p>SA Combine File.docx (D58915711)</p>				
542/905	SUBMITTED TEXT	12 WORDS	84% MATCHING TEXT	12 WORDS
<p>of judicial control over discretionary forces, expansion of judicial review over the administration,</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>of judicial control over discretionary powers. (iv) Expansion of judicial review over the administration. (</p>		
543/905	SUBMITTED TEXT	31 WORDS	39% MATCHING TEXT	31 WORDS
<p>Judicial review (power of the judiciary to interpret the constitution and to declare any such law or order of the legislature and executive void, if it find them in conflict with the</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
544/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the Indian Constitution describes India as a Union of States</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>The Indian Constitution describes India as a Union of States</p>		

545/905	SUBMITTED TEXT	16 WORDS	100%	MATCHING TEXT	16 WORDS
<p>et al (eds), Supreme But Not Infallible: Essays in honour of the Supreme Court of India,</p> <p>SA CHAPTERS.docx (D104265488)</p>					
546/905	SUBMITTED TEXT	14 WORDS	93%	MATCHING TEXT	14 WORDS
<p>is a political contrivance intended to reconcile national unity with the maintenance of State Rights.”</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>					
547/905	SUBMITTED TEXT	29 WORDS	98%	MATCHING TEXT	29 WORDS
<p>Birch, “A federal system of government is one in which there is a division of powers between one general and several regional authorities, each of which, in its sphere, is</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>					
548/905	SUBMITTED TEXT	21 WORDS	66%	MATCHING TEXT	21 WORDS
<p>the division of powers between two levels of government is an essential feature of federalism. Federalism means the distribution of powers</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>					
549/905	SUBMITTED TEXT	14 WORDS	89%	MATCHING TEXT	14 WORDS
<p>The basis of such distribution of power is that in matters of national importance,</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>					

550/905	SUBMITTED TEXT	46 WORDS	88% MATCHING TEXT	46 WORDS
<p>clear division of powers so that the units and the centre are required to enact and legislate within their sphere of activities and none violates its limits and tries to encroach upon the functions of others. The Seventh schedule contains three legislative lists which enumerate subjects of administration</p>		<p>clear division of powers so that the units and the centre are required to enact and legislate within their sphere of activity and none violates its limits and tries to encroach upon the functions of others. 13. This requisite is evident the Indian Constitution. 14. The Seventh Schedule contains three Legislative Lists which enumerate subjects of administration,</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
551/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>is entrusted to the centre and matters of local concern remain with the states.</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
552/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>The residuary powers have been vested in the central government.</p>		<p>The residuary powers have been vested in the Central Government. 19.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
553/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Supremacy of the Constitution : A federal-state derives its existence from</p>		<p>Supremacy of the constitution-A Federal state derives its existence from</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
554/905	SUBMITTED TEXT	49 WORDS	82% MATCHING TEXT	49 WORDS
<p>The union list consists of 100 subjects, the more important of which are defines, railway, posts and telegraph, currency, etc. The state list consists of 61 subjects, including public order, police, administration of justice, public health, education, agriculture, etc. The concurrent list embraced 52 subjects including criminal law, marriage, divorce, trade unions, electricity,</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				

555/905	SUBMITTED TEXT	16 WORDS	91% MATCHING TEXT	16 WORDS
<p>the constitution. The constitution in a federal state constitutes the supreme law of the land. As Prof.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
556/905	SUBMITTED TEXT	40 WORDS	80% MATCHING TEXT	40 WORDS
<p>constitution is also supreme and not the handmaid of either the centre or of the states. If for any reason, any organ of the state dares to violate any provision of the constitution, the court of law is there to ensure</p> <p>Constitution is supreme and not the hand-made of either the Centre or of the States. 6. If for any reason any organ of the State dares to violate any provision of the Constitution, the courts of laws are there to ensure</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
557/905	SUBMITTED TEXT	23 WORDS	85% MATCHING TEXT	23 WORDS
<p>the Constitution is essential if the government is to be federal; the written constitution is essential if the federal government is to work well."</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
558/905	SUBMITTED TEXT	35 WORDS	73% MATCHING TEXT	35 WORDS
<p>the Indian constitution is a written document containing 395 Articles and 12 Schedules and NSOU ? CC-PS-02 218 therefore fulfills this basic requirement of a federal government. The Indian constitution is the most elaborate in the world.</p> <p>The Indian Constitution is a written document containing 395 Articles and 12 schedules, and therefore, fulfils this basic requirement of a federal government. 3. In fact, the Indian Constitution is the most elaborate Constitution of the world. 4.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
559/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>written constitution. It will be practically impossible to maintain the supremacy of the constitution</p> <p>SA ravinddra vashita project 2.pdf (D110813839)</p>				

560/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Rigid Constitution : A natural corollary of a written constitution is its rigidity.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
561/905	SUBMITTED TEXT	48 WORDS	86% MATCHING TEXT	48 WORDS
<p>The Indian constitution is partly rigid. All the provisions of the constitution concerning federal-state relations can be amended only by the joint actions of the state legislatures and the union parliament. Such provisions can be amended only if the amendment is passed by a two-thirds majority of the members present and</p> <p>The Indian Constitution is largely a rigid All the provisions of the Constitution concerning Union-State relations can be amended only by the joint actions of the State Legislatures and the Union Parliament. 10. Such provisions can be amended only if the amendment is passed by a two-thirds majority of the members present and</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
562/905	SUBMITTED TEXT	24 WORDS	88% MATCHING TEXT	24 WORDS
<p>by a majority of the total membership in each house, and by a majority of not less than two-thirds of the members present, and voting</p> <p>by a majority of the total membership of House and by a majority of not less than two-thirds of the members present and voting</p> <p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
563/905	SUBMITTED TEXT	24 WORDS	91% MATCHING TEXT	24 WORDS
<p>In a rigid constitution, the procedure of amendment is complicated and difficult. But this does not mean that the constitution should be legally unalterable.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
564/905	SUBMITTED TEXT	14 WORDS	76% MATCHING TEXT	14 WORDS
<p>of parliament, and ratification by at least one-half the state legislatures. The third category</p> <p>of Parliament but also ratification by at least one-half of the State Legislatures. Articles of the third category</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				

565/905	SUBMITTED TEXT	62 WORDS	95% MATCHING TEXT	62 WORDS
	<p>India. The constitution has provided for a Supreme Court, and every effort has been made to see that the judiciary in India is independent and supreme. The Supreme Court of India can declare a law unconstitutional if it contravenes any provisions of the constitution. To ensure the impartiality of the judiciary, our judges are not removable by the executive and their salaries cannot be curtailed by</p>		<p>India, the Constitution has provided for a Supreme Court and every effort has been made to see that the judiciary in India is independent and supreme. 21. The Supreme Court of India can declare a law as unconstitutional or ultra Vires, if it contravenes any provisions of the Constitution. 22. In to ensure the impartiality of the judiciary, our judges are not removable by the Executive and their salaries cannot be curtailed by</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

566/905	SUBMITTED TEXT	56 WORDS	75% MATCHING TEXT	56 WORDS
	<p>Parliament. vi) Bicameral Legislature : A bicameral system is considered essential in a federation because it is in the Upper House alone that the units can be given equal representation. The Constitution of India also provides for a bicameral legislature at the Centre consisting of the Lok Sabha and the Rajya Sabha. While the Lok Sabha consists of the elected</p>		<p>Parliament. 23. Bicameral Legislature: 72 © Yuvraj A bicameral system is considered essential in a federation because it is in the Upper House alone that the units can be given equal representation. 25. The Constitution of India also provides for a bicameral Legislature at the Centre consisting of Lok Sabha and Rajya Sabha. 26. While the Lok Sabha consists of elected of people, the Rajya Sabha mainly consists of representatives elected</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

567/905	SUBMITTED TEXT	16 WORDS	96% MATCHING TEXT	16 WORDS
	<p>representatives of people, the Rajya Sabha mainly consists of representatives elected by State Legislative Assemblies. 12.5</p>		<p>representatives of people, the Rajya Sabha mainly consists of representatives elected by the State Legislative Assemblies. 27.</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

568/905	SUBMITTED TEXT	24 WORDS	92% MATCHING TEXT	24 WORDS
	<p>a majority of the total membership in each house, and a majority not less than two-thirds of the members present, and voting in each house</p>		<p>a majority of the total membership of each House and a majority not less than two-thirds of the members present and voting in each House.</p>	
	<p>W https://www.apsctutorials.com/wp-content/uploads/2020/06/Laxmikanth6thEdition-2.pdf</p>			

569/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>are in no way dependent upon the centre for their legislative or executive authority"</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>are in no way dependent upon the Centre for their legislative or executive authority.</p>		
570/905	SUBMITTED TEXT	17 WORDS	80% MATCHING TEXT	17 WORDS
<p>certain bills passed by state legislatures may be reserved by the governors for the consideration of the President</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
571/905	SUBMITTED TEXT	52 WORDS	60% MATCHING TEXT	52 WORDS
<p>if any provision of a law made by the legislature of a state is repugnant to any provision of a law made by Parliament or to any provision of existing law concerning matters enumerated in the Concurrent List. In such cases, the parliamentary law shall prevail, whether passed before or after the law enacted by the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
572/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>that nothing in this clause shall prevent Parliament from enacting</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
573/905	SUBMITTED TEXT	14 WORDS	90% MATCHING TEXT	14 WORDS
<p>the same matter, including a law adding to, amending, varying, or repealing the state law.</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				

574/905	SUBMITTED TEXT	27 WORDS	70% MATCHING TEXT	27 WORDS
<p>the executive power of every state shall be exercised in such a manner as to ensure compliance with the laws made by NSOU ? CC-PS-02 222 Parliament, and</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
575/905	SUBMITTED TEXT	36 WORDS	72% MATCHING TEXT	36 WORDS
<p>the Union Parliament has the power to make laws for the whole or any part of the territory of India concerning any of the matters enumerated in the State List, under the terms of Clause (1) of</p> <p>SA karan synopsis final - Plagiarism.docx (D117649559)</p>				
576/905	SUBMITTED TEXT	30 WORDS	100% MATCHING TEXT	30 WORDS
<p>Inequality of representation in Rajya Sabha-the US Senate accords equal representation to all the states irrespective of their size, the Indian constitution accords representation to various states in the Rajya Sabha</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
577/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>Emergency Provisions-under emergency, the normal distribution of powers between the Center and states undergo a vital change, and the center becomes all-powerful.</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
578/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>a unitary state with subsidiary federal features, rather than a federal state with subsidiary unitary features.</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				

579/905	SUBMITTED TEXT	12 WORDS	91% MATCHING TEXT	12 WORDS
<p>constitution is federal "in as much as it establishes a dual polity,"</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Constitution is a Federal Constitution in as much as it establishes a dual polity.</p>		
580/905	SUBMITTED TEXT	23 WORDS	78% MATCHING TEXT	23 WORDS
<p>the needs or progress and development of a country that has to be nationally integrated, politically, and economically coordinated and socially, intellectually, and spiritually uplifted.</p> <p>SA CHAPTERS.docx (D104265488)</p>				
581/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>avoided the "tight mold of federalism" in which the American constitution was</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
582/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>the Indian constitution is mainly federal with unique safeguards for enforcing national unity and growth. 12.6</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>the Indian Constitution is mainly federal with unique safeguards for enforcing national unity and growth".</p>		
583/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>be "both unitary as well as federal according to the requirements of time and circumstances."</p> <p>W https://civilspedia.com/author/admin/page/23/</p>		<p>be both unitary as well as federal according to the requirements of time and circumstances.</p>		
584/905	SUBMITTED TEXT	15 WORDS	78% MATCHING TEXT	15 WORDS
<p>New Delhi, PHI Learning, 2012. 5. Pylee, M.V. India's Constitution : New Delhi, S. Chand, 2013. 6.</p> <p>SA Combine File.docx (D58915711)</p>				

585/905	SUBMITTED TEXT	18 WORDS	81% MATCHING TEXT	18 WORDS
<p>princely states were entitled to half of the state's seats in the upper house of the federal legislature</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
586/905	SUBMITTED TEXT	37 WORDS	30% MATCHING TEXT	37 WORDS
<p>three lists. This act divided powers between the Centre/Federal and the provinces very clearly. Three lists gave the subjects under each government. These were : a) Federal List (for centre) b) Provincial List (for Provinces) and c) Concurrent list (for both</p> <p>Three Lists: The Act divided the powers between the Centre and the units into items of three lists, namely the Federal List, the Provincial List and the Concurrent List. Federal List for the Centre consisted of 59 items, the Provincial List for the provinces consisted of 54 items and the Concurrent List for both</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
587/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>Parliament may make laws for the whole or any part of the territory of India.</p> <p>Parliament may make laws for the whole or any part of the territory of India.</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
588/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>division of subjects between the Centre and the Provinces. The</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
589/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>the State legislature may make laws for the whole or any part of the state.</p> <p>The State Legislature may enact laws for the whole or any part of the State.</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
590/905	SUBMITTED TEXT	17 WORDS	78% MATCHING TEXT	17 WORDS
<p>law made by Parliament shall not be invalid merely on the ground that it would have extra- territorial operation.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

591/905	SUBMITTED TEXT	32 WORDS	52% MATCHING TEXT	32 WORDS
<p>The 7th Schedule of the Indian Constitution deals with the division of powers between the Union government and State governments. The division of powers between Union and State is notified through three kinds of</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
592/905	SUBMITTED TEXT	14 WORDS	88% MATCHING TEXT	14 WORDS
<p>uniformity of legislation nationwide are included in the Union List. vi) The dominance of</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
593/905	SUBMITTED TEXT	35 WORDS	100% MATCHING TEXT	35 WORDS
<p>Law made by the Parliament on a subject of the Union List can confer powers and impose duties on a state, or authorise the conferring of powers and imposition of duties by the Centre upon a state.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
594/905	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>mentioned in the seventh schedule : 1. Union List – List I 2. State List – List II 3. Concurrent List – List III 13.4.1</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
595/905	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>The matters of regional and local importance and the matters which permit diversity of interest are specified in the State List.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

596/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>There are 15 subjects in the Union List on which Parliament has</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
597/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>shifted five subjects from the state list to the Concurrent list.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
598/905	SUBMITTED TEXT	25 WORDS	96% MATCHING TEXT	25 WORDS
<p>Weights and measures, Protection of wild animals and birds and Administration of justice, constitution, and organisation of all courts except the Supreme Court and the High Courts.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
599/905	SUBMITTED TEXT	17 WORDS	75% MATCHING TEXT	17 WORDS
<p>Concurrent List : i) The concept of 'Concurrent List' in the Indian Constitution has been borrowed from the</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
600/905	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>The matters on which uniformity of legislation throughout the country is desirable but not essential are enumerated in the concurrent list.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

601/905	SUBMITTED TEXT	39 WORDS	82% MATCHING TEXT	39 WORDS
	<p>shifted five subjects from State list to Concurrent List : like Education, Forests, Protection of wild animals and birds, Weights and measures and Administration of justice, constitution and organisation of all courts except the Supreme Court and the High Courts. 13.5</p>		<p>Shifted five subjects from the state list to the concurrent list, viz, education, protection of wild animals and birds, weights and Number and Year Amended Provisions of the Constitution measures administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts. 16.</p>	
	<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>			
602/905	SUBMITTED TEXT	22 WORDS	52% MATCHING TEXT	22 WORDS
	<p>on the subjects mentioned under the Concurrent List. iv) While both Central and State Government can legislate on subjects mentioned under the Concurrent List,</p>			
	<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>			
603/905	SUBMITTED TEXT	77 WORDS	87% MATCHING TEXT	77 WORDS
	<p>of the division of powers. It has divided the legislative, executive, and financial powers between the centre and the states, which gives the constitution a federal character whereas the judiciary is integrated into a hierarchical structure. The centre-state relations are divided into three parts, which are mentioned below : (A) Legislative Relations (Article 245-255) (B) Administrative Relations (Article 256-263) (C) Financial relations 13.5.1 Legislative Relations : Articles 245 to 255 in Part XI deals with different aspects of legislative relations between centre and states. These include :</p>		<p>of states. The constitution of has divided the legislative, executive and financial powers between the centre and the states, which gives the constitution a federal character whereas judiciary is integrated in a hierarchical structure. The centre-state relations are divided into three parts, which are mentioned below: (A) Legislative Relations (Article 245-255) (B) Administrative Relations (Article 256-263) (C) Financial Relations (Article 268-293) Legislative Relations Articles 245 to 255 in Part XI deals with different aspects of legislative relations between centre and states. These include: (1)</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			
604/905	SUBMITTED TEXT	30 WORDS	82% MATCHING TEXT	30 WORDS
	<p>Territorial jurisdiction of laws made by the Parliament and by the Legislatures of States (Art. 245) b) Power of the parliament to legislate with respect to a matter in the State List (</p>		<p>Territorial jurisdiction of laws made by the Parliament and by the Legislatures of States. (2) Distribution of subjects (3) Power parliament to legislate with respect to a matter in the State List (4)</p>	
	<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>			

605/905	SUBMITTED TEXT	24 WORDS	47% MATCHING TEXT	24 WORDS
<p>by the State legislature : According to Art. 245, subject to the constitutional provisions, Parliament may legislate for the whole or any part of the</p> <p>SA INDIAN POLITY.docx (D56247133)</p>				
606/905	SUBMITTED TEXT	25 WORDS	81% MATCHING TEXT	25 WORDS
<p>legislate with respect to any matter for any part of the Indian territory not included (in a State) notwithstanding such matter is enumerated in the State List.</p> <p>SA Astha final.docx (D105981986)</p>				
607/905	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>Power of the Parliament to provide for the establishment of certain additional courts :</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
608/905	SUBMITTED TEXT	31 WORDS	86% MATCHING TEXT	31 WORDS
<p>Parliament may by law provide for the establishment of any additional courts for the better administration of Parliamentary laws or of any existing laws with respect to matter enumerated in the Union List.</p> <p>SA INDIAN POLITY.docx (D56247133)</p>				
609/905	SUBMITTED TEXT	31 WORDS	69% MATCHING TEXT	31 WORDS
<p>with respect to any matter absent in the Concurrent List or State List. Also, such power shall include the legislative power for imposing a tax not mentioned in either of those Lists. Therefore, the</p> <p>SA 16MB04IndianParliament.pdf (D22450078)</p>				

610/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the concurrent list or the State List, including the power</p> <p>SA Aastha Dissertation.docx (D105061028)</p>				
611/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>with respect to a matter in the State list in the national interest (Art. 249) :</p> <p>SA ravindra vashita project 2.pdf (D110813839)</p>				
612/905	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>Parliament to legislate with respect to any matter in the State List if a Proclamation of Emergency is in operation. (</p> <p>Parliament to legislate with respect to any matter in the state list if a Proclamation of Emergency is in operation 251.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
613/905	SUBMITTED TEXT	33 WORDS	41% MATCHING TEXT	33 WORDS
<p>the Parliament to legislate with respect to any matter in the State List, then it shall be lawful for the Parliament to legislate. Such legislation can extend to the whole or any part of the</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
614/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Parliament under articles 249 and 250 and laws made by the Legislatures of States. (</p> <p>Parliament under articles 249 and 250 and laws made by the legislatures of states 252.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
615/905	SUBMITTED TEXT	31 WORDS	78% MATCHING TEXT	31 WORDS
<p>the Proclamation of Emergency, the Parliament shall be empowered to legislate for the entire Indian territory or any of its parts with respect to all the matters enumerated in the State List.</p> <p>SA CHAPTERS.docx (D104265488)</p>				

616/905	SUBMITTED TEXT	26 WORDS	100% MATCHING TEXT	26 WORDS
<p>Nothing in articles 249 and 250 shall restrict the power of the Legislature of a State to make any law which under this Constitution it has</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

617/905	SUBMITTED TEXT	105 WORDS	95% MATCHING TEXT	105 WORDS
<p>power to make, but if any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament has under either of the said articles power to make, the law made by Parliament, whether passed before or after the law made by the Legislature of the State, shall prevail, and the law made by the Legislature of the State shall to the extent of the repugnancy, but so long only as the law made by Parliament continues to have effect, be inoperative</p> <p>Parliamentary legislative power for two or more States by consent and adoption of such legislation by any other State</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

618/905	SUBMITTED TEXT	29 WORDS	68% MATCHING TEXT	29 WORDS
<p>desirable that any of the matters with respect to which Parliament lacks any legislative power for the States except as provided under the Articles 249 and 250 should be regulated</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

619/905	SUBMITTED TEXT	52 WORDS	72% MATCHING TEXT	52 WORDS
<p>States by Parliamentary law, and if resolutions are passed to that effect by all the House of those State Legislatures, it shall be lawful for Parliament to pass an Act to regulate that matter accordingly, and any Act so passed shall apply to such States and to any other State by which it is adopted</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

620/905	SUBMITTED TEXT	39 WORDS	32% MATCHING TEXT	39 WORDS
<p>resolution passed in that behalf by the House or Houses of the State Legislature, as the case may be. Any Parliamentary Act can be amended or repealed solely by a Parliamentary Act passed or adopted in resembling manner but not</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
621/905	SUBMITTED TEXT	23 WORDS	81% MATCHING TEXT	23 WORDS
<p>by an act of the State Legislatures. Legislation for giving effect to international agreements (Art. 253) Notwithstanding anything in the foregoing provisions of this chapter,</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
622/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>power to make any law for the whole or any part of the territory of India for-</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
623/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS
<p>any treaty, agreement, or other convention with another country; ? Implementing any decision made at any international conference, or</p> <p>SA Combine File.docx (D58915711)</p>				

624/905	SUBMITTED TEXT	76 WORDS	33% MATCHING TEXT	76 WORDS
	<p>of the matters contained in the Concurrent List, then, subject to the provisions of the clause. b) The law made by Parliament, whether passed prior or following the enactment by the State Legislature or, as the case may be, the existing law, shall prevail over the law passed by the State Legislature. Where an enactment by the State Legislature with respect to any matter enumerated in the concurrent List is repugnant with the provisions of the prior Parliamentary law or existing law</p>			
	<p>SA INDIAN POLITY book.docx (D57972790)</p>			
625/905	SUBMITTED TEXT	33 WORDS	72% MATCHING TEXT	33 WORDS
	<p>respect to that matter, then, the State law, if it has been reserved for the Presidential consideration and has received his assent, prevail in that State. Provided that nothing in this clause shall prevent</p>			
	<p>SA INDIAN POLITY book.docx (D57972790)</p>			
626/905	SUBMITTED TEXT	37 WORDS	95% MATCHING TEXT	37 WORDS
	<p>The administrative relations between the Centre and the States are stated under Article 256 to Article 263 of the Constitution of India. The Government of India has also constituted the Punchi Commission in 2007, to determine the Centre-State Relations.</p>			
	<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>			

627/905**SUBMITTED TEXT**

331 WORDS

99% MATCHING TEXT

331 WORDS

The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose.” Control of the Union over States in certain cases. (Art. 257) (1) The executive power of every State shall be so exercised as not to impede or prejudice the exercise of the executive power of the Union, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose. (2) The executive power of the Union shall also extend to the giving of directions to a State as to the construction and maintenance of means of communication declared in the direction to be of national or military importance : Provided that nothing in this clause shall be taken as restricting the power of Parliament to declare highways or waterways to be national highways or national waterways or the power of the Union with respect to the highways or waterways so declared or the power of the Union to construct and maintain means of communication as part of its functions with respect to naval, military and air force works. (3) The executive power of the Union shall also extend to the giving of directions to a State as to the measures to be taken for the protection of the railways within the State. (4) Where in carrying out any direction given to a State under clause (2) as to the construction or maintenance of any means of communication or under clause (3) as to the measures to be taken for the protection of any railway, costs have been incurred in excess of those which would have been incurred in the discharge of the normal duties of the State if such direction had not been given, there shall be paid by the Government of India to the State such

SA INDIAN POLITY book.docx (D57972790)

628/905 SUBMITTED TEXT 220 WORDS **98% MATCHING TEXT** 220 WORDS

sum as may be agreed, or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of India, in respect of the extra costs so incurred by the State. Power of the Union to confer powers, etc., on States in certain cases. (Art. 258) (1) Notwithstanding anything in this Constitution, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the Union extends. (2) A law made by Parliament which applies in any State may, notwithstanding that it relates to a matter with respect to which the Legislature of the State has no power to make laws, confer powers and impose duties, or authorise the conferring of powers and the imposition of duties, upon the State or officers and authorities thereof. (3) Where by virtue of this article powers and duties have been conferred or imposed upon a State or officers or authorities thereof, there shall be paid by the Government of India to the State such sum as may be agreed, or, in default of agreement, as may be determined by an arbitrator appointed by the Chief Justice of India, in respect of any extra costs of administration incurred by the State in connection with the exercise of those powers and duties. Jurisdiction of the

SA INDIAN POLITY book.docx (D57972790)

629/905 SUBMITTED TEXT 26 WORDS **100% MATCHING TEXT** 26 WORDS

Cooperation between the Centre and the States The constitution lays down various provisions to secure cooperation and coordination between the centre and the states. These include :

Cooperation Between the Centre and the States The constitution lays down various provisions to secure cooperation and coordination between the centre and the states. These include: (

W <https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html>

630/905	SUBMITTED TEXT	65 WORDS	97% MATCHING TEXT	65 WORDS
<p>Union in relation to territories outside India. (Art. 263) The Government of India may by agreement with the Government of any territory not being part of the territory of India undertake any executive, legislative or judicial functions vested in the Government of such territory, but every such agreement shall be subject to, and governed by, any law relating to the exercise of foreign jurisdiction for the time being in force.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

631/905	SUBMITTED TEXT	36 WORDS	100% MATCHING TEXT	36 WORDS
<p>According to Article 262, the parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley.</p>			<p>According to Article 262, the parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley. (</p>	
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

632/905	SUBMITTED TEXT	61 WORDS	95% MATCHING TEXT	61 WORDS
<p>Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution, or control of the waters of, or in, any inter-State river or river valley. b) Notwithstanding anything in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as</p>			<p>Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any Inter State river or river valley. Notwithstanding anything in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such Inter State water or complaint." As</p>	
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

633/905

SUBMITTED TEXT

86 WORDS

100% MATCHING TEXT

86 WORDS

Full faith and credit shall be given throughout the territory of India to public acts, records and judicial proceedings of the Union and of every State." (2) The manner in which and the conditions under which the acts, records and proceedings referred to in clause (1) shall be proved and the effect thereof determined shall be as provided by law made by Parliament. (3) Final judgments or orders delivered or passed by civil courts in any part of the territory of India shall be capable of execution anywhere within that territory according to law.

SA INDIAN POLITY book.docx (D57972790)

634/905

SUBMITTED TEXT

526 WORDS

95% MATCHING TEXT

526 WORDS

As per Article 307, Parliament may by law appoint such authority as it considers appropriate for carrying out the purposes of the constitutional provisions related to the inter-state freedom of trade and commerce. Centre-State Relations during Emergency (i) During a national emergency (under Article 352), the state government becomes subordinate to the central government. All the executive functions of the state come under the control of the union government. (ii) During a state emergency (under Article 356), the president can assume to himself all or any of the functions of the Government of the State and all or any of the powers vested in or exercisable by the Governor or authority in the State other than the Legislature of the State. (iii) During the operation of financial emergency (under Article 360), the Union may give directions to any State to observe such canons of financial propriety as may be specified in the directions, and to the giving of such other directions as the President may deem necessary and adequate for the purpose.

13.5.3 Financial Relations : The Constitution deals with the centre-state financial relations in Article 268-293 of Part XII. Allocation of taxing powers. The Constitution has provided the union government and the state governments with independent sources of revenue. It allocates the powers to centre and the states in the following way : (i) The parliament has exclusive power to levy taxes on the subjects mentioned in the Union List. NSOU ? CC-PS-02 242 (ii) The state legislatures have exclusive power to levy taxes on the subjects mentioned in the State List. (iii) Both the parliament and the state legislature are empowered to levy taxes on the subjects mentioned in the Concurrent List. (iv) The parliament has exclusive power to levy taxes on the matters related to the residuary subjects. However, in case of tax revenue distribution : ? Article 268 states that duties are levied by the Union but are collected and appropriated by the States. ? Service tax levied by Union and collected and appropriated by the Union and the States (Article 268-A). ? Taxes levied and collected by the Union but assigned to the States (Article 269). ? Taxes were levied and collected by the Union but distributed between the Union and the States (Article 270). ? Surcharge on certain duties and taxes for purposes of the Union (Article 271). Under Article 275, the parliament is authorised to provide grants-in-aid to any state as parliament may determine to require assistance, and different sums may be fixed for different States. Under Article 282, the union or a state may make any grants for any public purpose, notwithstanding that the purpose is not one with respect to which Parliament

As per Article 307, Parliament may by law appoint such authority as it considers appropriate for carrying out the purposes of the constitutional provisions related to the inter-state freedom of trade and commerce. Centre-State Relations during Emergency (i) During a national emergency (under Article 352), the state government become subordinate to the central government. All the executive functions of the state come under the control of the union government. (ii) During a state emergency (under Article 356), the president can assume to himself all or any of the functions of the Government of the State and all or any of the powers vested in or exercisable by the Governor or authority in the State other than the Legislature of the State. (iii) During the operation of financial emergency (under Article 360), the Union may give directions to any State to observe such canons of financial propriety as may be specified in the directions, and to the giving of such other directions as the President may deem necessary and adequate for the purpose.

Financial Yuvraj IAS 2019 The Constitution deals with the centre-state financial relations in Article 268-293 of Part XII. Allocation of taxing powers The Constitution has provided the union government and the state governments with the sources of revenue. It allocates the powers to centre and the states in the following way: (i) The parliament has exclusive power to levy taxes on the subjects mentioned in the Union List. (ii) The state legislatures has exclusive power to levy taxes on the subjects mentioned in the State List (iii) Both the parliament and the state legislature are empowered to levy taxes on the subjects mentioned in the Concurrent List. (iv) The parliament has exclusive power to levy taxes on the matters related to the residuary subjects. ? ? ? ? ?

However, in case of tax revenue distribution, article 268 states that duties are levied by the Union but are collected and appropriated by the States; Service tax levied by Union and collected and appropriated by the Union and the States (Article 268-A); Taxes levied and collected by the Union but assigned to the States (Article 269); Taxes levied and collected by the Union but distributed between the Union and the States (Article 270). Surcharge on certain duties and taxes for purposes of the Union (Article 271) Under Article 275, the parliament is authorized to provide grants-in-aid to any state as parliament may determine to be in need of assistance, and different sums may be fixed for different States. Under Article 282, the union or a state may make any grants for any public purpose, notwithstanding that the purpose is not one with respect to which Parliament or the Legislature of the

or the Legislature of the State, as the case may be, may make laws. Under Article 352, during the operation of a national emergency, the distribution of revenues between the centre and the states can be altered by the president. Under Article 360, during the financial emergency, the executive authority of the Union shall give directions to any State to observe such canons of financial propriety as may be specified in the directions and to give the directions as the President may deem necessary and adequate for the purpose. NSOU ? CC-PS-02 243 The important recommendations of the first administrative reforms commission related to the centre-state relations are : i) Decentralization of powers to the states as much as possible. ii) More transfer of financial resources to the states.

State, as the case may be, may make laws. Under Article 352, during the operation of national emergency, the distribution of revenues between the centre and the states can be altered by the president. Under Article 360, during the financial emergency, the executive authority of the Union shall give directions to any State to observe such canons of financial propriety as may be specified in the directions and to the give directions as the President may deem necessary and adequate for the purpose. 78 © Yuvraj IAS 2019 The important recommendations of the first administrative reforms commission related to the centre-state relations are: 1. 2. 3. 4. 5. Establishment of an Inter-state council under Article 263 Decentralization of powers to the states as much as possible More transfer of financial resources to the states

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635/905

SUBMITTED TEXT

13 WORDS

100% MATCHING TEXT

13 WORDS

Arrangements for devolution in such a way that the states can fulfil their obligations.

Arrangements for devolution in such a way that the states can fulfil their obligations

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636/905

SUBMITTED TEXT

47 WORDS

96% MATCHING TEXT

47 WORDS

advancement of loans to states should be related to as 'the productive principle'. v) Deployment of central armed forces in the states either on their request or otherwise. During state emergency, under Article 356, President's Rule can be imposed in event of the failure of constitutional machinery in a state. 13.6

Advancement of loans to states should be related to as 'the productive principle'. Deployment of central armed forces in the states either on their request or otherwise During state emergency, under Article 356, President's Rule can be imposed in event of the failure of constitutional machinery in a state.

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637/905	SUBMITTED TEXT	125 WORDS	97% MATCHING TEXT	125 WORDS
<p>Provisions with respect to an Inter-State Council. (Art. 263) If at any time it appears to the President that the public interests would be served by the establishment of a Council charged with the duty of— (a) inquiring into and advising upon disputes which may have arisen between States; (b) investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States, have a common interest; or (c) making recommendations upon any such subject and, in particular, recommendations for the better co-ordination of policy and action with respect to that subject, it shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organisation and procedure.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
638/905	SUBMITTED TEXT	75 WORDS	96% MATCHING TEXT	75 WORDS
<p>The Indian Constitution aims to establish either collaborative or cooperative federalism. Through the division of powers between the Centre and the States, a certain autonomy is granted to the States to ensure that the administration at the grass-root level remains efficient. Simultaneously, the Centre exercises its power over the States to maintain a balance. There are several challenges in the way of maintenance of a federation but the key solution is healthy debate and discussion between the parties involved. 13.7</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
639/905	SUBMITTED TEXT	18 WORDS	55% MATCHING TEXT	18 WORDS
<p>the Constitution of India, the division of powers between Union and State is notified through three kinds of</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
640/905	SUBMITTED TEXT	18 WORDS	71% MATCHING TEXT	18 WORDS
<p>between the union and the states. 3. Explain the financial relations between the union and the states.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

641/905	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>the government of a State to be carried on in accordance with the</p>		<p>the government of a state cannot be carried on in accordance with the</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
642/905	SUBMITTED TEXT	15 WORDS	78% MATCHING TEXT	15 WORDS
<p>Objectives After studying this unit learners will be able to : ? Explain the origin of</p>				
<p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
643/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>the Indian Constitution gives President the authority to declare three types of emergencies</p>		<p>The Indian Constitution gives President the authority to declare three types of emergencies:</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
644/905	SUBMITTED TEXT	29 WORDS	98% MATCHING TEXT	29 WORDS
<p>is satisfied that a grave emergency exists whereby the security of India or any part of the territory thereof is threatened, whether, by war or external aggression or armed rebellion,</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
645/905	SUBMITTED TEXT	22 WORDS	90% MATCHING TEXT	22 WORDS
<p>in respect of the whole of India or of such part of the territory thereof as may be specified in the Proclamation.</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				
646/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>can declare a national emergency even before the actual occurrence of war or armed rebellion or external aggression.</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

647/905**SUBMITTED TEXT**

13 WORDS

100% MATCHING TEXT

13 WORDS

The proclamation of emergency must be approved by both the houses of

SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)**648/905****SUBMITTED TEXT**

110 WORDS

98% MATCHING TEXT

110 WORDS

Parliament within one month from the date of its issue. However, if the proclamation of emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution takes place during one month without approving the proclamation, then the proclamation survives until 30 days from the first sitting of Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it. If approved by both the houses, the Emergency continues for 6 months and can be extended to an indefinite period with an approval of the Parliament for every six months. Every resolution approving the proclamation of emergency or its continuance must be passed by either House of Parliament by a special majority.

SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)**649/905****SUBMITTED TEXT**

13 WORDS

100% MATCHING TEXT

13 WORDS

a majority of 2/3 rd . members present and voting supported by

SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)**650/905****SUBMITTED TEXT**

41 WORDS

100% MATCHING TEXT

41 WORDS

A proclamation of Emergency may be revoked by the President at any time by a subsequent proclamation. Such proclamation does not require parliamentary approval. The emergency must be revoked if the Lok Sabha passes a resolution by a simple majority disapproving its continuation. 14.4.1.3

SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)

651/905**SUBMITTED TEXT**

223 WORDS

96% MATCHING TEXT

223 WORDS

A proclamation of Emergency has drastic and wide-ranging effects on the political system. These consequences can be categorised into 3 groups : i) Effects on the centre-state relations : While a proclamation of Emergency is in force, the normal fabric of the Centre- State relations undergoes a basic change. this can be studied under three heads : Executive : Centre becomes entitled to give executive directions to a state on 'any' matter Legislative : The parliament becomes empowered to make laws on any subject mentioned in the state list, the president can issue ordinances on State subjects also, if the parliament is not in session. The laws made on state subjects by the parliament become inoperative six months after the emergency has ceased to be in operation. Financial : The president can modify the constitutional distribution of revenues between the centre and the states. ii) Effect on the life of the Lok Sabha and State Assembly : iii) While a proclamation of National Emergency is in operation, the life of the Lok Sabha may be extended beyond the normal term for one year at a time. However, this extension cannot continue beyond a period of six months after the emergency has ceased to operate. Similarly, the Parliament may extend the normal tenure of a state Legislative Assembly by one year each time during a national emergency, subject to a maximum period of six months after the emergency has ceased to operate.

SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)

652/905	SUBMITTED TEXT	129 WORDS	98% MATCHING TEXT	129 WORDS
<p>the effect of a National Emergency on Fundamental Rights. These two provisions are explained below : 1. Suspension of Fundamental rights under Article 19 : According to Article 358, when a proclamation of National Emergency is made, the six fundamental rights under article 19 are automatically suspended. Article 19 is automatically revived after the expiry of the emergency. 2. The 44 th Amendment Act laid out that Article 19 can only be suspended when the National Emergency is laid on the grounds of war or external aggression and not in the case of armed rebellion. 3. Suspension of other Fundamental Rights : Under Article 359, the President is authorised to suspend, by order, the right to move any court for the enforcement of Fundamental Rights during a National Emergency. Thus, remedial measures are suspended and not the Fundamental Rights. 4.</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

653/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>This type of emergency has been proclaimed three times so far in 1962, 1971, and 1975.</p>		<p>This type of Emergency has been proclaimed three times so far– in 1962, 1971 and 1975.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

654/905	SUBMITTED TEXT	72 WORDS	89% MATCHING TEXT	72 WORDS
<p>The suspension of enforcement relates to only those Fundamental Rights that are specified in the Presidential Order. b. The suspension could be for the period during the operation of an emergency or for a shorter period. c. The Order should be laid before each House of Parliament for approval. d. The 44 Amendment Act mandates that the President cannot suspend the right to move the court for the enforcement of Fundamental Rights guaranteed by Articles 20 and 21. 14.4.1.4</p>				
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				

655/905	SUBMITTED TEXT	35 WORDS	95% MATCHING TEXT	35 WORDS
<p>it shall be the duty of the union to protect every state against external aggression and internal disturbance and to ensure that the government of every state is carried on in accordance with the provision of</p>		<p>it shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
656/905	SUBMITTED TEXT	15 WORDS	68% MATCHING TEXT	15 WORDS
<p>is satisfied that the governance of a state can't be carried in accordance with the</p>				
<p>SA Combine File.docx (D58915711)</p>				
657/905	SUBMITTED TEXT	51 WORDS	100% MATCHING TEXT	51 WORDS
<p>Article 365 says that whenever a state fails to comply with or to give effect to any direction from the centre, it will be lawful for the President to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the constitution.</p>		<p>Article 365 says that whenever a state fails to comply with or to give effect to any direction from the Centre, it will be lawful for the president to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
658/905	SUBMITTED TEXT	46 WORDS	94% MATCHING TEXT	46 WORDS
<p>says 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 cannot be carried on in accordance with the provisions of this constitution, he/she may issue a proclamation.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
659/905	SUBMITTED TEXT	21 WORDS	77% MATCHING TEXT	21 WORDS
<p>May declare that the powers of the legislature of the state shall be exercisable to the President. The president cannot, however, assume</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

660/905**SUBMITTED TEXT**

47 WORDS

79% MATCHING TEXT

47 WORDS

High court or suspend the operation of any provisions of the Constitution relating to the high Court. The Parliament can confer on the President, the power to make laws for the state. The parliament may also authorise the president to delegate such power to any other authority as specified by

SA INDIAN POLITY book.docx (D57972790)**661/905****SUBMITTED TEXT**

26 WORDS

94% MATCHING TEXT

26 WORDS

If the Lok Sabha is not in session, the President may authorise expenditure from the consolidated fund of the state, pending sanction of such expenditure by

SA INDIAN POLITY book.docx (D57972790)**662/905****SUBMITTED TEXT**

28 WORDS

91% MATCHING TEXT

28 WORDS

report of the Governor, or otherwise, the president can act even without the Governor's report. A proclamation issued under article 356 must be laid before each House of the Parliament

SA INDIAN POLITY book.docx (D57972790)**663/905****SUBMITTED TEXT**

67 WORDS

97% MATCHING TEXT

67 WORDS

within two months from the date of its issue. However, if the proclamation of President's rule is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided that the Rajya Sabha approves it in the meantime.

SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)

664/905	SUBMITTED TEXT	73 WORDS	89% MATCHING TEXT	73 WORDS
<p>A proclamation so approved shall, unless revoked, be in operation for six months from the date of the issue of the proclamation. It can be approved by the parliament for a future period of six months. c) A proclamation issued under Art. 356, can, therefore, be in force normally for a maximum period of one year. Stretch. However, it can be extended by the parliament not beyond three years from the date of issue of the proclamation, if</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
665/905	SUBMITTED TEXT	23 WORDS	43% MATCHING TEXT	23 WORDS
<p>the general election to the legislative assembly of the concerned date. 14.4.2.3 Revocation of proclamation A presidents proclamation can be revoked by the president</p> <p>the general elections to the legislative assembly of the concerned state cannot be held on account of difficulties. A proclamation of President's Rule may be revoked by the President</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
666/905	SUBMITTED TEXT	51 WORDS	87% MATCHING TEXT	51 WORDS
<p>A proclamation of emergency under art. 352 is in operation in the whole of India or any part of the country at the time of passing of such resolution. ii) The Election commission certifies that the continuance in force of the proclamation beyond the one year is necessary on account of difficulties in holding</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
667/905	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>president's rule The President acquires the following extraordinary powers when the President's rule is imposed in a state :</p> <p>President's Rule The President acquires the following extraordinary powers when the President's Rule is imposed in a state: 1.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
668/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>if the Lok Sabha is not in session, the president may</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

669/905	SUBMITTED TEXT	61 WORDS	97% MATCHING TEXT	61 WORDS
<p>Scope of judicial review : The 38 th Amendment act of 1975 made the satisfaction of the President in invoking Article 356 final and conclusive which would not be challenged in any court on any ground. But, this provision was subsequently deleted by the 44 th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.</p>		<p>Scope of Judicial Review The 38th Amendment Act of 1975 made the satisfaction of the President in invoking Article 356 final and conclusive which could not be challenged in any court on any ground. But, this provision was subsequently deleted by the 44th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
670/905	SUBMITTED TEXT	40 WORDS	100% MATCHING TEXT	40 WORDS
<p>Grounds of declaration : Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened. The</p>		<p>Grounds of Declaration Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened. The 38</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
671/905	SUBMITTED TEXT	35 WORDS	100% MATCHING TEXT	35 WORDS
<p>can declare that the powers of the state legislature are to be exercised by the parliament. He can take all other necessary steps including the suspension of the constitutional provisions relating to anybody or authority in the state.</p>		<p>can declare that the powers of the state legislature are to be exercised by the parliament. He can take all other necessary steps including the suspension of the constitutional provisions relating to anybody or authority in the state.</p>		
<p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
672/905	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>Parliamentary approval and duration : A proclamation declaring financial emergency must be approved by both the Houses of Parliament</p>		<p>Parliamentary Approval and Duration A proclamation declaring financial emergency must be approved by both the Houses of Parliament</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

673/905	SUBMITTED TEXT	67 WORDS	97% MATCHING TEXT	67 WORDS
	<p>within two months from the date of its issue. However, if the proclamation of Financial Emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it. Once</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>within two months from the date of its issue. However, if the proclamation of Financial Emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it. Once</p>	
674/905	SUBMITTED TEXT	61 WORDS	95% MATCHING TEXT	61 WORDS
	<p>Some members of the Constituent Assembly criticised the incorporation of emergency provisions in the constitution on the following grounds : i) The federal character of the constitution will be destroyed and the union will become all-powerful. ii) The powers of the State- both the Union and the Units- will entirely be concentrated in the hands of the union executive. iii) The president will become a dictator.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>Some members of the Constituent Assembly criticised the incorporation of emergency provisions in the Constitution on the following grounds¹⁵ : 1. ' The federal character of the Constitution will be destroyed and the Union will become all powerful. 2. The powers of the State–both the Union and the units–will entirely be concentrated in the hands of the Union executive. 3. The President will become a dictator. 4.</p>	
675/905	SUBMITTED TEXT	26 WORDS	89% MATCHING TEXT	26 WORDS
	<p>The financial autonomy of the state will be nullified. v) Fundamental rights will become meaningless and, as a result, the democratic foundation of the constitution will be destroyed.'</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>The financial autonomy of the state will be nullified. 5. Fundamental rights will become meaningless and, as a result, the democratic foundations of the Constitution will be destroyed.'</p>	

676/905	SUBMITTED TEXT	92 WORDS	82% MATCHING TEXT	92 WORDS		
<p>Effects of Financial Emergency Extension of the executive authority of the Union over the financial matters of the States. The President may order the States to limit the salary, and allowances of government employees or any class of persons serving in the State. Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State. Direction from the President for the reduction of salaries and allowances of all or any class of persons serving the Union; and the judges of the Supreme Court and the High Courts. 14.4.3.2</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>						
677/905	SUBMITTED TEXT	36 WORDS	92% MATCHING TEXT	36 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>While defending the emergency provisions in the Constituent Assembly, Dr. Ambedkar accepted the possibility of their misappropriation. He observed, 'I do not altogether deny that there is a possibility of the Articles being abused or employed for political purposes.'</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p> </td> <td style="width: 50%; vertical-align: top;"> <p>While defending the emergency provisions in the Constituent Assembly, Dr. B.R. Ambedkar also accepted the possibility of their misuse. He observed, 'I do not altogether deny that there is a possibility of the Articles being abused or employed for political purposes'19 .</p> </td> </tr> </table>					<p>While defending the emergency provisions in the Constituent Assembly, Dr. Ambedkar accepted the possibility of their misappropriation. He observed, 'I do not altogether deny that there is a possibility of the Articles being abused or employed for political purposes.'</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>	<p>While defending the emergency provisions in the Constituent Assembly, Dr. B.R. Ambedkar also accepted the possibility of their misuse. He observed, 'I do not altogether deny that there is a possibility of the Articles being abused or employed for political purposes'19 .</p>
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<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>The Indian Constitution gives President the authority to declare three types of emergencies</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p> </td> <td style="width: 50%; vertical-align: top;"> <p>The Indian Constitution gives President the authority to declare three types of emergencies:</p> </td> </tr> </table>					<p>The Indian Constitution gives President the authority to declare three types of emergencies</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>	<p>The Indian Constitution gives President the authority to declare three types of emergencies:</p>
<p>The Indian Constitution gives President the authority to declare three types of emergencies</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>	<p>The Indian Constitution gives President the authority to declare three types of emergencies:</p>					
679/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>emergency has been proclaimed three times so far in 1962, 1971, and 1975. ?</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Emergency has been proclaimed three times so far– in 1962, 1971 and 1975.</p> </td> </tr> </table>					<p>emergency has been proclaimed three times so far in 1962, 1971, and 1975. ?</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>	<p>Emergency has been proclaimed three times so far– in 1962, 1971 and 1975.</p>
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680/905	SUBMITTED TEXT	19 WORDS	91% MATCHING TEXT	19 WORDS		
<p>et al (eds), Supreme But Not Infallible Essays in Honour of the Supreme Court of India, New Delhi :</p> <p>SA CHAPTERS.docx (D104265488)</p>						

681/905	SUBMITTED TEXT	199 WORDS	98% MATCHING TEXT	199 WORDS
<p>areas. (1) In this Constitution Article 244(1), the expression "Scheduled Areas" means such areas as the President may by order declare to be Scheduled Areas. (2) The President may at any time by order — (a) direct that the whole or any specified part of a Scheduled Area shall cease to be a Scheduled Area or a part of such an area. Increase the area of any Scheduled Area in a State after consultation with the Governor of that State; (b) alter, but only by way of rectification of boundaries, any Scheduled Area; (c) on any alteration of the boundaries of a State or the admission into the Union or the establishment of a new State, declare any territory no previously included in any State to be, or to form part of, a Scheduled Area; [(d) rescind, in relation to any State or States, any order or orders made under this paragraph, and in consultation with the Governor of the State concerned, make fresh orders redefining the areas which are to be Scheduled Areas;] and any such order may contain such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under sub-paragraph (1) of this paragraph shall not be varied by any subsequent order.</p>				
<p>SA INDIAN POLITY.docx (D56247133)</p>				

682/905	SUBMITTED TEXT	73 WORDS	78% MATCHING TEXT	73 WORDS
<p>Executive Power of State and Centre : Subject to the provisions of this schedule, the executive power of a state extends to the scheduled areas therein. The governor of each state having scheduled areas annually, or whenever required by the president, make a report to the president regarding the administration of the scheduled areas in that state. The executive power of the union extends to the giving of directions to the state as to the administration of</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

683/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>establishment of a Tribes Advisory Council in any State having Scheduled Areas. ?</p>		<p>establishment of a Tribes Advisory Council (TAC) in any State having Scheduled Areas.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

684/905	SUBMITTED TEXT	25 WORDS	93% MATCHING TEXT	25 WORDS
<p>The Union Government shall have executive powers to give directions to the States as to the administration of the Scheduled Areas. ? Part 10 of the</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>The Union Government shall have executive powers to give directions to the States as to the administration of the Scheduled Areas. of the</p>		
685/905	SUBMITTED TEXT	28 WORDS	81% MATCHING TEXT	28 WORDS
<p>the Centre gives directions to the state regarding the administration of such areas. 15.3.6 Tribes Advisory Council (TAC) : Each state having scheduled areas has to establish a Tribes Advisory Council (</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>the Centre extends to directions to the states regarding the administration of such areas. 3. Tribes Advisory Council: Each state having scheduled areas has to establish a tribes advisory council</p>		
686/905	SUBMITTED TEXT	75 WORDS	100% MATCHING TEXT	75 WORDS
<p>Amendment of the Schedule : (1) Parliament may from time to time by law amend by way of addition, variation, or repeal any of the provisions of this Schedule and, when the Schedule is so amended, any reference to this Schedule in this Constitution shall be construed as a reference to such Schedule as so amended. (2) No such law as is mentioned in sub-paragraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
687/905	SUBMITTED TEXT	16 WORDS	64% MATCHING TEXT	16 WORDS
<p>states viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telangana have</p> <p>SA Constitutional_amendment_in_India_Present_Constitutional_scenerio_strategies_for_change__1___1_.docx (D117506907)</p>				

688/905	SUBMITTED TEXT	33 WORDS	54% MATCHING TEXT	33 WORDS
<p>of the State Assembly. ? In case the number of such representatives is less than the number of seats that are to be filled then the remaining seats shall be filled by other members of</p>		<p>of the STs in the Legislative Assembly of the State is less than the number of seats in the TAC to be filled by such representatives, the remaining seats shall be filled by other members of</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
689/905	SUBMITTED TEXT	26 WORDS	46% MATCHING TEXT	26 WORDS
<p>The number of members of these councils, mode of their appointment, the appointment of the chairman, officers and staff of these councils, conduct of its meeting, and</p>		<p>The number of members of the Council, the mode of their appointment and the appointment of the Chairman of the Council and of the officers and servants thereof. 2. The conduct of its meetings and</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
690/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Tribes Advisory Council consisting of not more than twenty members</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
691/905	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
<p>area. ? In making such regulations, the Governor may repeal or amend any Act of Parliament or of Legislature of the State or any existing law after obtaining</p>		<p>area. In making such regulations, the Governor may repeal or amend any Act of Parliament or of Legislature of the State or any existing law after obtaining</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
692/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>areas in the States of Assam, Meghalaya, Tripura and Mizoram which are</p>		<p>areas in the States of Assam, Meghalaya, Tripura and Mizoram are</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

693/905	SUBMITTED TEXT	23 WORDS	67% MATCHING TEXT	23 WORDS
<p>Tribes Advisory Council advises on matters related to the welfare and advancement of the Scheduled Tribes in the state which are referred to</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
694/905	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>District 4. Meghalaya Khasi Hills District, Jaintia Hills District & Garo Hills District 15.4.1</p> <p>District. 2. Meghalaya 1. Khasi Hills District. 2. Jaintia Hills District. 3. The Garo Hills District. 3.</p> <p>W https://www.apsc tutorials.com/wp-content/uploads/2020/06/Laxmikanth6thEdition-2.pdf</p>				
695/905	SUBMITTED TEXT	30 WORDS	100% MATCHING TEXT	30 WORDS
<p>Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.</p> <p>Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
696/905	SUBMITTED TEXT	38 WORDS	73% MATCHING TEXT	38 WORDS
<p>The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the Governor. Powers and functions of the Councils : The District and Regional Councils</p> <p>The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the governor. 5. 6. 7. 8. 9. 10. Each autonomous region also a separate regional council. The district and regional councils</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
697/905	SUBMITTED TEXT	39 WORDS	97% MATCHING TEXT	39 WORDS
<p>notification that any particular Act of Parliament or the Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State. ?</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

698/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>The district and regional councils administer the areas under their jurisdiction.</p>		<p>The district and regional councils administer the areas under their jurisdiction.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
699/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>provisions for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram,</p>				
<p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
700/905	SUBMITTED TEXT	18 WORDS	85% MATCHING TEXT	18 WORDS
<p>and the allocation of states therein. ii) The delimitation of territorial constituencies for the purpose of elections to those councils.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
701/905	SUBMITTED TEXT	65 WORDS	82% MATCHING TEXT	65 WORDS
<p>In an autonomous district with region Councils, the District Council shall have only such power with respect to the areas under the authority of the Regional Council as may be delegated to it by the Regional Council in addition to the powers conferred on it by this schedule with respect to such areas. The Governor shall make rule for– i) The composition of the District Council for Regional Councils</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
702/905	SUBMITTED TEXT	47 WORDS	90% MATCHING TEXT	47 WORDS
<p>The qualifications for voting at such elections and the preparation of electoral roll therefor. iv) The qualifications for being elected at such elections as members of such councils. v) The term of office of members of regional councils vi) Any other matter relating to or connected with elections or nominations to such councils.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

703/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>There shall be a separate Regional council for each area constituted</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
704/905	SUBMITTED TEXT	14 WORDS	88% MATCHING TEXT	14 WORDS
<p>consists of not more than 30 members, of which four are nominated by the</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
705/905	SUBMITTED TEXT	28 WORDS	70% MATCHING TEXT	28 WORDS
<p>f) Any other matter related to village or town administration, including village or town police and public health and sanitation. g) The inheritance of property, social customs, marriage and divorce.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
706/905	SUBMITTED TEXT	43 WORDS	83% MATCHING TEXT	43 WORDS
<p>The management of any forest not being a reserved forest. b) The use of any canal or water –course for agriculture. c) The regulation of practice of Jhum or other forms of shifting cultivation. d) The establishment of village or town communities or councils and their powers.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
707/905	SUBMITTED TEXT	28 WORDS	91% MATCHING TEXT	28 WORDS
<p>the regional councils may constitute village councils or courts for the trial of suits and cases between the parties all of whom belong to Scheduled Tribes within such areas. ?</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

708/905	SUBMITTED TEXT	19 WORDS	73% MATCHING TEXT	19 WORDS
<p>The district and the regional councils have powers to assess and collect land revenue and to impose certain taxes.</p>		<p>The district and regional councils empowered to assess and collect land revenue and to impose certain taxes.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
709/905	SUBMITTED TEXT	21 WORDS	79% MATCHING TEXT	21 WORDS
<p>The district council can establish, construct, or manage primary schools, dispensaries, markets, ferries, fisheries, roads, road transport and waterways in the district. ?</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
710/905	SUBMITTED TEXT	17 WORDS	83% MATCHING TEXT	17 WORDS
<p>district council is empowered to make regulations for the Control of money- lending and trading by non-tribals. ?</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
711/905	SUBMITTED TEXT	22 WORDS	60% MATCHING TEXT	22 WORDS
<p>the Legislature of the state does not apply to an autonomous districts and autonomous regions or apply with specified exceptions and modifications. ? The</p>		<p>The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions5 . The</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
712/905	SUBMITTED TEXT	18 WORDS	91% MATCHING TEXT	18 WORDS
<p>Estimated receipts and expenditure pertaining to autonomous districts has to be shown separately in the annual financial statement</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

713/905	SUBMITTED TEXT	44 WORDS	96% MATCHING TEXT	44 WORDS
<p>The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor. 15.5 Conclusion The</p>		<p>The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor. The</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
714/905	SUBMITTED TEXT	39 WORDS	82% MATCHING TEXT	39 WORDS
<p>If at any time the Governor is satisfied that an act or resolution of a district or a regional council is likely to endanger the safety of India, he may suspend such an act or resolution and take such steps. ?</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
715/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Each state having scheduled areas has to establish a Tribes Advisory Council (</p>		<p>Each state having scheduled areas has to establish a tribes advisory council</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
716/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes</p>		<p>deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes</p>		
<p>W https://www.uniqueshiksha.com/online_foundation/Study_Material/preClass_Indian_Polity.pdf</p>				
717/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>provisions for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram,</p>				
<p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				

718/905	SUBMITTED TEXT	25 WORDS	40% MATCHING TEXT	25 WORDS
<p>the important features of the Scheduled Area. 3. What are the objectives of the sixth schedule of the Indian Constitution? Mention the main features of the</p>		<p>the important features of the Constitution of India. 5. Provide the explanation of the Preamble of the Indian Constitution. 6. Trace the growth of the</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
719/905	SUBMITTED TEXT	14 WORDS	88% MATCHING TEXT	14 WORDS
<p>Powers and Functions of State Legislature 16.5 Comparison of two Houses of State Legislatures 16.6</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
720/905	SUBMITTED TEXT	33 WORDS	94% MATCHING TEXT	33 WORDS
<p>States. At present, there are 28 States in the Indian Union and each one of them has a Legislature. The State Legislature is a law-making body at the state level. 16.3 Composition of State Legislature</p>		<p>States. At present, there are 28 States in the Indian Union and each one of them has a Legislature. The State Legislature is a law making body at the State level. Organisation of the State Legislature</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
721/905	SUBMITTED TEXT	25 WORDS	50% MATCHING TEXT	25 WORDS
<p>the powers and functions of the state legislature. ? Discuss the differences between the two houses of the state legislatures. ? Understand the position of the</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
722/905	SUBMITTED TEXT	54 WORDS	95% MATCHING TEXT	54 WORDS
<p>The members of Vidhan Sabha are directly elected by people based on the universal adult franchise. They are directly elected by all adult citizens registered as voters in the State. All men and women who are 18 years of age and above are eligible to be included in the voters' List. They vote to elect members of</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

723/905	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
<p>State Assembly. Members are elected from territorial constituencies. Every State is divided into as many (single member) constituencies as the number of members to be elected. As in</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
724/905	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>certain number of seats is reserved for Scheduled Castes and in some States for Scheduled Tribes also. This depends on</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
725/905	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>in the case of the Lok Sabha, some seats are reserved for the members of Scheduled Castes and Schedule Tribes.</p> <p>in the House. As in case of the Lok Sabha, some seats are reserved for the members of Scheduled Castes and Schedule Tribes.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
726/905	SUBMITTED TEXT	24 WORDS	95% MATCHING TEXT	24 WORDS
<p>To become a Member of Vidhan Sabha a person must: be a citizen of India; have attained the age of 25 years; his/her name</p> <p>to become a Member of the Vidhan Sabha a person must: 1. 2. 3. 4. Be a citizen of India; Have attained the age of 25 years; his/her name</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
727/905	SUBMITTED TEXT	16 WORDS	97% MATCHING TEXT	16 WORDS
<p>in voters' list; must not hold any office of profit i.e.; should not be a government servant.</p> <p>in the voters' list; Must not hold any office of profit i.e.; should not be a government servant.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

728/905	SUBMITTED TEXT	36 WORDS	100% MATCHING TEXT	36 WORDS
<p>The tenure of Vidhan Sabha is five years, but the Governor can dissolve it before the completion of its term on the advice of the Chief Minister. It may be dissolved by the President in case of</p>		<p>The tenure of Vidhan Sabha is five years, but the Governor can dissolve it before the completion of its term on the advice of the Chief Minister. It may be dissolved by the President in case of</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
729/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>for a period not exceeding one year at a time. 16.3.1.1 Speaker and</p>		<p>for a period not exceeding one year at a time and</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
730/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>lesser number of members. Thus Goa has only 40 members in its Assembly.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
731/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>a casting vote in the case of an equality of votes. 3.</p>		<p>a casting vote in the case of an equality of votes.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
732/905	SUBMITTED TEXT	30 WORDS	79% MATCHING TEXT	30 WORDS
<p>The Presiding officer is known as the Speaker. The Deputy Speaker presides over the meeting during the absence of the Speaker. He is also elected by the Assembly from amongst its</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
733/905	SUBMITTED TEXT	15 WORDS	70% MATCHING TEXT	15 WORDS
<p>whether a motion expressing want of confidence in the Council of Ministers is in order.</p>		<p>whether a motion of no-confidence in the Council of Ministers is in order.</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

734/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the Rules of Procedure and Conduct of Business in the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>the Rules of Procedure and Conduct of Business in the</p>		
735/905	SUBMITTED TEXT	15 WORDS	75% MATCHING TEXT	15 WORDS
<p>also works on points of order raised by members and his decision is final.</p> <p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
736/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Vidhan Parishad is the upper House of the State Legislature. It</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
737/905	SUBMITTED TEXT	38 WORDS	69% MATCHING TEXT	38 WORDS
<p>State passes a resolution to this effect by a majority of the total membership NSOU ? CC-PS-02 282 of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting,</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
738/905	SUBMITTED TEXT	19 WORDS	84% MATCHING TEXT	19 WORDS
<p>In order to be a member of the Legislative Council the person concerned should i) be a citizen of India.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>In order to be a member of the Legislative Council a person should: 1. 2. 3. 4. Be a citizen of India,</p>		
739/905	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>have attained the age of 30 years. iii) be a registered voter in the State.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>Have attained the age of 30 years; Be a registered voter in the State;</p>		

740/905	SUBMITTED TEXT	22 WORDS	71% MATCHING TEXT	22 WORDS
<p>the total number of members in the Vidhan Parishad of a State should not exceed one-third of the total number of members</p>		<p>The total number of members in the Legislative Council of a state having a council not exceed one-third of the total number of members</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
741/905	SUBMITTED TEXT	34 WORDS	93% MATCHING TEXT	34 WORDS
<p>The Vidhan Parishad is partly elected and partly nominated. Most of the members are indirectly elected in accordance with the principle of proportional representation using single transferable vote system. Different categories of members represent different interests.</p>		<p>The Vidhan Parishad is partly elected and partly nominated. Most of the members are indirectly elected in accordance with the principle of proportional representation by means of single transferable vote system. Different categories of members represent different interests.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
742/905	SUBMITTED TEXT	29 WORDS	88% MATCHING TEXT	29 WORDS
<p>similar majority and send it to Parliament. In this situation, Parliament resolves to abolish the concerned Legislative Council. Accordingly, Councils of Punjab, Andhra Pradesh, Tamil Nadu and West Bengal were abolished.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				
743/905	SUBMITTED TEXT	18 WORDS	63% MATCHING TEXT	18 WORDS
<p>the Legislative Council is as follows : a) One-third of members of the Council are elected by the</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				
744/905	SUBMITTED TEXT	24 WORDS	55% MATCHING TEXT	24 WORDS
<p>of the members of the Vidhan Parishad are elected by the electorates consisting of members of Municipalities, District Boards and other local bodies in the State.</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

745/905	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
graduates in the State with a standing of three years.				
SA INDIAN POLITY book.docx (D57972790)				
746/905	SUBMITTED TEXT	13 WORDS	92% MATCHING TEXT	13 WORDS
educational institutions within the State not lower in standard than a secondary school				
SA Political Process & Politics in India (EM).pdf (D139291481)				
747/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
are nominated by the Governor from amongst the persons having special knowledge				
SA INDIAN POLITY book.docx (D57972790)				
748/905	SUBMITTED TEXT	8 WORDS	100% MATCHING TEXT	8 WORDS
of literature, science, arts, co-operative movement and social service.				
SA INDIAN POLITY book.docx (D57972790)				
749/905	SUBMITTED TEXT	36 WORDS	81% MATCHING TEXT	36 WORDS
like Rajya Sabha, is a permanent House. It is never dissolved. The tenure of its members is six years. One-third of its members retire after every two years. The retiring members are eligible for re-election. In case of				
SA INDIAN POLITY book.docx (D57972790)				
750/905	SUBMITTED TEXT	23 WORDS	92% MATCHING TEXT	23 WORDS
vacancy arising out of resignation or death by-election is held for the remaining period of such members' tenure. Chairman : The presiding officer of the				
SA INDIAN POLITY book.docx (D57972790)				

751/905	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>He presides over the meetings and maintains discipline and order in the House.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
752/905	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>he can exercise his casting vote in case of a tie. In</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
753/905	SUBMITTED TEXT	54 WORDS	80% MATCHING TEXT	54 WORDS
<p>the House. He is also elected by the members of the Parishad from amongst themselves. Sessions : The State Legislature meets at least twice a year and the interval between two sessions cannot be more than six months. The Governor summons and prorogues the sessions of State Legislature. He addresses the Vidhan Sabha or both Houses (if there is</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
754/905	SUBMITTED TEXT	20 WORDS	70% MATCHING TEXT	20 WORDS
<p>have freedom of speech in the House and they cannot be tried in any court in respect of anything said</p> <p>have freedom of speech in the House and enjoy immunity from proceedings in any court in respect of anything said</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
755/905	SUBMITTED TEXT	61 WORDS	94% MATCHING TEXT	61 WORDS
<p>bi-cameral Legislature) at the commencement of the first session after each general election and at the commencement of the first session of the year. This address reflects the policy statement of the government which is to be discussed in the Legislature, and the privileges and immunities of the members of the State Legislature are similar to that of members of Parliament. The privileges of the</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

756/905**SUBMITTED TEXT**

75 WORDS

98% MATCHING TEXT

75 WORDS

The primary function of the State Legislature, like the Union Parliament, is law- making. The State Legislature is empowered to make laws on State List and Concurrent List. The Parliament and the Legislative Assemblies have the right to make the laws on the subjects mentioned in the Concurrent List. But in case of contradiction between the Union and State law on the subject, the law made by the Parliament shall prevail. Bills are of two types—(a) Ordinary bills and (

SA INDIAN POLITY book.docx (D57972790)**757/905****SUBMITTED TEXT**

160 WORDS

96% MATCHING TEXT

160 WORDS

Money bills. Ordinary bills can be introduced in either of the Houses (if the State Legislature is bicameral), but the Money bill is first introduced in the Vidhan Sabha. After the bill is passed by both Houses, it is sent to the Governor for his assent. The Governor can send back the bill for reconsideration. When this bill is passed again by the Legislature, the Governor has to give his assent. You have read when the Parliament is not in session and if there is a necessity of certain law, the President Issues Ordinance. Similarly, the Governor can issue an Ordinance on the State subjects when the legislature is not in session. The Ordinances have the force of law. The Ordinances issued are laid before the State Legislature when it reassembles. It ceases to be in operation after the expiry of six weeks unless rejected by the Legislature earlier. The Legislature passes a regular bill, to become a law, to replace the ordinance. This is usually done within six weeks after

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758/905**SUBMITTED TEXT**

174 WORDS

92% MATCHING TEXT

174 WORDS

reassembly of Legislature. Financial powers : The State Legislature keeps control over the finances of the State. A money bill is introduced first only in the Vidhan Sabha. The money bill includes authorisation of the expenditure to be incurred by the government, imposition or abolition of taxes, borrowing, etc. The bill is introduced by a Minister on the recommendations of the Governor. The money bill cannot be introduced by a private member. The Speaker of the Vidhan Sabha certifies that a particular bill is a money bill. After a money bill is passed by the Vidhan Sabha, it is sent to the Vidhan Parishad. It has to return this NSOU ? CC-PS-02 285 bill within 14 days with, or without, its recommendations. The Vidhan Sabha may either accept or reject its recommendations. The bill is deemed to have been passed by both Houses. After this stage, the bill is sent to the Governor for his assent. The Governor cannot withhold his assent, as money bills are introduced with his prior approval. Control over the Executive : The control of the legislative Assembly over the Council of Ministers is

SA CH-9_The_Legislature.docx (D136736775)**759/905****SUBMITTED TEXT**

92 WORDS

93% MATCHING TEXT

92 WORDS

The elected members of the Vidhan Sabha are members of the Electoral College for the election of the President of India. Thus they have to say in the election of the President of the Republic. The members of the Vidhan Sabha also elect members of the Rajya Sabha from their respective States. One-third of members of the Vidhan Parishad (if it is in existence in the State) are also elected by the members of the Vidhan Sabha. In all these elections, members of the Vidhan Sabha (Assembly) cast their votes in accordance with a single transferable vote system. 16.5

SA INDIAN POLITY book.docx (D57972790)

760/905

SUBMITTED TEXT

67 WORDS

95% MATCHING TEXT

67 WORDS

Comparison of Two Houses of State Legislature
Legislative Assembly (Vidhan Sabha) like the Lok Sabha,
occupies a dominant position. Legislative Council (Vidhan
Parishad) enjoys much fewer powers as compared to the
powers of Vidhan Sabha even in relation to ordinary bills.
The Rajya Sabha at the Centre enjoys equal powers in
consideration of bills other than money bills, but Vidhan
Parishad enjoys much lesser powers as compared to the
Rajya Sabha. The

SA INDIAN POLITY book.docx (D57972790)

761/905

SUBMITTED TEXT

14 WORDS

100% MATCHING TEXT

14 WORDS

relative position of the Vidhan Sabha and Vidhan Parishad
is as under. In

SA INDIAN POLITY book.docx (D57972790)

762/905**SUBMITTED TEXT**

253 WORDS

98% MATCHING TEXT

253 WORDS

case of the Parliament, if there is a disagreement between the two Houses over an ordinary bill, the President summons a joint sitting of both the Houses and if the bill is passed there by the majority of votes, the bill is taken as passed by both Houses of the Parliament. But this provision of joint sitting does not exist in the States. Although an ordinary bill can originate in either House of the State Legislature, yet both Houses have unequal powers. If a bill is passed in the Vidhan Sabha, it is transmitted to the Vidhan Parishad for consideration. When it is passed by Vidhan Parishad without any amendment, the bill is sent to the Governor for his assent. In case, the bill is (a) rejected by the Parishad or (b) more than three months elapsed without the bill being passed by the Parishad, or (c) bill is passed with an amendment to which the Vidhan Sabha does not agree, the Vidhan Sabha may pass the bill again in the same or the subsequent session. After that, the bill is again sent to the Vidhan Parishad. If the Vidhan Parishad does not return the bill within one month, the bill is deemed to have been passed by both Houses of the State Legislature and is sent to Governor for his assent. Thus the Vidhan Parishad can delay the bill for a maximum period of four months. On the other hand, if the bill is first passed by the Vidhan Parishad and rejected by the Vidhan Sabha, the bill is rejected and cannot become a law. Like in the Lok Sabha,

SA Political Process & Politics in India (EM).pdf (D139291481)**763/905****SUBMITTED TEXT**

131 WORDS

99% MATCHING TEXT

131 WORDS

money bill is introduced first in Vidhan Sabha. It cannot be initiated in the Vidhan Parishad. The Speaker of the Vidhan Sabha certifies whether a particular bill is a money bill. After the bill is passed in the Vidhan Sabha, it is sent to the Vidhan Parishad. The Vidhan Parishad gets 14 days to consider the bill. If the Parishad passes the bill, it is sent to the Governor for his assent. If the bill is not returned by the Vidhan Parishad within 14 days, it is deemed to have been passed by the Vidhan Parishad. If it suggests certain changes in the bill and sends to Vidhan Sabha, the Vidhan Sabha may accept or reject the changes suggested by the Parishad. The bill is then sent to the Governor for his assent who is bound to give his assent.

SA Political Process & Politics in India (EM).pdf (D139291481)

764/905**SUBMITTED TEXT**

104 WORDS

89% MATCHING TEXT

104 WORDS

Only the elected members of the Vidhan Sabha are entitled to participate in the election of the President of India. The members of the Vidhan Sabha do so in their capacity as members of the Electoral College. But the members of the Vidhan Parishad are not entitled to vote in the election of the President. Members of the Rajya Sabha from each State are elected only by the members of the Assembly and not of the Council. The above NSOU ? CC-PS-02 287 discussion makes it clear that the Vidhan Parishad is a powerless and non influential House. It has become a secondary House. Thus many States prefer to have

SA INDIAN POLITY book.docx (D57972790)**765/905****SUBMITTED TEXT**

40 WORDS

96% MATCHING TEXT

40 WORDS

It serves as a check on hasty Legislation made by Vidhan Sabha by highlighting the short bills coming or defects of the bill. It lessens the burden of the Vidhan Sabha, as some bills are initiated in the Vidhan Parishad. 16.6

SA INDIAN POLITY book.docx (D57972790)**766/905****SUBMITTED TEXT**

78 WORDS

95% MATCHING TEXT

78 WORDS

The State Legislature consists of the Governor, the Legislative Council (Vidhan Parishad) and the Legislative Assembly (Vidhan Sabha). In most states, there are unicameral Legislatures. These State Legislatures consist of the Governor and the Legislative Assembly. The Parliament is empowered to set up or abolish the Vidhan Parishad in a State. The Vidhan Parishad is partly indirectly elected and partly nominated. It is a permanent House like the Rajya Sabha. It is never dissolved. The tenure of its members is six years. One-third

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767/905	SUBMITTED TEXT	91 WORDS	95% MATCHING TEXT	91 WORDS
	<p>members retire after every two years. The minimum age for the membership of the Vidhan Parishad is 30 years, it is 25 years for Vidhan Sabha. Members of the Vidhan Sabha are directly elected by the people of the State based on universal adult franchise. Its tenure is five years, but the Governor can dissolve it earlier on the advice of the Chief Minister. In case of constitutional breakdown, it may be dissolved by the President. The powers of the State Legislature are law-making, control over the finances, and the executive, electoral functions and constitutional functions 16.7</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>			
768/905	SUBMITTED TEXT	24 WORDS	87% MATCHING TEXT	24 WORDS
	<p>The State Legislature consists of the Governor, the Legislative Council (VidhanParishad) and the Legislative Assembly (Vidhan Sabha). ? In most states, there are unicameral Legislatures. ?</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>			
769/905	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
	<p>The elected members of the Vidhan Sabha are members of the Electoral College for the election of the President of India. ?</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>			
770/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
	<p>The State Legislature is empowered to make laws on State List and Concurrent List.</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>	<p>The State Legislature is empowered to make laws on State List and Concurrent List. 128 ©</p>		

771/905	SUBMITTED TEXT	20 WORDS	85% MATCHING TEXT	20 WORDS
<p>The power of the State Legislature includes law-making, control over the finances, and the executive, electoral functions and constitutional functions. ?</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
772/905	SUBMITTED TEXT	29 WORDS	50% MATCHING TEXT	29 WORDS
<p>Powers and functions of the Governor 17.5 The Chief Minister 17.5.1 Powers and functions of the Chief Minister 17.6 The State Council of Ministers: 17.6.1 Powers and functions of the State Council</p> <p>powers and functions of the Governor. 7. Critically the powers and functions of the Chief Minister. 8. Assess the composition, qualification and powers of the State Legislative Council. 9.</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
773/905	SUBMITTED TEXT	19 WORDS	55% MATCHING TEXT	19 WORDS
<p>of the Governor. ? Explain the functions and the role of the Chief Minister of a state. ? Understand the</p> <p>of the Governor? 7. the executive functions of the Chief Minister of a state. 8. List the</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
774/905	SUBMITTED TEXT	17 WORDS	90% MATCHING TEXT	17 WORDS
<p>India : New Delhi, Abhinav Publications, 2003. 5. Pylee, M.V. India's Constitution : New Delhi, S. Chand, 2013. 6.</p> <p>SA Combine File.docx (D58915711)</p>				
775/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>The legislature, executive and judiciary are the three organs of</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
776/905	SUBMITTED TEXT	22 WORDS	89% MATCHING TEXT	22 WORDS
<p>The State Executive The State executive consists of the Governor, the Chief Minister, and the Council of Ministers and Advocate-General of State. 17.4</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				

777/905	SUBMITTED TEXT	78 WORDS	91% MATCHING TEXT	78 WORDS
<p>of the Governor (Art. 156) a) The Governor shall hold office during the pleasure of the President. b) The Governor may, by writing under his hand addressed to the President, resign his office. c) Subject to the foregoing provisions of this Article, a Governor shall hold office for a term of five years from the date on which he enters upon his office. Provided that a Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
778/905	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>No person shall be eligible for appointment as Governor unless he is a citizen of India and has completed the age of thirty-five years.</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
779/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>Governor is appointed for five years. However, he holds office during the pleasure of the President.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
780/905	SUBMITTED TEXT	14 WORDS	88% MATCHING TEXT	14 WORDS
<p>in the presence of the Chief Justice of the concerned State High Court. 17.4.2</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
781/905	SUBMITTED TEXT	38 WORDS	44% MATCHING TEXT	38 WORDS
<p>of the Governor : A) Executive Powers : Governor is the head of the State. The Constitution gives executive powers of the state to the Governor. He appoints the Chief Minister and other Ministers on the advice of the Chief Minister.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

782/905	SUBMITTED TEXT	18 WORDS	55% MATCHING TEXT	18 WORDS
<p>Ministers hold office during the pleasure of the Governor. The Governor can remove the Chief Minister of the</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
783/905	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
<p>The President consults the Governor while appointing the judges of the State High Court. The Governor</p> <p>the President in the appointment of the Judges of the state High Court. The Governor</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
784/905	SUBMITTED TEXT	38 WORDS	25% MATCHING TEXT	38 WORDS
<p>the Governor depends upon the advice of the State Chief Minister and the State Council of Ministers. The Chief Minister of the State has to keep the Governor informed about the state administration and the decisions taken by his ministry.</p> <p>SA Political Process & Politics in India (EM).pdf (D139291481)</p>				
785/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>in accordance with the advice of the State Council of Ministers and the</p> <p>SA Combine File.docx (D58915711)</p>				
786/905	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>a bill (other than a money bill) to the legislature for reconsideration. But if</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
787/905	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>The Governor summons and prorogues the sessions of the state legislature. He</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

788/905	SUBMITTED TEXT	39 WORDS	28% MATCHING TEXT	39 WORDS
<p>has the same force as the law of the legislature. It, however, ceases to operate after six weeks from the date on which the state legislature comes into session. It also ceases to operate when a resolution is passed by the</p> <p>SA ANUPAM KUMAR_LLM.pdf (D137448941)</p>				
789/905	SUBMITTED TEXT	22 WORDS	59% MATCHING TEXT	22 WORDS
<p>money bill can be introduced in the state legislature only with the prior permission of the Governor. He orders that the annual</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
790/905	SUBMITTED TEXT	28 WORDS	87% MATCHING TEXT	28 WORDS
<p>has the power to grant pardon, reprieve or remission of punishment or to suspend, remit or commute the sentences of any person, convicted of any offense against any law.</p> <p>has the power to grant pardon, reprieve, respite or remission of punishment or to suspend, remit or commute the sentence of any person convicted of any offence any law</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
791/905	SUBMITTED TEXT	13 WORDS	92% MATCHING TEXT	13 WORDS
<p>the Chief Justice and other judges of the State High Court, the President</p> <p>the Chief Justice and such other judges of the state high court the President</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
792/905	SUBMITTED TEXT	16 WORDS	78% MATCHING TEXT	16 WORDS
<p>a Council of Ministers to aid and advise the Governor in the exercise of his functions.</p> <p>a Council of with the Minister at the to aid and advise the Governor in the exercise of his functions,</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

793/905	SUBMITTED TEXT	25 WORDS	75% MATCHING TEXT	25 WORDS
<p>the state legislature. The contingency fund of the state is at his disposal and he can order expenditure out of it to meet any unforeseen expenditure.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
794/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>even though they were not members of the state legislature.</p> <p>even though they were not members of the state legislature.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
795/905	SUBMITTED TEXT	28 WORDS	74% MATCHING TEXT	28 WORDS
<p>is the head of the government in the State. The Council of Ministers with the Chief Minister as its head exercises real authority at the State level. Qualifications : The</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
796/905	SUBMITTED TEXT	22 WORDS	56% MATCHING TEXT	22 WORDS
<p>Appointment of Chief Minister The Chief Minister of a state is appointed by the Governor of that state. The leader of the political party/</p> <p>Appointment of Chief Minister The Chief Minister is appointed by the Governor, the executive head of the state, who invites leader of the majority party</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
797/905	SUBMITTED TEXT	18 WORDS	58% MATCHING TEXT	18 WORDS
<p>of the Chief Minister is five years. The term of the Chief Minister is automatically extended, if, the</p> <p>SA Combine File.docx (D58915711)</p>				

798/905

SUBMITTED TEXT

53 WORDS

46% MATCHING TEXT

53 WORDS

of the Chief Minister : The Chief Minister plays an important role in the administration of the State. We can discuss his functions as follows : Head of the Council of Ministers The Chief Minister is the head of the Council of Ministers. The Ministers are appointed by the Governor on the advice of the Chief Minister

SA INDIAN POLITY book.docx (D57972790)

799/905

SUBMITTED TEXT

46 WORDS

75% MATCHING TEXT

46 WORDS

He/she guides the functioning of the Cabinet. Aids and Advises the Governor ? The Constitution provides that the Chief Minister shall communicate to the Governor all decisions of the Council of Ministers relating to the administration and the affairs of the State and proposals for legislation. ? The Chief Minister

SA BPASE - 31 Indian Constitution.doc (D144112532)

800/905

SUBMITTED TEXT

32 WORDS

100% MATCHING TEXT

32 WORDS

is the sole link of communication between the Cabinet and the Governor. The Governor has the right to be informed by the Chief Minister about the decisions taken by the Council of Ministers. ?

SA INDIAN POLITY book.docx (D57972790)

801/905

SUBMITTED TEXT

48 WORDS

93% MATCHING TEXT

48 WORDS

information relating to the administration of the State as the Governor may call for. ? If the Governor so requires, the Chief Minister submits for 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 Cabinet.

SA INDIAN POLITY book.docx (D57972790)

802/905	SUBMITTED TEXT	14 WORDS	83% MATCHING TEXT	14 WORDS
<p>vice-chairman of the concerned zonal council in rotation for a period of one year. ?</p>		<p>vice-chairman of the concerned zonal council by rotation, holding office for a period of one year</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

803/905	SUBMITTED TEXT	47 WORDS	91% MATCHING TEXT	47 WORDS
<p>Chief Minister plays a key role in framing the laws and policies of the State Government. c) Bills are introduced by the Ministers in the State legislature with his/her approval. d) He/she is the chief spokesman of the policies of his government both inside and outside the State Legislature. All the</p>				
<p>SA BPASE - 31 Indian Constitution.doc (D144112532)</p>				

804/905	SUBMITTED TEXT	89 WORDS	100% MATCHING TEXT	89 WORDS
<p>The above functions show that the real authority is vested with the Council of Ministers headed by the Chief Minister. The Council of Ministers is the real executive in the State. The position of the State Council of Ministers largely depends upon the strength of the ruling party in the State Assembly and the personality of the Chief Minister. The position of the Chief Minister is more powerful when his party is in power in the Centre as well. As long as the Chief Minister and his Council of Ministers enjoy the confidence of</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

805/905	SUBMITTED TEXT	53 WORDS	91% MATCHING TEXT	53 WORDS
<p>Council of Ministers According to article 163(1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.</p>		<p>Council of Ministers to aid and Governor (1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion. (2)</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

806/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>majority in the Legislative Assembly, he exercises the real executive power in the State. 17.6</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
807/905	SUBMITTED TEXT	47 WORDS	96% MATCHING TEXT	47 WORDS
<p>on the advice of the Chief Minister. The Ministers included in the Council of Ministers must belong to either House of the State legislature. A person who is not a member of the State legislature may be appointed a Minister, but he/she ceases to hold office if he/she is</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
808/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the collective responsibility of the Council of Ministers to the</p> <p>the collective responsibility of the council of ministers to the</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
809/905	SUBMITTED TEXT	62 WORDS	96% MATCHING TEXT	62 WORDS
<p>not elected to the State legislature within six months of his appointment. The portfolios to the members of the Council of Ministers are allocated by the Governor on the advice of the Chief Minister. Chief Minister is the head of the Council of Ministers of his State. The constitutional position of the Chief Minister is more or less similar to that of the Prime Minister. The</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
810/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>that the Council of Ministers is collectively responsible to the Legislative Assembly of the State. This means that</p> <p>that the council of ministers is collectively responsible to the legislative assembly of the state. This means that</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

811/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
that in the States of Bihar, Madhya Pradesh, and Orissa		that in the States of Bihar, Madhya Pradesh and Orissa,		
W	https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html			
812/905	SUBMITTED TEXT	24 WORDS	46% MATCHING TEXT	24 WORDS
a Minister in charge of Tribal welfare and the same Minister may also be entrusted with the welfare of the Scheduled Castes and Backward Classes				
SA	INDIAN POLITY book.docx (D57972790)			
813/905	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
the Governor to make -rules for the more convenient transaction of the business of the Government.		The Governor make rules for the more convenient transaction of the business of the government		
W	https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...			
814/905	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
The executive power is to be exercised in such a way as to ensure compliance with				
SA	Issues in indian polity.docx (D115818322)			
815/905	SUBMITTED TEXT	22 WORDS	47% MATCHING TEXT	22 WORDS
to ensure compliance with the laws made by Parliament. They should not do anything which would hamper the executive power of the Union.				
SA	INDIAN POLITY book.docx (D57972790)			
816/905	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
as to the measures to be taken for the protection of railways within the State.				
SA	INDIAN POLITY book.docx (D57972790)			

817/905	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>The Governor has the power to appoint the Advocate-General and the Members of the State Public Service Commission.</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
818/905	SUBMITTED TEXT	20 WORDS	90% MATCHING TEXT	20 WORDS
<p>The Chief Minister is the real head of the Government at the State level. The Governor appoints the Chief Minister.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
819/905	SUBMITTED TEXT	52 WORDS	57% MATCHING TEXT	52 WORDS
<p>the Chief Minister by the Governor. Other Ministers are appointed by the Governor on the advice of the Chief Minister. The Chief Minister presides over the Cabinet meetings. He/she lays down the policies of the State Government. He/she is the sole link between his Ministers and the Governor. He/she coordinates the functioning of different ministries.</p> <p>SA 14 Amir Ullah PLB 352 SLM CDOE AMU.docx (D144112225)</p>				
820/905	SUBMITTED TEXT	32 WORDS	95% MATCHING TEXT	32 WORDS
<p>a report to the President whenever he is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution</p> <p>SA MA Politics SEM 2 Indian Constitution.pdf (D118114822)</p>				
821/905	SUBMITTED TEXT	23 WORDS	91% MATCHING TEXT	23 WORDS
<p>there shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor. ? The Council of</p> <p>There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor the exercise of</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

822/905	SUBMITTED TEXT	23 WORDS	65% MATCHING TEXT	23 WORDS
<p>Council of Ministers to aid and advice the Governor in the exercise of his functions. ? Chief Minister is the head of the government</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
823/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>that the Council of Ministers is collectively responsible to the Legislative Assembly of the State.</p> <p>that the council of ministers is collectively responsible to the legislative assembly of the state.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
824/905	SUBMITTED TEXT	19 WORDS	63% MATCHING TEXT	19 WORDS
<p>Ministers constitutes the real executive in the State. ? The Constitution defines the position of the Council of Ministers</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
825/905	SUBMITTED TEXT	14 WORDS	91% MATCHING TEXT	14 WORDS
<p>New Delhi, 2013. 7. Pylee, M.V. India's Constitution : New Delhi, S. Chand, 2013. 8.</p> <p>SA Combine File.docx (D58915711)</p>				
826/905	SUBMITTED TEXT	12 WORDS	91% MATCHING TEXT	12 WORDS
<p>surprised that those who condemn provincialism should come forward as champions of</p> <p>SA Combine File.docx (D58915711)</p>				

827/905	SUBMITTED TEXT	37 WORDS	80% MATCHING TEXT	37 WORDS
<p>of our Constitution that "The state governments shall take steps to organise Village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government" (Article 40 of the</p> <p>SA THESIS FINAL.pdf (D16635872)</p>				
828/905	SUBMITTED TEXT	36 WORDS	87% MATCHING TEXT	36 WORDS
<p>the Directive Principles of State Policy which says that "State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government"</p> <p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Constitution.pdf</p>				
829/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat. ?</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				
830/905	SUBMITTED TEXT	28 WORDS	94% MATCHING TEXT	28 WORDS
<p>a new Part IX to the constitution titled "The Panchayats" covering provisions from Article 243 to 243(O); and a new Eleventh Schedule covering 29 subjects within the functions of the Panchayats.</p> <p>SA 18 Amir Ullah PLM-3003 SLM CDOE AMU.docx (D144112221)</p>				
831/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>shall have the right to vote in the meetings of the Panchayats. ? Reservation of seats</p> <p>W https://mocktime.com/uncategorized/indian-polity/38/</p>				

832/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>five years for Panchayats from the date appointed for its first meeting and</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>		<p>five years from the date appointed for its first meeting and</p>		
833/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>schemes for economic development and social justice as may be</p> <p>W https://mocktime.com/uncategorized/indian-polity/38/</p>		<p>schemes for economic development and social justice as may be</p>		
834/905	SUBMITTED TEXT	12 WORDS	91% MATCHING TEXT	12 WORDS
<p>perform such other functions as the State Government may assign to it</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>		<p>perform such other functions as the state government or SDMA may assign to it</p>		
835/905	SUBMITTED TEXT	17 WORDS	85% MATCHING TEXT	17 WORDS
<p>and, in particular, of the Scheduled Castes and the Scheduled Tribes; iv) public distribution system; v) maintenance of community assets; (</p> <p>W https://mocktime.com/uncategorized/indian-polity/38/</p>		<p>and in particular, of the scheduled castes and the scheduled tribes 28. Public distribution system 29. Maintenance of community assets.</p>		
836/905	SUBMITTED TEXT	14 WORDS	92% MATCHING TEXT	14 WORDS
<p>Members of the House of the People and the Legislative Assembly of the State</p> <p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>		<p>members of the House of the People and members of the Legislative Assembly of the state</p>		
837/905	SUBMITTED TEXT	16 WORDS	68% MATCHING TEXT	16 WORDS
<p>area and seats may be allotted by rotation. ? One-third of the total number of seats,</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				

838/905	SUBMITTED TEXT	14 WORDS	92% MATCHING TEXT	14 WORDS
members of the House of the People and the Legislative Assembly of the State		members of the House of the People and members of the Legislative Assembly of the state		
W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional%...				
839/905	SUBMITTED TEXT	15 WORDS	81% MATCHING TEXT	15 WORDS
perpetual succession and a common seal and shall by its corporate name sue and be sued.				
SA INDIAN POLITY book.docx (D57972790)				
840/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
exercise all or any of the powers exercisable by the				
SA BPASE - 31 Indian Constitution.doc (D144112532)				
841/905	SUBMITTED TEXT	50 WORDS	97% MATCHING TEXT	50 WORDS
The Constitution (74th Amendment) Act, 1992 is a landmark initiative of the Government of India to strengthen local self-government in cities and towns. The Act stipulates that if the state government dissolves a Municipality, election to the same must be held within six months. Moreover, the conduct of municipal elections is entrusted to				
SA INDIAN POLITY book.docx (D57972790)				
842/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
Metropolitan area means an area having a population of ten lakhs or more,		Metropolitan area means an area having a population of 10 lakh or more,		
W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9...				
843/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
two or more Municipalities or Panchayats or other contiguous areas,		two or more municipalities or panchayats or other contiguous areas.		
W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9...				

844/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>specified by the Governor by public notification to be a specified by the governor by public notification to be a</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
845/905	SUBMITTED TEXT	31 WORDS	100% MATCHING TEXT	31 WORDS
<p>statutory State Election Commission, rather than being left to executive authorities. The mandate of the Municipalities is to undertake the tasks of planning for 'economic development and social justice and implement city/town development plans.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
846/905	SUBMITTED TEXT	16 WORDS	96% MATCHING TEXT	16 WORDS
<p>municipal services being provided or proposed to be provided by an industrial establishment in that area</p> <p>SA Issues in indian polity.docx (D115818322)</p>				
847/905	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Nagar Panchayat (by whatever name called) for a transitional area, that is to say,</p> <p>SA Combine File.docx (D58915711)</p>				
848/905	SUBMITTED TEXT	16 WORDS	81% MATCHING TEXT	16 WORDS
<p>population of the area, the density of the population therein, the revenue generated for local administration, Population of the area. (b) Density of the population therein. (c) Revenue generated for local administration. (</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
849/905	SUBMITTED TEXT	24 WORDS	56% MATCHING TEXT	24 WORDS
<p>an area in transition from a rural area to an urban area. ii) Municipal Council : A Municipal Council is constituted for a smaller urban area;</p> <p>SA Combine File.docx (D58915711)</p>				

850/905	SUBMITTED TEXT	46 WORDS	91% MATCHING TEXT	46 WORDS
<p>All the seats in a Municipality are filled by persons chosen by direct election from the territorial constituencies in the Municipal area and for this purpose, each Municipal area shall be divided into territorial constituencies to be known as wards. The Legislature of a State may, by law, provide</p>				
<p>SA Combine File.docx (D58915711)</p>				

851/905	SUBMITTED TEXT	27 WORDS	82% MATCHING TEXT	27 WORDS
<p>constitution and composition of Wards Committees, etc. consisting of one or more wards, within the territorial area of a Municipality having a population of three lakhs or more.</p>				
<p>SA Combine File.docx (D58915711)</p>				

852/905	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS
<p>A member of a Municipality representing a ward within the territorial area of the Wards Committee shall be a member of that Committee. Where a Wards Committee consists of</p>				
<p>SA Combine File.docx (D58915711)</p>				

853/905	SUBMITTED TEXT	29 WORDS	95% MATCHING TEXT	29 WORDS
<p>two or more wards, one of the members representing such wards in the Municipality elected by the members of the Wards Committee shall be the Chairperson of that Committee. Article 243T</p>				
<p>SA Combine File.docx (D58915711)</p>				

854/905**SUBMITTED TEXT**

53 WORDS

86% MATCHING TEXT

53 WORDS

reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to NSOU ? CC-PS-02 335 the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in

SA Chapter-IV.pdf (D23995995)**855/905****SUBMITTED TEXT**

139 WORDS

85% MATCHING TEXT

139 WORDS

area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality. Not less than one- third of the total number of seats reserved Scheduled Caste are reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality are reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality. The office of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

SA INDIAN POLITY book.docx (D57972790)**856/905****SUBMITTED TEXT**

43 WORDS

91% MATCHING TEXT

43 WORDS

time being in force, shall continue for five years from the date appointed for its first meeting and no longer provided that a Municipality shall be given a reasonable opportunity of being heard before its dissolution. Powers and Functions of Municipalities : Article 243W of the Constitution

SA Combine File.docx (D58915711)

857/905	SUBMITTED TEXT	100 WORDS	91% MATCHING TEXT	100 WORDS
<p>powers, authority and responsibilities of Municipalities, etc. Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow: (a) The Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to- i) The preparation of plans for economic development and social justice; ii) The performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule;</p> <p>SA Combine File.docx (D58915711)</p>				
858/905	SUBMITTED TEXT	33 WORDS	100% MATCHING TEXT	33 WORDS
<p>b) The Committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.</p> <p>SA Combine File.docx (D58915711)</p>				
859/905	SUBMITTED TEXT	84 WORDS	97% MATCHING TEXT	84 WORDS
<p>power to impose taxes by, and Funds of, the Municipalities. The Legislature of a State may, by law : a) Authorise a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits; b) Assign to a Municipality such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits; c) Provide for making such grants-in-aid to the Municipalities from the Consolidated Fund of the State; and d) Provide for</p> <p>SA Combine File.docx (D58915711)</p>				

860/905	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>money received, respectively, by or on behalf of the Municipalities and also for the withdrawal of such</p> <p>SA Combine File.docx (D58915711)</p>				
861/905	SUBMITTED TEXT	30 WORDS	82% MATCHING TEXT	30 WORDS
<p>the audit of accounts of Municipalities. The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Municipalities and the auditing of such accounts.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
862/905	SUBMITTED TEXT	12 WORDS	89% MATCHING TEXT	12 WORDS
<p>Urban planning, including town planning; ii) Regulation of land-use and construction of buildings;</p> <p>Urban planning including town planning; 2. Regulation of land use and construction of buildings; 3.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
863/905	SUBMITTED TEXT	111 WORDS	80% MATCHING TEXT	111 WORDS
<p>Planning for economic and social development; iv) Roads and bridges; v) Water supply for domestic, industrial and commercial purposes; vi) Public health, sanitation, conservancy and solid waste management; vii) Fire services; viii) Urban forestry, protection of the environment and promotion of ecological aspects; ix) Safeguarding the interests of weaker sections of society, including the handicapped & mentally retarded; x) Slum improvement and up-gradation; xi) Urban poverty alleviation; xii) Provision of urban amenities and facilities, such as parks, gardens, playgrounds; xiii) Promotion of cultural, educational and aesthetic aspects; xiv) Burials and burial grounds; cremations, cremation grounds and electric crematoriums; xv) Cattle pounds; prevention of cruelty to animals; xvi) Vital statistics, including registration of births and deaths; xvii) Public amenities, including street lighting, parking lots, bus stops and public conveniences; and</p> <p>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 the environment and promotion of ecological aspects; 9. Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded; 10. Slum improvement and 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 and cremation grounds and electric crematoriums; 15. Cattle ponds, prevention of cruelty to animals; 16. Vital statistics including registration of births and deaths; 17. Public amenities including street lighting, parking lots, bus stops and public conveniences; and 18.</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

864/905	SUBMITTED TEXT	126 WORDS	94% MATCHING TEXT	126 WORDS
<p>Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow– A) The Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, with respect to: (i) The preparation of plans for economic development and social justice; (ii) The performance of functions and the implementation of schemes as may be entrusted to them including those in relation to the matters listed in the Twelfth Schedule; B) The committees with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.</p>				
<p>SA Combine File.docx (D58915711)</p>				

865/905	SUBMITTED TEXT	35 WORDS	29% MATCHING TEXT	35 WORDS
<p>the amendment of the Indian constitution ? Explain the procedure of the amendment of the Indian constitution. ? Identify the special features of the amendment of the Indian constitution. ? Understand the needs for amendment of the</p>				
<p>the of the Indian Constitution. 2. Describe the composition and role of the Constituent Assembly. 3. Discuss the philosophy of Indian Constitution. 4. Describe the aspects of the Preamble of the Constitution. 5. What are the salient features of the</p>				
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

866/905	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>The Constitution (74th Amendment) Act, 1992 is a landmark initiative of the Government of India to strengthen local self-government in cities and towns ? 74</p>				
<p>SA INDIAN POLITY book.docx (D57972790)</p>				

867/905	SUBMITTED TEXT	50 WORDS	88% MATCHING TEXT	50 WORDS
<p>Constitution to be as solid and as permanent a structure as we can make it, nevertheless there is no permanence in Constitutions. There should be certain flexibility. If you make anything rigid and permanent, you stop a nation's growth, the growth of a living, vital, organic people. Therefore, it has to be flexible....</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

868/905	SUBMITTED TEXT	42 WORDS	100% MATCHING TEXT	42 WORDS
<p>In any event, we should not make a Constitution, such as some other great countries have, which are so rigid that they do not and cannot be adapted easily to changing conditions. Today especially, when the world is in turmoil and we are</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

869/905	SUBMITTED TEXT	37 WORDS	100% MATCHING TEXT	37 WORDS
<p>passing through a very swift period of transition, what we may do today may not be wholly applicable tomorrow. Therefore, while we make a Constitution which is sound and as basic as we can, it should also be flexible...." 20.4</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

870/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>there were contradictory provisions in some places which would be more</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

871/905	SUBMITTED TEXT	17 WORDS	67% MATCHING TEXT	17 WORDS
<p>more apparent when the provisions are interpreted. If the amendment to the Constitution was not made easy,</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

872/905	SUBMITTED TEXT	10 WORDS	90% MATCHING TEXT	10 WORDS
<p>a flexible Constitution to make it survive the test of time.</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

873/905	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>procedural safeguards to avoid the possibility of a hasty amendment to the Constitution.</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

874/905	SUBMITTED TEXT	161 WORDS	95% MATCHING TEXT	161 WORDS
<p>It is proposed that the Constitution should be amendable by a simple majority at NSOU ? CC-PS-02 343 least for some years. The argument is subtle and ingenious. It is said that this Constituent Assembly is not elected on adult suffrage while the future Parliament will be elected on adult suffrage and yet the former has been given the right to pass the Constitution by a simple majority while the latter has been denied the same right. It is walked as one of the absurdities of the Draft Constitution. I must repudiate the charge because it is without foundation. To know how simple are the provisions of the Draft Constitution in respect of amending the Constitution one has only to study the provisions for amendment contained in the American and Australian Constitutions. Compared to them those contained in the Draft Constitution will be found to be the simplest. The Draft Constitution has eliminated the elaborate and difficult procedures such as a decision by a convention or a referendum.... It is only for amendments</p>				
<p>SA RKV Suresh.pdf (D23739605)</p>				

875/905	SUBMITTED TEXT	15 WORDS	70% MATCHING TEXT	15 WORDS
<p>of the Constitution, the Court has the power to declare it void or ultra vires.</p>		<p>of the Constitution, the Supreme Court has the power to declare such a law invalid or ultra vires.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

876/905	SUBMITTED TEXT	65 WORDS	99% MATCHING TEXT	65 WORDS
<p>few—that the ratification of the State Legislatures is required. All other Articles of the Constitution are left to be amended by Parliament. The only limitation is that it shall be done by a majority of not less than two-thirds of the members of each House present and voting and a majority of the total membership of each House. It is difficult to conceive a simpler method of amending the Constitution.</p> <p>SA RKV Suresh.pdf (D23739605)</p>				
877/905	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
<p>that the claim of any particular feature of the Constitution to be a basic feature would be determined by the Court in each case that comes before it.</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
878/905	SUBMITTED TEXT	24 WORDS	75% MATCHING TEXT	24 WORDS
<p>can be affected by Parliament by a simple majority such as that required for the passing of any ordinary law the amendments contemplated in</p> <p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
879/905	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>fall within this category and are specifically excluded from the purview of</p> <p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
880/905	SUBMITTED TEXT	30 WORDS	88% MATCHING TEXT	30 WORDS
<p>amendments that can be effected by Parliament by a prescribed 'special majority; and Third, those that require, in addition to such 'special majority', ratification by at least one-half of the State Legislatures. The</p> <p>SA RKV Suresh.pdf (D23739605)</p>				

881/905	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Constitution by way of addition, variation, or repeal of any provision</p>		<p>Constitution by way of addition, variation or repeal of any provision.</p>		
<p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				

882/905	SUBMITTED TEXT	20 WORDS	91% MATCHING TEXT	20 WORDS
<p>Power of Parliament to amend the Constitution and Procedure, therefore : (1) Notwithstanding anything in this Constitution, Parliament may in</p>		<p>Power of Parliament to Amend the Constitution and Procedure Notwithstanding anything in this Constitution, Parliament may in</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

883/905	SUBMITTED TEXT	148 WORDS	88% MATCHING TEXT	148 WORDS
<p>exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article. (2) An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President who shall give his assent to the Bill and thereupon the Constitution shall stand amended in accordance with the terms of the Bill : Provided that if such amendment seeks to make any change in : (a) article 54, article 55, article 73, article 162 or article 241, or (b) Chapter IV of Part V, Chapter V of Part VI, or Chapter I of</p>		<p>exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article. (2) An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President who shall give his assent to the Bill and the Constitution shall stand amended in accordance with the terms of the Bill: Provided that if such amendment seeks to make any change in: • Article 54, article 55, article 73, article 162 or article 241, or • Chapter IV of Part V, Chapter V of Part VI, or Chapter I of Part XI, or • Any of</p>		
<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>				

884/905	SUBMITTED TEXT	69 WORDS	95% MATCHING TEXT	69 WORDS
	<p>any of the lists in the Seventh Schedule, or (d) The representation of States in Parliament, or (e) the provisions of this article, the amendment shall also require to be ratified by the Legislatures of not less than one-half of the States... by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent. (3) Nothing in article 13 shall apply to</p>		<p>Any of the Lists in the Seventh Schedule, or • The representation of States in Parliament, or • The provisions of this article The amendment shall also require to be ratified by the Legislatures of not less than one-half of the states by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent. (3) Nothing in article 13 shall apply to</p>	
	<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>			
885/905	SUBMITTED TEXT	90 WORDS	93% MATCHING TEXT	90 WORDS
	<p>amendment made under this article. (4) No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this article [whether before o after the commencement of section 55 of the Constitution (Forty-second Amendment) Act, 1976] shall be called in question in any court on any ground. NSOU ? CC-PS-02 346 (5) For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition, variation, or repeal the provisions of this Constitution under this article.</p>		<p>amendment made under this article. (4) No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this article whether before or after the commencement of section 55 of the Constitution (Forty-second Amendment) Act, 1976 shall be called in question in any court on any ground. (5) For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition, variation or repeal the provisions of this Constitution under this article. 4.4.2 73</p>	
	<p>W https://www.bdu.ac.in/cde/SLM-REVISED/UG%20%20Programmes/BA%20Political%20Science/Constitutional% ...</p>			
886/905	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
	<p>modify or annul the operation of certain provisions of the Constitution without actually amending them</p>			
	<p>SA Aastha Dissertation.docx (D105061028)</p>			
887/905	SUBMITTED TEXT	23 WORDS	60% MATCHING TEXT	23 WORDS
	<p>for amendment of the Constitution shows that : (i) An amendment can be initiated only by the introduction of a Bill in either House of Parliament; (</p>		<p>for the amendment of the Constitution as laid down in Article 368 is as follows: 1. amendment of the Constitution be initiated only by the introduction of a bill for the purpose in either House of Parliament</p>	
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888/905	SUBMITTED TEXT	31 WORDS	97% MATCHING TEXT	31 WORDS
<p>passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting.</p>		<p>passed in each House (a) by a majority of the total membership of that House and (b) by a majority of not less than two-thirds of the members of that House present and voting ,</p>		
<p>W https://pdfcoffee.com/indian-constitution-4-pdf-free.html</p>				
889/905	SUBMITTED TEXT	19 WORDS	70% MATCHING TEXT	19 WORDS
<p>the Bill is so passed, it must be presented to the President who shall give his assent to the Bill; (</p>		<p>1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>		
<p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
890/905	SUBMITTED TEXT	27 WORDS	55% MATCHING TEXT	27 WORDS
<p>be passed before the amending Bill is presented to the President for his assent; (vii) The Constitution can be amended: a) Only by Parliament; and b) In the manner provided.</p>		<p>be passed before the Constitution Amendment Bill is presented to the President for Assent. Criticism of the Constitutional Amendment Procedure 1. The Constitution can be amended five to seven times by the Parliament; and only in the manner provided. 62 ©</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
891/905	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>Any attempt to amend the Constitution by a Legislature other than Parliament and in a manner different from that provided for will be void and inoperative.</p>		<p>any attempt to amend the Constitution by a Legislature other than Parliament, and in a manner different from that provided for, will be void and inoperative.) 4.</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
892/905	SUBMITTED TEXT	24 WORDS	88% MATCHING TEXT	24 WORDS
<p>entire Constitution Amendment is void for want of ratification or only an amended provision required to be ratified under clause (2) of Article 368,</p>		<p>entire constitutional amendment is void for want of ratification or only an amended provision required to be ratified under proviso to clause (2) of article 368</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				

893/905	SUBMITTED TEXT	27 WORDS	50% MATCHING TEXT	27 WORDS
<p>the constitutional validity of the Tenth Schedule of the Constitution was inserted by the Constitution (Fifty-second Amendment) Act, 1985 was challenged. In this case, the decisions of the</p>		<p>the constitutional validity of the Tenth Schedule of the Constitution inserted by the 52 nd Amendment in 1985 was challenged. Basic Structure of the Constitution Emergence of the</p>		
<p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
894/905	SUBMITTED TEXT	23 WORDS	78% MATCHING TEXT	23 WORDS
<p>of the provisions mentioned in the proviso to article 368, it must be ratified by the Legislatures of not less than one-half of the States; (</p>				
<p>SA Astha final.docx (D105981986)</p>				
895/905	SUBMITTED TEXT	36 WORDS	100% MATCHING TEXT	36 WORDS
<p>There are gaps in the procedure as to how and after what notice a Bill is to be introduced, how it is to be passed by each House and how the President's assent is to be obtained.</p>				
<p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				
896/905	SUBMITTED TEXT	27 WORDS	60% MATCHING TEXT	27 WORDS
<p>State Legislatures in certain cases, and the mandatory assent by the President, a Bill for amending the Constitution is dealt with the Parliament following the same legislative process as</p>				
<p>SA Aastha Dissertation.docx (D105061028)</p>				
897/905	SUBMITTED TEXT	20 WORDS	77% MATCHING TEXT	20 WORDS
<p>is "law" within the meaning of article 13 of the Constitution and therefore if a Constitution amendment "takes away or abridges"</p>				
<p>SA 1634875210720_1634875147357_Constitutional_amendment_in_India_Present_Constitutional_scenerio_str ... (D116010516)</p>				





















898/905	SUBMITTED TEXT	59 WORDS	85% MATCHING TEXT	59 WORDS
<p>that the expression 'amendment' of this Constitution in article 368 means any addition or change in any of the provisions of the Constitution within the broad contours of the Preamble and the Constitution to carry out the objectives in the Preamble and the Directive Principles of State Policy. Applied to Fundamental Rights, it would be that while Fundamental Rights cannot be abrogated,</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
899/905	SUBMITTED TEXT	28 WORDS	69% MATCHING TEXT	28 WORDS
<p>structure of the Constitution remain the same. The theory of the basic structure of the Constitution was reaffirmed and applied by the Supreme Court in Smt. Indira Nehru Gandhi</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				
900/905	SUBMITTED TEXT	22 WORDS	95% MATCHING TEXT	22 WORDS
<p>Although Parliament must preserve the basic framework of the Constitution, there is no other limitation placed upon the amending power, that is</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
901/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>there is no provision of the Constitution that cannot be amended. (</p> <p>W https://pdfcoffee.com/indian-polity-notespdf-pdf-free.html</p>				
902/905	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>The State Legislatures cannot initiate any Bill or proposal for</p> <p>W https://dokumen.pub/indian-polity-for-civil-services-and-other-competitive-examinations-6nbsped-9 ...</p>				








903/905	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>reasonable abridgment of Fundamental Rights could be effected in the public interest. The</p> <p>SA INDIAN POLITY book.docx (D57972790)</p>				
904/905	SUBMITTED TEXT	17 WORDS	91% MATCHING TEXT	17 WORDS
<p>amendment seeks to make any change in any of the provisions mentioned in the proviso to Article 368.</p> <p>SA Aastha Dissertation.docx (D105061028)</p>				
905/905	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Pylee, M.V. India's Constitution : New Delhi, S. Chand, 2013. 8.</p> <p>SA Combine File.docx (D58915711)</p>				

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[1] PREFACE In a bid to standardize higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, discipline specific, generic elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern, which finds efficacy in sync with credit system, credit transfer, comprehensive and continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility to choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry their acquired credits. I am happy to note that the University has been recently accredited by National Assessment and Accreditation Council of India (NAAC) with grade "A". UGC (Open and Distance Learning Programmes and Online Programmes) Regulations, 2020 have mandated compliance with CBCS for U.G. programmes of all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Materials (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English / Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this, we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success.
Prof. (Dr.) Subha Sankar Sarkar Vice-Chancellor

[2] Printed in accordance with the regulations of the Distance Education Bureau of the University Grants Commission.
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Unit 1 : Concept of Freedom Structure 1.1 Objectives 1.2 Introduction 1.3 Meaning of Freedom 1.3.1 Rousseau’s concept of freedom 1.3.2 Locke’s concept of freedom 1.3.3 Montesquieu and Adam Smith on freedom 1.3.4 Hegel’s concept of freedom 1.3.5 Socialist and Marxist concept of freedom 1.3.6 Anarchist conception of freedom 1.3.7 Libertarian notion of freedom 1.3.8 Feminist notion of freedom 1.4 Safeguards of liberty or freedom 1.5 Conclusion 1.6 Summing Up 1.7 Probable Questions 1.8 Further Reading 1.1 Objectives ? Is to familiarise the learners with the meaning and evolution of the term freedom. ? They shall also be given a brief idea about the different conceptions of freedom and its critiques. 1.2 Introduction Liberty and freedom are often used interchangeably though for many, freedom refers to a situation while liberty symbolizes a state of mind. Berlin declares that the

NSOU ? CC-PS-03 8 two words 'mean the same' but clarifies that liberty tends to be used in legal and political contexts while the term freedom is used in philosophical sense. A more appropriate difference is provided by Pitkin who being influenced by Arendt points out that while liberty implies protection from state interference, freedom generally means active involvement in politics. Freedom is a complex concept that contains within it two basic ideas, both independent and interdependent. One meaning of freedom is autonomy or rightful self-government. The other meaning is the overall ability to do or choose or achieve things that can be called 'optionality'. Freedom, may thus be defined as a quality of human being, as in only a human being as distinguished from other living beings, is capable of enjoying freedom. Freedom may also be defined as a quality of human being manifested in man's capacity for obtaining scientific knowledge of laws of nature and applying them for the benefit of mankind. In other words, human being's ability to gain scientific knowledge is the source of their freedom. Freedom may also be perceived as a human condition marking man's ability to fulfil his self-appointed goals and the state is not expected to interfere in this matter or should help in developing people's ability by setting up a welfare state.

1.3 Meaning of the word Freedom

1.3.1 Rousseau's concept of freedom Notion of free will and freedom forms the bedrock of western political theory and society. One of the earliest conceptions of freedom defines it as obedience to a higher authority espoused by collectivist thinkers of both left and right. The earliest exponent of this view is Rousseau, for whom true freedom consists in obeying the general will that is devoid of particularistic and selfish elements and expressed in a democratic assembly of equals. A deviant is compelled to obey the law or 'forced to be free'. An important prerequisite for his conception of freedom is a substantive measure of social and economic equality.

1.3.2 Locke's concept of freedom For the liberals, liberty is possible and worthwhile only within a framework of law. It is best elaborated in Locke's famous phrase, "

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end of law is, not to abolish or restrain, but to preserve and enlarge freedom."

Locke gave an economic dimension to liberty when he explained labour as the unquestioned property of the labourer and said that each person

NSOU ? CC-PS-03 9 has the right to property by the virtue of his labour. He considered the relationship of individuals with the political authority as moral and deriving from God, who had created them and to whom they owe the duty to preserve themselves, thus explicitly excluding the freedom to kill one self or others or enslave others. Locke reiterated that personal independence – the right to live with dignity and with reasonable economic comfort is a fundamental human right. He emphasized on consent as the basis of legitimate political authority, thereby specifying the limits of political power and the ambit of personal liberty in a liberal society. He portrayed the liberal state as a minimal and constitutional state, based on rule of law.

1.3.3 Montesquieu and Adam Smith on freedom Montesquieu underlined the importance of safeguards like the written constitution, separation of powers, checks and balances, precise legal procedures, clear specification of crimes and independence of judiciary for the preservation of liberty. Adam Smith linked freedom with opulence, regarding the two "as the greatest blessings" that human being can possess. He held that true freedom is possible through commerce. He considered dependency as degrading, thereby equating freedom with independence.

1.3.4 Hegel's concept of freedom For Hegel, the state is always infallible and only the state knows what is in individual's interest. The state is divine and therefore, the individuals have no rights outside the state or against the state. Freedom of the individual lies in the complete obedience of the laws of the state. State is a super organism in which no one has any individual preferences different from those of the state. Real freedom of the individual can be realised only in the state.

1.3.5 Socialist and Marxist concept of freedom While the liberal view of freedom is essentially freedom from interference, the Marxist view drawing upon the philosophies of Spinoza, Rousseau, Kant and Hegel defines freedom as self-determination and as self-realization. It sees freedom as a removal of obstacles to human emancipation allowing the full flowering of the human powers. For the socialists, only when class divisions and wage labour based on private property leading to competitiveness and selfishness are abolished, a truly human society based on fellowship, love and cooperative instinct may be created. Only collective efforts can overcome such hurdles and freedom as self-determination, is collective in the sense, that there is an organized human effort over both nature and social conditions of production. To Marx and

NSOU ? CC-PS-03 10 Engles, destruction of capitalism and creation of communist society embodies collective control, collective individuality and personal freedom. Marxist concern with a wider and richer view of freedom leads the Marxists to underestimate the nature and extent of civil and economic freedom that the individuals enjoy in liberal – capitalistic societies. Marx had very little faith in mechanisms like constitution, rule of law or charter of rights. He dismissed these as a façade of bourgeois exploitation and did not acknowledge even in limited sense, the protection they lend to individual against arbitrary rule and physical harm. The Marxists therefore tend to forget that these civil freedoms were earned as a result of centuries of unremitting popular struggles. Miliband, therefore, rightly pointed out that the task of Marxist politics should be to defend these freedoms; and to make possible their extension and enlargement by the removal of all sorts of obstacles. Socialists and Marxists of all shades regard economic freedom as primary and consider political and civil liberties to be possible only with the abolition of the class boundaries. Many western socialists argue that political freedom is valuable and ought to be coalesced with welfare measures. The socialists believe it is not the state, but rather economic exploitation that presents challenge to individual's self-realisation and material sufficiency. They profess a more deterministic view of human nature than liberals and deny a direct co- relationship between choice and freedom.

1.3.6 Anarchist notion of freedom The extreme left wing ideology, anarchism desires to do away with all forms of authority, whether that of a state, church or a parent, since authority and discipline, imposed from outside always curtail freedoms. Like the Marxists, the Anarchists too desire the abolition of state power after the destruction of capitalism and describe the post capitalist Anarchist society as being truly free. However, Anarchism remains untested in practice.

1.3.7 Libertarian notion of freedom Libertarianism considers subjective freedom as the highest social and political value. It believes in freeing people not only from traditional political institutions but also from the constraints imposed by the importance they attach and the power that they attribute to ineffectual practices and institutions namely, religion, family and social customs. Libertarians demand maximization of the realm of individual freedom and minimization of the scope of public authority.

NSOU ? CC-PS-03 11 1.3.8 Feminist notion of freedom The feminists on the other hand accepts the intrinsic link between freedom and equality. The early liberal feminists like Wollstonecraft and Mary Astell used the idea of equality to demand recognition of women as human subjects with agency and intellect, an aspect which J.S.Mill later acknowledged. Contemporary feminism defines freedom as empowerment, requiring both negative liberty's absence of constraints and positive liberty's community assistance.

1.4 Safeguards of Liberty To preserve personal liberty in modern democratic state system many safeguards have been adopted. These safeguards have been won after long struggles against authoritarian rules. They are as follows:

- 1) Rule of Law- Professor Dicey has described the rule of law as the best safeguard of liberty. It means supreme importance of law and equal treatment of all according to the prevailing law. All the people are subject equally to the law of the land and within the state all are entitled to enjoy equal freedom. Nobody is above the law. The Marxists however emphasise that in order for the Rule of Law to be successful, economic inequalities must not persist.
- 2) Written Constitution- To safeguard individual liberty a written constitution, enshrining clearly the laws of the land is necessary. It should embody the fundamental rights and duties of the citizens. It must also include the provision of resort to court if the government encroaches upon people's fundamental rights. It is expected that the democratically elected governments would strictly function according to the rules enshrined in the constitution.
- 3) Independent and Neutral Judiciary- To protect the citizen's liberty a fair, independent and neutral judiciary is must. Especially, in the federal set up, a neutral judiciary ensures harmonious functioning of the central and state governments as is manifested in the United States of America. The American Supreme court has the power to declare any law that contravenes the constitution as ultra vires or unconstitutional.
- 4) Responsible Government- A democratically elected government, presence of a strong opposition and regular elections ensures that the governments do not misuse

NSOU ? CC-PS-03 12 powers. A strong opposition and its constant surveillance and criticisms can ensure the growth of public opinion not favourably disposed to the government in power. In India, the imposition of emergency rule in 1975 by Mrs. Indira Gandhi and its criticism had subsequently led to the downfall of her government. 5) Separation of Powers- French philosopher Montesquieu, felt that separation of power was an important mechanism to safeguard individual liberty. Separation of Power implies that power of the three organs of the government, i.e., the legislature, executive and judiciary must be clearly demarcated and each organ should strictly function within the power assigned to it under the constitution. This mechanism was adopted in USA, France and Mexico. However, in practice it has been observed that complete separation is not feasible and many political scientists opine that it is not mandatory for safeguarding individual liberty. 6) Direct Democracy- As was evident in ancient Greece and in modern Switzerland, direct participation by the citizens in the affairs of the state like law making etc fosters individual liberty. In Switzerland, direct democracy is practiced through employment of methods as referendum, initiative and recall. However, in modern times, where countries have huge populations, direct democracy is not very practicable. 7) Alert Public- The more the citizens are conscious of their rights and are vigilant about the activities of the government the safer is their liberty. People must be collectively ready to fight for their freedoms. Indeed, the old saying remains true till date that 'eternal vigilance is the price of liberty'. 8) Decentralization of Power- Lord Acton had said, 'power corrupts and absolute power corrupts absolutely'. The more the power is concentrated in the hands of a government the more corrupt it becomes. Therefore, decentralization of power to the various tiers of government can act as a bulwark against corruption and encroachment of individual liberty. 9) Free Mass Media- Today we are witnessing the 'Information Society' or the 'Network Society'. The presence of internet has made possible wide circulation of information within a very short span of time. By mass media we mean the television, radio, newspapers and magazines along with the internet. The mass media is indeed the fourth pillar of democracy and can keep up constant surveillance on the governmental activities, thereby acting as a safeguard of individual liberty.

NSOU ? CC-PS-03 13 10) Civil Society- For Hegel, the civil society is the link between the family and the state. Gramsci reiterated its importance by saying that the civil society acted as a sphere where hegemony is generated and internalised by the people thereby helping in the functioning of the state. Of late in modern democracies, civil societies act as a bulwark against the excesses of the state. At other times they aid in various functions of the state. The civil societies also act as a medium of educating the citizens about their democratic rights and duties. 1.5 Conclusion It can be safely concluded, that as long as the more experienced, more learned, competent and prudent manage the common affairs for common good, men do not lose their freedom in obeying commands. However, in actual practice it is often observed that, the strong, selfish and shrewd persons acquire dominant position and special privileges in the society. As a result, the society gets divided between the exploiter and the exploited, the dominant and the dependent groups. The privileged classes want to maintain the status quo, as it benefits them. Thus the privileged classes have always stood in defence of the status quo- or no change in the existing situation. It is only when the subjugated sections, become conscious of their oppression and rise in revolt against the dominant sections, demanding their freedom (economic, social and political) that the social change takes place. Freedom therefore has inspired many a revolution and has been a harbinger of social change. 1.6 Summing Up ? The terms liberty and freedom are often used inter- changeably. ? Freedom contains within it two basic ideas, one is autonomy or rightful self- government and the other is the ability to do or choose. ? Freedom may be defined as a human quality that seeks completion of human purposes by gaining mastery over nature. ? Freedom also means ability to fulfil one's self chosen goals ? For the liberals, freedom is only possible within the framework of laws and institutions. They prioritise political freedom above all other values.

NSOU ? CC-PS-03 14 ? The Socialists and the Marxists accord supreme importance to economic freedom. They argue that without real economic freedom all other freedoms are meaningless. They further opine that only with the complete breakdown of the capitalist mode of production and the abolition of the class system shall true economic liberty be possible for all. ? The Anarchists oppose all forms of authority that are externally imposed from above, be it parental, religious and state's authority as they feel it is antithetical to freedom. ? The Feminists uphold the intrinsic link between freedom and equality and demand recognition of women as human subjects with similar agency and intellect like men. ? Rule of law, written constitution, independent and neutral judiciary, and responsible government, separation of power, direct democracy, alert public opinion, decentralized power, free mass media and active civil society are the vital safeguards of individual liberty.

1.7 Probable Questions Essay Type Questions : 1) Explore the idea of freedom as described by Hegel. 2) Elucidate on the Socialist and Marxist notion of freedom. 3) Describe the various safeguards of liberty. Long Questions : 1) Discuss the idea of freedom as explained by Rousseau. 2) Write a note on libertarian conception of freedom. 3) Can Locke be considered as a champion of Liberty? Explain. Short Questions : 1) Define the idea of freedom. 2) Explain the concept of General Will. 3) What do you understand by the term Separation of Powers?

NSOU ? CC-PS-03 15 1.8 Further Reading 1) Ramaswamy S., Political Theory Ideas and Concepts, Second Edition, PHI Learning Private Limited, New Delhi, 2017. 2) Bhargav R and Acharya A. (Ed), Political Theory An Introduction, Pearson Longman, New Delhi, 2008. 3) Bauman, Z., Freedom, World View, Delhi, 1997. 4) Gray, T., Freedom, Macmillan, London, 1991. 5) Kymlicka, W. (Ed), Justice in Political Philosophy, Edward Elgar, England, 1992. 6) Petit, P., Judging Justice, Routledge, London, 1984. 7) Runciman, W., Relative Deprivation and Social Justice, Routledge and Kegan Paul, London, 1972. 8) Gauba O.P., An Introduction to Political Theory, Mayur Paperbacks, New Delhi, 2017.

Unit 2 : Negative Freedom : Liberty Structure 2.1 Objectives 2.2 Introduction 2.3 Basic features of negative freedom as enunciated by the liberals 2.4 Hobbes's concept of freedom 2.5 Locke, Bentham and Sidgwick's conception of freedom 2.6 J. S. Mill's self-regarding and other regarding actions 2.7 Hayek's concept of freedom 2.8 Nozick's concept of freedom 2.9 Milton Friedman on freedom 2.10 Berlin's exposition of negative freedom. 2.11 Conclusion 2.12 Summing Up 2.13 Probable Questions 2.14 Further Reading

2.1 Objectives ? To illustrate to the learners, the meaning of the term negative freedom and how it is intricately linked with negative liberty. ? The learners shall also be given an idea of the evolution of negative freedom by studying the ideas propounded by scholars like Hobbes, Locke, Bentham, J.S. Mill and contemporary theorists like Isaiah Berlin, Robert Nozick, Milton Friedman. 2.2 Introduction By negative liberty one usually understands the absence of restraints or absolute non- interference. Negative liberty is very closely associated with negative freedom. The question is: what is the actual extent of the area or the realm, where an individual is absolutely free

NSOU ? CC-PS-03 17 to do what he pleases, without any external interference? Perhaps, negative freedom is best understood in the words of Berlin, as he seeks answer to the question, 'Over what area am I master?' It basically rests on two basic premises; a) Each person knows his interests best. It is based upon the assumption that every individual is a rational agent capable of deliberations and making informed decisions. b) The state should not interfere unnecessarily in an individual's life, neither should it try to dictate ends and purposes to the individuals. 2.3 Basic features of negative freedom as enunciated by the liberals Liberal writers often use the term liberty and freedom interchangeably. For them, liberty is of supreme importance and they want all public policies to be solely guided by it. Of all forms of liberty, the liberals value the individual liberty above all. The essence of the liberal thought is perhaps best captured by the Atlantic Charter (1941) which contains the declaration of the 'Four Freedoms'. These are: freedom of speech, freedom of worship, freedom from fear and want. The first two freedoms embody the negative aspect of liberty, i.e., it prohibits or restricts the state from meddling in individual's life and preventing him from achieving life goals determined by him. The concept of negative liberty or freedom starts on the basic premise that the individual is the best judge of his interests and most capable of choosing his life goals. It evolved as a consequence of long struggle against the tyrannical and unjust powers of the state. The individual had to put up a long fight to carve a private sphere for himself, both in the economic and political sphere. Hobbes, Locke, Montesquieu, Bentham, Henry Sidgwick, Herbert Spencer, J.S. Mill are all classical theorists of the concept of negative liberty. In the contemporary times, the idea has again been brought to lime light by libertarian theorists like Hayek, Nozick and Milton Friedman. 2.4 Hobbes's concept of freedom Hobbes defined freedom as private pursuit of the individual, i.e., within the framework conceded by the state authority, where an individual is free to pursue his own life goals chosen by him. Though Hobbes vested a lot of importance to law, he defined liberty as whatever

NSOU ? CC-PS-03 18 the law permitted and to be operative in all the spheres where law is silent. Hobbes conceded that right to private beliefs or religion or conscience was beyond the realm of the state and the person should be free to choose whom and in what way to worship. However, Hobbes's 'all powerful Leviathan' retains the power to command his subjects to perform ceremonies that are necessary for public worship. 2.5 Locke, Bentham and Sidgwick's concept of freedom Locke too believed that an individual's right to life, liberty and property is very sacred, bestowed to him from the nature and the state has no right to interfere with these sacred rights, they were basically considered to be inviolable. The government according to Locke, is created for upholding and preserving these individual rights and is basically supposed to act as a trust. If the government fails to perform its duties, Locke conceded the right to resistance against it to the citizens. Bentham emphasized on the importance of law, for the conditions created by the law made it possible for the individuals to enjoy civil and political liberty. Through the enactment of civil laws, a legislator bestowed the right to property on the individuals, prevented unnecessary interference, simplified judicial proceedings and encouraged healthy economic competitiveness. By enacting a proper criminal code, by maintaining a reasonable police force and courts, legislator ensured that the people are free from crimes. In the realm of constitutional law, the legislator protects the individual against misrule, abuse and arbitrary exercise of power. Bentham felt social utility could provide the necessary balance between freedom and restraint. For Sidgwick, the value and sanctity of a contract is absolute. He argued that once an individual voluntarily enters a contract, the onus is on him to maintain it, even if it is inimical to his interests, as it demonstrates individual choice. It is also the duty of the state to enforce the contract, to ensure that it is honoured. Therefore, according to Sidgwick, a person's liberty may be considered to be the realm, where he is supreme to pursue his interests without pondering over its quality and consequences. 2.6 J.S. Mill's self-regarding and other regarding actions In J.S. Mill's writings we witness a transition from being a champion of negative liberty to that of positive liberty. He presented a very strong defence of individual liberty, manifested

NSOU ? CC-PS-03 19 in the freedom of thought and expression in his classic book, *On Liberty* (1859). Mill strongly advocated a person's right to his freedom and brooked no interference from the society. He wanted to accede the greatest amount of freedom for the pursuit of individual's creativities and wanted to keep free all channels of individual's avenues for self-development. To strike a harmonious balance between the individual and interests of the community, he came up with a novel concept of self-regarding and other regarding actions. Mill described as self-regarding action these activities which solely affect the individual himself, in which his freedom was absolute. The sphere, where he had supreme control over his own body and mind. By other regarding actions he meant those actions which impacted other individuals of the community. J.S. Mill realised that external coercion did more harm than good and as he judged individuals to be the best judge of their interests and perceived the individuals to be diverse in their needs and capacities, he felt complete freedom in the individual sphere was necessary for the full blossoming of their personality and development of their rational and deliberative capacities. However, he circumscribed individual's liberty by accepting reasonable interference on the part of the society to prevent harm to other people. Mill was such an ardent supporter of freedom of thought and expression that he believed that a person should also possess the right to express incorrect opinions through free exchange of ideas and dialogues. In this way the individuals could contribute to the great advances of the society. The early liberals value liberty for the sake of efficient government, whereas for J.S. Mill, liberty is priceless for its intrinsic good. It helps in the development of moral, rational, capable persons and also helps in creating an efficient society. Mill got perturbed by witnessing the spirit of conformity prevalent in Victorian Britain and got apprehensive of tyranny and intolerance of the majority. He considered it to be a singular threat to individual liberty. He advocated absolute liberty of conscience, belief and expression as essential to human progress. He ardently believed that liberty and individuality was only possible in a free society. Mill extended liberty to only mature individuals and withheld it from children, invalids, mentally handicapped and barbarian societies. Negative liberty had played an instrumental role in the development of capitalism in Europe. Its exponents were the liberal-individualists who emerged as the spokesperson of the newly emerging bourgeois class and sought to establish a *laissez faire* or free economy against the mercantile policies of the state. They demanded liberty in the form of freedom of contract, trade and enterprise along with the free play of the market forces, amenable to only the laws of demand and supply. The state was perceived as a necessary evil, tolerated as it protected the people and their property from the attacks of others. J. S. Mill

NSOU ? CC-PS-03 20 had started his political journey as an advocate of laissez faire individualism and negative liberty but he was quick to comprehend the harm it unleashed as it paved the way for economic exploitation of the poor by the rich and he realised that state intervention was necessary for the upliftment of these backward sections of society. Popper too defined freedom as non-interference and felt the aim of the public policy should be to absolve people of avoidable suffering rather than to promote happiness. 2.7 Hayek's concept of freedom Friedrich Hayek, the Austrian –British economist, used the term liberty and freedom interchangeably and placed it above all other ideals. To Hayek, liberty was a negative concept as it implied the absence of all obstacles created by other men. He defined liberty as a state where man is not subject to coercion by the 'arbitrary will of another'. Hayek considered law and liberty to be consistent. He wanted individuals to be guaranteed equality under law, freedom from arbitrary arrests, right to own private property, accompanied by freedom of movement, freedom to select one's own profession etc. He did not support the idea of governmental interference under the pretext of increasing individual freedom nor did he support the idea of inner freedom, associated with the conceptions of positive liberty. Hayek, pointed out in his book, Constitution of Liberty, that law, liberty and property are inseparable and gave a picture of liberal society that minimises coercion and deliberate interference and guarantees material benefits to its citizens through safety nets outside the market. Hayek explained that as the conception rests on the premise of law, therefore when people obey laws, in the sense of general abstract rules, they are not subject to other's will and are in fact free. 2.8 Nozick's conception of freedom In his Anarchy, State and Utopia, Nozick follows Locke's method and claims that all individuals had inherited certain rights from the state of nature. People used to hire protective associations for safeguarding their property and with time, the most dominant among them emerged as the state. To Nozick, acquisition or transfer of property without force or fraud is just and he argues out that the state exists to protect the property rights of the individuals. He advocates for a minimal state that would not try to redistribute wealth among the

NSOU ? CC-PS-03 21 citizens. Nozick felt that the people differ in their talents and efforts so it would not be just to interfere in properties acquired by them under the guise of removing social inequalities as it would kill initiative and the urge to progress. 2.9 Milton Friedman on freedom Milton Friedman, in his seminal work, Capitalism and Freedom, identified capitalism as a necessary condition of freedom. He defines freedom as the absence coercion on man by his fellow beings. He suggests that a 'free private enterprise. exchange economy' or 'competitive capitalism' is both direct components of freedom and a necessary though not sufficient condition of political freedom. His disdain for equality is amply manifested in his conception of freedom. He emphasizes that to enhance individual's freedom, the governments should only be allowed to handle those matters which the free market will not be able to handle. In Friedman's scheme of things, the state was only required to supplement the market society and nothing else. 2.10 Berlin's exposition of negative freedom Berlin defined negative liberty as the opportunity to act and not the action itself. He propounded an 'opportunity concept of freedom' which lays more importance on availability rather than exercise of opportunity. The main problem with this conception is its indifference to action. It does not distinguish between one's desire to write poetry and to kill himself. Berlin describes negative liberty as presence between alternatives. For Berlin, negative liberty has three characteristics. First, it implies freedom from interference with regard to one's capacity to choose and absence of restraints. Berlin is of the opinion that the individual is the best judge of his interests and must be free to pursue his desires without any interference from others. Negative liberty may be understood best by asking two pertinent questions, i.e., freedom from what and whom. Berlin described negative liberty as freedom from any form of interference. He felt that the concept of negative liberty is distinctively modern concept and its second distinct feature is its emphasis on autonomy. He opined that it is most amenable to the liberal concerns of diversity and toleration. Negative liberty also concerns itself with deliberative acts of omissions and interventions. Described as choice among options, 'unhindered by any form of obstacles, it is debatable as to what may be regarded as a hindrance. Berlin's third proposition with regard to

NSOU ? CC-PS-03 22 negative liberty is of supreme significance for it emphasises that negative liberty is not incompatible with certain forms of autocracy nor is it intricately linked with the concept of democracy and self-government. Berlin aptly pointed that negative liberty or freedom to choose is an inalienable trait of a human being and essential for his self-development. 2.11 Conclusion It can be thus concluded that the concept of negative liberty or freedom is an offshoot of liberal traditions, which firmly believes that individual is ultimately the best judge of his interests and therefore he should be left free to choose and pursue his life goals without unnecessary interference or hindrance from others. It emerged at a very important historical juncture, when the power was slipping away from the hands of feudal lords and industrial revolution was taking place in Europe marking the emergence of the bourgeois class. It was a time of massive social, political, scientific and religious transformations. Enthused by the happenings of renaissance, reformation, man basked in his new found confidence and learned to value the virtue of his new found freedom above all. The concept of negative liberty thus evolved through the writings of great scholars like Hobbes, Locke, Montesquieu, Bentham and Sidgwick. They made a powerful plea for the individual's private space, where his decision would be supreme, both in the political and economic spheres. The two world wars and the great economic depression had tarnished its value. It witnessed further decline with the rise of Keynesian welfare state, however of late, popularized again through the writings of libertarian scholars like Hayek, Nozick and Friedman. There is again a renewed emphasis on individualism, negative liberty and demand for the curtailment of the state powers. The libertarians reiterate the supreme significance of human freedom and firmly believe that the man is best judge of his interests and should therefore be left free to pursue his chosen life goals. They profess a very limited role for the state and posit that government is best which interferes least except promoting and protecting property rights and commercial interests of the individual. 2.12 Summing Up ? Liberals use negative liberty and freedom interchangeably. ? Negative freedom emphasises absence of restraints or non-interference

NSOU ? CC-PS-03 23 ? Hobbes, defined freedom as the private pursuit of the individual, which implies that each person can create his own conception of freedom. ? Locke emphasised that the right to life, liberty and property was derived from the state of nature and was sacred and inviolable. Governments were created to preserve these liberties of man. ? Central to Bentham's understanding of civil and political liberty is the security that the legislator secures through law, making it possible for the individual to enjoy liberty. ? For Sidgwick, a person's liberty is the realm where he is left supreme, without pondering over the quality of his actions. ? In J.S. Mill we find the most ardent defence of individual's freedom of thought and expression and his apprehension for the tyranny of the majority. In J.S.M.H. we witness a transformation from a defendant of negative liberty to a champion of positive liberty. ? For Hayek, freedom is the most important ideal and it is negative as it implies absence of particular obstacles and coercion by other men. ? Nozick is of the firm opinion that acquisition or transfer of property, without force or fraud is just and the state exists for the maintenance of the property rights of the individuals. ? Friedman identified the existence of competitive market society as a necessary condition for freedom. ? Berlin described negative liberty as the 'opportunity to act' rather than the action itself. 2.13 Probable Questions Essay Type Questions : 1) Explain the transition of J.S. Mill from a theorist of negative liberty to a champion of positive liberty. 2) Can Nozick and Milton Friedman be regarded as proponent of Negative Liberty? Explain.

NSOU ? CC-PS-03 24 3) Explain the concept of Negative Liberty as put forward by Hayek. Long Questions : 1) Elaborate the idea of negative freedom as defined by Hobbes. 2) Explore Bentham's notion of negative liberty. 3) How does Berlin describe the nature of negative liberty? Short Questions : 1) Elucidate the meaning of the term negative liberty. 2) Name a few proponents of negative liberty. 3) Name the author of the book Two Concepts of Liberty and briefly explain the idea proposed by him. 2.14 Further Reading 1) Ramaswamy S., Political Theory Ideas and Concepts, PHI Learning Private Limited, Delhi, 2017. 2) Bhargava R. And Acharya A. (ed) ,Political Theory An Introduction, Dorling Kindersley Pvt Ltd, Delhi, 2008. 3) Berlin I., Four Essays on Liberty, Oxford University Press, 1969. 4) Gray J., Liberalism: Essays in Political Philosophy, London Routledge, 1989. 5) Hayek, F.A., The Constitution of Liberty, University of Chicago Press, 1960. 6) Kymlicka, W.,(ed), Justice in Political Philosophy, Edward Elgar, England, 1992. 7) Pelczynski, Z. and Gray (eds), Conceptions of Liberty in Political Philosophy, Athlone Press, London, 1984. 8) Gauba O.P., An Introduction to Political Theory, Mayur Paperbacks, New Delhi, 2017.

Unit 3 : Positive Freedom : Freedom as Emancipation and Development Structure 3.1 Objectives 3.2 Introduction 3.3 J.S.Mill's conception of positive liberty 3.4 Marxist notion of positive liberty 3.5 Mercuse's concept of positive liberty 3.6 C.B.Macpherson's idea of positive freedom 3.7 Amartya Sen's concept of 'freedom as development' 3.8 Conclusion 3.9 Summing Up 3.10 Probable Questions 3.11 Further Reading

3.1 Objectives ? The main aim is to help the students grasp the idea of positive freedom by familiarizing them with the writings of positive freedom theorists as J.S.Mill, Marxists and the Neo Marxists. ? The section shall also endeavour to familiarize the students with the conception of freedom as development as enunciated by C.B.Macpherson and Amartya Sen. 3.2 Introduction Positive liberty signifies the freedom 'to do' certain things and pursuing of rational goals and ends. It assumes that the individuals possess a higher self and a lower self. For positive liberty to blossom, the higher rational self should prevail over the lower self. Its essence is wonderfully captured in Berlin's words, "The positive sense of the word 'liberty' derives from the wish on the part of the individual to be his own master...I wish above all, to be conscious of myself, as a thinking, willing, active being...", bearing responsibility for his choices and able to explain them by reference to his own ideas and purposes. Therefore, it implies not only freedom from external interference but also the idea of self-mastery where the higher self is expected to be in command of the lower self. Unlike negative liberty, it is also amenable to the idea of directing the individual by the law or elite. It surmises that as long as the law directs the individuals to rational ends and goals it does not oppress them, it can act as an agent of liberation. 3.3 J. S. Mill's concept of positive liberty Positive freedom builds upon the idea of collective control over common life. It is acknowledged that it might involve certain degree of coercion, however it is justified by the larger social good expected to be gained. J.S.Mill compared the development of an individual to that of a plant and firmly believed that individuals like the plants must be allowed to develop independently of their own accord following their inner logic. J.S.Mill opined that personal growth must be innate, i.e., it must emanate from within the individual and must never be externally imposed. Though, the emphasis on non-interference portrayed Mill to be a negative liberty theorist, later he realised that it resulted in the suppression of the economically vulnerable classes and with time changed his stance. He later acknowledged that certain amount of external interference could be permitted if it resulted in cultivation of certain desirable faculties in man. He also believed in elite guidance as he felt the educated were better endowed to guide the rest. This opened the possibility of projecting him as a propagator of positive liberty too. 3.4 Marxist notion of positive liberty The Marxists believe that common good can only be achieved by creating socio- economic conditions conducive to the enjoyment of freedom within the society. These conditions involve material means of satisfaction of wants and opportunity for self-development. The key to freedom lies in establishing a just system of production that shall ensure equitable distribution of goods for the satisfaction of everybody's needs. The Marxists opine that the capitalist mode of production is not at all conducive to the conditions of human freedom. It is characterized by constraint or necessity. Necessity denotes conditions under which the life of man is governed by the laws of nature, which exist independently of man's will. Engels aptly pointed out in his *Anti Duhring*, '...Freedom does not consist in any dream of independence from natural laws, but in the knowledge of these laws...'. Engels further felt that it applied to both the external laws of nature and our internal laws. He thus wrote, 'Freedom, therefore consists in the control over ourselves and over our external nature...'. The Marxists came up with a scientific analysis of forces of production which revealed that only socialization of the means of production can help society to tide over the crisis created by inequality and various 'non freedoms'. Marx, in his *Economic and Philosophic Manuscripts*, laid down the foundation of ethical basis of socialism and the humanist foundations of freedom. He was very critical of capitalism for its dehumanizing effects. He felt the capitalist system deformed the productive capacity in various ways. It transformed men into mere machines and made it emotionally impossible for him to relate to his family, friends, work, creation and nature. Only by replacing the unjust and dehumanizing capitalist mode of production, with the socialist system of production could the true conditions of freedom be achieved. 3.5 Mercuse's concept of positive liberty Herbert Marcuse, a self-professed Marxist, gave a brilliant analysis of the problem of freedom as was being witnessed in the contemporary Western world. In his seminal work, *One Dimensional Man: Studies in the Ideology of Advanced Industrial Society*, Marcuse studied in depth the causes of alienation in the contemporary western society. He felt that capitalism alongside its monopolistic control of means of production and distribution was also manipulating the mass media (i.e. the television, radio, newspapers, magazines, movies etc) and creating senseless and unending desire for commodities that are really not required for men's inner development or true purposes of life. Consumer capitalism through its emphasis on swanky goods and by linking them with social prestige is in fact blinding man to the original causes of their discontent. It is creating an unbidden desire for trivial material things thereby

NSOU ? CC-PS-03 28 dampening the urge for genuine freedom. The alienated human beings are actually unaware of their alienation. Mercuse felt, these slumbering and indifferent masses should first be awakened and made to comprehend their alienation before putting them back on the path to achieve actual freedom. According to Mercuse, true emancipation means to free people from unnecessary social, political and legal restrictions that are considered to be degrading and unnecessary. The Neo Marxists point out that in modern times though the workers in the factories are legally free they are in reality bounded by the unjust market conditions. The Neo Marxists stresses on the mindless consumerism that capitalism has unleashed. It is manifested in situations where people might not have enough to eat but they are bent on buying costly mobile phones or other electronic gadgets. All the shades of Marxists possess one common belief, that the overthrow of capitalism can only create the conditions of true freedom. In the modern times there is much talk about the emancipation of women as throughout the world they are subject to many forms of legal, social and moral bondage. The subaltern groups, in the various parts of the world are too awaiting their emancipation. The Indian constitution has reserved seats in various government educational institutions and jobs as well as other political institutions for the adequate representation of these marginalised groups. The idea of 'freedom as development' opposed to the libertarian view of freedom, contemplates a situation in which the disadvantaged sections of the society would be able to improve the quality of their lives by the means of their talents and efforts. It does not seek the mercy of the rich for the poor, but it wants to create avenues of self-development for the deprived sections, so that they can lead a life of dignity and self-esteem, while pursuing the course of their self-development. The idea of freedom as development finds best expression in the writings of two famous political theorists, C.B. Macpherson and Amartya Sen.

3.6 C. B. Macpherson's Idea of positive freedom C.B. Macpherson, a Canadian political philosopher, who does not claim to be a Marxist but is one of the most vocal critique of capitalism, opined that developmental power denotes a person's ability to use his own capacities for the fulfilment of his

NSOU ? CC-PS-03 29 self-appointed goals. In the capitalist society by possessing the material power, the rich can effectively buy the manual and intellectual capacities of the others for their self-benefit. So, the working class, who do not possess control over the means of production can only benefit if they win developmental power for themselves. According to Macpherson, developmental power denotes the power of a person to develop his true human capacities. Examples of such capacities are capacity for rational deliberation, moral judgement and action, aesthetic and artistic activity and the capacity for materially productive labour. The concept of developmental power treats the individual as a 'doer and a creator'. It signifies that a person should not face any constraints or impediments while developing his human capacities or self-determined goals. Macpherson identified three impediments to the enhancement of a person's developmental power: a) lack of adequate means of life; b) lack of access to the means of labour; c) lack of protection against invasion by others. Macpherson is of firm conviction, that these problems cannot be solved within the framework of market society. He suggested that the solution to these problems can be found in a new system which would combine the protection of civil liberties with the socialist mode of production.

3.7 Amartya Sen's concept of 'freedom as development' Amartya Sen came up with the 'capabilities approach' to champion the cause of everybody's share in the process and fruits of development. This approach insists on allocation of various goods and other benefits according to differential human capabilities of its beneficiaries. Each person is to be given adequate additional resources to enable him to develop his capabilities so that he can lead a respectable social life. The impact of this approach has been so pervasive that it got reflected in the United Nations Development Programme, which adopted certain 'capability indicators' to gauge human development in various parameters. Sen lamented that while the world is witnessing flourishing of wealth, improved life styles and the ideals of political liberty has gained wide recognition and acceptance

NSOU ? CC-PS-03 30 complimented by the values of democracy and human rights, a vast section of the humanity is still immersed in the sea of deprivation and denied elementary freedom. They remained shackled in the chains of poverty, social deprivation, and political tyranny. The world is still held hostage to famines, widespread hunger, violation of human rights, degradation of environment and ill treatment of women. People struggle to get access to clean potable water, children are dying due to malnutrition, and high maternal mortality is still a social reality. Sen persuasively argued that freedom is the ultimate goal of all the social and economic arrangements and the most efficient means of realizing general welfare. Sen posited that the various social institutions like the market, political parties, legislatures, judiciary and media contribute to the development of man by enhancing his freedom and these are in turn sustained by the social values. Sen, tried to link values, institutions, development and freedom in an elaborate analytical framework.

Development in this sense refers to the removal of various types of unfreedoms that leave people with little choice and opportunity of exercising their potential combined with the faculty of reason. Therefore, in Sen's view, political and cultural factors apart from the economic criteria comprise significant criteria of freedom. In short, Sen equated freedom with the notion of social justice. 3.8 Conclusion Positive freedom or liberty is thus self-mastery, where the individual's higher self has full control over his lower self and man's transient irrational desires are subordinated to his genuinely rational desires. Positive freedom may also be defined as the condition, where the individuals lacks the means of pursuing his self-appointed goals, and the state comes to play a positive role by helping him develop those capacities by providing means as education, employment, health care, means of recreation, cultural development and so on. Positive freedom therefore includes the idea of collective control over common life. While it might involve a certain degree of coercion, it is usually justified by the larger good involved. However, many liberals, including Berlin has warned that the idea of positive liberty carries with it a danger of authoritarianism.

NSOU ? CC-PS-03 31 3.9 Summing Up ? Positive liberty or freedom involves the idea of collective control over common life. ? It implies self-mastery of an individual's higher self over his lower self. ? J.S.Mill compared the growth of individuals to that of plants emphasising on their growth from the inner logic. ? Marxists hold the creation of conducive socio-economic conditions as the key to the enjoyment of freedom by all, within the society. ? Marxists seek to replace the capitalist system by the socialist one in order to secure the conditions of freedom. ? Mercuse pointed out that capitalism exercised control not only on production and distribution but created mindless desires for commodities through the clever manipulation of the media. ? The Neo- Marxists point out to the mindless consumerism that the capitalism unleashes. ? Of late there is lot of deliberations and efforts going on to free the women and subaltern groups from socio-economic and legal bondage. ? The idea of freedom as development contemplates a situation where the disadvantaged sections of society would be able to improve their quality of life by means of their talents and efforts. ? C.B.Macpherson felt that the idea of freedom as development denotes a person's ability to use his own capacities for the fulfilment of his self- appointed goals. ? Amartya Sen came up with the capabilities approach to ensure everybody's share in the process and the fruits of development. ? Positive freedom accedes space to external intervention either through state intervention or elite guidance for the benefit of the entire society.

NSOU ? CC-PS-03 32 ? According to Berlin, this space or opportunity for intervention carries with it the dangers of authoritarianism. 3.10 Probable Questions Essay Type Questions : 1) Can J.S.Mill be regarded as a positive liberty theorist? Explain. 2) How is C.B. Macpherson's developmental power related to the notion of positive liberty? 3) Elucidate Mercuse's conception of Consumerism. How is it related to the notion of positive liberty? Long Questions : 1) Explain in your own words Amartya Sen's capability approach. 2) Discuss the term 'positive liberty'. 3) Examine Marxist concept of positive liberty. Short Questions : 1) Whom do we classify as the Neo-Marxists? 2) What do you understand by means of production? 3.11 Further Reading 1) John E., An Introduction to Karl Marx, Cambridge University Press, 1986. 2) Ten C.L.(ed), Mill's Moral, Political and Legal Philosophy, Dartmouth Publishing Company Limited, England, 1999. 3) Taylor C., 'What's Wrong with Negative Liberty',NigelWeburton. (ed) Freedom: An Introduction with Readings, Routledge, London and New York, 2001. 4) Bhargav R. and Acharya A. (ed) ,Political Theory An Introduction, Pearson Longman, New Delhi, 2008.

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NSOU ? CC-PS-03 34 Unit 4 : Concept of Equality, Forms of Equality–Formal Equality, Equality of Opportunity; Political Equality. Structure 4.1 Objectives 4.2 Introduction 4.3 Liberal notion of equality 4.4 Stoics and Cicero on equality 4.5 Ideas of Kant, Marx, Tawney on equality 4.6 Idea of Formal Equality 4.7 Idea of Political Equality 4.8 Idea of Equality of Opportunity 4.9 Conclusion 4.10 Summing Up 4.11 Probable Questions 4.12 Further Reading 4.1 Objectives ? The main aim is to present a short history of evolution of the term equality by studying the idea as propounded by the likes of Hobbes, Rousseau, Hume, Hart, Stoics, Cicero followed by the ideas of the utilitarian’s, Kantians and the Marxists. ? The students will be familiar with the different types of equality like the formal equality, political equality and equality of opportunity. 4.2 Introduction Equality has occupied a pivotal position in the history of moral and political philosophy and Aristotle had warned rightly that it had been a cause of many a wars.

NSOU ? CC-PS-03 35 According to Richard Henry Tawney, who was greatly influenced by Rousseau, felt that inequality was very easy and it was akin to floating with the tide, whereas, equality was much more difficult as it was like swimming against the tide. Sartori, described equality as a protest par excellence, for it epitomised and stimulated revolt against fate and chance, against accidental disparity, which crystallised privilege and unjust power. Equality is a very complex concept, implying on the one hand sameness and justice on the other. One should comprehend at the outset that demands for equality never embodies desire for absolute equality. In the demand for equality, there is a burning desire to undo the social and economic disparities that has been caused by unjust social arrangements, without disrespecting the natural differences in human capacities and talents. Sushila Ramaswamy pointed out, that the concern of most political theories is how to create equality while accepting the natural inequalities and to try and ensure equality without violating on infringing on liberty and individuality. 4.3 Liberal notion of Equality Ancient societies were very divided and unequal. It regarded some as more equal than the rest. Equality never implied sameness in various capacities or abilities, as manifested in intelligence, wealth, social status and power. The modern era with its emphasis on rationality makes people comprehend that man in reality differs little, it is the situation or the circumstances which creates the difference. Despite the differences in human beings pertaining to their physical features and mental endowments, it is still claimed that ‘all are created equal’. This claim is elucidated by Hobbes who felt that in spite of the natural differences in physical powers and mental endowments, all were equal in their ability and also equal in being able to attain the ends they aspired for. He aptly pointed out, that even the weakest among men is capable of killing the strongest by the use of his cunning. Rousseau, on his Discourses on the Origin of Inequality, pointed out two types of inequalities observed in social life. One was natural inequality, created by nature that made some men stronger, intelligent, and benevolent than others. Apart from it was

NSOU ? CC-PS-03 36 the conventional inequality, which was created by man himself, which was reflected in the differences of social wealth, prestige and glory. Recognition of this conventional man made inequalities provided for the scope to review the basis of social distinctions and to restructure social relations according to the new concepts of social justice. Rousseau’ thoughts inspired the French

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Declaration of Rights of Man and Citizen (1789) which claimed, “Men are born and remain free and equal in rights.

Social distinctions can be based only upon public utility”. 4.4 Stoics and Cicero on Equality Hume in the eighteenth century and Hart in the twentieth century reiterated similar sentiments as expressed by Hobbes. The Stoics and Cicero advanced a claim to equality on the basis of common human nature. The natural rights theorists advanced a case for equal rights on the basis of equal ability of all to understand their rights and obligations thereby mounting an attack on the paternalistic governments. The Utilitarian’s observed that all human beings have equal capacity for experiencing pleasure and pain and therefore while calculating pleasure and pain each

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is to count for one and no one for more than one. 4.5

Ideas of Kantians, Marxists and Tawney on Equality The Kantians defends the proposition of equal moral worth of each individuals stressing on the need to treat each individual as ends in themselves and not as means only. They presume that being of equal moral worth, each individual is capable of formulating and adhering to moral laws. The Marxists accept equality on the basis of labour that each human being is capable of rendering and their power to reproduce their own species. Exponents of equality like Tawney, emphasised on the need of various social institutions to accentuate and reinforce the 'common humanity' that unites people. 4.6 Idea of Formal Equality When applying the principle of equality to the various spheres of social life we come across various forms of equality. For instance, when all people are subject to

NSOU ? CC-PS-03 37 similar rule, without any form of discrimination it is a manifestation of formal equality. For example, people forming a queue to buy movie tickets. They stand according to their turn. Nobody is differentiated on the basis of caste, class, gender, social class, ethnicity etc. It is essential to distinguish between formal and substantive equality. While formal equality implies absence of any form of discrimination in making things available to all, substantive equality reserves certain benefits for the weaker and deprived sections with lesser effort or at lesser cost. When the facilities of education, medical benefits, transportation and entertainment are open to all who can afford to pay for it, it is an example of formal equality. When the state pays scholarships to the needy students or provides free medical facilities and vaccines to the poor, it is an example of substantive equality. Broadly speaking, both legal as well as political equality comes within the purview of formal equality. 4.7 Idea of Political Equality We shall now concentrate on political equality. It denotes equality of political rights of the citizens. It is manifested in the demand for equal rights for all to vote and select their own representatives and to be elected to various public offices. It therefore stresses that nobody shall be debarred from voting or holding public offices on the

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grounds of religion, race, caste, sex or place of birth

etc. It further demands that there shall be no privileged classes and the rules would not bestow special favours to any particular class in the society. Political equality is based on the assumption that all men are rational being capable of making deliberations and informed choices irrespective of their physical and mental capabilities, educational qualifications etc. It also proceeds from the assumption that when equal political rights are extended to all individuals they will be able to attain general welfare and shall be able to prevail over the policy makers to make laws securing common good. The demand for political equality originated along with legal equality and was undifferentiated in the beginning. D. D. Raphael pointed out that when the French revolutionaries were demanding equal rights they were in fact demanding political equality as they were demanding removal of special privileges confined to the wealthy and the propertied. Of late, political equality has come to encompass universalization of franchise, equal democratic rights of the citizens, equal freedom to hold and

NSOU ? CC-PS-03 38 express political opinions without fear and favour along with equal right to form associations to influence political decisions. In fact, the desire for political equality led to the establishment of democracy with its emphasis on equal human rights in the western world. However, only political equality seemed hollow and meaningless without being accompanied by socio-economic equality. It had been anticipated by Alexis de Tocqueville, who realised that only political equality without accompanying socio-economic equality would not be acceptable. He had predicted that the democratic revolution, would be followed by a second phase, marked by the struggle between haves and the have not's. Thus Tocqueville had anticipated the growth of socialist and Marxist theories, whose sole aim is to correct the prevailing socio-economic injustices and disparities. 4.8 Idea of Equality of Opportunity Equality of opportunity is mostly associated with the liberal democratic tradition. It implies that access to important social institutions shall remain open to all on universalistic grounds. It would be prudent to distinguish between equality of opportunity and that of outcome. Equality of outcome is the demand of hardcore egalitarians, since men differ not only in their family and social backgrounds, but also in terms of their talents and efforts. Equal distribution of rewards is bound to kill the incentive among the more meritorious. This would end up in lesser production and lower level of excellence, ultimately resulting in the impoverishment of the society. This line of argument compels people to favour 'equality of opportunity' to 'equality of outcome'. The American and French revolution gave further impetus to the demand of a career open to talent. They favoured acquired status i.e., administrative and professional positions open to all with talent irrespective of their birth and family status, over ascribed status. Plato may be heralded as the earliest exponent of this theory, as he proposed meritocracy in the form of philosophic rule, which was to be realised through an educational system that was to provide equal chance to the talented children of all classes to achieve unequal social positions. The debate on equality of opportunity has also helped in the development of modern educational institutions

NSOU ? CC-PS-03 39 and meritocracy that recruits and promotes people on the basis of their intelligence and talent regardless of their family connections and wealth. O. P. Gauba argues that the principle of equality of opportunity may be applied in two distinct situations. A) a competitive situation and B) a non-competitive situation. In a competitive situation, equality of opportunity implies access to scarce good or prize. In a non-competitive situation, it implies equal access to essential goods and services depending on one's ability and effort. Success in any field, like law, medicine, academics is its example. In a competitive situation, all the competitors should be placed in identical or near identical situations. For example, all the sprinters have to undergo compulsory drug tests to ascertain they have not taken drugs and are therefore not gaining undue advantage. In a non-competitive situation, all participants should get a minimum support plus 'separate plus equal' facilities to prove their worth. Advocates of equal opportunity argue that the government's task is to create equal opportunities for its citizens. It is up to the individual to decide, whether to use an opportunity or discard it. Equality of opportunity is not likely to result in equality of outcome. In short, equality of opportunity calls for creating conditions in which everyone has the same starting point or equal life chances. It seeks to reduce impact of inequalities attached to social, cultural and economic backgrounds of various persons but agrees to give them differential rewards according to their differential talents, skills and efforts. It also implies that those who had a poor start in life because of long standing social inequalities, to be given some special concession, such as waiver in educational fees, relaxation of age limits in case of competitive exams and promotions or reservation of seats or posts. It wants constructive and effective steps to be taken by the state to ensure educational and cultural development of the marginalized sections of the society along with their economic upliftment. In this way, equality of opportunity calls for extending the process of 'equalizing' to the roots of our society. 4.9 Conclusion Equality is one of the most prominent ideals of the present world. Liberty and equality together describe the conditions of human emancipation. Together they

NSOU ? CC-PS-03 40 represent the voice of the oppressed. Equality is more of a prescriptive term than a descriptive one. It basically upholds the faith that since the physical, emotional and intellectual needs of all men are similar, hence all must be treated equally. It presupposes the equal moral worth of all individuals. There are various dimensions of equality. The notion of formal equality treats everyone equally, irrespective of the differences in the people's background. It implies application of similar rules to all persons, without any discrimination. Legal and political equality are its components. Legal equality grants equal legal status to all irrespective of the differences in their birth, physical and mental capacities and other differences. Political equality grants every one the right to vote someone into public office and the right to compete for the office. Political equality has been achieved after a long struggle. At present there are no discriminations in respect of voting right in a democratic state based on gender, social back ground and property considerations. Equality of opportunity is usually associated with the liberal democratic tradition. It implies in principle that access to important social institutions shall be open to all universally giving recognition to achievement and talent. It gained popularity during the American and French revolutions. It has helped in the growth of modern educational institutions based on meritocracy, as people are now recruited and promoted on the basis of their talent regardless of their family connections and wealth. It is to be noted, however, that equality mostly means equality of condition and not that of outcome. Ironically, the more is the equality of condition the more is the inequality in outcome, exemplified by the existence of the richest families in the world. To change the scenario, the need of the hour is sweeping governmental policies and actions.

4.10 Summing Up ? Equality is a complex concept, encompassing two components. In one sense it implies sameness or identity and in another sense justice.

NSOU ? CC-PS-03 41 ? It seeks to undo the large varieties of socio-economic disparities prevalent. ? Hobbes was of the opinion that all men were equal as even the weakest had the ability and the cunning to kill the strongest. ? Stoics and Cicero forwarded the case for equality on the basis of common human nature. ? The Utilitarian's believed that all human beings have equal capacity for experiencing pain and pleasure and so should be regarded as equals. ? The Kantians believed that all the individuals were of equal moral worth and therefore should be treated as ends in themselves. ? The Marxists too accept the equality of human essence that is manifested in labour and people's capacity to reproduce themselves. ? There are many dimensions of equality. Under formal equality all the people are treated equally, i.e., same rule is applied to all despite the differences in their back ground. ? Political equality has been won after prolonged struggle. It implies the right to vote someone into office and the right to stand for office oneself. ? Equality of opportunity is associated with the liberal democratic traditions. ? It implies that access to all important social institutions shall be open to all on universalistic ground on the basis of achievement and talent.

4.11 Probable Questions Essay Type Questions : 1) Elaborate the idea of equality of opportunity. 2) Explain the various forms of equality as far as possible in your own words. 3) Does equality of opportunity guarantee equality of outcome? Explain. Long Questions : 1) Discuss the evolution of the idea of equality. 2) What do you understand by formal equality? Elaborate. 3) Explain the idea of political equality. Do you think it is a reality in today's world?

NSOU ? CC-PS-03 42 Short Questions : 1) Write a short note on the Stoic concept of equality. 2) Discuss in brief theory of natural rights. 3) What do you understand by social justice? 4.12 Further Reading 1) Gauba O.P., An Introduction to Political Theory, Mayur Paperbacks, New Delhi, 2017. 2) Bhargava R., Acharya A., (ed), Political Theory An Introduction, Pearson Longman, New Delhi, 2008. 3) Ramaswamy S., Political Theory Ideas and Concepts, Second Edition, PHI Learning Private Limited, Delhi, 2017. 4) Beitz C.R., Political Equality: An essay in Democratic Theory, Princeton University Press, Princeton, NJ, 1981. 5) Rees J., Equality, Macmillan, London, 1981. 6) Turner B., Equality, Macmillan, London, 1986. 7) Rae D., Equalities, Harvard University Press, Cambridge Massachusetts, 1981.

Unit 5 : Egalitarianism : Background of inequalities and differential treatment Structure 5.1 Objectives 5.2 Introduction 5.3 Early liberal's conception of equality 5.4 Rousseau on inequality 5.5 The Early Socialist and Marxist notion of Inequality 5.6 Tawney's conception of inequality 5.7 Rawlsian paradigm 5.8 Dworkin's resource egalitarianism 5.9 Amartya Sen's capability approach 5.10 Michael Walzer's idea of complex equality 5.11 Brief outline of the concept of differential treatment and affirmative action 5.12 Conclusion 5.13 Summing Up 5.14 Probable Questions 5.15 Further Reading 5.1 Objectives ? The basic aim is to acquaint learners with the notion of egalitarianism and to familiarize them with a brief history of inequalities. The unit introduces them to the ideals of the early Liberals, Rousseau and the early Socialists along with the Marxists. ? To make students aware of the current debate on equality. ? The learners will become familiar Dworkin's idea of Resource Egalitarianism and Walzer's idea of complex equality. ? After studying this unit, the students will be able to understand the need for differential treatment.

NSOU ? CC-PS-03 44 5.2 Introduction Egalitarianism is a political philosophy that favours equality of some sort: that people should be treated as equals in certain aspects. Egalitarianism presumes that all human beings are equal in their moral worth and it derives inspiration from the Christian notion that God loves all human being equally. Reduction of inequalities may be considered as the primary aim of equality. However, despite its attractions, uniformity cannot be the end of equality as it militates against what people deserve by way of differential talents, skills, occupations and efforts. Uniformity can at best be applied to procedures to ensure they are free. The egalitarians stress that equality is sometimes required in order to be fair. For example, if there are benefits and burdens to distribute, then other things being equal, it is unfair to distribute them unequally. Secondly, the egalitarians hold that equality is necessary for self-respect. People may belong to different positions in society; however, that should not have a bearing on how they perceive each other. Thirdly, equality enjoins a duty to show respect to others. Showing equal respect implies recognizing that all people have capacities to deliberate for themselves and to engage in activities and relationships that are considered intrinsically valuable. Lastly, it is an important means to foster fraternity. Egalitarians argue that conditions of equality induce some measure of solidarity among the inhabitants of a society by removing systemic barriers to social intercourse thereby promoting greater social cohesion.

5.3 Early liberal's conception of Equality Hobbes and Locke defend human equality as a foundational concept. Hobbes succinctly pointed out that human beings not only aspires for similar things but are equal in their capacities to achieve them. Locke believed that all individuals inherited equal natural rights from the state of nature, i.e., the right to life, liberty and estate. However, things changed with the introduction of money. Locke believed these rights to be inalienable. Bernard Mandeville, Hume and Kant defend inequality on the ground that it produces talent and that leads to progress. Kant on the contrary upholds the equal moral worth of the individuals. Adam Smith accepted the deepening of social inequality as a consequence of capitalism; however, he ignores it as he is overwhelmed by the notion of economic growth and development. However, Smith recommended that the state maintain public works and public institutions, thus providing for a generous and compassionate government compatible with the competitive market economy.

NSOU ? CC-PS-03 45 Social Darwinism with its belief in the survival of the fittest encourages the inegalitarian tendency as it postulates that some individuals are inferior and offering any protection or compensation to them, weakens the society as a whole. Fascism and Nazism borrow heavily from social Darwinism to justify their policies of racial purification and extermination. Going back to the eighteenth and nineteenth centuries, a number of theorists wrote about the historical foundations of the human inequality, prominent among them were Rousseau, Ferguson and Miller.

5.4 Rousseau on Inequality Rousseau attacked the modern society as highly unequal one. He pleaded for equality as a basic moral value and regarded natural equality and compassion as the bases of natural rights. To Rousseau, civilization, made possible by the discovery of metals and agriculture had a corrupting influence on the individuals. Rousseau was very critical of modern civilization as he felt it was a highly unequal one that reinforced not only natural inequalities but also artificial inequalities. Rousseau pointed out two categories of inequalities. The first is the natural inequality between the young and the old, weak and strong, intelligent and the foolish. The second is the one that resulted from rewarding those who render special service to the community. Rousseau jeered at the idea that social inequalities were a reflection of natural inequalities of talents. Rousseau wanted all to enjoy equality of respect as human beings. He went beyond equality of opportunity and believed that certain benefits like basic education, medical care and legal services must be made equally available to all. Rousseau rejected wealth and power as principles of distribution. In similar vein, Ferguson argued that specialization of professions degraded lower segments of commercial society and threatened to morally corrupt the upper echelons. Miller too was sceptical about the moral consequences of commerce.

5.5 The Early Socialist and Marxist notion of Inequality The early socialists argued for the abolition of property rights since all individuals have an equal right to wealth of the earth. They perceived private property as a source of inequality and the likes of Plato, Moore and Winstanley demanded its abolition and replacement by common ownership. St. Simon was an exception. He did not recognize equality as an ideal. He comprehended the hierarchic nature of the industrial- scientific society and regarded the scientists and industrialists as persons of special excellence. He was against levelling and accepted differentiation in terms of distribution

NSOU ? CC-PS-03 46 of material rewards as a feature of the new society thus anticipating contemporary arguments on just meritocracy. Marx regarded inequality not as an outcome of personal defects or attributes like laziness or thrift but as a characteristic of the society as a whole. He too firmly believed that inequality arose with the institution of private property. Marx and Engels firmly believed that primitive societies were communal and the subsequent ones exploitative because of the rise of private property. Therefore, Marx and Engels envision the future communist society to be property less and thereby classless and equal.

5.6 Weber and Tawney's conception of Inequality Weber, presented an alternative to the Marxist view by accepting social stratification and hierarchy as functionally necessary and inevitable. He pointed out that the social classes do not arise from the underlying modes of production but from the distribution, consumption and the market. Weber recognized the existence of multiple classes. He did not agree that differences in power and prestige were a reflection of the differences in property and economic wealth. Neither did he accept that social inequality and conflict arose from the economic factors. He accepted inequality as a feature of all human societies as groups and individuals have been struggling for scarce resources from times immemorial. Tawney was critical of both the capitalist and socialist ideals as he felt they lacked a moral basis. He believed that the claim of equality rested on the idea of common humanity and on equal moral worth of all the individuals. Common humanity never emphasised equal capacity or equal potential but put its faith that all the human beings shared a fundamental moral equality as under god they all suffered from equal limitations. Therefore, equality for Tawney denotes a basic value and not a distributive ideal. He proposed radical democratisation of society and dispersal of power. He further pointed out that greater dispersal of power was only possible through greater social and economic equality. Interestingly, he came up with the suggestion, that the talented should use their talent in the service of the working class, an idea that Rawls later integrated and developed in his theory of justice.

5.7 Rawlsian Paradigm The Rawlsian paradigm has revived the quintessential debate on equality versus inequality, in modern political theory. Rawls acknowledged that strict equality was NSOU ? CC-PS-03 47 inefficient and that inequality was an unavoidable truth of the society. The most innovative part of his theory was that he felt inequality was justified if it led to the elevation of the worst off. His effort was to justify the level of morally acceptable inequalities within the advanced affluent societies with a pragmatic approach to achieve tangible, substantive and long term equality. Through his famous 'maxmin' or the difference principle he aims not at the mere guarantee that the poor will remain above the social minimum, but rather advocates elevation of the life prospects of the least well off. Rawls was significantly influenced by Kant and believed that all individual talents and aptitudes have a social origin. He believes that the liberal idea of equality of opportunity applied to people with extraordinary abilities, ignoring the ordinary. Through the second part of his second principle, he tried to uplift those disadvantaged by birth and social circumstances. His brilliant idea combined together the principles of growth and equality. Nozick rejected Rawlsian argument that the better off would accept and cooperate to elevate the worst off. He was against the talented being taxed to sponsor the needy as he felt it would dampen individual efforts to achieve more success. Hayek reiterated the classical liberal formulation that inequalities due to inheritance, upbringing and education as permitted by the ideal of liberty was designed to benefit the society as a whole. Inequality, they believe is good in itself.

5.8 Dworkin's resource egalitarianism Dworkin distinguished between inequalities that were 'endowment sensitive' from those that were 'ambition sensitive'. The former referred to the advantages that one enjoyed as a result of arbitrary distribution of resources while the latter related to those actions of a person that made him successful. Dworkin suggested a two stage process a) an ambition sensitive auction and b) an insurance scheme. He used a story to hammer in his point. He asked people to presume that they were ship wrecked and stranded in an island. Each person on the island was to be given hundred clam shells to bid for whatever they preferred (Auction). If all are given the exact same number of shells and they can bid for anything up for sale in the market then it represented a perfect competitive market. Some might buy agricultural land, others cattle to set up a dairy farm while some might buy a part of the beach to laze around. Each shall bid for different resources according to one's preferences. If no one desires others bundle of goods then it can be presumed that the envy test has been met and people has been treated with equal consideration. Therefore, different resources are a reflection of their different ambitions.

NSOU ? CC-PS-03 48 The requirement of choice in the conception of resource egalitarianism has been met. However, all are not similarly endowed in the world. Some may be handicapped and required to spend her resources to meet her special needs. Dworkin thus pointed out that the people's fate in distribution scheme was also determined by their circumstances. So, he came up with the insurance scheme where people were expected to put aside twenty five to thirty clam shells for the disadvantaged. The insurance scheme in the real world is the reflection of progressive taxation. Taxing the rich more than the poor would enable the state to secure welfare of the disadvantaged. The resourcist conception of the state laid emphasis on the centrality of state responsibility towards remedying the unequal circumstances among people. By making this distinction, under Dworkin's scheme, there could be no unjust entitlements.

5.9 Amartya Sen's Capability Approach Economist Amartya Sen asserted that distributional equality should concern itself with equalizing people's capabilities, instead of emphasising on resources or incomes. He said that the notion of wellbeing should be understood in terms of functions. He focused on capabilities, which is basically the ability to achieve a certain form of function. Sen stressed that policy makers should amass maximum information and try to equalize people's capabilities. Social policy should be attuned to human diversity.

5.10 Michael Walzer's notion of Complex Equality Lastly, Michael Walzer came forward with the idea of complex equality. In spite being an egalitarian, he finds himself ill at ease with intellectual enterprise involved in identifying the single most important metric of equality- be it welfare, resources or capability. He pointed out that egalitarians harp on the principles of distribution but ignore the meaning people attribute to goods. He said it is important

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to shift our attention from distribution to conception and creation of goods.

People give meanings to goods, determined through their social values. The same goods have different meanings in different societies. He insisted that there could not be any universal set of basic goods that have that same value to all the people. Therefore, Walzer felt that Rawls was not grasping the problem correctly, when he was presenting a case for a set of primary goods to be fairly distributed across the societies. Walzer categorically stated that 'all distributions are just and unjust relative to the social meanings of goods at stake'. These meanings keep changing across time and space. For example, some societies value the domestic chores performed by women, where as others value women venturing into the public sphere and performing professional jobs thereby helping to implement the family income. Walzer stated that each sphere should have its own internal principles of distribution. Economists may be right when they impute certain measures of rationality and acquisitiveness to the behaviour of peoples in markets. However, it does not hold true in social domains like family. Parents are expected to be loving and altruistic, resources within families are not distributed as wages. Walzer further pointed out that spheres of market and political power were, for example, distinct. Each has its own norms for distributing goods. Walzer opined that there could be inequalities in various spheres, as the hard working could be rewarded more compared to the lazy. This inequality is acceptable with the caveat that hard work at times went unrewarded in some societies. What is unacceptable is that people who enjoy dominance in one sphere got disproportionately rewarded in the other. That would result in tyranny, which Walzer described as disregard of distinctness of spheres and principles internal to it and ways in which it multiplies inequality. Further dominance would result when people monopolise goods in one sphere and then use their monopoly to achieve unequal distribution of goods in other spheres. Complex equality is opposite of tyranny.'

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It establishes a set of relationships such that domination is impossible. In formal terms, complex equality means that no citizen's standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good.'

Walzer). 5.11 Brief outline of the concept of differential treatment and affirmative action The feminist political theory from its inception stressed on the need for equality between men and women and demanded justification for the differential treatment they received in legal and political spheres. The liberal and socialist feminism demand equal political rights and access to resources to women within the liberal capitalist state. The liberal feminists want to reform the traditional family and accord women dignity and self-respect. The socialists and the Marxist feminists propose the abolition of nuclear family along capitalism as they found it to be wasteful, inefficient and oppressive. They propose that women should be relieved of domestic chores by setting up communal kitchens and child rearing processes. The radical feminists note that even in case of gender neutral laws, women remain at a disadvantage. They want the attention to be drawn to the domestic spheres, where women are silently subjected to suffering. Of late there have been many other schools of feminism flourishing, like

NSOU ? CC-PS-03 50 the postcolonial and the environmental schools of feminism. Though it is acknowledged lately that women cannot be treated as a homogenous category but all agree to one basic premise that women want to be treated equally as men in all the spheres, despite the differences in their physical attributes. Preferential treatment may be considered to be an important component of differential treatment. Thomson and Nagel defended the use of preferences on different grounds. In the American context, Thomson endorsed job reservation for women and African-Americans to redress their past exclusion, from educational institutions and work place. Preferential policies, according to her were a kind of justice. Nagel on the other hand argued that preferences might work as a kind of social good, without doing violence to justice. Institutions they believed could depart from standard meritocratic selection criteria because the whole system of tying economic reward to earn credentials was itself indefensible. Justice and desert lay at the centre of subsequent arguments. Several theorists took to task Thomson's arguments that preferential hiring makes up for the past wrongs. They point out that it is not defensible as it often benefits the individuals of creamy layer, who are least likely to be harmed by past wrongs while burdening the innocents, in these cases they are talking about the younger male applicants. The critics argue instead of doing justice, preferential treatment violates rights, the right of an applicant to 'equal consideration' or the right of every one to 'equal opportunity'. Further they point out that it grossly neglects desert by delinking reward from a person's talents, choices and abilities. Defenders of preferences are also quick to enlist justice and desert in their cause. Marry Anne Warren for example argued that in the context of entrenched gender discrimination, gender preferences might improve the overall fairness of job selections. Justice and individual desert need not be violated. Similarly, James Rachels defends racial preferences to neutralize unearned privileges by the whites. In India the question of differential treatment has taken the form of affirmative action. The question of reservation has created considerable controversy in recent times. A major argument in favour of reservation is the history of past deprivation and systematic discrimination. To undo the historic wrongs, reservations are made in the educational institutions and jobs for the hitherto marginalized sections of society. Of late it has come under criticism that that the rich and the socially favoured sections or the creamy layer, corner all the advantages rather than the poor. The controversy further centres on whether the benefit of reservation should have an individualistic economic basis or a collective one. There is a strong case against collective reservation as it may kill the desire to strive for excellence. Apart from it reservation also has a psychological dimension, that it grossly violates the principles of self-respect and human dignity.

NSOU ? CC-PS-03 51 5.12 Conclusion The concept of equality lies at the heart of normative political theory. The history of political theory is replete with references to the ideal of equality. From its inception in the Greek civilization to the twenty first century it remains a burning issue evoking strongest human passions. Thinkers like Aristotle, Hobbes, Rousseau, Marx deserve special mention for playing decisive roles in shaping the basic concept of equality. Aristotle defended the concept of natural inequality, arguing that nature divided the people into two segments, the ruling and the ruled. The ruling category possessed rational, deliberative and authoritative faculties. Hobbes believed in natural equality between all human beings in the state of nature. He felt along with mental faculties' prudence was also equally bestowed. And Rousseau and Marx pointed out that the institution of private property, laws and labour created various inequalities. Later Marxists as Gramsci pointed out how by using hegemony, the ruling classes legitimately perpetuated the system of economic exploitation. The Marxists of all shades believe that the question of human emancipation is linked with freedom from economic inequalities. Tocqueville pointed out that equality as an ideal especially appealed to those who wished to escape servitude and dependence. In democracies he believed men preferred equality to liberty. However, he cautioned that single minded pursuit of equality may prove to be detrimental to the democracies. Reduction of inequality may be considered to be the primary aim of equality. The invocation of the idea of uniformity does not help much, as it militates against individual talents and efforts. Uniformity to certain extent may be applied in procedures. Equality must be fair, and is necessary for the development of self-respect and is helpful in fostering fraternity. In contemporary political philosophy, a lot of debate revolves around 'equality of what'. It mainly concerns distributional equality. Scholars generally identify three metrics of equality; of welfare, resources and capabilities. The Utilitarians represent the school demanding equality of welfare. They argue distributional equality amounts to distribution of welfare. '

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Resource egalitarianism' is identified with the views of John Rawls, Ronald Dworkin.

The resourcist conception lays emphasis on the centrality of state responsibility towards remedying unequal circumstances by distribution of certain primary goods. Finally, Amartya Sen brought to attention the idea that distributional equality must concern itself with equalizing people's capabilities, instead of focusing on people's incomes and resources. He said we must focus on functions or capabilities, which is the actual freedom people enjoy. Sen felt social policies should therefore focus on increasing people's capabilities. Further he pointed out that social policy must be attuned to human diversity. The conception of equality is further enriched by the complex equality proposed by Michael

NSOU ? CC-PS-03 52 Walzer, where he stressed that people give different social meanings to goods they create and that distributions are just or unjust relative to the social meaning at stake. He pointed out that each distinct sphere should have its own principles of distribution and people dominant in one sphere must not be able to control the other spheres. Politics of egalitarianism had been responsible for the genesis of the welfare state. However in the 1980's the ideal of egalitarianism suffered a setback with the rise of right wing governments in the West who believed in tax cuts and rolling back the frontiers of the state. Another distinct feature of the contemporary world is the political struggles of the various identity groups, who were hitherto marginalized and deprived of the fruits of development, like the women across the world, the African Americans in U.S.A. the Dalits and the Adivasis and other tribal groups in India. The debate within the egalitarian school is witnessing a shift from 'equality of what?' to 'equality of whom?' It has spurred the demand for differential treatment and affirmative action for the various marginalized groups. 5.13 Summing Up ? Egalitarianism is a political philosophy that favours equality of some sort. ? Reduction of inequalities may be considered as the primary aim of equality. ? Equality helps to promote self-respect and fraternity. ? Hobbes and Locke defended equality as a foundational concept and stressed on certain inherent inalienable rights from the state of nature. ? Kant stressed on the equal moral worth of the individuals. ? Adam Smith accepted deepening social inequality as a consequence of capitalism. ? Fascism and Nazism borrowed heavily from Social Darwinism to justify their policies of racial purification and extermination. ? Rousseau indicated two kinds of inequalities; one natural which he felt was justified and social inequalities which had deepened with the rise of civilization and private property. ? For Ferguson, specialisation of profession degraded the lower segments of the commercial society. ? The socialists and Marxists identify the growth of private property and ownership of means of production as the cause of inequality.

NSOU ? CC-PS-03 53 ? Weber presented an alternative to the Marxist model by accepting social stratification and hierarchy as functionally necessary and inevitable. ? Tawney perceived equality as a basic value and not as a distributive one. ? For Rawls inequality was justified when it led to the elevation of the worst off. He laid the foundation for differential treatment. ? Dworkin may be considered as a resource egalitarian, who believed in progressive taxation. ? Amartya Sen pointed out that notion of human wellbeing should be understood in terms capabilities. ? Michael Walzer has forwarded the idea of complex equality that says, people attach different meanings to social goods and each sphere should have its own norms of distribution. People’s dominance in one sphere should not affect his standing in the other spheres. ? Of late the debate surrounding equality has shifted from ‘equality of what’ to ‘equality of whom’. This has been inspired by the various kinds of identity politics. ? The need for differential treatment has given rise to preferential treatment and affirmative action in the Indian context.

5.14 Probable Questions Essay Type questions : 1) What do you understand by resource egalitarianism? Briefly describe Dworkin’s contribution to it. 2) Write an essay on Michael Walzer’s idea of complex equality. Long Questions : 1) Elucidate Rousseau’s conception of Equality. 2) Discuss the concept of equality as developed by Marx and his followers. 3) How has the Rawlsian paradigm reignited the debate on Equality?

NSOU ? CC-PS-03 54 Short Questions : 1) How did Hobbes defend the concept of equality? 2) Define Social Darwinism. 3) What do you understand by affirmative action? 5.15 Further Reading 1) Kymlicka W., Contemporary Political Philosophy: An Introduction, Oxford University Press, New Delhi, 2005. 2) Lakoff, Sanford A., Equality in Political Philosophy, Beacon Press, Boston, 1964. 3) Pojman, Louis P. And Westmoreland R. (eds), Equality: Selected Readings, Oxford University Press, New York, 1997. 4) Sen A., Inequality Re-examined, Oxford University Press, Oxford, 1993. 5) Williams Bernard A.O., ‘The Idea of Equality’, in Laslett P. AND Runciman W.G.(eds), Philosophy, Politics and Society, Series 2, Basil Blackwell, Oxford, 1997. 6) Walzer M.,

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Spheres of Justice : A Defense of Plurality and Equality, Basic Books, New York, 1983. 7)

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B.A.(P)_Pol. Sci_MDSC-1A Intro- to Pol- Theory ... (D147989812)

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Unit 6 : Concept of Justice Structure 6.1 Objectives 6.2 Introduction 6.3 The meaning of Justice through the Age 6.4 Greek concept of Justice 6.5 Roman and mediaval concept of Justice 6.6 The Liberal concept of Justice 6.7 The Marxist concept of Justice 6.8 Alternative Views 6.9 The Characteristic Features of Justice 6.10 Conclusion 6.11 Summing Up 6.12 Probable Questions 6.13 Further Reading 6.1 Objectives This unit deals with the important aspects of justice. After going through this unit learner will be familiar with: ? the meaning of justice. ? the interpretation of justice given by the great political thinkers in different ages of political history. ? the characteristic features of justice. ? and will be able to make a critical assessment of justice.

NSOU ? CC-PS-03 56 6.2 Introduction Just society and just state are basic essentials for good living. It means justice is one of the fundamentals of human life and harmonious living. However, to understand justice is a complex process as human civilizations of all ages and continents offer varied meanings of justice. For instance, to someone, justice means giving others what they are due or entitled to. In modern society, on the other hand, justice is a distributional concept and it is concerned with distribution of scarce resources. If resources are abundant and people are benevolent, David Hume observes, "justice and injustice would be equally unknown among mankind". Indeed, historical context and ideologies give justice complex and counteracting connotations. In other words, justice is a dynamic concept. Yet we need to know it because we need to live with it. Primarily, justice is a moral concept but it also a political concept because without political will and institution it could not be delivered to all in a human society. In fact, the derivative meaning of justice is 'to bind or to tie together'. 'Jus' also means 'Tie' or 'Bond' as well as right or law. So, the state plays a great role as right or law cannot be guaranteed without this powerful political institution. Similarly, the state cannot be a humane institution without justice. St. Augustine, like Plato and Aristotle, rightly enquired upon 'justice removed, then, what are kingdoms but great bands of robbers?' It is an age-old tradition that views justice as basic to the validation of political authority. The same tone was reflected in the writings of Manu, "Do not destroy Dharma, so that you may not be destroyed". The main objective of this essay is therefore to understand this prime thing of human life, justice – its meaning, features, and different views of justice. Justice is also required to synthesize different political values. Ernest Barker points out that all values like liberty, equality and fraternity are to be adjusted and readjusted with reference to contexts. As claims of one value may contradict others, adjustment is indispensable for harmonization of different values as well as different aspects of society. He opines that the primary function of justice is synthesis of liberty, equality and fraternity. It is 'the union and adjusted whole of all political values which are staking a claim for recognition'. In this way, equal conditions for the development

NSOU ? CC-PS-03 57 of personality of all can be ensured. So, justice is the great balancer, adjuster, reconciler and synthesizer of values. In fact, it goes beyond these values and balances each of them. 6.3 The Meaning of Justice through the Ages Justice is the basis of good state and it is also a pillar of ideal society. The ancient Indian scriptures gave utmost importance to justice. So, the king should favor and deliver justice to its subjects. In other words, 'Nayadharma' or justice was the basis of human life in the Indian tradition. It is later reflected in the Gandhian concept of 'Ramarajya' and in AmartyaSen's idea of justice. Justice tries to reconcile the individual rights with the social good. It reconciles the claims of one person with another. 6.4 Greek concept of Justice However, the concept of justice takes different meanings in different historical context. Since the age of Plato (427 BC-347 BC) right up to the 21st century, it has been defined in various ways. Plato equates justice with discipline, judiciousness, self-control, bravery and loyalty. Yet, Plato was convinced, despite the individual views offered by Cephalus, Polemarchus and others, that Justice is the mother of all virtues and it will be achieved through dutifulness to one's own class functions. So, for Plato, justice is a virtue that can establish a rational order – each one should perform its appropriate role without meddling with the function of other parts. In Aristotle's opinion, justice denotes what is lawful and fair, that is, equitable distributions and the removal of what is inequitable. It is called corrective justice. For him Justice lies in incorporating concerns of equality, proportionality and maintenance of equilibrium in society. 6.5 Roman and Medieval concept of Justice Cicero observes, "Justice is intrinsic goods". It remains implicit in our values and cannot be detached from life and society. Carrying on the Greek tradition, Augustine

NSOU ? CC-PS-03 58 argues 'justice is the constant and perpetual will to render to each his dues'. So, in delivering justice each person matters and all persons should be treated equally or with consistency. However, besides consistency, relevance is another important condition of justice: for relevant reasons a person may be treated differently rather than equally. To Aquinas, justice is that rational mean between opposite sorts of injustice, involving proportional distributions and reciprocal transactions. 6.6 The Liberal concept of Justice With the advent of materialist tradition in the West, the meaning of justice acquires complex undertone – while going through a process of secularization, justice has been conceptualized with reference to the class interests of the dominant groups or ethnocentrism. Far Hobbes, justice is a simulated virtue but is a necessity for civil society and it can be actualized through the function of the voluntary agreements of the social contract. The early utilitarian, like Hume argues that "public utility is the sole origin of justice." So, to them protecting property is a noteworthy public utility service of justice. In consonance with the spirit of individualism, Kant observes that justice is a virtue by which people respect others' freedom, autonomy, and dignity by not interfering with their voluntary actions, so long as those do not violate others' rights. The liberal proponent like J.S. Mill again views justice in terms of social utilities that foster and protect human liberty. What does remain implicit in these views is the insistence to judge justice in terms of legality. It branches out of monistic concept of sovereignty. Thinkers like Hobbes and Austin uphold the view that 'law is the command of the sovereign' and is the primary source of justice. So, Leviathan can never be unjust and it is the 'creator of right and justice'. Bentham's utilitarian stance never disregards this sovereign monitor of pain and pleasure. He, for instance, argues that morals should not be the basis of justice and so also the natural law. In fact, the liberal thinkers, of whom Bentham is one of the forefathers, applaud law or legality as the basis of justice. While the sovereign state controls everything through law, legality as well ensures individuality: liberty of man, free market and constricted state. Mill said justice is a collective name for the most important social utilities, which are conducive to fostering and protecting

NSOU ? CC-PS-03 59 human liberty. Both idealism and liberalism evince justice by the instrument of law. Therefore, equality before the law and equal treatment by the law is the basis of just society. However, Laski thinks that law devoid of justice might tend to debar sociological and ethical consideration of justice. It is equally important that the socio-economic basis of justice cannot be undermined because actualization of justice is conditioned by these factors. Rawls tries to mitigate the contradictions in his own way. He analyzes justice in terms of maximum equal liberty pertaining to basic rights and duties for all members of society. In his writings, justice involves fairness; so the basic question of distributive justice is how resources and opportunities are divided up among the members of society. However, Rawls' conception of justice is deontological as it views priority of right over the good. The post-Rawlsian philosophers propose alternative conceptions of justice. 6.7 The Marxist concept of Justice To Marx and Engels, justice can be ensured only through realization of economic and social equality. Legal justice, a mainstay of liberal justice, is not an accepted form of justice because justice in capitalist society reflects class relations and so also protects class contradiction and private property. So, justice is an integral part of the superstructure. Marx believes in substantive justice which is the basic condition of economic justice. As surplus value, which is actually appropriated by the capitalists, is a means of exploitation of the working class in capitalist society, economic justice can only be ensured by creation of classless society through proletarian revolution. However, in the socialist society, due to the existence of the state, justice cannot be ensured in the true sense of the term. According to Lenin 'the first phase of communism, therefore, cannot yet provide justice and equality; difference, and unjust differences, in wealth will still persist, but exploitation of man by man will have become impossible because it will be impossible to seize the means of production'... In 'Critique of the Gotha Programme', Marx offers

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a principle of justice, 'from each according to his ability, to each according to his needs'.

So, Marx

disregards merits or deserts, rights, entitlements, etc., as criteria for distribution of benefits and resources.

NSOU ? CC-PS-03 60 Rather, needs or necessity should be the distributive principle. Hence, Marxian theory of justice stresses on the distributive nature of justice in its own way. In his words, justice entails “a fair distribution of proceeds of labour.” Thus, every member of the society without any discrimination while enjoying the benefits of society must bear the burdens within the society. Or else, Marx considered justice as a sham, a mask which facilitates capitalist exploitation. The emphasis on earnings rather than liberty exposes the inner contradictions between capitalist and socialist views of justice. 6.8 Alternative views There are others who prefer to recommend a pluralistic view of justice. The communitarians’ ideas of justice prefer the collective pursuit of virtue rather than the defense of individual rights as a principle of social order. Sandel maintains that rights and justice depend for their justification on the moral importance of the ends they serve. ‘Justice is not only about the right way to distribute things. It is also about the right way to value things’. On the other hand, to Michael Walzer, justice is a human construction, and it is doubtful that it can be made in only one way. The principles of justice are themselves pluralistic in form;

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that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and

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all these differences derive from different understandings of the social goods themselves.

There are other alternative conceptions of justice that challenge conventional liberal ideas of justice and even disregard the view that justice is anthropocentric. The first among them is the global or cosmopolitan theory of justice. It suggests that justice should not be applied to people within a specific sovereign boundary. So, it argues that application of justice must not be limited to one national boundary but it is to be extended beyond national boundaries. In fact, increasing interdependence or interrelations among the peoples or sovereign bodies require refurbishment of the idea of justice. Particularly, the North-South divide strengthens the argument for global justice. Besides, a new futuristic study of justice could be found in the Green or ecological political thought. For a secured future of mankind, one must need to understand the

NSOU ? CC-PS-03 61 justice-ecology interface. In other words, demand for applying justice for (a) living being other than human and (b) the nature as a whole is becoming a strong trend. The Green political thinkers in actuality are concerned with the application of justice to biodiversity. Arnold Brecht tries to understand this multifaceted idea of justice with reference to the values people uphold from time to time. In his words, “One who changes from one conviction to the other will thenceforth have a different idea of justice”. For instance, an authoritarian thinks of leadership as an ultimate value, so following leaders is justice. For those who uphold equality as the highest value preserving equality is justice. This again is contradicted by libertarians who give liberty not equality as the highest value. Accordingly, to the hedonist, pursuing happiness of the greatest number is just; to some, majority will is just; to some others, duty not right is just. So, the idea of justice is basically dynamic and plural in meaning and content. 6.9 Characteristic features of Justice Justice determines the way how individual people are treated. The questions of justice arise in circumstances where people put forth their claims to get freedom, education, opportunities, resources, and others. But these claims are potentially contradictory, so people can plead to justice to resolve such contradictions by determining what each person is properly entitled to have. So, justice is a form of claims which can be duly made against the agent dispensing justice. The agent might be a person or an institution. Further, justice is a matter of obligation for the dispensing agent to provide with what is due to the masses. It is a marker of justice that the obligations it creates should be enforceable. So, justice requires an agent whose determination alters the circumstances of its objects. Again, the agent might be an individual person, or it might be a group of people, or an institution such as the state. There is a relationship between justice and the impartial and consistent application of rules. Justice is epitomized in the rule of law — as general rules impartially applied over time.

NSOU ? CC-PS-03 62 The features of Justice are the following : 1. The sources of justice are values and traditions of society. Not only that justice is a primary value and it has an enduring relation with other values like liberty and equality. 2. Justice is universal –it is related to all aspects of human behavior in society. It has an overarching value that synthesizes different aspects of human life. 3. Justice stands for mutual relationships of persons living in society. It is a principle of balancing or reconciling human relations in society in such a way as to enable each one to get his due rights, rewards and punishments. 4. Further, the function of justice is to harmonize individual interests with the interests of society. 5. Aim of justice is to provide equal rights, opportunities and facilities to all in a fair way. 6. Justice is a matter of each individual person being treated in the right and non-arbitrary way; there should be consistency in treatment – benefits or punishment. Accordingly, justice has to follow rules or apply laws to maintain consistency. 7. Application of justice further requires relevance. That is, justice requires equal treatment but if there are relevant reasons it may discriminate or be treated differently. 8. Again, treating differently for relevant reasons should be guided by the idea of proportion. For the sake of justice, reward and punishment is to be proportionate to work done. 9. Further, the nature of justice often evolves out of context – justice is contextual. Situation or circumstance must be taken into consideration to deliver justice. 10. Justice has several dimensions: social justice, economic justice, political justice and legal justice.

NSOU ? CC-PS-03 63 6.10 Conclusion Justice is, therefore, an indispensable part of social life in general and human life in particular. Justice stands for rule of law, absence of arbitrariness and a system of equal rights, freedoms and opportunities for all in society. In other words, justice secures and protects rights of all in a fair way. It stands for harmony among all members of a society. Justice encourages bonding or joining or organizing people together into a right or fair order of relationships. This fair order in society again demands the regulation of selfish actions of people for securing a fair distribution, equal treatment of equals, and proportionate and just rewards for all. It tries to reconcile the interests of society and individual interests. Raphael rightly opines, “Justice protects the rights of the individual as well as the order of society.” These varied meanings of justice and polemics it engenders further reflect the inherent plurality of the concept of justice. The dearth of one universally agreed definition of justice points to the fact that the idea of justice is conditioned by context. Justice is a way of understanding of the world around individual – its structure and the way to restructure it with reference to context. However, this plurality again shows the values and extent of a concept in a democratic society.

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Justice is embodied in equal citizenship rights for all persons,

economic and social equality, it brings up questions of distributive justice, how resources and opportunities are divided among everyone in society. It denotes appropriateness or fairness or proper balance. Just behavior or treatment or the administration of law or authority helps in maintaining this proper balance. Justice holds the people together by normal ties and rights. Above all, justice is a primary condition of good governance. 6.11 Summing Up ? Concept of justice has been widely debated throughout the ages. ? Greek political thinkers view justice as an ethical exercise. ? Plato treats justice as both a principle of moral conduct and an ideal social order.

NSOU ? CC-PS-03 64 ? Aristotle advocates corrective or equity based justice. ? Roman political thinkers on the other hand, emphasize on the law of nature as the basis of justice. ? Augustine opines that justice is the continual will to render to each his dues. Aquinas describes justice as an intrinsic principle of good action related to the will of proportional distribution and reciprocal transactions. With the advent of materialist approach in the study of politics and society. ? Utilitarians, like Hume, explains justice in terms of the greatest happiness of the greatest number. ? J.S.Mill views justice as an instrument for protecting and safeguarding human liberty. Justice has been also explained from the legalist perspective Hobbes, Bentham and Austin support the legal concept of sovereignty. They argue for the supremacy of the law emanating from the sovereign power. ? By rejecting the legal approach to justice, Laski argues that too much emphasis on judicial elements excludes ethical and sociological consideration. ? Rawls, giving emphasis on just distribution of primary goods in society, promotes the theory of distributive justice. Some political philosophers offer an alternative conception of justice. ? The Marxist school, led by Marx and Engels, observes that justice cannot be separated from the overall analysis of class relations and class antagonism in a given society. So, the distributive principle should be the economic basis. ? The Communitarians from the pluralistic point of view argue that justice should be analysed from the communitarian context and the notion of good is created by the community to which all individuals belong. ? The notion of justice in the twenty-first century has become global and cosmopolitan. ? It has also been extended to ecological issues. However, justice is a dynamic concept. In different ages people have added different values to the idea of justice.

NSOU ? CC-PS-03 65 6.12 Probable Questions Essay Type Questions : 1) Write a note on the nature of justice. 2) Explain Greek concept of justice 3) Prepare an essay on liberal views of justice 4) Discuss Marxist approach to justice. Long Questions : 1) Elaborate the concept of justice. 2) Discuss the ecological concept of justice 3) Examine the alternative views (Communitarian, Cosmopolitan and Ecological) of justice. 4) Analyse Plato's view on justice. Short Questions : 1) Define justice. 2) How does Plato define justice? 3) Mention Aristotle's view on justice. 4) How does Ernest Barker define justice? 5) What did justice mean in the middle ages? 6) Write down communitarian view on justice. 7) How would you define global justice? 8) Explain the evolving nature of justice as mentioned by Arnold Brecht. 6.13 Further Reading 1. Aristotle, Nicomachean Ethics, Trans. W.D. Ross, 1999, Batoche Books, Kitchener. 2. Kant, I., 1965. The Metaphysical Elements of Justice Part I of the Metaphysics of Morals, Bobbs-Merrill. NSOU ? CC-PS-03 66 3.

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Unit 7 : Social Justice Structure 7.1 Objectives 7.2 Introduction 7.3 Meaning of Social Justice 7.4 Elements of Social Justice 7.5 Features of Social Justice 7.6 Conditions for Social Justice 7.7 Friedrich Hayek on Social Justice 7.8 Social Justice in India. 7.9. Conclusion 7.10 Summing Up 7.11 Probable Questions 7.12 Further Reading 7.1 Objectives This unit introduces learners to the concept of Social Justice, its types and its role in the society.

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After studying this unit learners will be able to ? Understand the meaning of

social justice. ? Recognize its various attributes. ? Find out its relevance to our social conditions. 7.2 Introduction The concept of social justice first surfaced in Western thought in the wake of the industrial revolution and the parallel development of the socialist doctrine. It emerged as an expression of protest against what was perceived as the capitalist exploitation of labor and as a focal point for the development of measures to improve the human condition. It aimed to create more egalitarian societies and remedy for capitalistic

NSOU ? CC-PS-03 68 exploitation of human labor. It intends to protect human rights and dignity, basic human equality and intellectual and moral freedom irrespective of gender, religion, birth, class, caste, colour etc. It shows that social justice originates from the principles of social equality. It emerged as a revolutionary slogan embodying the ideals of progress and fraternity. Following the revolutions that shook Europe in the mid-1800s, social justice became a rallying point for progressive thinkers and political activists. Proudhon, identified justice with social justice and identified social justice with respect for human dignity. Tocqueville observed that democracy nurtures the enthusiasm for social justice. Truly, the emergence of liberal-capitalist ideas promotes the demand for social justice. By the mid-twentieth century, the concept of social justice had become central to the ideologies and programmes of virtually all the leftist and centrist political parties around the world, and few dared to oppose it directly. Marx, Weber, Barker – all believe that contract-based equality produces social justice. Social justice represented the essence and the raison d'être of the social democratic doctrine and left its mark in the decades following World War II.

7.3 Meaning of Social Justice

Social justice denotes justice or the redressal of injustices from a social perspective.

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Social justice works toward the realization of a world where all members of a society, regardless of background, have basic human rights and equal access to their community's wealth and resources.

Social

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justice is an extensive form of justice. It relates to whether people have access to the things they need to live a safe and dignified life. Social justice refers to the conception of justice applied to our entire society; the idea of a "just" society is one in which individuals and groups receive fair treatment and a fair share of the benefits of society.

Social justice can be ideally defined as:

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A set of ideas, values and social practices to ensure that all persons and groups enjoy economic security, can participate effectively in democratic decision-making, exercise mutual respect and caring for one another and live their lives in ways that protect and sustain the natural environment for future generations.

Not only that,

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social justice is implemented in part through democratically enacted law, effective public policy and programs delivered by governments and international organizations at all levels and, in part, through groups, organizations and social movements at the local, regional, national and international levels. These public institutions and activist groups endeavor to

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overcome social exclusion or oppression of individuals and groups, including that which is based on NSOU ? CC-PS-03 69 gender, social class, racial-ethnic identity, cultural practices, religious belief, sexual orientation or disability

and b)

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provide sufficient material resources to ensure an effective standard of living for all, through some combination of decent, well-paying jobs in the labor market; readily accessible and non-stigmatized income security programs that recognize the socially valuable and unpaid work in the family and community; and high quality public services. 7.4

Elements of Social Justice Hobhouse summarizes the following elements of social justice: (i) Institutions are not ends but means. Politics is subordinate to ethics. (ii) One of the principles of harmony is that common goods cannot be opposed to individual goods or individual set-up against the common goods. Right implies duties. (iii) Moral freedom; (iv) Social and political freedom; (v) Equality; (vi) Personal justice; (vii) Equal payment for equal service; (viii) The assignment of property should be so conceived as to secure freedom for the individual and power for the community; (ix) Social and personal factors in wealth; (x) Individual organization; and (xi) Democracy. A Report of the United Nations observes that economic justice is considered an important element of social justice.

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Economic justice, defined as the existence of opportunities for meaningful work and employment and the dispensation of fair rewards for the productive activities of individuals, will be treated here as an aspect of social justice. The customary distinction between economic justice and social justice is intellectually unsatisfactory, as it serves to legitimize the dichotomization of the economic and social spheres. This tendency can seriously limit the potential for the advancement of justice, particularly within organizations that exercise a normative function with regard to matters of development.

Nonetheless, overall economic justice is hampered by the concentration of wealth and power that seem to accompany the dissemination of the capitalist ethos. In addition, while apparent progress has been made in achieving equality of rights, there have been notable setbacks in connection with the basic rights of individuals, who in some settings have been subjected to discrimination and even torture. According to David Miller, social justice "is realistic attempt to bring the overall pattern of distribution in a society into line with principles of society." He points out three important principles of social justice: a) social justice as distribution according to needs (for instance, Marx and Rawls), b) social justice as distribution according to rights/entitlements, (Nozick) and c) social justice as distribution according to merits/ deserts. The functionalists, on the other hand, put emphasis on the functional

NSOU ? CC-PS-03 70 importance of works as criterion of distribution. So, rewards should be distributed in terms of uniqueness of performance of the persons concerned. However, these rights/ entitlements, deserts/merits and functional importance may shield unequal distribution of rewards and resources. It results in injustice. 7.5 Features of Social Justice 1. The normative criterion or principle is the basis for social justice. People generally speak about principles of justice, of moral foundations, etc., where something is deemed just or unjust if it agrees with or is against such principles. 2. Social justice is multidimensional, including at least three types of institutions or dimensions: economy, culture and politics, without any of them in particular being more basic on a universal scale than the others. 3. Social justice is flexible to diverse frameworks or political units, such as state-nation, or smaller units (due to decentralization processes) and larger units (due to globalization processes). 4. Keeping in mind the morals, process efficiency and results, social justice utilizes conservative and radical strategies to satisfy its demand. 5. Besides society, social justice takes nature or ecosystem into consideration as an equally fundamental scenario that offers moral and efficient limits to human action. 6. Social justice is defined historically and contextually on the basis of a democratic process, which, to the extent possible, is increasingly more participatory in its interpretation and implementation. 7. Earlier, social justice meant economic equality. Nowadays, this concept has gone much further than just the economic and egalitarian meaning. Social justice has now taken on the idea of preventing or reducing widespread wrongs provoked by machismo, racism, xenophobia and homophobia, among others. 8. The meanings of social justice are far reaching and indistinct and translating it into concrete practice is full of several challenges. For instance, political theorists, philosophers, and social workers alike have tried to explore what should be the "right relationship" between and among persons, communities, states, and nations.

NSOU ? CC-PS-03 71 9. Some students of social justice consider its meaning in terms of the tensions between individual liberty and common social good, arguing that social justice is promoted to the degree that we promote collective good without infringing upon basic individual freedoms. Some argue that social justice reflects a concept of fairness in the assignment of fundamental rights and duties, economic opportunities, and social conditions. 10. Social justice entails not only approaches to societal choices regarding the distribution of goods and resources, but also consideration of the structuring of societal institutions to guarantee human rights and dignity and ensure opportunities for free and meaningful social participation. 7.6 Conditions for Social Justice a) Advancements in social justice require pressure from organized political forces. b)

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Social justice is not possible without strong and coherent redistributive policies conceived and implemented by public agencies.			

c)

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Social justice requires strong and coherent policies in a multitude of areas: Fiscal, monetary and other economic policies, as well as social policies,			

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The well-being of citizens requires broad-based and sustainable economic growth, economic justice, the provision of employment opportunities, and more generally the existence of conditions for the optimal development of people as individuals and social beings.			

d) Social justice will only flourish if environmental preservation and sustainable development constitute an integral part of growth strategies now and in the future. e)

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The idea of social justice has too often been associated with an excessively benevolent perception of human nature and a naively optimistic belief in the capacity of good ideas and institutions to transform the world into a secure and agreeable place.

f) Social justice is impossible unless it is fully understood that power comes with the obligation of service. In reflecting on the nature, legitimacy and use of power, consideration must be given to self-interest, enlightened self-interest, general interest and the common good. The essence of democracy resides in a shared understanding of these concepts. g) Justice and freedom share an uneasy relationship. There are

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problems achieving and maintaining a balance between individual freedom and social

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justice. The myriad difficulties and uneven progress notwithstanding continued pursuit of these ideals is essential. 7.7

Friedrich Hayek on Social Justice In the opinion of the libertarians, trouble with "social justice" begins with the very meaning of the term. It is thought that everyone will recognize an instance of it when it appears. The concept of social justice has become a common part of the political lexicon in recent years, with political activists identifying it as a key goal of its social strategy. A common criticism from the non-left is that social justice appears to have no stable or concrete meaning. Hayek points out that whole books and treatises have been written about social justice without ever offering a definition of it. This point features prominently in the critique articulated by Friedrich Hayek in *The Mirage of Social Justice*, in the second volume of his *Law, Legislation and Liberty*. Hayek struggles to find a clear definition of what people mean by the term. To the extent that social justice operates as a catch-all justification for any number of programs that range from extensive income redistribution and anti-discrimination policies, there is little doubt the phrase is used in a bewildering number of often contradictory and not especially coherent ways. Secondly,

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the application of social justice requires a geographical, sociological, political and cultural framework within which relations between individuals and groups can be understood, assessed, and characterized as just or unjust. In modern times, this framework has been the nation-State.

David Miller observes that social justice points to a set of social and political institutions that will ensure the just distribution of benefits and costs throughout society. So, it requires the state to become much more closely involved in distributive issues. Thirdly, the libertarian theories reject obligations for equal and equitable distribution of resources contending instead that each individual is entitled to any and all resources that he or she has legally acquired. For them social justice is not only corrosive of personal freedom but also of the economic freedom that a market economy requires. They emphasize individual autonomy and the fundamental right and they seek to protect individual freedom from encroachment by others. Proponents of this school support minimal state responsibility for protecting the security of individuals pursuing their own separate interests. Hayek further observes that it is erroneous to talk about social justice as justice is basically a property of individual actions. However, social justice is concerned with distribution of resources like, money, property and others

NSOU ? CC-PS-03 73 across a society resulting from actions and decisions of thousands of separate people. In this situation, it is difficult to say that this distribution is either just or unjust. Fourthly, Hayek argues that if one tries to match the process of distribution of resources with the principle of distributive justice it would wipe out economic freedom. It is tantamount to killing the goose that lays the golden eggs. Hayek can be countered on two points. In spite of his doubt over the issue of social distribution by a single agency, people are habituated with its own creation – the state like institution and rules – for distribution of social resources. It is seen again that people often obey the decisions relating to resource distribution of these political institutions elected or controlled by people. On the other hand, distribution of social resources should be under collective control in a democratic society.

7.8 Social Justice in India

In India, the idea of social justice became an important index to judge the performance of the post-independent state. The leading figure of the Constituent Assembly, B.R. Ambedkar viewed social justice as the vital prerequisite of democracy. The pillar of social justice is equality – human equality. Social inequality based on caste, class, religion, etc., make a fragmented India. Due to the relentless effort of Ambedkar, the Constitution of India for the sake of social justice, like abolition of untouchability. However, to some people, it is a clear violation of deserts/merits based principle of justice. Ambedkar rejects Gandhian principle of social justice implied in the idea of SarvodayaSamaj because of three main reasons: (1) That it is based on the division of labour which forms the cornerstone of Varnashram Dharma; (2) That it regards the role of Daridra Narayan (God's grace to weaker sections) as an important one for maintaining of justice; and (3) That the theory of 'trusteeship' has been highlighted to redress the economic ills of society, which is just like making the cat to look after the milk or to give a lamb under the guardianship of a wolf. Contrarily, Ambedkar views, social justice as: the unity and equality of all human beings, the equal worth of men and women, the respect for the weak and the lowly, the regard for human rights, benevolence, mutual love, sympathy, tolerance, and charity towards fellow being, human treatment in all cases, the dignity of all citizens, the abolition of caste-distinctions, education and property for all, goodwill and gentleness. In short, Ambedkar sought social transformation through the establishment of social democracy in which equality, fraternity and liberty would prevail in each and every spheres of life of all members of society.

NSOU ? CC-PS-03 74 P.B. Gajendragadkar, former Chief Justice of India, once observed, "The concept of social justice is (thus) a revolutionary concept which gives meaning and significance to the democratic way of life and makes the rule of law dynamic. It is this concept of social justice which creates in the minds of the masses of this country a sense of participation in the glory of India's political freedom" Not only that, He advises further, "Social justice must be achieved by adopting necessary and reasonable measures with courage, wisdom, foresight, sense of balance and fair-play to all the interests concerned. That shortly stated, is the concept of social justice and its implications." In the modern context, those concerned with social justice see the general increase in income inequality as unjust, deplorable and alarming. It is argued that poverty reduction and overall improvements in the standard of living are attainable goals that would bring the world closer to social justice. Social justice may be broadly understood as the fair and compassionate distribution of the fruits of economic growth. However, there is little indication of any real ongoing commitment to address existing inequalities. In today's world, the enormous gap in the distribution of wealth, income and public benefits is growing wider, reflecting a general trend that is morally unfair, politically unwise and economically unsound. Injustices at the international level have as well produced a parallel increase in inequality between affluent and poor countries.

7.9 Conclusion

There is no doubt that social justice is a contested concept and lacks precise connotation. Not only a definitional problem, its proper realization by the state is also a matter of great debate. In spite of these limitations, indispensability of social justice cannot be ignored. The concept of social justice is far more widened concept than any other concepts of justice. And its sensational presence in people's mind shows that social justice is almost organically related to the life experiences of human beings. Jatava argues that "Social justice is so wide concept that it includes all other kinds of justice in its sphere. It gives a vivid depiction of the whole of human society. It is like a looking-glass wherein one can find the picture of a country or of a society. Its subject matter is a sort of study, which is related more to practice than theory. That is why social justice is different from the well-established social sciences and other studies of human life". He further adds, "Nietzsche, like Manu, was an embodiment of social inequality and both of them upheld the interests of one class only, which was quite contradictory to the spirit of social justice." To conclude, a reference of Brecht can be more appropriate as he talks of universality of human needs and so the universal of justice. He says: "the universal term justice responds to a universal

NSOU ? CC-PS-03 75 human need of expression, not only in acquiescence with existing laws but also in criticizing them for lack of justice, and that this universal need relates to the feeling that has at least some elements in common. We have good reason for supposing, further, that these elements must be very important for human nature, since they are tied up with such passionate feeling". 7.10 Summing Up ? Concept of Social justice emerged in Western thought in the wake of the industrial revolution and with the advent of socialist thought. ? Basic aim of social justice is to remove imbalances in the social, political and economic life of the people. ? Social justice can be defined as a set of ideas and values which ensure economic and political security of all the people. ? Social justice contains normative principle; ? It denotes threedimensions – economy, culture and politics; ? Social justice is flexible to diverse frameworks or political units; ? Social justice utilizes conservative and radical strategies to fulfill its demands; ? Social justice stresses on nature which limits human action; ? It is defined historically and contextually with a view to become more participatory; ? Social justice always seeks economic equality; ? The meanings of social justice is far reaching in the sense that it faces several challenges; ? It is often considered in terms of tensions persists between individual liberty and common social good; ? Social justice advocates social institutions to guarantee of human rights and dignity. Certain conditions are necessary for proper functioning of social justice. 7.11 Probable Questions Essay Type Questions : 1) Write a note on the origin and meaning of social justice. 2) Describe the elements of social justice. 3) Analyse the features of social justice. NSOU ? CC-PS-03 76 4) Explain Hayek’s view on social justice. 5) Write an essay on social justice in India. 6) Write an evaluative note on social justice. Long Questions : 1) Write the history of the origin of social justice. 2) Discuss Hobhouse’s view on elements of social justice. 3) Prepare a note on conditions for social justice. 4) Discuss Ambedkar’s point of view on social justice in India. 5) How does Hayek analyse the concept of social justice? Short Questions : 1) What is social justice? 2) What is the aim of social justice? 3) Explain the three principles of social justice. 4) Write a brief note on libertarian views of social justice. 5) Mention Ambedkar’s approach to social justice. 6) Discuss Gajendragadkar’s view on social justice. 7) How does Jatava define social justice? 7.12 Further Reading 1. The International Forum for Social Development,

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Unit 8 : Procedural Justice Structure 8.1 Objectives 8.2 Introduction 8.3 Meaning of procedural justice 8.4 The features of procedural justice 8.5 Robert Nozick's Theory of Procedural justice 8.6 Critique of procedural theory justice 8.7

Conclusion 8.8 Summing Up 8.9 Probable Questions 8.10 Further Reading 8.1 Objectives ? This unit introduces learners to basic concepts of procedural justice. ? After studying this unit learners will be able to explain the meaning of the concept of procedural justice and identify its key features. ? They will be able to understand Robert Nozick's Theory of Procedural justice and its limitations. 8.2 Introduction Distribution of scarce resources is a universal phenomenon in all spheres and levels of social life. Distribution of such resources is again a problem affecting all levels of society. It is a standard practice to evaluate the process of distribution with reference to justice or fairness. Fairness is an important factor that affects feelings and actions of people as it has been linked to satisfaction with and acceptance of decisions and perceived legitimacy of the authority.

NSOU ? CC-PS-03 78 8.3 Meaning of Procedural Justice The doctrine that justice is not fairness of outcome but fairness of procedure is called the procedural justice. So, the concept of justice as fairness also denotes "procedural fairness". Procedural justice concerns the fairness and the transparency of the processes by which decisions are made. The notion that fair procedures are the best guarantee for fair outcomes is a popular one. In other words, the perceptions of fairness are driven not only by outcomes but also by the fairness and consistency of the processes used to reach those outcomes. In short, procedural justice is concerned with making and implementing decisions according to fair processes. Hence, it may be contrasted with distributive justice, which stresses on the fairness in the distribution of rights or resources.

and 4) being impartial in decision making. However, the four principles—or pillars are complimentary to one another. The process of decision making should have transparency and candidness; the decisions should be open and the reasoning behind decision making should be explained clearly when appropriate. Citizens want an opportunity not only to understand what is happening but also want their voice to be heard. No one likes to leave their future is being decided upon at another person's whim; rather, people want voice or representation in decisions that may directly affect them. Further, the decision making is to be guided by impartiality for ensuring biasfree decision and outcome. Truly, justice of a procedure is largely a function of the justice of the outcomes that it tends to produce when applied. For instance, the procedures that produce a fair trial are justified because they produce outcomes in which the guilty are punished and the innocent are acquitted. The idea of procedural justice could be traced back to ancient Roman law and in the modern times to the Lockean concept of social contract. Procedural justice opposes substantive justice because it is based on end-state principle. Here, the state stands for deliverance of justice. Contrarily, both Locke and Nozick give emphasis on private property to define justice. In legal terms, procedural justice is that of common-law court rather than equity. In economic terms, procedural justice is that of markets against states. In fact, procedural justice has certain organic relation with the functioning of the market economy. The supporters of this type of justice believe that unrestrained trade practice, that is, trade activities free of state control, are just and beneficial for society. It is antagonistic to utilitarian principles and other theories of justice that urge the government to adjust any type of social transactions. The principles of desert or need are inapplicable in such a framework. It is in actuality a variant of distributive

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Procedural justice has four pillars: 1) being fair in processes, 2) being transparent in actions, 3) providing opportunity for voice,

and 4) being impartial in decision making. However, the four principles—or pillars are complimentary to one another. The process of decision making should have transparency and candidness; the decisions should be open and the reasoning behind decision making should be explained clearly when appropriate. Citizens want an opportunity not only to understand what is happening but also want their voice to be heard. No one likes to leave their future is being decided upon at another person's whim; rather, people want voice or representation in decisions that may directly affect them. Further, the decision making is to be guided by impartiality for ensuring biasfree decision and outcome. Truly, justice of a procedure is largely a function of the justice of the outcomes that it tends to produce when applied. For instance, the procedures that produce a fair trial are justified because they produce outcomes in which the guilty are punished and the innocent are acquitted. The idea of procedural justice could be traced back to ancient Roman law and in the modern times to the Lockean concept of social contract. Procedural justice opposes substantive justice because it is based on end-state principle. Here, the state stands for deliverance of justice. Contrarily, both Locke and Nozick give emphasis on private property to define justice. In legal terms, procedural justice is that of common-law court rather than equity. In economic terms, procedural justice is that of markets against states. In fact, procedural justice has certain organic relation with the functioning of the market economy. The supporters of this type of justice believe that unrestrained trade practice, that is, trade activities free of state control, are just and beneficial for society. It is antagonistic to utilitarian principles and other theories of justice that urge the government to adjust any type of social transactions. The principles of desert or need are inapplicable in such a framework. It is in actuality a variant of distributive

NSOU ? CC-PS-03 79 justice. Procedural justice is concerned with the perception of fairness in the use of processes, procedures and methods in making outcome decisions. In *Anarchy, State and Utopia* (1974), Robert Nozick has restored procedural justice, as against substantive or end-state principle of justice, with his entitlement theory of justice. So, procedural justice never supports the justice of a gospel wealth which, observes that a rich man should "give back to the community some of what he has taken". Nozick responds that a millionaire has a natural right to his wealth if he acquires it without force or fraud. The state discriminates against those with better voluntary exchange outcomes in favor of those inferior voluntary exchange outcomes. Autonomy of individuals should always be respected. Only the individual person can reasonably decide what to do with his talents, abilities, and the products of his talents and abilities. He gives stress on the historical theories of justice — a historical theory asks about the process by which the final outcome has arisen. The theory of procedural justice observes that each person has entitlements which are individual in character and never dependent on any abstract principle of distribution. So, the state should not interfere in matters of entitlements as it would mean grave injustice. In his discourse on distributive justice, John Rawls reviews the concept of procedural justice. He classifies it into three types: perfect procedural justice, imperfect procedural justice and pure procedural justice. If a procedure ensures just outcome it is called perfect procedural justice; for instance, the person who cuts a cake to take the last slice himself (Rawls' illustration). In case of imperfect procedural justice, the procedure followed is likely but not certain to produce the just result. In case of pure procedural justice, there is no independent way to evaluate the outcome, coin-tossing for example — one may call it just, it is only on the grounds that it has come about by following the relevant procedure. It shows therefore, that procedural justice is a normative judgment of the fairness of the process of decision-making.

8.4 The Features of the Procedural Justice

1. Procedural theory of justice is based on rights. The rights come from entitlement. This entitlement is characteristically individualistic and never depends on any abstract principle of distribution taking into account the society as a whole.
2. The state, therefore, has no authority to interfere in the matter of entitlement. Procedural theorists favour the concept of minimal state that has to maintain law and order, to take action against violence, to fight the foreign aggressors, to stop theft and fraud and to implement all sorts of contracts. They believe NSOU ? CC-PS-03 80 that greater the functions of the state the greater are the infringement of rights of the individuals.
3. For a better and illuminating formulation of a theory of justice Procedural theory of justice has followed the historical principle rather than end-result principles. It says that the justness or unjustness of a distribution can be decided by the fact that whether it is historical or not. Historical principle means how does it come about? Past records will show to what extent a distribution is able to satisfy the requirements of justice.
4. Procedural theory of justice has an organic link with the workings of the market economy. It believes that only through free market resources could be used at its best. Otherwise it would be damaging for all.
5. It also rejects the principles of need or desert. The supporters of this theory observe that it is hardly possible to agree upon what constitutes needs or just desert.

8.5 Robert Nozick's Theory of Entitlement

The exposition of the theory of justice cannot be complete without reference to Nozick's entitlement theory because the theory of entitlement is a good example of procedural justice. However, it should be kept in mind that Nozick's libertarian perspective of justice comes out of critique of Rawls liberal theory of justice. In fact, his *Anarchy, State and Utopia* is the only discourse that has never been followed by any notable academic works in later days. His entitlement implies three principles of justice: a) A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding. b) A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to that holding, is entitled to that holding. and c) No one is entitled to a holding except by applications of (1) and (2). It shows that justice begins and ends with the ownership of property and the owner of property has the right to use it according to his or her own wish. This property can only be taken from its owner through just compensation. This notion property ownership is the legacy of Locke's theory of appropriation proposed in his *Second Treaties*. To Nozick, any attempt to redistribute property even through taxation,

NSOU ? CC-PS-03 81 a form of forced labor and is unjust. However, he suggests that acquisition of wealth or property should not be detrimental to the well-being of other people. In Nozick's opinion, a distribution of resources is said to be just if everyone within its scope is entitled to what they now own, having acquired it by legitimate means. So, according to Nozick, justice is entirely a matter of the sequence of prior events that created it. So, his own theory is "historical" theory of justice. In his words, "the Entitlement theory of justice in distribution is historical; whether a distribution is just depends upon how it came about". Here, the original emphasis on a right to equality is transferred to a right to equal opportunity, based on values of individual liberty and property rights. He hopes that only within the minimal state individual liberty would be protected forever. He further promotes a system in which the role of the institutions of state is limited to the guardian of property. To be specific, the state should not do more than protect individuals from violence, theft and breach of contract. So, some men might legitimately be the owners of large quantities of land and other properties, while others would have to offer labor for conveniences of those owners. If all competitors comply with the rules in the true sense of the term liberty of individuals will be safeguarded. This ultimately helps to develop a libertarian justification of large and unequal capitalist property rights and wage labor relations. Nozick indeed believes that all taxation for the purpose of redistribution is theft – it takes, by force, what belongs to one person in order to give it to another person. Indeed, Nozick's conception of justice begins and ends with the ownership of property.

8.6 Critique of Procedural Theory of Justice

1. Robert Nozick has given undue importance to the procedural aspect of justice. Through the entitlement of holding he has built up the entitlement theory. Entitlement of holding may be in the form of acquisition or transfer or rectification of injustice. These are all about cases of distribution but what about production? Procedural theory of justice unjustifiably does not make any distinction between production and distribution. Both production and distribution are closely connected and to ignore one will lead to an incomplete theory.
2. He was in favor of a minimal state which is equivalent to the night watchman state. It means that in any society the state has to play a minimal role. Nozick's theory does not make it clear what role the state will exactly play in establishing justice.
- NSOU ? CC-PS-03 82 Moreover, since Procedural theory of justice falls into the category of distributive justice, the state, through its elaborate machinery, must ensure proper distribution of holding, and at the same time entitlement to holding. If legal and other problems arise on the way of acquisition or transfer or rectification of previous wrongs, who will take the responsibility of rectifying this or solving the problem? It remains unresolved in Nozick's theory of justice.
3. Nozick has taken it for granted that people will strictly adhere to Locke's proviso that enough will be left for the use of others and the situations of others will not worsen. This implies too much reliance on the rationality of holders or users of property. But we cannot say that all the property owners will resist them from acquiring property/holding beyond their necessity. If this happens in the real world, no doubt, there will be no necessity of state or enforcing authority. Even the Utopian socialists could not imagine such a situation.
4. It is unfortunate that Nozick has offered a theory of justice which he wanted to apply in a society plagued by class divisions. If a society is divided into two opposing classes, and if one class is economically dominant the comparatively weak class would definitely be deprived of justice. For a real theory of justice there shall exist equality in its various manifestations.
5. Nozick, in his thorough analysis, wants to draw the attention of his readers to the politics of liberalism. However, the liberal philosophy in spite of its many good aspects, its black spots and irritating aspects can not to be ignored. The consequences of liberal political philosophy prevailing in the USA, Britain, and other states is not unknown to all. So it can be said Nozick's theory of justice is meant for capitalism.
6. Justice can be divided into social, economic and political and all are connected with each other. Nozick's theory of justice speaks least about their interconnectedness. The liberal political philosophy, the main intellectual source Nozick, hardly pays attention to this interconnection.

8.7 Conclusion So,

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fair treatment is termed "procedural justice" or the experience of fair processes in resolving disputes,

Rejecting Rawls theory of justice, Nozick has proposed for a neo-liberal discourse on justice under the garb of procedural justice.

NSOU ? CC-PS-03 83 According to Nozick a patterned conception of justice in interventionist in nature but he himself proposes for a very narrow and market-driven concept of justice. He again thinks that rights, merits, skills and abilities of individuals have no relation with socio-economic order. Here, Nozick seems to be an advocate of existing inequality in society and awfully indifferent to mentally and physically unable people who cannot compete in the market for abilities, merit and skills. Nozick's ideas of justice may easily remind us of Spencer's crude state or of its proximity to social Darwinism. This further provides a philosophical basis from which one can develop libertarian justification of large and unequal capitalist property rights and exploitation of wage laborers. 8.8 Summing Up ? Procedural justice is concerned with the fairness and the transparent processes by which decisions are taken by the decision making body. ? It stresses on fair processes in making and implementing decisions. ? Procedural justice is based on four fundamental principles: (1) being fair in process, (2) giving citizen's voice (3) being neutral in decision making and (4) being transparent in actions. Procedural justice contradicts substantive justice as it is based on end state principle. ? In the economic field it emphasizes the free market economy. 8.9 Probable Questions Essay Type Questions : 1) Write an essay on procedural justice. 2) Discuss the features of procedural justice. 3) Write a note on Nozick's theory of entitlement. 4) 'The Entitlement theory of justice in distribution is historical...' Discuss. 5) Make a critical estimate of procedural theory of justice. Long Questions : 1) Narrate the history of procedural justice. NSOU ? CC-PS-03 84 2) Explain three principles of justice as implied in entitlement. 3) 'Justice is entirely a matter of sequence of prior events'. Examine 4) Do you think property right is the main pillar of Nozick's theory of justice? Short Questions : 1) What do you mean by procedural justice? 2) What are the four pillars of procedural justice? 3) What does Nozick mean by entitlement? 4) Write a short note on minimal state. 8.10 Further Reading 1. Kant, I. Metaphysical Elements of Justice, Hackett Publishing Company, Inc.; Second Edition, 1999 2.

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Unit 9 : Distributive Justice Structure 9.1 Objectives 9.2 Introduction 9.3 Rawls on Justice 9.4 Characteristics of Rawlsian Justice 9.5 A Critique of Rawls 9.6 Conclusion 9.7 Summing Up 9.8 Probable Questions 9.9 Further Reading 9.1 Objectives The aim of this unit is to understand the concept of distributive justice. After going through this unit learners should be able to: ? Identify and describe the Rawl's theory of justice ? Realize inconsistencies in Rawls theory ? Make a critical evaluation of Rawl's Theory of justice 9.2 Introduction In all human societies distribution of essential resources is a problematic issue. People often evaluate the distribution of scarce resources in terms of justice or fairness. A resource distribution or allocation process consists of an authority (persons or institution) and one or more recipients of allocated resources. The authority divides the resources through use of certain rules like equality, equity and need. Distributive justice is, therefore, concerned with the fair distribution of benefits and burdens, such as income, taxes, etc. The classical view of distributive justice was found in Aristotle's observation: 'equals should be treated equally and unequals unequally'. Or it would bring injustice. It would further mean 'equal distribution of income

NSOU ? CC-PS-03 86 among the equals only'. Almost a decade before John Rawls, C. J. Chapman in one of his articles, 'Justice and Fairness' (1963), tried to combine the idea of justice with three things – 'the economic rationality of man', 'consumer's sovereignty' and 'moral freedom of individual'. Similar attempt is made by Rawls through idea of fairness and rational choice in original position.

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Rawls (1921-2002) is primarily concerned with defining the principles of justice that would regulate an ideal society, rather than with describing how justice may be restored

in an unjust society. His justice as fairness theory argues for equal rights for all social beings and injustice towards any people is to be justified only when this injustice is required to prevent an even greater injustice. Further, Rawls's theory justifies an egalitarian society. It is indeed a liberal principle of justice that never prescribes discrimination of human beings in terms of race, class, income or any other factors. 9.3 Rawls on Justice Rawls tries to develop a method through which acceptable principles of justice could be arrived at. He develops a contractarian theory of justice in the tradition of Locke and Rousseau. Like the contract theory, Rawls's justice veers around a central point that is, the institutional arrangement for a society. It is called 'transcendental institutionalism'. It bears two discrete characteristics: a) this approach concentrates on the idea of perfect justice and is least interested in the comparison of justice and injustice; and b) in the process of attaining perfection one should give attention to right institutions rather than to the specificity of emerging societies Rawls is also indebted to the Kantian exposition of justice. Both original position and veil of ignorance – the conditions of Rawlsian justice – have certain proximity to Kant's interpretation of justice. For instance, the original position should be analyzed as a procedural explanation of Kantian conception of autonomy. In his attempts to construct a theory of justice, Rawls makes an estimate of the efficacy of utilitarian mode of explanation of justice. To Rawls, equality of basic rights for all individuals should be the fundamental principle of justice – 'justice as fairness'. To the utilitarian thinkers, violation of rights of some individuals may be justified to secure

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the greatest amount of happiness for the greatest number of individuals. Rawls rather prioritizes the principle of equal rights for all,

not for one particular group over another group, unless it would do grave injustice to individuals. Rawls' 'Theory of Justice' is a product of crises of the Western world: on the one hand, uncertain future of liberal political theory and philosophy as well as behavioral and post-behavioral debate and fuming debate over American imperialist design in NSOU ? CC-PS-03 87 Vietnam, unemployment, gender movements, civil rights movement, and social unrest due to black liberation movement on the other. A man of modest and witty mind, he tries to counter this challenge by offering a moral theory of justice. The question he is trying to answer in his 'A Theory of Justice' is 'What is the most appropriate moral conception of justice for a democratic society?' Accordingly, Rawls tries to combine liberal and socialist egalitarian views of justice in his unique ideas of justice: 'justice as fairness'. It means, "

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All social values – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage."

However, he clarifies that justice and fairness are not the same. Rawls constructs two basic principles of justice as fairness: (a) the equality principles: '

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Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.' and (b) the difference principle: 'Social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged and attached to positions and offices open to all under conditions of fair equality of opportunity.'

In other words, the equality principle is concerned with citizens' equal rights to basic liberties such as the right to vote, freedom of conscience, etc. and the difference principle, on the other hand, deals with redistribution. The first principle of justice (a) is 'the principle of greatest equal liberty'. Rawls further argues that this first principle is logically prior to the principle (b); so principle (a) must be satisfied before principle (b) to attain justice. It entails that any breach of basic rights should not be validated by arguing that such a breach may produce economic and social advantages. The second principle of justice (b) has two parts:

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the principle of fair equality of opportunity and the difference principle.

To attain justice,

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fair equality of opportunity must be satisfied before the difference principle.

So that, it cannot be infringed in order to produce economic and social advantages. 9.4 Characteristics of Rawlsian Justice ? Justice as fairness means certain principles that would result in just distribution in society. It is just as the procedure of distribution follows just principles. ? To make it workable, principles of liberty and equality should be coordinated as a basis to determine distribution of primary goods such as rights, liberties, income, wealth, opportunities, offices, welfare, etc. ? In order to get just principles, he assumes a situation of 'original position', NSOU ? CC-PS-03 88 like the state of nature in contract theory, in which people decide the principle of distribution. The purpose of the scheme of the original position is to set up a fair procedure so that all agreed principles will be just. In such situation men should not take advantage of social and natural circumstances for their own interests. ? In the 'original position' because men are not aware of their intelligence, skill or strength, social status or class and the principle of good. ? Under these circumstances, everyone acts behind the veil of ignorance to choose principles of justice. It is presupposed that the parties concerned do not know their place in society, their class position or social status, the economic, political and cultural conditions of their society, their idea of good and their fortune in the distribution of natural resources and capabilities, their intelligence and strength. Rawls assumes that people being rational decision makers will make rational choices and devise principles to achieve just distribution in society. ? Each individual in this situation will choose two principles: a) equality in assigning basic rights and duties to all and b) all social and economic inequalities would be so arranged that it results in compensating benefits for everyone including the least advantaged. At this stage, it would now be rational to ask what measure, deserts or merit, skills, talent or abilities, is the right basis to distribute rewards to all. Rawls thinks none else but needs should be the right criteria for equal distribution of primary goods and highest benefits to the least advantaged of the society. Skills and talents are, to a great extent, the product of 'naturally and socially acquired advantages' – either of natural endowment or fortunate family and social circumstances. Hence, in Rawls' opinion, it is illogical to reward an individual who due to his or her advantageous social or class position becomes skilled or capable person. 9.5 A Critique of Rawls Rawls's theory has been subjected to following criticisms. i) To the critics, his theory of justice is hardly contractarian because the choice of two principles in the 'original position', and under the 'veil of ignorance', is not a function of any contract. He draws the 'difference principles' or the 'maximin' rule to explain the justice. However, in an original position a

NSOU ? CC-PS-03 89 person is ignorant of his status and needs. So it is hardly possible for him to bargain for primary social goods like liberty and opportunity, etc. Further, his proposed concept of veil of ignorance tends to destroy the possibility of having a real contract argument that can provide a defense of his two principles. ii) Ronald Dworkin argues the Difference Principle fails to deliver justice, since its formulation in terms of primary goods fails to recognize that those who are very unlucky, such as the severely ill or disabled, may need considerably greater shares of primary goods than others in order to achieve a reasonable life. Dworkin also argued that just economic distributions should be more responsive than the Difference Principle to the consequences of people's choices. iii) Robert Nozick argues that Rawls' theory cannot protect the liberty of an individual which man needs to determine what he should do with what belongs to him. As a supporter of minimal state and free individuals, Nozick argues that the individuals are not made to serve collective interests against his personal interests. He believes that justice begins and ends with the ownership of property. iv) Radical thinkers like C.B. Macpherson opines that Rawls starts his concept of justice with the acknowledgement that class division in terms of income and wealth is inevitable. It would further result in reduction of individual liberty through creating inequality of power in society. To Macpherson, Rawls' postulation that distributive justice is possible even within a class based society is seriously flawed because the poor and downtrodden people hardly enjoy freedom or get justice in such society. Besides, Rawls theory of justice tends to be culture-centric and relevant only to liberal-democratic society. Rawls' predilection for market is clearly visible in the pages of his writings. He maintains, "The ideal scheme sketched makes considerable use of market arrangements. It is only in this way, I believe, that the problem of distribution can be handled as a case of pure procedural justice." Macpherson, therefore, calls him 'revisionist liberal'. Norman Daniel also retorts that Rawls, writes a book on 'a theory of liberal democratic justice'. v) The Marxist thinkers like Richard Miller and Milton Fisk criticize Rawls on many counts. The concept of 'original position' suggests that man does not have any social milieu. So, his likings or so to say predilection does not have any social root. Besides, Rawls, as a man of liberal capitalist tradition, believes in inevitability of inequalities and it would continue forever as it is unsolvable. Man's endeavor to create a social system devoid of inequalities

NSOU ? CC-PS-03 90 finds no support in his writings. Yet he develops a model based on equality. Further, the base factor of his theory is individual rationality which is nothing but an offshoot of liberal ideology. vi) Rawls believes that the second principle of justice, that is,

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the principle of greatest equal liberty, fair equality of opportunity and the difference principle, may be realized through a constitutional democracy. However,

this argument has certain critical defects. It allows a greater inequality in the distribution of wealth and property. As a result, equality of economic, political and social opportunity for all cannot be ensured at all. Besides, constitutional democracy may encourage concentration of political power in a few hands that will use it for personal gains. However, Rawls prescribes constitutional guarantee of equal rights of participation in the political system to rectify this defect. vii) Amartya Sen observes that Rawls' theory of justice can be criticized from two major angles. Rawls is too much dependent on institutional arrangements, which is called transcendental institutionalism. It is nothing but speculative or hypothetical: his original position, for example, cannot include the plurality of human society. In other words, the concept of justice should be based on the realities of social life. Secondly, Rawls' idea of liberty is dichotomous: while liberty cannot be reduced to mere facility, excessive stress on liberty neglects the basic realities of human life, like hunger. Thirdly, perfect justice is overemphasized in Rawls theory. Sen thinks, that justice can be ensured only through rectification of injustice. Schopenhauer remarks "[

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A) theory of justice that can serve as the basis of practical reasoning,"

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must include ways of judging how to reduce injustice and advance justice, rather than aiming only at the characterization of perfectly just societies."

This is the only way of treating equals equally. viii) Communitarians like Walzer, Sandel, McIntyre and others argue that Rawls ignores the basic values of community life. He religiously upholds the individual only and his liberty. Sandel rejects this lopsidedness and observes that 'shared self-understanding and affection' is the primal basis of just society. The identity of the individual and his/her pursuits in life and his/her political self are embedded in community values. 9.6 Conclusion In spite of these criticisms one can not deny the positive aspects of by Rawls an theory. He NSOU ? CC-PS-03 91 ? Initiates a path-breaking analysis of justice that has become the guiding principle of the egalitarians schools. He is indeed a great proponent of new egalitarianism. ? Develops analytic political thought consisting of experiment in metaphysical thinking with scientific rigour, pragmatic thinking like 'overlapping consensus'. ? Introduces a method, 'reflective equilibrium', of judging subjective and objective views of justice in such a way that stage of equilibrium can be achieved. ? Proposes for an admixture of constitutional rules, democratic order and market economy to build a humane and compassionate society for the betterment of the worst-off. ? Tries to combine leftist and right-liberalist agenda for constructing a just welfare society. ? Emerges as a new humane face of liberalism against utilitarian and communist campaigns. Simultaneously, Rawls is aware of the possibility of infringement of equal liberty by utilitarian principles of greatest good for greatest number. Principles of distributive justice are therefore best thought of as providing moral guidance for the political processes and structures that affect the distribution of benefits and burdens in societies, and this kind of moral guidance on distribution should be considered principles of distributive justice. It is as well an egalitarian theory of moral conduct that guides each and every individual in their mutual interaction. In 'Justice as Fairness: A Restatement', Rawls provides two basic principles of social justice, modified from his earlier work:i)

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Each person has the same infeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all;

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Social and economic inequalities are to satisfy two conditions: First, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity, and second, they are to be to the greatest benefit of the least-advantaged members of society (

the difference principle). 9.7 Summing Up ? Distributive justice concerns with a fair distribution of resources. This distribution of resources follows the principles of equality, equity and the needs of people. NSOU ? CC-PS-03 92 ? Rawls argues against any differentiation on the basis of race, class, income or any other factors. ? Rawls's theory of justice is premised upon the need for equality. ? The basic principles of 'justice as fairness' are (a) the equality principles: '

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Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.' and (b) the difference principle: 'Social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged and attached to positions and offices open to all under conditions of fair equality of opportunity.'

It ensures that any departure from the principle of equality brings maximum benefit to the least advantaged. ? Rawls sets out his theory by placing individuals abstracted from their social and economic contexts behind what he calls the 'veil of ignorance'. Individuals behind this veil are unaware of who they are and what their interests, skills and needs are. They would have no particular vision of what constitutes a good life but would be interested in maximizing their primary goods. 9.8 Probable Questions Essay Type Questions : 1) Elaborate the characteristics of Rawlsian theory of justice. 2) Discuss the principles of justice as visualized by Rawls. 3) Write an evaluative essay on Rawls' Distributive Justice. Long Questions : 1) Do you find any relation between distributive justice and social contract? 2) 'Rawls' theory of justice is a product of crises of the Western world'. Explain. 3) Analyse two basic principles of Rawls' theory of justice. 4) Examine the views of Amartya Sen, Walzer and Sandel on Rawls' idea of Distributive Justice. Short Questions : 1) Define Distributive Justice. 2) Write short note: a) Aristotle on Distributive Justice & b) Chapman on Distributive Justice NSOU ? CC-PS-03 93 3) What does Rawls mean by Distributive Justice? 4) What is 'transcendental institutionalism'? 5) What do you mean by 'justice as fairness'? 6) Write a short note on 'original position'. 7) Write a short note on the 'veil of ignorance'. 9.9 Further Reading 1. Mukhopadhyay, Asok Kumar, John Rawls's theory of justice, Socialist Perspective, Vol. 31, No. 1-2, June-September, 2003, Kolkata. 2. Amartya Sen, Idea of Justice, Penguin, UK, 2010. 3. Rao, A.P., An Essay on John Rawls' Theory of Distributive Justice and its Relevance to the Third World, Occasional Paper No. 23, Centre for Studies in Social Sciences, Calcutta, March, 1979. 4. Rawls, J.

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Unit 10 : Global Justice Structure 10.1 Objectives 10.2 Introduction 10.3 Conceptualization Global Justice 10.4 Global and International Justice 10.5 Cosmopolitanism and Global justice 10.6 John Rawls and Global Justice 10.7 Critique of Rawls’s View 10.8 Evaluation of Global Justice 10.9 Conclusion 10.10 Summing Up 10.11 Probable Questions 10.12 Further Reading 10.1 Objectives After studying this unit learners will be able to: ? Define the concept of Global Justice. ? Describe how the idea of Global Justice developed. ? Differentiate between Global and International Justice. 10.2 Introduction The word justice indeed has wide or unfathomable philosophical implications. In a state, people often talk about just society, just order, or, to be specific, just human beings and a way of living entwined with justice. In reality, justice here implies certain geographical delimitations as it centers on the sovereign boundary and its inhabitants. The study of just world order implies an understanding of global justice. NSOU ? CC-PS-03 95 It is indeed an assiduous venture. However, the great men of all ages call for justice for the mankind and believe in cosmopolitanism – that is, all persons irrespective of any political boundary have moral values and all have moral obligations to each other. 10.3 Conceptualizing Global Justice Global justice simply pins on just world order, which is in reality a very complicated process. Yet, it tries to promote justice for the whole of mankind and its ecology – a

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widening of the scope of justice to the global level.

Although enlightened thinkers harp on global justice again and again, the state leaders and political theorists have left their slumber much later, from 1970s onwards, under pressure from different corners. More so, as the cry for a joint struggle of all is getting importance to create a just world. It endorses the moral value of the individual without considering their place of birth. Global justice concerns with the problems of global coexistence. In other words, global justice as an issue in political philosophy is concerned with the existing unfairness among the peoples of the world. For instance, global justice tries to show that violence and hunger are regularly meted out to the global poor of the so-called less developed countries. It further attempts to involve the citizens of the developed world to eradicate these problems as part of their moral commitment. Interestingly, the state leaders never treat individuals as morally equal, but the states have been regarded as the seat of morality. Charles Beitz (1975) observes that at present the questions of justice should not be delimited to the national level only and it is morally improper as well. The global institutions can act like the state-units. In a globalized world, these institutions can make laws, policies, and agreements and can collect taxes as well. It lays bare the narrowness of the national states in the globalized era. Thomas Pogge (1989), a German philosopher, also argues that global inequalities among the peoples call for a global approach to justice that can effectively counter these inequalities. Christian Barry raises the issue of unfair global institutional order which enriches elites in both developing and developed countries and continues the oppression and misery of the majority. In his opinion, ‘A fairly broad consensus has emerged about the characteristics of a minimally decent world. Indeed, during the past century, moral norms protecting the freedoms of the weak and vulnerable have become increasingly potent, condemning practices such as genocide, colonialism, autocracy, slavery, sexual violence against women, and economic structures that avoidably lead to widespread destitution. It is

NSOU ? CC-PS-03 96 also commonly held that our current world fails to meet these criteria. Even after a period of unprecedented opulence, more than 800 million people lack adequate nutrition and access to basic health services, and there are some 110 million child laborers under the age of 12, more than half of whom work in hazardous conditions.' Hence, when one starts to think of inequality and to raise questions of redistribution at the global level he/she is talking about global justice. In other words, it is an attempt to extend the discussion of social justice, which has traditionally assumed a politically bounded society, to the international level. So, global justice necessitates an assessment of the benefits and burdens of the structural relations and institutional arrangements that constitute and govern globalization. Besides, it can be interpreted 'as the way in which fundamental rights and duties are distributed globally and how the division of advantages and disadvantages from global 'cooperation,' 'competition,' 'engagements,' and 'activities,' 'events' and 'conditions' are determined'. There are diverse issues that tend to show the inevitability of global justice: global poverty,immigration (to affluent countries) and refugees, health, education, catastrophic anthropogenic climate change, unprecedented forms of terrorismand warfare,and yet critical dependence of the rich countries on the working class belonging to poor developing countries. All these developments further raise a series of questions such as: 'Is it ever permissible to engage in coercive military action for humanitarian purposes, such as to halt genocide or prevent large-scale violations of human rights? Can terrorism ever be justified? Should affluent developed countries open their borders more generously than they currently do to those from poor developing countries who would like to immigrate to them? Are our current global economic arrangements fair ones and if not, how should they be transformed? What responsibilities do we have to one another in a globalized, post-Westphalia world order? How should we allocate responsibilities for reducing global injustice in our world, such as in the case of distributing costs associated with addressing climate change?' The issues of global justice havetried to estimate the place and value of nationalism as well: 'Under what conditions should claims to national self-determination be granted substantial weight? When should self-determination yield to concern for protecting human rights? Are commitments to nationalism and global justice compatible? Is genuine democracy only possible at the state level or are there robust forms of democracy that are possible in a more globaized arena? How ideals of democracy are best incorporated into defensible global institutional arrangements? Is world justice possible without a world state?' All these questions are fundamental to basic principles of global justice. Political philosophers and state leaders must address these problems to secure justice for the peoples of the world.

NSOU ? CC-PS-03 97 10.4 Global and International Justice Global justice is sometimes equated with internationalism. However, one should make a distinction between global and international justice. The major point of difference between these two concepts involves clarifying the entities among which justice is sought. In international justice, the nation or state is taken as the primary unit of concern and the focal point is justice among these actors. Contrarily, the basic theme of global justice theorists is not to seek justice between states or nations but justice among human beings living in these states. Global justice inquiries take individual human beings as the primary unit of concern and try to give an account of what fairness among such agents involves. There are a range of actions that cut across states or involve different agents, relationships, and structures that might be invisible in an inquiry seeking justice among states exclusively. In the opinion of political theorists, 'many different kinds of interactions are not circumscribed by state membership and yet can importantly affect human beings' most fundamental interests, so asking the question about what individual human beings owe one another often uncovers significant neglected features of relationships and structures that are of normative concern. Global justice analyses are not precluded from yielding state- level obligations; indeed, they typically do. However, they consider a wider array of possible agents and organizations that might have duties as well.' One advantage of global justice inquiries is that none is forced to take states as a fixed constraint and so one can judge a range of relevant relationships, capacities and roles that also constitute our interactions and might be relevant to how he/she ought to conceptualize global responsibilities. The continuous expansion of transnational actors, their rules and their systematic activities significantly influence the domestic life of the states. These developments explain the process of transition from international to global justice and the way for explanatory and moral theorizing. It is not only a terminological shift but it should be regarded as a sign of happenings across national borders unthinkable in the previous decades. It further points to the blurring of boundary of national and international realms. This on-going process again diminishes the traditional role of nation states as moral guardians of the inhabitants. So, in such a situation the decisions taken by state leaders cannot simply be decisions of that state as it might have been formulated under guidance of outside influences and it would have a cross border effect in practice. At the same time the prospect and challenges of a policy can be both 'global' and 'local' and the solution it prescribes may reflect common values and being guided by different designs and

NSOU ? CC-PS-03 98 dynamics. So, creating a just society requires dexterous maneuvering of variety of actors and intertwined issues like, private and public, markets and power. On a different note, some scholars observe that global justice is both an aim and a concept including certain important legal elements within it. As an aim, it portrays a society in which political shortcomings and economic deficiencies tend to be overcome and greater justice, equality of opportunity and greater checks on power are upheld. So far as legal elements are concerned there should be a set of rules to uphold civil rights as well as maintenance of open markets and efficient sharing of resources including well-oiled infrastructures to interlink different layers of society. However, everything should be transparent and not beyond scrutiny.

10.5 Cosmopolitanism and Global Justice Global justice has an umbilical link with cosmopolitanism. While nationalists believe in sovereignty of a nation and its people, cosmopolitans instead give emphasis on global citizenship. It suggests that the earthlings have moral responsibility to ensure the wellbeing of citizens of the world. Following the Greek tradition, the Stoicism for example, cosmopolitans campaign for universal brotherhood and 'citizenship of the world'. The peoples of this world are relatives to each other barring the nature of detachment standing in between them.

Cosmopolitanism thus sticks to the multicultural identity of individuals and it implies certain responsibilities as well. As a member of the global community, he/ she has responsibility to other members of the same community – they are accountable to each other for creating a world, which would be habitable to all irrespective of creed, colour, class, caste and gender. So, they 'believe that all individual human beings have equal moral worth and that the strength of our moral obligations to others is not importantly diminished by national border'. Obligations to the world community are no less important than local obligations. In other words, one should not disregard the distant brotherhood in the name of nationhood. Tagore was an ardent supporter of such cosmopolitan views. Martha Nussbaum, a renowned scholar of this age, claims that allegiance 'to the worldwide community of human beings' should be the primary allegiance for all. 10.6 John Rawls and Global Justice John Rawls wrote 'A Theory of Justice' (1971) with reference to sovereign states. The international set-up consisting of state-units could not be a proper place for

NSOU ? CC-PS-03 99 application of distributive justice. However, 'The Law of Peoples' (1999), written by Rawls, gives strong impetus to develop different approaches to global justice. Charles Beitz and Thomas Pogge, for instance, observe that the reasoning of two Rawlsian principles, the difference principle and principle of fair equality and of opportunity, could easily be applied in a global context. Rawls disagrees and suggests that difference principle might be a better option for conceptualizing global justice. Before delving into the Rawls' concept of global justice, the word 'people' needs clarification. Rawls gives an inclusive view of people. A 'people' denotes a group of persons with common culture, tradition, and history and world views. They have a State or may not have State but still possess an exclusive identity of their own. So, Rawls conceptualizes people in a much broader sense in his discussion of global justice. This is indeed a positive step to justice for all peoples. He again uses a specific term 'well-ordered' peoples to define the nature of peoples of the world: the liberal peoples and 'decent non-liberal people. By decency he means (a) the social system should be based on peace and it respects others; (b) it has a system of law and idea of justice that protect basic human rights for all : right to life, right to liberty, right to personal property and right to formal equality ('the similar cases be treated similarly'); (c) to the legal professionals, judges and associates, law is an embodiment of justice enriched with common good and (d) there must be 'decent consultation hierarchy', that is, the decent human beings must be committed to the law of peoples. In accordance with this schema in mind, he tries to draw certain principles in The Law of Peoples and thinks all well-ordered peoples would follow it in their interactions. It certainly strengthens the base of global justice : Eight Principles of Interactions 1. Peoples

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are free and independent, and their freedom and independence are to be respected by other peoples. 2. Peoples are

to observe treaties and undertakings. 3. Peoples are equal and are parties to the agreements that bind them. 4. Peoples are to observe a duty of a duty of non-intervention. 5. Peoples have the right to self-defense but no right to instigate war for reasons other than self-defense. 6. Peoples are to honour human rights. 7. Peoples are to observe certain specified restrictions in the conduct of war. 8. Peoples have a duty to assist other people living under unfavorable conditions that NSOU ? CC-PS-03 100

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prevent their having a just or decent political and social regime. (

McKinon, 2009) He also hopes that both liberals and decent non-liberals will use these principles for interactions on a global scale. He feels that three organizations are also required to confirm mutual relations and realization of global justice: organization to secure fair trade among peoples, organization to facilitate peoples to borrow from cooperative banks and organization to play the role of a confederation of peoples, like UNO. For ensuring global justice in an unequal state-system, Rawls proposes the 'duty of assistance'. There is no doubt that the state-units of this globe are uneven in terms of development: while one is developed and strong the others are less developed and weak. Rawls observes, "I believe that the causes of the wealth of a people and the forms it takes lie in their political culture and in the religious, philosophical, and moral traditions that support the basic structure of their political and social institutions, as well as in the industriousness and cooperative talents of its members, all supported by their political virtue." So, to Rawls, it is as if a natural propensity found in some states but this 'lack of political and cultural traditions, the human capital and know-how, and, often, the material and technological resources needed to be well-ordered.' In such case, the well-ordered people should assist these "burdened societies" till their transformation into well-ordered societies. He further believes that the global difference principle cannot be applied across the states marked with different stages of development. In spite of this deft presentation of justice in the global context, Rawls views his Law of Peoples as a 'realistic utopia' (Kazakistan) – it is not real but reflection of a variety of real life: agreements and disagreements, for instance. He applies the 'original positions' in two stages. At first, the concerned peoples should conclude fair terms of cooperation to control the basic structure of society. In the second stage, the representatives of liberal peoples under the veil of ignorance (having no knowledge of their territory and power) enact the foreign policy of their choice that tolerates states like 'Kazakistan'. 10.7 Critique of Rawls View 'The Law of Peoples' is subject to certain criticisms. To the critics, Rawls' view suffers from serious ignorance, wrong presumption and grave failure. In fact, the main shortcomings of the liberal ideology and its world view debilitate the base logic of Rawls. Besides, the discourse, since its inception, embedded in The Law of Peoples faces dithering and doubts on the part of Rawls himself. In his view, there is no such thing as international distributive justice.

NSOU ? CC-PS-03 101 The criticisms are : ? Rawls fails to understand the network of relationships among peoples, individuals and states in the world arena in its current dimensions. He thinks of states as independent units so they are qualified for the well-being of its people. In practice, states in this age are interdependent units and they influence each other by their deeds. ? Linking the levels of wealth and prosperity with the political culture and tradition, as Rawls does, cannot be a rationale to estimate the performance of states. The global economic order at present is controlled by powerful developed countries. It does naturally serve the interests of these wealthy states rather than the interests of the poverty-ridden states. The affluent states hardly do anything to remove the misery of poor developing countries. Thomas Pogge elaborates this point to a great extent. In his opinion, International agreements and institutions often jeopardize the interests of poor states in general and global justice in particular. He identifies, for example, two international protocols, international borrowing privilege and international resource privilege, for dissection. Internationally recognized legitimate government, in spite of its corrupt and anti-democratic practices, can a) borrow money on behalf of the country and repay the debts as per rules and b) dispose of country's resources through internationally recognized means. However, these privileges are beneficial only to the rulers of wealthy developed states and the rulers and elites of the non-affluent states. In fact, an unhealthy nexus has developed between these two ruling sections consisting of state elites, foreign rulers and business corporations. In either way, it imposes unjust world order on the worst off and wealthy states are benefiting from such injustice. ? Rawls wrongly assumes that political communities are bounded and separate communities. In the present international system, nothing will be a closed system – policy of the states may be reconstructed by international factors. Significant collective problems do have repercussions in the global arena. Decisions and actions of one state or few states may affect state-units. Infectious diseases like Covid-19, AIDS, SARS are global problems, which need global cooperation. ? The system of global cooperation in reality ensures domination and coercion. The states now in a sense have become global or transnational in terms of trade, production, labor, environmental pollution, scarce resources, institutions, treaties, technologies, migration, cooperation, culture and so on. Forst opines,

NSOU ? CC-PS-03 102 "For once one takes the history and concrete character of these multiple relations into account, it is a euphemism to refer to them as 'cooperation' or 'interdependence' without further qualification, since such terms imply relations of reciprocity that are obviously absent. Rather, what emerges is a complex system of one-sided or largely coerced cooperation and dependency rather than interdependence. In other words, one sees a context of force and domination." This system should be transformed into a system of fair cooperation for attaining global justice. ? Rawls' notion of people is also criticized. He tries to understand people distinctively with reference to the boundaries of states. However, commonalities like shared history, ethnicity, culture and language may not match well with the state borders. National boundaries do not consist of single people and each individual may have multiple loyalties. ? There are other charges as well against Rawls' reasoning. Rawls denies more socio-economic equality like 'a higher standard of living' for people. In his view, the representatives of people are rather interested in the justice of domestic institutions. Factually, global inequality has a negative effect on these domestic institutions. As a matter of fact, peoples claim for equality not only at the domestic level but also on the global level. ? It is, again, not very clear why decent hierarchical societies will be content with an abridged list of human rights offered by Rawls. The liberals also may want more rights than those included in the Eight Principles. Further, it is also not justified to create a politically neutral Law of Peoples that has been taken to be accepted by liberals and non-liberals. ? According to some scholars, like Kuper, Rawls in the process of argument for pluralism of states denies essential pluralism of individuals. In other words, he is less sensitive to individuals within states. So, his greater emphasis on the rights of states paves the way for unequal treatment of citizens. ? Rawls also supports tolerance to unjust regimes in his Law of Peoples in the name of stability. Contrarily, his scheme fails to support cooperative arrangements and relations between peoples. So, he stands far away from the salient reality of global society. ? Rawls is also indifferent to democratic rights. Amartya Sen observes that non-democratic regimes adversely affect the well-being and human rights of the ruled. Sen further advocates that democracy and rights are not parts of Western culture alone, these are found in the cultures and traditions non-Western hemisphere of the globe.

NSOU ? CC-PS-03 103 10.8 Evaluation of Global Justice As an idea Global Justice raises controversy. To some theorists, justice cannot be applicable in the global realm. David Miller (2007) suggests that sovereign borders are more important than cosmopolitan global justice. He argues that due to national differences on conceptions of what is 'good' or 'right', the applicability of global justice can be questioned. Further, principles of justice require a common history and culture that is not possible in global context. For Thomas Nagel (2005) and Michael Blake (2001), in absence of the backing of powerful global institutions having power over individuals and states, discussions about global principles of justice is a futile exercise. Iris Marion Young (2011) considers cosmopolitanism and global justice as a Western-centric ideals that does not have any universal appeal indeed. Objections are again raised against the moral approach to global justice: a) the global institutional framework cannot be unjust because its participants have consented to and b) it cannot be wrong for the governments of the rich countries to draw and impose the present global order because their primary responsibility is to their own people, not to peoples of other countries. However, these criticisms cannot diminish the importance of global justice. It has received significant attention from political philosophy in recent years due to the rise of globalization as well as the critical rise of poverty at the global level. Again, there are different conceptions of global justice like the causal and moral analysis of the global institutional order against the backdrop of its feasible and reachable alternatives. However, beyond these differences, global justice tries to analyze: how increasing incidence of violence and unbridled poverty, high rate of mortality and morbidity might be checked. In practice, these problems cannot be solved merely through better government behavior, internally and internationally, but more efficiently through global institutional reforms. Scholars observe, 'The importance of this global justice approach reaches well beyond philosophy. It is crucial for enabling ordinary citizens — in developed countries especially — to come to an adequate understanding of their moral situation and responsibilities. And it is very helpful also for pushing social scientists and development economists especially, to overcome their bias toward explanatory nationalism, their tendency to explain poverty and hunger exclusively in terms of causal factors that are domestic to the societies in which they occur.'

10.9 Conclusion Elimination of global injustice is an essential condition for the realisation of justice within the state. A state that is subjected to unequal and exploitative

NSOU ? CC-PS-03 104 international trade and constrained by unjust policies of global institutions, can not institutionalize processes and institutions that deliver justice. If we concur with the view that democracy is based upon the assumption that all citizen possess equal moral worth, then persons whose moral status has been compromised by poverty illhealth and illiteracy, must approach the system as the bearer of a right that has been denied to them. 10.10 Summing Up ? Global justice draws the attention of political philosophers and theorists in the backdrop of increasing unfairness in the world in the second half of the 20th century. ? In fact, global issues like health, education, climate change, immigration, drug trafficking, terrorism, even the management of present pandemic force academics and political leaders to ponder over the inevitability of global justice. ? Global justice is often associated with international justice. But there are differences between the two concepts. In international justice the state is considered as the primary unit of concern in understanding justice, or to be specific, the just relations among the states. Global justice, however, gives emphasis on justice among human beings living in these state units. ? In his masterpiece, 'A Theory of Justice' John Rawls suggests that under controlled conditions rational human beings would choose basic principles of distributive justice. ? In 'The Law of peoples' Rawls promotes different approach to global justice. Rawls mentions the following principles for strengthening the base of global justice: 1) Freedom and independence are to be respected by other people. 2) People are to observe treatise; 3) People are equal; 4) People should follow the principle of intervention; 5) People have the right to self-defense; 6) People are to honour human rights; 7) People should follow some restrictions; 8) People should assist other people.

NSOU ? CC-PS-03 105 10.11 Probable Questions Essay Type Questions : 1) Write a note on the concept of Global Justice. 2) Examine Rawls' view on Global Justice. 3) Make a critical estimate of Rawls' view on Global Justice. 4) Evaluate the concept of Global Justice. Long Questions : 1) Analyse the concept of Global Justice. 2) The issue of Global Justice raises serious questions. – What are the questions? State your views on these questions. 3) Make a distinction between Global Justice and International Justice. 4) Explain the eight principles of global justice as envisioned by Rawls. Short Questions : 1) Define Global Justice. 2) Global justice is both an aim and a concept. Explain 3) How does Thomas Pogge define Global Justice? 4) Analyse the relation between Global Justice and Cosmopolitanism. 5) Explain Rawls's concept of 'duty of assistance'.

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Unit 11 : Concept of Rights Structure 11.1 Objectives 11.2 Introduction 11.3 Meaning 11.4 Features of rights 11.5 Historical origin of rights 11.6 Theories of rights 11.6.1 Theory of Natural Rights 11.6.2 Utilitarianism 11.6.3 Idealist Theory of Rights 11.6.4 Theory of moral-legal rights 11.6.5 Theory of Historical Rights 11.7 Conclusion 11.8 Summing Up 11.9 Probable Questions 11.10 Further Reading 11.1 Objectives ? This unit aims to make students familiar with the basic concept of rights and its characteristic features. ? The history of the development of this concept. ? Various theoretical formulations regarding rights. ? Limitations of the theories of rights.

NSOU ? CC-PS-03 108 11.2 Introduction Rights are considered vital to any civilization as they are the established pillars of every culture, tradition and society. We have witnessed the world getting engaged in various kinds of social conflicts which are all rooted in the claiming of individual and collective rights. According to the Stanford Encyclopaedia of Philosophy, "rights structure the form of governments, the content of laws and the shape of morality as it is currently perceived". Every lawful government and its constitution is obligated to serve its citizens and bestow them with different kinds of rights. Politics plays an important role in developing or recognizing the above rights. Political orientation or belief is an important determinant factor in understanding the concept of Rights. Rights about particular issues or particular groups, are often areas of special concern and they become critical when they come in conflict with each other. 11.3 Meaning In an organized society, the common purpose of living well brings individuals under a collective umbrella. This purpose is fulfilled only by the favourable conditions for the development of the personality of the human being. It is impossible to be good citizen in a society in which there is usually no opportunity to transform one's potentiality into reality. It is an indispensable prerequisite to have at least a few opportunities favourable to the realization of human personality. For example, it is not possible for a human being to develop his own personality without the freedom of expression. This recognition is essential to the wellbeing of the individual. The idea of rights is not a static idea. It is a dynamic concept with. For example, at the beginning of the industrial expansion, free use of the property rights of the people was recognized. But with its inherent evil effect, the expansion of the capitalist industry created a situation in which it was no longer possible to protect this free right. Then, in the middle of the twentieth century, the right of property in all the countries was restricted. Due to such a constant flux of social life, it is not possible to compose a perpetual list of rights. It is possible to have rights only in those states

NSOU ? CC-PS-03 109 where freedom and equality are present. Without freedom, it is not possible for people to protect their rights and interests. Only democratic system arising out of periodic elections and presence of alternative political parties can ensure human rights. Thus rights are the sum total of these conditions which ensure development of individual personality. But rights in its proper sense are never rights unless they are recognised by the state. Without equality, there will be discrimination. In that case the significance of the rights will be completely lost. Therefore, the level of entitlement is dependent on the nature of the political system. In a totalitarian state, where the distinction between the state and the administration is unclear and where there is hardly any political competition and bargaining, the right is left to the whims of the ruler. Such a state does not guarantee the real rights to its citizens. In a democratic state, the existence of alternative political parties, independent media, and democratic institutions such as the judiciary constitutional rights. 11.4 Features of Rights Some of the important features of rights that can be discussed are: 1) Rights are the means of personality development : The rights are all the conditions that a human being needs in order to enrich his personality. Rights are socially desirable conditions. 2) The concept of rights is socially dependent : Since people enjoy rights as social beings, they are obliged to observe fundamental rules of social life. In the process of enjoying rights individual must be aware of similar rights of others. 3) Rights are not always a state centric : Rights are an essential part of a person. What he will do for his survival depends entirely on himself.

NSOU ? CC-PS-03 110 4) Rights are a legal concept : The main task of the state is to create conditions necessary for so that the development of individual personality. Bosanquet says a right is a claim recognized by society and enforced by the state. How citizens enjoy their rights depends entirely on state and state laws. 5) Rights are dynamic in nature: The concept of rights is not Fixed. Society is dynamic new issues are emerging. From this perspective rights have a tendency to grow. In the process of socio-economic development individuals raise new demands and these demands when recognised by the state become rights. Right to work, right to leisure, right to strike etc. are such rights. 6) Rights are not absolute. Rights are correlative with duties. 11.5 Historical Origin of Rights Though modern historians consider "Magna Carta" of 1521 as the historical beginning of human rights, but its real origin goes back to 539 B.C. when Cyrus, the great king of ancient Persia conquered the city of Babylon in order to free all slaves and asked them to choose their own religion and race. The idea of human rights quickly spread from Babylon to many nations especially in India, Greece and eventually Rome where the concept of natural law had significant influence. The Constitution of Medina (622 AD; Arabia) contained a number of rights for the Muslim, Jewish, camp followers and "believers" of Medina. Legal documents asserting individual rights, such as the Magna Carta (1215), the Petition of Right (1628), the US Constitution (1787), the French Declaration of the Rights of Man and of the Citizen (1789), and the US Bill of Rights (1791) are the written precursors to many rights individuals enjoy today. The Magna Carta, or "Great Charter," is arguably the most important historical development that led to the rule of constitutional law. In 1215, after King John of England violated a number of ancient laws and customs by which England was

NSOU ? CC-PS-03 111 governed, his subjects forced him to sign the Magna Carta. Among them was the right of the church to be free from governmental interference, the rights of all free citizens to own and inherit property and to be protected from excessive taxes. It established the right of widows who own property to choose not to remarry, and established principles of due process and equality before the law. It also contained provisions forbidding bribery and official misconduct. The Magna Carta was a crucial defining moment in the fight to attain freedom. Another breakthrough in the development of rights was the Petition of Right, adopted in 1628 by the English Parliament and sent to Charles I as a statement of civil liberties. It asserted four principles: 1. No taxes can be levied without consent of the Parliament. 2. No subject can be imprisoned without proper reason (reaffirmation of the right of habeas corpus). 3. No soldiers can be quartered in the dwelling house of the subjects. 4. Martial law can not be used in time of peace. In 1789, the people of France brought about the abolition of the absolute monarchy and set the stage for the establishment

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of the first French Republic. The Declaration of the Rights of Man and of the Citizen was adopted by the National Constituent Assembly.

The Declaration decrees that all inhabitants are to be guaranteed the rights of "liberty, property, security, and resistance to oppression." It viewed law as an "expression of the general will", intended to promote equality of rights and to forbid "only actions harmful to the society." By 1948, the United Nation under the dynamic chairmanship of Eleanor Roosevelt, a human rights winner in her own right and the United States delegate to the commission in the UN, prepared the draft of the document that became the Universal Declaration of Human Rights. It was accepted by the United Nations on December 10, 1948. The Member States of the United Nations promised to work together to codify the declaration into a single document. As a result, many of these rights, in various forms, are part of the constitutional laws of democratic nations in the present day world.

NSOU ? CC-PS-03 112 11.6 Theories of Rights There are compelling theories of rights offered by several theorists. 11.6.1 Theory of Natural Rights Natural rights are natural claims as they come as gifts of nature and are not dependent on any authority. These rights were available to individuals in the state of nature. This theory is mainly linked with two thinkers Hobbes and Locke, who were supported. by Spinoza, Jefferson and Blackstone. Later Rawls and Nozick employed this theory. Though Hobbes started as an individualist where he was promoting individual rights, however, he ended up being absolutist in the sense that he advocated surrendering all these rights as a necessary condition for the establishment of government. It was Locke who strongly championed the natural rights by recognising individuals right to resistance if the authority fails to protect individual right to life, liberty property. Two contemporary theorists Rawls and Nozick based their theory of rights on social contract and natural rights. For Rawls what is relevant for justice is the individual's means to pursue their own ends and to live whatever good life they choose for themselves. Nozick believes that individual rights especially property rights is derived from the principle of natural right of self ownership. 11.6.2 Utilitarianism According to the utilitarians, a just action relative to all other possible actions, maximises utility or "the good" . This is the utility principle. Utilitarianism is solely consequentialist; the justice or injustice of an action or state of affairs is determined exclusively by the consequences it brings about. If an action maximises utility, it is just. On this account, therefore, rights are purely instrumental. Utilitarian will honour a right if and only if it will lead to the maximisation of utility. This statement also indicates the limits of all rights. If the exercise of a particular will not maximise utility, the utilitarian is obligated to violate that person's rights for the sake of utility.

NSOU ? CC-PS-03 113 11.6.3 Idealist Theory of Rights The idealistic, theory defines a right as that 'which is really necessary to the maintenance of material conditions essential to the development and perfection of human personality. In simple words, it means 'that without rights no man can become the best that he is capable of becoming. Thus, it is the right and duty of every human being to develop his potentiality. Hence, a right is a claim based on the rational will of man, and, for this reason they are

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first recognized by the society and then translated into law by the state.

Barker rightly says, "Human consciousness postulates liberty; liberty involves right; rights demand the state". Thus, the idealistic theory looks at rights from a highly moral point of view. Rights are rooted in the mind of man. They are powers granted to him by the community in order that he with others may realize a common good of which his good is an intrinsic part.

11.6.4 Theory of moral-legal rights Along with natural rights, moral recognition is equally important. This gets reflected in the ideas of Kant, Laski and Barker. This theory is concerned not only with the source but also the content of rights. Legal rights are concerned only with the recognition of states, whereas the moral rights are concerned with moral content.

- ? Kantianism Kant's political philosophy is concerned with the reciprocal acknowledgment in one another's valid claims to freedom of choice and action
- Kant's political morality is a morality of external legislation. Other's valid freedom claims restricts one's freedom of choice and action.
- ? Laski's Theory of Rights: Laski describes

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rights as "those conditions of social life without which no man can seek, in general, to be himself at his best".

Laski calls rights as conditions of social life. Right is a social concept and deeply linked with social life. The essentiality of rights is established by the fact that individuals claim them for the development of their best self. He places rights, individuals and state on the same board in the sense that they cannot be separated from each other and there is no antagonism between them. Laski recommends the long-cherished view that the state has a very important role to play in the realisation and, before that, recognition of human rights.

NSOU ? CC-PS-03 114 Mere recognition, moreover, is not sufficient for the exercise of rights. The state must, through law and institutions, implement the rights. The most significant part of Laski's theory is the functional aspect of rights. It emphasizes on the relation between right and duty. He stated that Rights are correlative to functions. The functional theory emphasizes that an individual is entitled to claim rights only when he performs duty otherwise the claim or demand for right cannot be entertained.

- ? Barker's Theory of Right: Barker's view is theoretically similar to Laski. Though both are liberal philosophers, yet Barker has a clear bias to idealism. The main purpose of political organisation, called state, is to see that the personality of the individual gets ample scope for development. It is the duty of the state to guarantee and secure the conditions essential for that objective. These secured and guaranteed conditions are called rights. Individual's personality cannot develop automatically or under most adverse or antagonistic environment. Development of personality requires favourable conditions and these are to be guaranteed by the state through the enactment of law.
- Barker also discusses the moral aspect of rights. He says, that law of the state helps individuals to secure rights. But rights are claims and the origin is the individual himself. The individual is a moral person and it is his determination that he will develop his moral personality through the rights. His purpose is not to inflict any harm upon the society.

11.6.5 Theory of Historical Rights Historical Rights are individual and collective rights based on traditions, customs, which are based on historical and evolutionary grounds. Thinkers like Burke, Maine and MacIver believe that laws have historical roots based on usages and customs. For example, Magna Carta, Bill of Rights etc have a historical ground and eventually became legal rights. According to this theory, it is history which is the basis of rights. Rights are crystallization of customs and usages which in course of time become rights.

NSOU ? CC-PS-03 115 **11.7 Conclusion** Thus in conclusion we can say that the specific enumeration of rights has differed greatly in different periods of history. In many cases, the system of rights promulgated by one group has come into sharp and bitter conflict with that of other groups. In the political sphere, it has been seen that a political right in one area has been recognised whereas the same right has been denied in another place. There are constitutional provisions which enshrine some legal rights whereas there are no mention of such rights in another state. Historically, we have witnessed many notions of rights as authoritarian and hierarchical, with different people granted different rights, and some having more rights than others. In contrast to this, the modern conceptions of rights have emphasized liberty and equality as among the most important aspects of rights, as upheld by the American and French Revolutions.

11.8 Summing UP ?

- Rights exist only in society. These are the products of social living.
- ? Rights are claims of the individuals for their development in society.
- ? Rights are recognized by the society as common claims of all the people.
- ? Rights are rational and moral claims of the people.
- ? Rights are equally available to all the people.
- ? The contents of rights keep on changing with the passage of time.
- ? Rights are not absolute. There are restrictions deemed essential for maintaining public health, security, order and morality.
- ? Rights are inseparably related with duties. There is a close relationship between them "No Duties No Rights. No Rights No Duties."
- "If I have rights it is my duty to respect the rights of others in society".

NSOU ? CC-PS-03 116 ? Rights need enforcement and only then these can be really enjoyed by the people. Rights are protected and enforced by the laws of the state. It is the duty of a state to protect the rights of the people. 11.9 Probable Questions Essay Type Questions : 1) What are the basic features of rights? 2) Examine the historical origin of rights. 3) Explain the dominant theories of rights Long Questions : 1) Discuss the theory of natural rights. 2) How legal and moral rights theories differ from each other? 3) Write a note on Barker's theory of rights 4) Write a note on Laski's understanding of rights. 5) Write a note on historical theory of rights. 6) How do the utilitarians explain rights? Short Questions : 1) Define Rights. 2) Mention two main features of rights 11.10 Further Reading ? Gauba, O.P., An Introduction to Political Theory, Mayur Books, 2019. ? Bhargava, Rajeev & Acharya, Ashok, Political Theory - An Introduction; Pearson, 2008. NSOU ? CC-PS-03 117 ?

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NSOU ? CC-PS-03 118 Unit 12 : Natural Rights, Moral Rights and Legal Rights Structure 12.1 Objectives 12.2 Introduction 12.3 Types of Rights 12.3.1 Natural Rights 12.3.2 Moral Rights 12.3.3 Legal Rights 12.3.3.1 Civil Rights 12.3.3.1A Right to life 12.3.3.1.B Right to Freedom 12.3.3.1.C Right to Education 12.3.3.1.D Property Rights 12.3.3.1.E Right to Contract 12.3.3.1.F Right to Religion 12.3.3.1.G Right to Freedom of Thought and Opinion 12.3.3.1.H Right to Freedom to Form associations 12.3.3.1.I Right to Equality 12.3.3.1.J Economic Rights 12.3.3.2 Political Rights 12.4 Conclusion 12.5 Summing Up 12.6 Probable Questions 12.7 Further Reading

NSOU ? CC-PS-03 119 12.1 Objective ? The basic objective of this unit is to acquaint students with different broad and the sub-categories of rights. 12.2 Introduction Rights are considered fundamental to any civilization as they are the established pillars of every culture, tradition and society. We have witnessed the world getting engaged in various kinds of social conflicts which are all rooted in the claiming of individual and collective rights. There are various kinds of rights, some are backed by law whereas others are morally established. Broadly speaking there are three kinds of rights – Natural, Moral and Legal-which have been elaborately discussed in the following sections. 12.3 Types of Right We shall now discuss the types of rights in detail. 12.3.1 Natural Rights Natural rights are those that goes beyond the boundaries of beliefs, laws, customs, and not related to any particular culture, tradition or government. Consequently, they are universal and inalienable and are closely related to the concept of natural laws. Many thinkers have faith in natural rights. They stated that people have inherent rights Natural rights are parts of human nature and reason. Supporters of this view maintain that an individual enters into society with certain basic rights and that no government can deny these rights. Critics argue that the concept of natural rights is unreal. Rights are the products of social living. These rights can be enjoyed only in a society. Rights have behind them the recognition of society as common claims for development, and that is why the state protects these rights.

NSOU ? CC-PS-03 120 12.3.2 Moral Rights The basis of moral rights is individual's ethical consciousness and conscience. They are claims based on the moral code of the society. However, the state does not guarantee the enjoyment of these moral rights. Moral rights include parents claim to be looked after during old age by their sons and daughters. 12.3.3 Legal Rights The rights that a citizen enjoys are privileges recognized and authorized by the state. Each state makes laws to remedy any violation of legal rights. For example, in a state every citizen has a legitimate right to freedom of speech expression.. If a citizen interferes with the privilege of another citizen, the state will take necessary steps to enforce the rights. Legal rights can be divided into Civil and Political rights: 12.3.3.1 Civil Rights : Civil rights are those rights which ensure, a decent civil life for the individual. These rights are essential to a civilized life. All these rights ensure mental and spiritual development of the people. In most states these rights are embodied in a constitutional document, and in almost all modern states there is a detailed mechanism to protect citizens from the possibility of violation of civil rights by individuals or administrations. Freedom of speech and expression, freedom of association, right to property, right to contract are some important civil rights. Civil rights are indispensable condition for the development of the individual self. These rights are universal possession of the citizen. Modern states guarantee these rights to all without any discrimination on the ground of caste, class, creed, religion or sex. 12.3.3.1.A Right to Life : This right is the most basic claim in the sense that it is the basis of other rights. It is not possible to enjoy rights without of life. The right to life is intimately linked to the right to protection from any attack inside or external aggression. Every civilized state has a very comprehensive system to protect each of its members. The right to use force to defend one self against an attack also falls within this right. 12.3.3.1.B Right to Freedom : This right entitles every citizen to exercise his or her basic mental or physical NSOU ? CC-PS-03 121 ability without interruption or hindrance. This right includes freedom of speech and expression, assembly, association or union, movement, residence, to practice any occupation and freedom from arbitrary arrest. 12.3.3.1.C Right to Education : At present, a comprehensive and universal education plan is needed to understand the modern political institutions that are built upon complex industrial civilization. Without this understanding, it is not possible for an individual to play his role as a citizen. The right to education has been recognised as a fundamental right in every modern state. A right to free and compulsory primary education for all and an obligation to develop equitable access to secondary and higher education is necessary to create a free and open society. 12.3.3.1.D Property Rights : This right refers to the free enjoyment of property and its use. This right also includes the right to gift property to someone or to donate it by will. 12.3.3.1.E Right to Contract : According to this right, every citizen has the right to enter into an independent agreement with anyone else. This right is the basis of modern independent society. Under state laws both sides are bound by the terms of the contract. 12.3.3.1.F Right to Religion : At present, in secular states, the right of every citizen to practice any rituals and ceremonies of his choice is a fundamental right of every citizen. The state maintains neutrality on all matters of religion and leaves it to the wishes and preferences of the individual. 12.3.3.1.G Right to Freedom of Thought and Opinion : The right to think is the cornerstone of democracy. This fact has been proved by Socrates through his work and life experience. According to Professor Barry, this right is an essential prerequisite for mental and moral progress. This right is an indicator of the freedom of expression that once again sets the standard for freedom NSOU ? CC-PS-03 122 of speech and the media. Freedom of expression is essential for the development of human personality. 12.3.3.1.H Right to Freedom to Form Associations : Modern society seems like a net network of various associations. Groups or associations are the focal point of contemporary society. In the present social situation, it is not possible for an isolated individual to protect himself from attacks of various types of socio-political situations. With a handful of strongly organized groups, he can procure the collective power necessary to ensure his own security and clearly declare his personal views and needs. 12.3.3.1. I Right to Equality : All citizens are equal in the eyes of the law. This right prevents the state from discriminating between citizens on the basis of race, faith, caste, wealth or gender. 12.3.3.1.J Economic Rights : The nineteenth-century eminent socialist thinker Louis Blanc is perhaps the first person to claim constitutional recognition for the right to work. Since then the movement for recognition of this right continued to gain momentum in every state. But even after passing of so many years, this right has not been recognised in most states. 12.3.3.2 Political Rights : All rights which guarantee citizens' participation in the exercise of the sovereign power of the state, are regarded as political rights. The right to vote and the right to form political associations are two important political rights. The people choose the government through the exercise of political rights. Political rights are the cornerstone of democratic governance. Following are the basic political rights of citizen: ? Right to vote; ? The right to contest the election ? The right to public office and ? Right to form and join political associations

NSOU ? CC-PS-03 123 Positive Rights : Positive rights are rights that oblige other people or the state to do something for perfect enjoyment of our rights. For example the right to health, basic subsistence etc. positive rights impose obligation to do something. Negative Rights : Negative rights are rights that indicate non-interference from the society at large. For example, right to life, liberty, property etc. 12.4 Conclusion To summarize, rights are regarded as central to civilization, being observed as established pillars of society and culture. Natural rights are those that are not dependent on the laws or customs of any particular culture or government, and so are universal and inalienable. Natural rights cannot be repealed by human laws, though one can forfeit their enforcement through one's actions, such as by violating someone else's rights. On the other hand,

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legal rights are, clearly, rights that exist under the rules of legal systems or by virtue of decisions of suitably authoritative bodies within them.

Moral rights allow for the protection of the relationship between oneself and the work one have created. They are claims based on the moral code of society. 12.5 Summing Up To summarize, ? Rights are regarded as central to civilization, being observed as pillars of society and culture. ? Natural rights are those that are independent of the beliefs, laws, custom and not related to any particular culture, tradition or government. Inevitably, they are universal and inalienable. ? Moral rights depend on awareness and consciences of the individual. ? There are various kinds of rights like civil, political etc.

NSOU ? CC-PS-03 124 12.6 Probable Questions Essay Type Questions : 1) Examine the different kinds of Rights. 2) What are the different kinds of Civil Rights? 3) How are legal rights different from civil and political rights? Long Questions : 1) Indicate the difference between positive and negative rights. 2) Examine the importance of political rights. Short Questions : 1) What are legal rights? 2) Explain the concept of civil rights. 3) What is meant by moral rights? 12.7 Further Reading ? Ray, Amal, Bhattacharya, Mohit, Political Theory : Ideas and Institutions, World Press,1998. ? Gauba, O.P., An Introduction to Political Theory, Mayur Books, 2019. ? Rajeev & Acharya, Ashok, Political Theory : An Introduction, Pearson, 2008. ?

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Unit 13 : Concept of Human Rights Structure 13.1 Objectives 13.2 Introduction 13.3 Meaning of Human Rights 13.4 Features of Human Rights 13.5 Evolution of Human Rights 13.6 Theories of Human Rights 13.7 Globalization and Human Rights 13.8 Terrorism and Human Rights 13.9 Human Rights of Women and Children 13.10 Human Rights in India 13.11 Conclusion 13.12 Summing Up 13.13 Probable Questions 13.14 Further Reading 13.1 Objectives After going through this unit students will be able to understand— ? The meaning and basic features of human rights. ? The history of the evolution of this concept. ? Various theories of human rights. ? The impact of globalisation and terrorism on human rights. ? Finally the unit harps on the concept of human rights in India.

NSOU ? CC-PS-03 126 13.2 Introduction It was once the case that rights were always associated with domestic legal and political systems. In the last half century a complex network of international law and practice has grown up around the idea that the individual possesses rights by virtue of being human. The philosophy of human rights addresses questions about the existence, content, nature and justification of human rights. 13.3 Meaning of Human Rights Human rights refer to inherent, universal rights of human beings regardless of jurisdiction, ethnicity, nationality or sex. These are rights to which people are entitled by virtue of being human. The idea of human rights originated from the philosophical idea of natural rights. Human rights are universal in the sense that they belong to all humans. They are fundamental in the sense that they are inalienable. 13.4 Features of Human Rights 1. Human Rights are Inalienable: Human rights are inherent rights of the individuals irrespective of their caste, creed, religion, sex and nationality. 2. Human Rights are essential and necessary: Human rights are needed to ensure the moral, physical, social and spiritual welfare of an individual. Human rights are also essential as they provide suitable conditions for material and moral upliftment of the people. 3. Human Rights are associated with human dignity. 4. Human Rights are irrevocable: Human rights are irrevocable as they cannot be taken away by any power or authority because these rights originate with the social nature of man in the society. They belong to a person simply because he is a human being. As such human rights are moral rights. 5. Human Rights are essential for the fulfilment of purpose of life: The phrase "human right" is applied to those conditions which are essential for the fulfilment of this purpose.

NSOU ? CC-PS-03 127 6. Human Rights are Universal: Human rights are not the sole possession of any privileged class of people. Human rights are universal in nature, without exception. The values such as divinity, dignity and equality form the basis of these rights. 7. Human Rights are never absolute: Man is a social animal and he lives in a civic society, which always put certain limitations on the enjoyment of his rights and freedoms. Human rights as such are those limited powers or claims, which are contributory to the common good and which are recognized and guaranteed by the State, through its laws. As such each right has certain limitations. 8. Human Rights are Dynamic: Human rights are not stationary, they are dynamic. Human rights go on expanding with socio-economic, cultural and political developments. 9. Human Rights limits state power: Human rights imply that every individual has legitimate claims upon his or her society. So human rights limit the state's power. These may be in the form of negative restrictions on the powers of the State, preventing it from violating the inalienable freedoms of the individuals, or in the nature of demands on the State. 13.5 History of the development of the concept of Human Rights The origin of thinking about human rights can be traced to two features of medieval political and intellectual life: the doctrine of natural law and the political practice of extracting charter of liberties, Natural law generates universal rights and duties, while a charter confers local and particular liberties. Magna Carta came into effect in 1215 to protect human rights in England. Magna Carta still forms an important symbols of liberty today, often cited by politician and campaigners and is still held in great respect by the British and American legal communities. France's autocratic monarchy collapsed during the French Revolution of 1789. The new French bourgeoisie wanted to constitute a representative legislature by drafting a constitution In the Constituent Assembly a document was accepted which is known as Declaration of the Right of Man and Citizen.

NSOU ? CC-PS-03 128 The 1789 Declaration, together with the 1215 Magna Carta, the 1689 English Bill of Rights, the 1776 US Declaration of Independence and the 1789 US Bill of Rights, inspired in large part the 1945 UN Universal Declaration of Human Rights. The 1789 declaration stated that rights are 'natural, inalienable and sacred'. The declaration mentioned the principle of popular sovereignty. It stated that all the citizens, being equal in the eyes of the law have equal access to all public dignities, places and employment according to their capacity and without distinction, other than that of their virtues and of their talents. Philosophers such as Locke, Rousseau, Thomas Paine, John Stuart Mill expanded on the theme of universality of rights during the 17th, 18th and 19th centuries. Mary Wollstonecraft in her book A Vindication of the Rights of Women contributed a in the achievement of women's rights. The US Declaration of Independence of 1776 states that all men have the right to life, liberty and pursuit of happiness. On the basis of this declaration American Bill of Rights was written. Following the American and French example of upholding human rights, other countries started adopting them in their respective countries namely Netherlands (1798), Sweden (1809), Spain (1812), Norway (1814), Belgium (1831), Siberia (1842) etc. The development and spread of socialism in the nineteenth century made the human rights concept more pervasive. In 1816-17, students from different universities in Germany were demanding freedom of expression and other freedoms. During that time, European women did not have voting rights. There was widespread discrimination between women and men. No European state recognized the right to form a trade union until the beginning of this century. Thus with the rise of human rights movement workers in Britain and France started demanding the right to form trade unions. In 1834, the London Working Association was formed and acquired the right to unite. In 1838, the working class of England submitted a proposal demanding some benefits for them. This is known as the Chartist movement. During the early twentieth century, International Labour Organization became prominent to protect workers from discrimination and adopted policies to protect and promote the rights of workers. It was only after the Declaration of International Human Rights that the human rights and civil rights movement gained popularity in various parts of the world. When the United

NSOU ? CC-PS-03 129 States carried out the genocide in Vietnam in 1950s and 1960s, Amnesty International sent investigators to Vietnam to investigate. In addition to this organization, other Human Rights Organizations, such as Asia Watch, Human Rights Watch are playing important role in protecting human rights.

13.6 Theories of Human Rights

Following are some of the theories of human rights.

- ? Liberal theory of rights : Locke's advocacy of rights to life, liberty and property of individuals form the basis of the first generation rights for the citizens.
- ? Welfare theory of positive rights proposes rights which are social and economic in nature, which are concerned with the welfare of the people. They belong to the second generation rights.
- ? Cultural Relativist theory of rights and Multicultural theory of rights recognises the cultural specificity of the different societies and groups and of course their protection. Eg: advocacy of Asian values against western values.
- ? Communitarian theory of rights : Theorists like Michael Sandel, Charles Taylor, Walzer have argued that each individual develops an identity as a member of the community. Communitarians refuse to recognise independent rights of the individual.
- ? Feminist theory of rights : Feminists by criticising the mainstream human rights discourse, argue that the women's rights par se has been ignored and not recognised in the human discourse doctrine. The discourse reflects male domination and there are not enough spaces for women's issues.
- ? Marxian theory of rights : It is a known fact that Marx neither formulated a theory of state nor of rights. He believed that natural theory of rights is based on private property ownership which invariably are the rights of the bourgeoisie. Marxists believe that in a class divided society one class exploits the other through the instrument of state. As such rights belong only to one class – the dominant class.

NSOU ? CC-PS-03 130 13.7 Globalization and Human Rights Globalization has adversely affected the human rights situation in different parts of the world. IMF structural adjustment policies led to hunger and riots in many countries. Even when the developing countries managed to eke out some growth, the benefits went disproportionately to the rich while the poor at the bottom facing even greater poverty. Globalization is not working for many of the world's poor. For millions of people globalization has not worked. Many have seen their jobs destroyed and their lives become more insecure. 13.8 Terrorism and Human Rights Terrorism is characterized, first and foremost, by the use of violence. Such violence includes hostage taking, hijacking, bombing and other indiscriminate attacks, usually targeting civilians. Such activities have endangered human rights everywhere on the other hand. Most of the countries that are prime targets of terrorism have introduced restrictions on the civil rights of their citizen in the name of homeland security. 13.9 Human Rights of Women and Children Human rights for women and children were first recognized at the International Human Rights Conference held in Vienna in 1993, The conference highlighted issues of violation of human rights within and outside the private domain. Subsequently, at the 5th International Women's Conference held in Beijing in 1996 it was decided that opportunities are needed to protect the future progress and empowerment of women, protection of the environment, protection of peace and harmony, the right to health and education. Human rights are women's rights," declared the then U.S. first lady Hillary Clinton at the 1995 Beijing Platform for Action, which set an agenda for women's empowerment and identified 12 critical areas of concern, where urgent action was needed to ensure greater equality and opportunities for women and children. It also laid out concrete proposals for countries to bring about sustainable and irreversible change. She added that "Women must enjoy the right to participate fully in the social and political lives of their countries if we want freedom and democracy to thrive and endure."

NSOU ? CC-PS-03 131 The Beijing Declaration and Platform for Action, confirms that the protection of human rights, and the elimination of all forms of discrimination against women is the first responsibility of governments. This focus was also endorsed through the adoption of CEDAW (1979), the U.N. Security Council resolution on "Women, Peace & Security" passed in 2000, and most recently with the adoption of the Sustainable Development Goals in 2015, which includes a standalone goal of gender equality and empowerment of women and girls. However, despite many conventions organized at the international and national level, the human rights of women have not been secured even today. Socio-economic discrimination against women exists everywhere. In the Indian constitution, women and men have been given equal rights. The state has declared various schemes and made laws for the development and protection of women. Gender discrimination is a major form of social inequality. Girl child is often considered as a burden on the family. This is because there is insufficient occupation for her, and dowry has to be given for her wedding. Foetal killing has been a crucial problem. A medical diagnostic process, called, amniocentesis, is misused by parents to select the sex of their child. This has resulted in the abortion of female foetuses. The misuse of this test has now resulted in banning of this test in India. Despite the enactment of laws, abortion of female foetuses both in urban and rural areas continues. There is a general disregard for the physical health and mental health of girls. The reason for this is gender discrimination. When the child is denied of proper nutrition and health care, the infant daughter grows up through neglect and apathy. As a result of this malnutrition, a huge number of mothers take high risk of life. At present, rape, trafficking of women and doing business with the women are increasing steadily in society and various laws have been enacted to stop these incidents. But this did not yield much result. In this male dominated society, women have entered the workplace to establish themselves. But in the workplace, women often become victim of sexual harassment. To eradicate socio-economic discrimination strong administrative measures need to be taken special emphasis should be laid on economic empowerment of the women.

NSOU ? CC-PS-03 132 The struggle to establish women's human rights is not an isolated struggle. This is not a struggle against men. It is the struggle against the socio-economic circumstances that allows the exploitation of vulnerable section of the society. Unless social discrimination is brought to an end, economic discrimination against women will continue. Only through the collective struggle of women and men can all human rights be ensured. 13.10 Human Rights in India Human rights are vital for all round development of individuals. The Constitution of India makes provisions for basic rights also known as Fundamental Rights for its citizens as well as for aliens. The Supreme Court of India is the guarantor of the rights according to the Constitution. The court takes into account fundamental duties while interpreting the constitutional rights. In Indian constitution, Rights are classified mainly in three broad categories: (a) Civil (b) Political (c) Economic and Social. Fundamental Rights in India recognize certain civil rights. Certain Political and Economic and Social rights are recognized by other provisions in the Constitution. In Indian constitution, the Fundamental Rights are defined as the basic human rights of all citizens. These rights are defined in Part III of the Constitution. The demand for a declaration of fundamental rights arose from four factors : ? Lack of civil liberty in India during the British rule. ? Deplorable social conditions, particularly affecting the untouchables and women. ? Existence of different religious, linguistic, and ethnic groups encouraged and exploited by the Britishers. ? Exploitation of the tenants by the landlords. Fundamental Rights included article 14–32 are : ? Right to Equality ? Right to Freedom ? Right against Exploitation ? Right to Freedom of Religion ? Cultural and Educational Rights ? Right to constitutional remedies

NSOU ? CC-PS-03 133 13.11 Conclusion Globally the champions of human rights have most often been citizens, not government officials. In particular, nongovernmental organizations (NGOs) have played a cardinal role in focusing on human rights issues. For example, NGO activities following the 1995 United Nations Fourth World Conference on Women in Beijing, China, drew unprecedented attention to serious violations of the human rights of women. NGOs such as Amnesty International, the Antislavery Society, the International Commission of Jurists, the International Working Group on Indigenous Affairs, Human Rights Watch, Minnesota Advocates for Human Rights, and Survivors International monitor the actions of governments and pm pressure on them to act according to human rights principles. Leaders from various countries over time have taken initiatives to build human rights frameworks like Abraham Lincoln, Franklin Roosevelt, Lyndon B. Johnson and Jimmy 'Carler, Nelson Mandela and Havel. Eleanor Roosevelt, took the oath of presenting to the world a universal framework which would be a guide for nations for fighting against the violation of human rights. The Universal Declaration of Human Rights is the result of that outstanding effort. 13.12 Summing Up ? Thus Human rights are moral principles or norms that describe certain standards of human behaviour and are regularly protected by municipal and international law. ? They are commonly understood as inalienable fundamental rights and which are "inherent in all human beings", regardless of their age, ethnic origin, location, language, religion, ethnicity, or any other status. ? They are applicable everywhere and at every time in the sense of being universal and they are equal in the sense of being the same for everyone. ? Many of the basic ideas that animated the human rights movement developed in the aftermath of the World War II, culminating in the adoption of the UDHR in Paris by the UN general Assembly in 1948. ? The true forerunner of human rights discourse was the concept of natural rights which appeared as part of the medieval tradition ? The modern human rights arguments emerged in the latter half of the 20th century, possibly as a reaction to slavery, torture, genocide and war crimes.

NSOU ? CC-PS-03 134 3.13 Probable Questions Essay Type Questions : 1) What are the different theories of Human Rights? 2) Examine critically the history of the evolution of the idea of Human Rights. 3) Examine the impact of globalization and terrorism on human rights. Long Questions : 1) What are the basic features of Human Rights? 2) Why are women's issues an integral part of the Human Rights concept? Short Questions : 1) Define Human Rights 2) Write any two features of Human Rights 3) Write short notes on the following: a) 1215 Magna Carta, b) The 1689 English Bill of Rights, c) the 1945 UN Universal Declaration of Human Rights 13.14 Further Reading ? Amnesty International (2004). Amnesty International Report. Amnesty International Publications. ISBN 0-86210-354-1 ISBN 1-887204-40-7 ? Chauhan, O.P. (2004). Human Rights : Promotion and Protection. Anmol Publications PVT. LTD. ISBN 81-261-2119-X. ? Forsythe, David P. (2000). Human Rights in International Relations. Cambridge: Cambridge University Press. International Progress Organization. ISBN 3-900704-08-2 ? Freedman, Lynn P.; Isaacs, Stephen L. (Jan–Feb 1993). "Human Rights and Reproductive Choice". *Studies in Family Planning* Vol.24 (No.1): p. 18– 30 JSTOR 2939211

Unit 14 : Three Generations of Rights Structure 14.1 Objectives 14.2 Introduction 14.3 Vasak’s categorisation of Human Rights 14.4 Three generations of Human Rights: 14.4.1 First Generation of Human Rights 14.4.1.A Civil Rights 14.4.1.B Political Rights 14.4.2 Second Generation in Human Rights: 14.4.2.A Economic Rights 14.4.2.B Social Rights 14.4.3 Third Generation of Human Rights 14.4.4 Fourth Generation: A new addition 14.5 Conclusion 14.6 Summing Up 14.7 Probable Questions 14.8 Further Reading 14.1 Objectives This unit seeks to familiarise students with ? the development of Human Rights through three generations as illustrated by Vasak and later by other thinkers. 14.2 Introduction Human rights have emerged over the years. For the purpose of study their development has been divided into three generations. For a long time, the notion of different “generations” of human rights has established itself in human rights literature and teaching. The division of human rights into three generations was initially proposed in 1979

NSOU ? CC-PS-03 136 by the Czeck jurist Karel Vasak at the International Institute of Human Rights in Strasbourg. His theories have primarily been rooted in European law. 14.3 Vasak’s categorisation of Human Rights Vasak’s divisions follow the three watchwords of the French Revolution — Liberty, equality and fraternity. The three generations are also reflected in the Charter of Fundamental Rights of the European Union and the Universal Declaration of Human Rights which includes rights that are thought of as second generation as well as first generation ones, but it does not make the distinction in itself. It’s been over four decades since Karel Vasak introduced the three generations of rights. Although subject to severe criticism since the outset, his division of rights into generations has offered scholars, activists, and pundits a useful tool to organize the human rights discourse. Even critics of the concept itself, like Philip Alston, Jack Donnelly, or Hurst Hannum cannot deny its existence. There are questions regarding the validity of Vasak’s categorisation specially in the context of the end of the Cold War, the new challenges of democratization, new pressing problems like terrorism and migration etc. The first generation has a long history, dating back to the Magna Carta of 1297, United States Bill of Rights of 1791 and the Declaration of Rights of Man and of the Citizen of 1789. This category includes following rights — the right to life, freedom of speech, freedom of religion, right to fair trial, equality before the law, and other civil and political rights. The second generation rights was a product of the rapid industrialization and accompanying social and economic inequalities. In the wake of the emerging ideological confrontation after World War-II, the communist camp staunchly supported the economic, social, and cultural rights. These rights demand active state intervention. Hence, the first two generations of rights were included in the Universal Declaration of Human Rights (UN General Assembly 1948). While differentiating between the first and second generations of rights, Vasak contrasted the negative character of the former and the positive character of the latter. The third generation of human rights is the most recent and vague in content. Collective rights that belong to this group were mentioned in the Stockholm Declaration (UN General Assembly 1972), Rio Declaration (UN General Assembly 1992), and other international documents of declaratory character.

NSOU ? CC-PS-03 137 Thus, Vasak’s differentiation between the three generations quite neatly fits into the three dichotomies based on the major approaches to human rights categorization: (1) negative (first generation) and positive (second and third generations), (2) individual (first and second generations) and collective (third generation), and (3) national (first and second generations) and international (third generation) liability as summarized in the following Table

Dichotomy	Negative	Positive	Individual	Collective	National	International
Dichotomy						
1st x x x						
2nd x x x						
3rd x x x						

Source: Karel Vasak, “Human Rights: A Thirty-Year Struggle: the Sustained Efforts to give Force of law to the Universal Declaration of Human Rights”, UNESCO Courier 30:11, Paris: United Nations Educational, Scientific, and Cultural Organization, November 1977. The rights of the “first generation” are the “classical” civil and political rights which have been formulated since the latter part of the 18th century, while rights of the “second generation” are linked to the economic, social and cultural rights. The first generation of human rights include, inter-alia, the prohibition of torture, justice- related rights (such as equality before the law, the presumption of innocence, fair trials, etc.), the right to the freedom of religion or belief, opinion, assembly and association, as well as the participation in the administration of public affairs and the right to vote. 14.4 Three Generations of Human Rights Three generations of human rights are discussed below: 14.4.1 First Generation of Human Rights : The Constitution of every state recognizes the rights that every person within the society enjoys in his or her fair, normal and disciplined way of living. Those rights are:

NSOU ? CC-PS-03 138 14.4.1.A Civil Rights The rights that people enjoy in civil and social life and for the full development of the personalities are called municipal rights. Municipal rights are an essential part of the democratic system. Among these rights are the right to life, the right to freedom, the right to security, the right to communication, the right to property, freedom of thought and expression, the right to be freed against slavery and exploitation, the right to freely worship and preach, the right to travel freely the right against, unlawfull arrest and detention. 14.4.1.B Political Rights Political rights provide opportunities for direct or indirect participation in state affairs. Particularly important among the political rights are the right to vote, the right to be elected, the right to express his political views freely, the right to have a fair trial in an independent and impartial court, the right to peacefully assemble and build an organization. First-generation human rights, sometimes called "blue" rights, deal essentially with liberty and participation in political life. They are fundamentally civil and political rights in nature: They serve negatively to protect the individual from excesses of the state intervention. First-generation rights include, among other things, the right to life, equality before the law, freedom of speech, religion, property rights, voting rights etc. Some of these rights date back to the Magna Carta of 1215 and the Rights of Englishmen, which were included in the English Bill of Rights in 1689. A more full set of first-generation human rights were declared in France by the Declaration of the Rights of Man and of the Citizen in 1789, and by the US Bill of Right in 1791. They were given recognition in international law first by Articles 3 to 21 of the 1948 UDHR and later in the 1966 International Covenant on Civil and Political Rights. 14.4.2 Second Generation of Human Rights : The second generation of human rights include economic rights, social rights and cultural rights. These rights are as follows: 14.4.2.A Economic Rights The economic privileges of living in a democratic way through which people's lives are made happy, comfortable and secure are considered as economic rights. These economic rights include the right to work, the right to choose a workplace voluntarily, the right to a free and fair environment for work, the right to equal and NSOU ? CC-PS-03 139 fair remuneration for work, the right to organize workers union freely and to voluntarily participate in such unions, adequate food and clothing, the right to housing and the right to a decent living standard. 14.4.2.B Social Rights The conditions that give opportunity to citizens to participate as members of society and establish their own identity are considered as social rights. These rights include the right to education, the right to health, the right to be married, the right to form a family, the right to social protection and assistance in the case of unemployment, legality, old age, illness etc. Second-generation human rights are related to equality and began to be recognized by governments after World War II. They are fundamentally economic, social and cultural in nature. They guarantee different members of the citizenry equal conditions and treatment. Secondary rights would include rights to food, housing and health care, as well as social security and employment benefits. Like first-generation rights, they were also covered by the Universal Declaration of Human Rights, and further embodied in Articles 22 to 28 of the Universal Declaration, and the International Covenant. In the United States of America, President Roosevelt proposed aSecond Bill of Rights, covering much the same grounds, during his State of the Union Address on January 11, 1944. Today, many nations, states, or groups of nations have developed legally binding declarations guaranteeing comprehensive sets of human rights. Some states have enacted some of these economic rights, e.g. the state of New York has enshrined the right to free education. These rights are sometimes referred to as "red" rights. They impose upon the government the duty to respect and promote and fulfil them, but this depends on the availability of resources. The duty is imposed on the state because it controls its own resources. The duty of government is to implement these positive rights. 14.4.3 Third Generation of Human Rights The next significant evolution occurred with the advent of the "third generation" of human rights. These rights are nothing but group or collective rights, of society or peoples' rights, which were articulated in the second half of the 20th century. The third generation of human rights include: (i) economic development; (ii) self-determination; (iii) prosperity and peace; (iv)benefit from economic growth; (v) social harmony; (v) a healthy environment and health; (vi) participation in cultural heritage;

NSOU ? CC-PS-03 140 (vii) natural resources; (viii) inter-generational equity. The third generation of human rights are necessary for creating the appropriate conditions in society to provide first and second generation human rights. Right to Development The third-generation human rights are primarily related to the right to development, as a whole. The right to development was included in the UN General Assembly Resolution in 1986. Development rights are an integral part of human rights. Development here refers to the personal, political, social, economic and cultural development of the individual. The various components of development like the right to self-determination, the right to equality, regardless of gender, caste, creed, religion etc. contribute to the development and enjoyment of individual personality. Categorizations of these three generations of human rights should not be merely an academic distinction but should be fused together by all countries of the world. These rights were rooted in postcolonial discourses. Unlike the first and second generation, these newer rights cannot be understood as a reaction to colonialism. The hallmark of third generation rights, in contrast with first generation civil and political rights and second generation social, economic, and cultural rights, is that they involve global problems that no state or region of the world can solve alone. For this reason, third generation rights are often referred to as rights of "fraternity" or "solidarity". Article 22 of the African Charter on Human and People's Rights, signed in 1993, states that development rights are as important as other human rights. The first Vienna Conference was considered as an integral source of development of human rights. The primary responsibility of the states is to protect and promote the primary human rights of the community (eg food, education and health) and to maintain a decent standard of living. Thus, it can be said that development and human rights are intimately related to each other. Third-generation human rights are those rights that go beyond the mere civil and social, as expressed in many progressive documents of international law, including the 1972 Stockholm Declaration, the 1992 Rio Declaration on Environment and Development etc. Also known as Solidarity human rights, they are rights that try to go beyond the framework of individual rights to focus on collective concepts, such as community or people. These "green" rights cover the following broad spectrum of rights: ? Group and collective rights ? Right to self determination NSOU ? CC-PS-03 141 ? Right to economic and social development ? Right to healthy environment ? Right to natural resources ? Right to communicate ? Right to sustainability ? Right to uphold cultural heritage The African Charter on Human and Peoples' Rights ensures many of these rights. 14.4.4 Fourth Generation Several analysts claim that a fourth generation of human rights is emerging, which would include rights that cannot be included in the third generation, first and second generation rights. These rights are related to technological development and information and communication technologies and cyberspace. However, the content of it is not clear. They normally take some rights from the third generation and include them in the fourth, such as the right to a healthy environment. Some analysts believe that the fourth generation human rights are related to new technologies while others prefer to talk about digital rights, where a new range of rights would be found, such as: ? The right to exist digitally ? The right to digital reputation ? Right to digital identity 14.5 Conclusion Maurice Cranston argued that scarcity means that supposed second-generation and third-generation rights are not really rights at all. If one person has a right, others have a duty to respect that right, but governments lack the resources necessary to fulfil the duties implied by citizens' supposed second- and third-generation rights. Various scholars have argued that second- and third-generation human rights serve as an attempt to cloak political goals, which the majority may well agree. In their opinion, calling socio-economic goods "rights" inherently creates a related concept of duties, so that other citizens have to be coerced by the government to give things to other people in order to ensure these new rights. NSOU ? CC-PS-03 142 Freedman also mentioned the need for rethinking the approach to the first- and second-generation rights as strictly negative and positive correspondingly. She argues that in the contemporary usage of the concept of human rights, demarcation between those positive and negative duties becomes increasingly blurred. Indeed, certain rights, like the right to a fair trial, fall to both categories since it simultaneously guarantees the individual right, and also requires the active state intervention for its practical implementation. 14.6 Summing Up ? Each generation of human rights evolved in response to specific threats. In the first wave, they were civil and political. ? In the second and third waves, they were economic, social, cultural and environmental. ? Today, fusion of material, biological and digital technologies raises existential questions about what it means to be human. The time is ripe for a fourth generation of human rights to emerge. 14.7 Probable Questions Essay Type Questions : 1) What kinds of rights are envisioned under the three different generations of Human Rights? Illustrate with suitable example. 2) What is the role of the state in securing the three generations of Human Rights? Long Questions : 1) What are the different types of rights enumerated in UDHR ? 2) What is the fourth generation of rights? Short Questions : 1) What are the different generations of Human Rights? 2) Give a brief outline of first generation Human Rights. 3) Mention the features of second generation Human Rights.

NSOU ? CC-PS-03 143 14.8 Further Reading ? Karel Vasak, "Human Rights: A Thirty-Year Struggle: the Sustained Efforts to give Force of law to the Universal Declaration of Human Rights", UNESCO Courier 30:11, Paris: United Nations Educational, Scientific, and Cultural Organization, November 1977 ? Time for a Fourth Generation of Human Rights? 1 Mar 2018 Authors: ChangrokSoh, Daniel Connolly and Seunghyun Nam available on <https://sustainabledevelopment.un.org/post2015/transformingourworld> ? Cranston, Maurice. "Human Rights: Real and Supposed," in Political Theory and the Rights of Man, edited by D. D. Raphael (Bloomington: Indiana University Press, 1967) ? Clayton, Richard and Hume Tomlinson, The Law of Human Rights, Vol.1, Oxford University Press, Oxford, 2000 ? Brown, Chris, "Human Rights" in Baylis, John and Smith, Steve (eds) The Globalisation of World and Politics, OUP, New Delhi, 2005

Unit 15 : Rights, Duties and Obligations-Relation Structure 15.1 Objectives 15.2 Introduction 15.3 Types of Duties or Obligations 15.4 Sources of Obligations 15.5 Historical development of the concept of Political Obligation 15.6 Basic duties of citizens 15.7 Reciprocity of rights and duties: 15.8 Conclusion 15.9 Summing Up 15.10 Probable Questions 15.11 Further Reading 15.1 Objectives The basic objective of this unit is to familiarise students with— ? the meaning obligations. ? different types of obligations. ? sources of obligations. ? basic duties of the citizens 15.2 Introduction The state helps every citizen to develop his or her own personality through the assurance of protection of their rights. To exercise all these rights, it is essential for a citizen to perform certain duties towards the state. These rights and duties are interrelated. All these duties are clearly mentioned in each country's constitution. The democratic constitution of the United States has left the burden of determining these duties on the people.

NSOU ? CC-PS-03 145 Although much attention has been paid to 'rights' in recent years, some consideration is now being given to 'duties' (or, as it has become more usual to call them, 'obligations'). The implicit assumption is that rights need to be balanced by duties. Historically, the left has been more anxious to stress rights; nowadays even the liberal left has focused on duties. In part this is a consequence of the development of the belief in 'civil society', the network of family, voluntary and informal groups and activities that underpin a decent society. This belief derives partly from a reaction to rampant individualism. Another source of this belief is the weaknesses of the former communist regimes of Eastern Europe, regimes in which there were no intermediate stages, no buffer, between the state and the individual. 15.3 Types of Duties or Obligations As with rights, the terms duties and obligations cover a number of rather different concepts, which may be summarised as follows: Moral Obligation Moral obligations imply duties people ought to perform because in some sense they owe such actions to God, to any other person or may be to themselves. Thus there is a moral obligation to speak the truth, to help others in need, to refrain from adultery, and so on. These obligations are not enforceable by law. However, they often become the basis of legal obligations. Legal Obligation Legal obligations mean duties one has perform do because they are enforceable in the courts, such as paying one's taxes and driving with a valid licence etc. Such obligations are closely linked to state sovereignty. Citizens and other individuals resident in the territory of a state are under an obligation to obey the laws of that state Civic Obligation Civic obligations are actions we should perform as a tribute to the rights we enjoy as part of a political community. For example, right to vote falls under our the civic obligation. Social Obligation Social obligations are an extension of civic obligations. They involve a broadly similar concept but have wider application. They include those obligations we owe to society that contribute to the general good. For example, upbringing one's children,

NSOU ? CC-PS-03 146 providing them good education, livelihood, making them good citizens, introducing them into the culture of their society, and teaching them right and wrong etc. Such obligations can be discharged on a personal and an individual basis. Coercive Obligation Coercive Obligation arises due to coercion or force because of the absence of legitimate authority. However, in democratic set up the state also uses coercion for ensuring compliance of the individuals. Moral obligations are carried out mainly because of moral correctness, whereas coercive obligation comes out as a result of fear. Political Obligation This obligation denotes the relationship between. the states and the individuals residing in a nation state. It is a relationship where the state provides a set of rights for its citizens and in return the citizens acknowledge the authority of the state. These individuals become citizens of the state 15.4 Sources of Obligations By and large, obligations have proved less contentious than rights. Many supposed obligations seem little more than pious aspirations with which no one would quarrel. There are few campaigns, violent or otherwise, in defence of an extension of obligations. This is not, however, to say that there are no areas of dispute. The earliest basis for asserting the binding nature of obligation is the idea of contract which can be traced back to the biblical notion of the covenant of God with His people, who keep His laws in exchange for His protection. Consequently, there emerged various social contract theories which emerged in the seventeenth century. Thomas Hobbes and John Locke sought to explain the origins of government by reference to a state of nature, a situation of chaos caused by the absence of established authority. Hobbes and Locke established the basis for government and the obligation of the citizen to obey. In such situations, they argued, human beings established a 'contract' between the governed and the governors. This formed the basis for both rights and obligations of both parties. Hobbes, in Leviathan (1651), argued that in order to escape the barbarism of the 'state of nature', human beings voluntarily surrendered their freedom to an authority, a government, which subsequently had absolute claims on their obedience. As long as such a government provided security for the people, they were obliged to support it.

NSOU ? CC-PS-03 147 A less totalitarian interpretation of the social contract was that of Locke. His state of nature was not one of instability and violence. In order to avoid such an unstable situation, in his Two Treatises of Government (1690), Locke argued that people entered into two contracts. The first was one in which individuals agreed to impose limits on themselves to form 'society'. The second was a contract between society and government by which government would be obeyed in exchange for its protection of natural rights. Both contracts form the basis of liberal ideas of politics and government. Conservatives instead have suggested that every individual owes a natural loyalty to his society, in much the same way as he bears a loyalty to his own family. Society and the family are natural rather than artificially contrived institutions and can therefore rightly lay claim to a natural obligation. A more pragmatic argument was extended by Bentham. A 'good' government will, in his words, pursue 'the greatest happiness of the greatest number'. This principle is called utilitarianism. Questions necessarily arise. Are obligations to society the same as obligations to the state? If not, what if there is a clash between the two? If we equate 'state' with 'nation' then much conflict might well occur. For example, Germany defeated France in 1940. The French government surrendered and ordered its armed forces to cease hostilities. Some Frenchmen, such as Charles de Gaulle, felt this as a betrayal of the French nation by the French state. In his view this betrayal absolved him of all loyalty to the (admittedly legal) government of Marshal Philippe Pétain that emerged after the fall of France. Indeed, de Gaulle and his followers believed that they had not only the right to continue the war, but a positive obligation to do so. Yet another question arises. Can the 'nation' be equated with 'society'? Or is there a global society that has an equal, if not superior, claim on loyalty? Other claimants to loyalty may also be considered: conscience, race, class, church, religious community, the environment, even the human race itself. All of these may, in certain circumstances, appear to have a greater claim than the state or nation. Even if it is admitted that the state has valid claims to obedience (and Marxists and anarchists explicitly reject such claims), what is the nature of that obedience? Is it simply observing the law or does it go beyond that to a positive and enthusiastic support of the regime? Totalitarian states, like Nazi Germany, clearly demanded unconditional obedience to the state. Liberal theorists have argued that there are limits to the obligations which the state can impose on people. They have proposed specific constitutional arrangements to give effect to these limitations. Liberals assume that the state's role in society is very largely to safeguard natural or human rights.

NSOU ? CC-PS-03 148 A problem arises if the state does not, in fact, guarantee such rights. At what point does the bond of obedience dissolve? Is there a right of the citizens to rebel against, and even overthrow, such a government by force? This question has, of course, been of acute interest in the twentieth and early twenty-first centuries, but originally arose in the seventeenth and eighteenth centuries. Locke argued that there was such a right and the argument was made explicit in the American Declaration of Independence (1776), which boldly asserted that when government degenerated into despotism 'it is the right of the people to alter it, and to institute a new government'. Even if it is accepted that there is such a right to revolt, difficult questions arise as to precisely what circumstances justify such a rebellion and whether there should be any constraints on the methods of the revolutionaries. As early as the thirteenth century Thomas Aquinas had laid down certain conditions for justified rebellion that were subsequently absorbed into the writings of other theorists.

15.5 Historical development of the concept of Political Obligation

In the Greek Period, Political Obligation was grounded in the very nature of human life. Aristotle proclaimed that state is a creation of nature and man is a political animal. For him state is the highest level of social organisation where individuals attain self sufficiency, and good life justifies obedience to the state. This is what political obligation meant in this period. However, there were political strifes within the society, and Aristotle even spoke of revolutions for cyclical changes in the forms of government. In Greek political theory there was no difference between the society and the state. In Rome Polybius and Cicero favoured the system of checks and balances within the state. Roman legal system, attempted to define the concept of political obligation. Power of the ruler was derived from law and every relationship within the state and sovereignty was determined by law. Political obligation in the feudal Europe was hierarchical where the lords stood at the top and granted land and other privileges, the vassals and the barons in return used to provide military and political support. At the bottom, were the serfs who had nothing to receive but only to work and render services. According to Laski and Barker, laws must be obeyed for the basic minimum of civilised existence, which cannot be unconditional. To command obedience, laws must satisfy the test of social justice.

NSOU ? CC-PS-03 149 During the post renaissance period, the concept of political obligation took varied strands. Machiavelli in his *The prince* declared that the subjects are obliged to render all their allegiance. The idealists like Hegel recognise the state as the embodiment of reason and believed it to be the march of God on earth. As we don't disobey God, we should not disregard the state also. Marxists believe that the state in a capitalist system is simply an exploitative instrument, so the individual has right to resist. Neo Marxian theorist, Gramsci suggested that the states in the capitalist system exercise hegemony. The ruling class through various cultural and educational institutions like family, school, church etc generates consent in favour of the capitalist system.

15.6 Basic duties of Citizens

The main duties the citizens of the democratic countries have are :

- A. Loyalty to the State : This means that it is imperative for a citizen to stand by the state during times of danger. It is the duty of every citizen to help the state to protect its territorial sovereignty from foreign aggression and preserve internal peace and order.
- B. Regulation : In the representative democracy of the present era, the law is generally designed to protect the public welfare of the society. It is the duty of every citizen to obey the laws of his state.
- C. Honestly exercising franchise and holding office : The right to elect government in a democracy is vested with the people. Voting is therefore an essential component of the democratic system. The authority of the administration depends on the manner in which these rights are exercised.
- D. Payment of Tax : In the present century, state activity has really increased since the transformation of the "obedient state" into a "welfare state". At present, the government is obliged to provide various types of services. As a result, government spending has increased significantly. The enormous amount of money required to pay for the expenditure of the government in various sectors comes from taxes on the people and various goods.

NSOU ? CC-PS-03 150 15.7 Reciprocity of rights and duties Man is a social by nature. The physical and mental needs of human life motivate people to live a group life. It is through a united and collaborative effort he strives to meet all these needs. People are transformed into separate entities and companionable entities. Spontaneously, "groups" emerge to meet different needs of human life. Among these groups the state occupies a pride of place. The development of all these groups, reflect much needed unity in human life. Therefore, it can be said that the creation of a mutual relationship between rights and duties is one of the main reasons for the success of social life. To enjoy rights collectively one should be able to perform duties towards the collective whole. The interrelationship between rights and duties can be explained from different perspectives. First, a citizen's need is to exercise his rights in such a way that he can contribute something to the prosperity of society. For example, the right to education is recognized in almost all advanced democratic states. But in essence, this right obliges the citizen to practice high civic virtues in the absence of which democracy cannot be truly successful. Secondly, the reality of the interdependence also entails the responsibility of each citizen to respect the rights of other citizens. For example, a citizen of India has the right to freedom of movement. As a consequence, it is the duty of the citizen not to interfere with the rights of any other citizen. Without mutual respect for the rights of the citizens, the society will face a chaotic situation where all rights will become meaningless. Third, a citizen has an obligation to perform certain duties to the state. According to Barker, rights cannot be regarded as rights unless they originate immediately from the State. Infact State is the immediate source of rights. A citizen is indebted to the state for granting certain essential privileges necessary for the development of his personality. Therefore, he is obliged to perform some necessary duties to the state. It is the duty of every citizen in a modern state to stand by the state in times of danger, obey the laws, pay taxes honestly, and, above all, actively participate in various state functions. 15.8 Conclusion Thus in conclusion we can say that membership of a state is compulsory, and no individual can have the opportunity to escape from this. However, the question naturally arises whether the individuals are always obligated to obey to the state and its

NSOU ? CC-PS-03 151 commands. There comes the issue of political obligation and right to resistance. We have in the above discussions seen the various grounds of obligation, starting from divine reason, legal binding, traditional norms, contractual nature etc. Whatever be the ground, being a decent citizen individuals are expected to obey the norms and laws of the state and the states are bound to serve the citizens, otherwise the citizens should have the right to resist and form a new government. 15.9 Summing Up ? Rights in some sense existed in the Middle Ages, although the idea of 'human rights' dates from the eighteenth century. ? Historically, there has been some debate on what exactly these rights consist of, while conservatives and socialists have, from different grounds, supported the liberal commitment to universal human rights. ? By the end of the nineteenth century it was widely agreed that a focus on 'individual' and 'negative rights' was inadequate to meet the social needs of the time. ? This led to the development of 'group' and 'social' rights. ? Obligations, or duties, to society and the state have received considerable attention in recent years, partly in an attempt to give them a sound philosophical underpinning and partly to establish what are the limits to the individual's duty to the state. 15.10 Probable Questions Essay Type Questions : 1) What are the different sources of political obligation? 2) Discuss the main basis of political obligation in a democracy? 3) Explain the basic duties of the citizens? Long Questions : 1) Explain the different types of obligations? 2) Is rebellion against the state ever justified? Give reasons. Short Questions : 1. What is obligation? 2. Mention the basic duties of citizens?

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Unit 16 ????? Political Obligation and its Limits Structure 16.1 Objectives 16.2 Introduction 16.3 Divine Right Theory of Political Obligation 16.4 Consent as the basis of Political Obligation 16.5 Utilitarian Theory of Political Obligation 16.6 Idealist Interpretation of Political Obligation 16.7 Principle of Fairness as the basis of Political Obligation 16.8 Conclusion 16.9 Summing Up 16.10 Probable Questions 16.11 Further Reading 16.1 Objectives This Unit will help the learners to – ? understand the meaning and importance of political obligation ? explain the different theories of political obligation ? explain the nature and principle of political obligation 16.2 Introduction The very first question facing a student of politics can be the ground for justifying the state. In other words, why should we obey the state and how can we justify its existence in our lives. A simple answer could be, following J. S. Mill, that life without restraint on behaviour of others would be of little or no worth and that ‘enforcement of restraint ‘without the state is mere wishful thinking. Judged in such terms, any further argument about its justification may seem idle. But the NSOU ? CC-PS-03 154 argument that we have no alternative to the state acts as a negative justification, we can’t think of anything better. The defenders of the state should have some more positive argument to offer, in order to show how the state can be justified in terms of some universally acknowledged moral reasoning. That is, we need an argument to show that we have a moral duty to obey the state.. Such arguments would also help us to understand when a particular state might lose its legitimacy as it happened in the past in the case of so many states and still happening in today’s world. In the same way one can say, following Max Weber, that the state possesses a monopoly of legitimate violence. The state accepts the responsibility of protecting everyone who resides within its border from illegitimate violence. Surely this is the only ground for which we grant the state the monopoly of legitimate violence and its existence in our lives can also be justified on the same ground. This argument is quite akin to that of Charles Tilly who said that every State functions by the logic of a crime syndicate. We give them tax as protection money on the condition that it would not attack us and protect us from external attack.. But the task of justifying the state is often said to be the task of showing that there are some universal political obligations. Universal obligation, in this sense, does not mean the duty to obey all the laws of the state at all times. Only a certain rather unpleasant kind of fanatic could believe that we are always morally obliged to do whatever is commanded by the laws of the state. The goal of justifying the state, the meaning of universal political obligations, in this case, is to show that, in principle, everyone within the territory of a state is morally bound to follow its laws and ethics. This justification is offered by different theories of political obligations. 16.3 Divine Right Theory of Political Obligation Divine Right Theory tried to justify absolute monarchy in Europe. It can be considered as the oldest theory of political obligation. It stems from a specific metaphysical framework in which a monarch is pre-ordained to inherit the crown before his birth. The divine right is considered a key element for legitimising many absolute monarchies in Europe. According to this theory a monarch is not accountable to any earthly authority. Thus the ground of political obligation in this theory is based on the idea that the subjects while obeying the orders of the king are actually

NSOU ? CC-PS-03 155 obeying the command of God who gives the king the authority to rule. As the right to rule is derived from divine authority, the monarch is not subject to the will of the people, the aristocracy or of any other estate of the realm. Outside Christianity also kings were often seen as either ruling with the backing of heavenly powers or perhaps even being divine beings themselves. Christian notion of divine right can be traced back in Bible. St. Paul, following St. Peter was of the view that subjects should be obedient to the powers that be as they are appointed by God. In the English speaking world, the theory of divine right is largely associated with the early Stuart reigns in Britain and the theology of clergy who held their tenure at the pleasure of James I, Charles I and Charles II. One of the first English texts supporting divine right of kings was written in 1597-98 by James I himself before his accession to the English throne. The overriding metaphor of James' book was that of a father's relation with his children : "Just as no misconduct on the part of a father can free his children from obedience to the parents, so no misgovernment on the part of a king can release his subjects from their allegiance. " In the mid seventeenth century, Sir Robert Filmer, a royalist, developed the idea of the right of the king on similar lines.. According to Filmer the king is the head of the state in the same sense the father is the head of the family. In his theory Adam was the first king and Charles I stood in the position of Adam in England, with absolute authority to rule. Later John Locke effectively refuted Filmer's argument in his First Treatise . In France, the chief theorist of divine right was Jacques-Benigne Bossuet, the bishop and court preacher to Louis XIV. Like Filmer, Boussuet also argued that the kings received their authority directly from God. Just as a father's authority is absolute in a family, so is the king's in a state. Louis XIV agreed to these aspects of Boussuet's view and claimed himself to be an absolute ruler, the so called Sun King. The Glorious Revolution of 1688 in England, the French Revolution and the American Revolution made this theory of Divine Right of the king insignificant in western political thought as an explanation of the basis of political obligation. 16.4 Consent as the basis of Political Obligation Individuals consent to the state lies behind the idea of the social contract theories propounded by Hobbes, Locke and Rousseau. If, somehow or other it can be shown NSOU ? CC-PS-03 156 that every individual has consented to the state, formed a contract with the state, or made a contract with each other to create the state, then the problem of finding the ground of political obligation appears to be solved. We would have shown how the state comes to have universal authority — authority over each of us — by showing that everyone has consented to that authority. Social contract theory then is an obvious and elegant solution to the problem of political obligation. It satisfies the twin demands of universalism— every person must be obligated— and voluntarism— political obligation can only come through consent. The idea of consent as the basis of political obligation was propounded strongly by John Locke who was refuting the argument of Sir. Robert Filmer who justified the absolute power of the contemporary kings as paternal inheritance from Adam, the father of mankind. Locke begins his argument by stating that that paternal authority should not be equated with political authority. A father's right over to command over his children is based on the supposed immaturity of the children, on their inability to decide as to what is best in their own interest This supposed immaturity allows a father's command to ignore the issues of the children's consent.. But for Locke since, unlike paternal authority, political authority is exercised over equals, over rational, mature individuals, it has to be based on consent. People's consent is then the basis of political power which Locke defines at the end of the first chapter of the Second Treatise. So for Locke political power power is a natural property of the individuals who are capable of exercising it and who, in fact, has a duty and right to exercise it. Tully calls this Lockean claim ' one of the major conceptual innovation in early modern European political thought. So rational, free individuals consent to transfer the political power to the governmental institutions making it government of ' of the demos, by the demos'. Thus 'consent' of the adult citizens becomes the basis of 'universal political obligation'. The idea of tacit consent is also related with political obligation. There are critics who raise doubt about the validity of the idea of contract as the ground for political obligation. First, where can we look for a social contract ? There is no evidence whatsoever of the historical validity of such contract. Second, even if we accept that there was such a contract in the past, it can hardly explain the political

NSOU ? CC-PS-03 157 obligation of the existing citizens. After all, no reasonable legal system allows one generation to make a contract which binds the succeeding generations. Here it might be replied that consent is given in a less obvious or explicit way. Consent, argues some critics, may be communicated via the ballot-box. In voting for the government we give it our consent. It is not wholly implausible that even those who vote against the government nevertheless indicate their consent to the system as a whole through voting . So voting is a way of tacit consenting. But perhaps the idea of tacit consent can be developed in more clear terms. In fact all the major contract theorists — Hobbes, Locke and Rousseau— rely in different ways on arguments based on tacit consent. Here the central argument is that by quietly enjoying the protection of the state one is giving it one’s tacit consent. And this is enough to bind an individual to the state. Thus even Locke who believed in express consent, famously argued :”

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Every man that hath any Possession, or Enjoyment, of any part of the Dominions of any Government, doth thereby give his tacit consent, and is as far forth obliged to obedience to the laws of that Government...” . 16.5

Utilitarian Theory of Political Obligation The fundamental Idea of utilitarianism is that the morally correct act in any situation is that which brings about the highest possible total sum of utility. Utility is variously understood as happiness, pleasure, or the satisfaction of desires or preferences. For the purposes of this discussion it doesn’t matter which of these options we choose, so let us speak of maximization of happiness, for convenience. Put crudely, utilitarianism requires one to perform the action that will create more happiness, (less unhappiness) in the world than any other action available at the time. Consequently, the utilitarian can argue that we need a body of laws which will lead to an increase in happiness. This can be called indirect utilitarianism. The idea is that if we all reason directly in utilitarian terms things will go very badly. Hence we need to follow non-utilitarian reasoning— obey the laws- maximize happiness. So it is claimed that direct search for happiness both individually and socially, can be self-defeating. The best we can do is to set for ourselves other goals, or follow

NSOU ? CC-PS-03 158 other rules, in the hope or expectation that happiness will follow as a consequence. This is probably Bentham’s own real view: ‘taking the whole body (of people) together, it is their duty to obey only when it is in their interests’(Fragments on Government, 56). An extension of this passage provides several ideas: 1. Laws should be passed if, and only if, they contribute more to human happiness than any competing law (or absence of law) would do. 2. Laws should be obeyed because they are laws (and will be obeyed because disobedience means punishment), and should only be disobeyed to avoid disaster. 3. Laws should be repealed and replaced if they fail to serve the proper utilitarian function. Utilitarian message of political obligation now seems clear enough. The state as the provider and enforcer of a body of law, is justified if and only if it contributes to human happiness than any feasible competing arrangement. If we think in terms of a basic contrast between the state and the state of nature and we accept the arguments of the contract theorists— particularly those of Hobbes— the utilitarian argument seems convincing. In terms of contributing to general happiness, the state seems far more preferable to the state of nature. Judged in this sense the utilitarian justification of the state and political obligation seems to be complete. The argument itself is very simple. In essence it means: 1. The best society is one in which happiness is maximised. 2. The state promotes happiness better than the state of nature. 3. We have a moral duty to obey the state and its laws if it contributes to general happiness. 16.6 Idealist interpretation of Political Obligation Idealist theory of the State and the basis of obligation to it can be traced back to Greek philosophy, especially in the thought of Plato and Aristotle. In modern times idealist theory of political obligation was propounded mainly by German philosopher Hegel and English philosophers like T.H. Green and Bosanquet. Aristotle

NSOU ? CC-PS-03 159 said that the state was a self-sufficing institution and that

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the “ state comes into existence, originating in the bare needs of life and continuing its existence for the sake of a good life.”

He considered the state as the highest community embracing all the other within it. The state, in his opinion, is aimed 'at the highest good'. Plato also held a view almost on similar lines. The citizens, according to the Greek thinkers, could not think of a life outside, against or going against the state. As Aristotle famously said, 'man is by nature a political animal'. The state is natural. In other words, it is inherent in man's nature. Aristotle believed that through the state and the laws man attains his highest 'virtue' and perfection and becomes a citizen, capable of sharing in public activity and performing public duties. Thus political obligation to the state, in Greek thought, is based on the fact that man's emancipation lies in the polis, the city state. In modern times German philosopher Hegel can be considered one of the main proponents of idealist thought. Central to the Hegelian idea of the state is the Hegelian dictum that history is the progressive realisation of the idea of freedom. Hegel believed that individual freedom is embodied in the modern institutions of family, civil society and the state, since it is belonging to these institutions that makes up a person's life in modern society. For Hegel modern family is based on consent, whether the marriage comes through arrangements between the partners parents or whether it takes place because two individuals fall in love with each other, Hegel claimed that the subjective will of the two partners must be satisfied. In that sense modern family expresses the idea of individual freedom. If family is the first unit of social organisation, civil society comes next. It is the arena of social and economic interaction of individuals belonging to different families. Civil society was much wider than economy for Hegel. It is made up of at least four different systems or institutions : the system of needs, the administration of justice, the police and corporation. But Hegel was driven by the idea that civil society, in spite of being wider arena of human interaction, is also a sphere of conflict of particular interests of individuals. He even pointed to the possibility of an emergence of poverty and corruption as a consequence of the emergence of civil society. According to Neera Chandak, Hegel believed that the state with its bureaucracy can resolve these conflicts. Hegel called the bureaucracy the universal class because he believed that they could serve the common interests of the community. Thus in spite of the positive

NSOU ? CC-PS-03 160 role of family and civil society for the fulfilment of individual freedom, 'concrete freedom can only be realised through the state. The state as a political community is, in that sense, prior to other communities like family and civil society. Given that modern family and civil society are embodiments of freedom, the modern state, as their precondition, thus becomes the realisation of human freedom in the ultimate sense of the term. So political obligation to the state is based on the obvious fact that it is the realisation of freedom. Hegel glorified the role of the state to the extent that many critics find in his thought clear leanings to an absolute power, especiall in such statements like: 'The state is ' March of God on earth'. English philosopher T.H. Green offered new moral justification of obligation to state authority in his Idealist philosophy. Green famously said that 'citizenship only makes the moral man'. Green naturally led to the conclusion that for the fulfillment of man's moral possibilities the entire social environment comprising various institutions including political institutions are important. Although man's moral development is very much dependent on his personal efforts it is, indeed, facilitated by a set of external conditions regulated under the overriding goal of 'common good'. The state, according to Green, provides these external conditions. Actually man's rights are important external conditions for the development of his moral power and the state secures such conditions by guaranteeing these rights. The state is not the creator of these rights, for the source of these rights is the moral nature of man. Thus the state preserves the conditions for the sustenance of the freedom of the individual; it is essentially a moral freedom, that is not a freedom to pursue one's animal desires. It is what a moral being would like to be assured of for pursuing a moral goal. But a moral goal in essence is common good. Thus if an individual deviates from the path of common good, the state is justified in controlling his deviant behaviour and making necessary interventions. Freedom thus becomes positive freedom, not a negative one in the sense of 'absence of restraint' only. The state actions are thus meant to remove obstacles to the development of the individual, 'hindering hindrances'. Green in this way in his Idealist philosophy offered a new moral justification of obligation to the authority. There is a moral ground for obligation. The individual's duty to obey the state, is, in essence, a duty to the cause of his own moral development.

NSOU ? CC-PS-03 161 16.7 Principle of Fairness as the basis of Political Obligation Whether or not individuals consent to the state, it can seem unfair of them to enjoy its benefits without also accepting the necessary burdens that help to produce those benefits 'in a joint enterprise'. So, it has been argued, anyone who gains an advantage from the state has a duty, following fairness, to obey its laws, to contribute taxes and so on. The principle underlying this view was explicitly formulated by the legal theorist and philosopher H.L. Hart. Hart's view is that this principle is, as it were, the 'rational core' of the doctrine of tacit consent.. Receiving benefits does indeed binds one to the state, but not because it is a way of tacitly consenting. Rather, the force of the argument is that it is unfair to reap the benefits of the state, unless one is prepared to shoulder one's share of burdens too. The benefits, of course, are security, and stability of living in a society which operates a system of enforced laws. The corresponding burdens are political obligations. John Rawls subsequently adopted this principle in an influential essay of his own, referring to the duty derived from the principle as the 'duty of fair play'(1964). What the principle of fair play holds, then, is that everyone who participates in a reasonably just, mutually beneficial cooperative practice— Hart's 'joint enterprise'— has an obligation to bear a fair share of burdens of the practice. This obligation is owed to the others who cooperate in the enterprise, for cooperation is what makes it possible for any Individual to enjoy the benefits of the practice Anyone who acts a free rider is acting wrongly, even if his or her shirking doesn't directly threaten the existence of the enterprise. Contemporary philosopher Robert Nozick in his famous work, 'Anarchy, State, and Utopia' refutes this argument of 'fair play' and claims that unsolicited benefits create no obligations to reciprocate. He presents an example in which the other members of the neighborhood have discovered a public address system, and decide to institute a scheme for public entertainment. Each person is assigned a day on which to broadcast— play records, tell jokes, sing, and so on— for the benefits of all. I have enjoyed 137 days of entertainment from others. On day 138 when my turn comes, do I have a duty to give up my day to entertain the rest. Nozick thinks that obviously I don't have any moral duty or obligation to do it, because I have not asked for it and may not enjoy all the programmes too.

NSOU ? CC-PS-03 162 16.8 Conclusion While the different theories of political obligation may offer different interpretations of the ground for political obligation, only a blind, rigid supporter of state power would argue that there is no limit to political obligation whatsoever or that we are obliged to unconditionally obey any command of the state authority and its laws however oppressive they may seem. Thus there are possibilities of resistance to state power even in the divine right theory. If the kings had the divine right to rule, then the royal power must protect the interests of the subjects to get divine approval. If he goes against the divine will the subjects have the divine right to resist. In modern theory of political obligation, the right to resist perhaps is expressed in clear and strongest terms in John Locke's liberal philosophy. In the last two chapters of Second Treatise, titled 'Tyranny' and 'Of the Dissolution of Government', Locke argues repeatedly for the right of the people to rebel against a government which fails in preserving their life, liberty and possession. Apprehending that his argument giving so much importance to the right to resist may seem like a law-breaker's charter, giving birth to anarchy, Locke put the responsibility on the ruler. He says in categorical terms that a government or a prince, acting against the interests of the people puts 'himself into a state of war with his people' and so the government or the Prince is responsible for the disorder, not the resisting people. The roots of resistance is there even in the Utilitarian theory, even though Bentham referred to it with great caution : " It is then, we may say, and not till then, allowable to, if not incumbent on, every man, as well on the score of duty as of interest, to enter into measures of resistance; when, according to the best calculation he is able to make, the probable mischiefs of resistance (speaking with respect to the community in general) appear less to him than the probable mischiefs of submission. This, then, is to him, that is, to each man in particular, the juncture of resistance." Bentham perhaps tried to base the right to resist on a utilitarian basis, instead of one based on contract, but with the highest degree of caution. In contemporary philosophy one of the most influential thinkers, John Rawls also in his 'A Theory of Justice' discussed the possibility of non-violent, civil disobedience against the government under a 'nearly just society.

NSOU ? CC-PS-03 163 16.9 Summing Up ? The concept of political obligation is related with the laws of the state. Citizens obey the laws of the state because as J.S. Mill argued that some sort of restraint on the behaviour of others is necessary. ? It is only the state which may resort to enforcement of restraint. The state accepts the responsibility of protecting everyone who resides within its territory. This is the reason for which we grant the state the monopoly of legitimate violence. ? Justification of the actions of the state thus leads to universal political obligations. ? The oldest theory of political obligation is the divine right theory. According to this theory King directly represents God. Political obligation is thus based on the idea that the subjects while obeying the order of the king are obeying the order of the God. Monarch is not accountable to the people because his right to rule is derived from divine authority. ? The idea of consent as the basis of political obligation found its valid ground in the social contract theories propounded by Hobbes, Locke and Rousseau. The state appears to have universal authority which emerges from the consent of the every individual. ? Further political obligation is also related with the idea of tacit consent. It is argued that consent may be given in a less obvious or explicit way. Voting is a way of tacit consent. ? Political obligation can also be explained through the concept of utilitarianism. ? We have a moral duty to obey the state and its laws if it contributes to general happiness. ? Concept of political obligation may be also explained from the viewpoint of idealist theory. In the modern era, idealist theory of political obligation was propounded by the German philosopher Hegel and English philosophers like T.H. Green and Bosanquet. According to Aristotle the state is aimed at the highest good. Aristotle argued that through the state and the laws man attains his highest

NSOU ? CC-PS-03 164 virtue and perfection. In Greek thought political obligation is based on the fact that man's emancipation is only possible in the city state. Hegel is considered as the main exponent of idealist thought. Hegel was of the opinion that individual freedom is embodied in the modern institutions of family, civil society and the state. But instead of family and civil society, it is the state where concrete freedom can be realised. ? T.H. Green offered new moral justification of obligation to state authority in his Idealist philosophy. Man's moral development is very much dependent on his personal efforts which are facilitated by a set of external conditions. The state, according to Green, provides these external conditions. ? Political obligation may be also explained on the basis of the principle of 'fair play'. This principle was explicitly formulated by philosopher H.L. Hart. According to Hart receiving benefits binds one to the state. It is unfair for an individual to enjoy benefits from the state without accepting the necessary burdens that helps to produce these benefits. John Rawls explained this principle referring to the duty derived from the principle as the duty of fair play. ? However, exponents of fair play have faced serious criticisms Robert Nozick objects that the principle of fair play would allow others to place us under an obligation to them simply by conferring benefits on us. Further, fair play considerations apply only to co-operative schemes that produce benefits one may refuse. 16.10 Probable Questions Essay Type Questions : 1. Discuss the consent based theory of political obligation. 2. Analyse utilitarian theory of political obligation. 3. Explain idealist interpretation of political obligation. Long Questions : 1. Explain the importance and meaning of political obligation.

NSOU ? CC-PS-03 165 2. Discuss divine theory of political obligation. 3. Analyse the principle of 'fairness' in explaining political obligation Short Questions : 1. Write a short note on the Divine Right theory of of political obligation. 2. Write a note on T. H. Green's arguments for political obligation 3. Briefly discuss relevance of social contract theory to political obligation. 16.11 Further Reading 1. John Horton, Political Obligation, Macmillan, London, 1992. 2. Sabine George, History of Political Theory, Oxford IBH Publishers, New Delhi, 2005. 3. Ernest Barker, Principles of Social and Political Theory, Surjit Publications, New Delhi, 2005. 4. R.E. Goodwin (Editor), The Oxford Handbook of Political Thought, Oxford University Press, London, 2008. 5. Shefali Jha, Western Political Thought, Pearson Education India, 2009. 6. Jonathan Wolff, ' An Introduction to Political Philosophy', Oxford University Press, London, 2015. 7. J.S. Mc Illelland, A History of Western Political Thought, London and New York, 2005.

Unit 17 ?????? Civil Disobedience Structure 17.1 Objectives 17.2 Introduction 17.3 The Idea of the Civil Disobedience 17.4 Origin of the concept 17.5 Gandhi and Civil Disobedience 17.6 Features of the Civil Disobedience 17.7 Conclusion 17.8 Summing Up 17.9 Probable Questions 17.10 Further Reading 17.1 Objectives After reading this unit the students will be acquainted with the following aspects of the Civil Disobedience: ? The idea of the Civil Disobedience ? The origin of the concept of Civil Disobedience ? Civil Disobedience as a non-violent Satyagraha movement ? Gandhian concept of civil disobedience ? Features of the Civil Disobedience ? Contemporary relevance of civil disobedience 17.2 Introduction Any discussion about the history of twentieth century and even that of the first two decades of the present century without exploring the impact of the civil disobedience movements amounts to devaluing the role of social movements of the masses in different

NSOU ? CC-PS-03 167 parts of the world. While the movements of Gandhi and Martin Luther King Jr are often represented as the success of civil disobedience movement, it is equally important to refer to the non-violent movement against apartheid led by Nelson Mandela, the long movement against military rule in Myanmar led by Aung San Suu Kyi, the Solidarity movement in Poland led by Lech Walesa, the environmental movements emerging in India and different parts of the world as important chapters in this success story. It is pertinent, perhaps, to mention here how the teenage girl climate activist, Greta Thunberg, the new icon of the global fight against climate change, is described by some sections of the western media as 'Little Gandhi'.

17.3 The Idea of Civil Disobedience The idea of civil disobedience was introduced in modern Western political thought by Henry David Thoreau 150 years ago. Since that time civil disobedience has often been regarded as a mechanism of working democracy, one of the accepted ways of expressing citizens' disagreement with authorities and a minorities' disagreement with the majority. In his famous essay 'Civil Disobedience' published in 1849 Thoreau emphasized the fact that an individual has to be faithful to his or her conscience and do only what each believes to be right regardless of the demands of society or the laws made by the state. Thoreau, driven by his anarchist position, placed individual conscience above the political obligation to the state. Guided by this spirit Thoreau disobeyed the US government for acting immorally in upholding slavery and waging war against Mexico. Thoreau publicly condemned those acts and refused to pay taxes in protest. In July 1846 he was arrested. Thoreau's minor act of defiance led him to the conclusion that it was not enough to be against the unjust act of the government . A person of conscience had to act. ' Civil Disobedience' was , in fact, an activist manifesto. Thoreau argued that a government must end an unjust act to earn the moral right to collect taxes from the citizens. He declared in no certain terms that if the government of the day forced the citizens to participate in injustice by obeying unjust laws ' then people should break the laws ' even if they ended up in prison. "under a government which imprisons anyone unjustly" , he said, " the true place for a just man is also a prison." It is difficult to define 'Civil Disobedience'. In our time John Rawls in his path breaking book ' A Theory

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of Justice' defines civil disobedience as "a public, nonviolent, conscientious yet political act

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contrary to law usually done with the aim of bringing about a change in the law or policies of the government." 17.4

Origin of the concept Some commentators trace the origin of civil disobedience in the long and varied history of western thought. Thus one can find a faint expression of this idea in the Antigone theme in Greek dramas. In fact the long history of western civilization has always been a conflict between individual freedom and the political authority of the state which finds reflection in the idea of civil disobedience. Thus Socrates considered search for truth as the fundamental aim of human life. He believed that human life could flourish only within a society and it was the duty of the individual to obey the state. But under no circumstances he was ready to sacrifice his inner truth, his conscience at the altar of the state. He strongly believed that the state had no right to force the individual to act unjustly. The core idea involved here inspired the notion of civil disobedience. Some critics also trace the idea of civil disobedience in the liberal tradition of Europe especially in the political thought of thinkers like John Locke, Jeremy Bentham, and John Stuart Mill. Locke advocated the concept of the right to resistance - "people have a right to resume their original liberty and to establish a new government." He was convinced that people had the right to resist, the right to have civil disobedience to restore their rights to life, liberty and property, the three rights being included within the 'right to property'. Bentham also advocated that conscientious citizens have to 'enter into measures of resistance as a matter of duty as well as interest.'. But nowhere can one find the idea of civil disobedience in more clear terms as in the thought of Henry David Thoreau for whom civil laws that come into conflict with moral laws have no moral right to exist.

17.5 Gandhi and Civil Disobedience

Gandhi didn't read Thoreau's 'Civil Disobedience' when he first started the civil disobedience or Satyagraha when Transvaal passed a law in 1907 requiring the registration and fingerprinting of all Indians, giving the police the power to enter their houses to ensure registration of all the Indians. It was during his prison term that he came to know and read Thoreau's 'Civil Disobedience' Like Thoreau Gandhi believed that an individual NSOU ? CC-PS-03 169 is a moral agent taking a moral position on the question of obeying a state's law or an order. As moral beings, citizens had a duty to decide to whom they should give their loyalty and support and under what conditions. Their loyalty should not be taken for granted. When a law is just, they had a 'sacred duty' to give it their 'willing and spontaneous obedience'. But when it is unjust and morally unacceptable, they had the opposite duty to disobey it. They can't be forced to participate in the state's act of injustice and incur the moral responsibility for its consequences. Gandhi described civil disobedience as the doctrine of 'Satyagraha', or 'Truth Force'. For him the word 'civil' expresses the peaceful, courteous and 'civilized' nature of the resistance. Initially, Gandhi accepted the expression 'passive resistance' to refer to civil disobedience. But to him, it was not enough to resist injustice perpetrated by a state, but it is equally important to do it without any feeling of animosity. Gandhi's aim was to win over the enemy by what he called 'surgery of the soul'. Thus subsequently Gandhi discarded the term 'passive resistance' and decided to use the term 'satyagraha' which was, to him, devoid of any animosity, hatred and violent means. It is based on spiritual purity. Like Tolstoy Gandhi was opposed to all forms of violence in political actions. For him nonviolence (Ahimsa) and truth are inseparable. As Gandhi said: "Satyagraha largely appears to the public as Civil Disobedience or Civil Resistance. It is civil in the sense that it is not criminal. The lawbreaker..... openly and civilly breaks (unjust laws) and quietly suffers the penalty for their breach. And in order to register his protest against the actions of the lawgivers, it is open to him to withdraw his cooperation from the state by disobeying such other laws whose breach does not constitute moral turpitude. In my opinion the beauty and efficacy of Satyagraha are so great that it can be preached even to children." Gandhi strongly believed that, faced with injustice of the state, every individual has a birth right to start civil disobedience. He wrote in 1920: "I wish I could persuade everybody that civil disobedience is the inherent right of a citizen. He does not give it up without ceasing to be a man. Civil disobedience, therefore, becomes a sacred duty, when the state has become lawless, or which is the same thing, corrupt. And a citizen that barter with such a state, shares in corruption or lawlessness." In 1918, Gandhi used the civil disobedience movement in India during his campaign for the textile workers of Ahmedabad. The Salt Satyagraha of 1930, the civil disobedience movement for independence in 1930 and his fast unto death for the development of social conditions of the untouchables in 1939 are some of examples of civil disobedience led by Gandhi in

NSOU ? CC-PS-03 170 India. Some of the other important civil disobedience movements of the last century are the movement against apartheid policies of South African Government in 1952, the American civil rights movement led by Martin Luther King Jr. from 1955 till his assassination in 1968, to mention a few.

17.6 Features of the Civil Disobedience Movement

It is not difficult to identify the features of civil disobedience after analysing Gandhi's views on the same. But most of the commentators refer to some features of civil disobedience which are as follows:

Conscientiousness: The first feature of civil disobedience is that it must be committed consciously, intentionally, with the civil disobedient breaching the law with seriousness, sincerity, and moral conviction. Through their disobedience, the civil disobedients try to draw attention to laws and policies that they believe require reassessment or rejection. Here it is important to mention that this civil disobedience can be both direct or indirect. Direct civil disobedience requires action carried out directly to violate a law which is challenged. But in the case of indirect civil disobedience the norm or law violated is not the one being challenged as in the case of sit-ins in public places when the traffic regulations are not the ones being challenged. In Rawls's view, in a nearly just society civil disobedients try to appeal to the majority to show that, in their considerate opinion, the principle of justice governing liberty and equality has not been respected by the policy makers. However critics point out inherent flaws in Rawls's arguments. Thus a whole range of legitimate values not reducible to justice or liberty and equality like transparency, stability, privacy integrity may motivate people to participate in civil disobedience. Moreover climate activists today in different parts of the world take resort to civil disobedience not for liberty, equality and justice referred to by Rawls. They also fight for a kind of justice, often described as climate justice, which is understood in a sense quite different from that of Rawls.

Publicity: Civil disobedience must be a public act. Performing a public act gives it a symbolic value and allows reaching widespread intended to raise public awareness of the case. This element of civil disobedience is highly endorsed by Rawls who argues that disobedience should never be covert and secretive, as this would defeat the very purpose

NSOU ? CC-PS-03 171 of civil disobedience which is intended to communicate with the people and seek their moral support against an unjust act of the state. As Hugo A. Bedau says that it is essential to the dissenters purpose that both the government and public should know what she intends to do. But publicity sometimes undermines the attempt to communicate through civil disobedience. If a person gives prior publicity to her intention to breach a law she gives both her opponents and the law enforcing agencies the opportunity to abort her effort to communicate. For this reason, unnoticed or covert disobedience is sometimes more effective than civil disobedience organized with prior notice or publicity. There are many examples like the animal rights activists releasing animals from research laboratories, peace movement activists reaching a Nuclear research site, environmental activists attacking a thermal Power plant or nuclear power plants in Europe. Such acts of civil disobedience, however, is followed by an open acknowledgement of the act and the reasons for doing it. Subsequent openness and publicity gives the action a moral legitimacy in the people's eyes, makes the much needed communication possible and offers the activists the opportunity to show their willingness to deal fairly with state authorities.

Nonviolence: For Gandhi civil disobedience by definition should be civil; that is it should be public and non-violent. The civil disobedient who, according to Gandhi, is a satyagrahi must convince the opponent the intensity of the satyagrahi's feeling and give him the last chance of negotiation. He championed the effectiveness of satyagraha in terms of the spiritual impact of suffering love. The satyagrahi's love for his opponent and moral nobility disarmed the latter, defused his feeling of anger and hatred and sends an appeal to his higher nature. A satyagrahi's uncomplaining suffering denied the opponent a sense of victory, mobilized the neutral public opinion creating the space for introspection and negotiation. Some theorists like John Rawls argue that civil disobedience by definition is non-violent. According to Rawls violent acts likely to injure are incompatible with civil disobedience as a mode of address. That is why, according to Rawls, Gandhi and Martin Luther King Jr represent, classic examples of non-violent direct action. However there are disputes regarding the centrality of non-violence to the concept of civil disobedience. First, there is a problem of specifying the appropriate notion of non-violence - whether some acts causing minor injuries should also be included in a conception of violence. Second, some non-violent and legal acts cause more harms to others than violent acts.

NSOU ? CC-PS-03 172 A legal , peaceful strike by ambulance workers may cause more harm to the society than what can be done by some minor acts vandalism. Third, sometimes limited violence may heighten the communicative quality of civil disobedience by drawing attention to the dissenter's cause by emphasising her seriousness and frustration. Notwithstanding such criticisms, generally non-violence is preferable to violence in any act of civil disobedience. As a matter of prudence too, non-violence has less possibilities of antagonising potential allies and or confirming the antipathy of the opponent. Besides, non-violence does not distract the attention of the public, and denies authorities an excuse of resorting to violence against civil disobedients. That is why perhaps, the state authorities sometimes, by some acts of subversion, try to push the non-violent activists to the path of violence to get an excuse to make violent counter offensive. Another feature of civil disobedience, mentioned by some commentators, is that civil disobedience should be a collective action, not individual action .The movement must be carried out collectively to achieve success. However there are serious disputes regarding this feature of civil disobedience. It is not clear why an individual act of civil disobedience should not be brought under the rubric of Civil Disobedience. An important feature of civil disobedience is that the civil disobedient should take resort to an act of civil disobedience accepting the eventualities of a sanction . A fundamental difference between civil disobedience and ordinary crimes is the willingness of the offender to accept legal consequences. The willingness of the civil disobedients to accept punishment is taken not only as a mark of general fidelity to the law , but also a statement that they differ from ordinary offenders who , usually, does not want to make it known that she has violated the law and does not want to suffer from her unlawful action. Accepting punishment can have great strategic value as Martin Luther King Jr observed, ' If you confront a man who has been cruelly misusing you, and say " punish me, if you will; I do not deserve it, but I will accept it, so that the world will know that I am right and you are wrong", then you wield a powerful and just weapon.' Judging by these criteria of civil disobedience, it is difficult to describe even David Thoreau as a civil disobedient, for neither did he give publicity to his act of disobedience of not paying taxes as mark of protest against the state nor was his act was a collective one. In our time when teenage climate activist Geta Thunberg started her act of civil

NSOU ? CC-PS-03 173 disobedience by her sit-ins with a placard in her hands, she was a lonely climate crusader going almost unnoticed initially. Another problem of civil disobedience is its efficacy under a cruelly authoritarian regime. Rawls also says that this instrument of struggle can get success in a nearly 'just society'. Perhaps the people of Myanmar trying to fight the authoritarian military regime in their country recently has learnt this bitter truth. 17.7 Conclusion ? In today's world, the environmental and climate activists are exploring in their innovative ways the wide significance of civil disobedience, focused as they are on the most pressing problem of the present world- sustainability due to climate change. ? Greenpeace movement, the movements of 'Extinction Rebellion', or Fridays for Future (the school strike for climate under the inspiration of Geta Thunberg) are some of the leading movements of our time as more people participate in their civil disobedience actions to save our mother planet. ? Unlike all the previous Civil disobedience movements , these are innovative in the sense that these activists have helped to reach an international consensus (their cause being backed by science) and they make use of new propaganda techniques by wide use of internet and social networking sites. Here lies the relevance of the Civil Disobedience movement in the 21 st century as a tool of protest when the mankind are confronting massive injustice. 17.8 Summing Up ? The idea of civil disobedience was introduced in modern western political theory 150 years age. ? It has often been regarded as a mechanism of working democracy and one of the accepted ways of expressing citizens discontent to the authorities. ? Gandhi described civil disobedience as the doctrine of satyagraha or Truth Force. He was opposed to all forms of violence. For him truth and nonviolence are insepa- rable.

NSOU ? CC-PS-03 174 ? The defining features of civil disobedience are : conscientiousness publicity and non- violence. ? For John Rawls, civil disobedience is

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a public, nonviolent, conscientious yet political act done with the aim of bringing about change in the law or policies of the

govern- ment. 17.9 Probable Questions Essay Type Questions : 1. Discuss Gandhi's views on Civil Disobedience. 2. Analyse the features of Civil Disobedience 3. Trace the origin of the concept of Civil Disobedience. Long Questions : 1. Write on Henry David Thoreau's idea of Civil Disobedience. 2. Write on any civil disobedience movement of the present world. Short Question : 1. What is the meaning of Satyagraha? 2. Make a brief overview of the relevance of the Civil Disobedience as a tool of protest in the present world. 17.10 Further Reading 1. Bhikhu Parekh, Gandhi, New York, Sterling Publishing House, 1997. 2. John Rawls, A Theory of Justice, London, Oxford University Press, 1972. 3. Civil Disobedience (Stanford Encyclopedia of Philosophy), <https://Plato.stanford.edu/entries/civil-disobedience>

Unit 18 Cultural Relativism Structure 18.1 Objectives 18.2 Introduction 18.3 Cultural Relativism : Meaning and basic principles 18.4 Critique of cultural relativism 18.5 Cultural relativism and multiculturalism 18.6 Conclusion 18.7 Summing Up 18.8 Probable question 18.9 Further Reading 18.1 Objectives After studying this unit the students will be familiar with – ? The concept of cultural relativism, its meaning and implications ? Relations between cultural relativism and multiculturalism 18.2 Introduction We live in a fast changing world society. People belonging to various cultures are increasingly coming into contact with each other. In today's world cultural differences are more prevalent than cultural Universals. In this context the interaction among people with distinct culture can be positive or negative depending on the degree of sensitivity and respect people have for other cultural groups. These two types of responses are related to the two important concepts- ethnocentrism and cultural relativism. Negative responses towards others cultural groups arise out of ethnocentrism, while positive responses are the results of a culturally relativist approach. Cultures often vary greatly in their ethical concepts of right and wrong. Cultural relativism, the theory that what is morally right and wrong depends only on one's culture, attempts to address the difference in ethical standards across cultures. It is a heuristic device of fundamental importance because it calls attention to the importance of all possible variant forms and conditions. However, the principle of cultural relativism is not without its flaws.

NSOU ? CC-PS-03 176 18.3 Cultural Relativism : Meaning and basic principles In anthropology, cultural relativism is traditionally traced back to American anthropologist Franz Boas. Boas articulated the idea that civilization is relative and the meaning of particular ideas and conception should be understood in the local context. The idea was later developed by his students. Cultural relativism is the idea that each culture is to be evaluated on the basis of its own values and norms of behavior and not on the basis of those of another culture. According to Melville Herskovits, Boas's student, the basic principle out of which cultural relativism emerged is "judgments are based on experience and experience is interpreted by each individual in terms of his or her own enculturation" Cultural relativism was in part a response to western ethnocentrism. Social and cultural anthropology reacted against this by committing itself to salvage distinct forms of life from a process of global westernization. Cultural relativism was initially elaborated as a methodological concept. In his work, Boas used the concept of culture against the racist views of 19th century scholars and their evolutionary representation of primitive peoples. He rejected the idea of ranking primitive peoples ethnocentrically in relation to modern societies. He envisaged culture as a totality. In this view culture is a Universe, a vast field in which we and our civilization occupy only one place of many. This was a departure from ethnocentricity toward relativity. Boas rejected the idea of the universal standards of comparison promoted by the theory of evolution and in the process paved the way for the eventual emergence of cultural relativism. This theoretical and methodological approach inspired by German philosopher Herder allowed Boas to highlight the specificity, diversity and incommensurability of cultural systems. The popularization of cultural relativism after World War II was a reaction to such historical events as Nazism, colonialism, ethnocentrism and racism. In his book, Man and his works, Herskovits gave a concise statement of cultural relativism. For him every society has code of conduct, an ethical system a moral code, which the individual members hardly question. In philosophical terms, cultural relativism is a perspective which in recognizing the values set up by every society to guide its own life, puts emphasis on the dignity of social custom and on the need for tolerance of conventions even though they may differ from one's own. The philosophical perspective of cultural relativism enabled scholars to recognize the validity of every set of norms for the people whose lives are guided by them. For Herskovits, the epistemological function of anthropological research is to observe describe and analyze systems of value

NSOU ? CC-PS-03 177 and acknowledge the validity of specificities of distinctive moral regime even if these moral regimes are maintained to justify existing social inequalities. The political function of anthropological research is to reject ethnocentric accounts of the social world and to promote a tolerant attitude. 18.4 Critique of Cultural Relativism Classical cultural relativism has been debated by scholars for more than a half century. Today's consensus is that, classical cultural relativism has significant flaws. It tends to exaggerate the internal coherence of individual cultures. It overstates differences between societies and underplays the possibility of transcending these differences. It invites moral relativism and fosters hostility to comparative analysis. Critics have noted that proponents of classical cultural relativism are inclined to contradict their own core principle by criticizing the social institutions and practices of western societies when assessing non western societies. They have a tendency to serve as critic at home and conformist elsewhere. A major complaint against cultural relativism is that by explaining human thought and behavior exclusively with reference to particular cultures, it has marginalized the study of human nature in the broadest sense. The problem is that culture relativism is primarily directed to difference and hence it tends to underestimate the universals. These universals are treated as constants and therefore of limited utility in the interpretation of behavior in specific settings. Cultural relativism tends to view reality exclusively from its own narrow perspective. The basic premise of anthropology is that all experience is culturally mediated. All known reality is culturally determined. Once this basic assumption is granted then it follows that all modes of perception and all value judgment are also culturally determined. In this view culture constitutes a closed system and culture alone is autonomous and independent. All other modes of human experience and thought are dependent on culture for their own form and content. However, it is important to realize that culture is but one of the conditions of human experience. According to W. Kymlicka, cultural relativism violates one of our deepest shared understandings. For the cultural relativists, slavery is wrong if our society disapproves it. But this is not how most people understand slavery. People disapprove slavery because it is wrong. Further, it is difficult to identify shared understandings about different issues if only the voices of the vocal and powerful are taken into account and ignore the weak and the marginalized people.

NSOU ? CC-PS-03 178 Despite its flaws cultural relativism is a set of ideas useful as an intellectual tool. The limits of its usefulness are determined by the problems at hand and the skill of the person who wields it. Cultural relativism's historical role in encouraging cross-cultural understanding cannot be ignored. This is what Herskovits and other Boasians intended when they articulated it. The simplicity of cultural relativism's basic principles acts as a useful brake on analytical complacency. Alasdair Macintyre acknowledges relativism's role as a check on conclusions that otherwise seem self-evident. In fact cultural relativism disciplines the imagination and prompts us to observe carefully while avoiding the temptation to take much for granted. Cultural relativism is not the same as ethical relativism. Cultural relativism has an exclusive cross-cultural reference. Cultural relativism, according to Herskovits, suggests that every society has its own moral code to guide members of that society. But these values are of worth to those who live by them; though they may differ from our own. Thus it raises the question of the validity of applying the criteria that guide the thinking of the people of one society to the standards of another. Ethical relativism raises the question of whether any standards can be drawn to direct individual conduct within any one society. Cultural relativism does not advocate ethical relativism. 18.5 Cultural Relativism and Multiculturalism Many critics of multiculturalism take for granted the assumption that ethical or cultural relativism is a constitutive element of the theory of multiculturalism. The question of ethical relativism arises most sharply in connection with the problem of the oppression of minorities within minorities. Many liberal and feminist critics raised the objection that the majority of a given cultural minority is able to abuse its collective rights in order to oppress the vulnerable members of that minority. Critics argue that the multicultural recognition of diversity appears to bring about an unavoidable dilemma between individual and collective rights. In emphasizing group rights multiculturalism presents itself as a form of cultural determinism that restricts individual's freedom of choice. Thus multiculturalism indirectly limits the freedom of minority members. This becomes particularly evident when some cultural groups see individual freedom as a threat to their cultural identity and to the boundaries they have set up to protect it. By supporting cultural diversity multiculturalism does not break down cultural barriers. It reinforces those barriers and creates suspicion and hostility between minority groups and between them and members of the majority.

NSOU ? CC-PS-03 179 Critics assert that multicultural recognition is inherently limited in two interrelated ways. First, it aims to protect diversity irrespective of cultural practices. The anthropological debate on culture suggests that instead of focusing on culture as an abstract set of values we should focus on cultural practices. From this perspective emphasis should be put on practices which create conditions within which diverse ways of living can peacefully coexist. Second, multiculturalism wants to protect minority cultures as if they were immutable, while at the same time demands dramatic changes in the majority culture. Multicultural policies aim at promoting a democratic pluralist integration not on the basis of reciprocal respect but on the basis of toleration. Historically this kind of reciprocity has made possible the co-existence of different cultures in many countries. Relativist view that cultures and values are incommensurable does not provide the best foundation for the acknowledgement of cultural rights. For the view of incommensurability of cultural values can be abused to defend practices that marginalize, degrade or harm people. If cultures are incommensurable, then no neutral standards are available by which different cultural claims can be assessed and measured. Multiculturalists employ three distinct strategies to meet this objection. According to Charles Taylor, the hypothesis that the various ways of being human are ultimately incommensurable is possible, but it is doubtful. He draws attention to the risk of relativism and warns that cultural openness while necessary for understanding other cultures and tradition, should not lead to the questioning of the very idea of truth in human affairs. For him it is wrong to believe that accepting cultural differences necessitates abandoning allegiance to truth. Bhikhu Parekh contests moral relativism on the ground of "minimum universalism" or "pluralist universalism", conceived as a middle ground between relativism on the one hand and moral monism on the other. According to him, relativism mistakenly ignores cross culturally shared human properties which give rise to some basic norms of human well-being common and valid to all societies. He argues that culture do not exist in a vacuum. They are embedded in and limited by the universally shared features of human existence. He contends that cultural relativists mistakenly believe that a culture is a tightly integrated and self-contained whole and determines its members. In the similar vein, Margaret Moore observes that radical cultural and moral relativism does not necessarily follow from the recognition of multiple cultural values. She argues that it might not be possible to produce a full-scale ranking of diverse human values, but it might be possible to identify what is morally evil. It is possible to acknowledge that there are certain evils like cruelty, human suffering- that any moral system should recognize and prohibit.

NSOU ? CC-PS-03 180 18.6 Conclusion Foregoing analysis suggests that the thesis of incommensurability of cultures and values which usually underlines the position of cultural relativism is debatable. This in turn appears to support the view that it is possible to identify certain cultures as more valuable than others and to discredit moral relativism as an inappropriate foundation of multiculturalism. The reason for this is that it can tolerate some cultural practices that are unacceptable in terms of basic minimum human functioning. 18.7 Summing Up ? In the early 20th century American anthropologist Franz Boas used the concept of culture against the racist views of 19th century scholars. ? Cultural relativism was in part a response to western ethnocentrism. ? It is based on the idea that a person's beliefs, values and practices should be explained based on person's own culture. ? Critics argue that cultural relativism overstate differences between societies and under plays universals. ? For some critics multiculturalism in emphasizing group rights presents itself as a form of cultural determinism. ? However multi cultural theorist, such as, Charles Taylor, Bhikhu Parekh and Margaret Moore argue that relativism ignores cross cultural shared human properties. 18.8 Probable Questions Essay Type Questions : 1. Write a critical note on cultural relativism 2. Do you think that cultural relativism is a constituent element of multiculturalism? Give reasons for your answer. Long Questions : 1. What's cultural relativism? Examine its implications. 2. What are the major complaints against culture relativism?

NSOU ? CC-PS-03 181 Short Questions : 1. What are the core principles of cultural relativism? 2. Write a short note on the utility of cultural relativism as a methodological tool. 18.9 Further Reading 1. Rachels, James, the challenge of Cultural Relativism, in Exploring Ethics, Ed, Steven Kahn, OUP.2014 2. Rosado Caleb; understanding Cultural Relativism in a Multicultural World, written in 1990 : Accessed from Academia, 19th October, 2021 3. Prato Giuliana B. Beyond Multiculturalism: Anthropology at the Intersections between the Local, the National and the Global, Paper presented at the xv International Congress of the International Union of Anthropology and Ethnological Sciences, 2003 : Accessed from Academia, 19th October, 2021 4. Taylor, Charles, 2002. The Other and ourselves: Is Multiculturalism inherently relativist? [Http://www.Projectsyndicate.org/commentary](http://www.Projectsyndicate.org/commentary) 5.

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Parekh Bhikhu 2000, Rethinking Multiculturalism: Cultural Diversity and Political Theory. Basingstoke,

Macmillan

Unit 19 ????? Plural Society and Multiculturalism Structure 19.1 Objectives 19.2 Introduction 19.3 Bhiku Parekh analysis of the forms of cultural diversity and multicultural rights. 19.4 Core themes of Multiculturalism 19.5 Identity and Culture 19.6 Diversity 19.7 Liberal Multiculturalism 19.8 Cosmopolitan Multiculturalism 19.9 Pluralist Multiculturalism 19.10 Conclusion 19.11 Summing Up 19.12 Probable Questions 19.13 Further Reading 19.1

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Objectives After reading this unit the learners will be able to – ? Discuss the

concept of plural society and multiculturalism. ? Understand the challenges facing multiculturalism in liberal democracy. ? Explain the different types of multiculturalism. ? Explain the different kinds of cultural diversity in a multicultural state.

19.2 Introduction Individual liberty was deeply cherished by the advocates of liberal democracy since the beginning of its journey in Europe. Locke put liberty at the centre of European politics - the rights to life, liberty and property being the three inalienable, natural rights. Rousseau considered freedom an essential attribute of being human. Liberty of thought, expression and action was central to Mill's idea of democracy.

NSOU ? CC-PS-03 183 From the seventeenth century the concept of equality along with liberty was placed at the core of democratic theory. Once civil and political liberties were granted to persons of all classes, colour and gender were no longer the basis of excluding people from the political sphere, thinking about differences took a new turn undergoing changes that brought new challenges to liberal democratic theory and practice. Social differences began to reassert themselves without accompanying fear of legitimising discrimination. In the changed scenario the focus was shifted to cultural differences. Liberal democracies had to negotiate these new claims of cultural differences. Previously race, religion, and gender were based for unequal treatment to be meted out to different people. Now, cultural differences between communities, with their distinctive ways of life, values, norms, dress codes were viewed positively. Instead of indicators of stratification, they became so many markers of identity, self-respect, self-esteem demanding recognition from the society and the state. The celebration of cultural differences seemed to fit into the concept of liberty, not so was, perhaps, the case with the idea of equality. Both liberty and the idea of cultural differences fostered the idea of diversity. By contrast, the idea of cultural differences comes into conflict with the idea of equality as understood previously in democratic theory. In fact the proponents of multiculturalism were critical of the principle of formal equality on the ground that it leads to the erasure of all cultural differences treating and categorising every member of the nation state as citizen only, camouflaging the homogenising cultural bias of the nation state. Multiculturalism can be described as the central feature of the world we live in now. Whether we accept or reject the fact of cultural differences in the modern state, we simply can't wish away the reality of multiculturalism. Strangely, however, for a long time it was ignored in the western world despite decades of struggle by black Americans for full political inclusion, the confederalism adopted by several European states to accommodate linguistic and religious diversity and the multicultural policies pursued by Australia and Canada in the 1970s, to mention a few. While in the 1980s the communitarian writers championed the culture-friendly virtues of solidarity, togetherness and belonging, it was never spelt out which communities— cultural or otherwise—was being referred to. It was only the context of the liberal - communitarian debate in the 1990s that communitarianism transformed itself to a broader debate about

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how to accommodate cultural and ethnic claims within the framework of

liberal democracy. In this context Will Kymlicka's Liberalism, Community and Culture broke new ground.

NSOU ? CC-PS-03 184 Theories of democracy, justice, freedom, equality are abstract theories which often do not help us to address the issues of the right to have a particular dress code of persons belonging to a particular community, hate speech against a particular community, the cultural rights of the immigrants. These are all concrete questions, culture-specific questions. It is not that we can accommodate the multicultural reality in the existing theories of democracy, justice, freedom and equality, because often these theories are formulated in a culture-blind way. So the challenge of multiculturalism demands a reformulation and redefinition of these theories.

19.3 Bhiku Parekh's analysis of the forms of cultural diversity and multicultural rights Bhiku Parekh analyses four major forms of cultural diversity and consequent forms of multicultural rights. First, the indigenous peoples, such as the Amerindians, the Maoris, the Australian aborigines, the Inuits and others like them, want to preserve their distinct and largely pre modern ways of life. Although they once enjoyed independence which they lost to the white colonizers, they do not generally want to form themselves into independent states. Their claim is generally restricted to the demand to retain their land, cultures and traditional ways of life within the framework of the existing states. Sometimes they demand the right to have special representation in the legislatures. Secondly, there are territorially concentrated and politically self-conscious communities that want to preserve their distinct languages and cultures, if possible within the existing states, if not by achieving independence from the existing states. The French speaking people in Quebec, the Basques, the Catalonians in Spain, the Tamils in Sri Lanka, the Muslims in Kashmir fall within this category. Unlike the first group they are not opposed to wider society's modern ways of life and socio-economic, political aspirations. But they have a distinct linguistic and cultural identity which, they think, they can't preserve within the framework of the traditional federal state granting them administrative autonomy. Thirdly, there are immigrants, ethnic minorities and religious communities who, unlike the first two groups, neither demand to be left alone nor seek political autonomy. They, generally, seek the cultural space to retain and transmit their ways of life. Finally the demand for recognition and cultural diversity may also come from groups of men and women sharing in common a self-chosen life-style — like

NSOU ? CC-PS-03 185 the gays, lesbians and other groups of people opting for unconventional ways of living. Such groups demand not only toleration, but respect for what they consider their unconventional practices. They are not distinct ethnic groups, their ways of life are not radically different from the mainstream of society. But have developed a kind of subculture with their unconventional life practices within the shared framework of common culture.

19.4 Core themes of multiculturalism Four themes are identified by Andrew Heywood as the core themes of multiculturalism — Post-colonialism, Identity and Culture, Minority Rights, Diversity. Postcolonialism: Postcolonialism gave a fillip to multiculturalism by challenging the cultural hegemony of the west and legitimising nonwestern cultural practices, traditions and political ideas. Edward Said's path-breaking work 'Orientalism' is often considered the most influential text of postcolonialism. Frantz Fanon's theory of imperialism analysed the psychological dimension of colonial subjugation. To Edward Said Orientalism is a sign of Europe-Atlantic power over the Orient which produces a body of knowledge creating a stereotype of the 'Orient'. In his words Orientalism is 'system of knowledge about the Orient, an accepted grid for filtering through the Orient into Western consciousness.' Taking the cue from Gramsci's idea of hegemony, Edward Said considers Orientalism 'the hegemony of European ideas about the Orient, themselves reiterating the European superiority over Oriental backwardness', usually overriding the possibility of an independent, authentic voice on this matter. Postcolonialism made some important contributions to the movement of multiculturalism. Firstly, by challenging the Eurocentric worldviews it gave a distinctive space to non-western cultures, ideas, religions and philosophies and encouraged their broader reassessment. Secondly, it brought to the fore the political importance of different varying cultures getting free from the bias of Eurocentrism and colonial legacy.

19.5 Identity and Culture Needless to say that multiculturalism is a kind of identity politics in the face of the challenges coming from the homogenising culture of the modern nation state or the dominant culture of the majority community. So it is the result of a sense of perceived injustice and driven by that perception it tries to strengthen the sense of collective identity of the members and the commonality of their shared life

NSOU ? CC-PS-03 186 experiences. Identity in this sense connects the personal to the social and considers the individual 'embedded' in a cultural, social, institutional or ideological context. Multiculturalism, in other words is rooted in a communitarian view of human nature, as against the liberal idea of 'disengaged', 'unencumbered' self. Communitarian theorists like Alistair MacIntyre and Michael Sandel point out the rootless atomism of liberal individualism. Canadian philosopher, Charles Taylor developed the idea of 'politics of recognition' explicitly built on the communitarian view of personal identity. Arguing for a model of liberal society that can include important collective goals, Taylor distinguishes between the crucial liberties central to any liberal society and the less critical rights and opportunities that may be overridden. The pro-French policies of Quebec are such a collective goal. The goal here is not just to sustain, but actively create a community of French speakers into the indefinite future. Taylor argues that individuals require, not just respect, but recognition, they need to be objects of others' positive attitudes. Taylor distinguishes between two modes of being in late modernity— autonomy and authenticity. While autonomy is the seed bed in which modern rational, disengaged self has grown, authenticity invokes alternative Romantic tradition of spontaneity, uniqueness and difference. There is a certain way of life that is my way. These two traditions are not opposite, but divergent. Taylor, however interprets authenticity not just in an individual sense, but also in a collective sense: cultures too have their own authentic essences which need recognition. Minority rights and Will Kymlicka : Kymlicka's Multicultural Citizenship wants to defend cultural protection along liberal lines. He distinguishes between cultural contexts, as media that provide meaning, orientation, identity, belonging and cultural options within that context. With that distinction Kymlicka tries to advance two divergent arguments. Cultures are a necessary frame of human action; hence there is a loss if one's cultural context begins to erode. This is justice argument, and it says that each person has the right to a secure cultural context, not just any context, but his/her own. The freedom argument says that people are free autonomous choosers, and what they choose between are different cultural options. Unitary optionless contexts, like seamless webs of shared values, would leave cultural members without liberal choices. Both these arguments ultimately lead to multiculturalism. Kymlicka distinguishes between national minorities and ethnic groups to advance different kinds of cultural rights. The national minorities are incipient nations who themselves incorporated into a larger multinational state. Examples include the aboriginal peoples in Canada and Australia, Maori in New Zealand and the various multinational groups that comprise multinational states like Switzerland and Belgium. Ethnic groups, on the other hand, are formed largely as a result of immigration.

NSOU ? CC-PS-03 187 This category includes the diverse groups of migrants found in the USA, Canada and Australia, countries with highest rates of immigration, as well as the Turks in Germany, the immigrants from the Commonwealth countries in the UK, for example. The point of such distinction is to refer to the hierarchy of cultural rights required for different cultural minorities. The national minorities require the rights to special representation and devolved self-government, although in some cases it may extend to the right to secession and, therefore, to sovereign independence. The ethnic groups, formed mainly by the immigrants, on the other hand require rights to express their cultural distinctiveness through certain exemptions and privileges. This may include, for instance, legal exemptions of Jews and Muslims from animal slaughtering, the exemptions of Muslim girls from school dress codes. Kymlicka also emphasizes the need for special representation of minorities and disadvantaged groups in education and in senior positions in political and public life. Kymlicka supported 'reverse or positive discrimination as the only way of ensuring full and equal participation of minorities, which consequently guarantees public policies reflecting the interests of all groups and people, not merely those of the dominant groups. Judged from this perspective, multiculturalism goes against the principle of formal equality by granting preferential rights and privileges to certain groups to compensate for past injustice or present disadvantages, and thus associated with the principle of so-called, 'affirmative action', followed in many democracies. 19.6 Diversity Diversity lies at the core of multiculturalism. It is, however, different from conflict or lack of cohesion as feared by the nationalists. On the contrary multiculturalism is driven by the assumption that diversity and unity can coexist and the two should be combined to build multicultural citizenship and political cohesion. Diversity and respect for diversity can, in fact, act as an antidote to polarization in society. Multiculturalists believe that diversity is not only desirable, but should be celebrated. Diversity builds a vibrant society in which a variety of life-styles, cultural practices, traditions and beliefs enriches the overall health of the society. Multiculturalism, in this sense, is akin to ecologism, in drawing links between diversity and systemic health. Cultural diversity benefits the society in the same way that biodiversity benefits an ecosystem. Besides, respect for diversity promotes cross-cultural exchanges and fosters cross-cultural tolerance required for a healthy democracy. While all forms of multiculturalism propose a political vision which claims to reconcile diversity with civic cohesion, there is no unanimity about the nature of

NSOU ? CC-PS-03 188 society and polity they want to build up based on these core multicultural values. In other words, there is no agreement amongst the multiculturalists about how the liberal state should respond to their demands ,how they should go in positively endorsing cultural diversity in state policies. Andrew Heywood classifies three shades of multiculturalist answers or three models of multiculturalism: Liberal Multiculturalism , Cosmopolitan Multiculturalism, Pluralist Multiculturalism. 19.7 Liberal Multiculturalism Multiculturalism is often considered a threat to liberal values. But since the 1970s liberal thinkers have tried to address this issue of cultural diversity and developed a form of liberal multiculturalism . Central to this liberal multiculturalism is the idea of toleration and a desire to uphold the freedom of choice in moral sphere especially in matters relating to specific cultural and religious traditions. The cornerstone of this kind of liberal multiculturalism is the central importance of individual autonomy in cultural and religious sphere, the liberal state being considered 'neutral' to moral, cultural, religious choice of the citizens. However 'liberal toleration', is not morally neutral where a question of individual freedom and autonomy is involved. Liberal multiculturalism, thus, can't accommodate 'deep diversity' and often is not willing to accept cultural practices like arranged marriages and female dress codes as markers of a community's cultural identity. To the liberal multiculturalists an individual's freedom of choice gets precedence over the cultural rights of a community. They would, rather, like to confine the the community's cultural rights to the private sphere, while the public sphere is to remain an arena of shared civic allegiances . They would propose a kind of citizenship devoid of any cultural identity leading to a kind of civic nationalism which is compatible with multiculturalism. According to Heywood hyphenated expression like 'African- Americans', 'Polish-Americans', 'German-Americans' prevalent in the USA reflects this approach which emphasizes inclusion , rather than diversity, in the public sphere. In other words, liberal multiculturalism regards liberal 'democracy' as a preeminent value to be protected at any cost. Bhikhu Parekh calls it Assimilationist Liberalism which argues that the liberal state is a custodian of a way of life centered on the values of autonomy,, freedom of choice and independent thought. Minority ways of life, based on different set of values deny their members this freedom of choice threatening the integrity of liberal way of life. Assimilationist liberalism, in other words, insists on the importance of common citizenship, social cohesion and a shared system of meaning, the limit to a society's ability to tolerate cultural diversity. But

NSOU ? CC-PS-03 189 Bhikhu Parekh points out flaws in such line of argument. The liberalism, Parekh argues, values cultural diversity and pluralism on moral and epistemological grounds. As a liberal one would accept the fact that cultural diversity increases the range of available options,expands one's imagination and enriches life. Since this is so, a liberal can't privilege the liberal way of life, conduct an assimilationist campaign against all opposing values, projecting liberal way of life as the last word of human wisdom. 19.8 Cosmopolitan Multiculturalism Theorists like Jeremy Waldron equates multiculturalism with cosmopolitanism which enables an individual to accept and learn from multicultural values and ideas, not confined to any national borders. In other words, cosmopolitan multiculturalism celebrates diversity on the ground that each culture can learn from other cultures and it widens the possibility of individual self-development and enrichment in a world of wider cultural opportunities and options.. It can lead to even cultural hybridization and result in a pick -and - mix multiculturalism in which people may eat Italian food, practice Yoga, enjoy African songs, all at the same time. Culture, in this perspective , is fluid and changing perhaps like changing consumer choices. A multicultural society thus becomes a melting pot of different ideas, values and traditions. Bhikhu Parekh calls it ' cultural laissez-faire'. John Gray is one of the eading proponents of this approach. Extending the liberal principles of choice and competition to the realm of culture, proponents of this approach insist that every individual should be free to choose his or her way of life in a fair competition between several of them. Like the proponents of laissez-faire economy, Gray wants the state to eschew all the social, cultural or economic goals and confine itself to creating conducive conditions for individual choice.. As Bhikhu Parekh beautifully observes, such a line of argument proposes that culturally unattached individuals should be given the right to freely choose their ways of life in a kind of cultural supermarket. Such a view, as Parekh says, misunderstands both the individual, who is by nature, a cultural being, and culture which cannot be chosen in the manner of material goods. 19.9 Pluralist Multiculturalism Pluralism accommodates 'deep diversity ', thereby placing diversity on a firmer basis than does liberalism. Isaiah Berlin ,going beyond the liberal idea of toleration,

NSOU ? CC-PS-03 190 proposes the idea of 'value pluralism' which allows space for disagreement over the ultimate ends of life, as it is not possible to establish the superiority of one value system over another. However Berlin's adherence to the core idea of liberalism is indicated by his belief that only a society that respects individual liberty can accommodate value pluralism. One of the leading proponents of an alternative basis for pluralism is Bhikhu Parekh. Parekh argues that human beings are cultural beings. As self-reflective beings they develop distinct cultures in the context of their natural and social experiences. Although all human beings share some common attributes which are species-driven, they are also structured and constituted and developed differently in different cultural settings. In this sense all human beings are culturally embedded. As cultures are human creations, respect for human beings demands respect for their cultures too. Cultural diversity is valuable not because it expands our choices of the ways of life in a 'cultural supermarket', but because it deepens our self-knowledge and helps us to borrow whatever is attractive in other cultures, integrating them into our own. Cultural diversity, then, is, to borrow an expression from Taylor, a collective good. It both gives the individual a sense of identity and rootedness while at the same time creating possibilities for enriching dialogues between different cultures. Such diversity, however, can't be protected and safeguarded by a policy of cultural laissez-faire. Since it is a 'collective' or 'public good', it cannot be left to the vagaries of the market. On the contrary, it needs the state's active role for its promotion and protection. The state can promote and sustain cultural diversity in different ways like providing public funds for teaching of minority languages, cultures, religions and so on. It can pursue group-related welfare policies, it can patronize minority religious and cultural functions, can even encourage self-governance for some minority communities.

19.10 Conclusion Multiculturalism has been criticised from different standpoints. Making a fierce attack on the liberal state's policies of positive discrimination John Gray has observed that by a dialectic twist of its own inner logic the response of dominant liberalism to the threat of cultural homogeneity has given birth to a new form of cultural imperialism, in which the remnants of overwhelmed traditions are preserved as spectacles for public consumption and subsidized ghettos. There are liberals who argue that the so-called fundamental or core values of their society are not negotiable. Thus customs and practices incompatible with these core values may rightly be

NSOU ? CC-PS-03 191 banned. Bhikhu Parekh would argue that the idea of fundamental or core values is itself problematic and too elusive to be of much use. To talk of some core values is to reify those values and that can lead to another kind of cultural homogeneity. In spite of all the criticisms, it can be said that 'multiculturalism', to different degrees, has been accepted by almost all the major democracies of the world in principled liberalism. and in state policies. Herein, perhaps, lies its importance.

19.11 Summing Up ? Multiculturalism is a central feature of the present day world. Its proponents argue that the principle of formal equality reflects the homogenizing cultural bias of the nation state. ? Core themes of multiculturalism include identity and culture, minority rights, diversity and post colonialism. ? Liberal multiculturalism emphasizes individual autonomy in cultural and religious sphere. ? Cosmopolitan multiculturalism celebrate cultural diversity as it widens the possibility of individual self development. ? Pluralist multiculturalism lays emphasis on deep diversity. Berlin proposes the idea of value pluralism. Bhiku Parekh justifies cultural diversity because it deepens our self knowledge and helps us to borrow whatever is attractive in other cultures.

19.12 Probable Questions
Essay Type Questions : 1. Do you think that multiculturalism is a kind of identity politics? Explain your view. 2. What are the challenges facing multiculturalism in liberal democracy 3. Explain the different types of multiculturalism. Long Questions : 1. Discuss, following Bhiku Parekh the different kinds of cultural diversity in a multicultural state.

NSOU ? CC-PS-03 192 2. What are the core themes of multiculturalism ? 3. Discuss Will Kymlicka's view on minority rights. Short Question : 1. Write a short note on cosmopolitan multiculturalism. 2. What according to Kymlicka are the different forms of cultural rights? 3. Write a short note on 'liberal multiculturalism'.

19.13 Further Reading 1. Bhiku Parekh, Rethinking Multiculturalism : Cultural Diversity and political Theory, Harvard University Press, 2002. 2. Anne Philips, Multiculturalism: Cultural Diversity, Princeton University Press, Princeton, 2007. 3. Tariq Modood, Multi cultural politics : Racism, Ethnicity and Muslims in Britain, Edinburgh University Press, Edinburgh, 2005. 4. Will Kymlicka, Multicultural Citizenship, Oxford Scholarship online, 1996. 5. Gurpreet Mahajan, ' Religions, Democracy and Governance : Spaces for the Marginalised in Contemporary India' in Economic and Political Weekly, Vol.47. No.1 (January 7, 2012). 6. Gurpreet Mahajan, Democracy, Difference and Social Justice, Oxford University Press, New York and Delhi, 1998.

Unit 20 ????? Issues of Toleration Structure 20.1 Objectives 20.2 Introduction 20.3 Meaning of toleration 20.4 Liberalism and toleration 20.5 Limits of Toleration 20.6 Toleration and neutrality 20.7 Conclusion 20.8 Summing Up 20.9 Probable Questions 20.10 Further Reading 20.1 Objectives After going through these unit students will be familiar with — ? The meaning of toleration ? Relations between liberalism and toleration ? Limits of toleration ? Relation between toleration and neutrality 20.2 Introduction

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The fact of diversity is evident everywhere in our social world. Individuals express different preferences

and judgments on the question of ways of organizing their personal and collective lives. Since the 1960s attitudes to personal morality have undergone profound changes. In the contemporary world the advent of multiculturalism has seen widespread moral religious and ethnic diversity. This has made toleration a pressing issue both socially and globally. The idea that nations are based on a single culture is untenable now. Increasing diversity in the social world has provoked ideological debate between the liberals and the conservatives. While liberals are seen as supporter of toleration and diversity, conservatives are portrayed as defenders of authoritative values and a common culture.

NSOU ? CC-PS-03 194 20.3 Meaning of Toleration Toleration is a much misunderstood concept. In everyday language it is often taken to mean a willingness to leave alone, with little understanding of the motives that lie behind such an attitude. In this sense, toleration implies inaction, a refusal to interfere or willingness to bear with something. Toleration as a political value, however, refers to a specific form of inaction based on moral reasoning and a particular set of circumstances. Toleration does not mean permissiveness, blind indifference or willing indulgence. According to Andrew Heywood, toleration means forbearance, a willingness to accept form of behavior or beliefs of which one disapproves or simply dislike. Toleration in other words, is not morally neutral; it only applies to circumstances where there is disagreement with the views or action of others, combined with a deliberate refusal to act to prevent them. In this interpretation toleration is a principled unwillingness to impose one's views upon others, even when there is a clear capacity to do so. Toleration may be negative or positive. For the individual, the capacity to choose one's own moral beliefs, cultural practices and way of life, notwithstanding the disapproval of these by others, is an essential condition of freedom and self- development. This can be seen as negative toleration which justifies at least a live and let-live multiculturalism. On the other hand toleration, in its positive sense, by promoting diversity, contributes to the vigour and health of society and ensures progress by stimulating debate, argument and discussion. Thus toleration is both an ethical ideal and a social principle. On the one hand It represents the goal of individual autonomy, on the other hand, it establishes a set of rules concerning interpersonal behavior. 20.4 Liberalism and Toleration

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Liberals envisage a tolerant inclusive society populated by people adhering to a variety of belief systems.

The distinguishing characteristics of liberal social ethic is willingness to accept moral, cultural and political diversity. In fact, diversity can be said to be rooted in the principle of liberalism and the assumption that human beings are separate and distinct creatures. To be precise, liberal support for diversity has more commonly been associated with toleration. Liberals justify toleration in at least three different ways:

NSOU ? CC-PS-03 195 Liberal support for toleration first emerged in the 17 th century in the writings of John Milton and John Locke to justify religious freedom. In a Letter concerning Toleration Locke asserted that the primary task of the government is to protect life, liberty and property and it has no right to interfere in matters related to individual conscience. He defended toleration on rational grounds. He believed that truth will come out of free competition among ideas and beliefs and therefore must be left to individual self. Religious truth cannot be taught and it should not be imposed by government. Individual, being rational, should be left to decide their own actions. Liberal argument is based on the assumption that most forms of intolerance originate from ignorance and prejudice and hence will crumble in the face of rational analysis. The second ground for justifying toleration is individual autonomy. Individuals are held to be independent and self-determining creatures John Stuart Mill expressed this view in his book On Liberty. For Mill autonomy is an essential condition for any form of personal development. Intolerance and the consequent restriction of the range of individual choice leads to the sacrifice of the entire moral courage of the human mind. Mill developed his famous "harm principle", the belief that individual freedom can be rightfully constrained only in order to prevent harm to others. Mill was particularly fearful of the threat to autonomy posed by the spread of democracy and by the consequent tyranny of the majority. In his judgment the power of majority would promote dull conformity and encourage individuals to submit their rational faculties to the popular prejudice of the day. The third justification for toleration is that it is good for the society as well as the individual. Mill argued that political, cultural and moral diversity will ensure free competition among rival ideas and doctrines and in the process good ideas will displace the bad one and truth will conquer falsehood. However Mill admitted that debate, discussion and argument will be continuous because no absolute truth can ever be established. Hence social progress demands the scrupulous maintenance of toleration to ensure free market of ideas. 20.5 Limits of Toleration In a pluralist society different faiths and culture co-exist and

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there is likely to be friction and offence. One group's festivities might seem like an attack on another group. As values and philosophies compete in the marketplace of ideas, the competition will often seem disrespectful as each group tries to discredit its opponents. It is not easy to define the duty of mutual toleration under these circumstances or to sustain the distinction between harm and offence that a pluralist society requires. However, the line between public and private on the one hand and NSOU ? CC-PS-03 196 individual ethics and cultural observance on the other is always going to be an issue. In a pluralist society a religion may have its own values with a distinctive bearing on the problems of social life. It may impose particular obligation on its members which may or may not be compatible with the society's broader social arrangements. According to

Andrew Heywood liberal toleration extends only to views values and practice that are themselves tolerant. It tolerates ideas and actions that are compatible with individual freedom and autonomy. Liberals cannot accommodate "deep diversity" advocated by some multiculturalists. Emphasis on autonomy means that liberals usually place individual rights above the rights of cultural, religious or ethnic groups. Liberals have been critical of the indoctrination of children and restriction on members access to rival views and alternative lifestyle. Liberals do not assume that societies are stable if they are based on shared values and common culture. They often insist that moral and cultural diversity should be confined to private life and should not be allowed to intrude into the public sphere. Liberals usually support moral and cultural diversity operating within the context of a shared citizenship. According to Heywood liberal democracy is taken to be the sole legitimate political system. Because it ensures that government is based on the consent of the people and it provides guarantees for individual freedom and toleration. Liberals may therefore be willing to ban fascist or militant fundamentalist groups that try to overthrow liberal democracy.

20.6 Toleration and Neutrality

Disapproval is essential to the idea of toleration. Absence of disapproval might suggest political neutrality. However liberal democracy with which toleration is associated does not presuppose a neutral state. Neutrality is thought to be incompatible with toleration for the simple reason that in so far as a state or government or body of citizens remains neutral, it refrains from taking either an approving or disapproving stance on the matter at hand. In so far as it refrains from disapproval it cannot engage in toleration. Thus neutrality precludes toleration. It is not neutrality that gives birth to toleration on the contrary it is a particular sort of commitment to toleration that creates a case for neutrality John Rawls's political liberalism makes it abundantly clear. Rawls's political liberalism is designed for a society whose members adhere to diverse and conflicting comprehensive doctrines and to different and conflicting conceptions of the good rooted in those doctrines. In so far as people recognize

NSOU ? CC-PS-03 197 the "burdens of judgment" they will recognize that at least some of the doctrines of others are reasonable even though they believe them to be mistaken. Rawls's aim is to find a just way of providing for that reasonable pluralism. He aims to discover political arrangements that would regulate fairly lives of people who profess different and conflicting conceptions of the good. He does so by drawing upon certain ideas that he takes to be fundamental to the public culture of a democratic society. It is a society of a fair scheme of cooperation and of persons as free and equal. These ideas he takes to be independent of any particular conceptions of the good, so that he is not drawing on any particular conception of the good in deriving principles and institutions that will regulate the lives of people who possess different conception of the good. Through reasoning he arrives at his celebrated two principle of justice. More generally he arrives at an order of things in which citizens may not use political power either to advance their own conception of the good or to discriminate against the rival conception of others. Rawlsian citizen will not draw upon particular con- ception of the good and will remain politically neutral. They are not only citizens but also full fledged persons possessing different and conflicting comprehensive doctrines. In the absence of Rawls's political conception of justice they would have ample reason to impose their conceptions of the good upon one another. The insti- tutional constraints that Rawlsian individuals have to observe as political actors are grounded in the principle that it is unjust for citizens to use political power to impose their rival conceptions upon one another. Rawlsian citizens manifest their commitment to toleration through their commitment to political arrangement that are designed neither to favour their own conception of the good nor to disadvantage the rival conception of other's. For Rawls liberalism seeks to establish the condi- tions in which people in groups can pursue the good life as each defines it, but it does not prescribe or try to promote any particular values. This enables liberalism to coexist with a wide variety of political, moral and cultural beliefs. Liberalism stands for openness and self-determination. It is also characterized by a powerful moral thrust. Recognizing this Rawls argues that differences within society have to take place within an "over-lapping" consensus or what citizens could agree on despite the other matters that divide them. At the heart of this consensus are the values of autonomy, freedom and equality. Rawls believes that it is unreasonable to challenge or reject these values.

20.7 Conclusion

Modern societies are increasingly becoming diverse and this diversity is affecting matters of personal morality as well as religious principles and cultural practices.

1/74	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>end of law is, not to abolish or restrain, but to preserve and enlarge freedom.”.</p> <p>W http://fbemoodle.emu.edu.tr/mod/resource/view.php?id=40422</p>		<p>end of Law is not to abolish or restrain, but to preserve and enlarge Freedom’. 9</p>		
2/74	SUBMITTED TEXT	20 WORDS	64% MATCHING TEXT	20 WORDS
<p>Declaration of Rights of Man and Citizen (1789) which claimed, “Men are born and remain free and equal in rights.</p> <p>SA Chetna Sharma-Political Theory Equality.pdf (D108929478)</p>				
3/74	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>is to count for one and no one for more than one. 4.5</p> <p>W http://fbemoodle.emu.edu.tr/mod/resource/view.php?id=40422</p>		<p>is to count for one, and no one for more than one.’</p>		
4/74	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>grounds of religion, race, caste, sex or place of birth</p> <p>SA chapter 2 final concept and theories.docx (D18488212)</p>				
5/74	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>to shift our attention from distribution to conception and creation of goods.</p> <p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>		<p>to ‘shift our attention from distribution itself to conception and creation: the naming of the goods,</p>		
6/74	SUBMITTED TEXT	44 WORDS	100% MATCHING TEXT	44 WORDS
<p>It establishes a set of relationships such that domination is impossible. In formal terms, complex equality means that no citizen’s standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good.’{</p> <p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>		<p>It establishes a set of relationships such that domination is impossible. In formal terms, complex equality means that no citizen’s standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere with regard to some other good.</p>		

7/74	SUBMITTED TEXT	12 WORDS	91% MATCHING TEXT	12 WORDS
<p>Resource egalitarianism' is identified with the views of John Rawls, Ronald Dworkin.</p>		<p>resource egalitarianism ' is most expressly identified with the views of John Rawls , Ronald Dworkin</p>		
<p>W https://www.saraswatiias.com/wp-content/uploads/2020/12/EQUALITY-final-pdf.pdf</p>				
8/74	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>Spheres of Justice : A Defense of Plurality and Equality, Basic Books, New York, 1983. 7)</p>				
<p>SA Finasharkessay nov 25.doc (D4747627)</p>				
9/74	SUBMITTED TEXT	11 WORDS	90% MATCHING TEXT	11 WORDS
<p>R. And Acharya A., (eds), Political Theory an Introduction, Pearson Longman,</p>				
<p>SA B.A.(P)_Pol. Sci_MDSC-1A Intro- to Pol- Theory (Formatted).doc (D147989812)</p>				
10/74	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and</p>		<p>that 'different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
11/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>all these differences derive from different understandings of the social goods themselves.</p>		<p>all these differences derive from different understandings of the social goods themselves –</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
12/74	SUBMITTED TEXT	16 WORDS	96% MATCHING TEXT	16 WORDS
<p>a principle of justice, 'from each according to his ability, to each according to his needs'.</p>		<p>a principle of justice from each according to his ability, to each according to his needs',</p>		
<p>W https://epdf.pub/handbook-of-political-theory.html</p>				

13/74	SUBMITTED TEXT	22 WORDS	57% MATCHING TEXT	22 WORDS
<p>Rawls' A Theory of Justice, Harvard University Press, Cambridge, 1971. 4. Sandel, Liberalism and the Limits of Justice, Cambridge University Press, 1982. 5.</p>		<p>Rawls, A Theory of Justice, Oxford, Oxford University Press, 1971. J. Rawls, Political Liberalism, Columbia Press, 1993. M. Sandel, Liberalism and the Limits of Justice, Cambridge, Cambridge University Press, 1982.</p>		
<p>W http://fbemoodle.emu.edu.tr/mod/resource/view.php?id=40422</p>				
14/74	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Justice is embodied in equal citizenship rights for all persons,</p>		<p>justice is embodied in equal citizenship rights for all persons (</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				
15/74	SUBMITTED TEXT	14 WORDS	76% MATCHING TEXT	14 WORDS
<p>After studying this unit learners will be able to ? Understand the meaning of</p>				
<p>SA B.A.(H) Pol. Sci._Eng Medium_Sem-I_understanding political Theory.doc (D147988916)</p>				
16/74	SUBMITTED TEXT	59 WORDS	89% MATCHING TEXT	59 WORDS
<p>justice is an extensive form of justice. It relates to whether people have access to the things they need to live a safe and dignified life. Social justice refers to the conception of justice applied to our entire society; the idea of a "just" society is one in which individuals and groups receive fair treatment and a fair share of the benefits of society.</p>		<p>justice) is the broadest form of justice and relates to whether people have access to the things they need to live a secure and dignified life. Social justice refers to the conception of justice applied to our entire society; the idea of a "just" society is one in which individuals and groups receive fair treatment and a fair share of the benefits of society.</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				
17/74	SUBMITTED TEXT	47 WORDS	100% MATCHING TEXT	47 WORDS
<p>A set of ideas, values and social practices to ensure that all persons and groups enjoy economic security, can participate effectively in democratic decision-making, exercise mutual respect and caring for one another and live their lives in ways that protect and sustain the natural environment for future generations.</p>		<p>A set of ideas, values and social practices to ensure that all persons and groups enjoy economic security, can participate effectively in democratic decision-making, exercise mutual respect and caring for one another and live their lives in ways that protect and sustain the natural environment for future generations.</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				

18/74	SUBMITTED TEXT	46 WORDS	91% MATCHING TEXT	46 WORDS
<p>social justice is implemented in part through democratically enacted law, effective public policy and programs delivered by governments and international organizations at all levels and, in part, through groups, organizations and social movements at the local, regional, national and international levels. These public institutions and activist groups endeavors to</p>		<p>social justice is implemented in part through democratically enacted law, effective public policy and programs delivered by governments and international organizations at all levels and, in part, through groups, organizations and social movements at the local, regional, national and international levels. This constellation of public institutions and activist groups strives to: •</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				
19/74	SUBMITTED TEXT	29 WORDS	85% MATCHING TEXT	29 WORDS
<p>overcome social exclusion or oppression of individuals and groups, including that which is based on NSOU ? CC-PS-03 69 gender, social class, racial-ethnic identity, cultural practices, religious belief, sexual orientation or disability</p>		<p>overcome social exclusion or oppression of individuals and groups, including that which is based on gender, social class, racial-ethnic identity, cultural practices, religious belief, sexual orientation or disability; •</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				
20/74	SUBMITTED TEXT	46 WORDS	94% MATCHING TEXT	46 WORDS
<p>provide sufficient material resources to ensure an effective standard of living for all, through some combination of decent, well-paying jobs in the labor market; readily accessible and non-stigmatized income security programs that recognize the socially valuable and unpaid work in the family and community; and high quality public services. 7.4</p>		<p>provide sufficient material resources to ensure an adequate standard of living for all, through some combination of decent, well-paying jobs in the labour market; readily accessible and non-stigmatized income security programs that recognize the socially valuable and unpaid work in the family and community; and high quality public services (</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				
21/74	SUBMITTED TEXT	30 WORDS	100% MATCHING TEXT	30 WORDS
<p>Social justice works toward the realization of a world where all members of a society, regardless of background, have basic human rights and equal access to their community's wealth and resources.</p>		<p>Social justice works toward the realization of a world where all members of a society, regardless of background, have basic human rights and equal access to their community's wealth and resources.</p>		
<p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				

22/74	SUBMITTED TEXT	79 WORDS	100% MATCHING TEXT	79 WORDS
<p>Economic justice, defined as the existence of opportunities for meaningful work and employment and the dispensation of fair rewards for the productive activities of individuals, will be treated here as an aspect of social justice. The customary distinction between economic justice and social justice is intellectually unsatisfactory, as it serves to legitimize the dichotomization of the economic and social spheres. This tendency can seriously limit the potential for the advancement of justice, particularly within organizations that exercise a normative function with regard to matters of development.</p>				
SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)				
23/74	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>Social justice is not possible without strong and coherent redistributive policies conceived and implemented by public agencies.</p>				
SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)				
24/74	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>Social justice requires strong and coherent policies in a multitude of areas: Fiscal, monetary and other economic policies, as well as social policies,</p>				
SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)				
25/74	SUBMITTED TEXT	31 WORDS	100% MATCHING TEXT	31 WORDS
<p>The well-being of citizens requires broad-based and sustainable economic growth, economic justice, the provision of employment opportunities, and more generally the existence of conditions for the optimal development of people as individuals and social beings.</p>				
SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)				

26/74	SUBMITTED TEXT	38 WORDS	100% MATCHING TEXT	38 WORDS
<p>The idea of social justice has too often been associated with an excessively benevolent perception of human nature and a naively optimistic belief in the capacity of good ideas and institutions to transform the world into a secure and agreeable place.</p>				
<p>SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)</p>				
27/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>problems achieving and maintaining a balance between individual freedom and social</p>				
<p>SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)</p>				
28/74	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>justice. The myriad difficulties and uneven progress notwithstanding continued pursuit of these ideals is essential. 7.7</p>				
<p>SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)</p>				
29/74	SUBMITTED TEXT	37 WORDS	100% MATCHING TEXT	37 WORDS
<p>the application of social justice requires a geographical, sociological, political and cultural framework within which relations between individuals and groups can be understood, assessed, and characterized as just or unjust. In modern times, this framework has been the nation-State.</p>				
<p>SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)</p>				
30/74	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Social Justice in an Open World, The Role of the United Nations,</p>				
<p>SA Social Justice Beyond Distributive Justice_nk_24.9.21.docx (D113358530)</p>				

31/74	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>New York, 2006. 2. Rawls. J. A Theory of Justice, Harvard University Press, Cambridge, 1971. 3.</p> <p>SA Finasharkessay nov 25.doc (D4747627)</p>				
32/74	SUBMITTED TEXT	14 WORDS	83% MATCHING TEXT	14 WORDS
<p>Press, Vo. 2, 1976 5. Sandel, Liberalism and the Limits of Justice, Cambridge University Press, 1982. 6.</p> <p>Press, 1993. M. Sandel, Liberalism and the Limits of Justice, Cambridge, Cambridge University Press, 1982.</p> <p>W http://fbemoodle.emu.edu.tr/mod/resource/view.php?id=40422</p>				
33/74	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>Hayek, F., Law, Legislation and Liberty, vol. ii, The Mirage of Social Justice, Routledge& Kegan</p> <p>SA Chapter 18 - Rawls (V. Bijukumar).docx (D134764756)</p>				
34/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>University Press, 2003. 8. Hobhouse, L. T. The Elements of Social Justice,</p> <p>University Press. Hobhouse, L. T. (1949 [1922]) The Elements of Social Justice.</p> <p>W https://epdf.pub/handbook-of-political-theory.html</p>				
35/74	SUBMITTED TEXT	20 WORDS	73% MATCHING TEXT	20 WORDS
<p>Procedural justice has four pillars: 1) being fair in processes, 2) being transparent in actions, 3) providing opportunity for voice,</p> <p>Procedural justice- four principles • being fair in processes • being transparent in actions • providing opportunity for voice •</p> <p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>				
36/74	SUBMITTED TEXT	15 WORDS	83% MATCHING TEXT	15 WORDS
<p>fair treatment is termed "procedural justice" or the experience of fair processes in resolving disputes,</p> <p>Fair treatment often is termed "procedural justice" or the experi- ence of fair processes in resolving disputes</p> <p>W https://fernwoodpublishing.ca/files/pursuingjustice.pdf</p>				

37/74	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Rawls, J. A Theory of Justice, Harvard University Press, Cambridge, 1971, 3.</p> <p>SA Finasharkessay nov 25.doc (D4747627)</p>				
38/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Nozick, R. Anarchy, State and Utopia, Basic Books, New York, 1974. 4.</p> <p>SA Finasharkessay nov 25.doc (D4747627)</p>				
39/74	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>Bhargava, R. and Acharya. A., (eds.) Political theory, an introduction, Pearson, New Delhi. 7.</p> <p>SA B.A.(P)_Pol. Sci_MDSC-1A Intro- to Pol- Theory (Formatted).doc (D147989812)</p>				
40/74	SUBMITTED TEXT	25 WORDS	94% MATCHING TEXT	25 WORDS
<p>Rawls (1921-2002) is primarily concerned with defining the principles of justice that would regulate an ideal society, rather than with describing how justice may be restored</p> <p>SA chapter 2 final concept and theories.docx (D18488212)</p>				
41/74	SUBMITTED TEXT	21 WORDS	71% MATCHING TEXT	21 WORDS
<p>the greatest amount of happiness for the greatest number of individuals. Rawls rather prioritizes the principle of equal rights for all,</p> <p>SA chapter 2 final concept and theories.docx (D18488212)</p>				

42/74	SUBMITTED TEXT	35 WORDS	100% MATCHING TEXT	35 WORDS
<p>All social values – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone’s advantage.”</p> <p>SA B.A.(P)_Pol. Sci_MDSC-1A Intro- to Pol- Theory (Formatted).doc (D147989812)</p>				
43/74	SUBMITTED TEXT	60 WORDS	78% MATCHING TEXT	60 WORDS
<p>Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.’ and (b) the difference principle: ‘Social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged and attached to positions and offices open to all under conditions of fair equality of opportunity.’</p> <p>SA SPE1_advanced_Paz_y_MiÃ±o_Manuel.doc (D1411296)</p>				
44/74	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>fair equality of opportunity must be satisfied before the difference principle.</p> <p>fair equality of opportunity principle must be satisfied before the difference principle</p> <p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
45/74	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>the principle of fair equality of opportunity and the difference principle.</p> <p>SA chapter 2 final concept and theories.docx (D18488212)</p>				
46/74	SUBMITTED TEXT	21 WORDS	79% MATCHING TEXT	21 WORDS
<p>the principle of greatest equal liberty, fair equality of opportunity and the difference principle, may be realized through a constitutional democracy. However,</p> <p>SA chapter 2 final concept and theories.docx (D18488212)</p>				

47/74	SUBMITTED TEXT	27 WORDS	94% MATCHING TEXT	27 WORDS
<p>Each person has the same infeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all;</p>		<p>Each person has the same indefensible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all (</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
48/74	SUBMITTED TEXT	43 WORDS	94% MATCHING TEXT	43 WORDS
<p>Social and economic inequalities are to satisfy two conditions: First, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity, and second, they are to be to the greatest benefit of the least-advantaged members of society (</p>		<p>Social and economic inequalities are to satisfy two conditions. First, they are to be attached to offices and positions open to all under conditions of fair equality of fair equality of opportunity and second, they are to be to the greatest benefit of the least-advantaged members of society (</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
49/74	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
<p>A] theory of justice that can serve as the basis of practical reasoning,"</p>				
<p>SA chapter 2 final concept and theories.docx (D18488212)</p>				
50/74	SUBMITTED TEXT	21 WORDS	71% MATCHING TEXT	21 WORDS
<p>A Theory of Justice, Harvard University Press, Cambridge, 1971, 5. Rawls J., Justice as Fairness: A Restatement, Cambridge: Harvard University Press, 2001. 6.</p>		<p>A Theory of Justice, rev. edn. Cambridge, Harvard University Press. Rawls, John (2001) Justice as Fairness: A Restatement. Cambridge, MA: University Press.</p>		
<p>W https://epdf.pub/handbook-of-political-theory.html</p>				
51/74	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>must include ways of judging how to reduce injustice and advance justice, rather than aiming only at the characterization of perfectly just societies."</p>				
<p>SA chapter 2 final concept and theories.docx (D18488212)</p>				

52/74	SUBMITTED TEXT	12 WORDS	96% MATCHING TEXT	12 WORDS
<p>Macpherson, C.B. The Political Theory of Possessive Individualism, Hobbes to Locke Clarendon</p> <p>W https://epdf.pub/handbook-of-political-theory.html</p>		<p>Macpherson, C. B. (1962) The Political Theory of Possessive Individualism: Hobbes to Locke. Oxford: Clarendon.</p>		
53/74	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
<p>Macpherson, C.B. 1962, the Political Theory of Possessive Individualism, Hobbes to Locke Clarendon</p> <p>W https://epdf.pub/handbook-of-political-theory.html</p>		<p>Macpherson, C. B. (1962) The Political Theory of Possessive Individualism: Hobbes to Locke. Oxford: Clarendon.</p>		
54/74	SUBMITTED TEXT	59 WORDS	78% MATCHING TEXT	59 WORDS
<p>Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.' and (b) the difference principle: 'Social and economic inequalities are to be arranged so that they are both to the greatest benefit of the least advantaged and attached to positions and offices open to all under conditions of fair equality of opportunity.'</p> <p>SA SPE1_advanced_Paz_y_MiÃ±o_Manuel.doc (D1411296)</p>				
55/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>widening of the scope of justice to the global level.</p> <p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>		<p>widening of the scope of justice to the global level,</p>		
56/74	SUBMITTED TEXT	18 WORDS	91% MATCHING TEXT	18 WORDS
<p>are free and independent, and their freedom and independence are to be respected by other peoples. 2. Peoples are</p> <p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>		<p>are free and independent, and their freedom and independence is to be respected by other peoples. 2. Peoples are</p>		

57/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>prevent their having a just or decent political and social regime. (</p> <p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>		<p>prevent their having a just or decent political and social regime.</p>		
58/74	SUBMITTED TEXT	22 WORDS	45% MATCHING TEXT	22 WORDS
<p>of the first French Republic. The Declaratio of the Rights of Man and of the Citizen was adopted by the National Constituent Assembly.</p> <p>W http://fbemoodle.emu.edu.tr/mod/resource/view.php?id=40422</p>		<p>of the French Declaration of the Rights of Man and the Citizen, decreed by the French Constituent Assembly</p>		
59/74	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>first recognized by the society and then translated into law by the state.</p> <p>SA MA POLITICS SEM 2 Political theory 2.pdf (D118114893)</p>				
60/74	SUBMITTED TEXT	21 WORDS	85% MATCHING TEXT	21 WORDS
<p>rights as "those conditions of social life without which no man can seek, in general, to be himself at his best".</p> <p>SA MA POLITICS SEM 2 Political theory 2.pdf (D118114893)</p>				
61/74	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Ramaswamy, Sushila, Political Theory : Ideas and Concepts, PHI Learning Pvt Ltd, 2015. ?</p> <p>SA MA POLITICS SEM 2 Political theory 2.pdf (D118114893)</p>				
62/74	SUBMITTED TEXT	23 WORDS	87% MATCHING TEXT	23 WORDS
<p>legal rights are, clearly, rights that exist under the rules of legal systems or by virtue of decisions of suitably authoritative bodies within them.</p> <p>SA MA POLITICS SEM 2 Political theory 2.pdf (D118114893)</p>				

63/74	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Ramaswamy, Sushila, Political Theory – Ideas and Concepts, PHI Learning Pvt Ltd, 2015. ?</p> <p>SA MA POLITICS SEM 2 Political theory 2.pdf (D118114893)</p>				
64/74	SUBMITTED TEXT	37 WORDS	95% MATCHING TEXT	37 WORDS
<p>Every man that hath any Possession, or Enjoyment, of any part of the Dominions of any Government, doth thereby give his tacit consent, and is as far forth obliged to obedience to the laws of that Government...". 16.5</p> <p>SA reading ass 6.docx (D114972010)</p>				
65/74	SUBMITTED TEXT	15 WORDS	92% MATCHING TEXT	15 WORDS
<p>of Justice' defines civil disobedience as "a public, nonviolent, conscientious yet political act</p> <p>of justice conflict. Rawls defines civil disobedience as 'a public, nonviolent, conscientious yet political act</p> <p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
66/74	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>contrary to law usually done with the aim of bringing about a change in the law or policies of the government." 17.4</p> <p>contrary to law usually done with the aim of bringing about a change in the law or policies of the government' (</p> <p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
67/74	SUBMITTED TEXT	23 WORDS	93% MATCHING TEXT	23 WORDS
<p>the " state comes into existence, originating in the bare needs of life and continuing its existence for the sake of a good life."</p> <p>SA reading ass 6.docx (D114972010)</p>				

68/74	SUBMITTED TEXT	22 WORDS	88% MATCHING TEXT	22 WORDS
<p>a public, nonviolent, conscientious yet political act done with the aim of bringing about change in the law or policies of the</p>		<p>a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
69/74	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Parekh Bhikhu 2000, Rethinking Multiculturalism: Cultural Diversity and Political Theory. Basingstoke,</p>		<p>Parekh, Bhikhu (2000) Rethinking Multiculturalism: Cultural Diversity and Political Theory. Basingstoke:</p>		
<p>W https://epdf.tips/an-introduction-to-contemporary-political-theory.html</p>				
70/74	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>how to accommodate cultural and ethnic claims within the framework of</p>		<p>how to accommodate cultural and ethnic claims within the overall framework of</p>		
<p>W https://img1.wsimg.com/blobby/go/abe20b60-93d9-46ba-82d3-782ac5d3ec77/downloads/2nd%20sem_concept ...</p>				
71/74	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>The fact of diversity is evident everywhere in our social world. Individuals express different preferences</p>		<p>The fact of diversity is evident everywhere in our social worlds. Individuals express different preferences,</p>		
<p>W https://epdf.pub/handbook-of-political-theory.html</p>				
72/74	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>Liberals envisage a tolerant inclusive society populated by people adhering to a variety of belief systems.</p>		<p>Liberals envisage a tolerant, inclusive society, populated by people adhering to a variety of belief systems.</p>		
<p>W https://epdf.pub/handbook-of-political-theory.html</p>				










73/74	SUBMITTED TEXT	134 WORDS	68% MATCHING TEXT	134 WORDS
	<p>there is likely to be friction and offence. One group's festivities might seem like an attack on another group. As values and philosophies compete in the marketplace of ideas, the competition will often seem disrespectful as each group tries to discredit its opponents. It is not easy to define the duty of mutual toleration under these circumstances or to sustain the distinction between harm and offence that a pluralist society requires. However, the line between public and private on the one hand and NSOU ? CC-PS-03 196 individual ethics and cultural observance on the other is always going to be an issue. In a pluralist society a religion may have its own values with a distinctive bearing on the problems of social life. It may impose particular obligation on its members which may or may not be compatible with the society's broader social arrangements. According to</p>		<p>there is likely to be friction and offence: one group's worship or festivities might seem like a reproach or an attack on another group, and as values and philosophies compete in the marketplace of ideas, the competition will often seem disrespectful as each creed tries to discredit its opponents and gain adherents for itself. It is not easy to define the duty of mutual toleration under these circumstances, or to sustain the distinction between harm and offence that a pluralistic regime requires. And that is not the only distinction that pluralism threatens. The line between public and private, between issues of policy and welfare on one hand and individual ethics and religious or cultural observance on the other, is always going to be an issue. Certain cultures and religions in a pluralistic society may aspire to be a society unto themselves. A religion, for example, may have its own values with a distinctive bearing on the problems of social life, and it may impose quite particular obligations (for example, dietary laws or rules of religious observance) on its members, which may or may not be compatible with the society's broader social arrangements. To</p>	
	<p>W https://epdf.pub/handbook-of-political-theory.html</p>			
















74/74	SUBMITTED TEXT	14 WORDS	76% MATCHING TEXT	14 WORDS
	<p>Objectives After reading this unit the learners will be able to – ? Discuss the</p>			
	<p>SA POLITICAL OBLIGATION.docx (D115799377)</p>			

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PREFACE In a bid to standardize higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, generic, discipline specific general elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern, which finds efficacy in sync with credit system, credit transfer, comprehensive continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility of choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry their acquired credits. I am happy to note that the University has been recently accredited by National Assessment and Accreditation Council of India (NAAC) with grade "A". UGC (Open and Distance Learning Programmes and Online Programmes) Regulations, 2020 have mandated compliance with CBCS for U. G. programmes for all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Materials (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English/Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success.

Professor (Dr.) Subha Sankar Sarkar Vice-Chancellor

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Module - 1 Unit -1 □ Party System in India : History and evolution 9 – 22 Unit -2 □ Congress System 23 – 31 Unit -3 □ Multi party Coalitions 32 – 43 Unit -4 □ Regionalism and Regional Political Parties 44 – 53 Unit -5 □ Major National Political Parties in India-Ideologies and Programme 54 – 64 Module - 2 Unit -6 □ Voting Behaviour in India-Overview 67 – 72 Unit -7 □ Caste as determinant of voting behaviour 73 – 86 Unit -8 □ Class as determinant factor in voting behaviour 87 – 92 Unit -9 □ Gender as determinant of voting behaviour 93 – 99 Unit -10 □ Religion as determinant of voting behaviour 100 – 108 Netaji Subhas Open University Course : Political Process in India Code : CC-PS-04 UG : Political Science (HPS)

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Module - 1

Unit - 1 □ Party System in India : History and evolution Structure 1.1 Objectives 1.2 Introduction 1.3 Evolution of the Party System in India 1.4 Phases of evolution 1.4.1 First phase-1947-1967 1.4.2 Second phase-1967-1977 1.4.3 Third phase-1977-1984 1.4.4 Fourth phase-1984-2014 1.4.5 Fifth phase-2014 onwards 1.5 Conclusion 1.6 Summing Up 1.7 Probable Questions 1.8 Further Reading 1.1 Objectives After going through this unit learners will learn : ● the nature of the party system in India. ● phases in the evolution of the party system in India. ● future trends of the party system in India. 1.2 Introduction Political party has emerged as an indispensable factor acting as a link between rulers and ruled in modern representative democracy. The working of a system of

10 NSOU • CC-PS-04 representative government largely depends on the nature of political parties operating in a state. They provide a link between state and society by articulating and aggregating societal interest. In India political parties have played a crucial role in the process of political transformation. The interaction of the modern state and traditional society in India has been facilitated by the political parties. The increasing political consciousness and spirit of nationalism, development of means of transport and communication and spread of education gave birth to political parties in India in the pre independence period. The educated upper middle class gave birth to Indian National Congress and other political parties like Muslim League, Hindu Mahasabha, Socialist party, Communist party of India and the Forward Block. In the post-independence period many political parties have come into existence and the Indian party system has evolved from one party dominance to multy party system. The Indian party system is distinctive, showing major difference with its European and American counterparts. It has many paradoxical features like combining of western and modern form of bureaucratic organization and participatory policies like combining of participatory politics with indigenous practices and institutions. The social heterogeneity of India has added to the complexity of the Indian party system. In last few years major transformation have taken place in India’s party system. At the center of change in the party system is the rise of the BJP and decline of the congress. 1.3 Evolution of the Party System

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in India The origin of party system in India can be traced to the

formation of India National Congress in 1885. As a matter of expediency, the British had started experimenting with limited self-rule in issues of minor importance such as municipal administration by the 1880s. This formed part of the British strategy of ruling India with the help of Indian intermediaries. The Indian National Congress was set up in 1885 by Sir Alan Octavian Hume, a retired British civil servant, in order to present

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Indian interests to the British crown in a systematic and organized manner. The Congress soon became the leading voice of the growing middle class

and the liberal professions, demanding more jobs under the colonial government and greater political participation. The successive acts of the British Parliament in 1909, 1919, 1935 extended the franchise and brought in increasing number of Indian into the scope of party politics.

NSOU • CC-PS-04 11 However, periods of extension of franchise and cooperation between colonial rule and elected representatives were combined with ruthless suppression and imprisonment of political leaders. The Congress party itself was often divided in its opinion between collaboration with colonial rule and radical resistance to it in order to fight for full and immediate independence. Gandhi brought these two strands together in its strategy of non-violent, non-cooperation and built a powerful mass movement. By the 1930s, however the national movement was spilt once again on the issue of religion. The majority of Muslims under the leadership of the Muslim League started agitating for an independent homeland for the Muslims of the subcontinent. As a result, when independence finally arrived in 1947, British India was partitioned into India and Pakistan. The Congress party under Nehru inherited power in India. This brief historical background partly explains the relative ease with which India developed electoral democracy and a competitive party system. Although the partition of British India into independent India and Pakistan was marked by unprecedented communal violence, parliamentary democracy subsequently became part of the political culture of post-independence India because of the continuity of the institution of state, political parties and election. 1.4 Phases of Evolution The party system of contemporary India is the result of the six decades of growth under British rule prior to independence. Its institutional base has been considerably reinforced with the political mobilization of society in the course of the last seven decades. It is a complex system characterized by the presence of the Congress Party, the emergence of Bharatiya Janata Party as the ruling party at the center with absolute majority in the Lok Sabha, in the last two successive general elections, presence of elected communist government at the regional level and the occasional lapse into authoritarian rule. The picture becomes much clear if we divide evolution of India’s party system in the post-independence period into following phases. 1. First phase from 1947 to 1967 2. Second phase from 1967 to 1977 3. Third phase from 1977 to 1984

12 NSOU • CC-PS-04 4. Fourth phase from 1984 to 2014 5. Fifth phase from 2014 onwards 1.4.1 First phase (1947-1967) The first phase was characterized by the dominance of the Congress party at the centre and the state level. This phase may be called "the congress system" in Rajni Kothari's terms. Parties of the left and right routinely took part in elections which were by and large free and fair. However, the fragmented character of the opposition and the combination of the first-past-the-post system of voting in single member constituencies systematically resulted in a Congress party majority in the legislature. The main ideological doctrine of the Congress Party such as secularism, democratic socialism, and non-alignment constituted the main parameters of the policy process during this period. The opposition parties were present as active players in the parliament and in national politics but their role were restricted to influencing policy rather than making policy. The social background of the Congress leadership and its important role in the winning of the country's independence played a key role in winning it a dominant position in Indian politics. However, the most important factor was the efficient functioning of the party organization that ensured survival of Congress dominance. Because of its control of state power Congress Party effectively distribute resources among citizens in exchange for their political support. In this phase, India had a party system characterized by dominance along with competition but without any change in the position of the ruling and opposition parties. The opposition parties could not prevent Congress party winning majority of states in the union and state legislatures. According to Rajni Kothari, in this phase there was a competitive party system in which the political parties play dissimilar role. He described Congress party as a party of consensus and opposition parties as parties of pressure. There has been a plurality of parties in this phase but that did not make the Indian Party System multi party phenomenon. It reflects rather an environment of multi-party situation with the Congress, despite the rise and fall in its electoral support, remaining a dominant single party. 1.4.2 Second phase (1967-1977) The second phase is characterized by a dramatic shift from one party dominance NSOU • CC-PS-04 13 to multi party system. It extended from 1967 to congress party's defeat at the general elections of 1977. In the 1967 election congress lost power in nine states. The setback suffered by the Congress party indicated the vulnerability of the centrist Congress to broad electoral coalition of the left and right. The election marked the trend of political fragmentation sharply. The Congress vote was dropped by about 5 percent. It had managed to win only 54 percent of the Lok Sabha seats. In the previous parliament it had 74 percent of the seats in the Lok Sabha. In as many as nine states non-congress government came to power. These opposition coalitions became the basis of the beginning of a multi-party system. There was a clear shift from "monopoly to competition in India's politics. Before 1967 competition and bargaining took place largely within Congress. This was now brought into the realm of interparty conflict. In the aftermath of the 1967 general election centre-state relations became an important issue in interparty bargaining and conflict. State level Congress leader became powerful after Nehru's death. Morris-jones observed that but for the careful handling of the situation by the union Home Minister Y. B. Charan center-state conflict did not assumesserious character. An important development in the party system after 1967 was the phenomenon of defection. There were incidents of defection both from the Congress and into the Congress. The trend became more pronounced as the conflict between the syndicate and the Mrs.Indira Gandhi grew to a point of no return and finally leading to a split in 1969. Defection from the Congress led to a fall of Congress governments in three states. However,

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parties to the far right and left kept their organization intact through centralization, discipline and ideological consistency. The

split of the Congress party in 1969 into the Congress (R) and Congress (O) impacted Indian political system in a big way. The faction led by Indira Gandhi brought about radical changes in the programme of the centrist Congress party. A number of new, left leaning policies like nationalization of banks, abolition of the special privileges of Indian Princes and closer ties with the communists were reinforced with a more forceful populist leadership style. These policies brought the party great electoral success in 1971 election but led to the corrosion of its organizational links with the electorate. Mrs. Gandhi initiated personalized and centralized decision making process both in the party and government and in the process weakened the democratic institutions.

14 NSOU • CC-PS-04 Congress, under India Gandhi's forceful leadership turned its new policy of radical populist leadership into its main asset. Its initial success in the 1971 election was further reinforced in the assembly elections of 1972 when India Gandhi transformed India's successful intervention in the liberation war in East Pakistan into the electoral platform of the Congress party. But the radical rhetoric rebounded on the party when industrial workers, railways employees and students started political agitation. The culmination of this period of unrest was the imposition of national emergency in 1975. During emergency free assembly, freedom of information and movement was drastically curtailed. General elections were postponed and the term of the Lok Sabha was extended. In fact emergency was a response to the challenges to Mrs. Gandhi rule. Elections were announced in 1977. 1.4.3 Third phase (1977-1984) 1977 election ushered in a new phase in the evolution of the party system in India. The period from 1977 to 1984 was characterized by intense conflict and rough felling among political parties. The period also witnessed decay and fragmentation within political parties. From the late 1960s Indian electorate at all levels displayed increasing political consciousness. There were rising aspirations coupled with the expectation that politicians should be responsive to the demand of the people. But the political institutions did not have adequate capacity to cope with societal pressure. This was largely due to Mrs. India Gandhi's authoritarian mode of functioning and consequent deinstitutionalization. This situation according to James Manor, brought about five changes in the Indian Party system. First since the state assembly election of 1972 incumbent government's inability to respond to societal demands became more and more pronounced. Second change was the decline in confidence in the efficiency of the state as an agent of constructive social action. Third, with the growing inability of the political institutions to respond positively to the societal demands, divergence between society and state became apparent. Politicians increasingly resorted to vote bank politics rousing primordial sentiments. Fourth, difference between many political parties in terms of their social bases both at the national and state level was becoming unclear. In this situation it was necessary on the part of the political parties to develop close links with social bases of manageable size.

NSOU • CC-PS-04 15 The last change was the growth of regionalism and emergence of regional parties in different parts of India. This is attributed to excessive centralization of power during Mrs. Gandhi's prime-ministership. Third phase in the evolution of party system in India began in the backdrop of the above changes. This phase was characterized by more or less free competition among political parties, fragmentation within political parties, personalized control of parties, growing incidence of defection and realignment political parties. The general election of 1977 ushered in a new period in Indian politics. The defeat of the congress led by India Gandhi and the formation of the first non- Congress Janata government led many scholars to believe that parliamentary democracy in India had matured and a two party system or close to it was on the process. However, the Janata party which held power between March 1977 to July 1979 was in fact a coalition of opposition parties united by their opposition to the Congress led by Mrs. Gandhi. It was a coalition of opposition groups including Jana sangh, Bharatiya Lok Dal, The Socialist Party, the old Congress and the Congress for democracy led by Jagjivan Ram. These five constituents of the Janata Party were a diverse lot having different ideological position, social base and leadership. They were often in conflict with each other. As a result the Janata Party government disintegrated in mid 1979 and many constituents broke away from the party. The Congress split for the second time in 1978 and Congress (I) led by Mrs. Gandhi appeared. The period witnessed fragmentation of existing parties and formation of new parties reflecting the personal ambition of the political leaders. Congress (I) took advantage of the strong popular reaction against friction and disunity in the opposition camp and it rode back to power in 1980. In fact the 1980 Lok Sabha election was a critical verdict on Janata Party's failure to salvage its mandate. Anti-Congress parties were in disarray and failed to make any common cause. This trend persisted till 1984. Mrs. India Gandhi's assassination on 31 October 1984 created a huge sympathy wave and Congress (I) achieved massive electoral victory. The situation made opposition unity more difficult to achieve. This phase is also characterized by acute instability in the party system. With the sudden demise of Mrs. India Gandhi political situation had changed fundamentally. The legislative majority won by the Congress (I) were not used to implement the

16 NSOU • CC-PS-04 radical policy promised by Mrs. Gandhi. This made the government weak and in the long run party's huge support drained away. Congress (I) organization declined rapidly under both Mrs. Gandhi and her son Rajiv Gandhi. This period also witnessed expansion of support for the Communist parties, Bharatiya Lok Dal and Bharatiya Janata Party. The Congress (I) that emerged as a strong party at the centre could not command same position in states also. The fact remains that from the late 1980s, the party has found itself hard-pressed to command support for its broad centrist and secular appeal in the face of a serious challenge from political formation such as the BJP, Samajwadi Party, BSP and regional parties like TDP, DMK, and AIADMK. Congress (I) leaders adopted the policy of all out confrontation in which the opposition parties were attacked as anti-national forces. After the defeat of the party in the southern states of Karnataka and Andhra Pradesh in January 1983 Congress (I) leaders adopted the strategy of courting the Hindu majority in North India by generating communal sentiments. In fact, Congress (I). Leaders after 1985 gave up their former policy of arranging accommodation between social groups, sub cultures and regions and actually set them against one another. James Manor argued that in late 1984. India still had a multiparty system that permitted free competition, in which the Congress occupied a dominant position at the center and in many state assemblies. It was no longer a dominant party system without a trace of attention. Most elections at state and national level since 1972 have led to alterations. With the growing maturity and assertiveness of the Indian electorate reelection was increasingly difficult to achieve. 1.4.4 Fourth phase (1984-2014) Rajiv era did not alter the trend of political centralization within the Congress. Growing political dissention in the country and controversies of Bofors kick back formed the background of 1989 general election. The Congress (I) was defeated securing only 197 seats in the Lok Sabha. The 1989 election results were not just another repeat of the broad front anti-Congressism of the Janata Party kind, but signified a more far reaching shift in the party system. Congress (I) secured 39.5 percent vote and got 197 seats against the National Front Coalition supported by the BJP and left parties. The change in the party system is rooted in the shifts in party organizational strengths and support bases at the state level and in India's political

NSOU • CC-PS-04 17 economy and changing patterns of political mobilization. The major trends of 1989- 2004 are the relative

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decline of the Congress and the rise of the BJP and regional parties. Prior to 1989, the

BJP and its predecessor the Bharatiya Janata Party had never exceeded 10 percent of the vote or 35 seats nationally. Except in 1977 when it won 99 of the 295 seats won by the Janata Party. Since then its rise has been steady in terms of both vote and seat shares. In 1989-91, the BJP contested alone with a communally polarizing platform against the backdrop of the Babri Masjid agitation of the late 1980s, the upper caste backlash against the National Front Governments decision to implement the Mandal Commission recommendations for reservation of government jobs for backward classes and the Rath Yatra launched by L. K. Advani and the communal violence that followed. Its vote share rose to 20.1 percent and its own 120 seats. It won UP and Gujrat elections and did well in MP, HP and Rajasthan, winning over 40 percent votes in each.

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The BJP emerged as the single largest party for the first time in 1996;

its vote share rose to 20.3 per cent.

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In 1998, the BJP led alliance secured 253 of the 543 seats and in 1999, the National Democratic Alliance, a coalition of 24 parties led by BJP, won 304 seats. The BJP

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came to power denouncing Nehruvian secularism, advocating militant Hindu nationalism.

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After September 2001, the fight against terrorism became the centerpiece of BJP's domestic and foreign policy.

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The NDA lost control of the government in the election of April-May 2004, and was defeated by the united progressive Alliance (UPA) led by Congress. The Congress emerged as the single largest party with 145 seats and the UPA secured 222 seats. The

major change was that the Congress party decided to adopt coalition strategy. The NDA consisted of 13 parties and the Congress led UPA consisted 19 parties. Again in 2009 UPA coalition defeated the depleted NDA by a much greater margin with the Congress winning 206 seats on its own and 263 with its allies. This phase witnessed a process of bipolar coalition in many states Congress- BJP, Congress-Left, and Congress-regional parties. This process contributed to the fragmentation of the party system at the national level and a potential bipolar consolidation of a Congress led alliance versus a BJP led one. This phase is further characterized by the democratic upsurge among the underprivileged. The creation of

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new parties and groups and their pursuit of sectional strategies have

led to the fragmentation of the parties

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over the years. Frequent party splits, merger and counter splits led to a significant increase in the number of parties.

In the seven general election held in 1989, 1991, 1996, 1998, 1999, 2004, and 2009 no party achieved majority. All these elections showed decline in the position of national parties and growth of regional parties. This phase in party politics is characterized by the emergence of two broad coalitions NDA AND UPA, in which two national parties, BJP and Congress, act as central pillars. Balveer Arrora describes this competitive multiparty system as "bi-nodal". According to him there is a trend towards federalization of the party system in this process. 1.4.5 Fifth phase-2014 onwards 2014 general election held in an atmosphere surcharged with serious allegation of scam involving the constituents of the UPA Government, its helplessness and powerlessness and inefficiencies. Very often smaller parties in UPA held the Congress leadership hostage, as they pressed their own agenda and their own interests over government policy. Threats of withdrawal of support hung like the sword of Damocles over the leadership. The constant threat of destabilization led to policy paralysis and sudden change of decision. Dual centers of power within the Congress party impacted the poll scenario in BJP'S favour. Ministers preferred to report to party president Mrs. Sonia Gandhi than to Prime Minister Manmohan Singh which led to the loss of moral authority of the latter. There was wide spread anger against a non-performing and corrupt system. This became evident when Anna Hazare went on fast in Delhi in 2010. People in large number thronged the space where he was fasting and expressed their anger at large scale corruption, unemployment, inflation and rising prices. Mr Narendra Modi exploited this situation and emerged as a national leader on a platform of stability and a thorough shake up of the system. This agenda appealed to the people across casts and classes for its promise to end dithering, compromises and policy paralysis. Results of the 2014 general election were quite startling. The BJP secured 282 seats on its own. Victory of the BJP and defeat of the non-BJP parties was so complete that a viable opposition which is integral and critical component of parliamentary democracy has been completely wiped out. In order to qualify for the stature of an officially recognized opposition in the 543 member house a party has to secure 10 percent of the total seats. The Congress, with 44 seats simply does not qualify, nor does any other party.

NSOU • CC-PS-04 19 For the first time in India's electoral history a non-Congress party has come into power on its own. Significantly a political party won a majority for the first time in thirty years since 1984. Election results show that the image of a charismatic leader looms larger than his or her party. Narendra Modi has caught the imagination of Indians across class and caste. The most remarkable aspect of the 2014 election was the bringing back of the one party dominant system which was once used to describe the hegemony of the Congress Party and the lack of opposition. The new one party dominant system, according to Neera Chandhoke, is dramatically different from the original one. The BJP unlike the Congress is a cadre based party and subscribes to a distinct ideology. It is also headed by the powerful figure of Prime Minister Narendra Modi whose image looms larger than the party and his colleagues. In the states the BJP was in power in Madhya Pradesh, Chattishgarh and Rajasthan. It secured majority in alliance with Shivsena in Maharashtra, similarly it made spectacular success in Uttar Pradesh, Uttarakhand, Himachal Pradesh, Jharkhand, Tripura and Assam assembly elections. It made significant inroads in the North Eastern states as well. In Jammu and Kashmir, it came to power in alliance with PDP. However, four of India's five Southern states- Andhra Pradesh, Telengana, Tamil Nadu and Kerala have eluded the BJP. But in the assembly elections held in Madhya Pradesh, Chattisgarh and Rajasthan immediately before 2019 election BJP was defeated and Congress came to power. 2019 general election was held in an atmosphere plagued by the problems of economic slowdown, Joblessness has risen to a record high, farm incomes have gone down and industrial production was slumped, many Indian were hit hard by demonetization and there were complaints about a poorly designed and complicated GST. However, NDA surprised the entire nations by winning 352 seats out of the 543 seats, where BJP alone bagged 303 seats Congress secured 40 seats only. In a way 2019 election results was a continuation of the 2014 Lok Sabha election result at the national level. Narendra Modi made this election all about himself. A combination of nationalistic rhetoric, subtle religious polarization and a slew of welfare programme helped Narendra Modi to register second successive win. He also exploited national security as a vote getter. While 2019 Lok Sabha election results indicated one party dominance at the national level, Assembly elections held in late 2019 and early 2020 in Maharashtra, Jharkhand and Delhi BJP lost power, indicating a counter trend towards federalization of the party system at the state level.

20 NSOU • CC-PS-04 1.5 Conclusion Indian party system is evolving over successive elections and in the process various trends and counter-trends became apparent. The party system in India is a complex one and one reason for the

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complexity is the social heterogeneity that has made it impossible for a single set of parties to emerge across the country.

The Indian party system has evolved from one party dominance to multi party system. From 1947 to 1967 Congress was voted time and again with an overwhelming parliamentary majority. Dominance by a single party coexisted with inter-party competition. The opposition parties had little prospect of replacing Congress. The success of the Congress was attributed to the elaborate party structure and extensive patronage networks. However, the above structure began to crumble as the Congress electoral fortunes deteriorated after 1967. Political change from 1967 to 1977 increased party competition. Opposition parties formed coalition government in several states. The Congress split in 1969 brought about significant changes in the party system. In the 1971 elections India Gandhi faced a united opposition but it won with a majority of 346 seats. However, the country faced serious problems like inflation, acute food shortage, and massive unemployment which led to series of opposition led agitation. After considerable unrest India Gandhi imposed a national emergency. The emergency threatened liberal institution and created the perception that a crisis of regime had occurred. The 1977 elections ushered in a new era in the party system, creating new opportunities for the opposition parties. This period witnessed an intensification of conflict and competition between political parties. This period was characterized by acute instability in the party system. After Indira Gandhi's assassination political scenario changed in a significant way, under both Indira Gandhi and her son Rajiv, the organizational decline of the Congress became evident. From the late 1980s it was confronted with serious challenge from BJP, Samajwadi party and BSP. New regional parties have strengthened their position at the expense of the Congress. By the late 1980s there was a political vacuum in Indian politics. Dedicated to a redefinition of nationalism the BJP began to fill the vacuum created by the decline of the Congress.

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BJP's rise to prominence has been the defining feature of Indian

NSOU • CC-PS-04 21 politics over the last few decades. It is the only party to win two elections in a row since 1984,. In the 2014 and in the 2019 elections it secured absolute majority in the Lok Sabha on its own, signaling the return of the one party dominant system. 1.6 Summing Up • The party system in India is a complex one and one reason for the

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complexity is the social heterogeneity that has made it impossible for a single set of parties to emerge across the country. •

The Indian party system has evolved from one-party dominance to a multi- party system. • Political change from 1967 to 1977 increased party competition. • The 1977 elections ushered in a new era in the party system. • Growth of regionalism and emergence of regional parties in different parts of India in the 1970s. • In the seven general elections held in 1989, 1991, 1996, 1998, 1999, 2004 and 2009 no party achieved a majority. • All these elections showed a decline in the position of national parties and the growth or regional parties. •

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The BJP emerged as the single largest party for the first time in 1996. •

After the 2004 general election party politics is characterized by the emergence of two broad coalitions NDA and UPA.
 1.7 Probable Questions Essay Type Questions : 1. Trace the evolution of the dominant party system in India. 2. Do you think that 2014 general elections have ushered in a new phase in the evolution of the Indian party system? Give reasons for your answer. Long Questions : 1. Account for the breakdown of the Congress domination in the 1970s. 2. Indicate the reasons for fragmentation of the party system in India.

22 NSOU • CC-PS-04 Short Questions : 1. Account for the intense conflict and rough felling among political parties in the period between 1977-1984. 2. Which phase is characterized by the emergence of two broad coalitions? give reason. 3. Write short notes on UPA and NDA? 1.8 Further Reading 1. Noorani, A. G. ; The Crisis of India's Party System, Asian Affairs ; An American Review, Mar. - Apr., 1980, Vol. 7, No. 4 (Mar. - Apr., 1980), Taylor & Francis, Ltd. 2. Abbas, Kumar & Alam ; Indian Government and Politics, Pearson 3. Manor, James ; Parties and party system Partha Chatterjee (ed.); State and Politics in India. 4. Jayal, Niraja Gopal (et.al);

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NSOU • CC-PS-04 23 Unit - 2 □ Congress System Structure 2.1 Objectives 2.2 Introduction 2.3 Congress system: features and working of the system 2.4 Crisis and break down 2.5 Conclusion 2.6 Summing Up 2.7 Probable Questions 2.8 Further Reading 2.1 Objectives After reading this unit students will be familiar with : • the concept of Congress System • key features and working of the Congress system. • factors leading to the crisis in the system and its breakdown. 2.2 Introduction Party politics in India is unique in the sense that it does not conform to the established model of the two party or multi-party system, nor to that of the one party system. Rajni Kothari coined the phrase "one party dominant system to describe Indian party politics". For almost two decades after independence, the Congress which had led the freedom struggle in the country, controlled central as well as the state governments, Kothari formulated a new conceptual category, the "Congress system" to characterize India's party system. From 1947 to 1967 Indian National Congress dominated a competitive multiparty system. Dominance of the Congress co-existed with inter-party competition, but the opposition parties did not present any credible alternative to the Congress. Elaborate party structure and extensive patronage networks ensured dominance of the Congress Party.

24 NSOU • CC-PS-04 However, in the late 1960s the System was in crisis with deterioration of Congress electoral fortunes. Growing democratization of traditional power relations throughout society, inability of the Congress to maintain the political bases of its coalition, personalized and centralized character of government and the party eventually led to the collapse of the Congress system. 2.3 Basic features and working of the Congress System Rajni Kothari in his politics in India (1970) made a persuasive analysis of the Indian political system largely from structural functional perspective. He identified the dynamic core of the system of political institution in India in the Congress party which acted as a party of consensus. In this model opposition parties are parties of pressure. The whole system worked through the dominance of the Congress. In Kothari's formulation, the features of the Congress system are : (a) an open and competitive party system; (b) existence of multiple opposition parties that cannot provide an alternative to the government. However, they can put pressure on government to do certain things; (c) Responsiveness of the system to changes in public opinion and presence of a democratic authority which is open to continuous pressures both from within the ruling party and from outside; (d) an electoral network of faction at every level of political and governmental activity and a system of co-ordination between various levels; (e) absorption of the very basis of opposition and dissent and neutralizing important sources of cleavage and disaffection. Since the 1920s the Congress brought together a number of interests and identity groups to forge a broad coalition. The party leadership was; however, dependent upon a network of influential men, large landowners, the middle peasants, industrialists, professional classes, castes, religious communities, women and youth organizations, workers and peasants. This network mediated the relationship between the Congress leaders and the rank and file of the party on the one hand and competing views on the other. The network enabled the high command of the party to control popular upsurges that had been launched under its leadership. Decades of organizational political activity by the Congress in the nationalist movement in different parts of the country accounted for the dominance of the Congress. According to Kothari the Congress was an umbrella party encompassing all the major sections and interests of society and in the process acquired legitimacy. After independence the inherent composite character of the Congress was

NSOU • CC-PS-04 25 preserved by the accommodation of diverse social interests, and through a continuous search for dynamic equilibrium in the context of internal competition among shifting political coalition within the party. In the first two decades after independence assertions by the subaltern classes were mediated and controlled by powerful leaders who owned land, labour and capital. One important features of this arrangement was reliance on state leaders. Provincial party units enjoyed large degree of autonomy. They were largely financially independent, raising their own party funds for running the organization or fighting elections. The influence and autonomy of the state units in the Congress Party structure was shown most clearly in 1964 when Nehru's successor was effectively chosen by Kamraj as party president in association with the Chief Ministers and party presidents of the state units. National leaders relied on state leaders to manage contentious issues in their own regions such as the formation of linguistic states in the 1950s and 1960s. Congress system, according to Kothari, exhibited certain key features in its operation in its heyday. First, the Congress after coming to power gave a constructive and primary role to government and politics in the development of society. Second, the power of the central authority was made primary criteria of national survival. Third, legitimacy became the primary issue of politics and this in turn gave to the ruling party and government symbolic value of great importance. Fourth, the Congress by virtue of its control over the government enjoyed monopoly of patronage and had control over economic power and resources. This made it difficult for the opposition parties to compete with it, Fifth, the Congress with its elaborate organizational structure from the central to the grass roots level created broad avenues of political participation. This factor explained Congress Party's ability to absorb groups and movements outside the party and prevent other parties from gaining strength. The Congress had large number of skilled managers at different levels of party organization who were able to arrange bargain between important social groups and to knit together the varied regions and subcultures of the sub-continent. In Kothari's account the Congress has developed over the year's conciliation machinery at various levels to mediate in factional conflicts and maintain the intricate balance on which the Congress system is based. The federal like structures of the party enabled the decentralization of power as well as control. The dominant position of the Congress was further secured by the policy of neutralizing some important sources of conflict and discontent in the country. Thus abolition of Zamindari system, linguistic reorganization of states, organizing labour

26 NSOU • CC-PS-04 union along with framing protective labour laws, granting of special privileges to weaker sections of the society etc, all this went a long way to neutralize potential sources of political discontent. All these measures formed part of the Congress strategy to secure legitimacy on the one hand and modernization on the other. The Indian National Congress was unique in dominating a competitive multi- party system. Most accounts of the Congress Party from 1947 to 1964 emphasize the role of Jawaharlal Nehru in the construction of modern India in which the state would take over charge of economic development and nation building activities with an appeal to the ideas of socialism, secularism, federalism and democracy. Under Nehru’s leadership, the party was built upon the nationalist legacy in three ways : its development of a party organizations, its accommodation of diverse interests, and its relationship with other parties. Dominance by a single party co-existed with inter- party competition. By virtue of its elaborate party structure and patronage networks Congress party was able to appeal to the vast middle ground of interests and values. Its image as the party that won independence and popularity of leaders like Gandhi and Nehru as well as the presence of a large number of influential provincial leaders contributed to the success of the Congress system. Thus Rajni Kothari identified the dynamic core of the system of political institution in India in the Congress Party. The whole system worked through the dominance of the Congress. According to Kothari Congress system developed its character in response to a historical environment. However, that environment underwent drastic change in the late 1960s and early 1970s. The socio economic and demographic context of the Indian polity changed beyond recognition. The intense political mobilization of new groups and subgroups led to the development of more differentiated identities and source of political cleavage. Citizens were searching avenues for effective participation and exhibited maturity to evaluate and make choices. In his essay the Congress system revisited : A decennial view (1974) Rajni Kothari observed that the Congress system was confronted with serious challenges both from its own field of operation and from without. The composition of the Congress has changed considerably. Similarly, the structure of the opposition has undergone important changes. Many new elements have entered the federal axis of the system and the world environment in which Indian polity has to operate has undergone fundamental changes. Kothari argued that despite all these changes, the Congress system on the whole remained intact. It has survived major shifts in the environment and continued to be identified by reference to certain major features. According to him it was a logical necessity for a certain historical situation.

NSOU • CC-PS-04 27 Kothari’s model has been criticized from different perspectives. Critics argued that Kothari overvalued the consensual character of the Indian political system. He overestimated the autonomy of the elite and took far too gradualist view of social and political change. The rise of radical oppositional movement in the 1970s and increasing use of repressive apparatus of the state and declaration of emergency, were clearly indicators that went beyond the consensual model of the Congress system. 2.4 Crisis and breakdown of the Congress System

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Congress system sustained one party dominance India till the 1967 election to the state assemblies. The basic element of the system was the dominant role of the Congress in conducting public affairs almost without resistance from

the opposition parties. It managed internal opposition by a policy of compromise and consensus and did not allow any challenge

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to destroy its viability both as a party of governance and

an instrument for resolving conflict. The practice of inner party democracy and presence of political leaders with solid social support at the state and district levels helped Congress to achieve hegemonic position. The 1967 election ushered in major changes in the structure of the political system. Reviewing his model in 1970 Rajni Kothari observed that the overwhelming dominance of the Indian National Congress had started to be eroded after the third general election. Following Sino-Indian border conflict of 1962 Nehru's leadership became subject of criticism from within Congress as well as from without. The politics of the two successors witnessed the increasing fragmentation of the Congress High Command. The intense conflict over the allocation of party tickets for the 1967 elections resulted in major defections from the party in some states. Consensus maintaining mechanism became paralyzed. The absence of an overpowering leader in the image of a Nehru made the working of the congress system difficult. In his essay "The Congress System Revisited, A Decennial Review (1974), Kothari characterized

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Congress system as the most effective means of countering the challenges that the country faces.

For restoring the Congress system, he suggested rebuilding the Congress party and its regional infrastructure, reinventing the electoral process with legitimacy, restoring opposition party's

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due role in parliamentary politics and restructuring the communication linkage between government, party units and the people. 28

NSOU • CC-PS-04 Over the years the situation has undergone radical changes. The institutionalization of democracy has produced unforeseen results. In the late 1960s and the 1970s the Congress system imploded. From the 1980s, Kothari himself developed entirely different frameworks for presenting empirical and normative account of Indian politics. He admitted that the Congress system while providing

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a long period of stable democratic functioning produced a centralized bureaucratic apparatus devoid of effective distributive policies and any sound philosophy of Justice.

The legitimacy of the electoral democracy gradually eroded over the years and the Congress party has become a party to moneyed and mafia interest. The result of all this is undermining of the state and the political system. In fact, Indian politics in the first two decades after independence was built as

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a sort of consensus based primarily on elite accommodation. The system primarily worked because of its nearness to the mobilization of the national movement and the relation of implicit trust between

the Congress leadership and the masses. The reasons for the breakdown of the Congress system can be attributed to the political changes that occurred during Indira Gandhi's tenure of office. Indira Gandhi in the face of

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increasing opposition strength rejected the principle of consensus in favour of the majoritarian principle.

Her intense desire for personal power and manipulative politics resulted in the suspension of democracy within the congress party. Under her regime Congress Party's roots withered and governance became less institutionalized, more personalized and centralized. Many commentators argue that the erosion of institutional arrangements was ultimately bound up with the deinstitutionalization of the Congress Party and the emergence of genuinely pluralist politics in the post 1977 period. In the 1970s, the Congress party atrophied organizationally. In the 1971 election, Mrs. Gandhi appealed to the national electorate across regions, castes, religion, and gender on the populist platform of removal of poverty. The federal nature of decision making within the party yielded to a highly centralized form of policy making under a charismatic leader. The party degenerated into a band of courtiers. In the process it lost its capacity either to represent or arbitrate between plural and conflicting views. The mass-based party that mobilized millions of Indians in the cause of national independence has lost its appeal to the people at large. After becoming unquestioned leader of the ruling party Indira Gandhi changed the mediatory form of politics into a plebiscitary one. The 1967 election showed that NSOU • CC-PS-04 29 the powerful regional Congress leaders of the earlier period were no longer reliable vote gatherers. By separating parliamentary election from state assembly elections and by relying on the much higher rates of voter participation, Congress party turned the general elections into a plebiscite on the leadership of Indira Gandhi. The most important reasons for the breakdown of the Congress system is the inability of the party to maintain political bases of its coalition, especially the loyalty of the socially backward groups. From the late 1980s the party has found it difficult to gather support for its policy in the face of serious challenge from political formation with sectarian appeals and social bases, such as the BJP, BSP and the Samajwadi Party. New parties representing the backward castes are regionally concentrated and have gained strength at the expense of the Congress. Since the late 1980s the party has failed to generate popular leadership capable of accommodating diverse interests. India Gandhi and her son Rajiv Gandhi sought to build coalitions around their own personalities. In the process, the Congress became a leader-dependent force that adhered to the charismatic appeal of the Nehru-Gandhi family. The decision of the dynastic leader was the decision of the party. This largely contributed to the erosion of its social base in the country side. Mobilization through populist slogans did not work. Another explanation for the breakdown of the Congress system is the growth in political consciousness and assertion of newly prosperous and newly mobilized section of the electorate. They are primarily intermediate and backward caste peasants in the Green Revolution areas of the North India. These castes had not been part of the core base of the Congress in the northern belt and had not been granted a position of commensurate influence in the party power structure. Still another explanation is the growing politicization of communal and caste cleavages. This has led to the collapse of the Congress Party in states like UP and Bihar where such politicization led to the gravitation of huge number of electorate Schedule casts, other backward casts and Muslims and upper castes to communal and caste based parties as the BJP, BSP, SP AND RJD. 2.5 Conclusion Rajni Kothari in his politics in India (1970) identified the dynamic core of the system of political institution in India in the Congress Party. The whole system 30 NSOU • CC-PS-04 worked through the dominance of the Congress. It was a differentiated system operating along the organizational structure of the party but connected at each level with the parallel structure of government. It allowed the dominance of a political centre as well as dissent from the margins. In this model opposition parties function as dissident Congress groups. It emphasized coalition building and consensus making at each level and in the process securing legitimacy of the system as a whole. Kothari defined it as the "Congress system"

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The system continued almost uninterrupted till the 1967 election when non- Congress governments came to power in several states.

In fact, the 1967 elections were a severe blow to the Congress. The period immediately before and after the elections had seen a tremendous weakening of its internal strength. There was constant dissension and bitter conflict at different levels of the party organizations, rampant factionalism and large scale defection from the party. The reasons for the breakdown from the Congress system can be attributed to the political changes that took place during Indira Gandhi tenure of office. Under her leadership Congress became strongly centralized with power flowing directly from the central high command. In the face of increasing opposition Mrs. Gandhi rejected the principle of consensus. Her autocratic control of the Congress quickly undermined the organization. The deinstitutionalization of the Congress Party was a major contributor to the erosion of the Congress system. The party lost its capacity to maintain the political bases of its coalition.

2.6 Summing Up • Rajni Kothari identified the dynamic core of the system of political institutions in India in the Congress Party. • The whole system worked through the dominance of Congress. • The system continued almost uninterrupted till the 1967 election. • The reason for the breakdown from the Congress system can be attributed to the political changes that took place during Indira Gandhi's tenure of office.

NSOU • CC-PS-04 31 2.7 Probable Question Essay Type Questions : 1. Write an essay on the Congress System as it worked in the 1950s and 1960s. 2. Account for the crisis and breakdown of the Congress system. Long Questions : 1. Indicate the basic features of the Congress system. 2. Identify the factors behind the success of the Congress system in the 1950s and 1960s. Short Questions : 1. What is meant by Congress System ? 2. What are the arguments of the crisis against Kothari's model ? 2.8 Further Reading 1. Kothari, Rajni ; Politics in India New Delhi ; orient Longman, 1970. 2. Kothari, Rajni ; The Congress System revisited : A Decennial Review Asian survey, vol.14. 3. Chatterjee, Partha (ed.); state and politics in India.

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32 NSOU • CC-PS-04 Unit - 3 □ Multi party Coalitions Structure 3.1 Objectives 3.2 Introduction 3.3 Evolution of coalition politics first phase 1960s and early 1970s 3.4 Second phase the Janataexperiment 3.5 The National Front experiment 3.6 Coalition Experiment in the 1990s 3.7 The National Democratic Alliance (1999-2004) 3.8 The United Progressive Alliance (2004-2014) 3.9 Lok Sabha election in 2014 and return of the one party dominant system 3.10 Conclusion 3.11 Summing Up 3.12 Probable Questions 3.13 Further Reading 3.1 Objectives After reading the unit the learners will be familiar with the : • factors contributing to the growth of coalition politics in India. • different phases in the evolution of coalition politics in India. • different trends and counter-trends in the evolution of the party system in India. 3.2 Introduction Coalition is a direct product of the exigencies of a mutly-party system in a democratic set up. A coalition government is formed when a number of political

NSOU • CC-PS-04 33 parties agree to join hands on common platform by keeping aside their broad differences. In a parliamentary democracy coalitions arise primarily as a result of political compulsion. It might result from radical, communal, economic, social or political conflicts. It may also be formed due to emergency. Politics in India has been going through dramatic transformations. With the active participation of hitherto marginalized groups in the political processes Indian democracy has acquired a mass character. The earlier party system is changing rapidly, as are political equation and in the process a new era of coalition politics has begun. A dominant-party system has given way to a multi-party system and coalition governments. Exigency of situation rather than ideological purity has dictated formation of coalition. Parties with distinct ideologies are inclined to form coalition with the object of challenging a common foe. One important aspects of coalition politics in India is the formidable presence of regional parties, which sometimes hold the key to the very survival of the coalition. 3.3 Evolution of coalition politics first phase 1960s and early 1970s The evolution of political alliances began in the immediate pre-1967 period inspired by the socialist ideologue, Ram Monohar Lohia. Anti Congress sentiment constituted the basis of alliance formation. Lohia firmly believed that ideological difference notwithstanding, continued alliance among non-Congress parties would bring them closer. Despite his doubts about the feasibility of cohesion among anti- Congress parties, he argued that alliance among anti-Congress parties

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would at least inspire the confidence that the country could get rid of the Congress rule at the centre.

In fact, 1967

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elections were clearly a break with the past, in the sense that several regional parties realized the importance of a coalition of

likeminded political parties for pursuing common goals. The fourth general elections radically changed India's political landscape, with the Congress losing its dominance in as many as nine states. The elections indicate

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a clear crack in the Congress base in the regions. It also reflects the beginning of a significant process whereby regional parties were united on the basis of distinctly regional interests that the congress failed to represent properly. The

non-Congress governments that came to power in nine states ushered in a new era by replacing the Congress governments in the province. Except Tamil Nadu where the DMK secured an absolute majority, governments 34 NSOU • CC-PS-04 in other states were formed through coalition. Anti-Congressism brought the opposition parties together to form coalition.

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In order to keep the coalition going, a common minimum programme was adopted that avoided, as far as possible, contentious issues. However, the

coalitions are not stable, primarily because there was no ideological cohesiveness among the constituents of the coalition. Neither did they have programmatic uniformity. In Bihar, a Samyukta Vidhayak Dal

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elected Mahamaya Prasad Singh of the JKD as the first non-Congress Chief Ministers. In Punjab anti-Congress parties like the Akali Dal (sant group), the CPI(M), the CPI, the Jana Sangh, the Akali Dal (Master group), the SSP and the republican party came together and formed the popular united front.

The February 1967

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mid-term poll results in West-Bengal, Uttar Pradesh, Bihar and Punjab were an expression of a new wave in Indian politics. The defeat of the Congress indicated its failure to accommodate

diverse opinions and interests that had been an important feature of the earlier Congress system. Prevalent circumstances with high anti-Congress sentiments created

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the possibility of an alternative structure of power on the basis of

political expediency rather than ideology. In West Bengal United Front consisting of fourteen parties came to power. The experiment was unique in the sense that the left parties the CPI, CPI(M), Forward Bloc and RSP joined with dissident Congressmen which formed the Bangla Congress. The United Front definitely ushered in a new era of coalition in state politics. However, the internal feud among its constituents, particularly the unbridgeable gulf between the CPI and CPI(M) disrupted the normal functioning of the UF government. The constituent parties never buried their distinct identities for the sake of the coalition.

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The front suffered a death blow from the dissident Congressmen who broke away from a Progressive Democratic Front under the leadership of P. C. Ghosh. The

UF government was dismissed and PDF government was formed with the help of the Congress. But Congress withdrew its support to the PDF government after three months and President's rule was proclaimed.

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Two governments in less than a year in West Bengal demonstrated the failure of the coalition to sustain its viability. In

Kerala, a United Front ministry headed by E.M.S Nanboodripad of the CPI(M) held power

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since 1967, Kerala has been governed by two coalitions, the CPI(M) led Left Democratic Front, and the Congress dominated United Democratic Front. The LDF included CPI(M), CPI, RSP, Mani and Pillai Faction of the Kerala

NSOU • CC-PS-04 35 Congress, the rebel Muslim League and the Congress (URS). The constituent parties of the UDF were

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the Congress, the Janata Party, the Praja Socialist Party, the National Democratic Party (Nair) and the Socialist Revolutionary Party (

Ezhava) while the major parties in both coalitions remained firm, the constituent partners kept changing affiliation for political expediency. In Kerala

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no religions or caste groups are numerically dominant. Multiplicity of social groups with conflicting interests contributed to the multiplicity of political parties and coalition government is inevitable

in such a situation.

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In the Hindi heartland of Uttar Pradesh and Madhya Pradesh anti-Congress sentiments were expressed by those who left Congress. In UP the Congress government headed by C. B. Gupta collapsed within three weeks of its formation.

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The non- Congress members of the UP legislative assembly formed Samyukta Vidhayak Dal comprising the Jana Congress, Jana Sangh, SSP, PSP, Swatantra,

the communist, the

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Republican Party and independents. The SVD was a combination of heterogeneous elements with clear ideological difference among the partners.

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The euphoria over the non-Congress coalition was short lived.

It failed to overcome internal contradictions largely because of ideological incompatibility among its constituents.

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In Madhya Pradesh, the Congress lost its numerical strength following defection of Vijay Raje Scindia and the government

headed by D. P. Mishra collapsed. MP had two SVD coalitions followed by a third led by the Congress.

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The MP experiment is an example of an uneasy alliance surviving one ministerial crisis after another and gaining fresh lease of life

on each crisis moment.

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The situation in Haryana was somewhat different. The Congress lost its majority following large scale defection of dissident Congress men. A United Front was formed with Rao Birendra Singh

as its leader and chief Minister. In fact, 1967 elections ushered in a new phase in Indian politics. It was no longer possible for the Congress to reap electoral gains simply by harping

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its role in the freedom movement and achievements during the Nehru era. Although anti- Congressism brought the opposition parties to the centre-stage of Indian politics, it failed to ensure stability of coalition

governments. There was no ideological policy which could hold together these alliances and hence their instability. 36 NSOU • CC-PS-04 3.4 Second phase' the Janata Experiment The next phase in the evolution of alliance was the unification of the partners in the Samtukka Vidhayak Dal in the context of protest movement led by Jay Prakash Narayan in 1974-75. In 1974, the Charan Singh led BKD merged with the SSP, Swatantra Party, Utkal Congress and three minor parties to form the Bharatiya Lok Dal. The formation of the Janata party in 1977 with the merger of the Jana Sangh BLD, Congress(o) and the socialist party, and the CFD indicated experiment of coalition at the national level. It was a hurriedly formed coalition of parties to fight a suddenly called election after the emergency. Other opposition parties such as the CPI(M), DMK and Akali Dal agreed to join hands with the Janata Party in order to give a straight fight to the Congress. Janata Party won 330 seats, while the Congress secured 154 seats. The establishment of the first non-Congress Janata government was a major turning point in Indian politics. It proved that anti-Congressism

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can be an alternative strategy for gaining political power. With the breakdown of the Congress system the period of coalition politics seemed to have begun at the national level. The regional parties began to assert themselves in such a way as to become the controlling factors in the mainstream national politics.

However, the euphoria of victory of the Janata Party was short-lived. There was individual bickering within the Janata party government apart from personal rivalry. Conflict erupted with the Jana Sangh over dual membership, which led to a serious crisis when both the BLD and socialist decided to leave the coalition. The Janata government disintegrated in mid-1979, and many of the elements that formed it splintered. The significance of the Janata experiment lied in breaking the long lasting one party domination and forge a national alternative to the Congress. The disintegration of the Janata Party in 1979 brought the congress back to power at the centre in 1980. The process of broad anti-Congress front formation received a big blow. However, it continued in certain states like Haryana, where the Lok Dal and the BJP formed an electoral alliance to defeat the Congress in 1987.

NSOU • CC-PS-04 37 3.5 The National Front Experiment With the formation of the Janata Dal in 1988 alliance formation process entered a new phase. Expelled Congressman V. P. Singh along with his supporters merged with the Lok Dal of Ajit Singh and Devi Lal in North India and with the Janata Party of R. K. Hegde in Karnataka. This was an attempt to build a broad anti-Congress informal coalition for seat adjustment for the 1989 elections. The strategy for opposition unity was a three stage process. The first was the unity of the centrist, non-Congress secular parties. The second was the formation of a National Front of all non-left parties, regional and national. The third stage was about seat adjustments with the left parties and the Bharatiya Janata Party. This was a two level alliance. The first was a formal coalition between the National Front, three regional parties, TDP, DMK and AGP and The Congress Socialists. The second level was a more informal seat adjustment between the National Front and

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BJP on the one hand and the left parties on the other. The

National front stopped short of a 1977 style merger. It was not a purely power seeking opportunities coalition ignoring ideological differences. The National Front Coalition was a new departure in three senses. First, it did not try to unify very different parties but put together a coalition of distinct parties based on common manifesto. Second it brought in the regional parties like the DMK, the TDP and AGP and the Left parties. Third, it also marked the beginning of interstate alliances of parties where parties do not compete on each other's turf. However, the loose alliance put together by the National Front BJP-Left in 1989-90 did not last long because of ideological incompatibility. This indicated the unsustainability of a broad anti-Congress coalition unless the constituent parties moderate their extreme ideological differences. 3.6 Coalition Experiment in the 1990s The intensification

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of competitive politics has changed the party system from being a rivalry between national parties into one between

alliances and coalition of national and state parties. The nineties have witnessed a succession of minority or coalition governments. The 1991 election saw a three-cornered contest with roughly the same electoral alliances contesting, namely the National Front comprising the Janata Dal, regional
38 NSOU • CC-PS-04 and left parties versus the BJP and the Congress, with the Samajwadi Janata Party of Chandrashekhar as a minor fourth side. BJP contested alone and did not have any seat adjustment with the Janata Dal. In 1996 the same three-cornered battle resulted in a broad front, post election coalition government of United Front. The United Front owed its birth to the Congress, which agreed to extend support to contain BJP in the aftermath of the 1996 national poll. With an informal alliance between the Janata Dal, the Samajwadi Party in Uttar Pradesh, CPI, CPI(M) and other smaller Left parties, the United Front succeeded in forming the government at the centre. After the poll several regional parties like Telegu Desam Party, DMK AND Tamil Manila Congress as well as Asom Gana Parishad joined the United front. Deve Gowda led United Front Government had to rely on congress support for survival as it did not have majority to defend it in the Lok Sabha. The constituents of the United Front were united neither in terms of an ideology nor in terms of attitude. Except for the ideologically well-knit CPI (M), none of the constituents seemed to be as committed in their opposition to the Congress and the BJP. For the DMK, TDP and the Janata Dal(United) BJP did not appear to be as formidable foe as it was earlier primarily because it has watered down its ideological goal due to electoral compulsion. 3.7 The National Democratic Alliance (1999-2004) The BJP-led National Democratic Alliance is a unique experiment with no parallel in India's political history. Although it owed its growth to anti-Congress sentiments, it nevertheless demonstrated pragmatism by accommodating the regional parties holding different political views. By providing a durable national coalition the NDA legitimized coalition politics, NDA was a coalition of 24 constituents. It nevertheless formed a government that brought political stability despite the occasional crisis. Many commentators and scholars held the view that Indian politics has entered the age of coalition and single party rule has become a thing of the past. The national parties have shown their inability to represent diverse interests and opinions in a multicultural society. The 1999 election is a defining moment in India's political history. After the 1984 national poll, four consecutive elections failed to produce a clear majority for any political party or alliance. After almost more than a decade a pre-poll alliance,

NSOU • CC-PS-04 39 the NDA, formed a government at the centre with absolute majority. The coalition involving the regional parties has strengthened the federal character of the national polity. BJP, the dominant partner in the NDA coalition, was no longer restricted to the North India. It was able to win seats in coalition with other parties in Orissa, Andhra Pradesh, West Bengal and Tamil Nadu. The NDA was a consensual coalition in which a common agenda was prepared with input from all the partners. It avoided contentious issues, which in turn cemented the bond among the partners to such an extent that it was never fragile despite the inherent tensions. The coalition consciously championed regional issues. It was asserted that the NDA represents both national interests and regional aspirations. The increasing importance of the regional parties is largely attributed to a process of growing democratizations, involving the hitherto neglected section of Indian society. The intense politicization of the different sections of Indian society over the years have made the one-party dominant model irrelevant.

3.8 The United Progressive Alliance (2004-2014) The 2004 Lok Sabha elections was similar to the 1999 Lok Sabha elections in that both the national parties, the Congress and the BJP failed to secure a majority on their own. The poll results led many scholars and commentators to conclude that India is surely in the age of coalition. The Congress and its allies won a majority in the 2004 Lok Sabha poll, while the BJP led NDA suffered electoral reverses in most states. Unlike the NDA partners who came together before the poll, the UPA was constituted only after the elections results were announced. These alliances are governed by the exigencies of circumstances despite reservations; the Congress accepted the principle of coalition as an appropriate strategy to gain electoral dividends. The fact that the Congress won only 145 seats of 417 contested clearly indicates the importance of the allies for obtaining a majority in the Lok Sabha. The regional parties are driven by pragmatic political considerations. Thus the Janata Dal (U) aligned with the BJP led NDA despite its socialist leanings. Similarly, the DMK, the erstwhile partner with NDA endorsed an alliance with the Congress. The regional parties have received the importance of an electoral pact with a national party to enable them to play crucial role at the national level. In fact, the coalition era has redefined their role in Indian politics and they cannot be ignored as their numerical support remains crucial for government formation at the centre. The crucial importance of the regional parties in the national coalition indicates that the states no longer remain mere constituent of the national policy, but also have become powerful political actors in the formation of the government. State specific issues have assumed importance in national election. This has opened the possibility of bringing politics closer to the people. 2004 and 2009 Lok Sabha elections results confirmed that without coalescing with smaller parties, national parties are unable to form government. In this new political configuration, the BJP and the Congress are forced to look after allies to capture power at the centre.

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One of the factors that contributed to the rise of these smaller parties is the breakdown of the Congress and its failure to represent diverse social and economic interests at the

grass roots. 3.9 Lok Sabha election in 2014 and return of the one party dominant system The 2014 election gave BJP a majority in parliament and has brought back the one party dominant system that was once used to describe the hegemony of the Congress party and the lack of an opposition. The election was held in an atmosphere characterized by serious allegation of scams involving the partners of the UPA. The BJP led NDA made this along with policy paralysis in the government, terrorism, national security and development main issues of the election. Election results ushered in a new era in the evolution of the multi party election politics in India. BJP won 282 seats on its own and with its allies it secured 336 seats in the Lok Sabha. The Congress won just 44 seats and with its allies took up just 60 seats in the lower house. After 1989 many scholars and commentators observed that henceforth India would be governed by coalition. The two national parties, the Congress and the BJP would never be able to secure a majority on their own. The era of coalition politics had brought to the forefront the political agenda of regional parties. In alliance with either of the two national parties, these parties managed to wield considerable influence. However, the election results represent impatience and discontent with coalition politics at the centre. Very often, smaller parties in the coalition held the Congress

NSOU • CC-PS-04 41 leadership hostage. Threats of withdrawal of support hung like the sword of Damocles over the leadership. The DMK, for example, withdrew its ministers from UPA-II government because A.Raja, who belonged to the party, was convicted in the telecoms scam. The constant threat of destabilizations led to policy paralysis and abrupt reversal of decisions. In the middle of policy paralysis Mr. Narendra Modi emerged as a national leader on a platform of stability. This agenda appealed to the people across caste and classes because it promised to amend endless compromises, reversal of decisions and no decisions. The defeat of the caste based parties in the election illustrates sheer impatience with narrow agenda and a focus on hand-outs such as more quotas for this or that caste. Caste and its petty hierarchies have not gone away. But India seems to have entered a new phase of politics. In the 2019 Lok Sabha elections NDA surprised the entire nation by winning 352 out of 543 seats, where BJP alone secured 303 seats. Thus the wheel has turned full circle, with one party dominating national politics and a fragmented opposition that cannot offer alternatives. One party dominant system has returned to Indian politics, but in new form. BJP is nothing like the Congress in its heyday, i.e. a loosely knit coalition of different interest groups bargaining with each other within the party organizations.

3.10 Conclusion Party politics in India has been going through dramatic changes, the earlier party system is changing rapidly, as are political equations. A dominant party system and majority governments have given way to a multi-party system and coalition governments. What seems crucial in this process is not ideological purity, but the exigency of the situation, where the former seems to be a liability rather than an asset. Parties with clearly defined ideologies are now inclined to form coalition with the object of challenging a common enemy. Significant in this configuration is the powerful presence of regional parties that hold the key to the very survival of the coalition. The evolution of political alliances began in 1967, with the formation of coalition governments of political parties opposed to the Congress. Despite being short-lived, non-Congress governments that came to power in 1967 in as many as nine states created history by replacing the Congress party in the provinces. The state level experiment of coalition was tried at the centre in 1977. The Janata Party was

42 NSOU • CC-PS-04 formed with the merger of the

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when national elections were announced after the emergency. It was a hurriedly formed coalition to fight a suddenly called election. It did not last long because of ideological differences among the partners of the coalition. The Janata Party disintegrated in 1979. The nineties have witnessed a succession of coalition governments. The governments formed in 1989, 1990, 1991, 1996, 1998, 1999, 2004 and 2009 were coalition of several political parties. The minority coalition in 1989 and in 1996 were toppled when their supporters outside the government, the BJP and the Congress withdrew support, whereas the 1998 coalition government fell after AIADMK, a partner of the coalition withdrew support. Coalition in India is likely to be unstable, unless the constituents agree on a common minimum programme. The NDA was drawn on this and its stability was largely due to the common minimum programme avoiding contentious issues. In 2004 the non-NDA constituents formed United Progressive Alliance. The Congress party which was not so much enthusiastic about electoral pacts with other endorsed the idea of forming strategic regional alliance to gain a majority in parliament. The Congress and its allies won a majority in the 2004 Lok Sabha poll. The succession of coalition governments since the 1990s led many scholars and commentators to observe that India is surely in the era at coalition. A single party majority does not seem possible any longer. However, the 2014 Lok Sabha election has brought back the one party dominant system. 2019 Lok Sabha election further confirmed the trend.

3.11 Summing Up • The Indian party system has evolved from one-party dominance to a multi-party system. • Political change from 1967 to 1977 increased party competition. • The evolution of political alliances began in 1967, with the formation of coalition governments of political parties opposed to the Congress. • The state-level experiment of the coalition was tried at the centre in 1977. • The nineties have witnessed a succession of coalition governments.

NSOU • CC-PS-04 43 • The governments formed in 1989, 1990, 1991, 1996, 1998, 1999, 2004 and 2009 were a coalition of several political parties. • The succession of coalition governments since the 1990s led many scholars and commentators to observe that India is surely in the ear of the coalition. • However, the 2014 Lok Sabha election had brought back the one-party dominant system. 2019 Lok Sabha election further confirmed the trend. 3.12 Probable Question Essay Type Questions : 1. Examine the factors responsible for the growth of coalition politics in India. 2. Analyse the pattern of coalition politics in India since the 1990s Long Questions : 1. Account for the failure of the Janata experiment in the 1970s. 2. How would you explain the stability of the NDA coalition government (1999-2004). Short Questions : 1. Mention any two features of the United Progressive Alliance. 2. Identify the nature of the Coalition in the 1990s. 3.13 Further Reading 1.

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NSOU • CC-PS-04 Unit - 4 □ Regionalism and Regional Political Parties Structure 4.1 Objectives 4.2 Introduction 4.3 Regionalism in the Indian perspective 4.4 Growth and development of regionalism in India 4.5 Regionalization of National Politics 4.6 Regional Political Parties 4.6.1 DMK and AIADMK 4.6.2 Asom Gana Parishad (AGP) 4.6.3 TeleguDesam Party (TDP) 4.6.4 Shiv Sena 4.6.5 The Akali Dal 4.7 Conclusion 4.8 Summing Up 4.9 Probable Questions 4.10 Further Reading 4.1 Objectives After going through this unit learners will be acquainted with : • meaning on regionalism in the Indian context • growth and development of regionalism in India • factor accounting for the growth regionalism • different regional political parties and their programme • impact of regionalism on national politics

NSOU • CC-PS-04 45 4.2 Introduction The growth of regionalism in India is generally attributed to her cultural diversity. Political theorists view regionalism as a complex of political, economic and cultural phenomena. It is an articulation of growing political consciousness, increasing competition for scarce resources, feeling of relative deprivation arising from policies and programmes of the central government. Besides, there is cultural anxiety among ethnic groups over language status and ethnic balance. In recognition of the country's diversity, the constitution of India provides for a federal structure of government. The constitution also makes provision for the reorganization of states. However, the centralizing tendency inherent in the Indian federal system has created center-state conflict over different issues. Thus a significant aspect of the issue of regionalism has been the dialectic of centralization and decentralization. Since the 1950s India has witnessed the rise and assertion of regional and state based political parties. Issues of ethnicity and the axes of social cleavage have played significant role in the transformation of party politics of India in recent times.

4.3 Regionalism in the Indian perspective

Regionalism is a contested construction. It has been analysed as an offshoot of asymmetrical centre. State relation; as a product of widening gulf between developed and backward regions; as a manifestation of conflict between political elites; as an outgrowth of compulsions of electoral politics or as expressions of increasing competitiveness among different states in a liberalizing economy. Regionalism, according to Rashiduddin Khan, expresses the plurality of Indian society. Socio cultural diversity of India cannot be adequately explained in terms of nationality or ethnicity. The regions of India have their own social, cultural, historical, linguistic, economic and political specification. However, the role of ethnicity in the regional movements in Tamilnadu, Jharkhand, Gorkhland, Assam and Meghalaya cannot be ignored. Similarly, most of the ethnic groups in the North East and Kashmiri Muslims perceive themselves as distinct nationalities and this runs counter to the India's nation building project. Thus while some regional movements aim to achieve greater autonomy of the states, others seek to resist imposition of a monolithic national unity.

46 NSOU • CC-PS-04 In this connection it would be pertinent to refer to the phenomenon of nativism in India. Nativism indicates conflict between the migrants and the sons of the soil. In Myron Wiener's formulation nativism is a form of ethnic identity that seeks to exclude migrants from residing and working in a territory which they consider to be their own homeland. Presence of large migrants from outside, cultural differences between the migrants and the local inhabitants, high level of unemployment among the locals, are some of the reasons for the growth of nativist movement in India.

4.4 Growth and development of regionalism in India

Regionalism in India is a complex of political, economic and ethnic phenomena. Its origin can be traced back to the national liberation movement. The pan Indian national identity could not replace regional identities but grew along with them. In the course national liberation movement pan Indian and regional consciousness appeared simultaneously. The former was based on pan Indian homogeneity of culture. the latter was built upon relevant region's distinctive homogeneity. Demarcation of state boundaries on the basis of administrative convenience played an important role in stimulating regional consciousness. However regional forces remained largely dormant as they were not well organized and all important goal of the national movement was to achieve freedom from British rule. The exceptions were the Dravida and the Akali movements. The establishment and role of the Justice party in Chennai and to a lesser extent, of Akali Dal in Punjab, are examples of emerging regionalism in India. After independence there are a few major landmarks in the development or regionalism

1. Independent India adopted democratic form of government. Its main aim was nation building on principles of democracy, secularism, national unity and social justice. All parts of the country wanted a fair deal in nation building and started competing with each other for their development.
2. Princely states were integrated into the Indian union. Small states were integrated with big states. However, people continued to nurse loyalties to old territorial units.
3. Reorganisation of states on linguistic basis played a vital role in the development of regionalism. New states were created, for example, Bombay was divided into Gujrat and Maharashtra, Punjab into Punjab and Haryana.

NSOU • CC-PS-04 47 But these states were not created entirely on linguistic basis. Many other Factors like ethnic-cum-economic considerations led to the construction of Nagaland, Meghalaya, Manipur, Tripura, Jharkhand, Haryana, Punjab and Chattisgarh and Telangana. Language-cum-cultural factors created Maharashtra, Gujrat and Uttarakhand. Historical and political factors are responsible for UP and Bihar, integration of princely states and need for viable groupings gave birth to Madhya Pradesh and Rajasthan; language and social distinctiveness led to the creation of Tamil Nadu, Kerala, Mysore, Bengal and Orissa. Thus it was language, ethnicity, culture and religion that became the basis of the formation of regional identity in India. Marxist writer attribute regionalization of Indian polity to the rise of the rich landed peasantry in the aftermath of the great revolution. The widening of electoral democracy in terms of increased participation of the marginalized rural social groups further consolidated the power of this class. Besides intensifying centre-state conflicts, the emergence of this new class also led to the growth of inter-regional tensions. This is primarily because the peripheral sub-regions felt neglected both economically and politically. This partly explain the construction of regional identity in Kutch, saurashtra, Marathwada, Vidarbha, Telangana and Uttarakhand. The feeling of being treated as peripheries was accentuated by the fact that most of the sub-regions were rich in terms of minerals and natural resources, We may also refer to the assertion of the different dialect communities in the bigger states of the Hindi heartland of India like Bundelkhand, Purvanchal and Harit Pradesh in UP and Mithilanchal in Bihar. Reference may be made to the political and administrative basis of regionalism in India although politics as such does not create regionalism. It only accentuates regionalism. Politicians take advantage of the situation of regional discontent and unrest. They convert it into movements for strengthening their individual support bases. Thus fighting within congress gave rise to Telengana agitation. Regional political parties like TDP (Andhra Pradesh), DMK (Tamil Nadu), Akali Dal (Punjab), AGP (Assam) have been surviving because of regional sentiments. 4.5 Regionalization of National Politics The increasing role of regional parties in national politics has been referred to as regionalization of national politics. Since the 1990s, the crucial arena of democratic competition has shifted to the regional states. According to Sushil Kulkarni, regional

48 NSOU • CC-PS-04 politics has been reinvigorated by a combination of perceived opportunities and threats. First, although the constitution does not give important fiscal and economic power to the states, in recent years real economic powers have begun to flow to them. One reason is that central government has preferred to pass to state governments the responsibilities of liberalizing the economy. Second the regional parties have effectively used the opportunities arising from the decline of the Congress Party. For example, the powers to legislate politics of affirmative action lie with State government. Regional parties based on caste have made it a power tool to get electoral dividend. Third, the fear that the Hindu nationalist forces might form government at the centre and impose a singular definition of Indian identity has led to the development of stronger regional opposition. This has resulted in intense competition for control of the state government. The increasing role of regional parties in national politics is often interpreted as a force tending towards the disintegration of the Indian union. But in India, regional parties are not even all regionalist in the sense of representing demands for cultural autonomy or grievances against the Indian state. The earlier phase of secessionist sentiment has largely receded, with the exception of Kashmir. The emerging politics of the region is not isolationist, nor does it seek to withdraw from the centre. Regional parties increasingly share the same political space as national parties irrespective of their agendas. They are electoral allies of national parties and participate in coalition governments at the centre. Yet they have rarely questioned the economic agenda of the central government, even though many states may have faced a fiscal crisis as a result of all those policies. Instead, regional parties prefer getting financial deals for their states, in exchange for political support to the government at the centre. Since 1989, India has been governed by coalition of various sorts, grouped mainly around the congress and the BJP. The 2009 elections further consolidated a two-coalition system. These coalition governments at the centre have forced regional parties to become involved in national issues, even as they work to extract benefits for their own kind. 4.6 Regional Political Parties Most of the regional political parties barring National Conference of Jammu and

NSOU • CC-PS-04 49 Kashmir and Akali Dal of Punjab are post independence phenomena. The parties which operate within a particular region or

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state or which represent the interest of particular linguistic, regional, ethnic or cultural groups

are known as regional parties. India has a large number of regional parties. 4.6.1 DMK and AIADMK The DMK and AIADMK are the two regional parties of Tamil Nadu and have become the main contenders for power in the state. Since the first World War the Dravidian movement has played crucial role in the Populous southern Indian state of Tamil Nadu. It began with exclusionary ethnic appeals. Self Respect Association was the first mass organization of the Dravidians. It was later renamed the Dravidians Kazhagam (DK), which had small pockets of influence during the interwar period through appeals to Tamil speakers. It claimed that Tamils were descendants of a Dravidian race, distinct from the Aryans from whom the North and South Indian Brahmin were said to have been descended. It held Brahminical Hinduism and religion as being the source of all oppression and articulated its atheism through breaking idols and abusing deities. DK demanded secession and opposed the constitutional guarantee of freedom of religious belief and practice. It argued that free religious practice implies official acceptance of the caste discrimination intrinsic to Hinduism. In 1949 there was a split in the DK and a new party was born known as Dravida Munnetra Kazhagam (DMK). In the beginning DMK wanted to achieve an independent South Indian Dravidian state comprising Tamil Nadu, Andhra Pradesh, Karnataka and Travancore-Cochin. Subsequently it was obliged to change its position and accepted constituent status of Tamil Nadu as an integral part of India. However, It did not abandon its anti-Hindi and anti-north position. It demanded greater autonomy to the states. Right from 60s it has been demanding amendments to the constitution so as to give them more autonomy. It has also demanded the abolition of the post of Governors and abrogation of art. 356. Like DK, DMK is also an anti-Brahmin Party. It stands for social reforms and its members have to take a pledge that they will remain agnostic. It stands for keeping alive with cultural identity of the Tamil people. Right from its origin it has propagated the legacy of Tamil culture and has been laying emphasis on the Tamil history literature and art.

50 NSOU • CC-PS-04 In 1967 there was a split in the party, The faction led by M. Karunanidhi remained as DMK while the faction led by M.G. Ramachandran became All India Anna Dravida Munnetra Kazhagam. The constitution of AIADMK is almost the same as that of the DMK with the exception that its members are obliged to profess agnosticism. It stands for maintaining cultural identity of the people of Tamil Nadu. It takes pride in Tamil history, language, culture, literature, art and architecture. The prefix All India indicated that its canvas is wider than DMK, although it remains basically a regional party. 4.6.2 Asom Gana Parishad (AGP) AsomGanaParishad was formed on 15th August 1985. Assam agitation against illegal infiltration of foreigners from Bangladesh constituted the background for its formation. The party has been complaining against infiltration of illegal migrants from neighboring Bangladesh apprehending that it is changing the demographic, social and economic complexion of the state. It has been demanding detection of all illegal migrants, deletion of their names from the country's electoral rolls and their deportation. The aims and objectives of the party include building up a truly progressive and egalitarian society based on political equality, economic development and social justice. It demands more powers for the state on the basis of truly federal structure. It seeks to strengthen the foundation of the local economy by proper utilization of natural resources of the state and provide full protection to the interests of local people in matters of employment of all kinds. Its declared objective is to ensure amity and harmony among all section of the people and to take all steps for the upliftment of all indigenous language and cultures. 4.6.3 Telegu Desam Party (TDP) The Telegu Desham party is another regional party active in the Southern states of Andhra Pradesh and Telangana. The party follows a pro-Telegu ideology. The formation of the party was motivated by its resolve to fight Congress hegemony at the centre and in the state by emphasizing on the telegu regional pride. It declares itself as a party of Farmers, backward castes and middle class people. In the economic sphere it has followed liberal policy that has been s pro-business and pro- development party.

NSOU • CC-PS-04 51 4.6.4 Shiv Sena The Shiv Sena was formed in 1966 in Bombay. The party has been championing the economic interests of Maharashtra since its formation. It sought to arouse parochial sentiment by claiming that outsiders were usurping local jobs. It emerged primarily as a son-of-soil movement and made Maharashtra centric politics its front priority. It demands preferential treatment for Marathis over migrants from other parts of India. The party is known for its anti-communist position. It preaches a version of patriotism that demonizes Muslims as anti-national. From its formation the Shiv Sena has shown its readiness to use violence as a method of political action. Simultaneously the party organizes various popular programmes like providing services in local areas and slums to get the support of the Maratha speaking male youth. In the mid-1980s, the party has reordered its agenda to emphasize the themes of Hindu nationalism. The Shiv Sena chief, Bal Thackeray urged his followers to take up a holy war. It sponsored Hindu festival and celebration which over the years have become more expensive and elaborate.

4.6.5 The Akali Dal The Shiromani Akali Dal is a regional party based on the religious sentiments of the Sikh community. It emerged as a result of the Sikh's resolve to fight against the domination of British patronized Gurudwara chiefs. Right from the days of Mughal rule there developed a feeling of deprivation among the Sikh's. Sikh's had always strived to keep their identity separate from the rest of the population. In the pre-independence period Akalis under the leadership of Master Tara Singh demanded a separate Khalistan for Sikhs. After partition, the Akali Dal was divided into two factions under the leadership of Master Tara Singh and Sant Fateh Singh. In the struggle between their two factions, Fatah Singh Faction became dominant, subsequently the group led by Tara Singh merged with the dominant factions. In the post-independence period Akalis have a history of division and unity. The anti-center position of the Akalis led them to pass Anandpur-Sahib Resolution, which demanded a separate and independent Sikh state. Terrorism in Punjab was to a large extent inspired by Anandpur Sahib Resolution. In the preamble to the resolution, it was stated that the Indian constitution was a clever design made by the Hindu Congress to subjugate the Sikhs. The resolution put emphasis on the separate cultural identity of the Sikhs. It is significant that even liberal Akalis had not been able to denounce this resolution. Subsequently militancy to a great extent has declined in the state. In 1997 Punjab election Akalis in alliance with BJP scored a thumping majority in Punjab assembly. It also participated in the BJP led coalition government at the centre.

4.7 Conclusion Regionalism is one of the major forces shaping the nature and texture of Indian politics. It is a multidimensional phenomenon. Its bases are geographical, historical, cultural, economic and social. The general factors behind the growth of regionalism are the cultural, ethnic and linguistic diversity of India. It found expression in the formation of Political parties. Sometimes it has taken a communal shape like Akalis in Punjab and National conference in Jammu and Kashmir. Some regional parties have emerged to protect the separate cultural identity of the region. DMK and

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AIADMK in Tamil Nadu, Telegu Desam in Andhra Pradesh, Assam Gana Parishad in Assam

belong to this category. Identity politics contributed to political parties with exclusive regional aspirations.

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The presence of regional parties has given a wider basis to government policies by providing inputs from the areas and regions to which they belong. 4.9

Summing Up • The general factors behind the growth of regionalism are the cultural, ethnic and linguistic diversity of India. • The bases of regionalism are geographical, historical, cultural, economic and social. • Regionalism is one of the major forces shaping the nature and texture of Indian politics. • Identity politics contributed to political parties with exclusive regional aspirations.

NSOU • CC-PS-04 53 4.10 Probable Questions Essay Type Questions : 1. Account for the growth of regionalism in India. 2. Analyze regionalization of Indian politics and its implications. Long Questions : 1. Define regionalism in the Indian context. 2. Identify the factors responsible for the increasing role of regional parties in national politics. Short Questions : 1. Write a short note on Shivsena/Akali dal. 2. What is meant by regional party? 4.11 Further Reading 1. Chakrabarty, Bidyut and Pandey Rajendra Kumar; Indian Government and Politics. Sage Publications, new Delhi 2008. 2. Jayal, Niraja Gopal and Meheta, Pratap Bhanu (eds.); The Oxford companion to

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NSOU • CC-PS-04 Unit - 5 □ Major National Political Parties in India- Ideologies and Programme Structure 5.1 Objectives 5.2 Introduction 5.3

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Indian National Congress 5.4. Bharatiya Janata Party 5.5 Communist Party of India (CPI) 5.6 Communist Party of India (Marxist) 5.7

Conclusion 5.8 Summing Up 5.9 Probable Questions 5.10 Further Reading 5.1 Objectives After reading the unit the learners will be familiar with the : • concept of National Political party in India. • ideologies of major national and regional political parties. • programme of major national and regional political parties. • differences between the ideologies and programme of different political parties in India. 5.2 Intruduction Political parties in India are classified in three categories; registered parties, recognized state parties and recognized national parties.

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The registered parties are granted recognition at the state and national levels by the

Election Commission of

NSOU • CC-PS-04 55 India on the basis of their poll performance at general election. A party may be recognized as a national party if any of the following conditions is fulfilled : (i) The party is recognized as state party in at least four states. (ii) The candidates set up by the party in any four or more states have secured

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not less than six percent of the total valid votes polled

in each of those states at the general election and has returned at least four members to the Lok Sabha. (iii) The party has won

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at least 2 percent of the total number of seats in the

Lok Sabha at the last general election and the said candidates have been elected to the House from not less than three states. Until the 1990s there were different types of national parties in India. There were parties that were statusquoist and parties that stood for radical, social and economic transformation. However, this is no longer the case

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as most parties are more like each other on many issues and are

actively engaged in parliamentary politics including the left parties. By and large national parties are more pragmatic than ideological and this makes party boundaries highly flexible. At present there are six recognized

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national parties. The Indian National Congress, The Bharatiya Janata Party, The Communist Party of India(CPI), The Communist Party of India(Marxist),

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Bahujan Samaj Party and the Nationalist Congress Party. 5.3 Indian National Congress The party was created before independence as a movement. After independence it got transformed into a party to serve the interests of the people and to take the nation on the path of development. The Congress, therefore expressed itself in favour of agrarian reform, enlargement of public industrial sector and economic planning. In its 68th session in January 1969 in Bhubneswar, Congress accepted the ideal of socialist state by peaceful and constitutional means. In 1971 election the party fought with the slogan of "Garibi Hatao". At present

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the party is committed to socialism, secularism and democracy. The party professes its commitment to democratic socialism and places special emphasis on the planned development of the country in which the government is expected to play a key role.

Broadly, Congress programme is therefore : economic, political and social.

56 NSOU • CC-PS-04 Economic agenda includes basic rights and welfare package for all working people, bring India to 8 percent inclusive growth path, increasing foreign investment, bring "Direct Tax Code" and Goods and Service Tax. The party promised to create new opportunities for employment, incentivize domestic manufacturing and exports by providing minimum tariff protection and speed up the industrial corridor projects. While formulating monetary policy it was suggested to strike a balance between policy stability and growth. For infrastructure projects it was suggested that the Public Private Partnership (PPP) model must be made more transparent and competitive and more widely used. Human and social development issue: Since the first general Election Congress advocated free and compulsory education at primary and secondary stages and free education to the poor. The party advocated

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to raise public spending in education to at least 6 percent of GDP.

Congress voiced the need to provide autonomy to universities and institutions of higher learning and reduce pressure for expansion of higher education by delinking degrees for recruitment to jobs. In matter of health the party suggested the need to bring in right to health, raise health care spending, expand the Rashtriya Swasthya Bimayozana and strengthen primary infrastructure. It lays emphasis on effective integration of family planning programmers with health, nutrition, education and other community welfare programmes. Since the First General Election Congress has been emphasizing the need to strengthen public distribution system in the poorest and backward areas of the country and to reach food grains to the most vulnerable section of the society. It also suggested the need to ensure food security. Congress party programme includes suggestion for women empowerment. These are; pass women's Reservation Bill; earmark 30 percent of all funds coming to local bodies for development of women, land rights for women and launch programme to improve child sex ratio. The party emphasized the need for the implementation of the assurances given to SCs and STs in the constitution. It also suggested the need to amend the constitution to extend the period of reservation to the SCs and STs. The party also favoured reservation in the private sector for SCs and STs. On the issues relating to minorities Congress advocate the need for continuing scholarship for children of the minority communities, prevention of communal

NSOU • CC-PS-04 57 violence and provide reservation for backward minorities in education institutions and in government employment. Since the 1990s Congress party has been emphasizing the need to frame an environment policy integrating environment concerns with the need of economic development. In the party programme mention has been made to check pollution of rivers and other water bodies through effective regulation and implement missions under National Action Plan on climate change. From late 1990s information technology as an issue is being highlighted in the manifestos of the national political parties. Congress emphasized the need to use information technology revolution to improve governance by the computerization of key government department to connect all Gram Panchayats and municipalities with high speed broadband connectivity with a view to improve public delivery mechanism. On foreign policy Congress party emphasizes on improving relation with Pakistan; continue to extent all possible aid to rehabilitate Sri Lankan Tamils, work with China to resolve difference of perception over Indian border and the Line of Actual Control, mobilize support for Indian permanent membership in the U.N. Security Council; work to strengthen South Asian Association for Regional Cooperation. On the Issue of terrorism party promises to fight against terrorism and all other anti-national activities; strengthen the scope to protect our border and prevent infiltration of foreigner. On the issue of defense congress highlighted the need for rapid modernization of defense forces; encourage indigenous manufacturing, harnessing the atom both for peaceful development as well as manufacture nuclear weapon as deterrent. 5.4 Bharatiya Janata Party The Bharatiya Janata Party (BJP) was formed as an independent political party in February 1980, after split of the janata party on the RSS issue. Erstwhile Jana Sangh member along with few others left Janata Party to form BJP. BJP is a reincarnation of the Jana Sangh, the Hindu Nationalist Party founded in 1951 by Shyma Prasad Mukherjee. BJP wants to rebuild India on the basis of BharatiyaSanskriti and Maryada as a political social and economic democracy granting equality of opportunity and

58 NSOU • CC-PS-04 liberty to the individuals so as to make India a prosperous, powerful, and united India. It stated its fundamentals as "

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one country, one nation, one culture and the rule of law. The nationalism must be based on individual allegiance to Bharat as a whole.

The party is founded on the ideology of Hindutva. It held that secularism is an expression of the policy of Muslim appeasement,

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while laying emphasis on the Hindu idiom in its poll manifesto, the party stands for justice for all and appeasement of none.

Its economic agenda includes fiscal autonomy of states, additional tax benefits and higher interest rates for senior citizens, review labour laws; strategically develop industries such as electronic, tourism, textiles, Footwear, food processing. Party promises to rationalize and simplify tax regime, strictly implement fiscal discipline, undertake banking reform, bring all state governments for GST, single window for project clearance, encourage savings as an important driver of investment and growth. Party declares its commitment to protect the interest of small and medium retailer, SMES and those employed by them. BJP suggested universalization of secondary schooleducation with a focus on rural tribal area to reduce dropouts and improve the quality of education and infrastructure. It raised the issue of restructuring UGC and transforming it into a Higher Education Commission. On health related issue, BJP declared its commitment to establish one primary health centre for every village. Party promises to bring in "National Health Assurance Mission" with a mandate for universal health care, initiate new National Healthcare policy; encourage Indian System of medicine, modern science and set up AIIMS- like institute in every state. The party specifically suggested providing incentive for achieving long term demographic goals, effective integration of family planning programme with health nutrition, education and other community welfare programme through persuasive government policies. Regarding public distribution system, the party was infavour of providing the right to food, provide 35kg of rice or wheat every month to BPL families at Rs. 2 per Kg under a improved and expanded Antyodaya Anna Yojana and improve the functioning of the Public Distribution System. On the issue of women empowerment, the party promised to pass women Reservation Bill; strict implementation of laws related to rape, rehabilitation of rape victims, make police stations women friendly, and remove gender disparities.

NSOU ● CC-PS-04 59 On issues related to minorities party promised to strengthen minority educational systems and institutions; initiate modernization of National Madrasa Programme, empower Waqf boards in consultation with religion bodies, preserve and promote Urdu. With respect to Jammu and Kashmir BJP promised to make JK an integral part of India by abrogation of Art. 370 OF the constitution. The party emphasized on the return of Kashmiri Panditsto the land of their ancestor. Since the 1980s, the party has been emphasizing on the need to take effective steps for the protection of environment. It laid emphasis on integrating environmental concern with the needs of economic development and controlling pollution of rivers and other water bodies. The party declared its commitment to work with other countries of the World on the issue of climate change. On the energy issue the party promised to bring in a responsible and comprehensive "National Energy Policy", focus on development of energy super structure, and take steps to maximize the potential of oil, gas, hydel power, ocean, wind, coal and nuclear resources. On Ramjanmabhumi BJP promised to

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Rise of BJP as New Congress-Understanding the ...
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explore all possibilities within the framework of the constitution to facilitate the construction of Ram Mandir in Ayodhya.

The party focused on increasing the penetration of broadband across the country; engage proactively with the people through social media for participative governance. On foreign policy issue the party declared its commitment to pursue friendly relations in the neighborhoods, work towards strengthening regional forum like SAARC and ASEAN; continue dialogue and cooperation with global forums like BRICS, G20, SCO. Terrorism since the 1990s found a place as one of the major issues in the agenda of the party. The party emphasized the need to enact a suitable law to tackle terrorism; to improve the intelligence mechanism; to lunch a nationwide drive to identity the influx of arms; to crack down narcotic smuggling, composition and to rationalize the number, structure, composition and role of para-military and Special Forces. On defense related issue the party promised to set up defense universities to meet the shortage of manpower, appoint a Veteran Commission to address the

60 NSOU • CC-PS-04 grievances of veterans; technology transfer in defense manufacturing will be encouraged to the maximum; encourage domestic industry to have a larger share in design and production of military hardware; revise and update Indian's nuclear doctrine and maintain minimum deterrent that is in tune with changing geocentric realities. 5.5 Communist Party of India (CPI) According to the party constitution, Communist Party of India is the party of the working class, its highest form of class organization. The party is devoted to the cause of socialism and communism. The party pledged itself to uphold freedom, fight for the rights and welfare of the people, fight against all separatist forces, struggle for even development of all regions. In its election manifesto since the 1950s CPI spelt out a series of programmes which include ban on communal and obscurantist propaganda, equal wage, status and opportunity for women, independent authority to inquire into the allegations of corruption against Ministers and other public men. Party suggested that atrocities on women would be put down with a firm hand. The economic programme of the party includes nationalization of monopoly houses, state takeover of wholesale trade in food grain, radical land reforms, guarantee of free dwelling home to the rural and urban poor, inclusion of right to work as a fundamental right in the constitution and mobilize resources by taxing the rich. The party promised to ensure need based minimum wage, full neutralization of price rise, ban on wage freeze, lock out, lay off and closure of factories and takeover of existing mills by the government. The other programme of the party includes: restructuring of centre-state relations to expand the power of the state, ensuring remunerative price to the peasants, planned development of the economy, crash programme for economic and cultural development of the backward regions of the country, wide spread free health care programme, safeguarding the rights of the Muslims and other religious and linguistic minorities; separation of religion from politics. Regarding foreign policy CPI promised for a policy of peace, non-alignment and anti-imperialism, restructuring NSOU • CC-PS-04 61 international economic relations and strong steps against neo-colonialism and Multinational Corporation. 5.6

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PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN ...
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Communist Party of India (Marxist) The communist Party of India (Marxist) was formed

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following difference with CPI regarding party line. The party wanted to bring about a new form of government called "peoples Democracy". The ideological goal of the party is to organize a people's democratic revolution under the leadership of the working class. In the economic sphere the party promised total liquidation of, land-lordism, cancellation of debts of the peasants, equitable distribution food to the people of rural and urban area and state trading in food grains. Other economic programme of the party include: increasing minimum wages, for agricultural workers, ensuring equal wage for women agricultural workers, strict enforcement of the minimum wage, social security measures such as pensions, accident compensation with central funding, effect a substantial increase in public expenditure on the rural sector, provide cheap institutional credit to the agriculture sector. On industrial policy CPI(M) suggested preservation of economic independence and self-reliance. The party also pleaded for reversal of IMF-World Bank dictated economic policy, simplification of the regulatory system and strengthen regulatory bodies to prevent corruption. The party is against wholesale privatization of public sector. Party promised to give priority to the manufacturing sector to create employment opportunities, encourage small and medium enterprise in labour intensive sector, protect domestic industries, prohibit FDI in retail trade, and implement GST only after ensuring a higher rate for the states so as to partially correct the present fiscal balance, drive to unearth black money. CPI(M) advocated the need to make elementary education a fundamental right and universalize secondary school education. Party also promised to regulate private higher education institution. On health related issues the party promised to increase public expenditure on health, regulate the private healthcare sector, ensure uninterrupted supply of all medicine free of cost in all public health centre. On the issue of women empowerment, the party promised to pass Women Reservation Bill, ensure equal pay for women worker, adopt social security measures for working women.

62 NSOU • CC-PS-04 The party promised to provide larger funds for the upliftment and welfare of the SCs/STs. It also favoured reservation in the private sector for SCs and STs. It was also in favour of providing reservation to the backward minorities through legislation and making Minorities Commission a statutory body. Like all other national parties CPI(M) promised to frame an environmental policy integrating environmental concern with the needs of economic development, makes the system and promises of environmental clearance effective, check pollution of rivers and other water bodies. Regarding the energy sector CPI(M) promised to review energy and telecom policies in tune with the interest of self-reliant national development, to reverse the trend towards privatizing power production and distribution. Regarding Jammu and Kashmir the party suggested maximum autonomy for Jammu and Kashmir by keeping Article 370 of the constitution intact and advocated for strong steps to be taken to prevent excesses by security forces. On RamJanmabhumi issue CPI(M) like CPI pleaded for separating religion from politics, resolution of the controversy through negotiation and preserving the status quo of religious places. On the issue of terrorism and internal security the party pleaded for revamping the intelligence machinery and better coordination between security and intelligence agencies, amendment of the unlawful activities act to remove draconian provision like detention without trial for 180 days. Regarding foreign policy and defense CPI(M) advocated continued dialogue with Pakistan to resolve all outstanding issues, promote people to people contact, sever military and security ties with Israel, build relations with Bangladesh, settle Teesta waters agreement and revise Indo-US nuclear agreement. The party pleaded for not renewing defense framework agreement with the U.S., create a national security apparatus, demilitarization of the cyber space, building indigenous capacity to protect Indian interest and telecommunication networks.

5.7 Conclusion Policy and programmatic statements are central features of political parties. National political parties in India have put on record their political ideas and goals in their party programme. On the eve of election each party issues its manifesto, NSOU • CC-PS-04 63 outlining its basic beliefs, assessment of situation and approach to different problems and issues. Each party spells out its distinct ideology. Political parties in India try to get electoral support not only through their image but also through articulation of concrete policy proposals. There is a remarkable degree of similarities in approach to most of the social, economic and political problems by the national political parties. In the context of political issues, all the national parties expressed their commitment to uphold the constitutional provisions relating to secularism. All the parties advocated the need to check corruption by setting up an independent, impartial commission at the centre and the states. In Jammu and Kashmir national parties differed in their approach. On economic issues all national parties favoured planning as an approach to the various aspect of national life. It was only BJP which advocated abolishing planning commission. All the political parties were in favour of abolition of the Zamindari system, although there were differences in the means to be adopted. On industrial policy in the post liberalization phase, national parties differed in their approach. All major national parties pleaded for redefining the role of the public sector. CPI(M) and CPI, however, were against wholesale privatization of the public sector. Since the 1970s issues relating to environment, climate change, consumer protection, human rights, black money, gender, corruption in public life, terrorism and security concerns and water have been given pronounced emphasis in the manifesto of the national parties.

5.8 Summing Up • Programmatic statements and policies are central features of political parties. • Political parties in India have been classified into three categories; registered parties, recognized state parties and recognized national parties. • At present, there are six recognized national parties.

5.9 Probable Questions Essay Type Questions : 1. Write an essay on the ideology and programme of the Congress Party.

64 NSOU • CC-PS-04 2. Discuss the ideology and programme of the Bharatiya Janata Party. Long Questions : 1. Indicate the position of the CPI(M) on Jammu and Kashmir issue. 2. Write a short note on the economic programme of BJP. Short Questions : 1. Write a short note on the ideology of the CPI(M). 2. What are the conditions to be fulfilled by any political party to become a national party ?

5.10 Further Reading 1. Chhibber, P. K and Verma Rahul ; Ideology and identity, The changing party system of India.

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NSOU • CC-PS-04 65 Module - 2

Unit - 6 □ Voting Behaviour in India-Overview Structure 6.1 Objectives 6.2 Introduction 6.3 Meaning and importance of voting behaviour 6.4 Different approaches to study voting behaviour 6.5 Studies of voting behaviour in India 6.6 Conclusion 6.7 Summing Up 6.8 Probable Questions 6.9 Further Reading 6.1 Objectives This unit will help the learners to : • understand the meaning and importance to study voting behaviour. • recognise social cleavages influencing voting behaviour. • find the sustenance of democracy in a diversified society. 6.2 Introduction In a democratic country citizen uses voting as a means for communicating his endorsement or objection to governmental decisions, policies and programmes of various political parties. Voting behaviour refers to actions and inactions of citizens in respect of participating in the elections that take place at the local, regional, or national level. Here most important Questions arise that how people decide and why they opt for candidate or party? Voting Behaviour is thus a study of factors influencing voters to vote for one party or candidate. It not simply examines only data, records, past political events and shifts and swings, but it also deals with

68 NSOU • CC-PS-04 psychological aspects such as voters' perception, emotion, motivation etc. This unit discusses the meaning, importance, and significance of voting behaviour in the Indian context. 6.3 Meaning and importance of voting behaviour Voting Behaviour is concerned with the way people vote and with the reasons why they vote so. Now a further question arises about the pattern of voting of the citizens There is difference between the West and India. West is more homogeneous and India is diverse and heterogeneous. Regions are marked by different kinds of political orientations and participations. Factors influencing voters also differ from region to region. So, it is difficult to find out factors determining voting behaviour in India. Also, in the west, due to long development of democracy and more open society, people show their choice and express why they vote to a particular candidate or party. In India, on the flipside, voters are more conservative in showing reasons why they support one candidate or party. Thus, voting behaviour researches are more conclusive in West than in India. However, the study of determinants of electoral behaviour constitutes a very significant area of empirical study. An empirical study of the determinants which inspire and influence the voters to exercise his right to vote in favour or against a particular candidate is influenced by different factors such as gender, race and pressure groups in invoking religious and communal factors, the influence of money or charismatic personality of a leader. 6.4 Different approaches to study voting behaviour Different approaches are instrumental in explaining voting behaviour. These are known as structural, ecological, rational and socio-psychological. 1. Structural or socio-psychological approach emphasises on the relationship between individual and social structure. It explains the voting behaviour in a social context. This approach gives importance on the party identification and become very popular in United States in 1950 and 1960s. 2. Ecological approach relates voting behaviour to the characteristic features of a geographical area (word, constituency, state etc). 3. Rational choice approach maintains that political choice is made by individual's rational calculation of self interest. So when one votes, one

NSOU • CC-PS-04 69 votes for something. This approach analyses voting behaviour as the outcome of cost-benefit calculations by the individual. This voting behaviour model denies the concept that voting behaviour of an individual is firmly related to his /her class affiliation or class socialization. 4. Socio-psychological approach takes up social and psychological variables like caste, religion, gender etc, in explaining voting behaviour. 6.5 Studies of voting behaviour in India Study of voting behavior is firmly related to the study of electoral politics. This study of voting behavior of the people is known as psephology. Basic objectives of the subject is to understand the behavior of the voters at the time of elections. The study of determinants of voting behavior constitutes a very significant part in academic arena. These determinants like caste, class, religion, money, language etc. influence the voters to exercise their right to vote in favor or against a particular candidate. On the question of understanding voting behavior of a particular voter leads to the questions as why a voter prefers a particular candidate or a particular party in the election. Researchers must find out the factors which influence voters to choose a particular candidate. These factors may include economic, social or political. After independence, some studies were carried out on voting behavior, but these studies lack modern techniques. Gradually, quality of studying voting behavior has been improved. In the latter period, Some political scientists like Rajni Kothari, Myron Wiener and Pranoy Roy initiated some systematic studies on determinants of voting behavior. From 1990 onwards some research scholars also carried out election studies. Study of voting behavior has now become a central attraction for the academicians and journalists. For the last few years researchers have started to use survey sophisticated methods which have proved more scientific. Presently, many scholars, journalists, political scientists, and sociologists are now engaged in studying the determinants of voting behavior. 6.6 Conclusion From the above discussion we may conclude that voting is the main form of political participation in a democratic system. The study of voting behaviour emphasizes primarily on explaining who votes and how they vote. The analysis of

70 NSOU • CC-PS-04 the voting patterns invariably focuses on the determinants of why people vote and how they arrive at the decisions they make. Researchers have pointed out the influence of political factors such as issues, political programmes, electoral campaigns, party loyalty and voter's feelings about candidates etc. The will of the people is expressed through voting and therefore, all undemocratic and unfair means like manipulating and rigging need to be avoided. 6.7 Summing Up • Voting' is one of the most used terms in contemporary age of democratic politics. In democratic system, each adult citizen uses 'voting' as a means of expressing his approval or disapproval of government decisions, policies and programmes, the policies and programmes of various political parties and qualities of candidate who are engaged in struggle to get the status of being the representatives of people. • Voting behaviour is not confined to the examination of voting statistics, records and computation of electoral shifts and swings. It also involves an analysis of individual psychological processes (perception, emotion, and motivation) and their relation to political action as well as of institutional patterns, such as the communication process and their impact on elections. It also involves an analysis of individual psychological processes (perception, emotion, and motivation) and their relation to political action as well as of institutional patterns, such as communication process and their impact on elections. The voting behaviour has recently been expanded in the meaning and is taken as one major and broad area of study. • Various approaches like structural, ecological, social-psychological and rational-choice are instrumental in studying voting behaviour. • Voting behaviour of the people have been studied in India from time to time. In India, political scientists, sociologists, anthropologists, media houses and political parties have carried out election studies. In the beginning, particularly in 1950s these studies were not technically very sound. From 1960s systematic study of voting was started with application of improved technique and method. Several Political Scientists, Anthropologists, Sociologists, Psychologists have led research work on voting behaviour. Findings of these

NSOU ● CC-PS-04 71 studies are published in national and international academic journals, books and print media which help in understanding the maturity of democracy and about the reasons for that. 6.8 Probable Questions Essay Type Questions : 1. Explain the significance of voting behaviour. 2. Discuss the meaning and importance of voting behaviour. 3. Analyse the different approaches to the study of voting behaviour. 4. Write an essay on the relevance of study of voting behaviour in India. Long Questions : 1. Make an evolution of studies of voting behaviour in India. 2. Briefly discuss the effect of voting behaviour in Indian democracy. 3. Discuss relationship between voting behaviour and political parties in India. Short Questions : 1. Write a short note on importance of voting behaviour. 2. What do you mean by voting behaviour? 3. Explain at least three approaches to the study of voting behaviour. 4. Briefly discuss the evolution of studies of voting behaviour in India. 6.9 Further Reading 1. Bhagat, Anjana Kan; Elections and Electoral reforms in India. Vikas Publication, New Delhi, 1996. 2. Jena, B. B., Bara, J. K. ; "Election politics and Voting Behaviour in India". Discovery Publishing House, New Delhi, 1989. 3. Banerjee, Mukulika ; Why India Votes ? Routledge, New Delhi, 1914. 4. Chaube, S. K.; Electoral Politics in Northeast India. Orient Longman, 1985.

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NSOU ● CC-PS-04 73 Unit - 7 □ Caste as determinant of voting behaviour Structure 7.1 Objectives 7.2 Introduction 7.3 Meaning and importance of caste in Indian politics 7.4 Caste Loyalty 7.5 Political Parties and Caste 7.6 Caste Politics in different States in India 7.6.1 Bihar 7.6.2 Uttarpradesh 7.6.3 Maharashtra 7.6.4 Karnataka 7.6.5 Kerala 7.6.6 Haryana 7.6.7 Punjab 7.8.8 Rajasthan 7.6.9 Tamil Nadu 7.6.10 Andhrapradesh 7.7 Conclusion 7.8 Summing Up 7.9 Probable Questions 7.10 Further Reading 7.1 Objectives After reading this unit learners would be able to : ● understand the meaning and importance of caste in Indian politics.

74 NSOU ● CC-PS-04 ● to realise the role of caste as an important determinant of voting behaviour. ● to explain why caste politics exists in India. 7.2 Introduction Caste is among the most researched determinant in studies of voting behaviour. It has become one of the most effective determinants of voting behaviour in elections in the post-Independent India. Electoral politics is identified with creating support base and mobilising support in present structure. Caste structure provides ready organisation of people through which politics may be organised. Rajni Kothari in his Caste in Indian Politics argues that the questions are what form does caste take under the impact of politics and what form does politics take in caste ridden society? Politics is competitive enterprise, and so its main target is to achieve power by manipulating clusters of people living together in a community following same social norms and practices. Caste structure provides this organised cluster to be utilised by politics. Conversely, castes also want to assert themselves and their identity through politics and dominate over others. Thus, politics and caste come closer what Kothari calls Politicisation of Caste. 7.3 Meaning and importance of caste in Indian politics Caste is endogamous kinship group and is based on ascriptive status. Once born in a group he must remain same. Status and position of a person is fixed according to his caste. Each caste has different social attributes, rituals, practices, and traditional occupation as a particular social identity. Each caste has different social identity. Caste is vertical and horizontal stratification of Indian society. It is known as Varna as four Varnas are functionally determined. They are Brahmin, Khatriya, Baishya and Sudra. There are also the undercasts, the Pancham or Dalit. With modernisation and various social and political movements, it was believed that caste-based hierarchy will wither away. But caste never disappeared. No social system disappeared in that way. Rather a collective sentiment, an emotion and feeling of caste solidarity appeared. With modernisation, horizontal consolidation of caste took place. When politics looked to caste for mobilising support, castes too used politics for their gains. Initially after independence, the caste structure was polarised between upper and lower caste. Later, castes became more fragmented and inter-caste competition

NSOU • CC-PS-04 75 accelerated. A process of politicisation of caste gathered momentum. After independence the polarisation of castes took shape in the form of Brahmin and Non- Brahmin castes as seen in Tamilnadu and Maharashtra. In Andhra it was between Kamma and Reddi and in Gujrat between Brahmin versus Patidars. This phase of polarisation was followed by a stage of fragmentation which was a product of political competition. Later the inter- caste competition became intra-cast creating different cleavages. Caste groups, caste federations or any kind of caste agglomeration may play dominant role in politics. On the one hand, established political parties vied for support of dominant or powerful castes in different regions, and, on the other, caste-based parties appeared to voice their demands. It is difficult to say how far politics uses caste or caste uses politics. Though it has been observed by Lloyed and Susanne Rudolph that the institutions of castes have undergone modification because of modernisation of political system. Competition among different castes began for achieving political power. This took place horizontally while vertical solidarity had been weakened. In various parts in India, caste became dominant factor in politics, both in case of political recruitment and in voting. Castes determine Voting Behaviour in many parts of Northern and Southern India. Castes become major avenue to power and to ordinary voter or the collective, it appears, that they will reap much benefits if their caste captures power. Caste based politics and voting behaviour are seen protests against the dominance of upper castes. Especially power can relieve lower, dominated castes from torture and exploitations of upper castes. Thus, caste associations acted as pressure groups to secure upward mobility and benefits. Traditional caste functions are losing grounds. Mainly it happened among Nadar caste in South India. 7.4 Caste Loyalty Different caste groups show their loyalties to different political parties and their ideologies. People inherit a particular caste due to birth in the same caste and grow up as a member of a specific caste cluster. They belong to either one of the high castes or other backward castes or scheduled castes and scheduled tribes. From his/ her childhood a person gradually adopts caste values and caste interests. These caste values and caste interests play a major role in socialisation and consequently his political thinking, awareness, and participation. Naturally a separate identity based on caste politics shape the personality of the concerned person. some political parties have an immediate caste basis whereas others indirectly exercise caste as a basis.

76 NSOU • CC-PS-04 Identity based politics becomes the hall mark in states like UP, Bihar, MP, and Southern states. STs, SCs and OBCs play important role in influencing the voting behaviour. So, on many occasions people voted a person who belonged to his/her particular caste as Jadavs opted for a Jadav candidate. In UP the Bahujan Samajbadi Party 's support base is hailed from dominant dalits and a section of Muslim and Samajbadi Party (SP) was constituted by Jadavs and Muslims. BSP enjoyed massive support from dalits. In 2017 State election BSP got 22% votes and in 2019 it got 19.3% votes. For capturing power the party appealed to Brahmins and other sections of society in 2006. 7.5 Political Parties and Caste The politicization of caste and casteism in politics has been a well- known reality of Indian political system. The caste-based mobilisation is one of the most important tools of voter mobilisation for all political parties today in India. We find political parties in the length and breadth of the country from the far East to the West and from North to down South. All parties in India draw up a poll strategy on the basis of the constituency's caste profile. Messages in the election are tailored in a way to suit the dominant caste present there and ideological coherence is often sacrificed. Political parties take caste into consideration while formulating their manifestos, programmes and agendas. Caste also makes an impact in policy making of the parties. while nominating a candidate for contesting election, political parties often consider caste of the candidate. Morris Jones thus rightly points out, " Politics is more important for caste and caste is more important for politics than before". The concept of caste has become an astonishing matter since 1990s due to Mondal Commission which was introduced by the VP Sing government giving reservation to the OBCs in the central institution and rise of the parties such as the BSP, the SP and the RJD in north India. These parties have been identified with Dalits, OBCs or the peasant classes. Prior to their rise, the Congress party represented a coalition of various castes. Emergence of these parties underlined the significance of the marginalized castes playing decisive role in electoral politics. Their rise also increased competition among different castes. However, the basic demand of the dalits is to remove all types of discriminations and implementation of the principle of equality in every corner of the nation. Dalits are against upper caste domination and in favour of equality. From Ambedkar to present, they are in favour of

NSOU • CC-PS-04 77 annihilation of caste. They have their own organisations and they oppose upper caste domination parties. They also protest using Dalit vote bank policy by upper caste parties. In 1984 Bahujan Samajbadi Party was established as Dalit party and came to power. Dalits are very much motivated by their identity and Dalit voters are influenced and guided by Dalit interest. They vote for Dalit candidates. Though lately there is a change in goal and policy of BSP. BSP now is not guided simply by caste arithmetic and emphasising on coalition of interests. But when issues become dominant like economic development, dalits support issues and upper caste parties as it happened when BSP suffered huge defeat in 2019 Lok Sabha election. However, caste plays important and dominant role in Voting Behaviour.

7.6 Caste Politics in different states in India After independence caste added a new dimension at the local and state level politics in India. Caste politics has been firmly entrenched in several states in India like Bihar, Uttarpradesh, Kerala, Karnataka, Andhrapradesh, Tamilnadu, Maharashtra, Punjab, Haryana and Rajashthan. Following analysis reveals as to what extent caste has exercised its influence in the working of the state politics.

7.6.1 Bihar In comparison to other states of India, Bihar is far ahead in respect dominancy of caste over politics. In Bihar, there is always a conflict between the forward castes and backward castes. A popular message in Bihar is “you don’t cast your vote in Bihar you vote your caste”. In the first few decades after independence the upper caste dominates Bihar politics. After abolition of Zamindari system backward castes began to emerge as a determinant factor in state politics. As the upper castes started to be weakened, Yadavs, Kummis and Koeri started to play a major role in Bihar politics. Caste politics has strengthen its position from 1990s after Mondal commission’s report came into limelight. In Bihar, many political parties gradually have emerged on the basis of castes i.e, Rastriya Janata Dal, Samata Party, Lok Janashakti Party and Samajwadi Party. Major problem in Bihar politics is that none of the parties is in a position to get an absolute majority due to casteism as none of the parties has the capacity to mobilize good proportion of votes of their castes. Small parties form alliance with other parties just to increase vote percentage from various castes. Caste not only plays a major part in loksabha or vidhansabha election

78 NSOU • CC-PS-04 but also in Pachayat election. However, it is observed that most of the Yadavs vote for RJD and upper castes for NDA (National Democratic Alliance).

7.6.2 Uttarpradesh Caste plays a major role in Uttarpradesh politics. It is very much active in the districts of Meerut, Aligarh and Kanpur. Congress played a dominant role in UP politics for a long period. It was in 1989 that big national parties and the upper caste lost their influence in UP and Bihar. Kanshi Ram, the founder of the Bahujan Samaj Party (BSP), emerged with a

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slogan, “Vote hamara, raj tumhara – nahi chalega, nahi chalega (Our vote, you rule,

will not happen, will not happen)”.This slogan succeeded in uniting the backward castes and dalits. As a result, Bahujan Samaj party has appeared as the saviour of the traditionally lower caste known as Scheduled Castes and Scheduled Tribes. BSP holds a strong position in U.P.and after Kashiram BSP supremo Mayawati has become immensely popular among the backward castes, Scheduled castes, Scheduled Tribes as well as Dalit Chamar (leather worker). Prior to Mayawati, Mulayam Sing yadav on the basis of caste has become a prominent leader of U.P. He ruled the state as Chief Minister for three non consecutive terms. In U.P. upper castes account 20 per cent, Dalits 20 percent, Muslims 20 per cent and other backward castes 40 per cent of the total votes. In 2017 Assembly elections both Samajwadi Party and Bahujan Samaj Party have lost their influence on the backward castes and Dalits where as BJP successfully placed itself in a political space among the castes and sub castes unsatisfied with and abhorrent to the hegemony of the intermediaries such as the Yadav among the OBCs and Yatav among the Dalits. It is a well known fact that BJP has a strong base among the upper castes in U.P. In the 2019 Loksabha election BJP breached the non Yadav vote bank among the other backward classes and successfully obtained support of Kurmi and Mauryas. BJP’s strategy to expand the idea of ‘Samagra Hindutva which seeks to integrate OBCs and Scheduled Castes within the Hindutva fold won the heart of the backward castes and Dalits.

7.6.3 Maharashtra Castes have always been a part of Maharashtra politics. In Maharashtra, three groups of castes namely Maratha, Maha and Brahamins dominate the caste politics of Maharashtra. These three groups of caste comprise 47 percent of the Hindu population. Traditionally Marathas support the Congress party, lately it is closed to

NSOU • CC-PS-04 79 National Congress Party. Hindu Dalits are divided between Congress, BJP and Shiv Sena. Mahar castes are largely with Congress and factions of Republican party of India. BJP has become a prominent force by organising Mali, Dhugar, Vanjari and Maratha communities in 2019 Assembly election. 7.6.4 Karnataka Elections in Karnataka means equations and two communities - Lingayats and Vokkaligas - who have influenced the poll scenario for more than three decades. Caste and religion have played a bigger role than any other factor in selection of candidates and their winnability, despite lack of leadership, statesmanship, qualifications or the ability to nurture their constituencies. Even national parties like BJP and Congress have followed the tradition of caste politics in Karnataka, while JD(S), being a party of the Vokkaligas, has played the caste card cleverly. The leaders of the three parties select candidates keeping in mind the dominant role of the two communities. Whether Lok Sabha or Assembly poll candidates are selected on caste basis — depending on the percentage of Vokkaliga or Lingayat voters (or Kuruba in some) in a particular constituency. If North Karnataka is regarded as the Lingayat heartland, Old Mysore is the Vokkaliga bastion. So, both BJP and Congress have been fielding either Lingayats or Vokkaligas in both these regions. 7.6.5 Kerala In Kerala religion and caste play a major role in shaping the voting behaviour of the people. After inclusion of Travancore-Cochin Princely states in Indian union Kerala came up as the biggest Malayalam speaking state dominated by the Hindus. Hindus are divided into Brahmins (Mostly Namboodripads) and Nanyars and Ezhavas(a backward class). The majority of the Ezhava community has always been the support base of Communist Party of India (Marxists). The Kerala Pulayar Maha Sabha (KPMS) which represents the Dalit Pulya Community traditionally support CPM The New Indian Express, 2nd April 2021—‘Kerala Elections : Caste groups keep major fronts guessing days before polls’. It is to be noted that Ezhavas constitute 20% of the population. Dalit which constitutes 10% of the population massively supported the Left Democratic Front in 2021 Assembly Election. In 2016 election 51% or half Dalits voted for the LDF. Recently held 2021 Assembly Election Dalit votes for LDF obtained 69% Dalit votes. On the other hand, Nairs and other upper castes favoured Congress led United Democratic Front. (UDF) This is

80 NSOU • CC-PS-04 the only community where LDF did not perform well. (Kerala Assembly Elections | A shift in social basis of voting, Sreyas Sardesai (The Hindu-May 06, 2021). 7.6.6 Haryana For decades politics of Haryana has been dominated by Jats a land owning community which forms about 25 to 30 percent of the state’s population. Previously, three Chief Minister’s namely Bansilal, Omprakash Choutala and Bhupinder Sing Hooda were Jats who openly followed pro Jat approach in several matters. It is alleged by the other communities that Jats were benefitted by the proactive government assistance. There was a certain disenchantment among the other backward classes (OBC)and Scheduled Castes (SC) in Haryana. In a state that riddled with caste politics, BJP set out to break free of Jat Identity politics. In Haryana, the OBCs ,the SCs and Brahmins constituted majority population and BJP targeted all such non Jat votes. BJP nominated non Jats candidates in Jat majority areas and non Brahmin candidates in Brahmin dominated regions. This political experiment of BJP yielded positive results in 2014 Lok Sabha election and the party won 7 out of 10 seats. In 2019 Assembly election BJP followed the same strategy and appeared as the single largest party. BJP formed the government in a post poll alliance with the Jananayak Janata Party and seven Independents. 7.6.7 Punjab Punjab has the highest population density of scheduled castes (SC) almost 32%. On the other hand, Jat –Sikh Population is estimated to be around 20%. Irrespective of the party, Shiromoni Akali Dal (SAD) or Congress, Punjab always had a Jat-Sikh Chief Minister since 1977. This discloses the caste equation and its political importance in Punjab. Jat-Sikhs are the single largest caste in Punjab which comprises one fifth of the total population. But, in spite of being one-third of the population, Scheduled Castes are scattered into different communities like Adhi Dharmic Ravidassia and Valmiki Mazhabis—remain sharply divided socially as well as politically. Their politics remain as divided as their caste. Though Bahujan Samaj Party (BSP) has a strong Dalit identity, in Punjab its support base largely remain confined to one caste Adidharmi Ravidassia. Even as party founder late Kanshi Ram tried to bring the two communities on the same fold politically, but he could not really succeed. In fact, these are the reasons for which SCs and OBCs are less dominant in Punjab politics where as Jat- Sikhs play a prominent role in the political

NSOU • CC-PS-04 81 affairs of the state. In 2019 Lok Sabha election Congress improved its vote share among Hindu OBCs ; within this caste group, the party's vote share raised from 34% in 2014 to 61% in 2019. Hindu upper castes favoured SAD—BJP alliance and the alliance has received 55% of votes. Caste divide was also appeared among Sikh-Jat voters. Sikhs, particularly Jat Sikhs, who traditionally voted for the SAD, this time tilted towards others. Close to two out of five (37%) Jat Sikhs in 2019 voted for the congress, which was 14% higher than in the 2014 Lok Sabha election.

7.6.8 Rajasthan Caste plays a very prominent role in the politics of Rajasthan. In the state of Rajasthan Scheduled Caste population is 18 %, Scheduled Tribe 13%, Jats 12%, Gujjars and Rajputs 9% each, Brahmins and Meena 7% each. The party which desires to capture power in the state must try to win the favour of OBCs along with other caste groups. It is surprising that while political parties focus their campaigns on public welfare schemes, candidates for election are selected on the basis of caste. North of Rajasthan is Jat dominated where as Meenas and Gujjars have a strong influence in South. The Hadoti (South East of Rajasthan) region is dominated by the Brahmins, Bania and Jats. The Western part of Rajasthan is dominated by Jats and Rajputs. The central region has a higher proportion of Muslims, Meena, Jats and Rajputs. In Rajasthan 89% are Hindus 9 % Muslims and 2% belong to other religions. In Rajasthan, BJP has traditionally been popular among traders, Rajputs and OBCs, where as Congress among Brahmins, Jats, Muslims Gujjars, SC and ST communities. 2018 Assembly election was a contest between Gujjars versus Meenas and Rajputs versus Jats. This can be judged from the fact that they have a history of traditional rivalry. However Congress became successful to create a coalition of caste groups and revive the traditional vote bank within its fold. It is thus clear that the party which is able to obtain the majority support of Rajputs, Gujjar, Jat, Meena and succeeds in creating a broad more acceptable social alliance will get the majority seats in the election. Congress did so and ultimately captured power in 2018 Assembly election.

7.6.9. Tamil Nadu Tamil Nadu has made impressive development in the different fields like education, healthcare, infrastructural facilities and socio-political mobility among diverse sections of society. But it is no exception to caste politics. Caste groups and

82 NSOU • CC-PS-04 caste associations immensely influence political parties including Dravidian parties. Many districts and transport corporations have been named after the leaders of the caste groups exposing the role of the caste organizations. 2011 census report reveals that Tamil Nadu has a 7.2 core population of which 68 % are OBCs, 20 % are SCs, 1 percent are STs and the rest are upper castes. Hindus are 88% (which includes SCs and STs). Muslims close to 6% and Christians form another 6%. A significant portion of the 6% Christian population belongs to Dalits. Different caste groups are scattered in the several parts of the state. Gounder community forms between 12% to 15% of the total population of the state resides in the western part of the state. The mukkulathor community, constituting around 10% of the population wields considerable influence in the Southern and central districts of the state. Another dominant caste in the northern part of the state is the vanniyaars who constitute around 12% of the population. Dalit constitutes 20% of the state population, the highest for any caste group. Dalit population is seen across the state highly concentrated in the Kongu region, Chennai and Vizhuppuram, Vellore, Tiruvannamalai and the delta districts. Traditionally, the AIADMK has a strong support from upper castes, Vanniyaars, Dalits, Gounders and Thevars. On the other hand, DMK has followers in Vellalars, Mudhaliyaars, Udaiyaars, Nadars, Naidus and Muslims. However, the emergence of MDMK (Marumalarchi Dravida Munnerta Kazhagam) and DMDK (Desiya Murpokku Dravida Kazhagam) has provided these communities with additional options. An unprecedented mobilisation is taking place among intermediary castes in Tamil Nadu to hold political, and economic power as usual. Dalits and marginalised people on the other hand, are demanding equal footing in political, economic and other spheres. In recently held Assembly election (2021) DMK led alliance secured two thirds majority and it is pertinent to look at the caste calculus. Post poll survey reveals that the support of the Dalits, minorities and upper castes led to the DMK alliance win. Majority of the dominant backward castes favoured DMK led alliance where as AIADMK alliance owned only a lukewarm support. In South Tamil Nadu, a majority of the Thevar vote (55%) went in favour of the AIADMK alliance where as Nadars, the Devendra Velalars and Christians favoured DMK-led coalition. In respect of the North zone AIADMK, along with the Pattali Makkal Katchi (PMK) obtained a majority (54%) of Vanniyaar voters. Parts of northern Tamil Nadu observed a polarisation of Mudaliar and Vanniyaar votes in AIADMK alliance's favour. But this could not be regarded as a sweep in favour of AIADMK because DMK coalition

NSOU • CC-PS-04 83 secured at least 4 out of every 10 votes. Major area of gain for the DMK-led coalition in North came from Dalit vote and offset the loss of the Vanniyar and Mudaliar support. In the West, the Gounder voted for AIADMK (.59%). But here, the support of the Arunthathiyar Dalits for DMK alliance was 68%. Dalit votes for DMK thus raised to 21%. Interestingly, all of the gains came from at the expense of AIADMK and other parties. But many activists have accused the AIADMK and DMK for maintaining silence on atrocities against Dalits. It is alleged that these parties remain silent on caste issues, fearing backlash from the intermediate or dominant caste population during elections.

7.6.10 Andhrapradesh Caste plays a major role in electoral politics of Andhrapradesh . The two politically dominant communities active in the state politics are Reddy and Kammas. Though Kammas and Reddys are about 6 and 10 per cent respectively of the state's population, they are economically and politically powerful. A majority of the state's chief ministers were from these castes. Caste composition in Andhrapradesh Assembly has undergone a drastic change for the last sixty years. There were good number of representation from the communities like Velamas, Brahmins and Kshatriyas in the Andhrapradesh Assembly. This has come down compared to 1952–1978 and 1983–2014. There were 69 Brahmin MLAs between 1952–1978 and the strength came down to 6 during 1983– 2014. Further, there were 74 Khatriya MLAs in 1952–1978 which decreased to 68 during 1983–2014. These representations have been replaced to a great extent by other communities like Kamma, Reddy and Backward communities and marginally by Vysays and Velamas. Traditionally, Scheduled castes and minorities always support congress party and its leaders which has now been replaced by the YSR Congress (Yuva Sramika Ryth Congress). I Backward castes used to support the TDP (Telugu Deham Party) which always had a Kamma leadership. However, of late, Jagan Mohan Reddy had been trying hard woo members of these communities and break into the Naidu vote bank. Aanother important caste in Andhrapradesh, is Kapus who call themselves as other backward castes and are equivalent to Kurmis or Bhumihars in North India. Kapus are economically and socially strong among backward classes and dominant in region of the Godavari delta. Kapus were a traditional vote bank of Congress. But it shifted its allegiance to TDP in the Assembly election 2014. In the Assembly 84 NSOU • CC-PS-04 election of 2019 Kapus favoured YSR Congress. It is alleged that what seems to have contributed to the TDP's downfall is erosion of its Kama base and not being able to obtain the confidence of Kapus despite promising them backward class status. Further in 2019 Assembly election YSR CONGRESS did well not only among the Reddy but also among the Dalits, Voters from the poor economic class, young persons and farmers supported YSRCongress. To retain the support of the caste groups, regional political parties, whenever they capture power to rule their respective states always resort to

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political power for furthering the interests of the caste groups.

Due consideration is given to the caste of a person at the time of recruitment to political offices. Caste factor plays a major role in the process of ministry making and the allocation of portfolios. 7.7 Conclusion In election studies in India, caste has become parameter of assessing the level of democracy. Some scholars have argued that increasing participation of various castes, especially the low caste, Dalits and OBCs are indicative of democratic upsurge or a silent revolution in India. Politicisation of caste has made caste an agent of democratic aspiration for the weaker sections. Despite adoption of democratic values which conceive of a society free from casteism caste continues to characterise politics in India and voting factor populace. 7.8 Summing Up • Caste is regarded as

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the most ancient feature of the Indian social system. It has made its special place in the structure and functions of the Indian political system. • Caste

determines the nature, organization and working of the political parties. National as well as regional political parties are predominantly influenced by the caste factor.

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All political parties in India use caste as a means for securing votes in

election. Caste considerations are given a great mileage in the selection of the candidate. Even parties known as secular parties emphasizes on the caste factor at the time of selection of candidates for a particular constituency.

NSOU • CC-PS-04 85 • Caste groups use politics as means to secure their benefits. As a result,

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Politics has become caste ridden and castes have got politicized.

But it is often alleged that

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caste acts as a divisive force in Indian politics. It provides a basis for the emergence of many interest teams within the Indian system every of that competes with each different cluster within the struggle for power.

Thus, it results in unhealthy struggle for power and acts as a fictitious force. • Caste has become a major cause of serious concern and become an obstacle to the national integration. The eradication of caste system is the only solution to overcome caste politics. 7.9 Probable Questions Essay Type Questions : 1. Explain caste as a determinant of voting behaviour. 2. Discuss the relationship between caste and politics in India. 3. Explain the significance of caste in India. 4. Do you think that political parties are more important to castes and castes are more important to political parties? Explain Long Questions : 1. How does caste influence voting behaviour? 2. What are the main features of caste? 3. Why does caste politics exit in India? Short Questions : 1. Define caste. 2. Write a short note on the caste loyalty. 3. What do you mean by caste? 4. Briefly discuss the role of caste in Indian democracy.

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NSOU • CC-PS-04 87 Unit - 8 □ Class as determinant factor in voting behaviour Structure 8.1 Objectives 8.2 Introduction 8.3 Meaning and importance of class 8.4 Class as a determinant of voting behaviour 8.5 Relationship between class and politics in India 8.6 Conclusion 8.7 Summing Up 8.8 Probable Questions 8.9 Further Reading 8.1 Objectives This unit discusses one of the most basic and important aspects of voting behaviour. After studying this unit Learners would be able to :

- understand the meaning and importance of class.
- analyse class as a determinant of voting behaviour.
- realise the relationship between class and politics.

8.2 Introduction India's social structure is stratified along class lines. Historically, the British rule and its economic policies generated forces which created the basis for the emergence of classes and strata hitherto unknown in Indian society : the capitalists (individual, commercial and financial), working class living on wages in industrial and commercial establishments, and the English-educated middle classes (lawyers, doctors, professors, 88 NSOU • CC-PS-04 journalists, managers and clerks) in urban areas; Zamindars, large-estate owners, peasant proprietors divided into upper, middle and lower strata, absentee landlords, tenants and sub tenants, agricultural laborers, modern money lenders. A notable aspect of this formation is that there was inter caste economic collusion and highly politicized inter-caste consolidation. After independence, the attempt of the national government to industrialize the country on a capitalist basis-public and private-and to transform the backward village communities into a viable prosperous sector of the national economy has led to the reshuffling of the class structure. Some new classes or strata have emerged. Inter-class and intra-class relations have assumed new dimension but in the countryside, class relations are very often mediated through castes or jatis. By using the criteria of ownership of property in the means of production as well as occupation income and status these principal classes may be described as : (1) the bourgeoisie comprising top industrial and business houses (2) the middle class which includes professionals and urban intellectuals (3) lower middle class comprising small traders and shop keepers, middle level employees, clerks and medium level professionals, (4) working class in the urban areas (skilled manual workers, semi-skilled and unskilled workers) (5) peasantry which constitute largest class. But in spite of existing of such classes in India, class identity and class consciousness in true sense of the terms have not yet developed. This is due to underdeveloped capitalist economy and presence of primordial group identities like caste, religion and ethnicity as the bases of political action. 8.3 Meaning and importance of class The concept of class is very much related with the economic position of a group of people. In other words, classes are groups of people who share common interests. A class according to Marx will always view its own interests and will give priority to the interests and when doing this a conflict with another opposing class becomes inevitable. Hence consciousness, conflict and struggle are inevitably connected with the idea of class. Class has been defined by Lenin in relation to means of production in a particular society and the society is divided between class of owners of means of production and the non-owners. Mainly, classes occupy different positions in society depending on their possessions of wealth, Capital, Labour, Knowledge etc. Classes are different by their own interests. So capitalist class is concerned with the interest of capital and more profit. The workers are concerned with more wages and

NSOU • CC-PS-04 89 better living. The middle class always wishes to reap more benefits from government. So, when they vote they are guided by their own interest. Workers, Peasants are more consolidated and Middle class is fragmented.

8.4 Class as a determinant of voting behaviour Concept of class is relevant in studying voting behaviour. It is argued that political slogan plays an important role in determining the voting behaviour. In 1971 Lok Sabha election Congress raised the slogan of "Garibi Hatao" which drew attention of the middle and poor classes people and they favoured Congress immensely. Till 1960s Congress won parliament election at a stretch due to its adoption of social welfare schemes which benefitted lower middle and downtrodden classes. In West Bengal, Tripura and Kerala Left parties followed economic policies which gave relief to the workers and peasants of these states. These policies determined voter's behaviour and led to the historical presence of left parties in power for a period thirty-four years in West Bengal. Trinamul Congress in West Bengal Assembly election 2021 created a landslide victory due to its adoption of a slew of welfare policies for the marginalised people. All these policies followed by the T.M.C are related to economic issues encompassing almost every major aspect of life ranging from food, shelter, education and health in Bengal. Government schemes like Kanyasree, Rupasree, Sabujasathi, Jubasree, Macanteen became very popular among the people belonging to poor class who extremely favoured Trinamool Congress in the recently held Assembly election.

8.5 Relationship between class and politics in India In India elections are often fought on economic issues. Political parties attempted to satisfy several classes through different policies the industrialists, traders, and commercial sector – in one word the bourgeoisie always influence and put pressure on government for their own benefits. They support such parties who have pro- industry, business, and traders' interests in their agenda. The Corporate World favours neo-liberal reforms. The associations like ASSOCHAM and FICCI look after interests of capital and pressurise the government to that direction. Here voters vote in favour of non-left pro-bourgeois party. On the other hand the middle class is more concerned with economic development and civic amenities. Middle class voters are

90 NSOU • CC-PS-04 guided by issues apart from allegiance to any particular political party. Party and Media play important role in shaping voting behaviour in urban areas. In rural areas Rich Peasants and Middle Peasants are concerned with more benefits from State, while landless labourers and poor masses are concerned with issues like poverty alleviation and rural development. Like Caste, Class may also be a determining factor in Voting Behaviour. It has been debated among Political Scientists whether Class plays any important role in Indian democracy and also whether it is important in determining voting behaviour? we have seen class-based politics in 1950s, 1960s and in 1970s in many parts of the country. But class politics and class movements were only possible in the heydays of Left and Socialist ideological politics. In India, workers were united by and through Trade Unions and peasants by Kishan Sabhas. They played important role in organising voters in urban and rural areas along with different Left Parties fighting elections. Voters, as supporters and sympathisers of Left Parties, usually voted in favour of them from ideological constraint. Left ideology attracted many voters both from urban educated class, the intelligentsia, and the rural peasantry. From late 1990s onward, Left influence gradually declined. This happened with decline of organised labour and rise of workers in informal sectors. After decline and fall of Soviet Russia and in the phase of Globalisation Left bastion everywhere has been weakened. Left parties lost earlier ideological appeals. So, class factor becomes weaker in determining voting behaviour. Politics is a market place and classes are bargaining for their benefits. As a result, we find right, and upper caste parties gather so much support of these classes to come to power in 2014 and 2019 Lok Sabha Elections.

8.6 Conclusion Recently, a debate has arisen in the academic field on the question of importance of class in Indian politics. It is argued by a group of scholars that class has lost its relevance in determining the voting behaviour of the Indian people. It is advocated that co-relation between class and voting has become fuzzier to-day and notion of class has been eclipsed by caste. It is true that caste does constitute a very important factor in Indian politics, but caste does not alone matter in all elections. Class is very much alive and working in Indian politics. It would not be very surprising to say that class continues to affect our society and it surely matters in politics.

NSOU • CC-PS-04 91 8.7 Summing Up • Class came into existence in India due to economic policies of the British rulers. These classes were capitalists, working class and English educated middle classes. Indian industrialists remained aloof from the national movement for a long time due to fear of losing concessions from the British raj. Gradually, after receiving assurance from the nationalist leaders for operating business with freedom in independent India capitalists supported freedom movement. • After independence, national economy led to the reshuffling of the class structure. New principal classes emerged. These classes are (a) the bourgeoisie the middle class which includes professionals and urban intellectuals (b) lower middle-class (c) working class in the urban areas (d) peasantry which constitute largest class. But yet in India concept of class identity and class consciousness have not developed. This is due to underdeveloped capitalist economy and presence of primordial group identities like caste, religion and ethnicity as the bases of political action. • The historical conflict between capital and labour is yet to emerge as the principal determining factor in Indian politics. In spite of all these arguments, in India elections are fought on class-based politics. In recently held elections several parties both at the national and state level adopted social welfare policies to gain the support of the middle and poor classes people. 8.8 Probable Questions Essay Type Questions : 1. What are the different classes in India? What role they play in Indian politics? 2. Explain the relationship between political parties and different classes in India. 3. Discuss the reasons for the weakness of the working-class politics in India. 4. Discuss with particular reference to the countryside, the role of classes in our political system.

92 NSOU • CC-PS-04 Long Questions : 1. What do you mean by class? 2. Explain class as a determinant factor in India. 3. Do you think that class is still relevant in Indian politics? 4. Are classes mainly organised by the left parties? Short Questions : 1. Define Marxian concept of class. 2. Write short note on different classes of India. 3. How different classes are functioning in the political system of India? 8.9 Further Reading 1. Francine, Frankel ; "Middle Classes and Castes in Indian Politics : Prospects for

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NSOU • CC-PS-04 93 Unit - 9 □ Gender as determinant of voting behaviour Structure 9.1 Objectives 9.2 Introduction 9.3 Meaning and importance of Gender 9.4 Gender as a determinant of voting behaviour 9.5 Relationship between gender and politics 9.6 Conclusion 9.7 Summing Up 9.8 Probable Questions 9.9 Further Reading 9.1 Objectives This unit discusses the concept and meaning of Gender. After studying this unit Learners would be able to : • explain the meaning and importance of gender. • realise Gender as a determinant of voting behaviour. • understand relationship between gender and politics in India. 9.2 Introduction In a patriarchal society like ours we lack gender equality. So everywhere in India women are dominated and constrained by men in different forms. It becomes more ruthless in traditional society with established culture strengthening the perpetuation of patriarchy. It becomes difficult for women to come out and raise their independent voice. So, in most of the cases, especially in rural and backward areas their verdict is dictated by men in their families or by leaders in village communities. once a decision is made by the family, any challenge to that

94 NSOU • CC-PS-04 decision is taken as a challenge to culture, family and their values. If women protest, they become victim of violence. 0.3 Meaning and importance of Gender Gender refers to social and cultural differences between males and females. It also denotes a range of identities. So, Gender is a social construction. It is different from Sex. Sex is biological difference between male and female. But by Gender we mean social and cultural attributes in a particular society. Gender varies from society to society and can change over time. So, Gender in 21st Century is clearly different and distinguished from 19th century by their existence role and initiatives in society. Women are much independent and more resistant to patriarchal domination. 9.4 Gender bias and electoral participation of women The term gender bias is often used in respect of voting behaviour at the time of election. This in true sense of the term means women's participation in voting. Many research studies have been carried out on gender bias in political participation by analysing women voter turn out in Indian democracy. There is a dramatic increase in women participation in the elections since the 1990s, while men has remained more or less same. It would be pertinent to mention here that election can provide the best possible opportunity to ensure that women's voices are listened, their concerns are addressed and their potential contributions to maintain peace and tranquillity in democracy are maximized. However, There is a steady and a sharp decline in the gender bias in voting over time. In particular, we find that the sex ratio of voters (the number of women voters to every 1000 men voters) increased very impressively from 715 in the 1960s to 883 in the 2000s. According to a information published by Election Commission of India in 2011 and 2016 states particularly Assam, Bihar, Orissa, Kerala, West Bengal and Tamil Nadu have shown immense improvement in women's participation in voting. In 2019, Surprisingly, women's turn out in all these states exceeded than men. This reveals the fact that women are voluntarily exercising their constitutional right of adult suffrage across the states in India is testimony to the rise of self-empowerment of women to secure their fundamental right to freedom of expression. Woman's role in electoral participation has become so significant that political parties adopt welfare programmes and NSOU • CC-PS-04 95 policies which directly benefit women. These programmes include welfare schemes for women like scholarship for girls, better safety, reservation for women in government jobs, prohibition on alcohol, and subsidised water and electricity. Delhi's women voters play a major role in the Aam Aadmi Party's landslide victory in the 2020 Assembly elections. According to Lokniti CSDS survey (Centre for the study of Developing Societies) women voted to a great extent in favour of Aam Aadmi Party than their male counter parts 60% and 40% respectively .It was this massive gender gap that gave the party an enormous lead of 25 percentage points over the BJP among the women voters. The AAP government has adopted several welfare schemes to woo the female electorates like raise of gender budget at 8.6% in 2018- 2019 much higher than the union government, free bus ride for women, water and electricity bill subsidies etc. BJP and its allies were also successful to improve their image and performance among the women voters in 2019 Loksabha election in comparison to 2014 by implementing the schemes like Ujjwala, Beti bachao, Beti Padhao, Jan Dhan, Such Bharat toilets. In Bihar Assembly election held from 28th October to 7th November 2020 women voters led to the victory of the National Democratic Alliance. In 166 constituencies where the women's turn out was more than the men's turn out, the BJP-JDU won 92 seats and other smaller constituents won 7 seats. In other words, 99 seats went in favour of the NDA where the women's turn out exceeded men's turn out. In Bihar, National Democratic Alliance (NDA) obtained 37.26% votes polled and came to power with a narrow victory with 125 seats. Nitish's pro-women policies like 50% reservation for women in Panchayats, the bicycle scheme, benefits for girl students till graduation, 35% reservation for women in government jobs, the state and Central government's direct cash benefit schemes, liquor prohibition have created a major impact upon the women. Most interestingly, it is observed in recent years that women are taking part in voting process in large numbers in comparison to previous years. Electoral participation among rural women has risen by nearly 13 percentage point s between 1971 and 2014. Another enchanted fact is that women are not only stepping out more to vote, ,their voting preferences are no longer in line with those of their families or communities. The view of the younger women has been drastically changed, they are more educated than their mothers and do not accept the collective decisions of their village or head of the family or social group to caste vote for a given candidate or party. A survey was carried out by Lokniti-Centre for the Study of Developing

96 NSOU • CC-PS-04 Society (CSDS) on 5,000 first time young female voters (between the ages of 18-22) in February 2019. This survey revealed that a little more than three out of five women opined that they would participate in voting process without being influenced by their families. The whole scenario indicates that women are much more politically conscious than before and very firm to cast their votes according to their own choice. Many women voters now believe that their vote matters in the formation of the government. It is thus clear that women are a voting block in their own right. Further, rise of women voters in the rural areas reveals the fact that women are now very much interested in politics. 9.5 Relationship between gender and politics Participation of women in politics is highly important for their empowerment. Definitely, they are making inroads into formal politics. Though we have seen some very dominant and efficient women leaders in the form of Indira Gandhi, Mayawati and Jayalalitha, but still women participation in Lok Sabha is not worth mentioning. The participation of women as political leaders is not only low in India but around the world. As of now, only 24% of the global legislative members constitute women. And India, out of 193 countries, stands on 150th position in having the total percentage of women as legislators. In the lower house, women constitute 12.6% of total members and in the upper house, they constitute 11.5% of total members. What is more surprising is the fact that the least developing countries like Bangladesh stand in a better position than developed and developing countries like India in giving leadership to women. State wise turn out of women in 2004 election to Lok Sabha shows that 43.9% women participated, and it was much lower than 1999. In 1999 73.2% women participated. In 1962 Lok Sabha election 22 women were elected and in 2009 only 59 were elected. No of women MLAs in West Bengal were 6 in 1971 and 35 in 2011. No of women members in leading parties in West Bengal show that the INC had 200,000, BJP 168,000 and CPIM had 25,440. But no of women participating in highest decision making in same year in leading parties in West Bengal shows that INC had 80, BJP 11 and CPIM had 85. It is no doubt participation of women is increasing in different states, but still much hurdle women face to participate in the political process. They don't find equal space to ventilate their opinions and

NSOU • CC-PS-04 97 decisions. Only in 1993, in 73 rd and 75 th Constitutional Amendments provided for one-third representation of women in Local Government. Rather women in numbers participate in social movements in Civil Society. Left, Right and Centrist parties have women organisations. Now more women are coming up as supporters of these parties. Left parties always had women participation. Gradually, Congress and BJP are getting more women workers. But still males dominate in politics and in major decision making. Even women are elected at Panchayat level, they cannot work independently. Their voice and demands are thwarted by male counterparts. 9.6 Conclusion Gender inequality is very much persisting in India. Women are considered to have monetary value and to be the property of male family members in a patriarchal society like India. Men control much of the lives of women, including social relationships. Thus, from the very beginning after birth a woman is growing up under the supervision of the head of the family who is a male person. She could not express her personal choice or opinion. Her every aspect of life is controlled by the members of the family as well as leaders of the society. Several measures have been taken by the government, but the mindset of the male persons more or less remain unchanged. 9.7 Summing Up • Women in India as elsewhere are subject to gender bias and male domination. India belongs to a patriarchal society. This society has traditionally left the protection of women up to the arbitrary wishes of men who act as their guardians. According to the norms of the patriarchal society women have no rights to decide, once a decision is made by male member/ members of the family any opposition to that decision is taken as a challenge to protect the values of the family. • Participation of women in the political process have been increased and definitely they are making inroads into formal politics. As a result women are participating into power structure. But obviously it is not so impressive even after almost 75 years of our independence. Though we have seen very

98 NSOU • CC-PS-04 dominant and efficient women leaders in our country but still women participation in Lok Sabha is not worth mentioning. There have been several efforts made for higher inclusion of women in the political leadership, but till the men are not sensitized and the social and institutional barriers are not shattered, there is still a long road ahead for their representation. 9.8 Probable Questions Essay Type Questions : 1. Explain the meaning and importance of Gender. 2. Is gender becoming a major concern for political parties for winning election? 3. Examine the role of women in politics. Long Questions : 1. Explain gender 2. Differentiate between gender and sex 3. Write a note on women's participation in electoral politics. Short Questions : 1. Are women dominated in present society? 2. Write a short note on gender inequality 3. Briefly discuss the performance of women in Parliament Election. 9.9 Further Reading 1. Dagar, Rainuka ; "Gender Narratives and Elections : Mandate for Safety. 2. Sethi, Renu ; "Determinants of Women's Active Political Participation" :

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100 NSOU • CC-PS-04 Unit - 10 □ Religion as determinant of voting behaviour Structure 10.1 Objectives 10.2

Introduction 10.3 Understanding Religion and Politics 10.4 Religion and politics in India ---A Historical overview 10.5 Role of religion in electoral politics in post-independence India 10.5.1 Religion and vote bank politics 10.5.2 Use of religion in Electoral Politics of Jana Sangh and Janata Party 10.5.3 Religion and electoral politics of Congress-I 10.5.4 Hindutva as an Electoral Agenda of BJP 10.5.5 BJP and Aajodhya Issue 10.6 Conclusion 10.7 Summing Up 10.8 Probable Questions 10.9 Further Reading 10.1 Objectives After reading this unit the learners will be able to : • define the concept of religion and politics. • understand role of religion in politics. • explain the interrelationship between religion and politics in India historically. • outline the major aspects of religion and politics in contemporary India.

NSOU • CC-PS-04 101 10.2 Introduction Religion is a particular system of faith and worship. There is a belief in every religion that a superpower controls human life and nature. It refers to particular socio-cultural system of behaviours, practices, world view, texts, morals, ethics and organisations. Religion is viewed as a form of orientation to the secular world in the sense that it is a source of knowledge, values and norms of a society. It advocates an ideology a system of thought, located in the domain of the sacred. In the name of religion people become united. So, in case of voting this appeals much. The concept of politics is not as complicated as that of religion. It is generally accepted that politics is a set of activities that are associated with making decisions in groups or other forms of power relations between individuals. In other words, political activities are those which are geared towards the attainment, acquisition maintenance and consolidation of power. Political activities also include those which use symbols and metaphors of the sacred domain and gain ends that are not religious. These are directed towards creating religious effects which is a definite striving for power. Since religion is considered as a dominant factor in people's lives, it emerges as an influential factor in politics too. 10.3 Understanding religion and politics Religion and politics are concepts that represent two different and interdependent subsystems of society. Social scientist Peter Berger defines religion as a "set of beliefs that connects the individual to a community and in turn to a sense of being or purpose that transcends the individual mundane." The concept of politics denominates the regulative power to make collectively binding decisions, allocate resources, and solve social problems. Religion mobilizes religious sensibilities of people with a view to get their support to capture power; while politics uses intrigue, diplomacy, and makes attempt to win public opinion either democratically, if the system allows it, or usurps power with the assistance of army. Religion often claims that it derives power from the divine authority and therefore its mission is holy. Its basic goal is to motivate people for reform of the society under the spiritual guidance. On the contrary, politics develops its policy for the needs and requirements of society. Through the interpretation of history Social Scientists reveal three models

102 NSOU • CC-PS-04 related to religion and politics. Firstly, When religion and politics both unite with each other in an attempt to monopolize political power, it is regarded as integration and sharing model. In the second model, politics after subduing and overpowering religion, uses it for its interest. Here, religion plays subservient role to politics. In the third model, both come into conflict with each other that subsequently lead their separation. In this model they appear as rivals and compete to struggle for domination. Research shows that neither secularism nor modernity has been successful in minimization of importance of religion in the modern world; so, politics and religion have been in continuous interaction. 10.4 Religion and Politics in India—A Historical Overview In India throughout its history, it is observed that religion has been used for the achievement of political goals and aspirations. In our country religion always served politics and in the same way politics has also served religion. Here, it is pertinent to say that religion has failed to detach itself from politics. Thus, one finds politicisation of religion in some manifest or latent form at all stages of our history. Historically interaction between religion and politics is noticed in four phases. First phase extended from Indus valley civilization to advent of Islam, the second phase from the advent of Islam to the India mutiny of 1857, the third from 1857 to Indian independence in 1947, and the fourth is 1947 onwards. While there was close interplay between religion and politics during all these phases, the nature, the intensity, and the dynamics of this interaction was different during each of these phases. The sacred and secular perspectives have been inextricably interwoven in precolonial India. Indian society has witnessed continuous changes affecting the political system, occupational structures, culture, and religion. Religions in India have been the prime source of tension, innovation and even modernization. The use of religious idioms has been important in initiating change in India, particularly in political and reform movements. The beginning of the nineteenth century has been marked by several social reform movements. We may refer some of this political and social reform movements. Though the British rule brought about far reaching changes in administration, transport, communication, and economy, it also disrupted traditional social ties and fragmented culture. It was at this point of time that Raja Rammohan Roy in Bengal, Dayananda Saraswathi in the North, Jyoti Rao Phule in Maharashtra introduced

NSOU • CC-PS-04 103 reforms in education and socio religious pursuits and provided a perspective on national life. They drew upon Indian tradition as well as western knowledge. They were inspired by the rationalist and the liberal doctrines. They used the western methods of organization in sponsoring schools and colleges for men and women. Their aim was to raise the national consciousness in terms of culture. These reform movements led to a mass awakening which paved the way for the political arousal in the twentieth century. In the initial stages the struggle for independence was a product of educated middle classes in Bengal, Punjab, Maharashtra and Tamilnadu. In addition to liberal education a religious upsurge stimulated the youth to participate in the freedom struggle. In Maharashtra, Bal Ganghadhar Tilak revived on a large scale the Ganapati puja which then served as venue for political meetings. In Bengal Rash Bihari Basu, Bipin Chandra Pal and their associates used religious symbols centred around the Durga puja to develop a political consciousness. Apart from these socio religious plays in these and other provinces of India conveyed political messages to the public. During the national independence movement Gandhiji used the Hindi notion of Ram Rajya to unify, integrate and mobilise most of the Indian population. 10.5 Role of religion in electoral politics in post-independence India In post-independence India communalism has strengthen its position due to electoral politics including nomination of the candidates, campaigning, communal representation and so on. Almost all political parties are, in one way or the other, guilty of using religion-related issues for narrow political gains. This is perhaps because religion is a source of identity and a bonding factor in the lives of people, mainly in developing societies like India.' This is why religion becomes a very important factor in electoral politics. According to a prominent writer 'Caste, religious and linguistic communities remained as

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the most effective factors in political mobilization in India even after decades of the successful experiment of electoral democracy.'

Hence, many candidates of various parties use communal strategies and tactics. After independence Congress ruled the country almost twenty-five years at a stretch with a secular outlook. But between 1970n and 1990 congress faced greater opposition. By the mid-1990s the multiparty competition was emerged. Several regional parties came up which challenged the hegemony of the Congress party.

104 NSOU • CC-PS-04 Religion thus becomes instrumental in the hands of the opposition of congress in electoral politics. Therefore, Indian election studies have mentioned the demise of the so-called "Congress system" in India, and the rise of communal voting patterns based on caste and religion. Here, some cases of the electoral function of religion during post-independence are mentioned. 10.5.1 Religion and vote bank politics The term vote bank is often used in electoral politics in India. Vote bank politics is the practice of creating and maintaining vote banks through divisive policies, it encourages voters to cast votes on the basis of narrow communal considerations and self interest of certain groups, often against their better judgement. Vote bank politics is used as a tool to invoke regional and religious prejudices among the people of India. Congress among Muslims and Bharatiya Janata Party among Hindus have left no stone unturned to create vote banks. Religious places are often used for political propaganda. Religious sentiments of the people are also exploited for political mileage. Through Aajodhya movement BJP succeeded to consolidate Hindu votes and ultimately increased its seats in parliament from 2 in 1984 to 182 in the year 1999. 10.5.2 Use of religion in Electoral Politics of Jana Sangh and Janata Party Bharatiya Jana Sangha was established in 1951 as the political wing of the Rashtriya Swayam Sevak Sangha. The party strongly propagated Hindu nationalism. Jana Sangh in Delhi made cow protection an election issue so that the followers of the Goraksha movement should have voted for Jana Sangh candidates. The RSS had mobilized large number of Hindu saints in 1967 and they had demonstrated in Delhi in support of their demand for a ban on 'cow slaughter' in India. Janata Party supported the rights of minorities and religious freedom to gain minorities 'favour so that it could attract some Muslims. For example, its manifesto for elections 1984 contained that the state government or the administration should not intervene with the exercise of religious freedom or engage in or permit propaganda against any element of the religious heritage of any religious group. The autonomy of the minority educational institution should be fully guarded against undue and motivated interference by the administration. 10.5.3 Religion and electoral politics of Congress-I Under article 25 of the Indian constitution every citizen has the right to profess, practice and propagate their religion. But it is very much difficult to implement the NSOU • CC-PS-04 105 constitutional ideals into practice in a society as complex as India. However our politicians drove away from this path. They mix religion and politics with vengeance and forget the traditional values. The political role of Congress in early eighties was exploitation of religious sentiments to win over certain sections of Indian society. Indira Gandhi appeared as the protector of the minority particularly Muslims and the community had become a vote bank for congress party. Muslims helped Indira Gandhi to defeat the grand alliance in the decisive 1971 elections to the Lok Sabha. They left congress during the emergency and this was a contributory factor in her debacle in 1977. In his study of the 1980 election, Myron Weiner estimated that in constituencies with substantial Muslim populations

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Rise of BJP as New Congress-Understanding the ... (D29627716)

the Congress vote in-creased from 29 per cent in 1977 to 38 per cent in 1980. "

Without their [minorities'] support, Congress could not have won in 1980, and with their support Congress probably would have won in 1977". However, secularism in India began to face challenges with the revival and strengthening of religion-leaning political parties in the country. The Congress started to follow pro Hindu strategies. Indira Gandhi drew Hindu religious figures into the limelight through her patronage of religious institutions. Congress party during the leadership of Rajiv Gandhi and P. V. Narasimha Rao made compromises with militant Hindu organizations on Temple and Mosque controversies. Opening of temple locks, permitting the brick laying ceremony for the Ram temple, promising Ram Rajya if Congress won the 1989 elections and so on dictated by this thinking. 10.5.4 Hindutva as an Electoral Agenda of BJP The BJP advocates Hindutva (Hinduism or Hinduness) as

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an ideology that sought to define Indian culture in terms of Hindu values, and it was highly critical of the secular policies and practices of the Indian National Congress (Congress Party).

A significantly powerful section of Bharatiya Janata Party think that Hindi language and political support to the Bharatiya Janata Party (BJP) are fundamental elements of a true Indian identity. From the very beginning BJP is following Hindutva identity politics, it has acquired a claim to appropriate enormous resources including icons, deities myths and symbols related to the great epic narrative of Hinduism. While propagating Ram as a mega religious icon, it is engaging with new, micro local religious cultural icons of various smaller marginalised communities. The great traditions are being used to create larger political narratives. The heterogeneity of Hindu culture has been reinterpreted to provide new meanings.

For instance, the campaign to interpret the

106 NSOU • CC-PS-04 local history of Arunachal Pradesh in Hindu religious terms has created an influence among the people of this region. The memories of Bali, Sugriva, Parashuram and Sita are being recreated to associate tribal communities with the broader Hinduvta fold. In fact Bjp raises Hinduvta issues not only because it is a fundamentalist party but also to make an appeal to Hindus to vote. 10.5.5 BJP and Ajodhya Issue BJP had used the Ramjanambhoomi controversy as a powerful religious symbol to create a sense of unity among the different Hindu castes and it has succeeded in this venture. The Ram Janmabhoomi movement is directly linked to the political rise of the BJP—from a mere two Lok Sabha seats in 1984 to 85 seats in 1989. BJP raised Ajodhya issue for political gain and had its reverberations across the country. It used all the devices for political use of Ram and drew up a plan to construct Ram Mandir. The demolition of the Babri mosque in the pilgrimage town of Ajodhya enhanced 'the support of the BJP among Hindus and was followed by intensified efforts on the part of its leadership to consolidate the Hindu vote with a view to capturing power in the next elections. Ultimately it captured 182 seats in 1999 Loksabha election. 10.6 Conclusion In the Preamble to the Indian Constitution, it is stated that our state is a secular state. But religion plays a very significant role in Indian politics and as a result it becomes an important determinant of political behaviour in general and voting behaviour in particular. There are parties like Muslim League, BJP and Shiv Sena who deliberately use religion to win over elections. Extreme right and even liberal parties take recourse to religion to catch votes. Even INC in 1984 election appealed for national integration with Hindu overtone. In 2006 Babri Masjid was demolished., The aggressive Hindutva phase began by attacking "pseudo secularism' of Congress. We find that almost all parties except the Lefts use religion to impress voters. This religious undertone among right liberal parties and religious overtone among extreme right parties and organisations are clearly visible. This open vindication of secularism has started a new phase in Indian politics different from earlier liberal phase. Role of religion in politics becomes stronger and it plays now more dominant and determining role in Voting Behaviour.

NSOU • CC-PS-04 107 10.7 Summing Up • Religion is an important social structure in most societies, and it has influence among the masses which is historical and is also used in politics and has not been separate from it. In India, although the level of coexistence and tolerance has by far enhanced, in the domain of politics, religion still is important, because of its social basis among the masses. • Political parties and political leaders often use religion which create an impact on the voting behaviour of the masses. In a country like India, religious ties and beliefs are so strong that parties try to reap benefits from it. From 2014 onward we find a clear majoritarian turn in Indian politics with manifestation of overall domination of religion. • BJP has started wooing Hindus to come to power. This open vindication of Secularism has started a new phase in Indian politics different from earlier liberal phase. Role of religion in politics becomes stronger and it plays now more dominant and determining role in Voting Behaviour. It is easy to convince voters by appealing to their religion. Also, this overshadows grave economic and social problems. So, religion becomes major determinant in Voting Behaviour in a traditional country like ours as well as the best weapon in the hands of ruling elites to conceal the truth. 10.8 Probable Questions Essay Type Questions : 1. Explain religion as a determinant of voting behaviour. 2. Discuss interrelationship between religion and politics. 3. Analyse role of religion in electoral politics in India. 4. Do you think that religion acts as a vote bank for political parties? Long Questions : 1. Discuss meaning and importance of religion. 2. Do you think that the importance of religion is increasing to-day in India 3. Explain the role of religion in India.

108 NSOU • CC-PS-04 Short Questions : 1 Define religion. 2 Write a short note on religion as a determinant of voting behaviour 3. Briefly discuss importance of religion in India. 4. Explain Why our state is a secular state? 10.9 Further Reading 1. Zahida, Akhtar and Yunis, Ahmed Sk ; Determinants of Voting Behaviour in India; Theoretical Perspective. 2. Rui, Antunes ; Theoretical Models of Voting Behaviour. Web 3. Moyser, George ; Politics and Religion in the Modern World. Routledge, London, 1991. 4. Hazarika, Biraj ; Voting Behaviour in India And Its Determinants : Web 5. Roy, Pranoy and Supariwala, Dorab. R. ; The Verdict : Decoding India's Elections. Penguin Random House India, Haryana, 2019. 6. Mofidi, Suboh ; The political Function of Religion in Contemporary India (Hinduism and Islam). Swastik Publications, Delhi, 2015.

NSOU • CC-PS-04 109 Module - 3

Unit - 11 □ Politics of Secession and Accommodation Structure 11.1 Objectives 11.2 Introduction 11.3 Politics of Secession in India 11.4 Accommodation as a State Policy 11.5 Conclusion 11.6 Summing Up 11.7 Probable Questions 11.8 Further Reading 11.1 Objectives After reading the unit the learners will be able : • to define and analyse the concept of secession in post-independence India. • to analyse different factors which were responsible for the rise of secessionist movements in India. • to present a broad over-view of different important secessionist movements in India. • to understand the politics of secession. • to analyse different policies undertaken by the Indian government to accommodate these demands. 11.2 Introduction Secession that is, when regions seek separate nationhood - has been aptly called a state shattering form of self-determination. Secession (derived from the Latin term secession) is the withdrawal of a group from a larger entity, especially a political entity, but also from any organization, union or military alliance. Threats of secession

112 NSOU • CC-PS-04 can be a strategy for achieving more limited goals. It is therefore a process which commences, once a group proclaims the act of secession (example- declaration of independence). It could involve a violent or peaceful process, but these do not change the nature of the outcome, which is the creation of a new state or entity– independent from the group or territory it seceded from. Whether a government is democratic or authoritarian does not determine its attitude towards secession. Democratic India and authoritarian China both reject plebiscite as an instrument to decide the claims of regions to nationhood. Their positions vis-à-vis such claims are based on legal and historical arguments, and not on the wishes of the people living in the region. Politicians uncertain of popular support might be more inclined to pursue an aggressively nationalistic agenda, and view all regional claims as threats to national unity. International factors are important in determining the success or failure of a region's claim to nationhood. Successful secessions do not occur only because of regional movements. Changes in the international environment play a decisive role. In South Asia, this became apparent in 1971 when India intervened in Bangladesh's liberation struggle and ensured its success. Changes in the international institutional environment have in recent years made available attractive alternatives to state- shattering forms of self-determination. 11.3 Politics of Secession in India India is a land of continental dimension in which diversities abound. The varied ethno communities– linguistic, religious, tribal groups and cultural-are mostly regionally concentrated. Regionalism generally refers to the assertion of distinct identities and interests of the ethno communities living in specific geographical areas of the nation. Regionalism in India is however a complicated problem and the problem is compounded by the existence of sub-regions within regions. There are about 60 sub-cultures and sub-regions marked by their homogeneity and sub-national identity within the framework of seven natural regions of India. The makers of the new Indian state, probably was aware of the dilemma of building a nation-state in a plural society, explicitly rejected language or religion or any other ethnic criterion for reorganisation of the provinces and the princely states. Instead they devised an overarching political arrangement in the form of a non- unitary state called the Indian Union consisting of several provincial states organised

NSOU • CC-PS-04 113 on the principle of federalism. During the early years of Jawaharlal Nehru's premiership, the policy-makers approached the question of national unity and legitimacy of power of the Indian state through the Constitution imbued with unitary power and inspired by a centralising ethic. But within five years of adoption of the Constitution the national government had to reorganise the provincial states into language-based states to satisfy the growing aspiration of major linguistic groups, living by and large within identifiable regions. Later on, more states have been created. The most often cited example of 'language devotion' is the instance of Tamil regionalism, which engendered the Tamil regional narrative with powerful notions of community and homeland. The movement gained momentum in the 1950s and the 1960s. But subsequently the demand for a separate Dravida Nadu became more moderate, and eventually the theme of independence disappeared altogether. Tamil speakers acquired a state of their own and regional political parties – offshoots of the Dravidian movement – which continuously formed the state government in Tamil Nadu since 1967. However, since the closing decade of the 70's there has been a resurgence of regionalism which is manifested in new unrest, in movements for protection of language and cultural distinctiveness, particularly within a number of states; for greater state autonomy; for the formation of new states or autonomous regions; and for reservation in education and employment for 'sons of the soil'. This is expressed in

the growth of regional parties and regionalisation of national parties.

Regional consciousness is a phenomenon of the era of mass politics which has increased political consciousness through expanding political participation. The forces of nationalisation and centralisation – embedded in the federal state structure of our Constitution have reinforced in the states, particularly in the non-Hindu states, a consciousness of their distinct cultural identity. Such consciousness is nourished by increased competition for a share in the national cake which is aggravated by slow economic growth, by widening regional and sub-regional economic and social disparities, and the sense of relative deprivation they engender. The claims of various regionally-concentrated ethno communities, or of those that are widely dispersed all over India, have a solid regionally concentrated core, which get rooted in secular economic interests. These interests when articulated in the language of ethnicity; becomes a demand for political autonomy or a separate state for fulfilling the aspirations of the ethnic groups involved. For the politicised ethnicities both these

114 NSOU • CC-PS-04 demands are linked, although they emphasise more on culture (as in Assam) or religion (as in Punjab) as a rhetoric than economy. Thus has arisen the complicated phenomenon of regionalism and sub-regionalism, giving birth to political parties, more parochial in their affiliations than nation-wide parties. Politics of regionalism and ethnicity is partly explained by India's regional/ cultural diversity. It is also a response-cum-reaction to the excesses of the homogenizing trend of the Indian state. The drive towards greater centralisation and personalisation of power by Prime Minister Indira Gandhi and Rajiv Gandhi and the gradual disintegration of the Congress-dominated system and the increased intervention by the Centre in states, particularly run by non-Congress parties, have led to the assertion of regionalism which manifests itself through opposition to Congress – in regional parties like the Akali Dal in Punjab, DMK and AIDMK in Tamil Nadu, Telegu Desam in Andhra Pradesh and in demands by all non-Congress parties for greater regional autonomy, revision of centre-state relations and the regionalisation of state politics and party system. In 1980s regionalism, as it expresses itself culturally in the demand for greater state autonomy, had led to the North-South dichotomy. Regional aspirations have however been manifested in different ways and for different reasons and continue to persist in some parts of the country. Political aspirations of Sikhs in Punjab and the tribal people in the north eastern region have been fulfilled through a prolonged and violent process. But several issues specific to these ethno communities have been neglected for long, creating problems for the central government. In the tribal regions of north east problems have been severe because of the incursions of non-tribals into tribal lands as the Indian state has used its powers, for economic development, to penetrate into tribal territories and has, in the process, become identified with those who have long been engaged in appropriating tribal lands and rights. Tribals – economically, culturally and politically threatened, have responded with violence. The formation of tribal states has also left some boundary disputes not being resolved. The National Socialist Council of Nagaland had been carrying on terrorist activities for a long time for greater Nagaland through unification of Naga-inhabited areas of Nagaland's neighbouring states. In Tripura the influx of Bengali refugees has shifted the ethnic balance and reduced the tribals to a minority. Efforts to protect tribal land and culture led to the formation of Tripura Upajati Autonomous Council. However, short of real powers,

NSOU • CC-PS-04 115 this Council failed to fulfil the aspiration of the tribals. In Manipur and Meghalaya, student-led agitation against 'foreigners' Bengalis and Nepalese – have taken their lead from Assam. The Asom Gana (People's) ethno community which has entrenched itself in Assam state after a protracted ethno communal struggle in recent years has a distinctive feature of its own. It is trying to disenfranchise and deport as foreigners, Bengali-speaking settlers from Bangladesh who have declared Asomiya to be their mother tongue. The Asom Gana Parishad virtually banished the Congress party from Assam with its slogan 'Assam for the Assamese', has been outflanked in the cause of Assamese provincialism by an armed secessionist movement of Assamese Hindus, the United Liberation Front of Assam (ULFA) which was troublesome enough to invite the intervention of the Indian army. However, from the turbulent waters of the Assamese provincialism there emerged yet another, unrelated ethnic demand of armed Bodo tribesmen for their own 'Bodoland' state. Furthermore, the Bengali-speaking Cachar district also seek their separate identity. In Punjab too, the Sikh sub-nationalist aspired to establish Sikhistan in the pre-independence years and Khalistan in the post-independence period, in which the Punjabi Hindu community was required to acknowledge Sikh ideology and social and political supremacy of the Sikhs. This resulted in a prolonged struggle to get a Sikh majority state, which culminated with the formation of two separate states; Sikh majority Punjab and Hindu majority Haryana. However agitation continued over the sharing of river water, common capital (Chandigarh) and demarcation of territories. This led to a crisis due to the Centre's delay and insensitivity, the cynical political manipulation by the Congress and factionalism in the Akali Dal to remain in power in the state, strengthened the hands of the extremists; Sant Jarnail Singh Bhindrawal being their 'godfather', who went on a killing spree for the realisation of Khalistan, an independent Sikh nation state. The abrogation of the Rajiv-Longowal accord, the killing of Sikhs in 1984 in Delhi after the assassination of Prime Minister Indira Gandhi by two of her Sikh guards and elsewhere gave the Sikhs a minority consciousness they never possessed. The Central government might have eliminated extremism from Punjab, yet political problem of Punjab in which Sikhs were excluded from power still looms in the horizon. The cultural distinctiveness, economic and social disparities that nourish regionalism at the state level are found within a number of states. The problem of Nepali speaking Gorkha ethno community settled in North Bengal can be highlighted here. They had migrated from Nepal to work as tea cultivation workers to become

116 NSOU • CC-PS-04 majority. Partly encouraged by the Congress government in the Centre they agitated for a separate 'Gorkhaland' state, in which they would constitute the majority. Under the leadership of Subash Ghising and his party Gorkha National Liberation Front the hills were in fire in the 1980's. The movement could be stalled with the formation of autonomous Darjeeling Gorkha Hill Council, however it gained impetus once again, under one time follower of the predecessor – Bimal Gurung, from the beginning of the 21st century. Formation of yet another autonomous council failed to fulfil the aspiration of the Gorkhas. The tribals of the Chota Nagpur Plateau also launched a movement to form a separate state in which they would become the majority. This resulted in the formation of an autonomous council, which failed to satisfy the tribals, which resulted in the formation of a separate state of Jharkhand in the year 2000 (by dividing Bihar). With heightened political consciousness and increased competition for jobs and education opportunities, movements for separate statehood or for autonomous regions within a state also exist in different parts of India. Some examples of these kind of movements are in the Vidarbha region of Maharashtra, Chattisgarh in Madhya Pradesh, Telangana in Andhra Pradesh and Uttarakhand in northern hills of Uttar Pradesh. These movements have led to the creation of Uttaranchal and Chattisgarh as states, as the millennium was coming to a close. Telangana gained the status of statehood in the year 2014. Nativism, another variety of ethnic regionalism, has arisen in regions where culturally distinct migrants from outside the states are seen as re-blocking employment and education opportunities for the locals. Its first manifestation was the Shiv Sena which emerged in the 60's in Mumbai, followed by Kannada Chaluvaligars in Bangalore and then in Assam which grew in the 1970s. The nativist movements demanded that the 'sons of soil' of a particular state should be given overwhelming preference in jobs and other economic opportunities over the migrants. The Shiv Sena organised the frustrated educated lower-middle class Maharashtrians in Mumbai and started violent movement along fascist lines against the South Indians accusing them for taking away jobs. Shiv Sena succeeded because of the peculiar demographic profile of Mumbai where approximately 43% of the population are Maharashtrians but they are proportionately less represented than the South Indians (8%) in white collar jobs. Shiv Sena however could not swing the youths in other metropolitan areas of Maharashtra because these areas did not share the same demographic structure as that of Mumbai. The Assam agitation was also nativist as the Assam

NSOU • CC-PS-04 117 Students Union targeted first the Bengalis and then the Bangladeshi refugees. The demographic and occupational profiles of Assam led to the emergence of such movements. Many of the states have enacted laws and adopted practices providing preferences for jobs and educational opportunities on the basis of local residence without reference to Parliament which alone has the constitutional authority to enact such laws. The mulki (meaning natives) in the Telengana region of Andhra Pradesh in the late 60's and early 70's triggered the demand for a separate Telengana state, was also nativist in character. The three nativist movements, despite differences in their regional, linguistic and urban/rural context, have origins in the discontent arising from frustrated aspirations or perceived limited life-chances among groups whose members seek desirable positions in the modern middle class sector of the economy. Thus, secessionist movements in India is multi-dimensional phenomenon which has manifested in various forms and has provided the dynamics in Indian politics. These are hard facts in the Indian political scene.

11.4 Accommodation as a State Policy

During the early years after independence—following the partition and the merger of what were native states during British colonial rule – India's provinces and their boundaries seemed incoherent. There was an unmistakable provisional quality to those borders. The provinces were classified into parts A, B, and C states: colonial era provinces, former native states or groups of native states and a third mixed category of smaller territories. It was generally expected that these units would be reorganised. During India's anti-colonial resistance, the Indian National Congress had committed itself to a postcolonial political order of linguistically defined regions. As far back as 1922, it began organizing the branches of the movement not along the colonial structure of presidencies and provinces, but along language lines. In 1928 a committee headed by Motilal Nehru outlined a vision of a future polity organized into linguistic states. But after independence, the Congress rejected linguistic reorganization despite its previous commitment to it. Under the leadership of Jawaharlal Nehru, the post-Independence Congress was initially unwilling to bring these identities into the decision-making process at the centre and politicise them, fearing that it might threaten the unity of the fledgling new nation. However, the Constituent Assembly had left the task of reorganizing state boundaries to future Parliaments, giving it unlimited powers to take on the task. Eventually, pushed by powerful political pressures from below, Nehru reversed his position on linguistic reorganization because of electoral considerations.

118 NSOU • CC-PS-04 Alfred Stepan's Arguing Comparative Politics, puts Indian federalism in a very different context from the literatures on comparative federalism. Distinguishing between 'holding together' and 'coming together' federations, he argues that US style 'demos constraining' federalism is unsuitable for a 'robustly politically multinational' country like India. Requirements of supermajorities – the support of two-thirds of state legislatures for constitutional amendments – make the United States an extreme outlier on the demos-constraining end of federation and far from the norm. Stephen showers praise on Article 3 of the Indian Constitution, which allows Parliament to create new states and redraw state boundaries with a simple majority, barely consulting the relevant state. This is unthinkable in a 'coming together' federation, which must be 'demos constraining' in order to protect state rights. Stephen praised the way India's political classes used the Constitution's demos-enabling feature. He marvels at the 'relatively consensual manner' in which 'most of the boundaries of the states in India were redrawn between 1956 and 1966, and later a process of creating new tribal states in the North-east was begun.' The demos-enabling features of Indian federalism, Stephen believes, explain 'the survival of India as the world's largest multi-cultural, multi-national democracy.' This feature has 'allowed the majority at the centre, to respond to majority demands from states for greater linguistic and cultural autonomy.' Had India been a unitary state, 'neither the majority, nor the minorities, would have had this constitutional flexibility available to them.' By the 1960's, it appears that a few discernible rules, albeit not formally articulated, had emerged in the Indian Central governments approach to regional demands. Such demands had to first, stop short of secession; second, groups making demands had to be linguistically or culturally defined – and not defined by religion; third, be backed by popular support; and fourth, be acceptable to linguistic minorities when it is a matter of breaking up a multilingual state. However, there were expectations; and in any case these rules were not applied to the two later waves of reorganization. The special regional dispensation of small and financially dependent states in the northeast India, for instance, was the product of a national security- driven policy process in a border region inhabited by many minority groups. The considerations were also very different when the states of Jharkhand, Chhattisgarh, and Uttaranchal were created in 2000. While the demands were old, the interests of political parties in the highly competitive political environment of the period pushed the process. According to one scholar, the fact that no trans-border regional

NSOU • CC-PS-04 119 community was invoked and there was no perceived national security threats facilitated the process. 'Ethnic communities in the three new states,' writes Maya Chadda, 'were not connected with foreign enemies or cross border nationalities, unlike in Punjab, Kashmir and Assam.' To her, this latest wave of state reorganization illustrates the value of flexibility that the Constitution gives to the Parliament. The Constitution, she points out approvingly, 'said little about the kind of federal units the Indian Union was to have, or the basis on which they would be created, i.e., geography, demography, administrative convenience, language, or culture. That decision was left entirely to the wisdom of the Parliament.' The argument for holding together federation being demos enabling is based on the idea of reconciling diversity of policymaking efficacy. However, efficacy can sometimes be in conflict with legitimacy. This idea of divided sovereignty and citizens with dual allegiance – to the national and regional political communities – is central to the federal vision of a legitimate political order. Federalism, as a political principle understood as an aggregate of politically organized territories is arguably the opposite of nation-state. In that sense federation building, and not nation building, is the appropriate project for India. The relative success of the first wave of state reorganization in India was because it was built on the principle of 'security for territorially concentrated linguistic groups' and dual, but complementary allegiances. However, later reorganizations, including 'the belated recognition of a Punjabi state,' were not based on the same principle. A Punjabi Punjab was not acknowledged till 1966, when Haryana was separated from Punjab, because the demand came from a religiously defined – and not a language-based group. Arguably, the decisions and non-decisions of India's central political elites, made possible by the demos-enabling features of Indian federalism, account also for some and most serious regional challenges that India has faced. The persistent political turmoil in northeast India provides another example. The national security-driven process of making and breaking states has reinforced the idea of de facto ethnic homelands, in the imagination of both local activists and tacticians of conflict management, perpetuating a politics of violent displacement and ethnic cleansing.

11.5 Conclusion

In the history of postcolonial India, a number of regional or ethnonational movements have turned into armed independence movements. Confrontations between

120 NSOU • CC-PS-04 security forces and militant regionalist have been deadly. Civilians have paid a heavy price, accounting for serious blots in India's human rights record. Yet, India has also been relatively successful in taming these aspirations. The best-known success story is the Dravidian movement of the 1960s. India's success is explained this way: virtually all the strategic decisions facing multinational India, the rejection of unitary state, the acceptance of multiple but complementary political identities, the spreading of regional languages and the maintenance of English as a link language, the maintenance of polity-wide careers, the constitutional espousal of equal distance and respect for all religions, and the creation of mutually beneficial alliances between polity-wide and regional parties, India made choices and alliances, especially in South India, that increased the chances of peaceful democracy in a potentially conflictual setting. Regional or self-determination-movements in India are said to have followed an inverse 'U' curve. Heightened mobilization of group identities are followed by negotiations, and eventually such movements decline as exhaustion sets in, some leaders are repressed, others are co-opted, and a modicum of genuine power sharing and mutual accommodation between the movement and the central state authorities is reached. The different trajectories of the Tamil, Sikh, and Kashmiri movements the first being accommodated, and the latter two turning into violent confrontations between the state and militant regionalists – is the result of changes in the level of institutionalization of the Indian state, and a sense of security of leaders at the helm.

11.6 Summing Up

- Secession is a state shattering form of self-determination.
- It is withdrawal of a group from a larger entity, especially a political one, but also from any organization, union or military alliance.
- In India there are about 60 sub cultures and sub-regions marked by their homogeneity and sub-national identity within the framework of seven natural regions.
- During the initial years the policy-makers approached the question of national unity and legitimacy of power of the Indian state through the Constitution - imbued with unitary power and inspired by a centralizing ethic.

NSOU • CC-PS-04 121 • But within five years of adoption of the Constitution the national government had to reorganize the provincial states on the basis of language to satisfy the growing aspiration of major linguistic groups. • Sine the closing decade of the 70's there has been a resurgence of regionalism which is manifested by new unrests, in movements for protection of language and cultural distinctiveness, particularly within a number of states. • Indian government accommodated these secessionist tendencies by adopting a policy of federation building and not nation building. 11.7 Probable Questions Essay Type Questions : 1. Give a broad over-view of different secessionist movements in India. 2. Analyse the different policies undertaken by the Indian government to accommodate these demands. Long Questions : 1. Discuss the factors which can lead to secessionism. 2. Write a note on the demand for reorganization of states on the basis of language. Short Questions : 1. What do you mean by secession? 2. In which year did Telengana become the 29 th state of India? 11.8 Further Reading 1. Singh, Aakash and Mohapatra, Silika (ed.); Indian Political Thought : A Reader. Routledge, New York, 2010. 2. Pavier, Barry ; The Telengana Movement. New Delhi, 1981. 3.

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NSOU • CC-PS-04 123 Unit - 12 □ Secularism in India : Concept and Debates Structure 12.1 Objectives 12.2 Introduction 12.3 Meaning of Secularism 12.4 Western Concept of Secularism 12.5 Historical Evolution of Secularism in India 12.6 Secularism and Minority Rights 12.7 Conclusion 12.8 Summing Up 12.9 Probable Questions 12.10 Further Reading 12.1 Objectives After reading the unit the learners will be able : • to define and analyse the concept of secularism in the specific context of political institutions and practices in post-independence India. • to understand the western concept of secularism. • to present a broad over-view of the historical evolution of secularism in India. • to understand the relationship between secularism and minority rights with special reference to the Shah Bano case. • to analyse the different debates pertaining to Indian secularism. 12.2 Introduction Alongside democracy, federalism and socialism, secularism was one of the foundational principles on which the leaders of the new state of independent India,

124 NSOU • CC-PS-04 set out in the middle of the twentieth century, to create an economically developed and socially just society. Democracy was of course the legacy of the freedom movement and the animating spirit of the Constitution adopted in 1949; it found prominent mention in its Preamble. The federal structure of the state - an imperative in view of the large size and huge population of the country and its regional diversities - was also laid out in great detail in the Constitution. Socialism and secularism did not find direct mention despite the efforts of many members to have them written into it. B. R. Ambedkar, the presiding deity as it were of the drafting committee, considered it unwise to constitutionally bind the future generations to a socio-economic agenda that may have to be changed with the passage of time. As for secularism, the liberty of 'belief, faith and worship', inscribed in the Preamble and spelled out in a number of clauses in the chapter of fundamental rights was obviously considered adequate enough for the word secularism also not to be mentioned in the Constitution. But, with rising communal hostility between different religious groups, the word 'secularism' was incorporated into the Indian Constitution by the 42 nd Amendment in 1976.

12.3 Meaning of Secularism

Secularism is a Western ideal, a gift of the European enlightenment of the 18th century. It was born out of a long struggle between the Church and the state, which culminated in the triumph of state supremacy over all mundane affairs. A state by definition became secular, concerned with the affairs of the world, not bound by a religious prescription or rule. The religious realm was separated from the secular realm. Secularism which has been spawned over three centuries in the Western World has its intellectual anchorage in rationalism, scientific temper and universal humanism, and expresses itself in essentially in non-religious modes of thought and action. Secularism is defined as pertaining to things non-spiritual, having no concern with religious or spiritual matters, anything which is distinct, opposed to spiritual or ecclesiastical. It is also defined as an attempt to establish an autonomous sphere of knowledge free from supernatural presuppositions. But, it should be pointed out that there is no precise or formal definition of secularism. There is much ambiguity in regard to interpretation of this term.

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12.4 Western concept of Secularism

Much of the ambiguity that attends these debates can be traced to the fact that scholars tend to employ two different interpretations of secularism as a hinge for their respective critiques/defence of the concept. These two meanings are that of secularism as the separation of state and religion, and secularism as equality of all religions. The first interpretation holds that (a) that the state shall not concern itself with religious beliefs, practices and institutions; (b) that the state shall not be associated with a particular religion; (c) that the state shall permit freedom of conscience, belief and religion for all its citizens; and (d) that the state shall not discriminate between citizens on the basis of their religious beliefs. This understanding of secularism comes to us from the history of Western Europe, during the course of which the domain of state policy and that of religion was separated. In particular it has come to us from the United States, in the formulation of President Thomas Jefferson that a 'wall of separation' exists between the state and religion. Jefferson in effect referred to the First Amendment to the Constitution of the US. The established clause to the First Amendment prohibits the establishment of a national religion by the Congress, and prohibits preference for one religion over another. The second part of the clause, known as the 'Free Exercise Clause', states that the Congress cannot prohibit the free exercise of religion. The freedom to believe is part of the general grant of freedom to expression, assembly and association. The second interpretation of secularism, as detailed below, was generated in and through the Indian historical experience; that the state shall treat all religious groups equally.

12.5 Historical Evolution of Secularism in India

In India, however, matters are different. Few would contest that religious sensibilities dominate individual and collective lives to some extent. Politicization of religious identities has inexorably propelled religion into the public sphere. By the 1920's, at the very time when Mahatma Gandhi set out to forge a major mass movement that could take on colonialism, the politicization of religious identities, whether in the form of the Muslim League or that of the Hindu Mahasabha, could have hampered the project of building a pan - Indian freedom struggle. Mahatma Gandhi looked for a principle that could bind people who subscribed to different faiths together, and which could weld them into a mass movement. The principle he

126 NSOU • CC-PS-04 found in the doctrine of sarva dharma sambhava, which can be read as 'equality of all religions' or 'all religions should be treated equally'. Given to Mahatma Gandhi's religiosity, the notion of sarva dharma sambhava was not only a pragmatic principle designed to bring people together, it was also a normative principle that recognized the value of religion in people's lives. On the other hand for Pandit Nehru, profoundly uneasy as he was with the kind of political passions that religious identities had the power to evoke, secularism meant something else altogether. Nehru's preferred notion of secularism was that of dharma nirpekshata, or that the state would not be moved by religious considerations in enacting policy. It is therefore not surprising that public debate on the issue has been polarized between those who subscribe to the Nehruvian meaning of secularism, and those who subscribe to the meaning that Gandhi gave to the concept. However, Pandit Nehru continued to believe that the state could abstract the domain of policymaking from that of religion is debatable. For, the recurrent communal riots which culminated in the frenzy of Partition proved that religious prejudices, more than religious sensibilities, had become a constituent feature of Indian politics. To ignore this would have been bad historical understanding as well as bad politics. In the process of coming to terms with this unpalatable reality of Indian politics, Pandit Nehru's understanding of secularism came much closer to the notion of sarva dharma sambhava. Nehru, who by that time had become India's first Prime Minister, made this clear on various occasions. First, secularism did not mean "a state where religion as such is discouraged. It means freedom of religion and conscience, including freedom for those who may have no religion." Second, for Nehru, the word secular was not opposed to religion. "It is perhaps not very easy even to find a good word for secular. Some people think that it means something opposed to religion. That obviously is not correct. What it means is that it is a state which honours all faiths equally and gives them equal opportunities; that, as a state, it does not allow itself to be attached to one faith or religion, which then becomes the state religion." For Nehru, the concept of the secular state thus carried three meanings : (a) freedom of religion or irreligion for all, (b) the state will honour all faiths equally, and (c) that the state shall not be attached to one faith or religion, which by that act becomes the state religion. The creed of secularism therefore discouraged fears that one group had the right to stamp the body politic with its ethos, even if it is a majority. Conversely, a religious group would not be disprivileged in any way even though it happens to be in a minority. In effect, the meaning that secularism acquired

NSOU • CC-PS-04 127 in the Indian context added one more dimension to the generic concept of secularism: not only the recognition of faith, but the equal treatment of all faiths. This understanding has been reinforced in various ways. Crossman and Kapur suggested that the notion that secularism means equal respect for all religions has come to dominate legal and political thought. The former Chief Justice of India P. B. Gajendragadkar, for instance, interpreted secularism as (a) the state does not owe loyalty to one religion; (b) it is not irreligious or anti-religious; (c) it gives equal freedom to all religions and (d) that the religion of the citizen has nothing to do in the matter of socio-economic problems. Justice Sawant emphasised that the state is enjoined to accord equal treatment to all religions and religious sects and denominations. Accordingly, the judges ruled that the destruction of the Babri mosque by a mob, which had been encouraged in this task by government and party officials, was a clear violation of the equal treatment principle. Secularism, ruled Justice Sawant, was a part of the basic structure and the soul of the Constitution, and could not be infringed in any way. For these reasons the court upheld the dismissal of four state governments ruled by the Bharatiya Janata Party (BJP), and the imposition of President's rule in these states. Though on other occasions the decision of the Court have proved controversial- such as the famous 1996 'Hindutva' judgement, where Justice Verma endorsed Hindutva as representing 'a way of life' in the subcontinent and therefore as not violative of secularism-on balance the Court has upheld the understanding of secularism as equal treatment of all religions. The matter, however, has not been settled, and we shall see, interpretations of secularism continue to swerve between the notion of secularism as the separation of state and religion, and the notion that secularism implies equal respect for all religions. Regrettably the communalization of society has been paralleled by the communalization of the polity. In 1984 the state came to be seen as complicit in the genocidal attacks on the Sikh minority. In 1992, not only was the Central government inactive when mobs demolished the Babri mosque both the central and the state governments failed to prevent massive riots, which, following the demolition, targeted members of both the communities. In 2002 in Gujarat, about 2000 Muslims were killed in a massive pogrom against the minority. The pogrom followed the death of a number of Hindus when a train compartment in which they were travelling was set on fire by a crowd of Muslims in Godhra station. The inability of the state

128 NSOU • CC-PS-04 to prevent communal riots and the role of the state officials in fomenting communalism, has necessarily caused a great deal of consternation and apprehension. Given the communalism in Indian society and the polity, it is not surprising that scholars wonder whether secularism is appropriate for the country at all. Ashis Nandy argued that since the modern state seeks to dominate individual and collective lives, it not only banishes rival ideologies such as religion to the periphery, it hierarchizes the two domains by typing religious affiliations as inferior ways of being. This impoverishes understanding within the modern public sphere as well as inhibits dialogue between the two spheres, which might otherwise have proved enriching for both. Second, because religious identities have been exiled to the metaphorical closet, they have come to be frozen in time. This in turn inhibits a dialogue within and between religions. But since religious identities constitute an endearing feature of humanity, Nandy seems to say, they must perforce make their appearance in the public sphere. This is made possible through the democratization of the polity. The problem is that religious identities, which are regarded as de trop by formal politics, make their appearance either in the form of religious instrumentalism, or religious fundamentalism. T. N. Madan is often lumped together with Nandy as anti-secularist. The four core arguments of Madan are as follows: it was possible to privatize religion in the West because developments internal to Christianity- such as the Reformation- facilitated the process. In South Asia, however, major religious tradition do not assume any radical antinomy between the sacred and the secular. Second, for the inhabitants of the region, religion as the doctrine of overarching ends is more important than any other social or cultural factor. This is because religion establishes the place of individuals in society, and because it gives meanings to their lives. It is both moral arrogance and political folly to impose the ideology of secularism on believers. On the contrary, these beliefs must be taken seriously, and the religious should be given the same place in the society as the non-religious. Third, the denial of legitimacy of religion in social and political life serves to provoke fanaticism or fundamentalism on the part of religious zealots. Fourth, tradition of religious pluralism can help us carry forward inter-religious harmony. For this, suggests Madan, we should see how Gandhi employed the resources of religious tolerance to promote inter-religious understanding. The Gandhian worldview also aids us in placing spiritually justified limitations on religious institutions and symbols in certain areas of collective life. In sum, the only way that secularism may succeed is if we take both religious and secularism seriously, and not reject the former as superstition and reduce the latter to a mask for communalism or mere expediency.

NSOU • CC-PS-04 129 12.6 Secularism and Minority Rights Matters came to a head in the mid- 1980's with the Shah Bano case. Shah Bano, an elderly woman who had been divorced by her husband, appealed to the High Court of Madhya Pradesh that her former husband pay her maintenance under Section 125 of the Criminal Procedure Code (CrPC). According to this section the former husband of a divorced women has to pay her maintenance if she is destitute, and if she possesses no means for her own survival for as long as she lives or until she remarries. The High Court ruled in favour of Shah Bano. However, Shah Bano's husband, Ahmed Khan, moved to the Supreme Court as an appellant on the ground that he was not obliged to pay his former wife maintenance beyond the traditional three-month period of iddat under Section 127(3) of the CrPC. On 23 April 1985, a Supreme Court Bench under Chief Justice Chandrachud confirmed the judgement of the MP High Court, and stated that Article 125 of the CrPC overrides all personal laws, and that it is uniformly applicable to all women. As expected, the leaders of the Muslim community and in particular the ulama opposed the judgement on the ground that it constituted a disregard for the personal laws of the Muslim community, which are based on the Shariat. They argued that since the Shariat is divinely sanctioned, it can neither be tampered with nor interpreted by the Court. The controversy snowballed into a major political problem as thousands of Muslims took to streets to demonstrate against the judgement. Ultimately Prime Minister Rajiv Gandhi's government, then in power at the Centre, bowed before the uproar. In February 1986, the government introduced a Bill in Parliament that sought to exempt Muslim women from the protection provided by Article 125 of the CrPC. The Muslim Women (Protection of Rights on Divorce) Bill in essence abrogated the limited right to maintenance under Section 125. The Bill was passed in Lok Sabha on 6 May and in Rajya Sabha on 8 May 1986. The passage of the Bill aroused massive demonstrations as liberal, Left and feminist sections, who considered the Bill regressive and violative of gender justice, mobilized against it. Oddly enough, the protestors shared a common ground with the Sangh Parivar, which attacked the Bill on the same basis. In fact, the Sangh Parivar argued even more vociferously than the feminists about the need to subordinate the personal laws of the minority to a Uniform Civil Code in order to secure basic rights for all women. Although it became increasingly clear that right-wing forces were less interested in gender justice than they were in subordinating minority identities to majoritarianism, the argument was persuasive for many right thinking Indians.

130 NSOU • CC-PS-04 In the process, defenders of secularism were laden with two more theoretical tasks: one to justify selective state intervention in religion and square this with secularism, and two, fit minority rights into the secular project. Four different kinds of arguments were offered to negotiate the challenge both to minority identities and to the rights of the members within the minority. Writing against the background of the demolition of the Babri mosque and the subsequent communal riots in 1994, Partha Chatterjee suggested that a better way to protect the minorities is through the establishment of the norm of toleration. But rather than look to the practices of everyday life to discover tolerance, he grounded the concept in the liberal precepts of autonomy and respect for persons, and extended the principle to cover group rights. He negotiated the problem that group rights pose to liberal democratic theory in the following way: provided a group gives reasons for what it does to its own members, it can refuse to give reasons for doing what it does in the public domain, or, that internal accountability or democracy validates the rights of the community over its own members. Chatterjee in effect moves away from the normative principles of secularism to another normative principle, that of democratic accountability within groups, in order to build in minority rights into the principle of toleration. Bhargava came to an understanding of why secularism necessarily involves differential treatment for different groups from another theoretical direction. He begins his argument by distinguishing between three kinds of secularism. The first kind, hyper-substantive secularism, seeks to bring about a separation between religion and the state in the name of a package of ultimate substantive values, for example autonomy, development, or reason. The second kind of secularism, ultra-procedural secularism, separates religion from the state in the name of purely impersonal, value-free, rational procedures and rules, such as bureaucratic and technocratic rationality. The third kind, and one that Bhargava clearly prefers over the other two is contextual secularism. Contextual secularism implies principled or non-sectarian distance, or non-absolutist separation between the state and religion. In other words, this avatar of secularism combines substantive values and procedures, without any commitment to the priority of either. Bhargava argues that contextual secularism, which is enshrined in the Constitution, enjoins the state to exclude religion for some purposes, as for instance in the decision to exclude separate religious electorates, and to include it for others, as, for example, in accepting personal laws. But contextual secularism, is always guided by non-sectarian principles, which are consistent with a set of values constitutive of a life of equal dignity for

NSOU • CC-PS-04 131 all. Admittedly, in recent times sectarian considerations have become important, as Bhargava accepts, and religion has entered politics where it should not have been allowed to do so, and excluded when much could have been achieved by inclusion. Yet contextual secularism is the only appropriate form of secularism in India. In sum, secularism for Bhargava is (a) fully compatible with the defence of differentiated citizenship rights and (b) the secularity of the state does not necessitate strict intervention, non-interference or equidistance, but any or all of these as the case may be. Amartya Sen defends secularism as part of a more comprehensive idea, that of India as an integrally plural country made up of different religious beliefs, language groups, and divergent social practices. Secularism, he suggests, is part of a bigger project of recognizing this heterogeneity. Engaging with six strands of critiques against secularism, Sen argues that any re-examination of the difficult question relating to the principle of symmetrical treatment of different religious communities must arise within a commitment of secularism. 'Secularism is basically a demand for symmetric political treatment of different religious communities....Balanced political treatment can be achieved....in rather desperate ways.' Although Sen Accepts that this interpretation raises many questions that need to be explored, this by itself, he insists, does not contradict the overarching argument for secularism. Chandhoke suggested that secularism cannot be abstracted from the wider conceptual context to which it forms one part. It can only be understood as an intrinsic component of the historical, constitutional and political practices of democracy, freedom, equality, justice and rights. Secularism in other words, is not an autonomous concept. Therefore, in order to unravel the meaning of secularism, we should first try to unravel the implications of the attendant concepts that give it (secularism) meaning-equality, freedom and democracy. 12.7 Conclusion It can be concluded that the state should have twin objectives, first-protecting everybody's freedom of conscience (as provided for in the Constitution) and secondly, contrary to present practice, denying without exception financial assistance for the practice of religion. It should be remembered what M. K. Gandhi believed, that a religion that depends on state support for its existence does not deserve to exist. Thus would the policy of uniform treatment of all religious communities (sarva dharma sambhava) be truly implemented.

132 NSOU • CC-PS-04 12.8 Summing Up • Secularism is a Western ideal - a gift of the European enlightenment of the 18 th century - born out of a long struggle between the church and the state. • Two meanings of secularism - secularism as the separation of state and religion and secularism as equality of all religion. • The first is the western concept of secularism while the latter is the Indian concept of secularism. • Indian concept of secularism stands for – as Gandhi believes in sarva dharma sambhava – as contrasted to dharma nirepeksha. • Taking the Shah Bano Case, a thorough analysis has been attempted - to find out the relationship between secularism and minority rights. • Here different debates have been taken note of. Especially those advocated by Partha Chatterjee, Bhargava, Amartya Sen and Chandhoke. 12.9 Probable Questions Essay Type Questions : 1. Give an over-view of historical evolution of secularism in India. 2. Analyse the relationship between secularism and minority rights with special reference to the Shah Bano case. Long Questions : 1. How did Jawaharlal Nehru visualize secularism in India? 2. Discuss the Western concept of secularism. Short Questions : 1. Define secularism. 2. How far is it correct to identify India as a secular state? NSOU • CC-PS-04 133 12.10 Further Reading 1. Singh Aakash and Mohapatra, Silika (ed.); Indian Political Thought : A Reader. Routledge, New York, 2010. 2. Ali, Asghar; Essays in Contemporary Politics of Identity, Religion and Secularism. Ajanta Publications, Delhi, 1999. 3. Chandhoke, Neera; Rethinking Pluralism, Secularism and Tolerance : Anxieties of coexistence. Sage Publications, New Delhi, 2019. 4. Jayal, Niraja Galpal and Mehta,

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134 NSOU • CC-PS-04 Unit - 13 □ Communalism in India Structure 13.1 Objectives 13.2 Introduction 13.3 Meaning of Communalism 13.4 Nature and Pattern of Communalism 13.5 Factors responsible for the growth of Communalism 13.5.1 Legacy of Pre-Partition politics 13.5.2 Economic interpretation of communalism 13.5.3 Decline of Political Institutions and Communalism 13.5.4 The Indian Version of Secularism and the problem of Communalism 13.6 Conclusion 13.7 Summing Up 13.8 Probable Questions 13.9 Further Reading 13.1 Objectives After reading the unit the learners will be able : • to define and analyse the concept of communalism in the specific context of political institutions and practices in post-independence India. • to present a broad historical overview of the emergence of communalism as a modern phenomenon. • to trace the factors responsible for communalism of politics in recent years. • to find out a non-western meaning of the concept of communalism suitable to the cultural experiences of India. • to find out the nature and pattern of communalism as practiced in India.

NSOU • CC-PS-04 135 13.2 Introduction The members of a society or community are divided into vertical or horizontal groups or clusters. They include factors like class, caste, race, religion, language, region and so forth. Religion in this sense constitutes the source of a major cleavage in most societies. It acquires special significance in Third World countries in general, and multireligious societies like India in particular for democratic system can hardly remain insulated from religious influence. The democratic political process is set in motion when some groups make a political demand upon the government. In order to strengthen their position in a competitive situation the group leaders engage in maximizing mass support behind their demands. It is at this point that religion intrudes into the sphere of politics. Given its wide appeal, political leaders often feel tempted to utilize religion as an effective instrument of mass mobilization. Communalization of politics is a by-product of politicization of religion. A large number of individuals tend to define their political identity in terms of their religious faiths, develop prejudices against those following different religious creed and claim material benefits and privileges on the basis of their faiths. When communal polarization becomes extreme, when the majority of the members of a society develop a communal outlook toward political question, when religious divisions tend to overlap political cleavages, a democratic political system is exposed to serious challenge. Communalism is a festering sore on the Indian body politic as it undermines the cherished ideal of secularism embedded in its constitution, threatens inter-community peace and harmony and thereby hinders the process of national integration.

13.3 Meaning of Communalism The term 'communalism' was coined by the British in the mid-nineteenth century to describe highly plural, multi-ethnic societies such as those of the Indian subcontinent and Malaya. In the present-day Indian context, it denotes an emphasis on the exclusiveness of a religious group or community, a feeling of superiority for 'us' (i.e. the community itself) and dislike for 'them' (other such groups) and prejudice and hostility towards other religious groups. Communal politics typically means mobilization which foments and feeds upon such antipathy. The challenge of communalism, involving separatism and violence, is a major threat to the Indian society and the functioning of the secular democratic polity. It

136 NSOU • CC-PS-04 adversely affects the whole process of nation-building. In India the word 'communalism' refers to the belief of a group of people that religion is their basic identity that differentiates them from another group of people professing a different religion and that their interests are opposed. Bipan Chandra writes: "the concept of communalism is based on the belief that religious distinction is the most important and fundamental distinction, and this distinction overrides all other distinctions. Since Hindus, Muslims and Sikhs are different religious entities, their social, economic, cultural and political interests are also dissimilar and divergent. As such, the loss of one religious group is the gain of another group and vice-versa. If a particular community seeks to better its social and economic interests, it is doing at the expense of the other". It is a zero-sum game. But adherence to a religious system is not communalism. On the other hand, using one religious community against other communities is communalism. Communalism is exploitation of religion, open or subtle, to further certain interests. Communalism exploits both religion and politics, and is born out of hatred or of a real or imaginary fear of the other communities in a plural society. Communalism is a hindrance to integration of multi-ethnic, multi-religious and multilingual societies like India. It is antithetical to secularism as a pattern of social existence. Communalism generates 'false consciousness' as it distorts the objective reality, the reality of class conflicts that are inherent in an unequal society, and by dividing people along religious lines it prevents the forging of unity among the working people in their struggle against exploitation, oppression and injustice.

13.4 Nature and Pattern of Communalism Communalism in India mainly refers to the Hindu-Muslim communal divide, often giving rise to communal riots, especially in north India where in some towns they have become an institutionalised feature, and increasing polarisation of communal hostilities and feeling and a great deepening of distrust between members of the two communities. Such relations between the two largest communities constitute a set of tension both in our society and in the functioning of the Indian state. From the mid 1920's localised conflicts, riots between Hindu and Muslim communities became ordinary, recurring events on the Indian political scene. The partition of the Indian subcontinent between India and Pakistan in 1947 was accompanied by a holocaust in Punjab and Bengal. The process of partition have not solved half-a-century of communal politics engineered by the British in collaboration with the most conservative and obscurantist elite of the Muslim community. In

NSOU • CC-PS-04 137 independent India communal riots have become regular and recurrent events, sometimes with low and sometimes with high intensity. Except for certain stray incidents, the situation during the first decade of independence raised hope. But the Jabbalpur riots in Madhya Pradesh followed by those in Aligarh and in other towns of Uttar Pradesh in 1961 signalled the beginning of a new phase of intercommunal animosities. In 1964 there were widespread communal riots in Bihar, West Bengal, Orissa and Madhya Pradesh. For three years there was quiet on the communal front and then the Ranchi riots spread to other towns in Bihar. This cycle continued till 1970, with riots spreading to Assam, Kashmir, Maharashtra, Uttar Pradesh, West Bengal, Bihar and Gujarat. There had been a total number of 1106 incidents. Then followed a downward trend in the period 1972-76, declining to 169 incidents from 521 incidents in 1972. But inter-communal violence registered an upward swing from 1977. Encouraged by increasingly militant, well-financed and ideologically oriented communal organisations, tension between Hindus and Muslims increased, particularly during the 1980's, and the incidence and destructiveness of communal riots reached its zenith in the 1990's. Shah Bano, a divorced woman from Indore, approached the judicial magistrate in 1973 for a maintenance allowance and the magistrate ordered Ahmed Khan, her estranged husband, to pay the same. Khan challenged the order in the Supreme Court on a plea that the Shariat does not require him to pay maintenance beyond the iddat (three months following the divorce). The Supreme Court did not agree; it

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upheld the maintenance order under Section 125 of the Indian Penal Code.

The judgement created a furore, and the arch conservative Muslims took to the streets in protest. Rajiv Gandhi's government gave in and

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passed the Muslim Women (Protection of Rights on Divorce) Act

in 1986. However, this was followed by Justice H. N. Tilhari's Judgement in 1994, declaring triple talaqa unconstitutional. Again in 2017 the Indian Supreme Court deemed instant triple talaq unconstitutional and on 30 th July 2019, the Parliament of India declared the practice of Triple Talaq as illegal, unconstitutional and made it a punishable act from 1 st August 2019. The demolition of Babri Masjid in Ayodhya on 6 th December 1992, witnessed worst communal turmoil since independence. Incidents of rampant violence against Christian missionaries in Orissa, Madhya Pradesh and Gujrat, the mass slaughter of Muslims witnessed in Gujarat in 2002 for several months which was unleashed in the context of a heinous crime in Godhra marked the beginning of the 21 st century. The clashes between the Hindu and Muslim Communities in Muzaffarnagar district of Uttar Pradesh in 2013

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has been described as the worst violence in Uttar Pradesh in recent history. 138

NSOU • CC-PS-04 The pattern of these riots are more or less similar all over India. Most riots begin with a minor incident-typically with a dispute over a Hindu procession near a mosque. Inflammatory speeches are made and a minor incident turns into a major riot. The pattern is familiar, from rumours to blood path. Enters the Government's coercive machinery, followed by accusations of police excesses and then another round of clashes often over a wider area. The situation becomes normal with time. 13.5 Factors responsible for growth of Communalism in India Communalism is a multi-dimensional phenomenon, and no single factor can furnish a comprehensive explanation of its genesis and evolution. Thus it is important to take note of several probable determinants suggested by different scholars- 13.5.1 Legacy of Pre-Partition politics Moin Shakir, among others, has argued that communalism of politics in post-independence India has been largely conditioned by the legacy and experiences of pre-partition times. The British rulers, guided by the time-tested dictum of 'divide and rule', played up rival social economic and political claims of Hindus, Muslims, tribals and the 'untouchables'. Introduction of 'separate electorate' on the basis of existing religious and caste divisions in Indian society further reinforced communal identities and differences among the subject population. Again, some of the Indian political groups and organizations appeared only too eager to swallow the bait dangled by the British rulers. Thus, the Muslim League, which instilled the fear of 'Hindu domination' in an independent India in the minds of Indian Muslims, had its befitting counterpart in the Hindu Mahasabha which committed itself to the ideal of building India into a Hindu Rashtra (Hindu state). Amidst it all, the Congress firmly stood its ground as the champion of secular nationalism, but then its approach to national unity was not altogether beyond question. It considered the various communities of India homogeneous and well-knit groups-ignoring the vertical divisions in terms of class, language and region. Naturally it regarded the communal leadership as the authentic spokesman of the community, and whenever it thought of involving the minority communities in national issues it turned towards Muslim, Christian and Sikh leaders and not to the masses of those communities. Thus the Congress approach to national unity was that of 'unity from above'. The close connection between several prominent leaders of the Hindu Mahasabha and the Congress also caused misgivings among the minorities as to its secular credentials.

NSOU • CC-PS-04 139 The anti-colonial struggle and movements in India also set a tradition of mixing religion with politics. Thus the early resistance against British power organized by the Wahabis, Farajis, Sannyasis, Pagalpanthis of Mymensingh, Birsa Bhagwan and so forth had an outwardly political character, but deeper down they represented the clash of religion and cultures. Again, religion had a key role in shaping both the liberal and extremist political traditions of modern India. The early liberal reformers looked for a new and invigorated religion as the foundation of a new kind of society and polity. The extremists sought to utilize the symbols and idioms of Hindu culture as the basis of political nationalism, although they hardly envisaged the divisive impact it could have on the minorities. Last of all, Gandhi made adroit use of religious idioms to reach, organize and unite the masses. But once again it had the unintended consequence of giving the communalists Hindus and Muslims alike - a pretext for justifying their own reactionary use of religion for divisive political purposes. These diverse forms of intermarriage between religion and politics during the pre-independence days undoubtedly exerted much influence on the post-independence political environment. 13.5.2 Economic interpretation of communalism The most popular economic explanation of communalism seeks to trace its origin and development to economic underdevelopment and scarcity and the economic aspirations of the petty bourgeois classes. Underdevelopment of the economy often leads to uneven development across communities. In the struggle over scarce resources the middle classes of a community perceive themselves to be locked in a stiff economic competition vis-à-vis their counterparts in a relatively prosperous community. In this situation the middle class elites of the community seek to strengthen their demand by mobilizing the support of the masses of the community. To achieve this end they formulate their grievances not in class terms but in terms of those of the community and add a few religious demands to the down-to-earth economic issues. In this way the economic rivalry between the petty bourgeois elites of two communities assumes the colour of a communal conflict. This explanation is particularly applicable to the development of Muslim communalism in pre-partition times which was rooted in the increasing competition among the urban middle classes in a situation of colonial stagnation for government jobs, educational placing and political positions in legislative councils and municipal bodies. Organizations such as the RSS, Hindu Mahasabha and the Muslim League were based preponderantly on the petty bourgeoisie. Similarly, this economic interpretation provides the key to explaining the militant assertion of Sikh communal identity in post-independence India. To follow Asghar Ali Engineer, the 'Green

140 NSOU • CC-PS-04 Revolution' of the 1960's produced enormous wealth, led to the emergence of an agrarian bourgeoisie in Punjab countryside and forced it into conflict with the Hindu industrial bourgeoisie of the state. This new found prosperity generated among the capitalist farmers the quite secular aspiration for having an ever-expanding share in economic development. They raised the demands for greater share of river waters, hydroelectric power and control over Chandigarh. However, it was felt that the quite predictable resistance to these demands from the entrenched Punjabi Hindu bourgeoisie could not be overcome unless the demands could be shown to enjoy the support of the Sikh community as a whole – rich and poor alike. Hence in order to mobilize the support of the wider Sikh population the Akali Dal, the party of the Sikh farmers, in addition to voicing the class demands of the Jat peasant proprietors, had to pose as the defender of the Sikh Panthas well. As a result, the Sikhs stood united behind these demands but this led to greater Hindu-Sikh polarization in Punjab and ultimately precipitated a communal conflagration in the state. On the other hand, Achin Vanaik contends that the most potent social force behind the rise of post-independence Hindu communalism (i.e. the aggressive assertion of a collective religious identity) has been the intermediate castes. In class terms, these intermediate castes comprise the agrarian bourgeoisie and the urban and the rural petty bourgeoisie. This assertion of Hindu conservatism has not been a reaction to economic and social failures. On the contrary, it is the consciously chosen cultural expression of a force which has enhanced its authority and is upwardly mobile on economic and political fronts. In independent India, the land-based intermediate castes have made considerable economic strides. These groups are now seeking to improve their status by adopting a larger 'Hindu' identity in keeping with their developing self-image as major social actors in modern India. Further rising prosperity has not reduced competition, social alienation or psychological insecurity among the urban middle class. The series of 'public' religio-cultural events and activities particularly the yagnas and yatras organized by the VHP had immense appeal to these sections. This urban petty bourgeoisie, Vanaik concludes, still provides the ideological and organizational leadership within the intermediate castes. But it is the "ruralisation" of Hindu communalism that constitutes the unique factor as far as growth of communal politics in independent India is concerned.

13.5.3 Decline of Political Institutions and Communalism

The systematic decimation of India's democratic institutions, according to Rajni Kothari, offers another clue to the rising tide of communalism in Indian politics since

NSOU • CC-PS-04 141 the 1970's. Till the mid-1960's, Kothari argues, the Indian polity represented a broadly pluralistic and federal structure that sought to accommodate as far as possible the socio-economic grievances of the various classes, communities and regions through parliamentary politics. But this system of governance was dealt a final blow under Indira Gandhi. Mrs. Gandhi, as is well known, suffered from an extreme insecurity about power partly traceable to her precarious position within the party when she first assumed the prime minister's office. Hence her primary concern was to devise a strategy for survival in the seat of power which in turn, had two aspects that produced unwholesome consequences for India's democracy. First, elections were converted into an instrument of maintaining status quo rather than of change. They were reduced to a mere number game - a mode of demonstrating mass support for the leader. Questions of issues and ideologies were driven to the background and communal principle of mobilization became quite handy in manipulating the numbers. Secondly, the political class decided to gradually do away with the democratic structures and institutions of mass mobilization - like local party units, voluntary organizations and the press - and take recourse to making direct appeal to the millions. The institutional vacuum led to depoliticization of the people and decline in the citizens' involvement in politics. Nevertheless the catchy slogans of 'Garibi Hatao (abolish poverty) helped build up a supportive coalition of Muslims, the Scheduled Castes and Scheduled Tribes, some depressed castes and large parts of south India behind Mrs. Gandhi's Congress which saw it to a massive victory in the parliamentary elections of 1971 and the Assembly elections of 1972. But the results of 1977 election - in which the Congress received a drubbing - proved beyond doubt the hollowness of the promise of Garibi Hatao had been thoroughly exposed and the above coalition had come unstuck. During the second phase of her premiership in the 1980's, Mrs. Gandhi noted with concern that even the southern states which staunchly backed the Congress during the Janata wave of 1977 began slipping away from its grip. Desperate and disconcerted, the party was looking for a new social base as well as new slogan to mobilize it. This support base was found in the Hindi/Hindu heartland in North India - in the urbanized middle and lower middle classes and the masses at large. And the slogan it coined was that of threat to India's territorial integrity-proved by Sikh terrorism in Punjab and Pakistani machinations across the border - a clever ploy indeed to play upon the sentiments of the Hindu multitudes of the so called 'cowbelt'. Mrs. Gandhi did not live to reap the fruits of this electoral strategy but it contributed in no small measure to Rajiv Gandhi's thumping victory in the Lok Sabha elections of 1984. Thus, it was the Congress (I) under Mrs. Gandhi-who never missed an opportunity

142 NSOU • CC-PS-04 to swear by secularism - that Kothari holds primarily responsible for deliberately destroying India's democratic political fabric and resorting to communal idiom of politics and particularly for pandering to the Hindu majority for political gain. True, the benefits of the activation of the Hindu vote bank were later cornered by the BJP in an even bigger way, but it has to be kept in mind that the process of communalization of the Indian polity in the 1980's was set in motion by the decline and degeneration of the Congress party. 13.5.4 The Indian Version of Secularism and the problem of Communalism Partha Chatterjee believes that secularism as preached and practiced in independent India has in its own way stoked the fire of communalism in the country. Secularism as enshrined in the Constitution of India admittedly has an 'Indian' character in that the state has been allowed to intervene in religious matters to achieve the 'modernist' purpose of socio-religious reform. But today, according to Chatterjee, it gives rise to the very real possibility of "the Hindu right locating itself quite firmly within the domain of the modernizing state" and using "the arguments for 'interventionist secularization' to promote intolerance and violence against minorities." Though the term 'secularism' has been inserted in the preamble to the Indian Constitution only in 1976 (vide the 42 nd amendment), the intention of the founding fathers to build a secular state in India was never in doubt. Thus the Constitution (Articles 25 and 26) guarantees freedom of religion. However, all these rights are qualified by the state's prerogative to regulate any financial, economic, political or other secular activities which may be associated with religious practice, to provide for social welfare and reform to throw open Hindu religious institutions to all sections of Hindus, especially to the Dalits. By invoking this limit to the principle of liberty, the Indian state has carried out extensive reform of Hindu Personal law and of the administration of Hindu temples. The Hindu code Bill was enacted in 1955, and the Indian parliament went through the immensely complicated local and sectarian variations of Hindu law and laid down a single code of personal law for all Hindu citizens. Many of its provisions involved gross departure from traditional brahmanical principles. Of course, Chatterjee contends, the liberal democratic doctrine of freedom of religion does recognize that this right would be limited by other basic human rights. Thus, for instance, it would be perfectly justified for the state to deny that human sacrifice constitutes permissible religious practice. But it does not admit of any attempt on the part of the state to limit the liberty principle by engaging in

NSOU • CC-PS-04 143 interpretation of religious doctrine. For many in India criticize this move since they do not want any official of the state to become an interpreter of Hindu religion, quoting and expounding Sanskrit scriptures in defence of the bills. It was also pointed out that the use of state legislation to bring about reforms only in the religion of the majority was creating a serious anomaly in the very notion of equal citizenship. In this context Chatterjee draws our attention to the live possibility that the arguments for state intervention in religious affairs in the interest of social reform or secularization can very well be hijacked by the Sangh combine for narrow, sectarian political profit. 13.6 Conclusion It follows from the above analysis that gross political abuse of religion, rise of "competitive communalism" among the major communities and the threat of the emergence of a Hindu state have proved to be the bane of India's secular democratic polity. Scholars and activists have suggested and adopted various approaches and strategies for combating the communal virus. For example, the crusaders for socialist transformation assert that struggle for eradication of communalism is bound up with the question of liberation of the masses from capitalist oppression and hence should be launched from an allied platform of the struggle for socialism. Bipan Chandra has called for waging an ideological war against communalism (i.e. to fight the communalist ideology at the level of ideas) which implies the strategy of de-communalizing the people at all levels. This approach has much in common with Achin Vanaik's plea for contesting communalism at the level of the civil society and Ashutosh Varshney's emphasis on citizen initiative especially through building integrated civic structures. Rajni Kothari on the other hand, feels that the right answer to the communal menace lies in grassroots politics and the movements for democratic rights carried on through various non-party formations. Finally Randhir Singh stresses that the struggle for secularism must seriously consider the social role of religion, that the liberating aspects of religion should be carefully separated from its irrationalities which exposes it to manipulation in the interest of the ruling classes and that this positive side of religion should be astutely utilized in unmasking the forces of communalism. These approaches are divergent and none of them promises any instantaneous success in banishing communalism from our society. Yet they agree on one point: all of them represent the bold face of secularism. They keep the hope alive that, in the foreseeable future, the narrow, divisive and sectarian politics of communalism will not be allowed to triumph as the dormant idiom of India's political landscape.

144 NSOU • CC-PS-04 13.7 Summing Up • Communalism refers to the belief by a group of people that religion is their basic identity that differentiates them from another group of people professing a different religion and their interests are opposed. • Communalism in India mainly refers to the Hindu-Muslim communal divide, often giving rise to communal riots - increasing polarization of communal hostilities and a great deepening of distrust between members of the two communities. • A thorough study reveals that different factors are responsible for the growth of communalism in India. • Moin Shakir argued that communalism of politics in post-independence India has largely been conditioned by the legacy and experiences of pre-partition times. • The most popular economic explanation of communalism seeks to trace its origin and development to economic underdevelopment and scarcity - and economic aspirations of the petty bourgeois classes. • The systematic decimation of India's democratic institutions, according to Rajni Kothari, offers another clue to the rising tide of communalism in Indian politics since the 1970's. • Partha Chatterjee believes that secularism as preached and practiced in independent India has in its own way stoked the fire of communalism in the country. 13.8 Probable Questions Essay Type Questions : 1. Discuss the factors responsible for the emergence of communalism in India. 2. Discuss the historical background to the emergence of communalism as a modern phenomenon Long Questions : 1. How was the economic interpretation of communalism responsible for the growth of communalism in India?

NSOU • CC-PS-04 145 2. Write a note on the nature of communalism in India Short Questions : 1. Define Communalism 2. What is the pattern of communalism in India? 13.9 Further Reading 1. Singh, Aakash and Mohapatra, Silika (eds.); Indian Political Thought : A Reader. Routledge, New York, 2010. 2. Ali, Asghar; 'Communalism and Communal Violence in India' Contemporary Politics of Identity, Religion and Secularism. Ajanta Books International, Delhi, 1999. 3. Chandra, Bipan; Communalism in Modern India. Vikas Publishing House Pvt. Ltd, New Delhi, 1986. 4. Bhambhri, C. P.; 'State and Communalism in India; The Indian State After Independence. Shipra Publications, Delhi, 2001 5. Jaffrelot, Christophe; The Sangh Parivar : A Reader. Oxford University Press, New Delhi, 2005. 6. Hasan, Mushirul (ed.); India's Partition : Strategy and Mobilization. Oxford University Press, New Delhi, 1993 7. Jayal Niraja Galpal and Mehta,

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146 NSOU • CC-PS-04 Unit - 14 □ Caste in Politics Structure 14.1 Objectives 14.2 Introduction 14.3 Features of the Caste System 14.4 Caste and Class 14.5 Constitutional System, Politics and Caste 14.6 Conclusion 14.7 Summing Up 14.8 Probable Questions 14.9 Further Reading 14.1 Objectives After reading the unit the learners will be able : • to understand the Indian Caste system. • to analyse the unique features of the Caste System in India. • to identify the connection and differences between class and caste. • to analyse the stand of the State on the question of caste. • to understand the caste system in the political context. 14.2 Introduction Politics is about power, that is the ability of a social group to pursue a course of action (to make and implement decisions, and more broadly to determine the agenda for decision-making) if necessary against the interests, and even against the opposition of other groups. Power relationships are built into the very structure of society, characterised by the existence of castes and classes having divergent interests-cooperating, competing and even conflicting. The state acts as a central institution in the political system, which means a body of rules and practices, within

NSOU • CC-PS-04 147 which political activities occur i.e., struggle for power amongst groups, classes and castes in relation to their own interests and to the general regulation and orientation of life. There are also other groups based on religion and ethnicity which are also occasionally engaged in struggle for power, but caste constitute the most important group determining the basic pattern of politics in India. Robert W. Stern stated that, "caste is the warp and woof of Indian civilization and India's civilization is the warp and woof of caste." Caste is the basic unit of social stratification in traditional rural India, the effective social grouping. Arising in Vedic times it has come down to the present through centuries of adaptation, proliferation, internal schisms, competitions, collusions and combinations. Caste, the term originally used by the Portugese, refers to endogamous groups which in Sanskrit, are called jatis. Castes are, to quote Andre Beteille, "hierarchically ranked groups or categories based on hereditary membership which maintain their social identity by strict rules of endogamy." Each caste is usually associated with more or less distinct ritual status in the hierarchical system based on the concepts of purity and pollution, i.e., each caste is considered inferior to those above it and superior to those below it primarily in terms of purity/pollution, though the position which caste occupies in the local hierarchy is not clear.

14.3 Features of the Caste System The caste system rests on the hierarchical positioning of different caste groups. It is some what pyramidal in structure. At the apex of the pyramidal structure can be found the highest caste - the Brahmins. At the lowest end of the pyramid are multiple untouchable castes. In between these two caste groups, arranged at different levels of hierarchy, many other caste groups. Since the position of caste is in relation to the caste system, any effort to understand caste must rest on an understanding of the caste system. The notion of difference amongst the castes underlines the caste system. There is no scientific basis of this notion, and it is totally antithetic to the idea of democracy, yet this system has become virtually synonymous with Indian society. There are differences of opinion and different theories regarding the time of origin of the caste system as well as the factors that led to its emergence. But then, it may be said that most probably the system emerged from time of the Rigvedic period. According to some, ethnic differences led to the system, while some others claimed that division of labour was at the root of stratification. Still others considered

148 NSOU • CC-PS-04 class considerations were responsible for the emergence of the system. In view of certain analysts, however, not one but several factors were accountable for the origin of this system. Let us now discuss some of the main features of the

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caste system. (i) Segmental division of society : The society is divided into various small social groups called castes. Each of these castes is a well-developed social group, the membership of which is determined by the consideration of birth.

Children belongs to the caste of their parents. Caste membership is an indisputable and unalterable fact by which a man's position in the social structure is determined. The membership of an individual does not undergo any change even if changes in his status, occupation, education, wealth etc. takes place. Since membership is normally life long, there is practically no social mobility. However as pointed out by M. N. Srinivas, a low-caste has been able in a generation or two, to raise itself in the hierarchy, after acquiring economic and political power, by adopting the Brahmanic customs and ways - through a process of sanskritization. (ii) Hierarchy : Hierarchy is a ladder of command in which the lower rungs are encompassed in the higher ones in regular succession. The castes teach us a fundamental social principle of hierarchy. Castes form a hierarchy, being arranged in an order of superiority and inferiority.

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At the top of this hierarchy is the Brahmin caste and at the bottom is the untouchables. In between are the intermediate castes, the relative position of which are not always clear.

As such disputes among the members of these castes over the social precedence of their respective castes are not very uncommon. Hierarchy is viewed as the principle by which the elements of a whole are ranked in relation to the whole, it being understood that in the majority of societies it is religion which provides the view of the whole. Hence, ranking assumes religious dimension. (iii) Endogamy : The most fundamental characteristics of the caste system is endogamy. All the thinkers are of the opinion that

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endogamy is the chief characteristic of caste, i.e. the members of a caste or sub-caste should marry within their own caste or sub-caste. The violation of the rule of endogamy would mean ostracism and loss of caste. (

iv) Hereditary status : Generally speaking the membership of a caste is determined by birth and the man acquires the status of a caste in which he NSOU • CC-PS-04 149 is born. In this connection, Ketkar has written that the caste is limited to only those persons who are born as the members of that caste. Thus membership in the caste is hereditary and one's membership does not undergo any change even if change takes place in his status, occupation, education and wealth etc. (v) Hereditary occupation : The traditional caste system is characterised by hereditary occupation. Members of a particular caste are expected to follow the occupation meant for the caste. Traditionally a Brahmin was allowed to function as a priest. In some cases the name of the caste is dependent upon the very occupation, as for instance, Napita (barber), Dhobi, Mochi, Mali, etc. (vi) Restriction on food and drink : There are rules for example, what sort of food or drink can be accepted by a person and from what castes.

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Usually a caste would not accept cooked food from any other caste that stands lower than itself in the social scale.

A person belonging to a higher caste believes that he gets polluted even by the shadow of a person belonging to the low caste or by accepting food or drink from him. (vii) Cultural differences : Since each caste has its own set of rules and regulations with regard to endogamy, pollution-purity, occupational specialization, each caste develops its own subculture since the behaviour of an individual is governed by the requirements of his caste. The doctrine says that it is better for a person to follow the 'dharma' (religious obligation) of his own caste, no matter how low, than the 'dharma' of another caste, no matter how illustrious. The result has been different 'style of life' for different castes. Hence castes are to quote Prof.Gharya, "small and complete worlds in themselves, marked off definitely from one another, though subsisting within the larger group." (viii) Social Segregation : Social segregation is an aspect of caste differentiation. According to Ghurye; "segregation of individual castes or a group of castes in village is most obvious mark of civil privileges and disabilities, and it has prevailed in a more or less definite form all over India." Segregation is more severe in South India than in the North. In some parts of the country such as in the Marathi, Telegu and Kanarese speaking regions, it is only the impure castes that are segregated and made to live on the outskirts of the villages. In the Tamil and Malayalam regions, very frequently different castes occupy distinctly different quarters or sometime the village is divided 150 NSOU • CC-PS-04 into three parts, the first part is occupied by the dominate caste or by the Brahmins, second part is allotted to the Shudras and the third is reserved for the untouchables. (ix) The concept of pollution : The concept of pollution plays a crucial part in maintaining the required distance between different castes. "A high caste may not touch a low caste man, let alone accept cooked food and water from him. Where the two castes involved belong to either extreme of the hierarchy, the lower caste man may be required to keep a minimum distance between himself and the high caste man." The pollution distance varies from caste to caste and from place to place. (x)

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A particular name : Every caste has a particular name through which we can identify it. Sometimes, an occupation is also associated with a particular caste.

We will come to know the profession or occupation of a caste with the help of the name of the caste. (xi)

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Jati Panchayat : The status of each caste is carefully protected, not only by caste laws but also by the conventions. These are openly enforced by the community.

In every region of India there is

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a governing body or board called Jatipanchayat. These Panchayats in different regions and castes are named in a particular fashion such as Kuldriya in Madhya Pradesh and Jokhila in South Rajasthan.

Some of the offences dealt by it are adultery, violation of any prescribed taboos, the killing of sacred animals (the cow), insulting a Brahmin and the punishment awarded are out casting, fines, feasts to be given to the caste men etc. (xii)

Taboo : Another important characteristics of the caste system is the taboo (prohibition) by which the superior castes try to preserve their ceremonial purity and endeavour to neutralize the potentialities for evils believed to exist in every person. These potentialities are supposed to be more active and harmful to others during certain crises of life.

14.4 Caste and Class The relationship between caste and class and between both categories and other group identities is a complex one in India's highly stratified and pluralist social system. As all observers of India have noted, Indians have cross-cutting, multiple identities. A member of the Yadav caste may be a landlord, a cultivating peasant NSOU • CC-PS-04 151 proprietor, a tenant, or an agricultural labourer. An untouchable may be Hindu, Christian, Buddhist, Sikh or Muslim. Jatis usually are bounded by linguistic region, so castes generally share a linguistic and regional identity. Which identity is politically salient can vary over time. In the 1950s and 1960s, for example, supporters of the linguistic reorganization of states attempted to build regional identities and third to minimize caste identities. In the early 1970s Prime Minister Indira Gandhi won popular support and attracted the left with a campaign to eliminate poverty and to emphasize class-based issues. And in the 1990s Hindu nationalists attempted to forge a national identity based on Hindu culture and played down caste and regional identities. Politicians pick and choose which identity they want to use as the basis for political and social mobilization. Whichever identity they emphasize, the rhetoric is invariably one of "social justice" and equality. All the group identity-based movements demand greater equality, but they each have a different conception of what it is that needs to be equalized. For caste-based movements, it is their place in the social hierarchy. Though caste leaders often employ a rhetoric that seems similar to a class-based rhetoric, caste and class are not the same. It might be otherwise if all the members of the same caste engaged in the same traditional occupation, and there would have been little or no difference in property ownership, education, wealth and income. But the reality is that castes have become economically more differentiated. Many members of castes classified as OBCs have become economically better off as a consequence of the zamindari abolition legislation which transferred property ownership from the zamindars to peasant proprietors in Northern India. The Green Revolution also differentially benefited members of the same castes since those with land gained from the introduction of high-yielding varieties and subsidized fertilizers, water and electricity, while agricultural labourers belonging to the same castes did not reap these benefits. But class differences are also developing within the scheduled castes as some individuals reap the benefits of preferential access to education and employment in government service. None the less, caste solidarity overshadows class differences. Lower-caste political leaders have been particularly effective at creating a loyal following by symbolic appeals to caste solidarity and opposition to forward castes. Violent attacks by the higher castes, the desecration of statues of lower-caste leaders, real or imagined insults, and high-caste opposition to reservations, all help lower-caste political leaders blur intracaste class divisions by appeals to caste solidarity. Caste political leaders argue that by organizing along caste lines the entire community

152 NSOU • CC-PS-04 will gain material benefits and social respect. Caste once an instrument for the maintenance of hierarchy is paradoxically seen as a vehicle for egalitarianism between castes, though not within them. One can argue that both class and ethnic identities are social contracts or alternatively they both have their basis in some “objective” reality, and it is hard to distinguish one from the other in this regard. We can say that individuals everywhere have class or ethnic group identities or both, these identities are often fluid and contested, they do not rest on something “real” or at least measurable and observable (e.g., occupation, income, language, religion), these identities may or may not generate conflict, but are often the basis for political action, and that people who are unhappy with their lot may express their discontent by organizing themselves (or being organized by others) along any of these identities. Caste has been a far more potent form of social identity and political action in India than class, notwithstanding the history of kisan (agricultural and farming) movements and trade unions. India now has a plethora of caste-based educational institutions, caste associations, and caste-based political parties. Indeed, it is the kisan agitations that have proven to be episodic and less institutionalized than caste movements. Caste-based movements are based not only (if at all) on material demands but on demands for respect from others. They thus have a hard edge to them, for unlike other forms of ethnic identity they cannot be based on pride, but must emphasize their antipathy to those castes that fail to grant them respect and often continue to torment them.

14.5 Constitutional System, Politics and Caste Under the constitutional law of independent India, caste based discrimination is prohibited. All citizens, irrespective of their religion or caste, are equally entitled to constitutionally guaranteed fundamental rights. Every adult citizen has the right to vote and can also be a candidate for an election. The prohibition on untouchability is one of the fundamental rights. These apart, there are special constitutional provisions to help the members of the untouchable castes to overcome their age-old social disabilities and exclusion. Resting on these constitutional provisions many laws have also been enacted. As a result certain improvement in the condition of the oppressed castes has taken place but it has not led to the abolition of the caste system or caste oppression. Many people continue to be victims of untouchability and caste violence.

NSOU • CC-PS-04 153 In the political sphere caste identity is extremely important. On the one hand, there is an effort to hold on to the existing socio-economic layout and the lower castes trying to change it or challenge it. Much of this socio-economic struggle is undertaken politically in the political space. Parliamentary democracy being largely dependent on votes that is numbers, and caste identity being vital in the moulding of collective group decisions, different political parties try to build up their own respective caste-based vote banks. In 1953 and 1979 two backward class commissions were appointed in India to identify the ‘Other Backward Classes’. The first commission was headed by Kaka Kalekar, the second by B. P. Mandal. The commissions mainly attempted to find the roots of class conflict and socio economic disparity of caste groups. The first commission had submitted its report in 1955 and the second in 1980. Neither of the commissions could deny the links between backwardness and position in the caste hierarchy. The government did not accept the recommendations of the first commission. After a long time the second commission was appointed. The constitution itself had provided for the appointment of this sort of commissions. The second commission, i.e., the Mandal Commission, identified 52% of India’s population as backward. Different groups of people were included in this category. A large section comprised of low castes; apart from them some other castes and sections of the Muslim population were also included. For the advancement of this section of population, the Mandal Commission made a variety of recommendations. These included reservation in the field of jobs. However, keeping in mind a fifty percent ceiling on reservation imposed by the judiciary, the commission recommended 27% reservation for the OBCs. Incidentally, it may be mentioned that already there was reservation for Scheduled Castes and Scheduled Tribes of 15% and 7.5% respectively. With the addition of the 27% reservation for the OBCs the total quantum of reservation stood at 49.5%. In 1990 the central government decided to partially implement the Mandal Commission recommendations. The decision evoked sharp debates. A caste-wise polarization took place between those for and against it. The Other Backward Classes or OBCs became much more conscious and organized than before. Moreover, despite the existence of differences, disagreements and conflicts, a degree of shared feeling developed between them and the Scheduled Castes and tribes. Reservation was not granted on the basis of religion in the central educational institutions at the national level, although reservation was extended to religious minorities in some states. The Tamil Nadu government had allotted 3.5% of seats,

154 NSOU • CC-PS-04 each to Muslims and Christians, thereby altering the OBC reservation. The government of Andhra Pradesh introduced a law enabling 4% reservations for Muslims in 2004. Kerala Public Service Commission had a quota of 6% reservation for Muslims. The Central government too provided for reservation of socially and economically backward section of the Muslim population in line of the Andhra Pradesh government, especially after the Sachar Committee report, which highlighted the plight of Indian Muslims, who in some regions were more backward than the Scheduled Castes and Scheduled Tribes. From the 1980's in particular, in different parts of the country the low and middle castes began gaining importance. This became all the more evident since the decade of the 1990s. Along-side middle caste leaders like Lalu Prasad Yadav, Mulayam Singh and Nitish Kumar, we have witnessed the rise of a dalit leader, Mayawati in Indian politics. 14.6 Conclusion Perhaps there is an indication that no initiative is being taken for eradication of caste or gradual lessening of its importance in the public sphere in India. Instead, in recent times, greater thrust is being laid on caste-based political mobilization in every arena of the statecraft. The spirited endorsement of the Mandal Commission by a large number of "Backwards" is an indication of the fact that reservation for the Scheduled Castes and Tribes has met with demonstrable success, no matter how limited the spread of beneficiaries may have been. Thus, caste remains a major arbiter in contemporary Indian politics. 14.7 Summing Up • Caste constitutes the most important group determining the basic pattern of politics in India. • The caste system rests on the hierarchical positioning of different caste groups - it is somewhat pyramidal in structure. • Several factors are accountable for the origin of this system. • The relationship between caste and class is a complex one in India's highly stratified and pluralist social system - caste has been a far more potent form of social identity and political action in India than class. • Under the constitutional law of independent India, caste-based discrimination is prohibited - special constitutional provisions also help the members of the untouchable caste to overcome their age-old social disabilities and exclusion. • In 1953 and 1979 two backward class commissions were appointed in India to identify the Other Backward Classes. 14.8 Probable Questions Essay Type Questions : 1. Analyse the different features of the Indian Caste system. 2. Critically analyse the difference and connection between caste and class. Long Questions : 1. Write a note on the recommendations of the Mandal Commission. 2. What is the constitutional stand on caste? Short Questions : 1. Define the Indian Caste system. 2. When was the Kaka Kalelkar Commission formed? 3. Is the Caste system hereditary in nature? Argue for and against your answer. 14.9 Further Reading 1. Bhatt, Anil; Caste, Class and Politics : An Empirical Profile of Social Stratification in Modern India. Delhi, 1975. 2. Kohli,

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NSOU • CC-PS-04 157 Unit - 15 □ Politicization of Caste Structure 15.1 Objectives 15.2 Introduction 15.3 The Rise of Caste Politics 15.3.1 Political co-optation 15.3.2 Political mobilization 15.3.3 Caste reservation 15.4 Conclusion 15.5 Summing Up 15.6 Probable Questions 15.7s Further Reading 15.1 Objectives After reading the unit the learners will be able :

- to understand the Nationalist perspective of the caste system in India.
- to identify the different factors responsible for the rise of caste politics.
- to analyse how political co-optation was responsible for politicization of caste.
- to understand political mobilization of caste.
- to present a broad over-view on caste reservation.

15.2 Introduction More than one hundred years of social reform movements, public pronouncements by political leaders, constitutional declarations, and legislation have undermined the ideological basis of caste in India. No political parties, and no political leaders, no intellectuals support the idea that caste is part of a natural moral order based upon

158 NSOU • CC-PS-04 hierarchy and sustained by endogamous consanguinity and rules of commensality, the caste is occupationally linked and hereditary, that each caste (jati) embodies its own code for conduct (dharma), and that low-caste membership is the consequence of transgressions in one's previous life. There is no public opposition to the preamble to the constitution of India which calls for "equality of status and of opportunity" or to the constitutional provisions that prohibit

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discrimination on grounds of religion, race, caste, sex or place of birth

and call for equality of opportunity for all citizens in matters relating to employment or appointment to any office. Indian scholars and social reformers have argued that there is a long history of opposition to the ideology of caste within and outside the Hindu tradition. Long before colonial rule, it is said, Buddhism and Virasaivism frontally attacked Brahminical supremacy, while the Bhakti devotional movements undermined the Brahminical emphasis on scriptures, knowledge and rituals as the only means to salvation. Throughout the nineteenth and the early part of the twentieth centuries religious reform movements not only sought to undermine Brahminism but attacked the ideological foundation of caste. Opposition to caste came from both the highest and the lowest castes. In the nineteenth century the Brahmo Samaj, founded by a Bengali Brahmin, Ram Mohan Roy, rejected caste and the concept of transmigration. In the 1920's a non-Brahmin, anti-Brahmin, anti- caste movement, known as the Self Respect movement (later, the Justice Party), emerged as a major political force in South India. The scheduled caste leader, B. R. Ambedkar, created the Scheduled Caste Federation (later the Republic Party) which called for the removal of barriers and greater economic and political opportunities for the untouchables. India's nationalist leaders of all political persuasions opposed the caste system and called for the creation of a more egalitarian social order. Even those who defended Hinduism from its Western Christian critics, such as Dayananda Sarasvati, the founder of the Arya Samaj in 1875 called for a return to the Vedas including the belief in the consequence of former deeds (karma) and transmigration, did not support caste. There were some orthodox movements, such as the Sanatan Dharma Sabha and Ram Rajya Parishad, founded by Swami Karapatri in 1948, issued an election manifesto in India's national parliamentary elections in 1952 promising to provide untouchables with "high posts" in the management of the sanitation departments and leather and hides trades – traditional occupations for outcaste Hindus – and called for a return to the "blessed days of Lord Rama's reign", but the party was ignored by the English-language press and intelligentsia. The pre-independence Hindu nationalists who wrote of "Hindu rashtra" and "Hindutva" - Madhav Golwalker, Veer

NSOU • CC-PS-04 159 D Savarkar, Keshev Hedgewar, founders and leaders of the Rashtriya Swayamsevak Sangh – did not support the caste system, nor does the contemporary Hindu nationalist party, the Bharatiya Janata Party. Perhaps no other society in recent history has known inequality so gross, so long preserved or so ideologically well entrenched. In the traditional civilizations of Islam or China, the ideal if not always the practice of equality had an honourable and often commanding place in the culture. But in India the notion that men should remain in the same occupation and station of life as their forefathers was enshrined in religious precepts and social custom. While life was not as immobile as theory prescribed, and from time to time revolts against the dominance of Brahmins and other high castes broke out, the idea of social equality never became as widespread in Hinduism as it did in other great traditions. The principle of equality implied a revolutionary transformation in India. The nationalist elite that took power in 1947 wrote a constitution that contained the full panoply of democratic institutions – parliament and legislatures, elections, universal suffrage, freedom of assembly, freedom of press, legal rights – all based on the principle of equal political rights. Equality was to be achieved in part through democratic institutions and procedures, particularly universal suffrage without a literacy requirement, equality before law, legislation banning discrimination, and through the establishment of a system of reservations that would guarantee representation to members of scheduled castes and tribes. Equality was also to be achieved through socialist planning, broadly understood as an activist state that would do what the elite believed the market could not do in a developing country – accelerate investment and growth that would ultimately benefit all social classes. Equality of opportunity, they said, would come through universal and compulsory elementary education and an expanded system of higher education. The nationalist elite did not promise a classless society, but they did offer a promise of a casteless society in which a social status would not be based upon hereditary social rankings and individuals would not be denied opportunities because of their birth.

15.3 The Rise of Caste Politics The revolutionary transformation did not of course take place. Caste as an ideology may be (almost, but not quite) moribund, but as a lived-in social reality it is very much alive. The demise of orthodoxy, right beliefs, has not meant the demise of orthopraxy, right practice. Castes remain endogamous. Lower castes, especially

160 NSOU • CC-PS-04 members of scheduled castes, remain badly treated by those of higher castes. But the gap between beliefs and practices is the source of tension and change. The lower castes no longer accept their position in the social hierarchy, no longer assume that their lower economic status and the lack of respect from members of the higher castes are a “given” in their social existence. But the movement for change is not a struggle to end caste; it is to use caste as an instrument for social change. Caste is not disappearing, nor is “casteism” – the political use of caste – for what is emerging in India is a social and political system which institutionalizes and transforms but does not abolish caste. Politicization of caste takes place in three ways. The different ways can be identified as :

15.3.1 Political Co-optation The political elite which assumed power in 1947 was drawn from the upper castes: disproportionately Brahmins, Rajputs, Kayasthas, Bhumihars, Vaishyas and other “forward castes.” Members of these castes were in every respect privileged. They dominated the colleges and universities, the senior civil service in the state and central governments, and the higher ranks of the military and the police. The key institutions that shaped political power, social status and economic privilege in India – the nationalist movement, the educational system, the bureaucracy and the system of land ownership – were largely in their hands. The senior leaders of all of India’s political parties – even those on the left – were recruited from the higher castes, were often educated abroad, and with few exceptions came from families that were well placed. Several factors mitigated against the perpetuation of political power by the higher castes. One critical factor was the

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mobilization of the lower castes by the Indian National Congress.

Before independence the British warned that independence would mean the subordination of the lower and middle castes to the upper castes who dominated the nationalist movement. E. V. Ramaswami Naicker, leader of the non-Brahmin movement in Madras, and B. R. Ambedkar, national leader of the scheduled castes, were hostile to the nationalists whom they regarded as representing the interests of the upper castes. From the early 1920's onward, Congress set out to win the support of all social strata. The Congress leadership was predominantly high caste, but by the late 1930's many of the presidents of the district and taluka Congress committees were drawn from the lower and middle castes. By the 1950's many of these individuals moved into positions of political power in the state governments. In India's first parliamentary elections in 1951-2, three opposition

NSOU • CC-PS-04 161 parties sought support from the lower castes – the Peasants' and the Workers' Party in Bombay, the Dravida Kazhagam (DK) in Madras, and the Scheduled Caste Federation – but Congress defeated all three by a strategy of incorporating elites from their would-be supporters. The capacity of the Congress Party to incorporate members of the middle castes and the scheduled castes – much less so far the other backward castes – was strengthened by intra-party factionalism and rivalries among members of the upper castes. As party leaders from the upper castes competed with one another for positions within the party and for seats in parliament and the legislative assemblies, they set out to broaden their own base by recruiting new members. The result of interparty factionalism, as well as competition between political parties, was to induce party leaders to mobilize caste leaders at the local level and to create vote banks. These recruitment efforts brought into the elite structure social groups that were previously excluded from the political process. The process was a slow one and not uniform throughout India. In UP, for example, the upper-caste Congress leadership won the support of the scheduled castes and the Muslims, but failed to attract the middle castes – notably the Jats – or the backward caste peasantry. Congress was not alone in seeking to mobilize supporters along caste lines. In North India the Praja Socialist Party, following the lead of their strategist and leading theoretician, Ram Manohar Lohia, set out to mobilize the backward castes, while Charan Singh, a Jat, a former Congressman, and an articulate spokesman for the peasant proprietor class, brought large number of members of the middle and backward castes into his political party, the Bharatiya Kranti Dal (BKD). In both UP and Bihar, the opposition parties proved to be particularly skilful in undermining the electoral strength of the Congress Party by building a coalition of the middle and the lower castes, then pulling in large numbers of Muslims alarmed by the growth of the Bharatiya Janata Party. In both states, non-Brahmin, non-upper-caste elites took power, first the Jats, then the Yadavs, and by the latter part of the 1990's UP had a Dalit Chief Minister. By the 1990's two new lower-caste political parties, the Samajwadi Party and the Bahujan Samaj Party, were part of the governing coalitions in UP and Bihar. In South India the mobilization of the non-Brahmin castes was earlier than in the north. In neither Karnataka nor in Tamil Nadu were the non-Brahmin movements seeking radical change, but rather aimed to gain greater power in administration and

162 NSOU • CC-PS-04 in elected local bodies and state legislatures. In Karnataka, the Kaligas and the Lingayats became the political base of the ruling Congress Party. Devraj Urs, the paramount Congress leader in Karnataka in the 1970's, broadened the social base of the party by appealing to the more disadvantaged backward castes and scheduled castes. In Tamil Nadu the Dravidian movement was committed to the destruction of the caste system but, in practice it used caste as a means of political mobilization and ultimately increased the political importance of caste. Though Congress initially succeeded in gaining the support of non-Brahmin elites, the Dravida Munnetra Kazhagam (DMK), an offshoot of the Dravida Kazhagam, was ultimately able to win control of the state, largely by transforming its anti-Brahmin ideology into an anti-northern Tamil nationalism, a strategy which could be adopted by a regionally based political party but which was obviously not possible for the nationally oriented Congress Party in Tamil Nadu. Indian politics became the arena within which group identities were sharpened, and individuals sought material benefits through group membership. Factions and parties were often based upon these identities, and leaders vied with one another by appealing to these "fissiparous" tendencies. Thus the competitive democratic system provided mechanisms for the incorporation of groups and elites that had previously been excluded from political power.

15.3.2 Political Mobilization A second factor in the rising political consciousness and organization of the lower castes was the widespread rejection of the ideological foundations of India's hierarchical social order. Once caste lost its moral legitimacy the upper castes no longer had the moral authority and the political will to stand in the way of lower castes who sought greater political power, access to education, and social respect. The destruction of the ideology underlying caste politicized the scheduled castes and other backward castes. With the erosion of the moral basis of caste, the self-imposed barrier to protest by the lower castes, that is, their acceptance of their place in the hierarchy, was also eroded. Some middle and lower castes sought equality with the upper castes through the process of Sanskritization, that is, by emulating the orthopraxy of the higher castes, but, paradoxically, at the same time proclaimed their status as backward castes and demanded greater political power. Activists among the scheduled castes called themselves Dalits, literally "oppressed" or "grounded down." They rejected what they regarded as M. K. Gandhi's paternalistic call for the abolition of untouchability but supported the varnashram (varnashram), and called NSOU • CC-PS-04 163 instead for the mobilization from below of the untouchables. Many Dalits followed B. R. Ambedkar's call to leave the Hindu fold and become Buddhists. In the mid-1970's the Dalit launched a series of

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political campaigns aimed at improving their economic and social status.

In the 1989 parliamentary elections, the newly formed Bahujan Samaj Party (BSP), under the Dalit leader, Kanshi Ram, built a coalition of “oppressed” groups, Muslims, scheduled castes, and other backward castes. In 1995 the BSP joined with other parties to form a government in UP, with a Dalit woman, Mayawati, as chief minister. Her tenure was short, but in 1997 Mayawati returned as chief minister in an unusual (and also short-lived) coalition with the Hindu nationalist Bharatiya Janata Party. Seventy years after independence, the chief ministers of most of India’s states were non-Brahmins, some from the middle castes, but many drawn from the backward castes. The chief minister of UP was a scheduled caste woman. Members of the Yadav, Kurmi, and other OBC’s were prominent figures in the politics of UP and Bihar, India’s most populous states. In August 1997, a half-century after independence, India elected K. R. Narayanan, a member of a scheduled caste, as the country’s president.

15.3.3 Caste Reservation

A third factor that facilitated the rise to political power of the lower castes was the Indian system of affirmative action known as reservations. The system of reservation was initially put in place by the British over the objection of the nationalist movement, but in time it was embraced by Congress and virtually by all political parties in India. The pre-independence nationalist leadership supported the liberal notion of one man, one vote and no representation along communal lines and opposed the British proposal for communal electorates under which Muslims, Christians and Sikhs could only vote for candidates of their own community. Congress nationalists, led by Gokhale, ultimately agreed to separate electorates for Muslims, but balked when the British sought to create separate electorates for the scheduled castes. Gandhi was particularly adamant in his opposition and began a threatened death fast that ended in the “Poona Pact” of 1932 which provided for proportional representation for scheduled castes, but not separate electorates. The reservation provision was subsequently incorporated into the Indian constitution, along with a constitutional commitment to ensure more adequate representation of the scheduled castes in government service, though no quota was established. There is a tension between, on the one hand, the goal of a casteless society in

164 NSOU • CC-PS-04 which the individual is the unit of public policy and, on the other, the concept of reservations for scheduled castes and tribes with the group as the unit of public policy. However there was a consensus that two groups were so disadvantaged that they ought to be beneficiaries of a system of affirmative action. One was the scheduled castes, comprising about 15.7 percent of the population. The other was the scheduled tribes, 7.7 percent of the population. The Indian Constitution also contained a provision that special benefits could also be provided to other backward communities; it did not specify who these other communities were or what the benefits might be. The other backward classes (OBCs) or, as they were sometimes designated, the socially and educationally backward classes (SEBCs), were conceived basically in terms of caste. According to most estimates, the OBCs constitute about half of the Indian population, so that along with the scheduled castes and tribes they form about three-quarters of the country’s population. The OBCs are highly differentiated in terms of their income, occupation, and education, and for this reason many who supported reservation for the scheduled castes and tribes opposed giving benefits to those who belong to the OBCs. The reservation provisions were not without controversy. India’s left intellectuals and left parties were not advocates of caste-based policies. They argued instead that a more egalitarian social order could be built through property redistribution and the expansion of the public sector. Land reform, they argued, was the key to equality, since caste was sustained by unequal property relations which permitted the upper castes to maintain their social, political, and economic dominance. Some Marxist theorists argued that caste and ethnic identities were epiphenomena created by the ruling classes to prevent the rise of class consciousness. The false consciousness could be overcome by fundamental structural changes in the economic order, and through the efforts of the left to instruct the masses as to what constituted their class interests. The caste system could be smashed, not through an attack against orthodoxy, or ameliorative measures such as reservations, but through changing the mode of production. The post-independence government was committed to reservation. The government set a quota for scheduled castes and scheduled tribes for all government appointments, including representation in the public sector. Quotas were established for admission into elite educational institutions such as medical schools and the national universities. A national commission was appointed to consider whether reservation should be granted to the “other backward classes.” Though the commission recommended reservations in government service and education, the chairman, Kaka

NSOU • CC-PS-04 165 Kalelkar, declared his opposition and the recommendations were not acted upon. None the less, several state governments – most notably Karnataka – did extend reservations to other backward classes. In 1979 the government of India appointed another commission, known after its chairman as the Mandal Commission, to consider the proposal for extending reservations to the OBCs. The Mandal Commission, like its predecessor, defined backward classes in caste rather than class terms, enumerating specific castes as “backward” by virtue of their social as well as their economic status. Given the material benefits from reservations, there was considerable lobbying to be classified as backward since, unlike the socially defined and widely accepted category of untouchables, there was no agreement as to which castes were backward. The commission drew up a list of some 400 castes they classified as “backward,” most of whom belonged to the labouring or shudravarna. The principles implicitly put forth by Mandal Commission and previous commissions that recommended reservations for the backward classes were : (1) that caste membership rather than individual class characteristics should determine the beneficiaries; (2) low social ranking in the caste system rather than average per capita income or other economic criteria should be the principle consideration for inclusion on the OBC list; (3) religious and linguistic groups, no matter what their economic condition, should not qualify for inclusion in the backward category; and (4) reservations should be in the public sector, including college admissions, government employment, and, for the scheduled castes and tribes, seats in legislative bodies. The central premise of the Mandal Commission was that India should proceed from an ideology that rested upon hereditary hierarchy to an ideology that emphasized equality of outcomes – not quality of opportunity. Though the government approved the recommendations of the Mandal Commission, no action was taken at the time and reservations at the national level remained limited to the scheduled castes and tribes. The central government’s policy continued to be one of balancing a commitment to equal rights for all with special benefits to some. In August 1990, Prime Minister V. P. Singh, then the leader of a fragile coalition non-Congress government in need of solidifying his electoral base, announced that 27 percent of central government positions would be set aside for other backward classes in addition to the 22 percent set aside for the scheduled castes and tribes. The 400 castes enumerated in the Mandal Commission report were to be given reservations. But, the government’s announcement triggered large-scale violence across northern

166 NSOU • CC-PS-04 India, especially in the universities. Though many of the opponents of reservations did so because they were excluded, there was also a growing sense that a moral injustice was being committed and the government had extended the benefits for political reasons. Though the country was divided, none of the major political parties openly opposed V. P. Singh’s reservation policy. It was widely understood, however, that the leaders and members of the Bharatiya Janata Party regarded caste reservations for the OBC’s as a policy that divided Hindu society and weakened it against its Muslim adversaries. So many groups within the electorate now benefit from reservations that a policy reversal is politically unlikely. Once a system of group preferences was introduced, leaders of political parties regarded support for preferences as a strategy for winning political support.

15.4 Conclusion

To recapitulate, the political mobilization of the lower castes, their increasing incorporation into the Indian political system, and their rising political power can be attributed to the demise in the ideological legitimacy of caste among the upper castes; the inclusive character of the Indian National Congress as a mass-based political movement; the intrafactional conflicts within the post-independence Congress; the Congress strategy of building vote banks among the scheduled castes and tribes, the Muslims, and the middle and upper castes; the counter-strategy of the non- Congress opposition parties to win support among the other backward castes and to build their own caste-based alliances; the system of reservations which provided opportunities for access to higher education, administration, and elected bodies to members of the scheduled castes and tribes; and finally the extension of reservations to hundreds of other backward castes. The increasing political clout of the lower castes should also be seen in the context of an increase in social mobility. The abolition of the zamindari system and land redistribution plus the introduction of the Green Revolution improved the economic position of many lower-caste tenants who gained title to land; the expansion of the system of mass education, though very limited, along with the system of reservations, enabled some individuals to obtain employment which brought them into the middle class. However, the low public investment in primary and secondary schools, the country’s slow economic growth, and the limited

NSOU • CC-PS-04 167 expansion of employment opportunities have left large sections of the OBCs, the Dalits, and the tribals among the poorest in Indian society, notwithstanding their rising political power. Keywords : Nationalist perspective and Caste, Rise of Caste, Sanscritization, Politicization of Caste, Mobilization of Caste, Caste Reservation. 15.5 Summing Up • Caste is not disappearing, nor is casteism – the political use of caste - for what is emerging in India is a social and political system which institutionalizes and transforms but does not abolish caste. • Politicization of caste takes place in three ways – political co-option, political mobilization and caste reservation. • The competitive democratic system provided mechanisms for the incorporation of groups and elites that had previously been excluded from political power. • The destruction of the ideological foundation of India’s hierarchical social order politicized the SC’s, ST’s and OBC’s. • Rise to political power of

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the lower castes was facilitated by the Indian system of affirmative action known as reservation. • Reservation

was provided to SC’s and ST’s and national commissions (like the Kaka Kalelkar Commission and Mandal Commission) were appointed to consider whether reservation should be granted to Other Backward Classes. 15.6 Probable Questions Essay Type Questions : 1. Discuss the factors responsible for the rise of politicization of caste in India. 2. Analyse how political co-optation was responsible for the rise of caste politics in India. Long Questions : 1. Write a note on the recommendations of the Mandal Commission. 2. What is the constitutional stand on caste? 168 NSOU • CC-PS-04 3. How did India’s left intellectuals and left leaders view the policy of reservation? Short Questions : 1. What is Sanskritization? 2. When was the Mandal Commission formed? 3. How many categories of caste did the Mandal Commission identify as backward? 15.7 Further Reading 1. Beteille, Andre; Caste, Class and Power. University of California press, 1965. 2. Kohli,

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Unit - 16 □ Affirmative Action Policies : Women Structure 16.1 Objectives 16.2 Introduction 16.3 Affirmative Action : Women 16.4 Status of Women in India 16.5 Status of Women in Ancient India 16.6 Status of Women during the British Rule 16.7 Women in the Freedom Movement 16.8 Women and the Constitution of India 16.9 Role of Directive Principles of State Policy in protecting the Rights of women 16.10 Fundamental Duties 16.11 Other Constitutional Provisions 16.12 Literacy and Education 16.13 Women participation in Economy 16.14 Political Participation of Women 16.15 New Problems of Women 16.16 Conclusion 16.17 Summing Up 16.18 Probable Questions 16.19 Further Reading

172 NSOU • CC-PS-04 16.1 Objectives On reading this unit, the learners will be able to : • define the meaning of affirmative action. • present a broad overview of the status of women in India. • identify the status of women in ancient India. • highlight women’s position during the British Rule and Freedom Movement in India. • enumerate the provisions in the Constitution of India regarding women’s equality. • describe women Political Participation in the democratic institution and structures. • explain the growing problems of violence against women and its solutions. 16.2 Introduction Women constitute roughly half of the world’s population. According to the United Nation’s The Population Reference Bureau, 2004, in its data sheet, it revealed that out of 3209 million women living in the world, the share of India is 531.9 millions. This amounts to nearly half of India’s total population. As per India’s Census 2001, the ratio of females per thousand males was 933 and in the Census Report of 2011, the number of women for every 1000 men came down to 914. Different statistics shows that this half of humanity possesses 1/100th of the world’s property. Nearly 70 percent of the women live below the poverty line. Two thirds of them are illiterate. According to Human Development Report 1995, “poverty has a woman face. Of the 1.3 billion people in poverty, 70 per cent are women”. Taking the economy as a whole, Indian women perform two-thirds of the work, but earn only one-tenth of the income. Women do have unequal access to land and property rights; where as nearly 89 per cent of the women earn their livelihood from agriculture. Compared to male members, women have low life expectancy at birth, low educational attainment and low income and gender disparities. In 2005, women made up twelve percent of the World’s Parliamentarians, while India at that time was only 8 per cent, though the 15 th Lok Shaba represents 10 per cent women members.

NSOU • CC-PS-04 173 Studies on Indian women in politics, in aggregate, indicate that women in Indian society have been deprived of fundamental social, economic and political rights. The social hierarchies and inequalities that exist in Indian society have deterred the women for centuries from playing an active role in the societal functions including participation in political institutions. Women constituting half the population of our country have been an integral part of our social structure mainly due to their contribution to the socio-economic spheres of life. Notwithstanding the fact, women in India face discrimination and exclusion because of the gender bias of the prevalent patriarchal values of Indian society. As man started believing everything under his control taming the most furious and deadly animals with force and technology and using them for its own benefits, so he similarly, enslaved women and the tool he used was the ideology of patriarchy. This recounts us Simon de Beauvoir’s statement that “one is not born, but rather becomes a woman”. So, patriarchy is a socio-cultural construction in which a false consciousness makes women to accept all forms of oppression, discrimination and exploitation. The dominant patriarchy has denied women equality of status and opportunities in the socio-economic and political spheres. Rural Indian women are still treated as “object” of development rather than the “subject” of development.

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The involvement of women in the development process and political decision making process has been

advocated by social and political thinkers. The Report of the Committee on Status of Women in Indian Women, 1974, a significant document on the socio-economic conditions of Indian women, says that though political participation of women in the political process has created a space but their ability to produce impact on the political process has been negligible because of the inadequate attention paid to their political education and mobilization by both political parties and women’s organization. Parties have tended to see women voters as appendages of the males. Among women, leadership among women has become diffused and diverse with sharp contradictions with regard to inequalities that affect the status of women in every sphere – social, economic and political. Historically, in India, women have been praised greatly in the literature and religion as ‘Devi’ or ‘Shakti’ or ‘ardhangini’ and a portion of man. This finds expression in the famous epic in The Mahabharata glorifying them as the “light of the house, mother of the universe and supporter of the earth and all its forests”. In ancient India, women used to participate equally along with men in the religious rituals. So women were equal to men. But with the advent of Muslim rule, mediaeval India witnessed steady dependency of women on men. The Islamic custom of

174 NSOU • CC-PS-04 'purdah' (veiling of women) had created the two worlds – public and private world with women confined to the latter. Virtually, Indian women lost their earlier status and were at lowest ebb. In the colonial era, the British rule hardly intervened the socio-religious spheres. Their mission was economic rather than social and political. Despite the civilizing missions, many inhuman social evils were carried out in the name of custom, culture and tradition. 'Sati', the tradition of widow immolation was one of it. Society conspired to inherit the widow from her husband's property. Though reformers like Ram Mohan Roy, Swami Dayanand Saraswati and Iswar Chandra Vidyasagar tried their best to cleanse the society and elevate the status of women to a considerable height, the women had a little role in it. The Britishers along with the Indian reformers brought the brutal practices against women on the margin in society. The British rule, in order to raise the status of Indian women gave birth to a number of socio-religious reforms in the country. The Indian women's concern for political equality emerged during the national movement in which women, especially from the upper strata of the society, actively participated, but their participations were not directed against the traditional patriarchal system as such. However, women during the freedom struggle, raised the issue of representation in politics as early as 1917 along with the demand for universal adult franchise. By 1935, under the Government of India Act, all women over 21 could vote provided they fulfilled the conditions of property and education. In the post independence period, though the affirmative concept bearing welfare, development and empowerment/reservation relating to the status of women with the principle of 'Gender Equity and Equality' had been constitutionalised in free India and through other legislation to uplift their status. Yet politics proved to be a very inhospitable terrain for women and continues to be the male bastion into which the entry of women is severely restricted. In contemporary India, women have been experiencing derivation, brutality and exploitation in different situations and most importantly, at the hands of the persons whom they trust more. Society as a whole has still not accepted women is being equal to men and crimes or abuses against women are on the rise. For that change, the society's age-old deep rooted mindset needs to be changed through social conditioning and sensitization programmes.

16.3 Affirmative Action : Women

In a heterogeneous society, there are multiple identities among people, culture

NSOU • CC-PS-04 175 and community. Because of the multiple identities in such a society, there is also a presence of inequality prevalent in the multiplicity of identities. To ensure equality in any unequal society, there is need to create a ground for level-playing so that huge disparities do not exist. The affirmative action is a response to secure equal rights in a differentiated society to reduce disparity. The entire idea of affirmative action is about recognizing the fact that in society everyone is not equal, some groups or people need support in the form of affirmative action from the state in various ways putting the disadvantaged groups or people in an equal footing with the rest of the competing groups. Thus, affirmative action is a policy in which an individual's color, race, sex, religion or natural origin are taken into account to increase opportunities provided to an under-represented part of society. Affirmative action seeks to overturn historical trends of discrimination against an individual's identity by providing assistance to groups identified as subject to past or present discrimination in areas of education, employment and representation. Conditions of women in India have not been historically very good. Women are physically weaker than men and due to this fact they have been exploited, oppressed and under-privileged. Due to such continuous unfavourable treatment, the social status of women has become really degraded. It is argued that "neither growth nor strong market orientation alone reduces or eliminates inter-group disparity and discrimination". Therefore, affirmative action becomes essential in a differential society such as that in India. Originally, the overall affirmative policy in India was nameless; the various measures that embodied it were referred to as 'reservation', 'special treatment' or 'preferential treatment' or 'concessions'. But most of those terms have referred to this policy but these have no connection with the wider principle or goal. In the 1950s, Professor Alexandronicz proposed 'positive discrimination' and Marc Galanter proposed 'compensatory discrimination'. There were also other terms as 'benign discrimination' and 'reverse discrimination' 'empowerment' etc. Many writers and judges have used it treating them as synonyms. The term, 'affirmative action' came to be in use in the early 1980s, borrowed from the United States. In India, the term was used in the case of disadvantaged section of the population. The women are naturally a weaker sex was first acknowledged by U S Supreme Court in the case of Muller vs. Oregon, 1908. In this case, U S Supreme Court observed that due to physical structure and performance of maternal functions,

176 NSOU • CC-PS-04 women are at a disadvantage in the society and thus it is society's responsibility to implement favourable laws to bring them on the same level as men. The makers of the Indian Constitution also understood this fact and have provided several provisions for elevating the status of women and giving them a level playing field. 16.4 Status of Women in India The low position of women in society is as old as patriarchy. Women constituting half the population of our country have been an integral part of our social structure principally due to their contribution to the socio-economic spheres of life. Notwithstanding the fact, women in India have been discriminated because of the gender bias of the prevalent patriarchal values of Indian society. The dominant patriarchy has denied women equality of status and opportunities in the socio-economic and political spheres. There is a famous phrase coined by Simon de Beauvoir that "one is not born a woman but becomes one". The phrase underscores the point of dividing mankind on the basis of gender as 'man' and 'women'. Such distinction has both psychological and physiological aspects. In most societies, biological differences are translated into socially institutionalised roles and positions. To simply speak, society takes up the task of converting a biological male into a man and a biological female into a woman by prescribing masculine and feminine qualities to them respectively. Society has over the ages evolved beliefs, ideas, values and expectations through which children right from a very tender age, internalize the traits of masculinity or femininity in their behavior, attitude and roles they take up. So, gender is a cultural construction transmitted from generation to generation through the process of socialization. It has nothing to do with one's biology, rather the qualities of being masculine or feminine and its root of these differences lies in one's culture. Thus, society becomes the field of the domination of men over women. Patriarchy refers to this male domination and female's acceptance of internalization of that dominance. Patriarchy is in fact, a 'male rule'. It is a system of social structures and practices, in which men dominate, oppress and exploit women. Most of the institutions of the society are patriarchal in nature, whether it is the state, religion, educational institutions, family or the media. The ideology of patriarchy is so deep rooted in our society that all kinds of violence and women subjugation are a reality. In a heterogeneous society, like India, divided on caste, language, religion, community etc., such domination and subjugation take place in various forms and

NSOU • CC-PS-04 177 manifestations. Violence against women is one of the innumerable incidents which have kept them as an excluded category from political participation and socio-economic developmental process. The discrimination and exclusion of the women from the mainstream of life have created the world of a man and a woman dividing into two halves, forming many pairs of binary opposites. It is a world of body versus mind, nature versus culture, emotion versus reason, and private versus public. These dichotomies stand in chain to each other that shape the culturally constituted roles for men and women. This dichotomy is perpetuated by patriarchy itself. The culturally constituted roles for men and women reflect in the following social, political and economic areas. 1. A woman's existence centers on her body. She is destined to gratify man. She is to bear and rear children. Motherhood which is socially constructed has been imposed upon women. She has been made appendage of man, a parasite, a domestic animal, a pleasure resort. Our culture with its patriarchal ideology has been exploiting women in the name of motherhood. Women also suffer from various stigmas due to her body. Simon de Beauvoir says that menstruation interrupts a woman's routine, putting her in a stigmatized state, involving various restrictions on her activities and her social contacts. Simon concludes that "the female is more enslaved to the species than the male, her animality is more manifest". 2. The male-dominated society and culture prescribe that dominance is the male temperament and subordination of the women. Women are assigned domestic service whereas men are the natural proprietors of religion, politics and other realms of cultural thought. 3. The Private/Public dialogue further extends to another dichotomy of the world of men and women. In a gender-hierarchically society, the private sphere popularly known as the domestic sphere has no economic, political or historical significance. The private sphere needs to be nourished with understanding, cooperation, care, selflessness and of course, bundles of emotions. On the other hand, the public sphere is a competitive world which requires being aggressive, reasonable and ambitions with no trace of emotions. This is because emotions are the greatest hindrance to the profit-making motive of the public sphere. Therefore, women who are in charge of the private sphere, stand in a subordinate position to men. The value of

178 NSOU • CC-PS-04 the labour put in household is never estimated; rather it is branded as useless, whereas the man in the public sphere is given more importance. Besides, the state has also closed its eyes to the gross injustice, taking place within the four walls of the domestic sphere, calling it 'personal'. This has resulted in the growing rates of wife-beating, dowry deaths and marital rapes and molestation of young girls by other male relatives. This is why feminists have blown the clarion call, "Personal is Political". Things get even worse with working women. 4. Women subjugation starts at family. The tradition of 'Stridhan' got transformed into dowry. Dowry became a nightmare for parents. Daughters became a burden to their parents. Birth of a daughter in a family is still despised. Daughters are 'Parayaadhan'. One fine morning, they would be married into another family with a substantial amount of dowry. Therefore, daughters are looked down upon. As she grows up, she is married off. Her education is stopped if at all she is studying. Once married she has reached the destination of her life. She starts another life again. It can be seen that in a family it is the womenfolk who fight among themselves. The mother-in-law is the greatest enemy of the daughter-in-law and daughters are deprived of many facilities that a son has access to. Thus, patriarchy in alliance with other institutions in the society formed a vicious circle of deprivation. The traditional way of thinking upholds the man as the 'breadwinner' and the woman as the 'bread maker'. They have also been labeled as the fountainhead of affection and care, but in return, they are not reciprocated with such love and attention. They are required to maintain silence to all kinds of injustice else she would be branded as a 'bad woman'. Things get extremely difficult for women who are working outside home because they have to bear the double burden of domestic work as well as work-place. The facts mentioned above signal that "the scales of world's equality are out of balance. The side marked 'women' is weighed down with responsibility, while the side marked 'men' rides high with power.....". So, violence against women is the manifestation of historically unequal power relations between men and women. Women's increasing demand for freedom and equality still meets with violent resistance from conservative social forces reinforced by neo-liberal policies and socio-economic processes. The incidence of violence against women has intensified and become more pervasive in the recent past. It has taken on more brutal forms, like NSOU • CC-PS-04 179 the deaths of the Delhi Gang rape victim and the suicide of the 17 year-old victim in Chandigarh. The recent even in Unnao in U.P. and Hyderabad points to the heinous acts of violence against women in recent times.

16.5 Status of Women in Ancient India From ancient to modern period, women's conditions – socially, politically and economically, has not remained same and it kept changing with times. In ancient India, women were having equal status with men; in early Vedic period, they were very educated and the women scholars like Gargi, Moitroyi, Lopamudra, contributed many hymns to Rig-Veda. Not only the scholarship was the hall mark of the Vedic women, friendly behavior with her husband earned her much reputation in society. But with the coming of famous treatise of Manu i.e. Manusmriti, this bright picture of the Hindu women was dimmed and the status of women was relegated to a subordinate position to man. All kinds of discriminatory practices started to take form such as child marriage, devadasi pratha, nagar vandhu system, sathi pratha etc. Women's socio-political rights were curtailed and they were made fully dependent upon the male members of family. Their right to education, right to work and right to decide for themselves were taken away. Like the women of the Vedic age, the women of epic period also enjoyed an honorable status. The classical epics of India; 'Ramayana' and 'Mahabharata' used to treat women with great honour. 'Sita' of 'Ramayana' and 'Draupadi' of 'Mahabharata' represent two different aspects of feminine ethos in ancient India. The period of Medieval India has been depicted as a dark period of Indian history. This period was a disappointing phase as far as the status of women was concerned. With the firm grip of Brahmanism in society after the death of Harshavardhan, her freedom was curtailed, reducing the status of women to that of an appendage of man. The revival of 'Sati', the prohibition of remarriage, the spread of 'Purdah' and the greater prevalence of polygamy made her position very bad. Though the 'Bhakti' movement gave a new life to women, but in the economic structure of the society women continued to hold low status.

16.6 Status of Women during British Rule The establishment of British Rule made metamorphic changes in the Indian social system. Along with the advent of Western ideas, education was one of the field

180 NSOU • CC-PS-04 to which the British attached special importance. In fact, it is the British rule which provided for equal opportunities in education to women in India. The British in collaboration with the 19th century social reformers, attempts were made to do away with the evils like child marriage, 'Sati' system, 'Devadasi' system, 'Purdah' system, prohibition of widow remarriage etc. The important forces which were responsible for the betterment of status of women during the British period were a change in the attitudes and values and stress on quality of life and individual freedom. The great reformers like Raja Ram Mohan Roy, Iswar Chandra Vidyasagar, Maharshi Karve, Jyotiba Phule, Dayanand Saraswati, Swami Vivekananda, Dedabhai Naorji, Gopal Krishna Gokhale, Mahatma Gandhi and others played pioneering role. The women leaders like Sister Nivedita, Anne Besant, Sarojini Naidu, and Ramabai Ranade. Toru Datta, Kamalabai Chattopadhyaya, Swarna Kumari Devi, Raj Kumari, Amrit Kaur and so on are of immense importance. Thus, in order to raise the status of women, the British rule led to number of socio-religious reforms in the country.

16.7 Women in the Freedom Movement

The Indian women participated in the freedom movement as good partners of their male counterparts for the recognition of their identity in the political sphere. Women took the challenge of standing peacefully against the atrocities of the British forces. The peaceful protest of Mahatma Gandhi not only trained a large number of women in Satyagraha and Ahimsa but also made them committed that participation became a necessity for the success of struggle against British might. Swadeshi Movement could not have succeeded without help of women. The year of 1914 witnessed the beginning of the First World War. During this period, women had started taking interest in civil and political matters concerning India. Annie Besant and Sarojini Naidu took part in the movement. Annie Besant prepared the ground for Home League agitation (1914-1915) in which women played a prominent part. During the Baroda Satyagraha of 1923-24 and the Bardoli Satyagraha of 1928, the participation and support of women was memorable. In the 'no tax campaign' and the Dandi March, the saga of women' heroic participation was overwhelming.

NSOU • CC-PS-04 181 As early as 1917, the Indian women raised the issue of representation in politics which meant a demand for universal adult franchise. By 1929 women had the right to vote on the basis of wifehood, property and education. Apart from the participation of women, during the freedom movement, various social legislations also played important role in uplifting the status of women. These legislations were related to marriage, property rights and employment opportunities under the Government. The prevention of Sati Act 1829, The Widow Remarriage Act, 1856, The Special Marriage Act, 1872, The Child Marriage Restraint Act, 1929, The Married Women's Property Act, 1874 and the Hindu Women's Right to Property Act, 1939 were passed.

16.8 Post-Independent Period : Women and the Constitution of India

During the freedom Movement, almost all the leaders of the freedom struggle were of the view that women should be given equal status in the free India and all types of discriminatory practices must stop. And for that to happen, the founding fathers of the constitution thought to include such affirmative action and policies in the provisions of the constitution of India that would help eliminate age-ole exploitative customs and traditions and also such provisions which would help in empowering women socially, economically and politically. The status of Indian women has radically changed since independence. India's constitution makers and our founding fathers were very determined to provide equal rights to both women and men. The constitution of India is one of the finest documents in the world. It provides provisions to secure equality in general and gender equality in particular. The adoption of the constitution on 26th November, 1949 and its coming into force on 26th January, 1950 can be considered as a remarkable achievement with regard to emancipation and empowerment of women. Various articles in the constitution, several laws, legislations, policies and institutional reforms have been enacted to carry out the gender action plan for the development of women.

Preamble : The preamble to the constitution of India assures justice, social, economic and political; equality of status and opportunity and dignity to the individual. Thus, it treats both men and women equal.

182 NSOU • CC-PS-04 Fundamental Rights : The policy of women empowerment is well documented in the Fundamental Rights in our constitution. For instance, Article 14 ensures to women the right to equality. Article 15(1) specifically prohibits discrimination on the basis of sex. Article 15(3) empowers the state to take affirmative actions in favor of women. The purpose of Article 15(3) is to eliminate the socio-economic backwardness of women and to empower them in such a manner as to bring about effective equality between men and women. Similarly, Article 15(1) and 15(2) prevents the state from making any discriminatory law on the basis of gender alone. Article 16 provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office. Article 21 of the constitution states "No person shall be deprived of his life or personal liberty except according to the procedure established by law". This article is the backbone for the protection and promotion of women rights. For example, the apex court in a series of cases held that right to life enshrined in Article 21 meaning something more than survival or animal existence. (State of Maharashtra v. Chandrabhan, 1983). It included the right to live with human dignity. This article has been interpreted over the years to provide speedy trial, especially in cases of rape, free legal aid, health care, education, protection of insane persons. Article 21(A) provides right to free and compulsory education to the children of both sexes, looking into the socio-economic set up of the Indian society it can be said that the girl child will be more benefited from this act. The state in pursuance of the above provision has enacted the Suppression of Immoral Traffic in women Act, 1956 which has been recently amended, is known as the PITA. Bonded Labour System (Abolition) Act, 1976, the indecent representation of Women (Prohibition) Act, 1986 etc. are the milestone in ensuring the dignity of Indian Women. Sexual harassment at workplace is a violation of Article 21 of the constitution. This verdict was made by the apex court of the country in the case of Vishaka v. State of Rajasthan and laid down detailed direction and guidelines on the subject which are to be strictly observed by all employees, public or private. Right to life is now recognized as a basic human right. It has to be read in consonance with the Universal Declaration of Human Rights, 1948, the Declaration on the elimination of violence against women and the Declaration and Covenants of Civil and Political Rights and the covenants of Economic, Social and Cultural Rights to which India is a party having ratified them. Article 21 also states that rape violates the right of women.

NSOU • CC-PS-04 183 For centuries, women have been humiliated, exploited, tortured and harassed in all walks of life- physically, mentally and sexually. To safeguard and protect women against exploitation, Article 23(1) of the constitution prohibits traffic in human beings and beggar and other similar form of forced labour. "Traffic in human beings" means selling and buying human beings as slaves and also includes traffic in women and children for immoral or other purposes. In pursuance of this Article, the state of Andhra Pradesh abolished the Devadasis (Prohibition and Dedication) Act, 1988. These rights being fundamental are justifiable in court and the Government is obliged to follow the same. 16.9 Role of Directive Principles of State Policy in Protecting the Rights of Women Although the Directive Principles of State Policy are not enforceable by the Court, they are fundamental principle for guidance to the various organs of the state. However, in recent time, judiciary has broadened the concept of directive principles and given a wider definition to them. Article 39, provides

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that the citizens, men and women, equally have the right to an adequate means of livelihood; that

there is equal pay for equal work for both men and women; that the health and strength of workers, men and women, are not abused and that citizens are not forced by economic necessity to enter a vocation unsuited to their age and strength. In furtherance of these principles, suitable provisions have been included in various Labour Laws passed from time to time e.g. the Equal Remuneration Act, 1976, the Factories Act, 1948, the Mines Act, 1952 and several other statutes. In this regard, various international Labour Conventions and recommendations of International Labour Organization (ILO) have been kept in view. Article 42 provides that the state is to make provision

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for securing just and humane conditions of work and for maternity relief.

The cumulative effect of these articles is that “the state is under obligation to provide suitable legislation to ensure just and humane conditions in various industries and maternity benefits to women”.

184 NSOU • CC-PS-04 16.10 Fundamental Duties Fundamental duties are enshrined in Part IV-A of the constitution and are positive duties for the people of India to follow. It also contains a duty related to women. Article 51(A)(e) expects from the citizen of the country

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to promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women. 16.11			

Other Constitutional Provisions Though 73 rd and 74 th constitutional amendments of 1993, a milestone in the history of India have been achieved not only in the sphere of decentralisation but it paved the way for empowering the poor people as well as women. With this amendment, women were given 33.33 per cent reservation in seats at different levels of elections in local governance i.e. Panchayat, Block and Municipality elections. It also reserved no less than one-third of seats of Chairpersons at any level for women. Many commentators remarked that in the light of the marginalisation of women in Indian polity, reservation of one-third seats for women at this level marks a significant turning point giving voices to the “emerging millions” who constitute nearly half of the population. But the constitution 81 st Amendment Bill was introduced in the Parliament way back in 1996 to reserve one-third of seats for women in Parliament and state legislatures. But the fate of the bill is still pending. The Bill in its current form envisages reserving 181 seats out of 543 in the Parliament for women. Securing 33% reservation for women in opening the doors of opportunity for political empowerment to almost 50% of our population has been a dream for many visionaries in India. If the Bill gets cleared it will go a long way in ensuring political equality through active participation of women from both urban and rural areas. In this respect, affirmative action would help women to get their fair place in the political bodies to right the wrong and change the societal imbalance. Apart from those constitutional provisions for women’s cause, Indian plan documents emphasised on women issues or welfare. The Second Five Year Plan 1956-61, recognised special needs of women workers such as maternity benefit and facilities for their children. It also suggested the implementation of the principle of

NSOU • CC-PS-04 185 equal play for equal work and training to women in order to enable them to complete for better paid jobs. The fifth plan 1974-79 overlapped with the UN International Decade for women (1976-85) and for the first time there was a shift in the approach from women 'welfare' to 'development'. But the concept of women's development received recognition as a specific development sector for the first time in the Sixth Plan (1980-85) in which a separate chapter on 'Women and Development' was provided. The plan conceived of a multi-pronged strategy for women's development including: employment and economic independence; education; access to health care and family planning; support services to meet practical gender needs; and the creation of an enabling policy and institutional and legal environment. In the Seventh Plan (1985-90) emphasis was shifted again from 'development' to 'empowerment' of women. Consequently, in 2001, National Policy for Women Empowerment was adopted (1) To create an environment so that women feel involved in the making of economic and social policies (2) To give equal share in social, economic and political aspects (3) To remove discriminations against women by enacting various laws and (4) To encourage equal treatment of women in the society. It may be mentioned that the year 2001 was declared as The Year of Women empowerment. After conferring some positive discriminatory policies in the constitution, steps were taken to reform the laws which were violating the right to equality on the ground of sex. The Hindu Code Bill was brought before the Parliament. In 1955 and 1956, it was decided to pass the Bill in piecemeal and four enactments viz. the Hindu Marriage Act, 1955, the Hindu Succession Act, 1956, the Hindu Adoption and Maintenance Act, 1956, the Hindu Minority and Guardianship Act, 1956 were passed. The object of these enactments was to bring about a change in status and position of Hindu Women and put them at par with men in the matrimonial home. Several Acts were also passed for the improving of the conditions of women from time to time. These are: (1) Dowry Prohibition Act, 1961. (2) Contract Labour Act 1970 as well as Factories Act, 1948, provides that women cannot be employed in the night between 9 p.m. to 6 a.m. Women cannot be required to work more than 9 hours. (3) Equal Remuneration Act, 1976. (4) The Indecent Representation of Women (Prohibition) Act, 1986. (5) The commission of Sati (Prevention) Act, 1987 (6) Protection of women from Domestic Violence Act, 2005 (7) Maternity Benefit Act, 1961 (8) Child Marriage Prohibition Act, 1929 (9) The Medical Termination of Pregnancy Act, 1971 (10) The Preconception and Prenatal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (11) The sexual harassment of women at workplace (Prevention, Protection) Act, 2013.

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The Ministry of Women and Child Development is the nodal agency for

all matters pertaining to welfare, development and empowerment of women. It has evolved schemes and programmes for their benefit. These schemes are spread across a very wide spectrum such as women's need for shelter, security, safety, legal aid, justice, information, maternal health, food, nutrition etc. as well as their need for economic sustenance through skill development, education and access to credit and marketing. Besides the above legislations, The Indian Penal Code, 1860, the Code of Criminal Procedure, 1973 and Indian Evidence Act, 1872 along with other 54 major legislations are in existence to protect and promote women rights. These include different sections : Sl.No. Name of Offences Sections Minimum Maximum Punishment Punishment (1) (2) (3) (4) (5) 1. Obscene acts and song 294 ——— 3 months or in public place fine or both 2. Rape 376 7/10 years 10 years also fine 3. Dowry, Dowry death 302/304B 7 years Life imprisonment 4. Torture 498-A ——— 3 years also fine 5. Assault on women 354 ——— 2 years or with intent to outrage fine or both her modesty 6. Word, gesture or act 509 ——— 1 year of intended to insult the fine or both modesty of a woman 7. Intercourse by 376-C ——— 5 years also Superintendent in Jail fine 8. Bigamy 494 ——— 7 years and also fine

NSOU • CC-PS-04 187 Sl.No. Name of Offences Sections Minimum Maximum Punishment Punishment (1) (2) (3) (4) (5) 9. Wife beating 325 ——— 7 years and also fine 10. Selling and buying 372/373 ——— 10 years and minor for prostitution also fine 11. Transportation of girls 366-B ——— 10 years and from foreign country also fine Indian Penal Code and in its various sections lay down guidelines for meeting special treatment to women in varied situations. The lives of millions of women worldwide are affected by violence. During the Fourth World Conference September, 1995 on women in Beijing, the Governments declared that "violence against women constitutes a violation of basic human rights and is an obstacle to the achievement of the objectives of peace, equality and development". But the alarming global dimensions of female-targeted violence were not explicitly acknowledged by the international community until the UN

Convention on Elimination of All Forms of Discrimination against women (CEDAW) in 1993.

Now UN in its specialised organs has been making efforts towards ending violence against women. India has set up in pursuance of the protection of Human Rights Act of 1993, the National Human Rights Commission. It deals with the backlog of women cases for violation of their human rights. As a watchdog of women's issue, the National Commission for Women (New) was formed to monitor the Government's non-implementation of laws enacted to provide protection to women. It is a statutory body concerned with advising the Government on all policy matters affecting women. The constitution of India guarantees to women equality in all spheres, besides making special provision for them. Progressive legislations by successive governments have sought to undo the injustice of the past. And yet, even today there is a great big gap between her 'de jure' and 'de facto' status. In India, the census report reveals that female population has been steadily declining since 1901. The data on sex composition are not only a demographic characteristics but sex ratio is an important social indicator of prevailing equity

188 NSOU • CC-PS-04 between males and females in a society at a given point of time. In India, the sex- ratio of the human population can be seen from Table – 1. Table – 1 Sex – Ratio of Females Years No. of Females per thousand Percentage of Decline/Increase Males 1901 972 ——— 1911 964 0.82 (–) 1921 955 0.93 (–) 1931 950 0.52 (–) 1941 945 0.53 (–) 1951 946 0.10 (+) 1961 9412 0.53 (–) 1971 930 1.17 (–) 1981 934 0.43 (+) 1991 927 0.75 (–) 2001 933 0.64 (+) 2011 943 1.07 (+) Source : Census of India – 2011. Table–1 point out that the sex-ratio has been falling almost continuously since 1901. However, except the sex-ratio in 1981, 2001 and 2011 recorded a marginal increase, otherwise, from 1901 to 2001, the female population has decreased (from 972 to 933). Though India's 2001 and 2011 censuses show increase of female sex- ratio from 933 to 943 per 1000 males, it is far below the world average of 986 and much lesser than that of the advanced countries like the US (1029), Japan (1041) and the developing countries like Brazil (1025) and Indonesia (1004). The reasons for declining sex-ratio of females are accounted for differential mortality between males and females, sex selective migration and manifestation of patriarchal ideology resulting in discriminatory treatment towards females. The pre- natal tests to eliminate unwanted girls link the persistence of difference between males and females sex-ratio. The mortality rate among females across all ages was

NSOU • CC-PS-04 189 6.2 and that among male was 7.1 in 2014. But in the same year, the infant mortality rate (IMR) of females was 40 while that of males was 37. The rate of decline in the IMR of females was faster than that of IMR among males. The urban mothers received 1.27 times more medical attention at the time of delivery as compared to rural mothers (urban 93.2%, rural 73.2%). Due to medical health facilities the life expectancy for females was 69.6 years and for males was 66.4 year during the period 2010-2014 depicting higher life expectancy of females as compared to males. Despite higher life expectancy of females, in society they are still discriminated as more than 70,000 fetuses were killed through medical tests and a considerable number of women dying before they attain the age of 40, higher than that of males. 16.12 Literacy and Education Despite constitutional provisions and legislations, as per Census 2011, the literacy rate at all India level was 72.98% and the literacy rate for females and males are 64.63% and 80.9% respectively. Adult education rate of females and males in the age of 15+ years at the all-India level was 76% and that among males were 78.8% and females was 59.3%. Rural-urban gap existed in adult literacy for both females and males. In rural areas was 50.6% vis-a-vis 76.9% in urban areas whereas for males the same in rural areas was 74.1% vis-a-vis 88.3% in urban areas. So, it appears that in adult literacy rate, females are lagging behind males, though in the Gross Enrolment Ratio during 2014-15 at primary level females are more ahead than their male counterpart. The enrolment of females and males at the primary level is 101.4 and 98.9 respectively, at middle class level the corresponding figures are 95.3 and 87.7 and at the secondary level, the status was at 65.8 and 63.8 respectively. The number of females per 100 males in University education in major disciplines was highest in Medicine (90.9), followed by Arts (86), Science (72.7), Commerce (67.3) and Engineering and Technical (40.3). In spite of this change in the trend towards higher literacy rate among women, some other problems have cropped up. There are regional differences. In states like Kerala, Karnataka and Maharashtra, high rate of women education are found to be satisfactory, whereas in states like Bihar, Orissa, Madhya Pradesh, women education rate is not optimistic. In higher, middle and high schools a substantial increase was reported but as per data furnished by the Ministry of Education, New Delhi, a significant drop outs occurred between the age group of 6 – 14 years among women/ females in middle and high schools.

190 NSOU • CC-PS-04 16.13 Women Participation in Economy It is true that relatively a large number of women are entering the employment sector. In 2011, the Workforce Participation Rate at all-India level was 25.51% for female and 53.26% for males. While there was no rural-urban gap for males (53%), but there was considerable rural-urban gap for females-rural 30%, urban 15.4%. The 6th Economic Census (2013-14) showed that 21.49% of the rural establishments are owned by females and 18.29% of the workers employed in establishments are females. As per 2011 census, in 2011-12, the rural work force participation rate for females 24.8 and 54.3 for males in rural areas. Whereas such female and male figure in urban areas stood at 14.7 and 54.6 respectively. Thus, it reveals the fact that majority of women who are ready to work are not finding work. Despite their commendable service in various fields, they are still marginalised and discriminated. As a result they are now engaged in agriculture and unorganised sector in large number. 16.14 Political Participation of Women Women’s participation in the political process is critical both to the strengthening of democracy and to their struggle against oppression. The Government of India has declared the year 2001 as the year for the Empowerment of Women but the struggle to reach the stage is yet to be fulfilled. Empowerment contains the word ‘Power’. The control of power leads to control over resources and control of ideology. So, the

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entry of a large number of women into decision making process can rapidly change the existing situation. The involvement of women at different levels is bound to have positive impact on public policy. Women issues will be transformed into societal issues. The most critical role for women will be to resist inequality and injustice not merely for women, but for all.

Our constitution gives equal rights to women. They are participating in the election process as voters, as candidates contesting election, in deliberations in state assemblies and national parliament and holding public offices at different levels. Yet, politics proved to be very inhospitable terrain for women and continues to be the male bastion into which the entry of women is severely restricted. The question of reservation of seats was left to the National Perspective Plan for women to take up. It recognised that political participation of women is severely restricted and suggested that a 30% quota for women be introduced at all levels of

NSOU • CC-PS-04 191 elective bodies. The entire issue took on a political hue as it became a moot point whether the introduction of reservation at the level of Panchayats and urban local bodies was really meant to give increased representation to women or a populist measure aiming to create women’s constituency at a time when the Congress Party needed to resurrect its image. These doubts notwithstanding, the 73 rd and 74 th Amendments to the Indian Constitution in 1992 and 1993 which provided for 33% reservation for women in Panchayats and urban local bodies. These amendments as a strategy of affirmative action served as a major breakthrough towards ensuring women’s equal access and increased participation in political power structures. Political participation and grassroots democracy have been strengthened considerably by the 73 rd and 74 th Constitutional Amendments that have created new democratic institutions for local governance. The last 20 or more years of Panchayati raj in India have seen many women go from strength to strength in terms of their political participations. Of the 28 lakh elected Panchayat representatives, around 10 lakh or 46% up to 2016 are estimated to be women. Women have, however, not found adequate representation in the Lok Sabha. The percentage of elected women Lok Sabha members has not exceeded 12%. Table- 2 shows representation of women in Lok Sabha since 1952. Table – 2 Women Presence in the Lok Sabha Year Seats Women MPS % of Women MPS 1952 499 22 4.41 1957 500 27 5.40 1962 503 34 6.76 1967 523 31 5.93 1971 521 22 4.22 1977 544 19 3.29 1980 544 28 5.15 1984 544 44 8.9 1989 517 27 5.22 1991 544 39 7.17

192 NSOU • CC-PS-04 Year Seats Women MPS % of Women MPS 1996 543 39 7.18 1998 543 43 7.92 1990 543 49 9.02 2004 543 45 8.03 2009 543 59 10.86 2014 543 61 11.23 Average 531.06 36.87 6.91 Source : Election Commission of India, 2017. Table-2 shows that representation of women in Lok Sabha works out to only 36.87 and average percentage of women representation in Lok Sabha is not more than 6.91 per cent. The presence of women in the Upper House (Rajya Sabha) has been slightly higher over-all probably due to indirect elections and nomination of some women members. It was highest in 1990 at 15.5% and shows a declining trend thereafter. It is significant to note that the Deputy Chairperson of the Rajya Sabha at least for more than 25 years has been a woman, yet women face increasing competition from male politicians for nomination. Table – 3 Women presence in the Rajya Sabha Year Total Seats No. of Women % of Women 1952 219 16 7.3 1957 237 18 7.6 1962 238 18 7.6 1967 240 20 8.3 1971 243 17 7.0 1977 244 25 10.2 1980 244 24 9.8 1985 244 28 11.4

NSOU • CC-PS-04 193 Year Total Seats No. of Women % of Women 1990 245 38 15.5 1996 223 20 9.0 1998 223 19 8.6 2004 245 27 11.1 2009 245 22 8.97 2014 245 29 11.83 Average 238.21 22.92 9.62 Source : Electoral Statistics Pocket Book, 2017. Women contesting election have always been low as it may be observed from Table-4. The highest number of women contestants has been merely 636 in 2014, while the number of male contestants has always been on the increase, the highest being 13,353 in 1996. Yet, it is interesting to note that the percentage of winners among women has consistently been more than that of the men, notwithstanding the fact that more often the losing seats are offered to women candidates by the respective political parties. For instance, in 1996, only 3.8% of male candidates won in comparison to 6.7% of female candidates. Likewise, the percentage of winners was 11.2% for men and 15.7% for women in 1998, 12.3% and 17.3% in 1999, 6.44% and 10.61% in 2009 and 6.39% and 9.74% respectively in 2014 (16th Lok Sabha). Table – 4 Women Contestants Year Males Females Total % of males winning % of females winning 1952 1831 43 1874 26.05 51.16 1957 1473 45 1518 31.7 60.00 1962 1915 70 1985 24.0 50.00 1967 2302 67 2369 21.3 44.80 1971 2698 86 2784 18.5 24.40 1977 2369 70 2439 22.1 27.10 1980 4478 142 4620 11.5 19.7

194 NSOU • CC-PS-04 Year Males Females Total % of males winning % of females winning 1984 5406 164 5574 9.2 25.60 1989 5962 198 6160 8.5 13.60 1991 8374 325 8699 5.9 12.00 1996 13353 599 13952 3.8 6.70 1998 4476 274 4750 11.2 15.70 1999 3976 278 4254 12.3 17.30 2004 5080 355 5435 9.8 12.30 2009 2514 556 8070 6.44 10.61 2014 7527 636 8163 6.39 9.74 Source : Indian Journal of Public Administration, Vol.LX, No.3, July – September, 2014. The representation of women in the Union Council of Ministers between 1985 and 2014 as shown in Table-5 is dismal. The data show that women have remained underrepresented in the Council of Ministers. Since Independence, India had so far 15 Women Chief Ministers and 23 women Governors. Only one woman served as President of India but no women as Vice-President. In 2015, the share of women judges in Supreme Court was 4% (1 out of 26) and it was 10% (54 out of 517) considering all High Courts in India. Only one woman has got opportunity to serve as Chief Election Commissioner and one as UPSC Chairperson. Table-5 Representation of Women in the Union Council of Ministers (1985-2014) Year Number of Ministers Number of Women Ministers Cabinet Minister of Deputy Cabinet Minister of Deputy Minister State Minister Minister State Minister 1985 15 25 00 01 03 00 1990 17 17 05 00 01 01 1995 12 37 03 01 04 01 1996 18 21 00 00 01 00 1997 20 24 00 00 05 00 1998 21 21 00 00 03 00

NSOU • CC-PS-04 195 Year Number of Ministers Number of Women Ministers Cabinet Minister of Deputy Cabinet Minister of Deputy Minister State Minister Minister State Minister 2001 30 07 35 03 02 04 2002 31 45 00 02 05 00 2004 28 38 00 01 06 00 2009 34 45 00 06 01 00 2014 23 23 00 06 01 00 Source : Electoral Statistics, 2017. The scenario of women representation at the State Legislature Assemblies in different states of India is far from satisfactory. There are a few instances of women holding portfolios of finance, industry etc. And are relegated them to 'women specific' departments. The following table-6 shows women's presence in the state legislatures. Table-6 Participation of Women in select Legislative Assemblies State/UTS Year of General % of Women Seats won by Elections contestants Women Andhra Pradesh 2014 08.08 09.2 Arunachal Pradesh 2014 03.87 03.3 Assam 2016 08.55 06.34 Gujarat 2012 05.82 08.8 Haryana 2014 05.65 10.0 Jharkhand 2014 09.77 09.9 Madhya Pradesh 2013 07.74 13.0 Punjab 2012 08.63 12.0 Uttar Pradesh 2012 08.52 08.7 West Bengal 2016 10.19 13.92 Kerala 2016 09.14 05.71 Source : Electoral Statistics, 2017.

196 NSOU • CC-PS-04 The Table–6 reveals that the highest percentage of women in Legislative Assemblies has been in West Bengal 13.92% in 2016 followed by Madhya Pradesh, Haryana and Andhra Pradesh, 13.00, 10.00 and 9.2 respectively. The lowest or zero percentage of women in Legislative Assembly is in Nagaland in 2013. The lack of adequate representation of women in State Legislative Assemblies in India except a few states is not up to the expectation considering their position in population. Thus, it is seen that despite constitutional guarantee of equality, women still are not equal with men. The sphere of politics is still dominated by men. The success of affirmative policies taken to ensure women’s position and dignity in society is still a distant dream. 16.15 New Problems of Women The age-old problems of Indian Women such as child marriage, ‘Sati’ system, Prohibition on widow remarriage, ‘Purdah’ system, and ‘Devadasi’ system have almost disappeared. But their disappearance have now given place for some other problems of modern times such as atrocities against women, rape, dowry, harassment of women, sexual harassment and death, immoral traffic, torture, sexual harassment of employed women etc. Despite draconian legislations in favour of women, these problems have made it difficult for women to lead an equal life with men. There has been a constant increase in the violence against women and hardly a day passes without reports in the newspapers. Violence on women creates harmful physical and emotional impact on the victims leading to the death of the victim. According to the National Crime Records Bureau (NCRB), the crimes against women rose from 3,793 per million in 2016 to 3,886 per million in 2017. This means, 100 more crimes took place per million people in 2017 compared to previous year. Though crimes such as murders and rapes have somewhat come down, other forms of violence are on the rise. The states like Karnataka, Kerala, Tamil Nadu, Punjab and West Bengal showed a decrease in crime rates, but in other states such as Uttar Pradesh with 16.8% share of country’s female population has reported nearly 10.9% of total crimes committed against women at all India level, by registering 35,527 cases. Delhi UT has reported the highest crime rate 184.3% compared to 56.3% at all India level during the year 2015, followed by Assam 148.2%, Telangana 83.1%, Odisha 81.9%, Rajasthan 81.5%, Haryana 75.7% and West Bengal 73.4%. The fastest rate of growth of crimes among all states in India is Delhi as it shows 11,500 crimes reported per million. Crime head-wise cases committed against women can be summarised in the Table–7 below :

NSOU • CC-PS-04 197 Table–7 Year wise Status of Crimes Committed against Women Crime Head 2014 2015 2016 %share in % increase in 2016 last one year Rape 36735 34651 38947 11% 125 Kidnapping & 57311 59277 64519 19% 09% Abduction Cruelty by Husband 122877 113403 110378 33% –3% & Relatives Dowry Death 10050 9894 9683 3% –2% Assault on Women 82235 82422 84746 25% 3% with intent to outrage her modesty Insult to the modesty 9735 8685 7305 2% –16% of Women Total Crime against 337922 327394 338954 100% 4% Women Source – NCRB – 2016. Table–7 shows that more or less crime against women in some forms or other has been on the increase. The brutal rape and murder of the veterinary doctor in Hyderabad followed by killing of four rapists in a Police encounter has stirred the conscience of the nation. In July 2019, a young woman who accused Uttar Pradesh Lawmaker Kuldeep Singh Sengar of raping her in 2017 is a blot on the nation. Similarly in December 5, 2019, a 23 year old rape victim is set ablaze by a gang of men in Unnao district in UP has seriously disturbed the public mind in the country. Though after the 2012 Nirbhaya Case in Delhi, in an effort to assuage mounting public anger, the Criminal Law Amendment Act, 2013 was passed by Parliament containing stringent provisions of punishment for rape and further, the Criminal Law Amendment Act, 2018 provided death penalty for the rapists, unfortunately, the stringent legal provisions did not reduce the incidence of rape in the country. In India, it is also a fact that a large number of rape cases are either unreported or unregistered. The delay in court cases has proved to be counter-productive. Consequently, there is now a growing demand for setting up special courts for trial of rape cases and other violence against women.

198 NSOU • CC-PS-04 So, it may be reiterated that side by side with the constitutional and legal provisions, social awakening as well as the consistent and honest efforts on the part of people's representatives and social leaders are required to persuade people to accept new challenges and situations giving women a respectable and meaningful social status. In this direction, building of powerful women organisations from the national to the grassroots level is of imperative necessity to protect their rights and opportunities in India. 16.16 Conclusion In our patriarchal society, the beliefs that women have secondary status and they play inconsequential role, are mainly responsible for the low status of women. In the past, women could enjoy equal status with men. But over the years, the status of women has been reduced to the appendages of men. Despite constituting almost 50% of the total population, women have always been subjected to inequality, discrimination, exploitation, subjugation and in many cases inhuman treatment at the hands of men. In independent India, various constitutional and legislative measures have been adopted to provide women equal status in society. But instead of improving their status, they are still under represented in the political structures of India. In modern times, women have been facing the increasing incidences of violence. This violence against women has to be perceived from a multi-dimensional perspective. In order to mitigate this social evil, the constitutional guarantee and legislative measures are not enough. The creation of suitable awareness among women is disappointing in this respect. To curb violence against women, the investigating machinery, criminal justice system, welfare and voluntary organisations and above all the general public should play effective and concerted role. There is urgency to change our values and belief system including the attitude like that woman is the asset of a man. In this task, the women organisations and movements can to a great extent go a long way in establishing balance between men and women in India. 16.17 Summing Up • Women's welfare has become the focal point in the development programme NSOU • CC-PS-04 199 in India. While women have made significant advances in many societies, still women's concerns are given second priority almost everywhere. Women represent 50 per cent of the world adult population and a third of official labour force, they perform nearly two thirds of all working hours, receive only a tenth of world income and own less than one per cent of the world property. • In India, despite developmental planning and special status accorded through affirmative action, there has not been a substantial qualitative improvement in the large majority of women living particularly in rural areas. Moreover, women in fact, continue to remain invisible and marginalized in decision- making bodies, leading to lack of a feminist perspective in political decision- making. 16.18 Probable Questions Essay Type Questions : 1. Discuss the salient features of the status of women in India. 2. Describe the affirmative policies as enshrined in the Constitution of India. 3. Examine the major Legislative measures in combating the violence against women. Long Questions : 1. Explain the Political Participation and representation of Women in India. 2. Analyse the major causes of violence against women. 3. Identify the role of the Directive Principles of State Policy in protecting rights of women. Short Questions : 1. Write a short note on the status of women in ancient India. 2. Explain briefly about the causes of the decline of sex-ratio of women in India. 3. What is IPC ? Enumerate the problems of increasing rate of rape in India and its solution.

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202 NSOU • CC-PS-04 Unit - 17 Affirmative Action Policies : Class Structure 17.1 Objectives 17.2 Introduction 17.3

Conceptualizing class: Interlinkages of caste and class 17.4 Class structure in India 17.5 The interplay of caste and class in

power structure and politics in India 17.6 The Indian Constitution and the Affirmative Action Policies : Mandal

Commission. 17.7 Constitutional Provisions and OBCS 17.8 Welfare Schemes and OBCS 17.9 Implementation of

Affirmative Action Programme 17.10 Conclusion 17.11 Summing Up 17.12 Probable Questions 17.13 Further Reading 17.1

Objectives On reading this unit, the learners will be able to understand : • the concept of class and its features. • the

difference and interconnections of caste and class. • the structure of class in India. • the interplay of caste and classes in

power structure and politics in India. • the Constitutional provisions incorporating affirmative action policies for

Backward Classes and Mandal Commission's stand on the question of class and caste.

NSOU • CC-PS-04 203 • the welfare schemes for the Backward Classes. • implementation of reservation policies. 17.2

Introduction Social structure in India is undeniably the most stratified society in the world. In this social stratification,

there exists the differentiation of the population into hierarchically superimposed classes manifested in the existence of

upper and lower layers. The basis and essence of stratification are construed by an unequal distribution of rights and

privileges, duties and responsibilities, social values and privation, social power and influences among the members of

society. The caste, kinship, occupational groups, factory and administrative structures that constitute distinctive fields of

social interaction reflect the structural realities. Innumerable particularities of values, customs and cultures are underlying

the structural realities and form their basis. The real picture of social stratification of India is very complex. In these

complexities, apart from class, caste as an important social institution is predominant in social structure. Despite

modernization, urbanization and industrialization, physical labour and intellectual work are decided by the accident of

birth. The upper caste avoids labour work and receives all the authority upon the production created by the lower caste

menial work. Instead of breaking down, caste still persists in the process of continuity and change in India. The caste

system, apart from birth, is based on the concepts of purity and pollution, superior and inferior position. It is associated

with religion. Four varnas are described in the religion. Moreover, caste is completely a psychological concept having no

scientific base. Yet, caste has emerged as the dreadful denomination of socio-political mobilization in post-colonial

Indian society. According to the Indian Marxist thinkers, the institution of class did not exist prior to the British rule.

Hence, caste is a pre-class institution of exploitation and administration in India. With the colonial regime, two modes of

production, that of caste and class, came to co-exist with each other. But ever since the issue of Mandal Commission

reservations in governmental jobs for the OBCS, it came to the national agenda in 1989. Since then it has left an impact

on the evolution of national politics. For Marxist or a Communist, the two modes of production or a mechanical

distinction between caste and class is not only a vulgar simplification but divorced from the present day Indian reality.

The caste

204 NSOU • CC-PS-04 stratification of our society is something that has come down to us from centuries. Despite all the refinement and changes within castes and between castes that have taken place over the years, the basic structure in society so far as the oppression of the dalits or the backward castes is concerned remains. It is within this social stratification that class formation is taking place. Capitalism is still developing in India and the process of the development of society divided into modern capitalist classes, is taking shape constantly within the existing caste stratification. The question is, therefore, not one of class versus caste. It is the formation of classes under modern capitalism within the inherited caste structure. To a large extent, the most exploited classes in our society constitute the most socially oppressed castes. And to that extent, the struggle against class exploitation and the struggle against social oppression complement each other. With the advent of modernization under the British rule, particularly the railways and western education, many including Karl Marx, had thought that the old order would crumble paving the way for a class division of modern society. However, this did not happen as envisaged. It was so because it was not in the interest of the colonial rule to transform Indian society. Its interest lay in exploiting the Indian people and its economy on the basis of their backwardness. This required keeping the rural land relations intact, in class terms, modifying them only to advance colonial revenue collections without disturbing the economic or social relations. The British also required that a powerful indigenous Indian capitalist class does not arise. The result was an alliance with the feudal landlords for its political survival and the superimposition of minimum modern capitalist relations on the existing feudal land relations which sustained the caste system. At Independence, all these currents put together had created a situation where the tasks of democratic revolution- chiefly the agrarian revolution remained unfulfilled under the bourgeois leadership of the freedom struggle that compromised with landlordism. The process gets manifested in a concrete expression in post-independent India. The Indian bourgeoisie in order to capture state power compromised with imperialism on the one hand and compromised with landlordism and semi-feudal forces on the other. Thus, instead of sweeping away the feudal and semi-feudal land relations along with the anti-colonial and anti-imperialist struggle, the ruling classes perpetuated these relations including caste structure and institutions. Consequently, the centrality of caste as an agent of politics and its dominant role in Indian socio-political life have neither been removed nor firmly challenged. Rather, recognition of caste through affirmative policies as a socio-political change

NSOU • CC-PS-04 205 by the Mandal Commission and caste-centric socio-political movements of the 1980s and 1990s, such as Dalit and Backward class movements have not only enlivened new debates in India, but have reinforced a caste-centric public-political life, giving it a modern value and a secular purpose. But the demands and recognition of backward classes for reservation was partly an expression of upwardly mobile lower cultivators' efforts to challenge the literate upper castes or what may be called as challenge to the upper classes in India. Whatever may be the fact, it is clear that class has yet to become a reality as in advanced capitalist societies, the basis of mobilization because of the underdeveloped capitalist economy and importance of primordial group identities like caste, religion and ethnicity as the bases of political action.

17.3 Conceptualizing Class : Interlinkages of Caste and Class

The word 'class' refers to economic divisions in society. It is derived from Latin word 'classis'. Class refers to a set of phenomena with common attributes. It connotes a set of shared economic, political and cultural attributes. Both Sociology and Economics normally use the term to refer to certain kind of shared characteristics which are essentially economic. Marxists, Weberians and many Sociologists are of the opinion that foundations of class lie in the economic realm. But Karl Marx and Max Weber are widely recognized as the most influential commentators on class. Karl Marx's interpretation of 'class' is useful because he scientifically analyzed the economic basis of classes and the antagonistic relations between them. He defines classes in terms of their relation to the means of production. He divides the society into two broad categories: the capitalist and the proletariat. Capitalists are the owner of the means of production and the proletariat work for wage or salary. They possess only labour power. Thus, Marx's concept of social classes is basically in terms of the system of production. On the basis of the idea of Marx about class, the theory of class conflict/ struggle had been evolved and lies at the core of the Marxian critique of the capitalist mode of production and the ultimate demise of the capitalist societies. In the strict Marxian parlance, class is understood as a group of people standing in a common relationship to the means of production. Ordinarily, the ownership of wealth along with the particular type of occupation are seen to be the two major components on which the various classes in the society are differentiated.

206 NSOU • CC-PS-04 Applying this notion of class in the historical perspective, Lenin defines classes 'as large groups of people which differ from each other (1) By the place they occupy in a historically determined system of social production; (2) By their relation to the means of production; (3) By their role in the social organization of labour, and consequently, (4) By the dimensions and mode of acquiring the share of social wealth'. In Marxian perspective, class is defined absolutely in terms of its relation to the economic parameters prevailing in the society. Marx claims that the class which owns the means of production can determine the character of a society. Though classes are defined by their common economic position, an essential condition for the existence of a class, according to Marx, is that there must be an element of class consciousness an elementary sense of common interest and shared opposition to other classes. A class may exist 'in itself' without being a class 'for itself'. Marx clarifies that a class which has come into being but is not yet conscious of its fundamental interests is a class in itself. When it becomes aware of its real community of interest manifesting in practice and organizes itself, it is then a class for itself. This subjective dimension of class is very important, for, as Marx wrote in the 18th Brumaire, the vast mass of peasants living in similar conditions but without entering into manifold relations with one another do not form a class. Without class consciousness a class has no more than a potential existence. In fine, to be class the 'objective' common economic situation must be supplemented by 'subjective' class consciousness of common interest in order to wage a common battle against other common special interests which are antagonistic. Thus, the individual is born into a particular class, just as he is born into a particular caste. The position upon a person is forced by birth in the caste system. In the class system, an individual in his life time may rise and fall in the class hierarchy. He may acquire upper or lower position with a particular economic or occupational role. There is a possibility for upward mobility for an individual in the class system which is not so in the caste system. Max Weber, a German Sociologist, built his theory of class on Marx's analysis, but he modified and elaborated it. He accepts Marx's view that economic relations form the basis of class. But Weber conceptualized class as a product of the economic relations in society being conditioned by the factors like 'status' and 'party' (power+ prestige) in society. Status refers to the differences between social groups in the social honour or prestige they are given by others. Status groups are groups of people sharing a

NSOU • CC-PS-04 207 similar status, e.g. doctors, teachers, castes and sub-castes in traditional Hindu society. Possession of wealth normally tends to confer high status, but they are exceptions. Weber cites the case of the newly rich businessman who does not possess the education or culture but commands high status. Whereas class is objectively given, status depends on people's subjective evaluation of social differences. Classes derive from economic factors associated with property and earnings, status are governed by differences in 'styles of life' groups follow. In short, status groups are stratified according to the principles of their consumption of goods as represented by special 'styles of life'. If the above conceptualizations of class as an economic group and caste as a status group as provided by Marx and Weber are used, it could hardly capture the social reality in India. While Sociologists and political scientists consider both class and caste to be important in the Indian social system, they do not however, share similar views regarding their similarities, dissimilarities and mutual interlinks. Some scholars have the view that castes contain class within it and vice-versa. To unravel these caste-class connections or their distinctiveness it requires a glance at the logic of the viewpoints of the social scientists produced in India on the issue. The social scientists are not unanimous as to whether caste and class are synonymous or distinct entities. In pre-Mandal phase, caste-class relations were dominated by tradition and modernity characterized by exclusiveness of caste and class and fusion of caste and class. Those who believed in the dichotomy of tradition and modernity and tended to subscribe to cultural perspectives of caste, highlighted its uniqueness and favoured the exclusiveness of caste and class while others argued that caste and class belong to different social realities. They explained caste as a unique traditional phenomenon of Indian society and class as a universal phenomenon of modern society. Caste is portrayed as a backward social institution whereas class belongs to advanced industrial societies. Since tradition and modernity are perceived as mutually exclusive, caste and class maintain a distinct reality. They also pointed out that caste as a cultural practice maintains dominant ideas and values, such as pollution and purity, rules of social intercourse and endogamy while class linking itself to the ideology of individualism, competition and equality, put caste and class into polar opposites. Such scholars also considered caste as a closed and rigid system, whereas class is perceived as open and flexible. Therefore, in the caste system units of ranking are groups, status is ascribed and there is legitimacy of ritual hierarchy. In a class system, the units of rankings are individuals; status is achieved and legitimized through material achievements.

208 NSOU • CC-PS-04 Andre Beteille found caste-class convergence in his studies citing the fact that caste riots are often pronounced class conflicts between upper castes/class and lower castes/class. Caste conflicts, particularly attacks on landless low-caste labourers and their counterattacks, not only in feudal, backward and economically less developed states such as Bihar, but even more in modern capitalistically developed states like Punjab, Gujarat and Maharashtra, created reasons to believe that underlying factor behind such caste conflicts is the summation and articulation of class interests. So, these scholars view that tendency among the western scholars to locate class in Indian society at par with the early industrial society is meaningless. Clear polarization of classes, however, is not evident in the agrarian society in India. To a large extent, caste and class thus represent the same structural reality. Since caste incorporates class and class incorporates caste, they are overlapping with each other. Neither the caste view alone, and nor the class view on its own can explain the entire gamut of India's social reality.

17.4 Class Structure in India

Along with the traditional caste system, India's social structure is stratified along class lines. Historically, the British rule and its economic policies such as the introduction of new type of land tenure and a few machine-based industries to serve the interests of the Empire generated forces which created the basis for the emergence of new classes and strata hitherto unknown in Indian society: the capitalists included in it individuals, commercial and financial, working class living on wages in industrial and commercial establishments, and the English-educated middle classes such as lawyers, doctors, professors, journalists, managers and clerks in urban areas; zamindars, large estate owners, peasant proprietors divided into upper, middle and lower strata, absentee landlords, tenants and sub-tenants, agricultural labourers and money-lenders in the rural areas. The Indian working class, on the other hand, came to be formed by pauperized peasants and ruined village artisans. The process of self-organization of the workers was retarded for a long time mainly because of their cultural backwardness and caste and communal divisions. Nevertheless, during the first two decades, the workers developed trade union consciousness which was reflected in a series of strikes in a number of industrial centers for the fulfillment of their demands, even in the face of government repression. The most notable event, for example, was the working class strikes in Bombay and other industrial centers to protest against the infamous Rowlatt Act which ushered in the working class entry into the nationalist movement. The working class organization and consciousness reached a new stage with the entry of the communists and socialists. Since Independence, the attempt of the national government to industrialize the country on a capitalist basis with public and private sectors and to transform the backward village communities into a viable prosperous sector of the national economy had led to the reshuffling of the class structure. Changes occurred in the hierarchy of classes created during the British Raj. In the changes, some old classes were eliminated while some had been deeply entrenched and some new classes emerged. Inter-class and intra-class relations assumed a new dimension, especially it was found in the countryside. Class relations were very often mediated and determined through castes or jatis. On the basis of the criteria of the ownership of property in the means of production as well as occupation, income and status, the principal classes that are found today in India are : (i) the bourgeoisie comprising top industrial and business houses who have substantial holding of productive wealth but constitute only a small percentage of the total population (0.7%); (ii) the middle class which includes professionals and urban intellectuals including politicians, managers and other higher salaried executives in modern industry and commerce; (iii) lower middle class comprising small traders and shopkeepers, middle-level employees in government and public and private sectors, clerks and medium-level professionals; and (iv) working class (skilled manual workers, semi-skilled and unskilled manual workers) in the urban areas. But the peasantry constitutes by far the largest class. The peasantry are, however a highly heterogeneous social class comprising mainly (i) capitalist farmers or rich peasants who look upon agriculture as a business enterprise-the rural bourgeoisie; (ii) middle peasants who own or lease land which is operated by family labour as well as wage labour; (iii) poor peasants who often have to work as part-time labourers or share croppers; and (iv) landless peasants the rural proletariat. The landless peasants constitute a large segment of the agricultural population.

17.5 The Interplay of Caste and Class in Power Structure and Politics in India

The principal classes in our society, as mentioned above, have differential

210 NSOU • CC-PS-04 access to power and to understand the relation between caste and class and political system, it is required to examine the nature of the distribution of power in the wider political system and the nature of class-caste entry into politics. In Pursuit of Lakshmi, Rudolph and Rudolph have argued that India has a 'weak-strong state' and the Indian economy has its 'rich-poor quality'. Consequently, 'the historic adversaries of class politics, capital and labour, are politically marginal and the centrality of the political process is captured by the state'. Private capitalism in India depends on the state for its profits as well as for its security because the private sector is overshadowed by the public sector which occupies the economy's 'commanding heights'. So, the private capital does not have a strong public voice. No political party except the Swantra party opposed the Congress's project of a 'Socialistic pattern of society', because it was the Swantra party alone who favoured the private capital. This explanation assumes the autonomy or relative autonomy of the state and its leadership at Independence who are seen as not the creature of a dominant class, but acting relatively independently, from a powerful state and political base in adopting an economic development strategy they preferred. Class polarization between wage workers on the one hand and capitalist farmers in India's massive agriculture sector and rural society on the other, is constrained by the leading role played in production and politics by small-scale, self-employed 'bullock capitalists', cultivators who benefited from land reforms and the 'green revolution' and who rely more on family labour and their own human capital than on wage workers and machines. The bullock capitalists opposed both industrial capital (state and private) and urban workers in the name of remunerative prices and better terms of trade between the countryside and the city. Under such a situation, the Congress party which has been the principal aggregative force played centrist role- in amalgamating caste and class forces. Thus, the green revolution vastly expanded agricultural production generating surplus helping some parts of Northern India' whereas the vast stretches of many Indian states remained underdeveloped and poverty-stricken with the persistence of semi-feudal relations in agriculture. Hence, the bulk of the poor who are not only landless peasants and unorganized workers but also the SCs, backward classes and STs, remained marginalized and sidelined from the power structure and politics in India. The Marxist scholar, Pranab Bardhan, denied the existence of a single dominant NSOU • CC-PS-04 211 class in India's political system. He, instead, emphasizes multi-class hegemony. In his view, there are three dominant or 'proprietary' classes whose common interests and conflicts of interests have influenced the state policies since Independence. The three classes are the industrial bourgeoisie, and urban professional class and the rural hegemonic class of rich farmers. The professional class comprises primarily civilian and military and public bureaucracy personnel. Together these three classes constitute the dominant class coalition, though it is an uneasy coalition. The conflict of interests among them tends to pull in different directions but none of them is individually strong enough to dominate the process of resource allocation. Consequently, this had led to the proliferation of subsidies and grants to placate of them with the consequent reduction in available surplus for public capital formation. Bardhan further views that the system of bargaining and patronage dispensation fostered corruption, waste and mismanagement and this led to fiscal and management crisis. The dominance of the three classes in course of time began to weaken as the conflict of interests among the three classes began to sharpen so as to separate the rural rich farmers from the urban industrial and professional classes. Achin Vanaik in supporting the Bardhan's understanding of the dominant coalition, points out that there is a problem in considering the professionals as a class because their interests are linked to the expansion and consolidation of structures of education and administration. He argues that they have no interests that really unify them other than in their quest for more jobs. The dominant coalition is, therefore, not a stable fixture. Sudipta Kaviraj also discussed theme of ruling class coalition, but emphasized how in countries like India, reproduction of capital depends critically on the state. Kaviraj insists that the bureaucratic elite should not be seen as a category subservient to the bourgeoisie. In fact, he points out that this class provides the political intelligence to the bourgeoisie. Thus, the conflicts between the ruling class who are fully shielded by the state which did enjoy a considerable degree of relative autonomy and the subordinate classes comprising certain organized and urban working class segments of which did enjoy support mainly through trade union organizations, from political forces in the communist movement, socialist parties and even the Congress party has not produced 'class politics' in the traditional sense though the hiatus between the haves and have nots has increased. This is not only because of the centrality of the Indian state in the nation's political economy which has allowed enough space for the ruling classes to prosper but at the same time, has gained the allegiance or passive support of the

212 NSOU • CC-PS-04 majority of the governed, making some compromises while protecting the vital interests of the ruling classes. There are also serious weaknesses of the left forces, the working class movement and disorganized poor peasantry and the agricultural labourers. The Communist parties except a few radical groups in scattered rural pockets in Bihar and Andhra Pradesh have tended to become reformist, though they have not eliminated from their party programmes the explicit reference to the conflict of class interests and the achievement of socialism as their final goal. The Communists particularly the CPI(M), for the most part have retained their political support in three small states of the Indian Union; they had to adapt themselves to the new economic and social circumstances, resulting ultimately in the decline of the working class movement relative to the burgeoning growth of the middle classes which have come to be seen as a crucial factor in electoral politics; the increased assertion of caste and community as the modern political and economic idiom in national politics. All these processes and factors have retarded the development of a distinctive class consciousness in the working class and the diminution of its role in politics while the national bourgeoisie with a clearly class political orientation and its increased power accumulated under the protective umbrella of mixed economy has become more and more assertive in determining the politics of the state. Over the decades, the organized working class has experienced unrelenting pressure from industry and government alike, while the leadership of the communist trade unions has failed to withstand the pressure of fragmentation and deep-running structural changes of the labour force. These phenomena lead to the fact that the working class consciousness has been a casualty of political divisions within the communist movement as well as between the communists and the Congress. Ideologically, the two Communist parties are committed to class analysis of society but the analysis has proved less and less susceptible to realization as they are bent upon sustaining themselves as a political party in a competitive political system rather than as a social movement engaged primarily in class-based mobilization. The left and Democratic Fronts in West Bengal, Kerala and Tripura became, in reality, a coalition for winning power like other coalitions. The Communists' newly felt enchantment with electoral politics as a part of the 'war of position' have catapulted them to parliamentarianism which Gramsci regarded as the only way forward in capitalist democracies. On the other hand, the ideology and class character of the new agrarian relations in the countryside that have emerged in the post-independence period is varied from NSOU • CC-PS-04 213 region to region, state to state which according to Andre Beteille, because of the complex hierarchical rural society in which the interests of the farmers are overlaid with various kinds of cleavages of caste. Firstly, in every region, there are groups of landed castes who control most of the land, the primary productive asset, and other economic resources and who are also politically powerful. Secondly, these caste groups constitute politically, solidarity groups in relation to other castes whether of the elite. Lower or untouchable status. Thirdly, these relatively solidarity caste groups do often compete among themselves for access to scarce resources and political power. Fourthly, the untouchable castes, the Dalits- standing at the lowest rung of the caste hierarchy-form the largest number of the landless and wage labourers and being mostly unorganized are vulnerable to attack by the landed caste- men and their caste senas (armed goons). Within three decades after Independence, there has been a gradual shift of political power from the landlords and upper peasants of the traditionally dominant castes to peasant cultivators of the middle castes. The principal political struggle until the mid- 1960s was concentrated between the upper and middle peasantry. While consolidating their power, the middle peasant castes formed an alliance from below by sharecroppers and landless labourers, most of whom are dalits (scheduled castes). This has signified the potential for agrarian conflicts. During 1966-71 and onwards such potential conflicts have manifested in two aspects. Firstly, the struggle involving land claims and harvest shares occurred in pockets of Andhra Pradesh, West Bengal (the uprising in the Naxalbari sub-division of Darjeeling district) in 1967 and some other 'Naxalite' inspired incidents in small areas in Andhra, Bihar, Tamil Nadu and Kerala, of which the uprising in Srikakulam in Andhra Pradesh was the largest. Secondly, by the late 1970s and 1980s, the dynamics of power process had acquired a new pattern. Class and caste forces had evolved their own methods of manipulating liberal democratic politics. The oppressed social groups had acquired greater awareness of their democratic rights. So, during the 1980s and 1990s, there was a reassertion of upper class and upper caste power on the one hand, and regrouping of backward classes, tribals and dalits, on the other hand. The demand by 'backward classes' for reservation of posts in government services and seats in educational institutions was the expression of upwardly mobile lower caste cultivators' efforts to challenge the literate upper castes. But the salience of class as a tool of political mobilization declined significantly as drastic economic reforms by way of liberalization and privatization diluted the state-based modes of working class politics and as a new politics of cultural difference began to find a new and vigorous reception in the polity.

214 NSOU • CC-PS-04 The rise of the BJP and the intensification of the caste-based mobilizations did not markedly alter the class character of the Indian state. In a sense, it relegated class issues to the back burner since masses started to respond to communal and group-based identity articulations as never before in the past. The new age of capitalism underway in India since 1991 however did not produce a rightist onslaught from the Right in the more classical economic sense. This corroborates to the relevance of Rudolph's theses regarding the nature of class politics in India being based on a broad centrist consensus. From the foregoing analysis, it is evident that class does not play an important role in politics in the country. It means that class has not yet become, as in advanced capitalist societies, the basis of Indian party politics, because of the underdeveloped capitalist economy and importance of primordial group identities like caste, religion and ethnicity as the basis of political action.

17.6 The Indian Constitution and the Affirmative Action Policies : Mandal Commission

While the earlier discussion on caste-class relations was based by the theory of social stratification, recently the caste-class discourse has been triggered by the state policy of affirmative action or positive discrimination for socially and educationally backward classes relegating tradition-modernity paradigm of analysis to dysfunctional due to consequences of increasing political instability, political fission, proliferation of parties, rise of dalits and backward classes and their socio-political assertion in the 1980s and 1990s. Because, it may be noted that in the years following independence, the traditional upper castes continued to rule in most parts of India. Until 1977, upper castes continued to hold prominent elected positions in Uttar Pradesh. Until 1962, as many as 63% of ruling Congress members of the Legislative Assembly came from elite castes. Soon, however, traditional peasant castes such as Ahirs, Kurmis, Koeri, Lodh Rajputs, and Jats began to dominate the political scene of northern India. In the southern state of Tamil Nadu, the Vanniyars and Thevars became assertive, and in Karnataka, control was wrested in the mid-1950s from the traditional rural elite within the Congress party by the Vokkaligas and Lingayats. In the North Indian Hindi speaking belt, upper caste members of parliament fell below 50% for the first time in 1977. The challenge to the established Congress was mounted in Uttar Pradesh rather effectively in the late 1960s by a coalition of peasant castes led by Charan Singh. In Bihar also, there was a significant decline of upper caste members of the Legislative Assembly after 1977.

NSOU • CC-PS-04 215 In Bihar and Uttar Pradesh, Yadav caste gained a great degree of salience. In Uttar Pradesh, the Samajwadi party is headed by Maulayam Sing Yadav and in Bihar; the Rashtriya Janata Dal had Lalu Prasad Yadav at its helm. The decline of the traditional elite castes in Indian politics has been a fact giving rise to peasant castes as 'bullock capitalists' who challenged the hegemony of the traditional Kshatriya castes such as the Rajputs and Bhumiya. These peasant castes constitute 34% of the population but control about 51% of land. The political emergence of these bullock capitalists coincides with the emergence of the backward class movement in large parts of India. According to Srinivas, the bullock capitalists are small owners of land, yet they exercise considerable political power in contemporary India. The factors behind the emergence of the OBCs in post-independence India is that though the Green Revolution vastly expanded agricultural production generating surplus, but there were vast stretches of poverty, deprivation and inequalities, affecting mainly the bulk of the poor, landless poor peasants and unorganized worker along with the scheduled caste, backward classes and schedule tribes who were suffering more and more from poverty. These developments intensified the contradictions in the societies and further weakened the capacity of the polity to cope with challenges of economic development on the one hand and demands of emerging social groups on the other. Hence in the 1980s, India experienced a democratic upsurge of dalits, adivasis, women, peasants and regional identity groups. It is in this situation; the dynamics of power process had acquired a new pattern. Class and caste forces had evolved their own methods of manipulating liberal democratic politics. At the same time, the oppressed social groups had acquired greater awareness of their democratic rights of the Constitutional provisions facilitating regrouping of backward classes, tribals and dalits. The demand by backward classes for reservation of posts in government services and seats in educational institutions was an expression of upwardly mobile lower caste cultivators' efforts to challenge the literate upper classes. These backward classes are now known as Other Backward Classes (OBCs) and in general comprise largely peasant and other agrarian communities. These castes are not untouchables but are considered backward as they lack a culture of learning on account of their lowly peasant status. In recognition of this fact, the Constitution of India recommended that the state intervene and help these communities by legislating some measures that would break the cycle of poverty and backwardness. The

216 NSOU • CC-PS-04 Constitution provided clear policies of positive discrimination and reservation for the SCs; it did not do so in the case of backward castes. It only expressed an intention of intervening in some form and left it at that in meeting the growing tension posed by them.

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In pursuance of Article 340 of the Constitution, the kalelkar Commission was set up in 1953, but it could not come to any satisfactory conclusion about who should be legitimately considered as OBCs.

Even the Nehru government declined to accept the recommendations of the commission, arguing that the basis of classification should not be caste. Thereafter, following the ouster of Indira Gandhi government, the Janata party came to power. To deliver, what they called, as 'social justice', they formed the Second Backward Commission headed by B. P. Mandal in 1980, known as Mandal Commission

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and it promptly came up with a long list of 3743 backward castes on the basis of social, economic and educational backwardness,

allotting 27% reservation for them other than SCs and STs, in educational and government jobs. Like its predecessor, Mandal Commission defined backwardness on the basis of caste rather than class terms. The Commission argued, 'caste is also the class of citizens and if the caste as a whole is socially and educationally backward, reservation can be made in favour of such a caste'.

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The Mandal Commission's recommendations were implemented in 1990 by the then Prime Minister V. P. Singh.

The implementation set off a furore of protests resulting in Pan-Indian caste polarization for and against reservation. With the general recommendation, the Commission proposed the following overall scheme of reservation for OBCs : 1.

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Candidates belonging to OBC recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27 per cent. 2.

The above reservation should also be made available to promotion at all levels. 3. Reserved quota remaining unfulfilled should be carried forward for a period of three years and dereserved thereafter. 4. Relaxation in the upper age limit for direct recruitment should be extended to the candidates of OBC in the same manner as presently done in respect of SCs and STs. 5. A roster system for each category of posts should be adopted by the concerned authorities in the same manner done in respect of SCs and STs.

NSOU • CC-PS-04 217 These recommendations in total are applicable in all recruitment to public sector undertakings, both under the central and state governments as well as to nationalized banks. All private sector undertakings which have received financial assistance from the government should recruit personnel on the aforesaid basis. All universities and affiliated colleges should also be covered by the above scheme of reservation. In this connection, it is worth mentioning that in no case, the reservation should extend 50 per cent as per the Supreme Court judgment in 1963 in Balaji case. But with the reservation for economically weaker section (EWS), the total reservation it now stands at 59.5 per cent.

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In the case of Indira Sawhney versus Union of India,

the Supreme Court on 16 December 1992 upheld 27% reservation

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subject to the exclusion of socially- advanced persons/sections (creamy layer) from amongst the OBCs. The Court also directed to evolve criteria for identification of this creamy layer. In response to the Court directives, the Government appointed a committee which suggested

the rules of exclusion involving doctors, engineers, chartered accountants, actors, consultants, media professionals, writers, bureaucrats, defence officers of colonel and equivalent rank or higher court and supreme court judges and all central and state government class A and B officials as creamy layers. In August 2017, NDA government has raised from Rs. 6 lakhs a year to Rs. 8 lakh ceiling as creamy layer in financial terms. 17.7 Constitutional Provisions and OBCs The Constitution of India guarantees protection from social injustice and all forms of exploitation empowering the state to make provisions for reservation through proactive mechanism with a view to accelerate the development of the oppressed sections. Article 14 states equality before law. The state shall no deny to any person equality before law or equal protection of the law within the territory of India. The principle of equality is the essence of democracy. Equality before law implies the absence of any discrimination without rational basis. Equal protection of laws would mean that among equals, the law should be equal. Reasonable classification of the citizens is permissible. The exclusion of creamy layer in Backward Class is not to be treated violation of the provision. The state can treat the creamy layer on par with the forward classes and is not entitled to benefits of reservation. So, the equality that is contemplated under Article 14 is equality among equals but not unequal.

218 NSOU • CC-PS-04 Article 15(4) states "Nothing in this Article or in Clause 2 of Article 29 shall prevent

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the state from making any special provision for the advancement of any socially and educationally backward classes of

citizen or for the scheduled castes and scheduled tribes," including admission to educational institutions. Article 16(4) : "Nothing in this Article shall prevent the state from making any 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". Article 340 of the Constitution provides "that the President may by order appoint a Commission to investigate the conditions of socially and educationally backward classes". The Directive Principles of State Policy as enshrined in part IV of the Constitution enjoy a very high place in the constitutional scheme and it is in the framework of the socio-economic structure envisaged in the Directive Principles that the Fundamental Rights are intended to operate. It is only then they become meaningful and significant for the millions of our poor people and deprived people who do not have even the bare necessities of life and who are living below the poverty level. This is why in Article 38, it has been laid down

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that "The state shall strive to promote the welfare of the people by securing and protecting

as effectively as it may

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a social order in which justice, social, economic and political, shall

inform all the institutions of national life". 17.8 Welfare Schemes and OBCs Apart from the Constitutional measures in protecting the interests of the OBCs, there are some welfare schemes for OBCs being implemented since 1998-99. The policy makers have underlined the need of educational and economic support for backward classes in order to reduce the disparity between them and the non- backward sections of the population. The welfare schemes are: (i) Pre-matric scholarship to the OBCs for studies in India : The aim of this scheme is to motivate the children of OBCs studying at pre-matric stage scholarships are awarded to students belonging to OBCs whose parent's/ guardian's income from all sources does not exceed to Rs. 44,500/- per annum.

NSOU ● CC-PS-04 219 The physical and financial achievements under the scheme during the periods of 2011-12 to 2013-14 are as follows : Year Budget Allocation Achievement Financial (Rs. in crore) No. of Beneficiaries Rs. In crore in lakh 2011-2012 50.00 24.65* 40.69 2012-2013 50.00 24.29* 47.01 2013-2014 150.00 25.00 115.99 *provisional Source- Reference Division, Lok Sobha Secretariat, Newdelhi, November 2014 (ii) Post-matric scholarships to OBCs for studies in India : This scheme is intended to promote higher education by providing financial support to OBC students studying at post-matric/post-secondary levels leading to their earning PhD degrees. The scholarships are awarded through state governments/ union territories administration to which the applicant belongs for study in recognized institutions. 1 Year Budget Allocation Achievement Financial (Rs. in crore) No. of Rs. In crore Beneficiaries in lakh 2 2011-2012 535.00 19.85* 527.99 3 2012-2013 625.00 24.02* 666.86 4 2013-2014 900.00 25.00 768.56 (Estimated) *Provisional. Source : Lok Sobha Secretariat, New Delhi, Nov. 2014 (iii) Construction of Hostels for OBC boys and Girls : The scheme aims at providing hostel facilities to students belonging to socially and educationally backward classes especially from rural areas to enable them to pursue secondary and higher education.

220 NSOU ● CC-PS-04 The following table shows the physical and financial achievements from 2011- 12 to 2013-14 : Year Budget Allocation Achievement No. of seats Financial (Rs. In crore) No. of hostels Rs. In crore 2011-2012 45.00 33 2578 16.07 2012-2013 45.00 21 2100 14.76 2013-2014 45.00 28 2050 23.19 Source : Lok Sobha Secretariat, New Delhi, Nov. 2014 (iv) Assistance to voluntary organizations for welfare of OBCs : The main purpose of the scheme of grants-in-aid to voluntary organizations is to involve the civil society and non-government sectors for improving the socio-economic conditions of OBCs, through skill up gradation in various trades to enable them to start income generating activities on their own and get gainfully employed. Under the scheme, financial assistance is provided to non-governmental organizations for imparting vocational training in various trades like craft, type and shorthand, carpentry, dari-making, electrician, motor / fitting / plumbing, printing / composing / book-binding, spinning and weaving, TV, VCR and Radio repair etc. The government of India meets 90% of the approved expenditure of the training programme. The physical and financial achievements under the scheme during the last three years are as follows : Year Budget Allocation Achievement Financial (Rs. in crore) No. of Beneficiaries Rs. In crore 2011-2012 5.00 2250 1.02 2012-2013 5.00 1310 0.46 2013-2014 5.00 5345 2.97 Source : Lok Sobha Secretariat, New Delhi, Nov. 2014

NSOU ● CC-PS-04 221 (v) Scheme under National Backward Classes Finance and Development Corporation : The National Backward Classes Finance and Development Corporation (NBCFDC) were set up in the year 1992 as a company, not for profit under section 25 of the Companies Act 1956 under the aegis of the Ministry of Social Justice and Empowerment. The main objective of the corporation is to provide concessional financial assistance to the members of the backward classes for their socio-economic development and to upgrade the technological and entrepreneurial skills of the individuals or groups belonging to backward classes through state channeling agency nominated by respective state government / UT. The following activities are implemented by NBCFDC : 1. Loan scheme—loan maximum Rs. 10 lakhs per beneficiary. 2. Margin money loan maximum Rs. 10 lakhs per beneficiary. 3. Micro Finance maximum Rs. 50,000 per beneficiary. In addition to these, there are several such other schemes such as New Swarnima scheme for women, Educational loan scheme, Saksham scheme, Silpa sampada scheme, Mahila Samridhhi Yojna, Krishi Sampada scheme etc. At a glance, NBCFDC financial and physical achievements during the financial years 2011-12 to 2013-14 are as under : Year Achievements No. of beneficiaries Loan amount disbursed Rs, in crore 2011-2012 215.65 1,39,100 2012-2013 225.20 1,45,970 2013-2014 285.27 1,64,717 Source : Lok Sobha Secretariat, New Delhi, Nov. 2014 (vi) Rajib Gandhi National Fellowship Scheme : This scheme is launched during the financial year 2014-15 to increase opportunities for the students of Other Backward Classes for pursuing higher education leading to their acquiring degrees such as M.Phil. and Ph. D.

222 NSOU ● CC-PS-04 (vii) National Overseas scholarship scheme for OBC candidates in the fields of engineering, management, agricultural science and medicine. Twenty- five awards per year are available under the scheme. 17.9 Implementation of Affirmative Action Programme There is no doubt that the affirmative actions recommended by the Mandal Commission and Government's Welfare programme have

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stirred the sensibilities of both socially and educationally disadvantaged sections of society, providing a powerful input that has brought about radical changes in Indian polity and society. The grammar of entitlement has become an integral part of the language of politics in contemporary India.

Viewed in this perspective,

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Mandal Commission takes forward the process of transfer of social and political power to

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majority community. In the context of Mandal II, V. P. Singh characterized

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as 'macro- process that has acquired its own dynamics. Hence, no matter which party forms a government, it has to take the process further.'

In fact, a decision by the then Prime Minister V. P. Singh to offer preferment to Other Backward Classes (OBCs) forced politicians to cultivate broader social coalitions-including blocs of caste which leaders sought to mobilize in exercises that are often called 'social engineering'. So,

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the centre of gravity in Indian politics is now defined by 'quota politics'.

But there has been a constant question about actual implementation and empowerment. Many writings and instances suggest the negative picture. Some scholars have opined that

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after Mandal, caste as a basis of collective struggle for gaining equality in positions and social status became a respectable term among the marginalized. It is now being used as an empowering device to enhance one's meager entitlements in society. The reservation thus,

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represented the politics of caste assertion or the politics of identity

instead of class consciousness. So, caste has become the right to power. Sudipta Kaviraj has argued that caste groups instead of crumbling adapted themselves to the demands of parliamentary politics. It thus, created a democracy of castes in place of a hierarchy. Though there are Dalit millionaires who went into establishing the Dalit Chamber of Commerce and Industry (DICCI), a Dalit Chief Minister in U.P., yet we still encounter instances where violence and atrocities are perpetrated on the basis of caste. We still witness that jobs that are largely considered inhumanlike manual and scavenging or sweepers have a definite caste pattern. According to the National Crime Records Bureau (NCRB), U.P. represents the highest number of crimes against Dalits and low castes as per its report in 2015. Naked parading of Dalit and

NSOU • CC-PS-04 223 low caste women still comes to light from time to time. Along with the rising violence and rape against the SCs and STs, similar rising trend is also evident with regard to rape cases against the OBCs. Although SCs / Dalits including OBCs are unable to confront the upper castes, even they fear to register protests with the police to ensure their legal protection. They are sometimes divided among themselves on sub-caste lines. It is also worth mentioning that they are landless and depend on the very castes that violate their rights to earn livelihood. Gopal Guru is of the opinion that dalit and obc issues make only a token appearance in the election manifestos of leading political parties and when they get inducted into a political hierarchy, he is given an unimportant portfolio like the Ministry of Social Welfare. In educational institutions low caste students are normally assigned to Dalit guides. Thus, these students are denied access to the larger teaching community. Similarly, Dalit teachers are denied access to general students. In the case of representation of OBCs in parliament is not satisfactory in relation to the proportion of their population. The OBCs representation in parliament in 1989 in the Lok Sabha was 11 percent; it jumped to 20 per cent and continued to grow in the Post- Mandal phase accounting for 26 per cent. The 2009 General Election again marked decline to 18 per cent. In 2014 Lok Sabha election, it shot up to 20 per cent only. Representation of the OBCs in the Central Services is less as compared to the percentage of reservation for them. Though the Union Minister of State for Personnel said in the Lok Sabha that representation of the OBCs as on January 1, 2012 was 16.55 per cent and this has increased to 21.57 per cent as on January 1, 2016, but it is far less than their percentage of reservation. The Union Minister, Jitendra Singh further said that 10 ministries and departments having more than 90 per cent of the employees in the Central government, including PSU banks and financial institutions, out of the 92,589 backlog vacancies for SC, STs and OBCs, 63,876 vacancies remained unfilled as on January 1, last year. The Times of India on December 26, 2015 reports that more than two decades after the Mandal Commission Report which mandates 27% reservation for OBCs, less than 12 per cent of employees of Central government ministries, departments and statutory bodies are from OBCs as on January 1, 2015. The Ministry of Human Resources, which is a major employer of group Some employees like professors in IITs and other central educational institutions. Going by the data available, under the group A, B, C and D categories of employees, out of 79,483 posts, there are only 9,040 OBCs in the staff.

224 NSOU • CC-PS-04 A closer look at the data indicates that there is not a single OBC grade A officer in the President's Secretariat, less than 9 per cent of the 651 Union Public Service Commission (UPSC) staff is from the OBC category. The Higher Education Department employs only 5 per cent OBC in grade A officers and 10 per cent OBC staff. Out of 41 grade A posts in the Department of Scientific and Industrial Research, there is only one OBC officer. The candidates from SCs, STs and OBCs are still heavily underrepresented in Government jobs despite reservation. At the high ranks, the situation is more acute. In fact, the situation is that 95.2% professors, 92.9% associate professors and 66.27% assistant professors are from general category in Central Universities. OBCs form only 14.38 as assistant professors in higher education. Among the non-teaching staff, only 10.17% are from OBC category. As many as 76% belong to the general category in this segment. In the Cabinet Secretariat, 80% posts are occupied by the general category; there are no OBCs in this segment. The representation of OBCs is worst in Indian Railways, India's biggest employer. It shows that there are 8% among officers of group A and B. SCs, STs and OBCs are underrepresented. All in all, it may be said that in the higher echelons, the higher castes or upper castes continue to dominate. Even the political leadership and governmental power is totally usurped by the upper castes and despite more than 50% of population, the OBCs could not get power in proportion to their population. Since political parties are under the control of upper castes, they invariably allot party tickets to upper castes and tend to ignore the interests of OBCs and other depressed castes.

17.10 Conclusion Caste and class are viewed as the two most significant dimensions of social stratification. They are considered as closely related, almost inseparably, basic processes of social life. But caste and class are not synonymous. They differ from each other. Caste is the evolution of centuries' old system in India as a unique traditional phenomenon of Indian society and class as a universal phenomenon of modern society. For a Marxist and a Communist, the two modes of production or a mechanical distinction between them is not only a vulgar simplification but divorced from the present day Indian reality.

NSOU • CC-PS-04 225 Caste has gone through various refinements and changes from the traditional stratificatory system of the idea of ritual purity and impurity and hierarchical structure to social identity caused by India's liberal democratic state and the institutions of competitive, representational democracy. As a result, the hierarchically ordered strata of the traditional caste system now function as horizontal groups, competing and cooperating with one another for the new economic and political power released in society through the process of modernization of its economy and democratization of its political institutions. The form of consciousness is also changing subjectively in terms of community consciousness. The sense of belonging to a high or a low status in ritual hierarchy is gradually fading away, augmenting in the process to identity claims. In the villages too, the traditional social relationships are being refined in economic terms. The 'green revolution' and with the increasing role of the state and other outside agencies in the food production and distribution system of a village, the social organization has substantively changed. From the system of ritual status hierarchy, it is becoming an economic organization. The stratificatory system as it functions in India today can, therefore, no longer be characterized as a hierarchy of ritual statuses. The ritual status system has disintegrated and castes as individual self-conscious communities continue to survive. Consequently, the discourse of caste and class represents same structural reality where domination and subjugation, surplus and exploitation, privileges and deprivations are universally found in caste and class. The question is, therefore, not one of class versus caste. It is the formation of classes in the weak capitalism in India within the inherited caste structure. The contemporary discourse on caste, class and politics in India has been liberated from the straitjacket debate of modernization vs. traditionalization and dichotomous vs. dynamic relations, the centrality of caste as an agent of politics and its dominant role in Indian socio-political life have neither been removed nor firmly challenged. Rather, recognition of caste as an instrument of socio-political change by the Mandal Commission and caste-centric public-political movements of the 1980s and 1990s, such as Dalit and Backward class movements have not only enlivened new debates in India, but have reinforced a caste-centric public-political life, giving it a modern value and a secular purpose. Hence, the contemporary discourse is deeply interested in investigating the changing landscape of socio-political life as a result of the political assertion of Dalits and Backward classes and its overall impact on Indian politics.

226 NSOU • CC-PS-04 While the pre-Mandal discourse on caste-class relations was framed by the theory of social stratification, the recent debates have been triggered by the State policy of positive discrimination for socially and educationally backward classes. 17.11 Summing Up • Social structure in India is the most stratified society in the world. In this stratification, there exists the differentiation of the population into hierarchically superimposed classes manifested in the existence of upper and lower layers. Apart from class, caste as an important social institution is predominant in this social structure persisting in the process of continuity and change in India. According to the Indian Marxist thinkers, the institution of class did not exist prior to the British rule. Hence, caste is a pre-class institution of exploitation and administration in India. With the colonial regime, two modes of production, that of caste and class, came to co-exist with each other. It is within this social stratification that class formation is taking place as capitalism is still developing in India. The question is therefore, not one of class versus caste. It is the formation of classes under modern capitalism within the inherited caste structure. To a large extent, the most exploited classes in our society constitute the most socially oppressed castes. And to that extent, the struggle against class exploitation and the struggle against social oppression complement each other. • The centrality of caste as an agent of politics and its dominant role in Indian socio-political life got recognition by the Mandal Commission through affirmative action. In this respect, it may be mentioned that the demands and recognition of backward classes for reservation was partly an expression of lower cultivators' efforts to challenge the literate upper castes or what may be called as challenge to the upper classes in India. It is clear that class has yet to become as in advanced capitalist societies, the basis of mobilization because of the underdeveloped capitalist economy and importance of primordial group identities like caste, religion and ethnicity as the bases of political action. 17.12 Probable Questions Essay Type Questions : 1. Define class. Distinguish between caste and class NSOU • CC-PS-04 227 2. Discuss the inter-connection of caste and class in power structure and politics in India. 3. Bring out the Constitutional provisions relating to affirmative actions for the OBCs Long Questions : 1. Make an assessment on the implementation of the reservation of OBCs in India. 2. Mention the Mandal Commission's recommendations for the OBCs. 3. Do you think that the two terms caste and class overlap with each other in India? Give reasons for your answer. Short Questions : 1. What does the term 'class in itself' and 'class for itself' signify? Explain. 2. What was

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What are the criteria for identifying the creamy layer? 17.13 Further Reading 1. Mohanty, Manoranjan (ed.); Class, Caste and Gender. Sage Publications, New Delhi, 2004. 2. Sharma, K. L. (ed.); Caste and Class in India. Rawat Publications, Jaipur, 2018. 3. Bardhan, A. B.; 'Caste-Class Situation in India' in K. L. Sharma, (ed.); Caste and Class in India. Rawat Publications, Jaipur, 2018. 4. Sharma, K. L. (ed.); Social Inequality in India : Profiles of Caste, Class and Social Mobility. Rawat Publications, Jaipur, 2012. 5. Chakrabarty, Bidyut;

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NSOU • CC-PS-04 229 Unit - 18 □ Affirmative Action Policies : Environment Structure 18.1 Objectives 18.2 Introduction 18.3 Meaning of Environment 18.4 Man and Environment 18.5 Philosophy of Development 18.6 North – South Debate 18.7 The Global Environment Scenario 18.8 The Indian Environment Scenario 18.9 Global Environmental Protection Measures 18.10 Affirmative Policies Pertaining to Environment in India: Constitutional, Legislative and Judicial Measures. 18.11 Constitutional Measures 18.12 Judicial Activism for Environment Protection in India. 18.13 Some Remarkable Principles and Doctrines propounded by the Indian Judiciary 18.14 Public Interest Litigation 18.15 Conclusion 18.16 Summing Up 18.17 Probable Questions 18.18 Further Reading 18.1 Objectives On reading this unit, the learners will be able to :

- explain the term 'environment' and its importance in our life.

230 NSOU • CC-PS-04 • find out the relationships between man and environment. • understand as to how the economic prosperity at the cost of Earth's supportive systems engenders environmental degradation. • appreciate the debate between the developed and the developing countries over the issue of sustainable development. • enumerate the Global scenario of environmental deterioration and risks. • show India's vulnerability to various environmental problems. • know the Global measures for environmental protection under the initiative of the United Nations. • understand the affirmative policies pertaining to environment in India through the constitutional, legislative and judicial measures. • focus the Indian Judiciary's active role in the protection of environment. • learn the creative and innovative aspects of the Public Interest Litigation relating to the area of environmental protection.

18.2 Introduction In the twenty-first century, the conservation, protection and improvement of human environment are major issues all over the world. Human world consists of both physical environment and biological environment. Physical environment covers land, water and air. Biological environment includes plants, animals and other organisms. Both physical and biological (biotic and a biotic) are interdependent. Industrialization, urbanization, explosion of population, over-exploitation of resources, disruption of natural ecological balances, destruction of a multitude of animal and plant species for economic reasons are the factors which have contributed to environmental deterioration. One country's degradation of environment deteriorates the global environment for all the countries. As a result, the problem of environmental pollution has acquired international dimension and India is no exception to it. It is not to be out of context to point out the fact that alongside advances in civilizations, there is disjuncture in set of relationships between men and nature. This disjuncture is manifested through considerable downgrading the quality of basic natural resources like air, land and water and other supportive life systems like forests, marine resources and the like. Some scholars have described the current

NSOU • CC-PS-04 231 conditions within environment and its potential directions as truly alarming and counter-productive to the advancement of human race. They are using such terms as 'crisis', 'disasters', 'irreparable losses' etc. to highlight the situation. But it is to be noted that the setbacks conceived and perceived in the arena of environment are not left unanswered or unchallenged. All over the world, the people at the local levels and beyond it or larger entity who have been directly victimized by depletion of natural resources like water, fuel, fodder etc. are organizing themselves to raise voices against the menace. There are instances of people's movements in all parts of the world for articulation of their demand for restoration of status quo and total abandonment of the capricious ways of modernization. In this emerging, ever-increasing battle of the common masses in urban and rural areas, a new paradigm of environmental management discourse is on the anvil to focus or envisage a new global economy where industry, society and ecology do not vie with each other in mutual hostility, rather it ushers in the ethos of human development essentialising the philosophy of sustainable society based on a balance between economic growth and ecological protection. There is no denying the fact that the degradation of our environment is linked with the development process and ignorance of men/people about retaining the ecological balance. It is essential to environmentalise the development issues with a world-view that man is not above nature. Such a strategy of balance between economy and ecology for the protection of environment is a broader road map to meeting the needs of the present without jeopardizing the ability of the future generation to meet their own needs. It may be mentioned that various efforts aimed at protection of environment have been a recent phenomenon. Systematically, in the 1970s and by the end of 1980s, the Stockholm Declaration of 1972 and the United Nations Conference on Environment and Development (UNCED) held at Rio de Janeiro in June 1992, especially the "Agenda 21" sparked off the growing concern for the degradation of environment worldwide. It made a significant progress in arousing sensitivity towards environment and its protection, placing the concept of sustainable development at the centre. As a consequence of these declarations, in India the Environment Protection Act of 1986 brought more effective environmental legislation. Accordingly, Indian Parliament inserted two Articles, 48A and 51A(g) in the Constitution of India in 1976 as the affirmative measures to protect and improve the environment. 'The Right to Life' contained in Article - 21 of the Constitution of India include the right to clean and human environment.

232 NSOU • CC-PS-04 Apart from the constitutional mandate to protect and improve the environment, there are a plenty of legislations on the subject as the preventive measures or policies for environmental protection programme. These Governmental Policies are meant to act as safeguards for ensuring the life and dignity of the people in India. The Supreme Court's path-breaking initiatives have also led to setting new paradigms in environmental protection in India. Likewise the issue of environmental degradation has caught the attentions of agencies like media, NGOs, Social activists demanding for just and equitable development without undermining the natural support system.

18.3 Meaning of Environment

The word 'environment' is derived from the French Word 'environner', which means 'to encircle' or to surround. The most suitable definition of environment is as follows: "It is the sum total of water, air and land and the interrelationships that exist among them with human beings, other living organisms and materials". The geographical meaning of environment is that "It is a combination of living and non-living things and their mutual interaction with each other which leads to an eco-system". The environment encompasses all living and non-living things occurring naturally on earth. The Supreme Court of India defined environment as "Environment" 'related to the surroundings, but obviously, that is a concept which is relatable to whatever object it is, which is surrounded. Environment is a polycentric and multifaceted problem affecting the human existence'. Thus, environment is the sum total of all conditions and influences that affect the development and life of all organisms on earth. The crisis of environment engenders when in the sum total of all conditions and influences are in disequilibrium causing harmful effects on the living and non-living objects. Environmental degradation implies disequilibrium or imbalance or pollution or decrease in the quality of environment resulting in deleterious effects on the living and non-living objects.

18.4 Man and Environment

The earth provided the right environment – pure air, pure water, pure land, Carbon dioxide which in presence of strong sunlight helped the development of the living world consisting of plants, animals and man. Nature through its own cycles

NSOU • CC-PS-04 233 has readily helped in the evolution of life forms. These natural cycles – water cycles, oxygen cycles, nitrogen cycle, carbon cycle etc. are conducted in harmony with nature, but over the years this equilibrium was disrupted by man as he tried to improve his life style with the help of science and technology and as population grew beyond control which increased the need for more and more food, water and shelter. Man's greed and needs led to exploitation of natural resources which caused environmental degradation and world-wide crisis threatening human survival. Primitive man looked at nature with wonder and awe because of its terrible forces as manifested from time to time as lightning, thunder, cyclone, volcanic eruption, flash flood, landslides etc. In order to tide over the terrible forces and man's constant efforts for better living standards, he developed science and technology over the years. The Industrial Revolution of 1780 was a landmark in the history of human civilization. It started with the invention of steam engine in England. By 1840, England was transformed from an agricultural country into a predominantly Industrial one. The Industrial Revolution along with colonial rule made Britain the most prosperous country in the world in the 19th century. With the development of science and technology man continued to plunder natural resources and pollute the environment. He destroyed forest, degraded lands, threw toxic wastes into rivers and seas and also harmful gases into the atmosphere. The continuous load of pollutants into the environment brought about changes in it which ultimately backfired into series of disasters from time to time. Our earth called mother is the most precious gift of the universe. It is the sustenance of 'nature' that is a key to the development of the future of mankind. It is the duty and responsibility of each one of us to protect nature. The degradation of our environment is linked with the development process and the ignorance of people about retaining the ecological balance. It is, therefore, essential to environmentalise the developmental issues with a world-view that man is not above nature. This leads to the recognition of the fact that a balance between ecology and economy based on a win-win strategy or a synergy between development and environmental protection may be a broader roadmap to meeting the needs of the present without jeopardizing the ability of the future generation to meet their own needs.

18.5 Philosophy of Development

It is a fact that behind every great success of the world economy, science and technology, there is a crime, crime against nature. We are proud of our large scale

234 NSOU • CC-PS-04 hydropower, industrialization, urbanization, scientific inventions, but they tell tales of environmental as well as social disasters; indigenous folk are displaced, bio-diversity is destroyed, acid is released out of flooded soil and pollution; all these poison the eco-system. Similar is the tale of the 'miracle' crop varieties introduced in Asia or of the large grazing projects of Africa financed by the international lending agencies, such projects crowd out wild life, diminish the diversity of traditional crops and destroy local markets. We, thus, mean growth, economic growth at the expense of earth's natural systems. Such a philosophy betrays our greed underneath the façade of apparent prosperity. It also betrays our lack of vision – the vision without which we perish. What is ignored is a Grim Paradox inherent in the situation; that every phase of economic prosperity at the cost of the Earth's supportive systems releases subversive forces that bring in poverty. There is even a greater paradox, as the economy grows, ecological systems suffer severe jolts, growth thus involves decaying; it might even mean dying, contamination of water resources, pollution, deforestation, desertification, soil erosion, extinction of various species, acid rain, lethal storm, global warming and ozone depletion etc. All these are only a few of the innumerable symptoms that indicate stress on the earth. They warn us against disaster and insecurity. Looking at the burgeoning global human population scenario, we will be witnessing an explosive situation. The world population 6 billion at present might have crossed 7 billion mark by 2015. The earth is, in fact, burdened and overburdened. The needs of this huge number of human beings cannot be supported by the earth's natural resources without degrading the quality of human life. And the hour of our faith on equitable distribution in the neo-liberal global economy is over. Now we think we have to go after growth. This 'greed'; it is called 'need' is without limit that leads to ironically degrading the environment by telling upon ecological system which by implication, upon our lives. The torture on environment implicates self-torture, even self-killing. The evidence of this torture is present everywhere, both in the biotic and the abiotic components of our environment. As Lester R. Brown observes, "our economic policies that have yielded the extraordinary results in the world economy are the same ones that destroying ecological support system". In the neo-liberal theories, growth implies yielding to market forces – a shift to the industrial economy where the nation state is likely to have minimal control. Intellectually and historically, the shift gained in force from the philosophies of Francis Bacon and John Locke as well as those of the Enlightens and the ethics of the protestants/puritans, all justifying nature-domination or nature exploitation by

NSOU • CC-PS-04 235 promoting their idea of 'progress' and upholding it apparently with the prospect of a future. Nature-domination can be traced further back to ecclesiastical teachings, where God is said to have created nature for man to use. So, the environmental degradation or ecological imbalance is due largely to this disposition long nourished through Christian traditions and tend support to the anthropocentricity of the philosophy of development which justified, still does, man's role in dominating everything around. But we ignore the common lesson that nature cannot be dominated, it can only be cooperated with. Nature domination risks being annihilated. The threat we have been experiencing now. It is not difficult to see that some of the threats foretell disaster. To get rid of the forthcoming disaster, then is 'Zero growth' recommendable? Or should we look back to the "golden days of yore in the manner of Rousseau, when man and nature were in ideal state without any ripple or murmur of discord? Perhaps, we cannot stop growth. On the contrary, we can no longer let suffer our earth to be flayed and tormented in the name of growth. Logically then; we need reconciliation. We need to broaden the goals of development by incorporating new mechanisms to prevent environmental degradation. It is recognized that ecology involves self- regulatory systems, provided our intervention does not go beyond the tolerable limits, and ensures the possibility of growth within natural limits. The economy based on market forces needs to be restructured in keeping with the principles of ecology. The economists and ecologists must work together to foster development without endangering the climate, air, water and forests. They should take responsible, eco-friendly decisions devising a way out to the establishment of an eco-economy imperative to anchor our mother earth from degradation/pollution/extinction.

18.6 North-South Debate In respect of sustainable development and eco-friendly environment, much discussion has been taken place, but to little effect. It involved the nation into a battle of arguments. The developing countries (South) argue that since the increasing carbon dioxide emission by the developed countries (North) overfills the space, theirs is largely the responsibility of space-evacuation or that since 25% of the world population consumes 85% of its wealth and produces 90% of the total wastes causing trouble so much so that the burden of space-evacuation should naturally fall on them. The developing countries are, on the other hand, blamed for the alarming increase in carbon emission for the growing population that generates negative externalities.

236 NSOU • CC-PS-04 The polemics thus advanced lead us to nowhere. It is not effective enough to deal with the knotty problem of global environmental pollution. What, then, is needed is to evolve a common mission working together for environmental security, if we are eager to avert any magnum extinction. The emission of green-house gases and global warming has to be reduced considerably; even if it be with a change in the pattern of industrial activity in any country, be that developed, underdeveloped or developing. As regards, the sharing of 'pollution space', a strategy has to be reinvented calculating needs on the basis of equality and justice along with the removal of structural imbalances in the global and national economy as well as the unequal terms of participation in the global economy.

18.7 The Global Environment Scenario According to the study of the United Nations Environment Programme (UNEP) published in 2016 under the title Global Environmental Outlook (GEO – 6), provided assessment of the environmental issues affecting each of the world's six regions: the Pan-European region, North America, Asia and the Pacific, West Asia, Latin America and the Caribbean and Africa. The assessments find a host of common environmental threats that are rapidly intensifying in many parts of the world. The study warns that "if the current trends continue and the world fails to enact solutions that improve current patterns of production and consumption.... The world environment will continue to decline". The study further reveals the fact that "there is still time to tackle many of the worst impacts of environmental change such as the damage to marine ecosystems and the rising level of air pollution which has become one of the world's most widespread environmental health risks". It also states that "Across the world, climate change, the loss of biodiversity, land degradation and water scarcity are growing problems that need to be urgently addressed if the world is to achieve the goals set out in 2030 Agenda for sustainable Development". The key findings on Latin America and the Caribbean (LAC) state that green house gas emissions are growing in the region as a result of urbanization, economic growth, energy consumption, land use changes and other factors. The emission of nitrogen oxide and carbon dioxide from agriculture increased by about 29% air pollution. The region's urban population increased by more than 35 million people between 2010 and 2015 in Mexico and expected to climb to a total of 567 million persons by 2015. More than 100 million people already live in areas where they are at risk from air pollution. The report notes that Andean Glaciers which provide vital

NSOU • CC-PS-04 237 water resources for millions of people are shrinking and an increase in the intensity and frequency of extreme weather events are affecting economics. As regards Asia and the Pacific regions, the report reveals that unprecedented economic growth, which has lifted millions out of poverty in Asia and the Pacific, is putting heavy pressure on ecosystems. Increasing unsustainable consumption patterns have led to worsening air pollution, water scarcity and waste generation, threatening human and environmental health. Increased demand for fossil fuels and natural resources – extensive agriculture, palm oil and rubber plantations aqua culture and the illegal trade in wildlife – are causing environmental degradation and biodiversity loss. The Asia-Pacific region continued to be the world's most disaster prone area, accounting for about 41% of all natural disasters over the last two decades occurred in this region causing 91% of the world's deaths attributable to natural disasters in the last century. The area witnessed the number of record-breaking rainfall events accounting for 56% over the 1981-2010 periods. By the 2070s the top Asian cities in terms of population exposure to coastal flooding will be Bangkok, Dhaka, Guangzhou, Kolkata, Mumbai and Shanghai, threatening hundreds of millions of people with displacement. It is estimated that about 30% of the population uses drinking water contaminated by sources of human and industrial wastes. Water related diseases and unsafe water contribute to 1.8 million deaths annually and 24.8 million disability- adjusted life years in the region. Uncontrolled dumping as the main waste disposal method in the region is also the major source of disease. In Mumbai, about 12% of total municipal solid waste is burned either openly on the street or in landfills that release carbon, dioxins and carcinogenic furans. Along with this, growing middle class and urbanization has also led to unhealthy, polluting and carbon-intensive lifestyles. The main driver for accelerating domestic material consumption is the expanding middle class from 21% in 1990 to 56% in 2008. The size of this class is projected to increase from 1.8 billion in 2009 to 4.9 billion in 2030 in Asia. In the case of West Asia, a rise in the amount of degraded land and the spread of desertification are the "most critical challenges", having profound economic and environmental impacts on the region, according to the UNEP report. West Asia is suffering from an increase in water demand, over exploitation of ground water resources and deteriorating water. Water demand in the region is

238 NSOU • CC-PS-04 increasing while water quality is deteriorating. Due to over-exploitation of ground water, only 4 out of 12 countries in West Asia are above the water scarcity limit of 1000 cubic meters per person per year. Continuous conflict and the mass displacement of people throughout the region are also triggering severe environmental impacts that are endangering the health of people. Heavy metals from explosive munitions and radiation from missiles have leached into the environment. The 2.97 million refugees in Lebanon, Jordan, Yemen and Iraq are placing an immense environmental burden producing about 1,440 tones of waste per day in 2015, overwhelming governments and increasing the risk of disease out-breaks. The air pollution, lack of access to safe water and adequate sanitation, climate change, exposure to hazardous chemicals and wastes and exposure to radiation became the top environmental risk factors. More than 229,500 people die prematurely each year because of this specific environmental risk and 8.24 million healthy life years are being lost. Every individual in this region is losing 17 days of life annually because of environmental risk factors. Almost 90% of municipal solid waste in West Asia is disposed of in landfills sites and leachate from these is contaminating scarce ground water resources. It is estimated that air pollution alone which has increased steadily over the past two decades was responsible for more than 70,000 premature deaths in 2010. In Africa, land degradation, air pollution and the provision of sanitation and safe drinking water are among the main problems of the continent. Indoor air pollution is responsible for 600,000 premature deaths every year in Africa. The continent's reliance on the use of bio-mass for cooking, lighting and heating means that 90% of the region's population is exposed to this health threat. More than half of the population in Sub-Saharan Africa still does not have any access to improved sanitation. African mega cities such as Cairo, Kinshasa and Lagos and emerging mega cities such as Dares Salaam, Johannesburg and Luanda face challenges from poor management of sanitation services. In Africa, land is the most prized asset for food production and economic development. But about 500,000 square meters of land in Africa is being degraded due to soil erosion, sanitization, pollution and deforestation. In North America, environmental conditions in the region relatively have improved due to policies and regulatory frameworks. However, environmental challenges have emerged recently. Climate change is generating impacts across the region. Aggressive hydrocarbon extraction methods bring increased emissions, water

NSOU • CC-PS-04 239 use and induced seismicity. The coastal and marine environment is under threat due to ocean acidification, Ocean Warming (ELNINO), sea level rise and new forms of marine debris. Despite environmental regulatory measures, 140 million people exposed to pollution. Apart from this, climate change is damaging the environment, human health and wellbeing and human security in the region. The Arctic adjacent to this region is experiencing a profound transformation impacting on North America and the world as a whole. The climate change, global warming has gripped the environmental condition adversely. The largest contributions to global glacier ice loss during the early 21 st century were from glaciers in Alaska, the Canadian Arctic and the periphery of the Greenland ice sheet. Together these areas account for more than 80% of the total ice loss. The melting of sea ice has also created new expanses of Open Ocean, allowing large population of phytoplankton to bloom and alter the marine food chain. 18.8 The Indian Environment Scenario As per United Nations Environment Programme Report in 2019, India, as the World No. 3 emitter of green house gas, tops after China and the United States. According to World Health Organization, India is also highly air-polluted country which is adversely affecting the life span of its citizens reducing Indian lives by over three years. Over half of its population lives in areas where fine particulate matter pollution is high. Of the world's top 20 polluted cities, 13 are in India compared to just three in China. Among the cities in India, Delhi and Kolkata are the highest polluted cities. Yale University's The Environment Performance Index, has bracketed India among "bottom performers" in terms of its air quality, water and sanitation. India lags behind Brazil, China, Russia and South Africa in this respect. The Ganga and Jamuna are ranked among the world's 10 most polluted rivers. Some 345 million gallons of raw sewage and 70 million gallons of industrial waste flows into the Ganges every day Diseases that have been caught bathing in the river include dysentery, jaundice and cholera even hepatitis amoebic dysentery. Mindless concretization of ground and green belts are destroying the green cover changing the land use and shrinking of natural conservation zones such as forests, waste lands, sanctuaries and ground water rechargeable areas in Aravallis and Wetlands in Delhi, Haryana, Rajasthan and Uttar Pradesh.

240 NSOU • CC-PS-04 According to report by the Centre for Science and Environment, a Delhi based NGO, say the decline in the country's overall environmental standards was because of river pollution, piling garbage in cities and increasingly toxic urban air. India is vulnerable to various environmental problems. An estimated 60% of cultivated land suffers from soil erosion, water logging and salinity. For about 4.7 to 12 billion tons of topsoil are lost annually from soil erosion. Exploitation of Ground Water has become problematic in the states of Haryana, Punjab and Uttar Pradesh. Forest area covers 19.4% of India's geography area (63.7 million hectares). Nearly half of the country's forest cover is found in the state of Madhya Pradesh (20.7%) and the seven states of the North East (25.7%). The Northeast is experiencing net forest loss. Forest cover is declining because of harvesting of fuel wood and the expansion of agricultural land. Along with these trends, increasing industrial and motor vehicle pollution output have led to temperature increase and declining intervals of drought recurrence in many areas. In West Bengal, due to massive mangrove loss, salinity in soil is increasing making it unfit for agriculture. Global warming is blamed for causing droughts, floods and water shortages. It could disrupt the monsoons and cause vital rains to disappear from some places. The Mahanadi, Narmada, Tapi, Cauvery, Krishna, Godavari and Ganges river deltas are threatened by rising sea levels caused by global warming. The Ganges delta and the cities of Mumbai, Madras and Calcutta are particularly vulnerable to sea level rise. Global warming is being blamed for melting glaciers. The Gangotri Glacier in India is retreating at a rate of 30 meters per year. The use of Ozone-layer – depleting chemicals in India and China threatens to cancel out their progress, damaging the environment considerably. These are a few facts out of innumerable environmental problems facing India. 18.9 Global Environmental Protection Measures Global inter-government action began with the United Nations Conference on the Human Environment in Stockholm in 1972. This led to the 'Stockholm Declaration' and an action plan with over 100 recommendations on environmental assessment, management and support measures. The Stockholm slogan was "only one Earth".

NSOU • CC-PS-04 241 The Environmental debate centered around the club of Rome Report on the 'Limits to Growth' and talk of economic development. The Report highlights the consequences of unrestrained growth and linkages between several global problems. The Post Stockholm Concerns for the environment continued to grow in view of the widespread deforestation, industrial pollution and environmental degradation. The ozone hole, the warming of the earth, increased carbon dioxide in the environment all added to the growing environmental concerns, especially the link between the environmental degradation and industrial development and growth. With this in mind the United Nations in 1983 established the "World Commission on the Environment and Development" and it is commonly referred to as the "Brandt Land Commission". The Commission in its Report "Our Common Future" in 1987 defined "sustainable Development" – a "development that meets the needs of the present without compromising the ability of future generation to meet their own needs". Twenty years after Stockholm, the United Nations conference on Environment and Development was held in Rio de Janeiro in 1992, known as "The Earth Summit" or it was called the "Rio Declaration" which adopted an action plan of 40 chapters called Agenda 21 was adopted by over 100 Nations. Agenda 21 was geared towards achieving sustainable development in the 21st century. The 'Rio concept' follows : 1. Equal consideration of environment, society and economy; 2. Intergenerational solidarity keeping in mind the needs of the future generation; 3. A global consensus and political commitment at the national and international levels; 4. Improvement of the Non-Governmental Organizations (NGO); 5. Provides a blue print for the governments to attain a balance between the environment and the needs of the population; and 6. A Commission on Sustainable Development (CSD) was established to follow up the Rio agreements and it monitors the agreements of the Earth Summit at the local, national and international levels. As a follow up to the Rio agreements, several other conferences to focus on sustainable development were held in Barbados in 1994, "The World Summit on Social Development" in Copenhagen in 1995, "The Fourth World Conference on Women" in Beijing, 1995 and the "Second UN Conference on Human Settlements, 242 NSOU • CC-PS-04 Habitat II and Istanbul in 1996. In all these conferences, the focus was on following the Path of sustainable development and maintenance of ecosystem whether on land, water or air. The effort was an all inclusive development covering all sections of the population with a special focus on the vulnerable sections like women, children or the marginalized. A five year review of the progress of the 'Earth Summit' was held by the UN General Assembly in 1997. This was followed by a ten year review in 2002 by the World Summit on Sustainable Development held at Johannesburg, South Africa. It urged the Nations to make progress in the formulation and implementation strategies for sustainable development by 2005. In addition to those conferences, the Millennium Development Goals in 2000, Delhi Mandates in 2004, Kyoto Protocol in 2005, Montreal Protocol in 2007, Green Economy in 2008, Copenhagen Climate Negotiation in 2009, the G-20 Pittsburg Summit in 2009 and later at Durban 2011 and United Nations Climate Change Conference in Doha 2012 etc. were held to negotiate on world environmental problems and protection. The goals were to green the planet and to develop clean energy solution not at the cost of the future generations.

18.10 Affirmative Policies Pertaining to Environment in India : Constitutional, Legislative and Judicial Measures

The year of 1972 marked a revolution in the history of environmental management in India. It was the year in which a conference on Human Environment was held in Stockholm in response to the initiative of the United Nations. To implement the decision taken at the conference, the Indian Parliament introduced a landmark change in the field of environmental management. The then Prime Minister Mrs. Indira Gandhi in the first – International Conference on Human Environment at Stockholm in 1972 voiced deep concern about the degradation of the environment and eco-imbalances. She also emphasized that pollution, population and poverty are interrelated problems and there must be an integrated approach to deal with them. India being signatory of the Stockholm Declaration which is known as Magna Carta on human environment, the Indian Parliament passed the forty second amendment to the constitution in the year 1976 and incorporated specially two Articles relating to protection and improvement of environment. Article 48 A and 51 A(g) were inserted making state as well as the citizens, both under constitutional obligation to conserve, perceive, protect and improve the environment.

NSOU • CC-PS-04 243 Initially, the judiciary's response to the problems of the environment had been far from ideal and the courts outlook may be regarded as insensitive towards environmental issues and problems because of the unstable political scenario in the country in the wake of emergency rule., Till 1980s, not much contribution was made by the courts in preserving the environment, but one of the earliest cases which came to the Supreme Court, formed the foundation of judicial response. In *Ratlam Municipality vs. Vardhich and A.I.R. 1980 S.C. 1623*, Judge Krishalyer highlighted the need for environmental consciousness and elaborated the scope of the Criminal Law Concept of Public nuisance. In this case, the Supreme Court increased the range of section 133 of the Code of Criminal Procedure (CPC) to uphold a magistrate's order directing the municipality to carry out its duty towards residents. The municipality was ordered to remove the nuisance of open drains and of public refuse from nearby slum dwellers. The court observed that the non-availability of funds cannot be pleaded as ground for non-performance of municipality's statutory obligations. The case put forth the need of clean environment in all aspects. In early 1980s, Forest Conservation Act, 1980 and the Air (Prevention and Control of Pollution) Act were passed. But the authorities had shown reluctance to use their statutory power against the polluters which resulted in the acceleration of degradation of the environment. Therefore, the judiciary took the lead and played a key role in protecting and preserving the environment through its judicial pronouncements. The development of environmental jurisprudence in India through the innovative judicial decisions of the Supreme Court and the High Courts is a reaction towards the failure on the part of the Governmental agencies to effectively enforce the environmental laws. It needs to be pointed out that the new activist role of judicial policing over environmental issues triggered specially after the Bhopal Gas Leak Tragedy.

18.11 Constitutional Measures

The Indian constitution is amongst the few in the world that contains specific provisions on environment protection. In the Articles 48 A and 51 A(g) in the Constitution of India, the phrase 'Protect and Improve' environment are definitely the affirmative Government action to improve the quality of environment and not just to preserve the environment in its degraded form. Article 48 A reads as follows: "The state shall endeavor to protect and improve the environment and to safeguard the forest and wild life of the country". The amendment inserted Part VI A (Fundamental Duty) in the constitution which reads as follows :

244 NSOU • CC-PS-04 Article 51 A (g) "It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes and wildlife and to have compassion for living creature". The cumulative effect of Articles 48 A and 51 A(g) binds the 'state' as well as the 'citizens' both under the constitutional obligation to conserve, perceive, protect and improve the environment. But, through Article 51 A (g), protection of environment was made a fundamental duty of all citizens. As a result, it is a fundamental duty of all citizens. As a result, reference to the environment has also been made in the Directive Principles of State Policy (Part –IV) as well as the Fundamental Rights (Part-III) of the constitution. The department of Environment was established in India in 1980 to ensure a healthy environment for the country. This later became the Ministry of Environment and Forests in 1985. Apart from the above constitutional provisions, the Article 'Right to life' contained in Article 21 of the Constitution of India includes the right to clean and human environment. It means that citizens have the right to live in a clean and healthy environment. It is a fundamental right. Following the constitutional mandate to protect and improve the environment, a plenty of legislations were passed on the subject. The relevant enactment are the water (Prevention and Central of P:ollution) Act, 1974, the Water Cess Act, 1977; the Air (Prevention and Control of Pollution) Act, 1981; the Environment (Protection) Act, 1986; Public Liability Insurance Act, 1991; the National Environmental Tribunal Act, 1995 and the National Environment Appellate Authority Act, 1997; the Wildlife (Protection) Act, 1972; the Forest (Conservation) Act, 1980 and The Noise Pollution (Regulation and Control) Rules, 2000; The Ozone Depleting Substances (Regulation and Control) Rules, 2000 etc. The Water Act 1974 provides for the Prevention and Control of Water Pollution and the maintaining or resorting of the unwholesome of water. The Act prohibits any poisonous, noxious or polluting matter from entering into any stream or well. The Act Provides for the formation of Central Pollution Control Board and the State Pollution Control Board. Both the Boards Constituted under the Water Act shall also perform the power and functions under the Air Act. Noise has been taken as air pollutant within the meaning of Air Act. Sound becomes noise when it causes annoyance or irritates. The use of crackers in marriages, religious ceremonies etc. cause not only noise pollution but also air pollution.

NSOU • CC-PS-04 245 Among the Acts, the Environment (Protection) Act, 1986 is an 'umbrella' legislation designed to provide a framework for Central Government coordination of the activities of various Central and State authorities established under previous laws, such as Water Act and Air Act. The Parliament passed the Public Liability Insurance Act, 1991 with a view to providing immediate relief to the persons affected by accident occurring while handling any hazardous substance and for matters connected therewith. The availability of immediate relief under this law would not prevent the victims to go to courts for claiming large compensation. For this purpose, The National Environment Tribunal Act, 1995 was enacted to provide for strict liability for damages arising out of accidents. The Wildlife (protection) Act, 1972 was enacted to provide for the protection of animals, birds and plants. The Act provides for State Wildlife Advisory Board to advise the State Government in formulation of the policy for protection and conservation of the wildlife and specified plants. The Forest (Conservation) Act, 1986 was passed to check deforestation of forests. It must be enforced strictly for the benefit of the general public. But it is clear that despite the constitutional mandate and elaborate legislations on environment, the enforcement of these legislations has been far from satisfactory. What is needed is the effective and efficient enforcement of both constitutional mandates and environmental legislations.

18.12 Judicial Activism for Environment Protection in India In recent years, there has been a sustained focus on the role played by the higher judiciary in devising and monitoring the implementation of measures of Pollution Control, conservation of forests and wildlife protection. Many of these judicial interventions have been triggered by persistent incoherence in policy making as well as the lack of capacity building amongst the executive agencies. Devices such as Public Interest Litigation (PIL), Public Trust Doctrine, and Polluter Pay Principles etc. have been prominently relied upon to tackle environmental problems. In addition to the statutory remedies such as under section 19 of the Environmental (Protection) Act, 1986, under area 133 of the Criminal Procedure Code, 1973 and Section 268 for open irritation under IPC 1860, a Writ Petition can be filed under Article 32 in the Supreme Court of India or under Article 226 in the High Court. It may be mentioned

246 NSOU • CC-PS-04 here that the new activist role of judicial policing over environmental issues triggered specially after the Bhopal Gas leak tragedy. Besides the Article 32 and 226, the right of a person to pollution free environment is a part of basic jurisprudence of the land. Article 21 of the Constitution of India guarantees a fundamental right to life and personal liberty. The Supreme Court has interpreted the right to life and personal liberty to include the right to wholesome environment. The court through its various judgments has held that the mandate of right to life includes right to clean environment, drinking water and pollution free atmosphere.

18.13 Some Remarkable Principles and Doctrines Propounded by the Indian Judiciary

1. Doctrine of Absolute Liability : In the Bhopal case, the Union Carbide Corporation vs. Union of India, the Court held that where an enterprise is occupied with an inherently dangerous or a hazardous activity and harm results to anybody by virtue of a mishap in the operation of such dangerous poisonous gas, the enterprise is liable to repay everyone of the individuals who are affected by the accident. The risk factor is not subject to any exemptions. It needs to be mentioned that in 1984, Bhopal mass disaster took place due to 40 tons of deadly toxic Methyl Isocyanate Carbon (MIC) gas leaked into the atmosphere from Union Carbide's pesticide factory (U.S. based Company), causing 3500 casualties and injuring 200,000 people. Apart from this, M. C. Mehtra vs. Union of India is also a pointer to the threat of hazardous elements to the health of man by the Supreme Court justifying Article 21 of the Constitution.
2. Polluter Pays Principle : It means that "If anyone intentionally spoils the water of another Let him not only pay damages, but purify the stream or cistern which contains the water". Lately, this principle has become a very popular concept. The fundamental basis of the slogan is "If you make a mess, it is your duty to clean it up". In environmental law, it only supports a remedial method in repairing natural harm. But in International environmental law provides that the polluting party pays for the harm or damage done to the natural environment. In our country, the Supreme Court in Vellore Citizen's Welfare Forum vs. Union of India has declared that the polluter pays principle is an essential feature of the sustainable development. The remediation of

NSOU • CC-PS-04 247 the damaged environment is part of the process of sustainable development and as such pollution is liable to pay the cost to the individual sufferers as well as the cost of reversing the damaged ecology. In this case, The Supreme Court further held that the pollution pay principle also means the 'Precautionary Principle' mandating the State Government to anticipate, prevent and attack the causes of environment degradation. Thus, this principle is closely associated with doctrine of sustainable development. Regarding the sustainable development, the court also dealt with the issue relating to the environment and development in the case of Rural Litigation and Entitlement Kendra Vs. State of UP and held that it is always to be remembered that the permanent assets of mankind are not intended to be exhausted in one generation.

3. Public Trust Doctrine : The Public Trust Doctrine rests on the Principle that certain resources like air, water, sea and the forests have such a great importance to people as a whole that it would be wholly unjustified to make them a subject of private ownership. The Doctrine imposes three kind of restrictions on the state: 1. The property must not be used for a Public purpose, it must be available for use by the General Public; 2. The property must not be sold; and 3. The property must be maintained for particular kind of uses such as navigation, recreation or fishery. In Bangalore Medical Trust Vs. B. S. Muddappa, the Supreme Court set aside the decision of the Bangalore Development Authority granting permission for converting the place reserved for Public Park for the establishment of a nursing home. The Court observed: "The Public interest on reservation and preservation of open spaces for parks and playgrounds cannot be sacrificed by leasing or selling such sites to private persons for conversion to some other use".

18.14 Public Interest Litigation Around 1980, the Indian Legal System, particularly the field of environmental law, underwent a sea-change in terms of discarding its traditional approach and it was marked by not only administrative and legislative activism but also judicial activism. 'Judicial Activism' refers to the active role played by the courts in India by adopting new creative and innovative interpretations of the constitutional rights

248 NSOU • CC-PS-04 expanding their ambit. This activism of the courts have been strengthened by the tool of Public Interest Litigation (PIL) which has enable the courts to entertain cases from public spirited individuals and NGOs active in the area of environmental protection. The concept 'the right to life' under Article 21 of the constitution gave the courts in India in making the expanded meaning of the term by playing active role. The ability to involve the jurisdiction of the Supreme Court and the High Courts under Articles 32 and 226 is a remarkable step forward in providing protection for the environment The landmark judgments in protecting environment have come through the means of public interest litigation. The alarming air quality in Delhi and the surrounding region was heard by the Supreme Court highlighting the air pollution caused by vehicles by emitting dangerous smoke as a result of petrol and diesel. The result was pollution-related illness. The court ordered to ensure that the public transport vehicles playing on the roads of Delhi must use CNG as fuel. This could be realized through PIL (The Delhi Vehicular Pollution Case, 1985). Through the means of PIL, the Supreme Court has also undertaken the task of Pollution in the river Ganga (M.C.Mehta Vs. Union of India, Ganga Pollution Case, 1998). The Supreme Court in Bichhri Village Case, 1988 applied the 'Polluters Pays Principles' and asked the polluting industries to compensate for the environmental damage caused by it. It was also a PIL case. The Supreme has also undertaken the task of forest preservation very actively through the means of PIL in T. N. Godavarman Tirumulkpad Vs. Union of India, 1997. Mining License in forest area without proper approval by the Government is violative of the Forest (Conservation) Act. All ongoing activities under such invalid license must cease. The State Governments have to take necessary remedial measures, the Supreme Court added in its decisions. The fundamental right to water has evolved in India not through legislative action but through judicial interpretation. In Narmada BachaoAndolanvs. Union of India and others, the Supreme Court upheld that "Water is the basic need for the survival of human beings and is part of the right to life and human rights as enshrined in Article 21 of the Constitution. The order passed by the Supreme Court clearly demonstrates the failure of executive to ensure compliance with the forest laws of India.

NSOU • CC-PS-04 249 These PIL cases became examples for the many developing countries looking to India as a country where human rights championed by an independent judiciary in the area of environmental protection through PIL were the remarkable achievements. It shows the commitment of the courts in India towards the cause of environmental protection: The decisions of the courts have widened the scope of the right to life by reading into it, the right to a clean environment. Thus, the courts in India have lived up to the needs of the time and have made significant contributions in evolving new principles and remedies. In most cases, courts have issued directions to remind Government authorities of their responsibilities to protect the environment. The directions were given to local bodies, especially municipal authorities to remove garbage and waste for clean towns and cities. The Swachh Bharat Mission (Clean India Campaign) launched on Gandhi Jayanti, Oct. 2, 2014 is a point in this case as an example. The directives of the Supreme Court went to the extent of spreading environmental awareness and education as well as launching of environmental education at the School and College levels. In this connection, the court also directed every State Governments and Education Boards to take steps for environmental education. Finally, in order to cut down delays of judgments in courts which are hindering the implementation of environmental laws, the National Green Tribunal (NGT) was established on 18 th October, 2010 under the National Green Tribunal Act, 2010, for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal rights and giving relief and compensation for damages to persons and property connected therewith. It is a specialized body equipped with the necessary expertise to handle environmental disputes involving multi-disciplinary issues. Initially, the NGT was proposed to be set up at five places of sitting and follow circuit procedure for making itself more accessible. New Delhi is the principle place of sitting of the Tribunal and Bhopal, Pune, Kolkata and Chennai are the other four places of sitting of the Tribunal Such courts may be vested with the jurisdiction to decide both criminal prosecution cases under the various environmental laws and civil cases for compensation to victims. The NGT consists of one judge and two experts from ecological and other sciences. The judge must be or has been a judge of the Supreme Court of India or Chief Justice of a High Court.

250 NSOU • CC-PS-04 18.15 Summary The earth is unique in the solar system in the sense that it is the only place that sustains life. But starting from the evolution of human being man has tried to achieve progress disregarding the sustainability of the earth. The concept of development has been equated with growth. Growth can bring money to individuals. It can ensure prosperity in terms infrastructure, transport, urbanization, industrialization fulfilling multi-dimensional needs. In fulfilling man's needs, man did not probe the linkages between development and environment. As a result, man's actions were having negative impact on the environment on a global scale leading to the degradation of ecological balance. The environmental degradation are now causing air pollution, deforestation, acid rain, Global Warming leading to climate change and other problems that are dangerous both to the earth and to ourselves. Today, the Conservation, Protection and improvement of human environment are major issues all over the world. Though numerous positive measures both at the global and local levels have been taken to tackle the environmental issues there is still a lack of its effective implementation. In India, it is evident, there are ample of constitutional and legislative provisions on environmental protection. But despite these rules and regulations, protection and preservation of the environment is still a pressing issue. Even the Courts in India have taken affirmative actions pertaining to environmental protection and preservation with phenomenal success. But mere legislations, rules and environmental activism by the judiciary would remain ineffective unless the people are awakened and political will is absent in its effective enforcement. In fact, what is needed is social awareness from below not from above. The protection of the environment and keeping ecological balance unaffected is a task which not only the Government but also every individual, association and cooperation must undertake. It is a social obligation and fundamental duty enshrined in Article 51 A (g) and Article 21 of the Constitution of India. 18.16 Summing Up • Environmental and ecological issue has assumed not only a national but global dimension today. The relationship between culture and nature has been punctuated with ecological degradation and crisis. The history of human civilization can be described as the history of ecological degradation and crisis.

NSOU • CC-PS-04 251 • The environmental degradation is anthropocentric. It is man's greed rather than need caused heightened adverse pressure on environment, generating ecological degradative shadows globally and putting man's existence in the world on the brink of extinction. The common lesson now is that nature cannot tamed and dominated it has to be nourished. Thought her care ample measures nationally and internationally for the preservation of environment but it is not enough. What actually needed is a war of awareness among the people to protect and keep ecological balance. 18.17 Probable Questions Essay Type Questions : 1. What do you mean by Environment? Point out its importance in our life. 2. Enumerate the global scenario of environmental problems with special reference to India. 3. Discuss the affirmative action policies relating to environment in India through Constitutional, Legislative and Judicial measures. Long Questions : 1. Mention briefly the global measures for environmental protection under the initiative of the United Nations. 2. Write a note on the relationship between man and environment. 3. Explain in brief, the Indian Judiciary's activism in protection of environment in the wake of Bhopal Gas Disaster in 1984. Short Questions : 1. Write a short note on the creative and innovative aspects of Public Interest Litigation relating to the area of environmental protection. 2. What is Agenda 21? Mention its basic features. 3. What are the 'Doctrine of Absolute Liability' and 'Polluter Pays Principles'? 18.18 Further Reading 1. Brown, Lester R.; Eco-Economy : Building an Economy for the Earth. Orient Longman, 2003.

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NSOU • CC-PS-04 253 Unit - 19 □ Affirmative Action Policies : Caste Structure 19.1 Objectives 19.2 Introduction 19.3 Meaning and Nature of Caste 19.4 Caste and Class Distinction 19.5 Caste in Colonial India 19.6 Caste in Independent India 19.7 Politicization of Castes 19.8 Caste Reservations and the Indian Constitution 19.9 The Commissions and Reservations 19.10 The Mandal Commission 19.11 The Implementation of Reservation Policy 19.12 Conclusion 19.13 Summing Up 19.14 Probable Questions 19.15 Further Reading 19.1 Objectives This unit will enable the students to learn :
• the meaning and nature of caste delineating the origin of the word 'Caste' and its structural and cultural practices in society.
• the distinction between caste and class identifying the comprehensiveness of caste within which class resides in India.

254 NSOU • CC-PS-04 • the Colonial account of caste highlighting the colonial role in reservation for 'divide and rule'. • the nature of change of caste in Independent India experiencing the deretualization of caste and appearing as a new 'avatar'. • identifying the role of Indian Constitution by incorporating different provisions for reservation in favour of caste. • the role of Mandal Commission describing the politicization of lower castes (OBCS) as deepening of democracy. • the role of the Supreme Court's direction in evolving criteria for identification of the creamy layer. • the implementation of Reservation Policies in India and a critical estimate of Caste reservation.

19.2 Introduction Among the divisive forces which afflict India's national life, disrupt the bonds of unity among people and affect its development, caste is the major issue. It is India's most complex and unique system of social stratification. In this social stratification, the glaring practice of inequality has been the oppression and denial of rights on the basis of caste. It has evolved for thousand years in India. During the evolutionary course of history, reform movements such as Charuvaka, Buddhism, Bhakti etc. could not make a dent in its exploitative nature of the system of caste based on Brahminicalsupremacy. B. R. Ambedkar, being frustrated at the fate of repeated attempts to annihilate caste within the Hindu framework ultimately opted for mass conversion movement – "Dharma chakra Parivastan". Though his conversion also did not succeed much to undermine the social marker of caste. During colonial period, as a result some secular reform movements and with the progress of modernization brought by the colonial rulers themselves there started some process of emergence of consciousness among oppressed castes as also some changes in the caste system. Yet, no significant change occurred as the lower echelons in the Hindu social hierarchy of caste system were deprived of access of jobs or education. The upper castes, especially the Brahman cornered the most prestigious jobs and received the best education.

NSOU • CC-PS-04 255 In the Post-Colonial India, caste continues to remain significant though the members of the Constituent Assembly firmly believed that with democracy and modernization, it would lose its importance. Far from losing importance, caste continues to exert determining influence in Indian society. Not only is the caste most conspicuous marker of social privileges in India as an insulated system of ritual- status hierarchy embedded in the religions culture of India, caste is able to maintain its autonomy and stability of status hierarchy by accommodating the changes without losing its structural and cultural integrity as well. So, it still survives by bringing in the process of 'Casteisation of Politics' within the democratic matrix on the one hand, and political mobilization of caste groups by the Political Parties in competitive politics has made them a politically significant variable on the other. The process is one of politicization of castes. The singular impact of competitive democratic politics on the caste system is that it delegitimized the old hierarchical relations among castes, facilitating new horizontal power relations among them. In such a process, ever-increasing demand for justice for the numerically dominant caste especially the OBC caste brought fore the need for affirmative action which is known in India as reservation. Thus, almost all political parties in modern India in order to consolidate their support have aligned with one caste group or another. Caste has, therefore, become a significant criterion of electoral politics in contemporary India.

19.3 Meaning and Nature of Caste While caste reigns supreme in the innumerable classes and divisions encompassing all aspects of the life, no precise definition of caste is available. Scholars are not unanimous in arriving at a commonly acceptable definition. Even there is a lack of accurate distinction between 'Varna' and 'Jati'. The prevalence of different perspectives to the analysis of caste stratification leads the scholars to locate the precise place of caste very difficult in Indian society.

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The word Caste originated from the Spanish and Portuguese word 'Casta' meaning 'race, lineage or breed'

or 'a group having hereditary quality'. The term was applied to people of India by the Portuguese to denote 'jati' and 'Varna'. There are four 'Varnas'- Brahmin, Kshatriya, Vaishya, Sudra and about 4000 'Jati'. The Portuguese specifically denoted caste to 'Jati'. In this sense, castes are to quote Andre Beteille, "hierarchically ranked groups or categories based on hereditary membership which maintain their social identity by strict rules of endogamy". Each caste is usually associated with more or less distinct ritual status in the hierarchical

256 NSOU • CC-PS-04 system based on the concepts of purity and pollution, that is, each caste is considered inferior to those above it and superior to those below it primarily in terms of purity/ pollution. But as the concept of 'Jati' originates from the root word 'Jana' which implies taking birth, caste is thus

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concerned with birth. According to Anderson and Parker, "Caste is the extreme form of social class organization in which position of individuals in the status hierarchy is determined by decent and birth". Caste system

is thus extremely elaborated and varied in its structure from area to area – so much so that it does not really constitute one 'system' at all, but a connected diversity of varying beliefs and cultural practices, though certain principles are shared by all the caste. As the 'Varna' system dividing into four Varnas may have existed in the stratificatory system in the past. In course of time, the fragmentation within them led to the emergence of hundreds of jatis. But Varna stratification had existed only at the level of theory, it was never a reality. The stratification that is prevailing is seen as jatis not of four varnas. Sometimes, both the concepts are used/ treated as synonymous, within the four-fold category of varna system, there is another group known as Ati-Sudra or untouchables, now categorized as backward castes or classes. Caste can now be defined as hereditary endogamous group, having common name, common traditional occupation, common culture, relatively rigid in matters of mobility, distinctiveness of status and forming a single homogenous community. A caste is a horizontal segmental division of society spread over a region, district or the whole state and also sometimes outside it. In the context of India, caste is not only a horizontal segmental division of society because various castes found in India are equal; there is an element of inequality prevalent in caste system originating particularly on the basis of inequality concept of Varna system. So, it can be apt to term caste system in India as vertical segmental division of the society also. Caste is closely related to the unequal distribution of power. It is not only a cultural system concerned with ideas and values but also a structural system concerned with domination and subjugation, privileges and deprivations, surplus and exploitation. From the above, it is evident that there are some features in the caste system. The 16th Century Portuguese visitor Duarte Barbosa provides an empirical account of caste. He identified the main features of the caste system: (a) as a hierarchy, with Brahmins at the top and 'untouchables' at the bottom; (b) as the practice of untouchability premised on the idea of 'pollution'; (c) as the existence of a plurality NSOU • CC-PS-04 257 of 'castes' separated from each other by endogamy, occupation and commensality; (d) as a system in which sanctions are applied to maintain customs and rules; and (e) as a relationship of caste with political organization. The distinctiveness in Barbosa's account of caste reveals the fact that he did not use the religions scriptures as the source of caste information. There is no reference to the Varna Theory of Caste in his narratives. He related the idea of pollution to the practice of untouchability and not to the functioning of the whole system. He saw caste not exclusively in ritual – status terms but also as a plurality of self-governing cultural communities.

19.4 Caste and Class Distinction Some scholars are of the view that castes are essentially class. The earlier ethnographers were interested in the question whether caste can be called class and whether they are interchangeable. Sociologists hold the view that caste and class are two distinct entities. The caste and class are the two forms of social stratification in India. Caste is a hierarchical division of society.

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A sense of highness and lowness is associated with this gradation or ranking.

A class system on the other hand allows both exogamy and endogamy, permits mobility either up or down the system. Caste is a social category, whereas class is an economic category. Caste is based on ritual criterion whereas class is based on secular. Ritual criterion means it is based on religious myths, secular means non-religious criterion like economic, political and social criterion. While caste is hereditary, a class is non-hereditary in nature. Though caste and class are not identical; but can be an important ingredient to identify the backward class. So, unlike class, caste is the basic pillar of the Indian social system. Caste in India may be taken as an example of social hierarchical system which has been serving for long time in India as social institution. Caste is not only an institution that characterized the structure of social stratification; it represented the core of India. It was both an institution and an ideology. Institutionally, caste provided a framework for arranging and organizing social groups in terms of their statuses and positions in the social and economic system. As an ideology, caste was a system of values and ideas that legitimized and reinforced the existing structures of social inequality. It provided a world view around which a typical Hindu organized his/her life. Apart from being an institution that distinguished India from other societies, caste was an epitome of the traditional society, a 'closed system' where generation after generation

258 NSOU • CC-PS-04 of individuals did similar kinds of work and lived more or less similar kinds of lives. Louis Dumont who approached the Hindu Caste system from a structural perspective, subscribed the above view and he further defined caste in terms of pure and impure, especially the superiority of the pure over the impure. Dumont also referred to 'status' in caste society as a principle of social organization superior to power. According to him, "status encompassed power". So, individual's position in the hierarchy is determined by status. But caste hierarchy has never been static throughout history. Though the upper castes have successfully tried to improve their status, having improved economic condition, a dominant section of some of the lower castes including the groups which were at one time treated as untouchables imitated customs and norms of the upper caste; what M. N. Srinivas conceptualized it as the process of 'Sanskritisation'. Yet another change witnessed in the caste system is the process of de- sanskritisation. K. L. Sharma who worked in the villages of Rajasthan informs that the higher castes are giving up their Sanskrit values in order to have interaction with the lower castes. He gave evidence showing the fact that the Rajputs, Jats and Brahmins now do not hesitate to touch the untouchables or even to sharing smoking with them. Commenting on this nature of change being experienced in caste with the rise of non-Brahmin movements in Southern India, G. S. Ghurye had argued that the attack on hierarchy by such mobilization did not mean the end of caste. It is a new kind of collective sentiment, "the feeling of caste solidarity" which could be "truly described as caste patriotism".

19.5 Caste in Colonial India

The significant change in caste system took place after a "second discovery" of caste by the Europeans. The Western Orientalist scholars, The Christian Missionaries and the British administrators began in their different ways to make sense of this complex phenomenon. A new discourse placed by them marked an important departure from pre-colonial accounts of caste. This new discourse was the product of a historical encounter between India and Western (British) Colonial Rule. The changes that brought about in caste were the unintended consequences of colonial policies. The oriental scholars reconstructed caste on the basis of Hindu religious

NSOU • CC-PS-04 259 scripture depicting it as the prism through which the colonial rulers began to see Indians and the whole of Indian society. To the British rulers, caste Hindus and untouchables and other low castes could hardly expect to work together as equals in a democratic political order as the former would maintain the rigidity of traditional hierarchies and caste discriminations which would prevent the poor and disadvantaged low castes from participating effectively in politics. Nevertheless, during the colonial period itself the existential realities of caste system began to be different from its typical ideal form. On the one hand, the traditional aspects of the caste system were getting changed and on the other hand, caste was acquiring new dimensions and functions – political. For administrative purpose, the British Government had brought a good deal of improvement in communication. The immediate effect of his, Writes Srinivas, was that it increased caste consciousness and inter-caste competition. This happened because now it was possible for the caste relations to outgrow its regional constraints and develop caste associations so as to bargain for some concessions from the British Government on the plea of backwardness in order to catch up with the advanced castes. Under such a situation, the colonial state assumed dual role: “that of a super-Brahmin who located and relocated disputed statuses of caste in the traditional hierarchy, and that of a just and modern ruler who wished to recognize the rights and aspirations of this weak and poor subjects”. Thus, colonialism was for instance, instrumental in ‘politicizing caste’ for its own ‘divide and rule’ strategy that was articulated through its well-calculated reservation scheme. The nationalist’s insistence on caste-based reservation had given the legitimacy which the colonial state needed to justify the scheme as beneficial to the peripheral majority who remained marginalized in the Hindu social hierarchy due to their birth in so-called lower castes. This scheme also helped the colonial state to protect its colonial political economy from incursion of the emerging nationalist movement. On the whole, the colonial regime not only introduced new terms of discourse on caste but also brought about some changes in the caste system itself. The most important among the changes was the formation of a new trans-local identity among lower castes collectively by forming caste association. Lloyd and Susanne Rudolph looked at the caste associations as agents of modernity in a traditional society like India. Rajni Kothari argued against the popular notion that democratic politics was helping traditional institutions like caste to resuscitate and reestablish their legitimacy. But this could lead to disintegrative tendencies that would disrupt the democratic and secular framework of Indian polity.

260 NSOU • CC-PS-04 Alongside the colonial dispensation of caste, during this period various socio- religious movements attacked the caste system. The social reformers like Raja Ram Mohan Roy, M. G. Ranade, Swami DayanandSaraswati and Jyoti Rao Phule etc. took up pioneering role through various organizations as well as the Rama Krishna Mission by Swami Vivekananda for abolishing caste system. However, these personalities and their movements could not succeed in removing the rigidity of the caste system in this period. 19.6 Caste in Independent India After independence many qualitative changes were introduced in the political system. The post-independence political leadership took a clear stand and position against giving caste any legitimate place in the political organizations of the new democratic nation. It was imagined that with the unfolding of the processes of industrialization, urbanization and modernization, the caste would disappear. But instead of disappearing; it was experiencing as a new ‘avatar’ in the democratic politics after India’s Independence. The changes that occurred in caste, especially after independence, amount to “de-ritualization of caste”. It means the delinking of caste from various forms of rituality which bounded it to a fixed status, an occupation, and rules of commensality and endogamy. Caste now survives as a kinship-based cultural community operating in a differently new emergent system of stratification. The modernization of India’s economy and the democratization of its political institutions have changed the hierarchically ordered strata of castes into a horizontal groups competing for power and control over resources in society. The feeling of belonging caste consciousness is expressed more in the nature of community consciousness rather than in hierarchical terms. This disintegrating system of traditional statuses into the new power system were created by elections, political parties and social policies – such as that of affirmative action of the state. Moreover, occupational structure based on traditional hereditary ritual status – pure and impure, undergoes changes due to income levels and life-styles. Along with this, the caste rules of commensality that is restrictions on accepting cooked food from members of other castes have become inoperative. The rules of endogamy have relaxed resulting in inter-caste marriage. Thus, the ideology and organization of the traditional caste system have become vastly eroded. This phenomenon is not only visible at the macro-level and urban

NSOU • CC-PS-04 261 areas, the rural areas are also subjected progressively to the same process. The traditional 'Jajmani' relationships which once regulated economic transactions between castes in social ritual terms, have been replaced by the relationships of employer- employee, of capital and wage labour. The consciousness created among members of the caste groups a perception of common political interest and modern status aspirations. The entire process is known as de-ritualization of caste system. 19.7 Politicization of Castes The deconstruction ideological foundation of India's hierarchical social order of caste politicized the Scheduled Castes and other backward castes. Some middle and lower castes sought equality with the upper castes. The compulsions of democratic system to mobilize the illiterate people particularly the poor and marginalized who had hitherto remained untouched by political processes, were politicized and began to participate in electoral politics. In this process, the universal adult voting rights is the most potent weapon of all in its hands. Due to the numerical strength castes got representation in decision making bodies and the strength of traditionally dominant castes was weakened. Political parties of all hues in modern India prefer to consolidate their support by aligning with one caste group or another. Therefore, the 'casteism in politics' is politicization of caste: By drawing the caste system into the web of organization, politics finds material for its articulation and moulds it into its own design. In making politics their sphere of activity, caste and kin groups get a chance to assert their identity and strive for positions. Caste has therefore become a significant criterion of electoral politics in contemporary India. Irawati Karve rightly points out that politician who enjoy privileged position aimed at perpetuating the operation of caste to seek sanction for their power in social system which possesses a great inequality in status, worldly goods and opportunities. In the rural context, 'Caste in Politics' has been the instrument of mobilization, a channel of communication, representation and leadership which links the electorate to the new democratic process. This inter-relationship frees the lower castes from exploitation and victimization by other castes. In this way, caste has provided 'substance of politics'. The resultant factor is that the meaning of caste itself has changed in the encounter between tradition and modernity. By creating conditions in which a caste's significance and power is beginning to depend on its numbers rather than on its ritual and social status and by encouraging egalitarian aspirations among its members, the caste association is exerting a liberating influence. In this sense,

262 NSOU • CC-PS-04 politicization of caste is creating a new cohesion which is making caste perform roles which are new and secular, based not on ascription but community outlook and aggregation of interest. Thus, politicization brought about some important changes in the "grammar of Indian politics". It shifted the democracy from the 'politics of ideology' to the 'politics of representation'. 19.8 Caste Reservations and The Indian Constitution In independent India, the affirmative actions significantly facilitated the rise to political power of the lower castes. This affirmative action is known as reservations. India gained her independence from the colonial rule of Great Britain in 1947. The new Indian state was modeled on British lines – a parliamentary democracy was established. Nehru and Ambedkar were both committed to the idea of an egalitarian India. These men were cognizant that a religion and caste-based would be contrary to egalitarian principles and would evoke discontent among the lower castes. Ambedkar expressed his view that "Anything you will build on the foundation of caste will crack and will never be a whole". The opening pages of the constitution, its preamble, envisaged a nation where the values of "equality, liberty and fraternity" would be supreme. Following the practices in democratic regimes of the western world, the Indian Constitution invented all legislative powers in Parliament and Legislative Assemblies in a federal system which was to be made up of elected representatives of the Indian people by strictly following the principle of universal adult franchise. While caste was decried by the middle class leaders of independent India, the mainstream Indian political leadership recognized the crippling impact that the working of the system over the centuries would have had on the subordinated sections of the Indian people and the implications of this ancient system on building a true democracy and individual citizenship. Against this backdrop, the Indian Constitution instituted certain legal and institutional measures in the Fundamental Rights and the Directive Principles to enable groups and communities of people who had been historically disadvantaged in the social system to participate in the game of democratic politics on equal terms. There will be no denying the fact that the positive effects the Indian policies and programmes of affirmative action have had in enabling the historically deprived

NSOU • CC-PS-04 263 sections of Indian people to participate in the economic and political life of the nation. India has also been successful in having been able to institutionalize a healthy system of democratic governance at different levels of its political system. While these achievements are no doubt commendable, they have not meant an end of caste in the social and political life of the nation. Caste has become politically more active institution today than it ever was in the past. The caste has got vibrancy largely due to the present electoral processes and competitive politics. This democratic and electoral experience has belied the hopes of the founders of modern nation. Though the Indian Political Scientists have defined the democratic process but the “deepening of democracy” questions have been raised as to the contradiction between the place of caste and democracy. The survival of caste clearly points out the flawed understanding of the reality of caste and that of the sociology of democratic politics. The Indian Constitution explicitly incorporates Compensatory Discrimination Politics in its different articles of the Fundamental Rights and the Directive Principles for the Scheduled Castes and Scheduled Tribes as well as socially and educationally backward classes in order to bring them into the mainstream and also to compensate them for centuries of discrimination. The key article 14 of the Constitution which guaranteed equality before law and equal protection of the law for all of India’s citizens, would aid in fulfilling the objectives of the democratic principles. But, the idea of reservation was accepted through provisions of fundamental rights for equality mainly in Article 15. Article 15(4) however, allows the state to make special provisions in the form of reservation for the advancement of both socially and educationally backward classes and those who are designated as scheduled castes or scheduled tribes. Correspondingly in Article 334 and 332 made guarantees in the form of reservations in legislatures, claims in services and posts in Article 335. Article 16(1) further provides equality of opportunity to all but adds that the state can make special provisions for SCs and STs [Article 16(4)]. Their interests are also taken care in the Directive Principles of state policy specifically in Article 38 and 46 which aim at securing social justice to the deprived sections of the population. Before 2019, the reservation was provided mainly on the basis of social and educational backwardness of castes. But after the 103rd Constitutional Amendment in 2019, economic backwardness is also considered, resulting in 10% reservation for economically weaker sections of the society, especially for the general people.

264 NSOU • CC-PS-04 Table–I Reservation Quota in India for Government Jobs Reservation Category Reservation Quota % Scheduled Tribe (ST) 7.5 Scheduled Caste (SC) 15 Other Backward Classes (OBC) 27 Economically Weaker Section* 10 Total 59.50% *103rd constitutional amendment. As seen from the above table, about 60% of seats are reserved in India for various sections like ST, SC, OBC and EWS (economically weaker section) with respect to Government jobs and Higher Education Institutions. 3% of seats are also reserved for differently abled persons across all categories. This means that only 40% of seats are available under merit. In the merit of seats, not only the general category candidates but all other categories like SC, ST, OBC and EWS can also compete (EWS in Articles 15(6) and 16(6).) Reservation is provided not only with respect to direct recruitment but also with respect to promotions for SC/ST category (Article 16(4A)). The constitution in Article 17 abolishes untouchability and forbids its practice in any form and obligates the state to make special provision for the betterment of the SCs and STs. The two most contentious issues in the application of Article 15(4), which is now also the case with Article 15(5) as well as Article 16(4) have been the question of identification of other backward classes and the extent or quantum of reservation because of the absence of any constitutional definition or exclusive method or agency for their designation. After three decades of independence for the lower castes of peasants, artisans, the untouchables and the tribals – these groups intermediate between the Scheduled Castes at the bottom and the Brahmins and Rajputs at the top, were vociferous in reserving their seats and sharing representation in political power. Their rise has radically altered India’s political texture in recent times. It was around the mid-1970s that upper caste hegemony over national politics began to be seriously challenged. This was largely due to the social policies of the state, particularly that

NSOU • CC-PS-04 265 of reservations (affirmative action). Despite tardy implementation, towards the end of the 1970s the reservation policy had created a small but significant section in each of the lower caste groups which had acquired education and economic power for land reforms and the Green revolution and which had entered the bureaucracy and other non-traditional occupations. In the process, a small but highly vocal political leadership emerged from among the lower castes. The process of second politicization of castes, however, came to a head at the beginning of the 1980s. In this connection, as per Article 340, the President of India, as per the constitutional order appointed a Commission to investigate the conditions of socially and educationally backward classes of citizens within the territory. The Commission's task is to identify the OBCs as well as recommend measures for their social and educational advancement.

19.9 The Commissions and Reservations Before the appointment of the Second Commission for Backward classes, the Government of India in 1953 appointed the First Backward Classes Commission headed by Kaka Saheb Kalekar, consisting of 11 members. The Commission used four criteria for identifying the OBCs: (a) Low social position in the traditional Caste hierarchy of Hindu Society; (b) Lack of general educational advancement; (c) inadequate representation in government services; and (d) inadequate representation in trade, commerce and industry. On the basis of those above criteria, the Kalelkar Commission identified 2399 castes/groups as backward classes. But there was difference of opinion among the members of the Commission. Finally, the Chairman himself repudiated the entire report in his covering letter to the President of India. The Government did not accept the recommendations.

19.10 The Mandal Commission As a result of development of agriculture, abolition of Zamindari system, introduction of electoral politics etc. some of the intermediate and lower castes have been becoming socially and politically important. In view of their numerical strength in some states they had been able to influence the election outcomes. Thus, in 1960s and 1970s their role in politics became significant. It was in view of this development

266 NSOU • CC-PS-04 that some state governments started accepting their demands for reservations to give them due share in government jobs. In December 1978, the Janata Government appointed the Second Backward Classes Commission headed by Bindhyeshwari Prasad Mandal; the former Chief Minister of Bihar. It had five other members. The Mandal Commission identified caste as the main denominator of backwardness. On the basis of state survey,

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the Commission suggested that OBCs forming 52% of country's population required special concession to correct the social imbalance. But The Supreme Court ruled that reservations cannot exceed 50% of the jobs. So, the commission reluctantly agreed to accept 27% jobs for the OBCs though they constituted more than half of India's population.

The 27% reservation for the OBCs also included educational institutions. In contrast with the Kalelkar Commission, which took into account economic variables among other criteria,

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the Mandal Commission Report changed the original philosophy of reservations by clearly

identifying caste as the sole criterion for backwardness. Thus, the so-called Mandalised politics, a euphemism for the politicisation of lower castes has resulted in radically altering the social bases of politics in India. Scholars have described this phase as "deepening of democracy".

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Recommending 'quota' for the OBCs, the report is broadly a scheme for 'affirmative action' for socially under-privileged sections of society. By deciding to implement the Mandal Commission Report, submitted to the Government of India in 1980, the V. P. Singh Government

accepting it in 1990, attempted on August 7, 1990 to implement the Mandal Commission's recommendations relating to job reservation to the extent of 27%. This meant now that reservations in jobs were 22.5% for the SC and ST and 27% for other Backward Castes.

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The Commission reminded the fact that candidates belonging to OBCs recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27%.

In addition, the Commission also followed the Supreme Court judgement in 1963 in Balaji Case that total reservation should be less than 50%. Whatever the advantage

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the Mandal formula may have, reservation for the backward castes and for the religious minorities are directed towards maintaining a balance of power in

the India's

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caste-divided social structure. As a scheme striving to strike a balance between the privileged upper castes and the hitherto neglected OBCs, The Mandal Report deserves appreciation. In reality, the better-off sections of the OBCs would reap the benefits at the cost of the more deserving sections within these castes.

In this respect, reservation in educational institutions, the Supreme Court abolished all caste-based reservation in unaided Private Colleges. But on 21 NSOU • CC-PS-04 267

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December 2005, the Lok Sabha passed the 93rd Constitutional Amendment Act, 2005 rolling back the Supreme Court judgement by introducing a new clause into Article 15 to allow for reservations for SCs and STs as well as other backward classes in private unaided educational institutions other than minority institutions. In 2006, the United Progressive Alliance (UPA) Government agreed to introduce 27% reservations for OBCs in Central Government funded higher educational institutions like Indian Institute of Management, Indian Institute of Technology, All India Institute of Medical Sciences and Central Universities. The proposed design in fact is meant to introduce 27% 'quota' to all institutions of higher learning.

However, in the case of Indira Sawhney vs. Union of India, the Supreme Court

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on 16 November 1992 upheld 27% reservations subject to the exclusion of socially- advanced persons/sections (creamy layer) from amongst the OBCs. The court also directed the government to evolve criteria for identification of this creamy layer. In response to the court directives, the government appointed a committee which suggested

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rules of exclusion to children of persons holding different constitutional positions, Class-I Officers and

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defence personnel who hold the rank of colonel and above. Children of persons with annual income greater than 100,000 were to be excluded. The limit was later revised to Rs.250, 000 in 2004.

In a landmark judgement in April 2008, in the case of Ashoka Kumar Thakur vs. Union of India validating the 93rd Amendment Act, the Supreme Court endorsed the demand for reservation for the demographically preponderant OBCs in higher educational institutions by excluding 'the creamy layer'.

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The political imperatives behind reservations are clear. What prompted the ruling parties to accept the 'mandalisation of politics' is possibly a well-calculated design aiming at mobilising the support of the OBCs elite.

The OBC elites by virtue of their unique status in the

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OBC society, its wealth, relatively high education and hegemony in a majority of caste councils, became the most significant power-brokers in the Hindi heartland. So, the Mandal formula, designed to ensure social justice, is virtually a scheme for creating and sustaining a secure vote bank for the V. P. Singh – led National Front Government. Since number counts in franchise today, parties irrespective of ideology strive to win the support of caste groups for electoral gains by promises

of whipping up caste sentiments.

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The decision to implement the Mandal Commission Report is just another effort to effectively draw on caste sentiments for victory in elections. The Commission is thus described as a 'Caste Commission' which is seen 'as a passport to power'. The Mandal Commission formula has thus polarised the contemporary political 268 NSOU • CC-PS-04 forces more sharply than before. So,

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it is not strange that elections are calculated on caste basis, the candidates are nominated on caste ratio and as a consequence, patronage is to be distributed on caste basis and public policies are also tilted in favour of caste support base. Despite sharp criticisms and violent student agitation against the Mandal Commission Report, the formula deserves serious attention as it tries to correct the injustices of centuries inflicted on the downtrodden in the name of the discriminatory Varna system.

Being armed with the reservations, the categories of OBCs, SCs and STs have acquired a strong social and political content and surfaced as new social formations. They are now operating in politics with the self-consciousness of socio-economic groups. Not content with proxy reservation by the upper caste – middle class elites, they are viewing for political power for themselves. Politics has now become a contest for representation among horizontal power groups, representing social collectivities as identified by the policy of reservation. Whatever survived of the hierarchical dimension of the traditional stratificatory system in politics has thus effectively been horizontalised. So, the 'Mandalised Politics' by generating aspirations among the lower castes to attain 'middle class' status and life-styles, prevented the process of class polarisation in India. It would not be an exaggeration to point out the fact

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that the centre of gravity in Indian politics is now defined by 'quota politics'. The reservation through quota translates 'protective discrimination into reality. In contrast with 'affirmative action' practised in the US, it is the combination of quotas and lower eligibility criteria that defines protective discrimination in India. So, the Mandal

Commission was not merely a political statement, it also meaningfully redefined

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the nationalist goal of a more equal and just society by empowering the disadvantaged and recognising the socially denigrated groups in addition to reduction of socio-economic disparities. 19.11 The

Implementation of Reservation Policy In addition to constitutional provisions, the Government of India has pursued a two-pronged approach to narrowing the gap between the socio-economic status of the Scheduled Caste, Scheduled Tribes and other backward classes and the national average: one prong involves regulatory measures which ensure the various provisions to protect their rights and interests are adequately implemented, enforced and NSOU • CC-PS-04 269 monitored; the second focuses on increasing self-sufficiency of the caste populations through financial assistance for self-employment activities through development programmes to increase education and skills. The protective component of this strategy includes the enforcement of those legal provisions that make up the Protection of Civil Rights Acts, 1955 and the scheduled caste and scheduled tribe (Prevention and Atrocities) Act, 1989; of other State and Central Government laws; and of 'positive discrimination' through reservations in the areas of government employment and higher education. These protective measures are monitored by the National Commissions for Scheduled Castes and Scheduled Tribes set up pursuant to Article 338 of the Indian Constitution and entrusted with the responsibility to ensure the implementation of the safeguards and protection given to Scheduled Castes and tribes. The development measures for the educational, social and economic upliftment of Scheduled Castes are administered by the Ministry of Social Justice and Empowerment. There have been a lot of plans made for the empowerment and development of SCs and STs till now, but still a lot hard work has to be done in order to imagine for the equality on the ground. Despite a lot of plans, the people are not getting proper education, employment, health, sanitation facilities. Actually the problem is not that the development plans are lacking, but they are not properly implemented. It can also be seen that the various provisions of the Constitution and subsequent constitutional amendments and legislations that the government is trying to use reservation as a tool for the upliftment of backwardness. But now the question arises as to how far this tool of reservation has been successful in its aim. It may be admitted that reservations are an attempt, however, imperfect to equalise opportunity in the face of social structure that is antithetical to equality of opportunity. But reservations alone constitute insufficient remedy to the problem of caste discrimination in India as the reservations have in itself been subject to criticisms by various masses of people. But for about 70 years after Independence, India still remains one of the world's most inegalitarian societies. By some estimates, 350 million people – like nearly the whole population of India in 1947 – remain below the poverty. But if the current data are analysed, it would depict the picture different from the above estimates. Between 2004-2005 and 2011- 2012, more people among the deprived social classes – Scheduled Castes, Scheduled Tribes and Other Backward classes (OBC) – were brought above the poverty line, compared to other segments of society as per data

270 NSOU • CC-PS-04 released by the Planning Commission. In 2004-05, more than half the SC and ST population in rural areas was below the poverty line. By 2011-12, poverty among SCs in rural areas fell 22% from 53.5% in 2004-05 to 31.5%. For SCs in urban areas, the fall was of 19% i.e. from 40.6% in 2004-05 to 21.7% in 2011-12. The following Table gives us an overall situation of social groups in India. Table-2 Poverty Ratio among the Social group (%) Rural 1993-94 2004-05 % 2011-12 % Scheduled Castes 62.4 53.5 – 8.9 31.5 22.0 OBC – 39.8 – 31.5 17.2 ST 65.9 62.3 – 3.6 45.5 17.0 Others – 27.1 – 15.5 11.6 All Population 50.1 41.8 – 8.3 25.7 16.1 Urban 1993-94 2004-05 % 2011-12 % Scheduled Castes 51.7 40.6 – 11.1 21.7 18.9 OBC – 30.6 – 15.4 15.2 ST 41.1 35.5 – 5.6 24.1 11.4 Others – 16.1 – 8.2 7.9 All Population 31.8 25.7 – 6.1 13.7 12.0 Source : Planning Commission. As regards in government employment or University admission is that the main beneficiaries of reservations are the children of Dalits or lower caste people who have previously won a place in society, thereby checking off the entry of the less advantaged. Both SCs and STs who initially benefited and uplifted themselves economically and socially are enjoying the maximum benefits of reservations. Those who are placed at a more disadvantaged position are failing in competition with the greater advantage in terms of education. Every member of an OBC, STs and SCs who works for government or studies at a University comes from this microscopic NSOU • CC-PS-04 271 minority. Reservations are thus an advantage of the tiny elite and to the educationally more backward castes it is a mirage. Consequently, reservations still do not reach down to lower 96% of the OBCs. As redistributive efforts, reservation policies have produced substantial development, but it has not spread evenly to the intended beneficiaries. The distribution of IAS (Indian Administrative Service) Officers by caste shows that among 3235 Hindu Officers, the largest single group is that of Brahmins at 37.6%. The second largest number is claimed by the Kayasthas at 13.3%. These two traditional literati castes together including Kshatriyas and Vaishyas make up 68% of the total. The Sudras by contrast are represented at a minimal level of 2%. But a significant change can be noticed in the Parliament with regard to its caste composition of the Lok Sabha. Not surprisingly, in the first three Lok Sabha, the upper castes constituted nearly 50% of the MPs. By the 14 th Lok Sabha, the percentage of upper castes had dropped to below 40%. In particular, the number of Brahmins who made up nearly a quarter of MPs in the first Parliament had declined dramatically to around 10% by 2004. This mirrors the trend of the decline in prominent Brahmin leaders in Indian politics and a concomitant rise in the influence of other upper castes, such as Thakurs and Rajputs. At same time, the percentage of other Backward Classes (OBCs) – a category that encompasses the lower castes but not the former untouchables or Scheduled Castes (SCs) – has progressively risen from 12% in the first Lok Sabha to around 25% in the 9 th Lok Sabha – a level at which it still remains. The doubling of the share of the OBCs in the Parliament was a result of the forces unleashed by the Mandal Commission Report recommending 27% reservations for the OBCs. The percentage of SCs and STs has however, remained fairly steady due to the system of reserved constituencies. The percentage of Muslims in the Parliament has consistently been lower than their share of the population, reaching a high of around 10% in the 7 th Lok Sabha before declining subsequently. In the current Lok Sabha, the share of Muslims in the Parliament is the lowest ever at 5%. (The above data have been from

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Yogendra Yadav, 'Electoral Politics in Times of Change : India's Third Electoral System, 1989-99', Economic and Political Weekly, 34; 34/35, 21 August – 3 September, 1999.)

In spite of some positive side of the affirmative benefits, many writings and instances suggest the negative sides of it. The atrocities on Dalits in various places of the country especially the killing of two Dalit children in Faridabad in UP on 20

272 NSOU • CC-PS-04 October, 2015, naked parading of Dalit women still comes to light from time to time. The age-old custom barring the Dalit women from entering the Sabarimala Mandir recently is an incident in this respect. In addition to it, violence against lower castes is perpetrated on purely caste basis. We still see that instances of inhuman jobs like manual scavenging or sweepers are being in practice on a definite caste pattern. According National Crime Records Bureau (NCRB) 2013, the total number of crimes committed against SCs is on the increase. 14,646 in 1991, 35,501 in 2001 and 33,594 in 2009 have happened in the country. The total number of reported cases of SCs being murdered by the Non-SCs rose from 493 in 1981 to 624 in 2009. A similar rising trend is evident with regard to rape cases as well. Although SCs/Dalits account for nearly 16% of the Indian population, they are too small in number to comfort the upper castes' oppression. In this respect, the Ranavir Sena, the upper caste army against the lower castes, may be mentioned. Despite improvements in some sectors of Indian political and administrative representation of the OBCs, it appears to be not up to the expectation. What the founding fathers of the Constitution envisaged to make India casteless and free from socio-economic disparities of the disadvantaged sections of the population through the affirmative action policies, the scenario is yet to be achieved fully. With the introduction of liberal market oriented policies, it is anticipated that the higher rate of economic growth and the expansion of employment opportunities that should provide some benefit for the lower classes/castes. But in the absence of a system of mass education and an adequate health care delivery system to rural areas and above all monitoring the poverty reduction programme, the most members of the lower castes would lack the human capital to enable them to take advantage of whatever opportunities the expanding economy provides. "Unless that is done, India would remain a ranked hierarchical social order but without the ideological legitimacy and social stability that undergirded the old social order. The paradox in India lies in the fact that old order has begun to disintegrate but new order has not yet risen".

19.12 Conclusion The discourse on the subject of caste and the affirmative politics for the amelioration of inequality highlights the fact that the caste groups instead of crumbling have adapted themselves well to the demands of the Parliamentary politics. Their participation in electoral politics also transformed the structural properties of

NSOU • CC-PS-04 273 caste in one fundamental respect: it created a democracy of castes in place of a hierarchy. Thus, the democratic equality, the experience of participating in electoral politics, has mainly been translated as equality between caste groups, not among caste-less individuals. The notions of modernity and democracy that guided the visions of the nationalist leadership at the time of India's Independence from colonial rule, have been of little value as the caste and its removal through equalisation process have brought about the strengthening of caste and its polarisation in lieu of ending of caste. The preamble to the Constitution of India commits itself to secure justice, social, economic and political, equality of status and opportunity. But merely declaring that all citizens are free and equal was not sufficient and there was need to create a mechanism of law for achieving social change. It is really a paradoxical situation that on the one hand, constitution is having a foundation of social change; but on the other hand, India is hiding the real segregation, exploitation and other forms of abuse by not allowing further studies into the condition of backwardness. Despite a large body of legislations, the laws have benefitted few and still there are a large number of people who suffer from discrimination, social exclusion and oppression; the people are still besieged with the mind-sets of superiority and inferiority of caste. While equality in opportunity is being emphasised, gross inequalities have been produced by the forces of globalisation. Dalits, who are already at a disadvantage in an egalitarian social order, are bound to lose more when there is intervention from a free market which actually is not free in the true sense of the term.

19.13 Summing Up

- The predominant feature of the social structure in India is the caste system. It is pervasive and all embracing and is known for controlling and defining

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all social, economic and political relationships for the individual. Caste is

so tacitly and so completely accepted by all, including those most vocal in condemning it, that it is everywhere the unit of social action. It is also a major variable of the Indian political system assuming new functions like influencing politics and their role in political dynamics is gradually increasing. To put it in Kothari's words that 'it is not politics that gets caste ridden; it

274 NSOU • CC-PS-04 is caste that gets politicized'. The operation of competitive politics has drawn caste out of its a political context and given it a new status and identity. • Similarly, caste associations have contributed significantly to the communication, representation and leadership in politics, making bargaining and jockeying for power. Despite deritualization of caste system, it continuous to play enduring role in democratic politics in India. 19.14 Probable Questions Essay Type Questions : 1. Define Caste. In what respects is Caste a modern phenomenon? 2. Critically assess the impact of Caste on Indian Politics. 3. Describe the different provisions for caste reservations in the Constitution of India. Long Questions : 1. Explain the factors that led to the politicisation of Caste in Independent India. 2. Identify the criteria of the Mandal Commission's recommendation for reservation of the Other Backward Classes in India. 3. Make a critical estimate of the implementation of reservation policy in India. Short Questions : 1. What is creamy layer? How did the Supreme Court of India redefine it? 2. Discuss the process of the deritualisation of Caste in Independent India. 3. Do you think that Caste system is disappearing in India? Give reasons in support of your answer. 19.15 Further Reading 1. Srinivas, M. N. (ed.); Caste : Its Twentieth Century Avatar. Penguin Books, Gurgaon, 1996. NSOU • CC-PS-04 275 2. Srinivas, M. N. Caste in Modern India and Other Essays. Asia Publishing House, Bombay, 1962. 3. Rudolph, Lloyd and Rudolph, Susanned Hoeber; The Modernity of Tradition : Political Development in India.

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276 NSOU • CC-PS-04 Unit - 20 □ The Changing Nature of the Indian State: Developmental, Welfare and Coercive Dimensions Structure 20.1 Objectives 20.2 Introduction 20.3 The State in India 20.4 The Modern State in India : Continuities and Change 20.5 Debates on the Nature of State in India. 20.6 Welfare State in India. 20.7 Developmental Dimensions of State in India. 20.8 Coercive Dimension. 20.9 Conclusion 20.10 Summing Up 20.11 Probable Questions 20.12 Further Reading 20.1 Objectives This unit will enable the students to get an understanding about the nature of Indian state and its changing dimensions. It highlights the following points : ● to examine the identity and ideology of the Indian state by highlighting the legal and constitutional features and the controversy surrounding the nation- state system in India. ● to focus on the legacies of colonial practices and change in the modern state formation in India and political development in the wake of globalizing neo- liberal world impacting on the Indian State.

NSOU • CC-PS-04 277 ● to understand the different trajectories of the Indian State as interpreted by the Liberals, Marxists and from the political economy perspective. ● to discuss the welfare and developmental characteristics of the Nehruvian State in India and the factors leading to India's journey from plan to market- model of development. ● to analyze the Indian State's coercive nature and its hegemonic apparatus showing the modus-operandi of maintaining dominance in society and politics.

20.2 Introduction The understanding of the nature of state requires a theoretical approach as to how the state acts and reacts within the relationship between state, power and social classes. In this pursuit, there exist two basic approaches to the study of the aspects: one is the Liberal and other is Marxists. Studies conducted within the liberal framework are primarily concerned with power, the role of pressure groups, the institutional elites and the influence of the decision-makers. Recently, however, a new focus has been made explicitly on the 'architectural role of state in society', its impact on social and political processes through its policies and the patterns of relationship evolved with various groups. The Marxist paradigm, on the other hand, takes serious note of the relationship of the state with the ongoing social process of reproduction and transformation. In addition to addressing itself to the nature and character of the state, the Marxists seek to identify the relationship of classes to the state within the matrix of the dynamics and contradictions of capitalism. They do so in order to unfold the dynamics of the social structure, mainly to explore the relations and interests which are promoted by the material force of the state power. The Marxists recognize the fact that the character of state denotes the societal contents of the state, especially the dominant classes in society. In a sense, therefore, class and state condition each other in class societies. Marxists emphasize the point that the state as such has no power; it is an institution where social power is concentrated and exercised. State activity is thus a process of intervention in a society affected by institutions which are a condensation of material power and the relations of power within society. There is no doubt, about the impact of the state on

278 NSOU • CC-PS-04 society, but such impact is done through the given modes of production and reproduction. Thus, the character and the nature of the state has to be understood by situating the state within the socio-historical context, the paradigm of state intervention and the changing character in state strategy in different periods. Notwithstanding the centrality of the concept of state, it cannot be discussed in isolation from the social context. Most formulations, especially on the Indian state, have often emphasized the primacy and independence of the political process. This is evident in the writings of Rajni Kothari. Likewise, Francine Frankel, Baldev Raj Nayar and Reinhard Bendix have highlighted the role of political initiative in development and transformation. It can be admitted that the Indian state has played an important role in socio-political change. At the same time, it is also evident that the state has faced major constraints in moving the process of modernization owing to the predominance of private control of productive resources which curbed both the scope and effectiveness in its intervention. It thus, necessitates to turn to a close examination of the nexus between the social forces and the state. This does not imply substituting the relative autonomy of the state as the potent organizational actors. The Marxist scholars like Hamza Alavi emphasized the mediatory role of the state apparatus in creating an autonomous space for it. The argument of state autonomy is buttressed by the fact that irrespective of an economy of socialism or capitalism, the demands of national security, modern technology and bureaucratic hierarchical 'steel frame' have contributed to the growth of state activity. In the case of India, Congress dominance for nearly four decades has helped to strengthen the political base for the emergence of a strong state. But it cannot be ignored the fact that Indian politics in the Nehru period and in later periods, was coalitional in the class sense, the political order prevailing then was based on a coalition of classes including the professional groups, the landlords and the rich peasants. It was this content of coalition rather than functional arrangement of political order operating as a loosely organized Congress coalition accommodating the pressures of the much smaller opposition at the periphery, which played a decisive part in influencing the structure of dominance and the strategy of governance and development. Thus, the modern Indian State, its performances, salience and its changing character/nature is vivid and complex. This complexity arises because of India's unique context. Though India emerged as an independent modern state from the NSOU • CC-PS-04 279 colonial rule and eventually adopted all the features of modern state, it departs from the archetypal western state. There was a considerable influence of the colonial state in shaping Indian State and its changing directions. Because, there are certain elements of the modern Indian state that were inherited from the colonial state as well as the discontinuities arising out of India's own context. The three dimensions of the modern Indian state—welfare, development and coercion—are marked by the features of both colonial and post-colonial developments. There have been some remarkable shifts in all these dimensions since 1990s due to the globalizing world. With the whole world going neo-liberal, Indian state has also to be a neo-liberal state. In this neo-liberal project, the Indian state has to make transition from the earlier ways to what may be called from 'plan to market'. The Indian state would witness a 'retreating state', shifting away from its welfare and development orientations.

20.3 The State in India

State is generally defined as a territorial form of political organization with territorial demarcation that is strictly legal and not natural. The state is a sovereign entity as it alone has the supreme powers within the territory and outside it. Apart from this, the state in India is no exception, but the Indian state is markedly different from the Western understanding of legal-formal structure. In terms of ideology and content, Indian state is a constitutional democratic state in which the idea of constitutionalism proceeded at a great pace establishing not only democratic but also federal, secular and welfare state. The constitutionalism limits the power of the state in order to prevent the abuse of state power. The Indian Constitution has provided a complex web of checks and balances to ensure accountability and responsibility of every public institution and public functionary. The constitutional democratic state in India is the exact example of Carl J. Friedrich's concept of constitutionalism. The foundational principles of the Indian state are enshrined in the Constitution adopted in 1950. The key institutions of the modern state—liberal democracy, universal adult franchise democratic decision-making and modern citizenship—are put in place. The Constitution also provided participatory parliamentary democracy to ensure popular control over the executive. The political executive is dependent on the verdict of the voters and it has to seek mandate to protect individual rights and freedoms. Thus, Indian state is a limited state as it is a consented organization committed to the development of a liberated

280 NSOU • CC-PS-04 individual as the goal of promoting individual personality and potentialities. Such a limited concept of the Indian state unlike the modern liberal state in Britain and USA is not based on authoritarianism. In India, the state's interference with the society or individual rights would amount to authoritarianism. India's journey to state-formation is different from the West. India's heterogeneous social composition, parochial practices and economic estrangement caused by the British rule had created an unprecedented situation. Under such a context, it was imperative for the emerging state to interfere in the socio-economic domains as a 'therapeutic agency' or simply an agency to heal the social wrongs. This intervention of state may be tantamount to authoritarianism, but though there is an obstacle to the state becoming authoritarian. Despite provisions of sanctioning the interference of the state in society, in India, the state is poised to maintain a balance between the individual and collective rights. The Western scholars are of the view that it is difficult to identify India as Nation-state because it comprises many nations rather than one. The term 'state' is a political construction signifying the political control. But the term 'nation-state' is a psychological construct implying commonality of cultures, religions, languages and symbols etc. In this aspect, India is not a homogenized state, nor has any effective homogenization project been undertaken. Moreover, nationalism during the colonial period was neither deep nor socially broad based. Anti-colonial movement could not emerge as the felt needs of the oppressed people; they evolved around a contest for power between the indigenous elite and the colonial state. The millions of people who struggled for Indian Independence were not motivated and mobilized on the basis of their actual consciousness of the real meanings of oppressive and exploitative foreign rule, but they were involved in some inter-elite conflict for the transfer of power. As a result, the nation-state, according to Partha Chatterjee, is in western mould. In the West, nationalism actually emerged as a homogenizing agency suppressing the other loyalties such as religion, culture and ethnicity in order to create a uniform political community. Given such a formation of the nation-states in the West, it was logical for the people like Winston Churchill or early nationalists to raise doubts on the potentiality of India to form a nation-state in the modern sense of the term and therefore its continuity. But this doubt was rooted mainly in Western understanding of nation-states. India, after seventy years later remaining as a unified nation has falsified the skeptical claims. India's working Constitutional democracy has survived more than

NSOU • CC-PS-04 281 six decades of its continuity of nation-state identity. India worked out and reworked its programmatic design of integrative capacity in accommodating the diverse cultures and identities through institutional means and constitutional provisions. Yet, the intellectuals belonging to the Right or Liberal traditions agree that nationalism has exhausted its potential of providing emotional satisfaction to its members, and the state systems created along with the development of nationalisms have outlived their utility to either provide national security or national economic development. If the real economic decision-makers are trans-nationalized or global capitalist corporations, then the political needs of the particular social groups which revolve around their identity can be met by community-based authority arrangements. The Indian nation-state should vacate spaces from the economic and productive spheres of social life and India as prison house of nationalities should allow a right of self-determination. Thus, India is an artificial construct, a mythical abstraction and something external to the vast majority of people living in the territorial boundaries of this country. From this standpoint, India is not a nation-state but one in the process of making.

20.4 The Modern State in India : Continuities and Changes

The Modern Indian State is the outcome of a mix of different experiences and practices inherited and continued with some significant features and elements of the colonial state systems and changes introduced at Independence. Suhas Palshikar treats the Indian state as the outcome of three inter-related factors colonial, constitutional and post-independence practices. The state intervention and the structural aspects of the colonial state were heavily incorporated in the new Indian state by Jawaharlal Nehru and Sardar Vallabhbhai Patel. For example, India inherited colonial police system, census, civil services, parliamentary system and the Government of India Act, 1935. Likewise, India discontinued with many colonial legacies such as communal electorates or proportional representation system etc. Among the legacies were the long experiences of British rule itself which extended more than two centuries and of various institutions, ideas and practices introduced by the British. Of particular importance at Independence was the Government of India Act of 1935, which was the framework of rule in independent India under which the country was governed and which included a responsible government for Indians in the provinces. A second legacy was that provided by the shared experiences of those Indians who participated in or identified with the

282 NSOU • CC-PS-04 nationalist movement and its great leaders. A third was the existing social order, the social structure and social conflicts which surrounded and influenced political movements, ideas and practices. Finally, there was the great body of traditions and cultural practices which preceded the British rule in a civilization of great depth, complexity, and diversity. In the evolution of India toward representative government, it dates back to the Indian Councils Act of 1861 and continued through the Morley-Minto Reforms of 1909, the Montagu-Chelmsford Reforms of 1919 and finally the Government of India Act of 1935. At each of these reforms, the participation of Indians in the Central and State Legislatures and in the executive councils was increased and the franchise was extended to ever larger numbers of people. The other features of continuity included the adoption of a federal system of government with three legislative lists of powers to be exercised exclusively by the Union, States or concurrently, and a considerable degree of provincial autonomy with extensive powers left to the Centre, including Emergency powers which made it possible to convert the federal system into a unitary one. In several respects, however, the Constitution of India makes a sharp break with the British colonial past, though some British practices still persist. Firstly, the Constitution adopts in totality the Westminster form of parliamentary government rather than the mixed parliamentary bureaucratic authoritarian system which existed in India. Secondly, the Fundamental rights were included in the Constitution of India. Thirdly, the Constitution introduced universal adult franchise. Though the Constitution of India did not articulate any coherent conception of state, but a faint conception of state finds resonance in broader ideological goals enshrined in the Preamble of the constitution. The two ideals stand prominent in the Preamble---democracy and welfare state which create an expansive conception of state involving the positive role of the state. Such a positive role of the state, apart from upholding the individual rights and group rights as incorporated in the fundamental rights, would ensure social and economic democracy along with political democracy. This positive role of the state was necessitated in order to deal with a history of social maladies, social fragmentation, unequal social status that characterized the then India. There was a strong apprehension that an isolated state in a typical Western sense would create a superficial state incapable of dealing with the social wrongs. As India was the only country where political revolution had

NSOU • CC-PS-04 283 preceded social revolution. The Constitution enshrined in its Preamble such a state that would be able to interfere in the society to grapple with this problem democratically, not in the manner of authoritarian way. In this way, the state was assigned the task of bringing about what Granville Austin has termed a 'social revolution'. The resultant fact is that the Constitution of India envisaged a liberal state with a welfare orientation. This liberal state is an interventionist state as evident in the policies of affirmative actions, land reforms, planned development and so on. The Constitution also contains some unique features that reflect a departure from strict British parliamentary practices by introducing into the Charter of the country a program of social and economic reform. Most notable in this respect is the presence in the Constitution an interventionist document. This is the non-justiciable Directive Principles of State Policy. Earlier the Directive Principles emerged in the form of 'instruments of instruction' in the Act of 1935, in free India these principles were included to create an economic democracy in the otherwise poor country. The reason behind the introduction of the Directive Principles in the Constitution is that the framers of the Constitution understood the fact that fundamental rights were not enough, would be meaningless in a land where the mass of the people were extremely poor, illiterate, tied to traditions and exploited by merchants, moneylenders and landlords. It was feared that such rights might be used to protect the exploiters rather than the exploited. In a society based on hierarchy, caste inequality and blatant discrimination, equality of opportunity as existed in Britain and United States would not be enough to provide the means of enhancing the well-being of the poor. Instead, special measures would be required, such as reservation of places in representative institutions, government agencies, and public institutions for backward and disadvantaged classes and groups. There was a desire also not to merely protect the rights of the people, but to eliminate certain features of social practices, such as untouchability and beggar or forced labour, which were explicitly abolished in the Constitution. And finally, there was a desire to limit the role of private enterprise in India and freeing of the protection of private property provided in the Constitution which might prevent the Indian state from attaining the goals of economic justice, which some thought could be achieved through social ownership of the means of production, identified with state ownership. Though the Constitution recognized the right to hold property as a fundamental right, but also included in the Directive Principles stating to promote the common good and avoid excessive concentration of wealth.

284 NSOU • CC-PS-04 Those who argue that India's independence should not be seen as marking a great break with the past also point out to the preservation of such characteristic features of British autocratic rule as the Indian Civil Service (ICS), renamed as the Indian Administrative Service (IAS) at Independence. The small, enormously powerful, elite cadre of ICS officers was seen as the "steel frame" that had held the British Empire in India together. At Independence, the leaders of the country quite self consciously maintained the entire bureaucratic structure that evolved during the colonial times and was retained en masse through which the state was to exercise its powers as an executive agency. Along with this, army and police were also retained. But despite these structures, the modern Indian state broke with the past and adopted almost all features of the modern state. The Nehruvian state as is sometimes called was based on broader agreement or consensus among Nehru, Patel and Ambedkar. The conception of state emphasized nation-building through the instrument of modernity, secularism, rule of law, opportunity, dignity, minority rights etc. One of the vital facets of this modern state was the question as to how would Indian state act as a neutral agency keeping itself separate from society and how can it act as instrument of social change. It has been argued that it is the Indian national movement that influenced the neutrality and instrumentality of the emerging state. Two quarters of a century of thought and struggle over defining the Indian nation, over freeing the country from alien occupation, and over the desirable shape of the social and economic order in a future independent India had provided the nationalist leadership at Independence with a set of ideas and goals that helped to structure their responses to the question and problems of governing the newly independent country. At the top of their goals for everything else was an abiding faith in and determination to preserve the national unity and integrity of the country against all potential internal and external threats to it as the sine qua non. The very fact that this first priority was given importance as the centre of the dreams of the Congress nationalists, had to be sacrificed at independence itself, with the partition of the country reinforced the determination of the leaders never to make such a sacrifice again. This democratic struggle and determination of the leaders representing the popular will is seen to have acted as the elixir to play as a neutral agency or as a tool of instrument for bringing about socio-economic change and political development for the benefit of all. Such a neutral role of the Indian state changes as Indian state ventured into the period of globalization wherein the states have increasingly adopted neo-liberal policies.

NSOU • CC-PS-04 285 20.5 Debates On the Nature of State in India Scholars of political science are not unanimous about the essence of the nature of modern state in India. It has been approached in many ways. To begin with, the liberals usually prefer to prescribe the method of analysis to the constitution and the nature of government thereon. Though such an analysis may reflect the nature of the governmental system, but it is not to fully manifest the social basis of power and also the process of legitimization. Hence, a great deal of other aspects such as the material foundations of society which impinge the structure and process of governance are to be a missing. Therefore, while analyzing the constitution, its character is to be determined by examining the mode of production and by assessing which class or classes own and control the means of production. The basic criterion in which are the classes for whose benefit essentially the power is exercised to be indicated by the overall direction of state policy. This method is used by the traditional Marxian analysts Some writers believe that the state is not an instrument of class rule because there is a specific autonomy of the political structures from the economic institutions, of political power from economic power. But the Marxists believe that the state, however, independent it may have been politically from any given class but cannot in a class society rather, it remains the protector of an economically or socially dominant class. For an objective and proper analysis of the nature of modern Indian state, we have to take into considerations of the various aspects simultaneously. Prof. Rasheeduddin Khan writes about different conceptions of state in India by examining the constitution and the governmental structures and processes such as participatory parliamentary democratic state, welfare state, a cooperative commonwealth state, a socialistic (after 42 nd Amendment) socialist secular democratic state, soft state, a neo-liberal state, a bourgeois democracy and independent national democracy. Participatory parliamentary democratic state argument can be substantiated by understanding the formal features enshrined in the Constitution of India such as universal adult franchise, periodic elections, various competing political parties, representative institutions, responsible government etc. and the processes enunciated in the Constitution. The second, third and fourth ideals and terms are manifestations of which have been emphasized in the Preamble of the Constitution, Directive Principles of state policy and references can be drawn from the various types of

286 NSOU • CC-PS-04 policy legislations. The welfare state orientation had its heydays of Nehruvian state when the state was endowed with the interventionist role sought to ensure full employment, equalization of opportunities, sharing in the national welfare, and placing of financial burden on the privileged classes by governmental measures and administrative procedures. Cooperative commonwealth was the term formally incorporated into the Congress constitution as a proposed goal of independent India in the Avadi Congress session, 1955 where the means of production are to be under social ownership and control, production is progressively speeded up and there is equitable distribution of the national wealth. 'Soft state' is appellation given by Gunnar Myrdal and others like Francine R. Frankel and Lloyd I. Rudolph and Susanne H. Rudolph pointed out that democracy has not enabled the majority of poor people to grasp and organize themselves for utilizing political power to advance their own interests. In this regard, due to inability of the state to help in their mobilization he called Indian state as "the Soft State", by which he particularly meant a state that was so dominated by vested interests that it had failed to achieve its own ideas of creating a just and egalitarian society. Similarly, Rajni Kothari who initially eulogized the Indian state to have achieved the autonomy in dealing with the demands and pressures on a high degree of legitimacy and authority, an elaborate institutional edifice and the capacity to perform but his later views are that the Indian state has lost its autonomy to the narrow interests of the new-rich and its allies who control and manipulate it. This has resulted in the crumbling of the institutional edifice, criminalization of politics, and violence and repression by the state both in its internal functioning and its dealing with the people. Rajni Kothari further writes that the autonomy of state in its relationship to civil society has suffered a marked decline. The institutions of the state have got permeated by both the sources of money power—domestic and international, private and public and professional go-betweens including the bullies, who know how to extract how much and from whom and through what modalities. Some of these new operators function from within the state structure which in fact is the best indicator of the decline in the autonomy of the state. In line with Kothari, V.K.R.V. Rao pointed out that the state was a political alliance of the intermediate classes with the upper classes, resorting to socialist ideology to win mass support but issuing all levels of power to facilitate a type of capitalist development in the interest of a narrow section of Indian society. This leads us to the Marxist analysis of the Indian state which is an instrument in the hands of the ruling class and its primary function is to maintain and defend

NSOU • CC-PS-04 287 class domination. The Marxist analysis terms the state as bourgeois democracy and an independent national democracy. This terminology is used by the Communist parties and ideologues. They called the post-colonial Indian state as 'neo-colonial' till 1954, then 'bourgeois democratic State' between 1955 and 1969 and they began to call it 'Independent National Democracy' at its 1969 International Meeting of Communist and Workers' parties held at Moscow. According to the Communist party of India (CPI), the Indian state is the organ of class rule of the national bourgeoisie as a whole in which big bourgeoisie holds powerful influence. This rule has strong links with the landlords. The Communist Party of India (Marxist) characterizes Indian state as the organ of class rule of the bourgeoisie and the landlords, led by big bourgeoisie who are increasingly collaborating with the foreign finance capital in pursuit of the capitalist path of development. It needs to be mentioned here that during the colonial phase, the agrarian structure of India was shackled completely by colonial exploitation and plunder. The burden of land revenue imposed by the colonial state, and exploitation of the peasantry by the feudal, semi-feudal and landlord classes created a situation where productive forces and production relations in agriculture remained primitive based on manual labour and acute exploitation of the toiling masses. India was structurally linked with the world capitalist system; the impact of this linkage was economic and social disaster for the peasantry. In urban India, along with dominant colonial capital, the indigenous capitalist class gradually emerged on the shoulders and under the shadow of colonialism. The formation of these indigenous capitalist classes was different from the formation of the capitalist classes of western European capitalist countries, making it a specific capitalist class of a colony. Many opportunities to start capitalist enterprises opened up before traders, contractors, speculators and entrepreneurial families in the late 19th and 20th centuries, but every such opportunities were constrained by the presence of colonial capital and the role of the colonial state. The upshot of colonial development was marked by three important features : (1) the whole Indian society was linked with the world of capitalist system and subjected to exploitation because of structural linkages of the metropolis and the periphery. (2) Within India the linkages between the capitalist factory system and society was extremely weak. Manual labour was employed in agriculture but the millions of manual labourers in rural India gained nothing in terms of development of the productive forces from the development of the market. (3) The development

288 NSOU • CC-PS-04 of the indigenous bourgeoisie was constrained because of the presence of colonial capital and the colonial state. And India inherited all these features on the eve of independence and India has since been involved actively in building capitalism on the basis of such an inheritance. The anti-colonial national movement was concretized on the basis of multi-class platform led by the Indian National Congress. In spite of its multi-class character, a bloc of exploiting classes asserted itself very clearly when power was transferred to the Indians by the British. The social dialectics of pre-independence phase of development of India left a direct mark on the post-independence phase of development of the Indian state and society. Thus, this bloc of exploiting classes found itself in a central position in the State which emerged after the transfer of power. The post-independent state led by the professionals, bourgeoisie and landlords was active to set right the colonial distortion in the Indian economy by a large-scale intervention by the State for economic and social reconstruction. This is why the Communist Party of India (Marxist-Leninist) also contends that the Indian State is the state of big landlords and comprador-bureaucrat capitalism. Apart from this, the Post-colonial state of India now has to grapple with the challenges posed by socially traditional structures, especially from the organized religious groups which threaten its democratic and secular character. Thus, the state in India has to become an interventionist state to meet the challenges from classes, castes and religious social groups internally and imperialism externally. Another crucial aspect of the modern state in India as shown by Aejaz Ahmad Wani and Rupak Kumar is patriarchal in nature. The Indian Constitution puts women and men on the equal footing by guaranteeing all, adult franchise, right to freedom of speech and expression, life and liberty, right to equal opportunity etc. The Constitution to improve women's status in society adopted various Acts but the Indian State does not acknowledge any moral responsibility for the grave social injustices perpetrated by the traditional oppression of women and perpetuation of caste system. It ignores the wider issues of social exploitation inherent in the patriarchal mode of society. The notion that women constitute the weaker sex is a familiar aspect of patriarchal ideology and used to assign women subordinate roles in the social structure. The Indian State is still to provide a uniform civil code. From the foregoing discussion or debate it is evident that instead of becoming deterministic about the exact nature of state in India, we get a plethora of viewpoints on the nature of the state. These viewpoints appeared in different times and contexts in the trajectory of Indian State. To accredit Indian state's nomenclature as a particular state or nature of state is very difficult because of its changing nature in

NSOU • CC-PS-04 289 different periods. The assessment of the nature of Indian state depends on the political processes that give its shape and formation. Political processes in post-independent India have given different terrains in terms of policy formulation, legislation and implementation. Different governments have given primacy to different modes of policymaking in terms of caste, culture, religion and gender which shaped and reshaped many times in terms of identity politics, redistribution of resources, representation of various social groups and recognition of people across the country. One thread with which the changing nature of Indian state can be captured is to distinguish it into three categories, namely, the 'welfare dimensions of Indian State', 'Developmental dimensions of Indian State' and 'Coercive dimensions'. The advent of neo-liberal policies in 1991, retreat of state in the market and business affairs is popularly known as the 'rolling back' of the state, designating a 'neo-liberal nature of state'. 20.6 Welfare State in India Philosophically, welfare state is a system of government in which the responsibility of government is well-being of all citizens. At the time of independence, the Constitution makers were highly influenced by the feeling of social equality and welfare of the people. They incorporated such provisions in the Constitution of India guaranteeing equality of opportunity and equitable distribution of wealth along with the intention to provide a 'corrective mechanism and compensating for market-generated inequalities'. These were necessitated due to the acute poverty, dismal literacy rate, hunger, periodic famine, plundered masses etc bringing in socio-economic inequalities across the country. The Preamble of the Constitution reflects its form as a welfare state. Except the Preamble, there are so many other provisions in the Constitution which enable India to act as a welfare state. Firstly, the Fundamental Rights incorporated in the part 111 of the Constitution are essentially individual rights for the better development of their personality, but the welfare rights of citizens are included in the part iv of the Constitution of India in the Directive Principles of State Policy. This part 1V is the foundation of welfare state enumerated from Articles 36-51. However, these principles are neither enforceable nor binding on the State but are simply guidelines for the state which the state has to consider at the time of policy making. Since this part cannot be legally enforced by the courts, the entire matter is left on the whims of the state to follow it or not, proving thereby the welfare rights as hollow in its essence. In addition to it,

290 NSOU • CC-PS-04 according to Niraja Gopal Joyal, philosophy of state welfare in India is grounded in ideas of charity and benevolence unlike the idea of rights the West followed. So, in the case of India, welfare activities by states cannot be claimed as a right. It was viewed in terms of need; this is why the State launched welfare activities in the first two decades of independence on the need to alleviate poverty, malnutrition and hunger as an imperative for welfarism. Secondly, in a sense, Directive Principles epitomize the ideals, the aspirations, the sentiments, the precepts and the goals of our entire freedom movement. After independence, people looked towards the state for the fulfillment of the dreams of the people in eradicating their poverty and inequality as rights not on the basis of charity and benevolence. The state, though adopted a developmental thrust and welfare concerns to remove public wants, put on a need based conception of justice instead of rights and obligations. In this respect, Niraja Joyal further argues that rights enshrined in the chapter on Fundamental Rights are essentially the liberty rights enforceable at courts whereas welfare rights in the Directive Principles are non-justiciable. This disjuncture between liberty rights and welfare rights in the Constitution makes the welfare program me relegating to a secondary station. The intricacies of welfarist orientation of Indian state would be clear by looking into the two different components. First, India adopted social protection scheme or social safety net instead of right based social program. In this connection, Daves Kapur and P. Nangia argue that India has focused disproportionately on the social protection scheme in the last two decades i.e. since 1990s. By contrast, the basic public goods such as primary education, public health and water and sanitation have languished further. Partha Chatterjee shows that in the era of liberalization the large chunks of people are impoverishing in the country. Indian economy after liberalization is undergoing a process of primitive accumulation that is displacing peasants from lands and artisans from their means of livelihood. In this growing social crisis, the state has resorted to increased expenditure to enable people to meet their basic needs. This need-fulfilling social protection programs are like the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Public Distribution System to all Below Poverty Line(BPL), National Social Assistance Program (NSAP) which provide immediate relief to the poor in case of life-cycle vulnerabilities such as old age and widowhood, Janani Suraksha Yojana (JSY), Accredited Social Health Activists (ASHAs), Rashtriya Swasthya Bima Yojana (RSBY), Aam Admi Bima Yojana (AABY), Non-Net Fellowship, Rajib Gandhi Fellowship, Integrated Child Development Services (ICDS) etc.

NSOU • CC-PS-04 291 Thus, in pre-liberalization period, social programs were a matter of charity as it was based on need-oriented selective in its approach to those who came under 'defined categories of disadvantage'. But in the post-liberalization era, citizens are demanding social protection programs as rights particularly by those who are losers of reforms. Though social protection programs as welfare activities of the state are noteworthy, but these welfare policies are not monitored and implemented properly, rather it has given an effective corruption and partials. Government hospitals are inadequately serviced due to crisis of management and faulty policies. After a decade of liberalization, the promise of economic growth with justice seems eternally postponed. It was 6.1 in 1990-91 the percentage of GDP and in 1994-95 it reduced to 4.6 percent. There is increasing inequality between the rich and the poor. Dalits and tribals are increasingly marginalized. Almost 265 million Indians live below poverty line. According to National Sample Survey Organization (NSSO) figures, the poverty figure for Orissa is 47.15%, Bihar 42.6%, Madhya Pradesh 37.43%, Sikkim 36.55% and Tripura 34.44%. The poverty alleviation programs have not reached the poor. According to the provisional figures of Census 2001, literacy rate has gone up to 65.38%, but at the same time nearly 25% of men and about 45% of women are illiterate. Government expenditure for education which was 2.75% of GDP in 1998/ 99 has declined or remained stagnant. Central and State Government expenditures on health at 1.11% of GDP in 1998/99. Actually, liberalization has betrayed the promises of poverty alleviation and social development have created only delusions of development. Instead of promoting and guaranteeing human rights, social justice and people's welfare, the State has abdicated and withdrawn from its welfare responsibilities. The ten years of reform facilitated the withering away of the welfare State 20.7

Developmental Dimension of State in India Developmental State is a term used by international political economy scholars to refer to the phenomenon of state-led macro-economic planning and development. Post-colonial Indian State began its journey by adopting rapid industrialization with social equity as the two primary objectives under the leadership of Nehru. Indian economy at the time of independence was mainly rural and agricultural in character with almost 85 per cent of the population living in rural areas depending upon

292 NSOU • CC-PS-04 agricultural activities. Around 70 per cent of the population was engaged in agriculture; even then India was not self-sufficient in food and raw materials for industry. The growth of the food grains output was negative. The colonial system perpetuated traditional technology in agriculture except in the case of few export-oriented commercial crops. The development of infrastructure through irrigation, roads, markets etc. was extremely limited. The intermediaries in agriculture, like zamindars and jagirdars, had grown in the colonial period in large parts of the country, denuding the investible resources and sapping the motivation of the actual tillers of the soil. So, the initial phase of independent India inherited a stagnant agriculture with a deficient infrastructure, traditional technology and out-moded and exploitative institutions. Under such a circumstances, any strategy for industrialization of a predominantly agrarian country with a heavy load of backwardness required direct intervention of the State. So, it also needed a link between the agriculture and industry. The development of agriculture was a necessity in order to provide raw materials for industry. All these ideas implied centralized economic planning and direct State intervention. At this period, under pressure from the Left in India for initiating radical land reforms as immediate measure in order to curb the monopoly capitalists, paved the way towards planned development. In order to rejuvenate the agricultural sector, land reforms measure was adopted and began implementing. But the land reform measures helped big landlords. It was merely a socialist rhetoric because it never took place in a radical manner, resulting thousands of tillers rendered landless. Except in four states of Jammu and Kashmir, Kerala, and Tripura and West Bengal land reforms failed despite socialism becoming the slogans for the Indian planners. India went for planned development since 1951 by constituting Planning Commission in 1950 which supervised the task of planning. It was Nehru's ambitious project influenced by the development strategy of erstwhile Communist USSR. The First Five Year Plan covered the period of 1951-1956 followed by the Second planning during 1956-1961 and Third plan from 1961-1966. Thus, until 2014, before the planning commission was dissolved, so far twelve Five Year Plans have been launched with some intermittent plan holidays; draught between 1966 and 1969 and regime change in 1990s. The First Five-Year Plan made a detailed analysis of the nature of India's development issues and laid emphasis on rural mass mobilization and land reforms. In this plan, radical steps such as redistribution of wealth and

NSOU • CC-PS-04 293 incomes were rejected. This plan was only successful as it yielded good harvests and made India food self-sufficient. The Second Five-Year Plan (1956-61) as also called Mahalanobis plan emphasized on rapid industrialization of heavy and basic industries and advocated for huge imports through foreign loans. The Industrial Policy of 1956 was based on the establishment of

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a 'Socialistic Pattern of Society' as the goal of economic policy. Similarly, the Third Five-Year plan

was adopted when the Indian economy had entered in a 'take-off stage', a stage of 'self-reliant' and 'self-generating' economy. But, this plan failed miserably due to Chinese aggression, Indo-Pak war and severe draught. Along with the above phenomenon, the crisis of the path of economic development of India and the crisis of politics created new challenges for the political and administrative state functionaries who were expected to consolidate the Nehruvian model of economic development and social justice. The Report of the Government of India Committees clearly proved that the goals of development with social justice have not been achieved. On the contrary, the planning activity during the phase of 1947-1964 had resulted in concentration of economic power in a few hands and distributional aspects of economic growth had been a total failure. P. C. Mohalanobis Report of the committee on 'Distribution of Income and Levels of Living' (1964), especially its observations on 'Concentration of Economic Power', Report of the Monopolies Enquiry Commission (1965) and The Industrial Licensing Policy Inquiry Committee (1969) clearly suggested that all the stated goals of economic development for egalitarianism had been completely distorted. Related with the failure of the economic development of the Indian State, poverty in India persisted in spite of development growth. The trickle-down approach to economic development had been falsified in the Indian situation. In the context of failure of economic development, it is pertinent to note that Indian state had adopted the path of capitalist development. This capitalist development required a restructuring of agrarian social relations so that a national capitalist market could develop in unity between agriculture and industry. The State intervened in the restructuring of agrarian society with a view to changing the ownership pattern but the special factors linked to land ownership like caste, ethnicity and religiosity remained out of reach of state intervention. The reform, in fact, did not lead to the transfer of land to the tillers, marginal, small and medium farmers, share-croppers, tenants-at-will and landlords continued to constitute the agrarian power hierarchy. Thus, property relations remained unchanged and agrarian exploitation continued.

294 NSOU • CC-PS-04 The land oligarchy exercised their social and political power to retard and sabotage the implementation of land reforms mainly with a view to maintaining their property interests. On the other hand, in spite of the Monopoly and Restrictive Trade Practices Act, indigenous monopoly capitalism has been strengthened as a leading group of capitalist classes. The laboring classes because of their low economic status were surviving on the basis of non-economic authority structures based on caste, ethnicity, and religion and so on. Because of these characteristic weaknesses of the developing capitalist economy, the State is still struggling to integrate the society. A situation of states within a state still exists in India due to social challenges to the legitimacy authority of the state in the form of organized religions, castes and communities. As a result, Indian state became weak. With the advent of Indira Gandhi in 1971 after her father's demise in 1964, as the Prime Minister, a several changes took place due to mounting external pressure. The balance of payment crisis and a stagnant economy compelled her to make substantial policy level transformation such as devaluing the rupee which several economists and national industrialists were skeptical about it. Amidst of these situations, agriculture remained neglected. However, between 1965 and 1970, Green Revolution contributed a lot to the country's overall development and agriculture in particular. Despite this, Green Revolution only benefited the big farmers. Mrs. Gandhi after consolidating her political power in 1971 launched her programs of economic development through planning on the basis of her full control over bureaucracy and all critical institutions of governance. She came out with a industrial policy giving full faith on the public sector and the leading role of the state functionaries in the economic development of India. In the process, she curbed all private sector activities by strengthening MRTP Act (1969) and the Foreign Exchange Regulation Act (FERA), 1974 which restricted the maximum equity participation in the Indian Firm to 40 per cent and finally nationalization of banks. This period was described as 'license-permit-quota raj'. Gandhi in her second Government in 1980s initiated several pro-business policy reforms by withdrawing some constraints on big business. Gandhi declared labor movements, protests and gheraos illegal. All these measures antagonized the laboring classes. Since, Mrs. Gandhi turned her attention to the agrarian sector by accelerating the Green Revolution strategy of agricultural modernization which brought new social and political changes in the balance of forces in the country because a surplus generating peasantry had emerged due to the Green Revolution technology. These new strata of socially powerful agrarian class came into conflict with the social class coalition of dominant industrial, commercial and other powerful social groups.

NSOU • CC-PS-04 295 Mrs. Gandhi's strategy during the first half of 1980s abandoned the commitment to redistribution and recommitted herself to a 'growth first' model of development. This automatically tilted the policy in favour of big business by adopting pro-business strategy of State intervention. The shift in the development strategy has its repercussions on the political processes of the country. Gandhi, to win the majority poor, came up with the slogan of 'Garibi Hatao' adopting the socialistic rhetoric and at the same time started experimenting with various sorts of ethnic politics such as Sikh politics and Hindu chauvinist groups. The crisis situation emerged because socially disaffected masses lost their faith in the state as the state failed to fulfill its promises. The state-led and state-controlled path of economic and social development left out more than 350 million people in the country from any hope for the future. Social inequalities increased in India and many basic problems of the laboring classes remained unresolved and this led to social volatility in the country. During the regime of Rajiv Gandhi, the same path was followed by adopting growth first strategy, pro-business and anti-labor policies. He openly embraced two-faced approach flouting the Bombay Meeting of the AICC in 1985. He then harped on the Nehruvian legacy, the 1956 industrial policy and socialism. Apart from tinkering with the powers and functioning of the powerful regulatory, bureaucratic, administrative state of India, he took a few steps towards deregulating the Indian economy but all these efforts were half-hearted and the old arrangements remained intact. The problem of fiscal and balance of payment remained the same at all the time leading to the liberalization in 1991 through Structural Adjustment Programme and Washington consensus. The failure of developmental state in India led to the economic reform in 1991, making economy free from developmentalist state. The state-led capitalism transformed into market-led capitalism. The role of the state reduced to facilitate and regulate the market. The new economic reform made the state to 'retreat' from its role as a producer and investor to the 'rolling back' of the state in contrast to the earlier dirigistic developmental state. Liberalization signaled the breakup of the previous balance between dominant classes and the industrialist capitalists backed by state machinery. The political process under the liberalization witnessed quite other dimension of the nature of state as the rise of OBCs across the country forced the state to implement Mandal Commission recommendations. Along with the rise of the right wing Hindutva brigade and the abrupt riots across the northern Hindi belt in order to garner vote

296 NSOU • CC-PS-04 bank became a matter of concern in Indian politics. The discontent among different sections of people began questioning the government's motive of development. Thus, 'from plan to market' has become a guide to the functioning of the Indian state in tackling their problems of transition from state-led model of development to free market model for economic growth. 20.8 Coercive Dimension Modern State is essentially based on hegemonic apparatus to ensure its continuity and maintenance. Indian state is no exception in this respect. In politics, this hegemonic apparatus is bureaucracy, the police and the military used as a coercive power of the state which are meant for punitive measures against states, groups, and individuals in order to force them to maintain or desist from actions. According to Max Weber, the state is primarily an organization which can be said to be possessing the unshared and exclusive right to use or authorize physical force against citizens residing within its territory. This use of coercion is, however, supposed to be legitimate or legally sanctioned. The traditional instruments of coercion constituted and exercised by the modern state are army and police. In recent times, with the increasing rise of the terrorism and mass violence all over the state, various legally based security measures in the form of legislations have emerged in many states including India. Indian state continued to adopt the colonial coercive apparatus in the post-colonial period. There are several reasons for the inheritance of the colonial coercive apparatus in independent India. Firstly, the partition brought about unprecedented communal violence across the state. It provided an immediate context in maintaining the coercive apparatus. Secondly, immediately after independence, India saw the rising expectation of the people reflecting in the protests and demonstrations of 1950s and 1960s, thereby creating law and order problems. And thirdly, the insurgency in the North-East of India and Naxal struggles resulted in widespread violence. All these factors resulted in riots, protests, movements leading to internal disharmony and disturbances. This is why the Indian leaders thought it fit to inherit the colonial coercive apparatus and keep it unchanged in the volatile situation in post-independent India. The Indian rulers, instead of indianization of police services, kept it in toto in terms arrest, seizure and preventive detention. Certain sections of IPC such as

NSOU • CC-PS-04 297 sections 41 to 56 clearly highlight the colonial markings on it. It allows the police to arrest anyone without seeking a warrant on the pretext of reasonable suspicion. Likewise, 165 CPC empowers the police with the searching power on reasonable grounds. These arbitrary powers of the police have led to corruption and misuse of authority across the country on the basis of patronage and kinship. The important aspect of India's coercive apparatus is the number of coercive legislations such as Unlawful Activities (Prevention) Act, (UAPA) 1967, Terrorist and Disruptive Activities (Prevention) Act, 1985, Prevention of Terrorist Act (POTA) etc. that have evolved since Independence to deal with violence, terror, disruptive activities and so on. These are no less than the colonial coercive legislations. In those legislations contained controversial provisions such as arrests without warrants, extension of pre-trial remand period up to one year, stringent bail provisions, confession before police as credible evidences etc. During 1990s, the controversy around those laws aggravated when National Human Rights Commission conducted a fact-finding report which suggested that the Acts especially TADA was not only selectively used against Muslims and Sikhs, but also applied to tribal movements. Till 1994, about 76,166 persons were arrested as per this Act. While 18,708 had no charges at all, only four per cent were found guilty. Under popular protests, it lapsed in 1995. But the TADA enlivened in the form of POTA enacted in 2002. In the wake of 11 September attacks in USA and US declaration of 'war on terror', created a global consensus for the need of enhancing the security within the state and acting tough on terrorism. In India, the need was catapulted by 2001 Parliament attacks. In this backdrop, a new Act known as POTA was promulgated in 2002 as a part of international efforts to fight terrorism. Along with this, UAPA was amended in 2004 by bringing it closer to POTA and TADA. Again it was amended in 2008 in the backdrop of Mumbai terrorist attack. It was accompanied by a series of centralized laws such as Armed Forces (Special) Powers Act (AFSPA). Recently, in February 2012, the UPA government proposed to set up National Counter Terrorism Centre (NCTC) to bolster anti-terrorism regime. The NDA government in 2014 has sidelined this bill for now. These coercive legislations were created and aimed at dealing with particular situation but they persisted over time with more intensity. The gravest of all, these laws prefer coercion to democratic negotiation. Though all these laws serve the purpose in the short run but prove detrimental to the democratic credentials and

298 NSOU • CC-PS-04 future in the long run. Several studies have shown that these extraordinary laws very often dealt with harshly against struggle for rights imputing false charges against them in the name of national sovereignty, national security and national interest. 20.9 Conclusion In conclusion, it may be said that Indian state has a long journey with colonial markings after independence. In this journey, the post-colonial state in India has changed its character i.e. from welfare to developmental to coercive nature according to changing time and situations. While most of these markings such as welfare, developmentalism and coercive have persisted in one or other form, there have been additions and subtractions to it ever since independence. It is also evident that developmental and welfare orientation has changed over time especially with the Indian state moving towards the neo-liberal mode in the dawn of the 21st century. The coercive state apparatuses are not in tandem with the society-state relationship. In this connection, it may be identified that there are continuities and discontinuities of colonial and modern state features within Indian state structure. But to characterize the Indian state to any particular nature becomes difficult due to its changing nature. To cope with the political processes in different times, the state in India had to venture into different terrains in terms of policy formulation, legislation making and implementation in terms of caste, culture, religion and gender and also in terms of identity politics, redistribution of resources and representation of various groups and recognition of people across the country. Different governments have given primacy to different modes of policy making identifying and distinguishing the India state into three categories such as welfare, development and coercive state. 20.10 Summing Up • In sum, it is clear that Indian State has in its journey to post-colonial nation- building borne with clear colonial markings. While most of the markings such as coercive and developmentalism have persisted in one or the other form, there have been additions and modifications or a changing character ever since the Independence. • It is also clear that with the Indian State moving towards the neo-liberal orientation in the dawn of the 21st century, the developmental and welfare

NSOU • CC-PS-04 299 orientations have taken backstage. In this neo-liberal era, the Indian State has lost its directive and interventionist role. 20.11 Probable Questions Essay Type Questions : 1. Discuss the nature of the State in India. 2. Explain the colonial, constitutional and post-Independence practices of the modern State in India. 3. Analyze the Welfare and Developmental dimensions of the Nehruvian State with special reference to the political processes of his period. Long Questions : 1. Describe, in brief, the Liberal and Marxist interpretations on the nature of State in India. 2. Bring out the coercive dimension of the Indian State indicating the modus- operandi of maintaining its dominance. 3. Trace out the provisions in the Constitution that characterize the Indian State as welfare State. Short Questions : 1. Write a short note on the socio-political processes of India that led India to shift its policy from plan to market economy. 2. Elucidate the aspects of how did the modern State in India represent patriarchal character. 3. Point out Rajni Kothari's views about the nature of the Indian State. 20.12 Further Reading 1. Chatterjee, Partha; 'The State' in The Oxford Companion to Politics in India, (eds.); by Niraja Gopal Jayal and PratapBhanu Mehta. Oxford University Press, New Delhi, 2019 300 NSOU • CC-PS-04 2.

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Rise of BJP as New Congress-Understanding the ... (D29627716)

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1/167	SUBMITTED TEXT	24 WORDS	77% MATCHING TEXT	24 WORDS
<p>Indian interests to the British crown in a systematic and organized manner. The Congress soon became the leading voice of the growing middle class</p>		<p>Indian interest to the British Crown in a systematic and organized manner, the Indian National Congress soon became a leading voice of the Indian middle class,</p>		
<p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				
2/167	SUBMITTED TEXT	17 WORDS	63% MATCHING TEXT	17 WORDS
<p>parties to the far right and left kept their organization intact through centralization, discipline and ideological consistency. The</p>		<p>parties to the far right and left maintained their organizational integrity through discipline and ideological consistency. So, the</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
3/167	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>in India The origin of party system in India can be traced to the</p>				
<p>SA Richa Gautam Deptt of Political Science Faculty of Social Science Patna University.pdf (D75130755)</p>				
4/167	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
<p>decline of the Congress and the rise of the BJP and regional parties. Prior to 1989, the</p>				
<p>SA Thesis Raj Bhai.docx (D20383189)</p>				
5/167	SUBMITTED TEXT	15 WORDS	84% MATCHING TEXT	15 WORDS
<p>The BJP emerged as the single largest party for the first time in 1996;</p>				
<p>SA Kirandeep Kaur.docx (D142104436)</p>				

6/167	SUBMITTED TEXT	31 WORDS	90% MATCHING TEXT	31 WORDS
<p>In 1998, the BJP led alliance secured 253 of the 543 seats and in 1999, the National Democratic Alliance, a coalition of 24 parties led by BJP, won 304 seats. The BJP</p>				
<p>SA Thesis Raj Bhai.docx (D20383189)</p>				
7/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>came to power denouncing Nehruvian secularism, advocating militant Hindu nationalism.</p>				
<p>SA Thesis Raj Bhai.docx (D20383189)</p>				
8/167	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
<p>After September 2001, the fight against terrorism became the centerpiece of BJP's domestic and foreign policy.</p>				
<p>SA Thesis Raj Bhai.docx (D20383189)</p>				
9/167	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>over the years. Frequent party splits, merger and counter splits led to a significant increase in the number of parties.</p>				
<p>over the years. Frequent party splits, mergers, and counter-splits led to a significant increase in the number of parties.</p>				
<p>J b378f7cb-ab0a-4184-92df-728b5a0ce494</p>				
10/167	SUBMITTED TEXT	41 WORDS	91% MATCHING TEXT	41 WORDS
<p>The NDA lost control of the government in the election of April-May 2004, and was defeated by the united progressive Alliance (UPA) led by Congress. The Congress emerged as the single largest party with 145 seats and the UPA secured 222 seats. The</p>				
<p>SA Thesis Raj Bhai.docx (D20383189)</p>				

11/167	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>new parties and groups and their pursuit of sectional strategies have</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				
12/167	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>complexity is the social heterogeneity that has made it impossible for a single set of parties to emerge across the country.</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				
13/167	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>BJP's rise to prominence has been the defining feature of Indian</p> <p>SA Kirandeep Kaur.docx (D142104436)</p>				
14/167	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>complexity is the social heterogeneity that has made it impossible for a single set of parties to emerge across the country. •</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				
15/167	SUBMITTED TEXT	14 WORDS	91% MATCHING TEXT	14 WORDS
<p>Hasan, Zoya (ed.) ; Parties and Party Politics in India, Oxford University press, 2011.</p> <p>Hasan, Zoya (ed.). Parties and Party Politics in India. New Delhi: Oxford University Press, 2002.</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				
16/167	SUBMITTED TEXT	15 WORDS	84% MATCHING TEXT	15 WORDS
<p>The BJP emerged as the single largest party for the first time in 1996. •</p> <p>SA Kirandeep Kaur.docx (D142104436)</p>				

17/167	SUBMITTED TEXT	35 WORDS	72% MATCHING TEXT	35 WORDS
<p>Congress system sustained one party dominance India till the 1967 election to the state assemblies. The basic element of the system was the dominant role of the Congress in conducting public affairs almost without resistance from</p>		<p>Congress system sustained one-party dominance in India till the 1967 election to the state assemblies. What was basic in the Congress system was the hegemonic role of the Indian National Congress in conducting public affairs almost without resistance from</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
18/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>to destroy its viability both as a party of governance and</p>		<p>to destroy its viability both as a party of governance and</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
19/167	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>Congress system as the most effective means of countering the challenges that the country faces.</p>		<p>Congress system as the most effective means of countering 'the challenges that the country faces'.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
20/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>The Oxford companion to politics in India, Oxford University press, 2010. 5.</p>		<p>PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>		
<p>SA</p>				
21/167	SUBMITTED TEXT	17 WORDS	79% MATCHING TEXT	17 WORDS
<p>due role in parliamentary politics and restructuring the communication linkage between government, party units and the people. 28</p>		<p>due role in parliamentary politics and at regional levels, and restructure the communication linkage between government, party units and the people,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

22/167	SUBMITTED TEXT	21 WORDS	80% MATCHING TEXT	21 WORDS
<p>a long period of stable democratic functioning produced a centralized bureaucratic apparatus devoid of effective distributive policies and any sound philosophy of Justice.</p>		<p>a long period of stable democratic functioning, nonetheless produced a centralized, bureaucratic apparatus that was lacking in effective distributive policies and any sound philosophy of justice,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
23/167	SUBMITTED TEXT	29 WORDS	85% MATCHING TEXT	29 WORDS
<p>a sort of consensus based primarily on elite accommodation. The system primarily worked because of its nearness to the mobilization of the national movement and the relation of implicit trust between</p>		<p>a kind of consensus based primarily on elite accommodation. The system passed uncontested 'because of its nearness to the mobilization of the national movement, and the relation of implicit trust between</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
24/167	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>increasing opposition strength rejected the principle of consensus in favour of the majoritarian principle.</p>		<p>increasing opposition strength 'rejected the principle of consensus in favour of the majoritarian principle'.¹²</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
25/167	SUBMITTED TEXT	19 WORDS	88% MATCHING TEXT	19 WORDS
<p>The system continued almost uninterrupted till the 1967 election when non- Congress governments came to power in several states.</p>		<p>The system continued almost uninterrupted till the 1967 elections when the non-Congress governments came to power in several states,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
26/167	SUBMITTED TEXT	16 WORDS	83% MATCHING TEXT	16 WORDS
<p>Oxford university press, 1977. 4. Hassan, Zoya (ed.); parties and party politics in India. Oxford University Press, 2002. 5.</p>		<p>Oxford University Press, 2000. Zoya (ed.). Parties and Party Politics in India. New Delhi: Oxford University Press, 2002.</p>		
<p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				

27/167	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>would at least inspire the confidence that the country could get rid of the Congress rule at the centre.</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>would at least inspire the confidence that the country could get rid of the Congress rule at the Centre'.16</p>		
28/167	SUBMITTED TEXT	22 WORDS	93% MATCHING TEXT	22 WORDS
<p>elections were clearly a break with the past, in the sense that several regional parties realized the importance of a coalition of</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>elections are clearly a break with the past in the sense that several regional parties realized the importance of a coalition of</p>		
29/167	SUBMITTED TEXT	17 WORDS	83% MATCHING TEXT	17 WORDS
<p>Rajni ; The Congress 'System' in India. Asian Survey; Dec., 1964, Vol. 4, No. 12 (Dec., 1964),</p> <p>SA Main Dissertation - M. Phil - Maniraj.docx (D30208331)</p>				
30/167	SUBMITTED TEXT	37 WORDS	74% MATCHING TEXT	37 WORDS
<p>a clear crack in the Congress base in the regions. It also reflects the beginning of a significant process whereby regional parties were united on the basis of distinctly regional interests that the congress failed to represent properly. The</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>a clear crack in the Congress base in the regions; the 1967 poll outcomes also reflect, on the other, the beginning of a significant process whereby the splintered regional parties were united on the basis of distinctly regional interests, which the Congress failed to adequately represent. The</p>		
31/167	SUBMITTED TEXT	21 WORDS	73% MATCHING TEXT	21 WORDS
<p>In order to keep the coalition going, a common minimum programme was adopted that avoided, as far as possible, contentious issues. However, the</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>In order to sustain the coalition, a common minimum programme was framed that avoided as far as possible contentious issues. So, the</p>		

32/167	SUBMITTED TEXT	46 WORDS	83% MATCHING TEXT	46 WORDS
<p>elected Mahamaya Prasad singh of the JKD as the first non-Congress Chief Ministers. In Punjab anti- Congress parties like the Akali Dal (sant group), the CPI(M), the CPI, the Jana Sangh, the Akali Dal (Master group), the SSP and the republican party came together and formed the popular united front.</p>		<p>elected Mahamaya Prasad Singh of the JKD as the first non-Congress chief minister. In Punjab, those with non-Congress sentiments – the Akali Dal (Sant group), the CPI(M), the CPI, the Jana Sangh, the Akali Dal (master group), the SSP and the Republican Party – came together and formed the Popular United Front,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
33/167	SUBMITTED TEXT	29 WORDS	50% MATCHING TEXT	29 WORDS
<p>mid-term poll results in West-Bengal, Uttar Pradesh, Bihar and Punjab were an expression of a new wave in Indian politics. The defeat of the Congress indicated its failure to accommodate</p>		<p>mid-term poll in February 1967 in West Bengal, Uttar Pradesh, Bihar and Punjab is undoubtedly an articulation of a new wave in Indian politics. That the Congress miserably in these states demonstrates its failure to accommodate</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
34/167	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>the possibility of an alternative structure of power on the basis of</p>		<p>the possibility of an alternative structure of power on the basis of</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
35/167	SUBMITTED TEXT	25 WORDS	82% MATCHING TEXT	25 WORDS
<p>The front suffered a death blow from the dissident Congressmen who broke away from a Progressive Democratic Front under the leadership of P. C. Ghosh. The</p>		<p>The Front suffered a death blow not from the communists but from the dissident Congressmen who broke away to form a Progressive Democratic Front under the leadership of P. C. Ghosh, the</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
36/167	SUBMITTED TEXT	20 WORDS	90% MATCHING TEXT	20 WORDS
<p>Two governments in less than a year in West Bengal demonstrated the failure of the coalition to sustain its viability. In</p>		<p>two governments in less than a year in West Bengal shows the failure of the coalition to sustain its viability. in</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

37/167	SUBMITTED TEXT	34 WORDS	63% MATCHING TEXT	34 WORDS
<p>since 1967, Kerala has been governed by two coalitions, the CPI(M) led Left Democratic Front, and the Congress dominated United Democratic Front. The LDF included CPI(M), CPI, RSP, Mani and Pillai Faction of the Kerala</p>		<p>Since 1967, Kerala has been ruled by two different coalitions of parties: the CPI(M)-led Left Democratic Front (LDF) and the Congress-dominated United Democratic Front (UDF). Besides the three major communist parties, CPI(M), CPI and Revolutionary Socialist Party (RSP), the LDF also included the Mani and Pillai faction of the Kerala</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
38/167	SUBMITTED TEXT	19 WORDS	84% MATCHING TEXT	19 WORDS
<p>the Congress, the Janata Party, the Praja Socialist Party, the National Democratic Party (Nair) and the Socialist Revolutionary Party (</p>		<p>the Kerala Congress, the Janata Party, the Praja Socialist Party, the (Nair) National Democratic Party and the (Ezhava) Socialist Revolutionary Party.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
39/167	SUBMITTED TEXT	25 WORDS	40% MATCHING TEXT	25 WORDS
<p>no religions or caste groups are numerically dominant. Multiplicity of social groups with conflicting interests contributed to the multiplicity of political parties and coalition government is inevitable</p>		<p>no religion or caste groups ever being numerically dominant and the obvious conflicting interests of different social groups, seemed to have contributed to the multiplicity of political parties that perhaps made coalition government inevitable.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
40/167	SUBMITTED TEXT	35 WORDS	71% MATCHING TEXT	35 WORDS
<p>In the Hindi heartland of Uttar Pradesh and Madhya Pradesh anti-Congress sentiments were expressed by those who left Congress. In UP the Congress government headed by C. B. Gupta collapsed within three weeks of its formation.</p>		<p>In the Hindi heartland, particularly Uttar Pradesh and Madhya Pradesh, the non-Congress sentiments were articulated by those who left the Congress before the 1967 elections. In Uttar Pradesh, the Congress ministry headed by C. B. Gupta collapsed within three weeks of its formation</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

41/167	SUBMITTED TEXT	21 WORDS	81% MATCHING TEXT	21 WORDS
<p>The non- Congress members of the UP legislative assembly formed Samyukta Vidhayak Dal comprising the Jana Congress, Jana Sangh, SSP, PSP, Swatantra,</p>		<p>the non-Congress members of the UP legislative assembly formed the Samyukta Vidhayak Dal (comprising Jan Congress, Jana Sangh, SSP, PSP, Swatantra,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
42/167	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>Republican Party and independents. The SVD was a combination of heterogeneous elements with clear ideological difference among the partners.</p>		<p>Republican Party and independents. The SVD was a combination of heterogeneous elements with clear ideological differences among the partners.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
43/167	SUBMITTED TEXT	8 WORDS	100% MATCHING TEXT	8 WORDS
<p>The euphoria over the non-Congress coalition was short lived.</p>		<p>The euphoria over the non-Congress coalition was short-lived</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
44/167	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>In Madhya Pradesh, the Congress lost its numerical strength following defection of Vijay Raje Scindia and the government</p>		<p>In Madhya Pradesh, the Congress lost its numerical strength following the desertion of Vijay Raje Scindia and the government</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
45/167	SUBMITTED TEXT	21 WORDS	79% MATCHING TEXT	21 WORDS
<p>The MP experiment is an example of an uneasy alliance surviving one ministerial crisis after another and gaining fresh lease of life</p>		<p>the MP experiment 'provides a remarkable example of an uneasy, inchoate alliance, surviving one ministerial crisis after another, and gaining a fresh lease of life "</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

46/167	SUBMITTED TEXT	28 WORDS	71% MATCHING TEXT	28 WORDS
<p>The situation in Haryana was somewhat different. The Congress lost its majority following large scale defection of dissident Congress men. A United Front was formed with Rao Birendra Singh</p>		<p>The situation in Haryana was slightly different where the Congress lost its numerical majority in the assembly following a large- scale defection of the dissident Congressmen. A United Front was formed and Rao Birendra Singh</p>		
<p>W https://aryacollegeludhiana.in/E_BOOK/political_science/Indian_Politics_and_Society_Since_Indepen ...</p>				
47/167	SUBMITTED TEXT	30 WORDS	60% MATCHING TEXT	30 WORDS
<p>its role in the freedom movement and achievements during the Nehru era. Although anti- Congressism brought the opposition parties to the centre-stage of Indian politics, it failed to ensure stability of coalition</p>		<p>its role in the freedom struggle and achievement during the Nehru era. For the opposition parties, although the anti-Congress sentiments catapulted them to the centre stage of Indian politics, they failed to ensure stability of coalition</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
48/167	SUBMITTED TEXT	47 WORDS	58% MATCHING TEXT	47 WORDS
<p>can be an alternative strategy for gaining political power. With the breakdown of the Congress system the period of coalition politics seemed to have begun at the national level. The regional parties began to assert themselves in such a way as to become the controlling factors in the mainstream national politics.</p>				
<p>SA main cahpters thesis q.docx (D141373039)</p>				
49/167	SUBMITTED TEXT	30 WORDS	75% MATCHING TEXT	30 WORDS
<p>One of the factors that contributed to the rise of these smaller parties is the breakdown of the Congress and its failure to represent diverse social and economic interests at the</p>		<p>One of the factors that contributed to the rise of these smaller parties is certainly the breakdown of Congress and also its failure to represent the myriad social and economic interests at the</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
50/167	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>BJP on the one hand and the left parties on the other. The</p>				
<p>SA Kirandeep Kaur.docx (D142104436)</p>				

51/167	SUBMITTED TEXT	18 WORDS	55% MATCHING TEXT	18 WORDS
<p>of competitive politics has changed the party system from being a rivalry between national parties into one between</p> <p>SA main cahpters thesis q.docx (D141373039)</p>				
52/167	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>Chakrabarty, Bidyut; Forging Power : Coalition Politics in India. Oxford University Press, New Delhi, 2006. 2.</p> <p>J 7e32a65f-a3d5-439b-ae73-d3e32f3ac27d</p>				
53/167	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>in India; The Indian Journal of Political Science, 1997, Vol. 58, No. 1/4 ,</p> <p>W http://egyankosh.ac.in/bitstream/123456789/66625/1/Unit-2.pdf</p>				
54/167	SUBMITTED TEXT	13 WORDS	91% MATCHING TEXT	13 WORDS
<p>Hasan Zoya (ed.); Parties and Party Politics in India. Oxford University Press, 2002. 5.</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				
55/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Jana Sangh, Bharatiya Lok Dal, Congress (o) and the socialist party</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				
56/167	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>AIADMK in Tamil Nadu, Telegu Desam in Andhra Pradesh, Assam Gana Parishad in Assam</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				

57/167	SUBMITTED TEXT	18 WORDS	71% MATCHING TEXT	18 WORDS
<p>Gopal and Mehta, Pratap Vanu (eds); The Oxford Companion To Politics In India. Oxford University Press, 2010. 44</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
58/167	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>state or which represent the interest of particular linguistic, regional, ethnic or cultural groups</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
59/167	SUBMITTED TEXT	36 WORDS	80% MATCHING TEXT	36 WORDS
<p>politics in India. Oxford University Press, 2010. 3. Pai, Sudha; Regional Parties and the Emerging Pattern of Politics in India, The Indian Journal of Political Science, July - Sept. 1990, Vol. 51, No. 3 (July - Sept. 1990) 4.</p> <p>Politics in India. New Delhi, India: Oxford University Press. Pai, Sudha (1990). Regional Parties and the Emerging Patters of Politics in India. The Indian Journal of Political Science.Vol 51, No. 3 9 July-Sept. 1990).</p> <p>W http://egyankosh.ac.in/bitstream/123456789/66625/1/Unit-2.pdf</p>				
60/167	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS
<p>New Delhi, 1999. 5. Hasan, Zoya (ed.); Parties and Party politics in India. Oxford University Press, 2002. 54</p> <p>New Delhi: University Press, 2000. Zoya (ed.). Parties and Party Politics in India. New Delhi: Oxford University Press, 2002.</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				
61/167	SUBMITTED TEXT	17 WORDS	90% MATCHING TEXT	17 WORDS
<p>Indian National Congress 5.4. Bharatiya Janata Party 5.5 Communist Party of India (CPI) 5.6 Communist Party of India (Marxist) 5.7</p> <p>Indian National Congress; Bharatiya Janata Party; Communist Party of India; CPI (M): Communist Party of India (Marxist);</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>				

62/167	SUBMITTED TEXT	24 WORDS	74% MATCHING TEXT	24 WORDS
<p>The presence of regional parties has given a wider basis to government policies by providing inputs from the areas and regions to which they belong. 4.9</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
63/167	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>The registered parties are granted recognition at the state and national levels by the</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				
64/167	SUBMITTED TEXT	12 WORDS	90% MATCHING TEXT	12 WORDS
<p>not less than six percent of the total valid votes polled</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
65/167	SUBMITTED TEXT	19 WORDS	77% MATCHING TEXT	19 WORDS
<p>national parties. The Indian National Congress, The Bharatiya Janata Party, The Communist Party of India(CPI), The Communist Party of India(Marxist),</p> <p>National Parties 2.3.1 The Indian National Congress (I) The Congress (I) 2.3.2 The Bharatiya Janata Party (BJP) 2.3.3 The Bahujan Party (BSP) 2.3.4 Communist Party of India (CPI) and The Communist Party of India (Marxist) (</p> <p>W http://egyankosh.ac.in/bitstream/123456789/66625/1/Unit-2.pdf</p>				
66/167	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>at least 2 percent of the total number of seats in the</p> <p>SA MA Politics SEM 1 Indian Government and Politics.pdf (D110639084)</p>				
67/167	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
<p>as most parties are more like each other on many issues and are</p> <p>SA Thesis Raj Bhai.docx (D20383189)</p>				

68/167	SUBMITTED TEXT	37 WORDS	93% MATCHING TEXT	37 WORDS
<p>the party is committed to socialism, secularism and democracy. The party professes its commitment to democratic socialism and places special emphasis on the planned development of the country in which the government is expected to play a key role.</p> <p>SA 43 Thesis Chapter Gaurav Rathore GE1063 Sociology AMU.docx (D113747642)</p>				
69/167	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>to raise public spending in education to at least 6 percent of GDP.</p> <p>SA main cahpters thesis q.docx (D141373039)</p>				
70/167	SUBMITTED TEXT	23 WORDS	52% MATCHING TEXT	23 WORDS
<p>one country, one nation, one culture and the rule of law. The nationalism must be based on individual allegiance to Bharat as a whole.</p> <p>SA Kirandeep Kaur.docx (D142104436)</p>				
71/167	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>while laying emphasis on the Hindu idiom in its poll manifesto, the party stands for justice for all and appeasement of none.</p> <p>SA 43 Thesis Chapter Gaurav Rathore GE1063 Sociology AMU.docx (D113747642)</p>				
72/167	SUBMITTED TEXT	16 WORDS	88% MATCHING TEXT	16 WORDS
<p>explore all possibilities within the framework of the constitution to facilitate the construction of Ram Mandir in Ayodhya.</p> <p>SA Rise of BJP as New Congress-Understanding the Results of 2014 General Elections (Santosh Kumar Bh ... (D29627716)</p>				

73/167	SUBMITTED TEXT	13 WORDS	91% MATCHING TEXT	13 WORDS
<p>Hasan, Zoya (ed.); Parties and Party Politics in India. Oxford University press, 2011.</p> <p>W https://w3sdev.com/16-the-changing-nature-of-the-party-system-contemporary-india.html</p>		<p>Hasan, Zoya (ed.). Parties and Party Politics in India. New Delhi: Oxford University Press, 2002.</p>		
74/167	SUBMITTED TEXT	17 WORDS	92% MATCHING TEXT	17 WORDS
<p>Oxford University press, 2018. 2. Hasan, Zoya ; parties and party politics in India. Oxford University press 2002. 3.</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
75/167	SUBMITTED TEXT	13 WORDS	92% MATCHING TEXT	13 WORDS
<p>Communist Party of India (Marxist) The communist Party of India (Marxist) was formed</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
76/167	SUBMITTED TEXT	13 WORDS	80% MATCHING TEXT	13 WORDS
<p>Peter Ronald & E Sridharan (eds.); India's Political Parties, New Delhi, Sage Publications. 4.</p> <p>SA Main Dissertation - M. Phil - Maniraj.docx (D30208331)</p>				
77/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>political power for furthering the interests of the caste groups.</p> <p>W http://www.elixirpublishers.com/articles/1366608374_57%20(2013)%2014404-14406.pdf</p>		<p>political power for furthering the interests of the caste groups</p>		
78/167	SUBMITTED TEXT	14 WORDS	84% MATCHING TEXT	14 WORDS
<p>slogan, "Vote hamara, raj tumhara — nahi chalega, nahi chalega (Our vote, you rule,</p> <p>SA AMIR thesis.doc (D20472625)</p>				

79/167	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>All political parties in India use caste as a means for securing votes in</p> <p>W https://www.sociologydiscussion.com/essay/caste-system-essay/essay-on-the-caste-system-in-india-s ...</p>				
80/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Politics has become caste ridden and castes have got politicized.</p> <p>W http://www.elixirpublishers.com/articles/1366608374_57%20(2013)%2014404-14406.pdf</p>				
81/167	SUBMITTED TEXT	25 WORDS	53% MATCHING TEXT	25 WORDS
<p>the most ancient feature of the Indian social system. It has made its special place in the structure and functions of the Indian political system. • Caste</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
82/167	SUBMITTED TEXT	35 WORDS	55% MATCHING TEXT	35 WORDS
<p>caste acts as a divisive force in Indian politics. It provides a basis for the emergence of many interest teams within the Indian system every of that competes with each different cluster within the struggle for power.</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
83/167	SUBMITTED TEXT	18 WORDS	73% MATCHING TEXT	18 WORDS
<p>Political Accommodation" in Atul Kohlied : India's Democracy : An Analysis of Changing State Society Relations. Orient Longman,</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>political developments India. Atul Kohli (ed.) India's Democracy: An Analysis of Changing State–Society Relations (Orient Longman, 1991)</p>		

84/167	SUBMITTED TEXT	26 WORDS	71% MATCHING TEXT	26 WORDS
<p>Economic and Political Weekly : Vol 49 (4) : 1988. 3. Brass, Paul R. ; Caste, Faction, and Party in Indian Politics : Election Studies. Chanakya Publications,</p>		<p>Economic and Political Weekly. Vol 3(16): Brass, Paul (1985). Caste, Faction and Party in Indian Politics. New Delhi, India: Chanakya Publications.</p>		
<p>W http://egyankosh.ac.in/bitstream/123456789/66625/1/Unit-2.pdf</p>				
85/167	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>the most effective factors in political mobilization in India even after decades of the successful experiment of electoral democracy.'</p>		<p>the most effective factors in political mobilization in India even after decades of the successful experiment of electoral democracy.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
86/167	SUBMITTED TEXT	16 WORDS	78% MATCHING TEXT	16 WORDS
<p>Brass, Paul R ; Caste, Faction, and Party in Indian Politics : Election Studies. Chanakya Publications,</p>				
<p>SA Shanu All CHAPTER.doc (D19821252)</p>				
87/167	SUBMITTED TEXT	16 WORDS	76% MATCHING TEXT	16 WORDS
<p>the Congress vote in-creased from 29 per cent in 1977 to 38 per cent in 1980. "</p>				
<p>SA Rise of BJP as New Congress-Understanding the Results of 2014 General Elections (Santosh Kumar Bh ... (D29627716)</p>				
88/167	SUBMITTED TEXT	29 WORDS	100% MATCHING TEXT	29 WORDS
<p>an ideology that sought to define Indian culture in terms of Hindu values, and it was highly critical of the secular policies and practices of the Indian National Congress (Congress Party).</p>				
<p>SA 43 Thesis Chapter Gaurav Rathore GE1063 Sociology AMU.docx (D113747642)</p>				
89/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the growth of regional parties and regionalisation of national parties.</p>				
<p>SA Kirandeep Kaur.docx (D142104436)</p>				

90/167	SUBMITTED TEXT	23 WORDS	92% MATCHING TEXT	23 WORDS
<p>Niraja, Gopal Jayal and Pratap, Bhanu Mehta (eds.) ; The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2011. 122</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
91/167	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>upheld the maintenance order under Section 125 of the Indian Penal Code.</p> <p>J 8a451eaa-13db-4b74-a78a-a6635ac2d09a</p> <p>upheld the maintenance order under section 125 of the Indian Penal Code</p>				
92/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>passed the Muslim Women (Protection of Rights on Divorce) Act</p> <p>W https://pubhtml5.com/pjgu/yrfx/basic/151-200</p> <p>passed the Muslim Women (Protection of Rights on Divorce) Act, 1986</p>				
93/167	SUBMITTED TEXT	16 WORDS	96% MATCHING TEXT	16 WORDS
<p>Pratap Bhanu (eds.); The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2011. 5.</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
94/167	SUBMITTED TEXT	36 WORDS	100% MATCHING TEXT	36 WORDS
<p>caste system. (i) Segmental division of society : The society is divided into various small social groups called castes. Each of these castes is a well-developed social group, the membership of which is determined by the consideration of birth.</p> <p>W https://www.clearias.com/caste-system-in-india/</p> <p>Caste System • Segmental Division of Society: The society is divided into various small social groups called castes. Each of these castes is a well developed social group, the membership of which is determined by the consideration of birth. •</p>				

95/167	SUBMITTED TEXT	30 WORDS	93% MATCHING TEXT	30 WORDS
<p>At the top of this hierarchy is the Brahmin caste and at the bottom is the untouchables. In between are the intermediate castes, the relative position of which are not always clear.</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>At the top of this hierarchy is the Brahmin caste and at the bottom is the untouchable caste. In between are the intermediate castes, the relative positions of which are not always clear. •</p>		
96/167	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>has been described as the worst violence in Uttar Pradesh in recent history. 138</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
97/167	SUBMITTED TEXT	34 WORDS	100% MATCHING TEXT	34 WORDS
<p>endogamy is the chief characteristic of caste, i.e. the members of a caste or sub-caste should marry within their own caste or sub-caste. The violation of the rule of endogamy would mean ostracism and loss of caste. (</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>Endogamy is the chief characteristic of caste, i.e. the members of a caste or sub-caste should marry within their own caste or sub-caste. The violation of the rule of endogamy would mean ostracism and loss of caste.</p>		
98/167	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
<p>Usually a caste would not accept cooked food from any other caste that stands lower than itself in the social scale.</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>Usually a caste would not accept cooked food from any other caste that stands lower than itself in the social scale,</p>		
99/167	SUBMITTED TEXT	25 WORDS	94% MATCHING TEXT	25 WORDS
<p>A particular name : Every caste has a particular name through which we can identify it. Sometimes, an occupation is also associated with a particular caste.</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>A Particular Name: Every caste has a particular name though which we can identify it. Sometimes, an occupation is also associated with a particular caste. •</p>		

100/167	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
<p>Jati Panchayat : The status of each caste is carefully protected, not only by caste laws but also by the conventions. These are openly enforced by the community.</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>Jati Panchayat: The status of each caste is carefully protected, not only by caste laws but also by the conventions. These are openly enforced by the community</p>		
101/167	SUBMITTED TEXT	29 WORDS	93% MATCHING TEXT	29 WORDS
<p>a governing body or board called Jatipanchayat. These Panchayats in different regions and castes are named in a particular fashion such as Kuldriya in Madhya Pradesh and Jokhila in South Rajasthan.</p> <p>W https://www.clearias.com/caste-system-in-india/</p>		<p>a governing body or board called Jati Panchayat. These Panchayats in different regions and castes are named in a particular fashion such as Kuldriya in Madhya Pradesh and Jokhila in South Rajasthan.</p>		
102/167	SUBMITTED TEXT	10 WORDS	90% MATCHING TEXT	10 WORDS
<p>Atul (ed.); The Success of India's Democracy. Cambridge university Press,</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>Atul Kohli (ed.), The Success of India's Democracy, Cambridge: Cambridge University Press, 2002,</p>		
103/167	SUBMITTED TEXT	16 WORDS	96% MATCHING TEXT	16 WORDS
<p>Pratap Bhanu (eds.); The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2011. 8.</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
104/167	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2011. 7.</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				

105/167	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>discrimination on grounds of religion, race, caste, sex or place of birth</p> <p>SA Aishana & Abbhas.docx (D141739670)</p>				
106/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>mobilization of the lower castes by the Indian National Congress.</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
107/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>political campaigns aimed at improving their economic and social status.</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
108/167	SUBMITTED TEXT	10 WORDS	90% MATCHING TEXT	10 WORDS
<p>Atul (ed.); The Success of India's Democracy. Cambridge university Press,</p> <p>Atul Kohli (ed.), The Success of India's Democracy, Cambridge: Cambridge University Press, 2002,</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
109/167	SUBMITTED TEXT	16 WORDS	65% MATCHING TEXT	16 WORDS
<p>the lower castes was facilitated by the Indian system of affirmative action known as reservation. • Reservation</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
110/167	SUBMITTED TEXT	17 WORDS	96% MATCHING TEXT	17 WORDS
<p>that the citizens, men and women, equally have the right to an adequate means of livelihood; that</p> <p>that the citizens, men and women equally, have the right to an adequate means of livelihood; (b) that</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

111/167	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2011. 8.</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
112/167	SUBMITTED TEXT	15 WORDS	70% MATCHING TEXT	15 WORDS
<p>The involvement of women in the development process and political decision making process has been</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				
113/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>for securing just and humane conditions of work and for maternity relief.</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				
114/167	SUBMITTED TEXT	24 WORDS	62% MATCHING TEXT	24 WORDS
<p>to promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women. 16.11</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
115/167	SUBMITTED TEXT	13 WORDS	83% MATCHING TEXT	13 WORDS
<p>The Ministry of Women and Child Development is the nodal agency for</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				
116/167	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>Convention on Elimination of All Forms of Discrimination against women (CEDAW) in 1993.</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				

117/167	SUBMITTED TEXT	58 WORDS	64% MATCHING TEXT	58 WORDS
<p>entry of a large number of women into decision making process can rapidly change the existing situation. The involvement of women at different levels is bound to have positive impact on public policy. Women issues will be transformed into societal issues. The most critical role for women will be to resist inequality and injustice not merely for women, but for all.</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				
118/167	SUBMITTED TEXT	15 WORDS	90% MATCHING TEXT	15 WORDS
<p>Towards Equality; Report of the Committee on the Status of Women in India, Ministry of</p> <p>SA KASHINATH.WOMEN STUDY.2015.doc (D15890935)</p>				
119/167	SUBMITTED TEXT	32 WORDS	95% MATCHING TEXT	32 WORDS
<p>In pursuance of Article 340 of the Constitution, the kalelkar Commission was set up in 1953, but it could not come to any satisfactory conclusion about who should be legitimately considered as OBCs.</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
120/167	SUBMITTED TEXT	25 WORDS	90% MATCHING TEXT	25 WORDS
<p>Candidates belonging to OBC recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27 per cent. 2.</p> <p>candidates belonging to OBCs recruited on the basis of merit in an open competition should not be adjusted against Indian democracy 65 their reservation quota of 27 per cent'.</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
121/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>In the case of Indira Sawhney versus Union of India,</p> <p>in the case of Indira Sawhney versus Union of India</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

122/167	SUBMITTED TEXT	38 WORDS	97% MATCHING TEXT	38 WORDS
<p>subject to the exclusion of socially- advanced persons/sections (creamy layer) from amongst the OBCs. The Court also directed to evolve criteria for identification of this creamy layer. In response to the Court directives, the Government appointed a committee which suggested</p>		<p>subject to the exclusion of socially advanced persons/sections (creamy layer) from amongst the OBCs. The Court also directed the government to evolve criteria for identification of this creamy layer. In response to the Court directives, the government appointed a committee which suggested</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
123/167	SUBMITTED TEXT	18 WORDS	66% MATCHING TEXT	18 WORDS
<p>the state from making any special provision for the advancement of any socially and educationally backward classes of</p>		<p>the state to make special provisions "for the advancement of any socially and educationally backward classes of</p>		
<p>W https://www.encyclopedia.com/international/encyclopedias-almanacs-transcripts-and-maps/caste-system</p>				
124/167	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>that "The state shall strive to promote the welfare of the people by securing and protecting</p>		<p>that the State shall strive to promote the welfare of the people by securing and protecting....</p>		
<p>W https://www.analogeducation.in/al-major/uploads/1115663971Political%20Science%20II.pdf</p>				
125/167	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>a social order in which justice, social, economic and political, shall</p>		<p>a social order in which justice, social, economic and political, shall</p>		
<p>W https://www.analogeducation.in/al-major/uploads/1115663971Political%20Science%20II.pdf</p>				
126/167	SUBMITTED TEXT	41 WORDS	87% MATCHING TEXT	41 WORDS
<p>stirred the sensibilities of both socially and educationally disadvantaged sections of society, providing a powerful input that has brought about radical changes in Indian polity and society. The grammar of entitlement has become an integral part of the language of politics in contemporary India.</p>		<p>stirred the sensibilities of both the socially advantaged and disadvantaged sections of society, the Mandal initiative is a powerful input that has brought about radical changes in Indian polity and society. The grammar of entitlement has become an integral part of the language of politics in contemporary India.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

127/167	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>and it promptly came up with a long list of 3743 backward castes on the basis of social, economic and educational backwardness,</p> <p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				
128/167	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>Mandal Commission takes forward the process of transfer of social and political power to</p> <p>Mandal I. It takes forward 'the process of transfer of social and political power to</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
129/167	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>majority community. In the context of Mandal II, V. P. Singh characterized</p> <p>majority communities'.52 In the context of Mandal II, V. P. Singh characterized</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
130/167	SUBMITTED TEXT	23 WORDS	97% MATCHING TEXT	23 WORDS
<p>as 'macro- process that has acquired its own dynamics. Hence, no matter which party forms a government, it has to take the process further.'</p> <p>as 'a macro-process that has acquired its own dynamics. [Hence,] no matter which party forms a government, it has to take the process further'.53</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
131/167	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>the centre of gravity in Indian politics is now defined by 'quota politics'.</p> <p>the centre of gravity in Indian politics is now defined by 'quota politics'.54</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

132/167	SUBMITTED TEXT	41 WORDS	87% MATCHING TEXT	41 WORDS
<p>after Mandal, caste as a basis of collective struggle for gaining equality in positions and social status became a respectable term among the marginalized. It is now being used as an empowering device to enhance one's meager entitlements in society. The reservation thus,</p>		<p>After Mandal, caste, as a basis of collective struggle for gaining equality in positions and social status, became 'a term of respectable usage' among the marginalized. It is now being seen as 'an empowering device to enhance one's meager entitlements in society'.⁶³ The shift thus</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
133/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>represented the politics of caste assertion or the politics of identity</p>		<p>represented the politics of caste assertion or the politics of identity,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
134/167	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>the 1992 Supreme Court judgment in the case of Indira Sawhney versus Union of India? 3.</p>		<p>the 1992 Supreme Court judgment in the case of Indira Sawhney versus Union of India</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
135/167	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Indian Politics and Society since Independence, Events, Processes and Ideology.</p>		<p>Indian Politics and Society since Independence Events, processes and ideology</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
136/167	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>The Mandal Commission's recommendations were implemented in 1990 by the then Prime Minister V. P. Singh.</p>		<p></p>		
<p>SA 15 Amir Ullah PLB 203 SLM CDOE AMU.docx (D144112224)</p>				

137/167	SUBMITTED TEXT	23 WORDS	93% MATCHING TEXT	23 WORDS
<p>Politics' in Niraja Gopal Joyal and Pratap Bhanu Mehta, (eds.); The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2010. 228</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
138/167	SUBMITTED TEXT	16 WORDS	71% MATCHING TEXT	16 WORDS
<p>The word Caste originated from the Spanish and Portuguese word 'Casta' meaning 'race, lineage or breed'</p> <p>W https://www.clearias.com/caste-system-in-india/</p> <p>The word caste derives from the Spanish and Portuguese "casta", means "race, lineage, or breed".</p>				
139/167	SUBMITTED TEXT	32 WORDS	86% MATCHING TEXT	32 WORDS
<p>concerned with birth. According to Anderson and Parker, "Caste is the extreme form of social class organization in which position of individuals in the status hierarchy is determined by decent and birth". Caste system</p> <p>W https://www.clearias.com/caste-system-in-india/</p> <p>concerned with birth. According to Anderson and Parker, "Caste is that extreme form of social class organization in which the position of individuals in the status hierarchy is determined by descent and birth." How did Caste System</p>				
140/167	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
<p>Jaffrelot, Christophe; India's Silent Revolution : The Rise of Low Castes; North Indian Politics.</p> <p>SA Shanu All CHAPTER.doc (D19821252)</p>				
141/167	SUBMITTED TEXT	49 WORDS	82% MATCHING TEXT	49 WORDS
<p>the Commission suggested that OBCs forming 52% of country's population required special concession to correct the social imbalance. But The Supreme Court ruled that reservations cannot exceed 50% of the jobs. So, the commission reluctantly agreed to accept 27% jobs for the OBCs though they constituted more than half of India's population.</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p> <p>The commission suggested that OBCs, who form 52 per cent of the country's population, require special concession to correct the social imbalance. But the Supreme Court ruled that reservations cannot exceed 50 per cent of the jobs. So the Commission reluctantly agreed to accept 27 per cent of jobs for the OBCs though they constitute more than half of India's population.</p>				

142/167	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the Mandal Commission Report changed the original philosophy of reservations by clearly</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>the Mandal Commission Report 'changed the original philosophy of reservations by clearly</p>		
143/167	SUBMITTED TEXT	38 WORDS	92% MATCHING TEXT	38 WORDS
<p>Recommending 'quota' for the OBCs, the report is broadly a scheme for 'affirmative action' for socially under-privileged sections of society. By deciding to implement the Mandal Commission Report, submitted to the Government of India in 1980, the V. P. Singh Government</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>Recommending a quota for the OBCs, the 1980 Mandal Commission report is broadly a scheme for 'affirmative action' for socially underprivileged sections of society. By deciding to implement the Mandal Commission Report, submitted to the Government of India in 1980, the V. P. Singh government</p>		
144/167	SUBMITTED TEXT	29 WORDS	81% MATCHING TEXT	29 WORDS
<p>The Commission reminded the fact that candidates belonging to OBCs recruited on the basis of merit in an open competition should not be adjusted against their reservation quota of 27%.</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>the commission also categorically stated that ' candidates belonging to OBCs recruited on the basis of merit in an open competition should not be adjusted against Indian democracy 65 their reservation quota of 27</p>		
145/167	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>A sense of highness and lowness is associated with this gradation or ranking.</p> <p>W https://tyonote.com/caste_system/</p>		<p>A sense of highness and lowness or superiority or inferiority is associated with this gradation or ranking.</p>		
146/167	SUBMITTED TEXT	23 WORDS	93% MATCHING TEXT	23 WORDS
<p>the Mandal formula may have, reservation for the backward castes and for the religious minorities are directed towards maintaining a balance of power in</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>the Mandal formula may have, reservation for the backward castes and for the religious minorities is directed towards maintaining a balance of power in</p>		

147/167	SUBMITTED TEXT	46 WORDS	88% MATCHING TEXT	46 WORDS
	<p>caste-divided social structure. As a scheme striving to strike a balance between the privileged upper castes and the hitherto neglected OBCs, The Mandal Report deserves appreciation. In reality, the better-off sections of the OBCs would reap the benefits at the cost of the more deserving sections within these castes.</p>		<p>caste-divided India's social structure. As a scheme striving to strike a balance between the privileged upper castes and the hitherto neglected OBCs, the Mandal recommendations deserve appreciation. In reality, however, the better-off sections of the OBCs would reap the benefit at the cost of the more deserving sections within these castes.</p>	
	<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>			

148/167	SUBMITTED TEXT	97 WORDS	61% MATCHING TEXT	97 WORDS
	<p>December 2005, the Lok Sabha passed the 93rd Constitutional Amendment Act, 2005 rolling back the Supreme Court judgement by introducing a new clause into Article 15 to allow for reservations for SCs and STs as well as other backward classes in private unaided educational institutions other than minority institutions. In 2006, the United Progressive Alliance (UPA) Government agreed to introduce 27% reservations for OBCs in Central Government funded higher educational institutions like Indian Institute of Management, Indian Institute of Technology, All India Institute of Medical Sciences and Central Universities. The proposed design in fact is meant to introduce 27% 'quota' to all institutions of higher learning.</p>		<p>December 2005, the Lok Sabha passed the Ninety-Third Constitutional Amendment Act, 2005, rolling back the Supreme Court judgment by introducing a new clause into Article 15 to allow for reservations for Scheduled Castes and Scheduled Tribes as well as other backward classes in private 68 Indian democracy unaided educational institutions other than minority institutions. In 2006, the UPA government agreed to introduce 27 per cent reservations for OBCs in central government-funded higher education institutions such as Indian Institute of Management, Indian Institute of Technology, All India Institute of Medical Sciences and Central Universities. In other words, the proposed design is meant to introduce a 27 per cent 'quota' to all institutions of higher learning.</p>	
	<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>			

149/167	SUBMITTED TEXT	46 WORDS	96% MATCHING TEXT	46 WORDS
	<p>on 16 November 1992 upheld 27% reservations subject to the exclusion of socially- advanced persons/sections (creamy layer) from amongst the OBCs. The court also directed the government to evolve criteria for identification of this creamy layer. In response to the court directives, the government appointed a committee which suggested</p>		<p>on 16 November 1992, which upheld 27 per cent reservations subject to the exclusion of socially advanced persons/sections (creamy layer) from amongst the OBCs. The Court also directed the government to evolve criteria for identification of this creamy layer. In response to the Court directives, the government appointed a committee which suggested</p>	
	<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>			

150/167	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
	rules of exclusion to children of persons holding different constitutional positions, Class-I Officers and		rules of exclusion applies to children of persons holding different constitutional positions, class I officers and	
	W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf			
151/167	SUBMITTED TEXT	32 WORDS	96% MATCHING TEXT	32 WORDS
	defence personnel who hold the rank of colonel and above. Children of persons with annual income greater than 100,000 were to be excluded. The limit was later revised to Rs.250, 000 in 2004.		defence personnel who hold the rank of colonel and above. Children of persons with annual income greater than Rs 100,000 were also to be excluded. The limit was later revised to Rs 250,000 in 2004.	
	W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf			
152/167	SUBMITTED TEXT	31 WORDS	62% MATCHING TEXT	31 WORDS
	The political imperatives behind reservations are clear. What prompted the ruling parties to accept the 'mandalisation of politics' is possibly a well-calculated design aiming at mobilising the support of the OBCs elite.		The political imperatives behind reservations are thus apparent. What prompted the ruling elite to accept the Mandal recommendations is probably a well-calculated design aiming at mobilizing the support of the OBC elite.	
	W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf			
153/167	SUBMITTED TEXT	73 WORDS	76% MATCHING TEXT	73 WORDS
	OBC society, its wealth, relatively high education and hegemony in a majority of caste councils, became the most significant power-brokers in the Hindi heartland. So, the Mandal formula, designed to ensure social justice, is virtually a scheme for creating and sustaining a secure vote bank for the V. P. Singh – led National Front Government. Since number counts in franchise today, parties irrespective of ideology strive to win the support of caste groups for electoral gains by promises		OBC society, its wealth, its relatively high educational level and its hegemony in a majority of caste councils, the OBC upper crust is viewed as the most significant power brokers in the Hindi heartland. So the Mandal formula, designed to ensure social justice, is virtually a scheme for creating and sustaining a secure vote bank for the National Front government. And, since number counts in franchise today, parties irrespective of ideology strive hard to win the support of caste groups for electoral gains by promises	
	W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf			

154/167	SUBMITTED TEXT	56 WORDS	78% MATCHING TEXT	56 WORDS
<p>The decision to implement the Mandal Commission Report is just another effort to effectively draw on caste sentiments for victory in elections. The Commission is thus described as a 'Caste Commission' which is seen 'as a passport to power'. The Mandal Commission formula has thus polarised the contemporary political</p> <ul style="list-style-type: none"> ● CC-PS-04 forces more sharply than before. So, 		<p>The decision to implement the Mandal Commission report is just another effort to effectively draw on caste sentiments for victory in elections. The Commission is thus described as 'a caste commission' which is seen 'as a passport to power'.⁴⁸ Whatever the future of the reservation plan, the formula has the contemporary political forces more sharply than before. So,</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

155/167	SUBMITTED TEXT	73 WORDS	83% MATCHING TEXT	73 WORDS
<p>it is not strange that elections are calculated on caste basis, the candidates are nominated on caste ratio and as a consequence, patronage is to be distributed on caste basis and public policies are also tilted in favour of caste support base. Despite sharp criticisms and violent student agitation against the Mandal Commission Report, the formula deserves serious attention as it tries to correct the injustices of centuries inflicted on the downtrodden in the name of the discriminatory Varna system.</p>		<p>It is not therefore strange that elections are conducted on caste calculations, the candidates are nominated on a caste ratio and, as a consequence, patronage is likely to be distributed on a caste basis and public policies are also to be tilted in favour of the caste support base. Despite sharp criticism and violent student fury directed against the Mandal Commission Report, the formula deserves serious attention as it strives to correct the immemorial injustice of centuries inflicted on the downtrodden in the name of the discriminatory varna system.</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

156/167	SUBMITTED TEXT	48 WORDS	95% MATCHING TEXT	48 WORDS
<p>that the centre of gravity in Indian politics is now defined by 'quota politics'. The reservation through quota translates 'protective discrimination into reality. In contrast with 'affirmative action' practised in the US, it is the combination of quotas and lower eligibility criteria that defines protective discrimination in India. So, the Mandal</p>		<p>that the centre of gravity in Indian politics is now defined by 'quota politics'.⁵⁴ Whatever the implications, reservation through quota translates 'protective discrimination' into reality. In contrast with 'affirmative action' practised in the US, it is the combination of quotas and lower eligibility criteria that defines protective discrimination in India. The Mandal</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				

157/167	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
<p>the nationalist goal of a more equal and just society by empowering the disadvantaged and recognising the socially denigrated groups in addition to reduction of socio-economic disparities. 19.11 The</p>		<p>the nationalist goal of a more equal and just society by empowering the disadvantaged and recognizing the socially denigrated groups in addition to reduction of socio-economic disparities. The</p>		
<p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				











158/167	SUBMITTED TEXT	24 WORDS	89% MATCHING TEXT	24 WORDS
<p>Yogendra Yadav, 'Electoral Politics in Times of Change : India's Third Electoral System, 1989-99', Economic and Political Weekly, 34; 34/35, 21 August – 3 September, 1999.)</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>Yogendra Yadav, 'Electoral politics in the time of change: India's third electoral system, 1989–1999', Economic and Political Weekly, 21–28 August/3 September 1999,</p>		
159/167	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>all social, economic and political relationships for the individual. Caste is</p> <p>SA book chap1.docx (D129623259)</p>				
160/167	SUBMITTED TEXT	18 WORDS	76% MATCHING TEXT	18 WORDS
<p>University of Chicago Press, Chicago, 1967. 4. Brass, Paul R.; The Politics of India Since Independence. Cambridge University Press,</p> <p>SA MA Politics SEM 1 Indian Government and Politics.pdf (D110639084)</p>				
161/167	SUBMITTED TEXT	18 WORDS	94% MATCHING TEXT	18 WORDS
<p>New Delhi, 2004. 7. Kohli, Atul (ed.); India's Democracy : An Analysis of Changing State- Society Relations. Princeton University Press,</p> <p>SA Rise of BJP as New Congress-Understanding the Results of 2014 General Elections (Santosh Kumar Bh ... (D29627716)</p>				
162/167	SUBMITTED TEXT	15 WORDS	58% MATCHING TEXT	15 WORDS
<p>a 'Socialistic Pattern of Society'as the goal of economic policy. Similarly, the Third Five-Year plan</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>		<p>a socialist pattern of society as the objective of social and economic policy and the Second Five-Year Plan (</p>		








163/167	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>Politics' in Niraja Gopal Jayal and Pratap Bhanu Mehta (eds.); The Oxford Companion to Politics in India. Oxford University Press, New Delhi, 2010. 13.</p> <p>SA PARLIAMENTARY ELECTIONS AND PARADIGM SHIFTS IN KARNATAKA FROM 2004-2014 (05-08-2021).pdf (D111167421)</p>				
164/167	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>Brass, Paul R.; The Politics of India since Independence. Cambridge University Press,</p> <p>SA Rise of BJP as New Congress-Understanding the Results of 2014 General Elections (Santosh Kumar Bh ... (D29627716)</p>				
165/167	SUBMITTED TEXT	16 WORDS	75% MATCHING TEXT	16 WORDS
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166/167	SUBMITTED TEXT	18 WORDS	65% MATCHING TEXT	18 WORDS
<p>New Delhi, 2018. Chapter on 7. 12. Austin, Granville; The Indian Constitution: Cornerstone of a Nation. Oxford University Press,</p> <p>New Delhi: Manohar, 2000; Granville Austin, The Indian Constitution: Cornerstone of a Nation, New Delhi: Oxford University Press, 1996 (</p> <p>W https://kupdf.net/download/indian-politics_5b0a92d3e2b6f55a3f35f4f9_pdf</p>				
167/167	SUBMITTED TEXT	15 WORDS	96% MATCHING TEXT	15 WORDS
<p>New Delhi, 2004. 5. Kohli, Atul (ed.); India's Democracy: An Analysis of Changing State- Society Relations.</p> <p>SA Rise of BJP as New Congress-Understanding the Results of 2014 General Elections (Santosh Kumar Bh ... (D29627716)</p>				

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[1] PREFACE In a bid to standardize higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, discipline specific / generic elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern, which finds efficacy in sync with credit system, credit transfer, comprehensive and continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility to choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry their acquired credits. I am happy to note that the University has been recently accredited by National Assessment and Accreditation Council of India (NAAC) with grade "A". UGC (Open and Distance Learning Programmes and Online Programmes) Regulations, 2020 have mandated compliance with CBCS for U.G. programmes of all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Materials (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English / Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this, we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success.
Prof. (Dr.) Subha Sankar Sarkar Vice-Chancellor

[2] Printed in accordance with the regulations of the Distance Education Bureau of the University Grants Commission.
First Print : January 2022 Netaji Subhas Open University Under Graduate Degree Programme Choice Based Credit System (CBCS) Subject : Honours Political Science (HPS) Course Title : Nationalism in India Course Code : GE-PS-11

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[5] Netaji Subhas Open University UG : Political Science (HPS) Course Title : Nationalism in India GE-PS - 11 MODULE – I : Approaches to the Study of Nationalism in India Unit 1 ? Nationalist 09 – 13 Unit 2 ? Imperialist 14 – 18 Unit 3 ? Marxist 19 – 23 Unit 4 ? Postcolonial Interpretations 24 – 30 Unit 5 ? An Evaluation 31 – 35 MODULE – II : Nationalist Politics and Movements Unit 6 ? Reformism and Conservatism in the Nineteenth Century 37 – 47 Unit 7 ? Phases of Nationalist Movement : Liberal Constitutionalists, 48 – 56 Swadeshi Unit 8 ? Gandhi and Mass Mobilization : Non-Cooperation and Civil 57 – 64 Disobedience Unit 9 ? Congress Socialists 65 – 73 Unit 10 ? Communists and Radicals 74 – 81 MODULE – III : Social Movements Unit 11 ? The Women's Question : Participation in the National 83 – 90 Movement and its Impact Unit 12 ? Caste Question 91 – 98 Unit 13 ? Peasant Movements 99 – 106 Unit 14 ? Tribal Movements 107 – 114 Unit 15 ? Workers' Movements 115 – 121

[6] MODULE – IV : Towards Independence Unit 16 ? Quit India Movement and INA Movement 123 – 136 Unit 17 ? Communalism in Indian Politics 137 – 146 Unit 18 ? The Two - Nation Theory 147 – 157 Unit 19 ? Negotiations over Partition 158 – 168 Unit 20 ? Making of the Indian Constitution 169 – 180

Module – I

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Unit 1 : Nationalist Approach to Indian Nationalism Structure 1.1 Objective 1.2 Introduction 1.3 The Nationalist Counterpoint to Colonial Historiography 1.4 Shortcomings of the Nationalist Approach 1.5 Conclusion 1.6 Summing Up 1.7 Probable Questions 1.8 Further Reading 1.1 Objective ? The present unit seeks to examine the salient features of the Nationalist school approach to Indian nationalism. ? It seeks to highlight how this approach provided a counterpoint to the Imperialist school ? The unit attempts a critical evaluation of the Nationalist approach with reference to its shortcomings. ? The unit ends with an overall assessment of the Nationalist school. 1.2 Introduction The Nationalist school was motivated by the urge to contribute to the growth of Nationalist feeling and unify people instead of magnifying religious, caste, linguistic and other differences and class differentiation. Colonial history stressed the division of Indians. Nationalist history was a reaction against the justificatory view of colonialism. The Imperialist view tried to impose stereotypes like James Mill, Elliot and Dawson on the colonial Indian subjects and the Nationalist historiography

NSOU ? GE-PS-11 10 endeavored to provide counter stereotypes to colonial historiography to uphold India's self-respect in the face of colonial denigration central to which, was the espousal of the civilizing mission of the British in India which was specifically intended to demonstrate conclusively, that historical experience proved that the Indians were unfit for self-rule. The colonial historians assiduously propagated the idea that the British saved India from anarchy. 1.3 The Nationalist Counterpoint to Colonial Historiography The recurring theme in the accounts of Imperialist historians, was that Indians lacked the feeling of nationality. Secondly, India lacked democratic tradition unlike Europe who enjoyed the rich heritage of Greece and Rome. Indian heritage in contrast, was one of despotism. Moreover, the Indians were destitute in moral character. Colonial historians paid a back handed compliment to India describing her as a land of philosophers and essentially a land of spiritual people who lacked political acumen and administrative capacity. The Nationalist reaction was propelled by the urge to assert the superiority of India over her western counterpart. Tara Chand averred that India was a nation in making since the 19th century. According to other historians, India was a nation since the ancient times. Cultural, economic and political unity as well as a sense of nationhood prevailed in pre-colonial India. The mainstream nationalists believed that nationalist ideals were introduced under western influence while others were convinced that they had evolved since the ancient times. The emphasis was on India's inclusive spirit and capacity for assimilation which gave her a national identity distinct from European nationalism. Countering the colonial notion of India's spirituality, they contended that it was a mark of India's distinction. They also posited India's rich heritage of moral values as opposed to the crass materialism of the west. The colonial emphasis on Indian spirituality was countered with the point that Indians displayed prowess in administration and statecraft. Many Nationalists compared Kautilya with Machiavelli and Bismarck. The allegation of despotic heritage of India was refuted on the basis of conclusive evidence that there was the strong presence of popular element of state and a political structure that approached modern democracies. India never had irresponsible and capricious government. R C Majumdar in *Corporate Life in Ancient India* showed that institutions which we are accustomed

NSOU ? GE-PS-11 11 to look upon as western growth, had also flourished in ancient India. The Nationalist school tried to prove the falsity of colonial narratives on the basis of existing historical sources. The exponents of this school, sought to drive home, the point that economic conditions in India produced disaffection among the Indian people. Here they emphasized on exploitation of agriculture, high profits in land, draining of capital etc. They also sought to project India's composite culture where Hindus and Muslims were not locked in a conflictual relationship. They intended to highlight the fact that the nationalist movement comprised all the classes and the whole country contradicted imperialism. 1.4 Shortcomings of the Nationalist Approach The Nationalist approach underplayed the inner contradictions of Indian society based on caste and class and also oppression and discrimination against women and tribes. Secondly, it had an upper class and male chauvinist socio- cultural bias. Thirdly, it was committed to blind glorification of the nationalist movement without any serious analysis of its character or constitutive elements. Moreover, their glorification of the ancient past tantamounted to the eulogy of Hindu culture. It has been contended from the Marxist perspective that the nationalist movement was a bourgeois nationalist movement in a colonial country but it was in an embryonic stage. Thus, in it, the duality of struggle and compromise with imperialism and feudalism was manifested. The leaders were conscious of the reality of servitude but they could not think of any radical means of emancipation. They put forward the demand for self-rule while adjusting with colonial administration. They often sided with the cause of peasants but were afraid of openly supporting peasant movements. The Nationalists were attracted towards the revolutionary ideas of Europe but ultimately abided by reformist ideas of Mill and Spencer. In view of the conflict between Tory and Whig in England, the Nationalists were under the illusion that they would be able to help India's advancement with the help of the Whigs. 1.5 Conclusion Despite all shortcomings, the significance of the nationalist school cannot be denied. It was

NSOU ? GE-PS-11 12 an idea centered approach as opposed to the colonial instrumental approach. The Nationalist historians set a high tradition of scholarship. They based their writings on hard research and were inspired by an unswerving commitment to truth. They meticulously authenticated their statements through footnotes. This made their propositions empirically sound and helped them advance understanding and interpretation of the past. They raised new questions, controversies and debates. The Nationalist historians also emphasized on the role of the common people as a major component of history writing. Their primary contribution was to create a sense of self-confidence, self-assertion and national pride as against the inferiority complex promoted by colonialists. Thus the Nationalists provided a spirited rebuff to the deliberate attempts by colonial historians to portray India in a darker light. 1.6 Summing Up ? Nationalist approach to Indian Nationalism emphasized on the growth of nationalist feeling and unity of the people irrespective of religion, caste, language class distinctions etc. This approach glorifies India's inclusive spirit and capacity for assimilation which gave rise to a national identity different from European nationalism. ? Nationalist approach has been criticized for its blindness to inner contradictions of Indian society based on caste, class and gender, its upper caste and male chauvinist bias and blind glorification of the Nationalist movement. 1.7 Probable Questions Essay Type Questions: 1. How did the nationalist historians refute the views of the Imperialist school? Long Questions: 2. What were the shortcomings of the Nationalist School? Short Questions: 3. Comment on the significance of the Nationalist School.

NSOU ? GE-PS-11 13 1.8 Further Reading 1. Sekhar Bandopadhyay, Nationalist Movement in India, A Reader, Oxford University Press, New Delhi, 2009 2. Chandra, Bipan, 'Nationalist Historians' Interpretations of the Indian National Movement', in S. Bhattacharya and RomilaThapar (eds.), Situating Indian History, Delhi: Oxford University Press, 1986. 3. Bipan Chandra, "The Making of the Indian Nation: The Theoretical Perspective" in Indica (Journal of the Heras Institute of Indian History and Culture, Mumbai), March 2004. 4. Rajat Ray, 'Three Interpretations of Indian Nationalism', in B.R. Nanda (ed.), Essays in Modern Indian History, New Delhi: Oxford University Press, 1983.

Unit 2 : Imperialist Approach to Nationalism Sturcture 2.1 Objective 2.2 Introduction 2.3 Imperialist Approach 2.4 Criticism of the Imperialist Approach 2.5 Conclusion 2.6 Summing Up 2.7 Probable Questions 2.8 Further Reading 2.1 Objective ? The Unit seeks to enunciate, in broad parameters, the salient features of the Imperialist approach to Nationalism in India. ? It further intends to examine the significance of the Imperialist approach in the debate on Nationalism in India. ? It endeavors to examine the Imperialist approach in critical, historical perspective. ? It also attempts to incorporate the viewpoint of the Neo-Imperialist or Cambridge school within its purview. 2.2 Introduction The origin of the debate on Nationalism in India may be traced to the assertion of the Imperialist school that Indian nationalism was the creation of a microscopic minority motivated by narrow class interests. In 1888, Sir John Strachey told the

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Cambridge Undergraduates, 'There is not, and never was an India, or even any country of India, no Indian nation, no people of India of which we hear so much that men of the Punjab, Bengal. North Western provinces and Madras, should ever feel that they belong to one great Indian nation, is impossible.'

Valentine Chirol reiterated this view emphasizing that whatever looked like an Indian nation, was the politicization of patron-client relations. Indian society developed along

NSOU ? GE-PS-11 15 the lines of traditional social formations rather than the modern category of a nation. The Namierist Cambridge School loosely called the neo-imperialist school, explored the social basis of Indian nationalism and their decided view was that the colonial past of India, was the history of collaboration and confrontation. The Britishers found that the Indians were competing amongst themselves for wealth, power and prestige. To consolidate British rule in India with a firm foothold, collaboration of a group of Indians was absolutely necessary which automatically ignited the hostility of other groups towards the Government. Local or regional opposition was finally converted into Indian nationalism through the dissemination of western ideas and creation of political and economic agencies on the western model. The Indian National Congress was a loose coalition. Namier said that 'Idealism and Idealist are misnomers.' Anil Seal echoed the same view saying that 'Ideology provides a good tool for fine carving, but it does not make big buildings.'

2.3 Imperialist Approach Scholars like David Kopf who wrote British Orientalism and Bengal Renaissance, Broomfield, author of Elite Conflict in a Plural Society, and others have tried to drive home the point that the nationalist upsurges in Bengal in the 19 th and 20 th centuries, cannot be called national awakening because they were nothing more than interest- based movements by the English educated middle-class, to acquire concessions. This class may be characterized as the class of Bhadrakok. This class consisted of those who shunned manual labor and who were dependent on land revenue and job and who maintained a distance from the poor masses. Broomfield has given his reasoned verdict that in the eyes of the poor, they were the representatives of the exploiting class and thus their movement was more anti people than anti British. Anil Seal in The Emergence of Indian Nationalism, has shown that cooperation with the Indians, was the foundation of British rule in India. In the first stage, the Indian Princes and later on the English educated opportunist community extended their hand of collaboration to the British. This class, he remarks in the same vein as Broomfield, was known as Bhadrakok who belonged to the upper castes and looked down upon those of the lower caste. They were land owners who thrived on the exploitation of peasants. They simply wanted to extract some concessions from the British and there was a wide hiatus between them and the masses. From a survey of contemporary government documents particularly in the context of the Partition of Bengal movement, it appears that the government officials treated the movement as one led by Bhadrakok class. The Sedition Committee report describes the revolutionary movement as a movement of this class. Government bureaucrats considered this movement with NSOU ? GE-PS-11 16 intense revulsion and Eric Stokes for instance in English Utilitarians in India, has tried to show that this class represented narrow self interest while the British government was like the patriarch of the teeming millions in India.

2.4 Criticism of the Imperialist Approach The eminent historian RC Mazumdar has countered the imperialist position saying that Indian nationalism must be explained in terms of national consciousness and national struggle against the exploitation and growing racialism of a colonial government. Prof. Butterfield has criticized Namier saying that 'human beings are carriers of ideas as well as repositories of vested interests.' Christopher Hill also remarked in the same vein that 'I do not believe that material conflicts are the only ones deserving serious analysis.' The Cambridge School took the mind and emotion out of the historical discourse and reduced national movement to what Tapan Raychaudhuri described as 'animal politics.' Revisionist Cambridge historians too do not admit this anymore. The greatest pitfall of this approach was that it ignored the inestimable sacrifice of the Indians for their motherland. Bipan Chandra has argued that Indian nationalism could not be understood without referring to the declassified concern of the Indian elite for the social and political uplift of the Indian society as a whole. Prof. Sumit Sarkar also says that the more fruitful way of looking at Indian nationalist leadership is a simultaneous study of its socio-economic roots and patriotic ideas which had a predominantly non-bourgeois social base. The Imperialist school treated the national movement in India as an instrument of and

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a cover for the struggle between various sections of the elite. They denied the legitimacy of the movement as one of the Indian people for the overthrow of imperialism and the establishment of an independent nation state.

Gallagher in particular, repudiated the idea that India was ever a nation at any time. According to him, a nation is defined as an aggregate of individuals, historically evolved, living within a given territory, having faith in a common heritage and culture, living or aspiring to live under a centralized government over the territory. The movements for national freedom are led by a group in the nation which has gained new strength owing to economic changes since the development of mercantile capitalism. Such movements may aim at getting a better deal for this class and group interests in a given society and is conducted in the name of national unity. Although national movements are primarily political in nature, they affect all major aspects of life of the people, cultural, economic and political. Applying this definition to India, one finds that far from being a nation, India is a sub-continent of many nations and other cultural groups. The aforesaid view completely denies colonial exploitation and under development and also any genuine anti imperialist feeling in those who fought against

NSOU ? GE-PS-11 17 British colonial domination. Namier has been accused of taking the mind out of politics. Gopal says that the imperialist school has gone still further and taken not only the mind, but the

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decency, character, integrity and selfless commitment of the Indian national movement. It denies any active political role to the mass of

common people who are treated as mere cannon fodder for the elite. The Imperialist school is so bitterly opposed to the middle class Bhadrlok because it was this class which created national consciousness in India. Though it was essentially bourgeois nationalism, yet its significance cannot be overlooked. It was they who raised questions about the character of colonialism and capitalism and also the reality of economic drain. Freedom without economic freedom was meaningless and the real face of economic exploitation of British colonialism had to be exposed. Dadabhai Naoroji's Poverty and Un-British Rule, Sakharam Ganesh Deuskar's Desher Katha and other works excoriated British rule for the drainage of India's resources. Their critique of Permanent Settlement and emphasis on peasant proprietorship was of far-reaching significance. Ramesh Chandra Dutta's The peasantry of Bengal, Bengal Ryots and other works on the subject did play a seminal role here. Though bourgeois nationalism was at its nascent stage, and the Bhadrlok class could not contrive any radical solution to the problem of national emancipation, yet the British ruling class was alarmed to see the first seeds of democratic, anti-feudal and anti-colonial consciousness germinating in the early movements and resorted to many draconian measures to crush them.

2.5 Conclusion The Imperialist approach to nationalism expounded by Anil Seal, Broomfield, Gallagher and others characterized the Indian national movement as one led by middle class Bhadrloks and which was actuated by self-interest alone. Since they themselves belonged to the exploiting class, they had no antipathy for British imperialism. This view was however nothing more than an attempt to rationalize British imperialism. It overlooked the fact that the national movement enkindled political consciousness for the first time which caused much consternation in the mind of the British rulers. They wanted the peasant class to remain mute spectators of the tale of oppression and exploitation. When there was peasant uprising, they ruthlessly exterminated the rebels. The imperialists calculatedly buttressed the hiatus between the educated middle class and the illiterate masses which was yet another example of its Divide and Rule policy.

NSOU ? GE-PS-11 18 2.6 Summing Up ? According to the Imperialist school, Indian nationalism was the making of a small minority of english educated people who were motivated by their own class interests. They were known as 'Bhadrlok' belonging to upper caste and land-owning class. ? Critics of the imperialist school are of the opinion that Indian nationalism should be analysed in terms of national consciousness and national struggle against the exploitation and growing racialism of a colonial government. According to Bipan Chandra, Indian nationalism cannot be understood without knowing the Indian elites concern for social and political uplift of the Indian society as a whole. Sumit Sarkar has emphasized on the sound economic roots and patriotic feelings of the elites coming from non-bourgeois social background in the main.

2.7 Probable Questions Essay Type Questions: 1. What were the salient features of the Imperialistic approach to Indian nationalism? 2. How did the Imperialist school conceptualize 'Bhadrlok'? Long Questions: 1. What were the major shortcomings of the Imperialist approach to Indian Nationalism? Short Questions: 1. Mention the main proponents of the Imperialist approach to nationalism. 2. Name two books and their authors criticising the economic loot by the British rulers. 2.8 Further Reading 1.

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Anil Seal, *The Emergence of Indian Nationalism, Competition and Collaboration in the 19th century*, Cambridge University Press, 1968. 2. John Broomfield. *Elite Conflict in a Plural Society* 3.

David Koph, *British Orientalism and the Bengal Renaissance* 4. Sekhar Bandopadhyoy, *Nationalist Movement in India : A reader* OUP, New Delhi, 2009.

Unit 3 : Marxist Approach to Nationalism Structure 3.1 Objective 3.2 Introduction 3.3 Marxist view of Indian Nationalism 3.4 Conclusion 3.5 Summing Up 3.6 Probable Questions 3.7 Further Reading 3.1 Objective ? The present unit explores the principal tenets of the Marxist approach to Nationalism in India. ? The unit investigates how the Marxist school restructured the view of the Cambridge historians. ? The unit seeks to provide a critical estimate of the Marxist approach 3.2 Introduction Influenced by the Soviet historian V. I Pavolv, the Marxist school in India was represented by R P Dutt. This school analyses the class character of the national movement and tries to explain it in terms of the colonial economy, rise of industrial capitalism and development of market society. It views the national movement as a class struggle between the working class fighting for their freedom both against the imperialists and the bourgeoisie and the bourgeois leadership of the national parties directing the movement to cater to their class interests and betraying the masses. This approach which was somewhat over deterministic, was modified later by leftists like S.N. Mukherjee and Bipan Chandra. Mukherjee points out the complexities and variegated layers of nationalism, the importance of caste along with class and the simultaneous use of a traditional as well as modern language of politics. Bipan Chandra and his colleagues in India's struggle for independence have presented the Marxist interpretation with a nationalist flavor and refused to accept it as only a

NSOU ? GE-PS-11 20 bourgeois affair. They argue that the Indian nationalist movement was primarily a people's movement though all secondary conflicts were not resolved. 3.3 Marxist View of Indian Nationalism

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Unlike the Imperialist historians, Marxist historians emphasize on primary contradiction as well as the process of nation making and unlike the Nationalists, they take full note of the inner contradictions of the Indian society.

According to Soviet historians, the foundation of the Indian National Congress was inseparably connected with the rise of an indigenous capitalist society. According to the postulates of Economic Determinism, changes in the structure of economy produced new social relationships transforming society from a mere status based to contract based one and set in motion unprecedented large scale social mobility. The political struggle for freedom was a culmination of the social change which started in Bengal in the second half of the 18 th century and was the product of the disruption of the old economic and social order proceeding from the growth a market society. This was accompanied by the penetration of British trade in the interior of India and also British land settlements which made land a saleable and alienable commodity which helped in the growth of market economy. A new social class of traders, merchants the subordinate agent of the Company and private British traders, middle men and money lenders sprang up. As regards who were the progenitors of the Marxist approach it is held by some that it started with DD Kosambi's *An Introduction to the Study of Indian History*. Others believe that M. N Roy and R. P. Dutt for the first time attempted a Marxist analysis of Indian nationalism. Both tried to relate political structure and movements to the structures at the economic level. Politics was not considered an autonomous domain, but a part of the dynamic totality. Sudipto Kaviraj says that 'there was richer sensitivity about the non-political layers of the milieu in which politics goes on. 'Also, there was systematic understanding of history. Looking at history was not just a random collection of unrelated and largely inexplicable events but as a total sequence of socio-economic systems. Both Dutt and Ray emphasized on the intermingling of the economic and political process. Dutt observed that imperialism disturbed the normal process of transition from feudalism to capitalism in India. Imperialism retarded economic development and stalemated and complicated the process of transition which Daniel Thorner calls de-industrialization. Kaviraj considers R P Dutt a Marxist thinker of a higher order than M N Roy who called Moderates progressive and Extremists reactionary.

NSOU ? GE-PS-11 21 RP Dutt emphasized on the growth of modern industry in the second half of the 19 th century which led to the rise of the bourgeois class together with a new educated middle class of lawyers, administrators, teachers and journalists. The same view was echoed before and after independence by historians and sociologists and there occurred a gradual shift from bourgeoisie to intermediate groups comprising educated middle class, petty bourgeoisie and the intelligentsia. Sumit Sarkar did not accept the simplistic version of the class approach of R P Dutt. He contended that the five fold class analysis became the standard of Marxists namely feudal or semi-feudal landlords, rising bourgeoisie or Comprador, revolutionary proletariat, peasants with internal class divisions and finally the intelligentsia. Sarkar considered this absurd in his 'Marxian approaches to the study of Nationalism'. His point was that the attitude of the industrial bourgeoisie of Bombay and Gujarat, was lukewarm. Analyzing the character of the Swadeshi movement he said that many participants had link with land. Bipan Chandra ascribes the most important role in ideology formation to the intelligentsia. The problem, according to him, concerns the real nature of imperialism and how it contradicted the true interests of all the classes. As realization of this problem dawned on the classes, they propagated the anti-imperialist ideology which represented the common interests of all the classes. A R, Desai is of the view that with the growth of modern industries, new classes of modern bourgeoisie and a working class came into existence along with professional classes. The intelligentsia was drawn from professional classes developed before the industrial bourgeoisie and led the national movement in each phase. The Soviet Indologist N.M Goldberg distinguishes between the class base of the Moderates and the Extremists. He says that the native Capitalist class was weak and tied to foreign economic interests and was irresolute on the demand for independence while the petty bourgeoisie, who were behind the Extremist movement, were more forthright. V.J. Pavlovo in his study of urban Maharashtra in the late 19 th century, says that national bourgeoisie first developed in Bombay by accumulating capital in comprador activities associated with European merchant capital operating in overseas cotton trade and opium trade with China. 3.4 Conclusion R. P Dutt and others could not

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integrate their treatment of primary anti-imperialist contradiction and secondary inner contradictions.

Secondly, the nationalist movement was not a bourgeois movement but had an open class character. The approach magnified

NSOU ? GE-PS-11 22 the dominant role of the bourgeois class and conflated the national leadership with the bourgeois class. Thirdly, it made no

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actual detailed historical investigation of strategies, problems, ideology extent, forms of mass mobilization and tactical maneuvers. The

noted Marxist Narahari Kaviraj is of the opinion that India took the first lesson of nationalism from Rammohan Roy in the 19 th century. The early Congress leaders like Dadabhai Naoroji were influenced by bourgeois reformist thought. This was true for the Extremist wing of the Congress as well. This was also the guiding principle behind the Gandhian movements. It is true that a parallel stream of uncompromising struggle like the peasant revolt of the 19 th century, Santhal rebellion, Indigo revolt etc was also a reality though they were limited to spontaneous outbursts. The Communists highlighted the legacy of uncompromising struggle but in doing so they did not either assign importance to the bourgeois nationalist mainstream movement or remained isolated from it branding it as reactionary. The Indian Communists followed the Comintern line and averred that since the bourgeois class was not the revolutionary force in India, the movements led by them could not be supported. They kept aloof from the Civil Disobedience movement of 1930 on the ground that a non-violent movement was not revolutionary. During the second world war, the Communists opposed the Quit India movement with an oversimplistic explanation of internationalism. It is true that the Gandhian movements were not revolutionary either from the point of view of agenda or method but it is wrong to say that anti-imperialist movement has to be revolutionary. The Gandhian non-violent movements exemplify the reformist face of anti-imperialist movement. The bourgeois nationalist movement attained recognition as the mainstream movement but it was marked by both struggle and compromise with imperialism. The Communists however remained isolated from the national movement and were unable to evolve the distinctive path of revolution in India. They should have joined the national movement and joined hands with millions of uncompromising people when the bourgeois movement stagnated and prepared for a greater movement. Instead of identifying themselves with the national movement, the Communists tried to build up a class- conscious peasant movement and an alternative front outside the vortex of the national movement. In the process they were isolated from the millions of workers, peasants and middle class who had joined the national movement. Blind imitation of the Comintern model atrophied the Communist capacity for nationalist action.

NSOU ? GE-PS-11 23 3.5 Summing Up ? The Marxist approach to Nationalism analyses the class character of the national movement and tries to explain in the context of the colonial economy, emergence of industrial capitalism and market economy. ? Marxist historians put emphasis on

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the primary contradiction as well as the nations building and unlike the Nationalist, they study the inner contradictions of the Indian society. ?

On the flip side, the communists could not correctly understand the character of the nationalist movement. They equated it with Bourgeois movement. They followed the comintern lines and as a result, they kept aloof from civil disobedience movement they and further opposed the quit India movement. Thus, they remained isolated from the freedom movement and unable to chart out a distinctive path of revolutionary transformation of the Indian society. 3.6 Probable Questions Essay Type Questions: 1. State the basic features of the Marxist approach to Indian Nationalism. Long Questions: 1. What were the main limitations of the Marxist approach to Indian nationalism? Short Questions: 1. Why were the Communists isolated from the National movement? 3.7 Further Reading 1.

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R.P Dutt, India Today. 2. A. R. Desai, Social Background of Indian Nationalism, Popular Prakashan,

Mumbai, 1948

Unit 4 : Postcolonial Interpretations Structure 4.1 Objective 4.2 Introduction 4.3 The Postcolonial Interpretations 4.4 Critical Estimate of Postcolonial Interpretations 4.5 Conclusion 4.6 Summing Up 4.7 Probable Questions 4.8 Further Reading

4.1 Objective ? The unit will focus on the postcolonial interpretation of Indian Nationalism. ? The unit intends to show how the Subaltern study represents a breakthrough in the historiography of Indian Nationalism. ? The unit attempts a critical estimate of the Subaltern approach.

4.2 Introduction In postcolonial studies and critical theory, the term subaltern designates and identifies colonial populations who are socially, politically and geographically excluded from the hierarchy of power of an imperial colony. The term subaltern and subaltern studies entered the vocabulary of postcolonial studies through the works of subaltern studies group of historians. In the closing decades of the 20th century, a new approach emerged with its own interpretation of modern Indian history and nationalism. This was the Subaltern school which began with the 1980s with the publication of the first volume of Subaltern Studies in 1982 which represented a radical departure in modern India historiography with a path breaking statement that 'The blinkered historiography of Indian Nationalism cannot explain the fact because it neglects the contribution made NSOU ? GE-PS-11 25 by the people on their own that is independently of the elite to the making and development of this nationalism.' The Subaltern historians emphasized that the Indian Subalterns inspired by their spontaneous and inherent rebel consciousness, often negative and marked by territoriality and peculiar modality, had always a parallel role in Indian politics. Gyan Prakash in his work Another Reason(1999) has further developed the Subaltern idea saying that and partially revised the same. According to him, 'There was no fundamental opposition between the inner sphere of the nation and its outer life as a nation state, the latter was the former's existence at another abstract level.' Broadly speaking, Subaltern means history from below. This school assumes that there was no homogeneity in the struggle of the Indian people against colonialism. They look at India in terms of plural identities. What made it methodologically attractive? The consolidation of the Subaltern approach can be explained at two levels. It was a successor of the Marxist approach but in a different perspective. The Marxist approach was critical of the Imperialist and Cambridge schools. This lent legitimacy to the Subaltern approach which used terms like class, revolution, etc. That was the scenario in the 70s when Marxism was dominant. The Subaltern school picked up the basic idea initiated by the Marxists that history of the freedom struggle is the history of the people. But what they rejected was, the concept of the Indian masses. History has to be interpreted as the history of the suppressed and the silenced. The emphasis here is on broken, fractured identities. Categories like class, nation etc. cannot articulate and embrace history This was the basic thrust of the Subaltern intervention. Voices not recognized in the mainstream understanding of history, must be resurrected. The Subaltern school was an offshoot of Marxism but took the steam out of it.

4.3 The Postcolonial Interpretations According to Ranajit Guha, the historiography of Indian nationalism has for a long time been dominated by elitism represented by colonial and bourgeois nationalists. All types of elitist history have one thing in common, that is the absence of the politics of the people from their accounts. Colonialists saw colonial rule as the fulfilment of a mission to enlighten the ignorant people. The Nationalists visualized protest activities as parts of the making of the nation state. The Marxist who subsumed the people's struggles under the progression towards revolution and the socialist way. The Subaltern theories launched a scathing attack on the existing peasant and tribal histories for considering peasant rebellions as purely spontaneous and unpremeditated affairs and ignoring the consciousness of the rebels themselves. They decried all accounts of rebellions starting from the immediate official reports to those written by

NSOU ? GE-PS-11 26 left radicals which were texts of counter insurgency, as they refused to recognize the agency of the people and acknowledge the insurgent as the subject of his own history. They failed to recognize the parallel subaltern domain of politics which was untrammelled by elite politics and which possessed independent self-governing dynamics. The Subaltern approach was rooted in pre-colonial popular political structures, but was not archaic. It had relatively greater depth compared to elite politics. Politics of the people was an autonomous domain. Its foundation lay in traditional organizations of the people like caste, kinship networks, tribal solidarity, territoriality, etc. People's mobilizations were horizontal, not vertical. Unlike the elitist approach which was legalistic and pacific, the Subaltern movements were relatively violent. The Subaltern historians were totally disenchanted with Congress nationalism and rejected the view that popular mobilization was the result of either economic condition or initiatives from the top. The domain of the subaltern was defined by perpetual resistance against the elite. It was characterized by a general unity clubbing together heterogeneous groups like tribe and peasantry, proletariat and occasionally middle classes as well. Charismatic leadership was no longer the main driving force but the people's interpretation of charisma was prominent in the subaltern discourse. Gyanendra Pandey in Peasant Revolt and Indian Nationalism contends that the peasant revolt in Awadh took place independent of the Non- Cooperation Movement. The peasant's understanding of the local power structure and alliance with colonial power was much more advanced than the Congress. Whenever the Congress became strong, it reduced peasant militancy. Stephen Henningham in Quit India in Bihar and Eastern UP refers to two parallel movements, the elite uprising led by the high-class rich peasants and small landlords who dominated the Congress and a subaltern rebellion of the poor low caste people of the region. Shahid Amin in Gandhi as Mahatma says that popular perceptions and actions were totally at variance with the Congress leadership's perception of Gandhi. Gandhi had a clear-cut philosophy of economy and politics. He urged the people to give up bad practices like drinking and gambling. Stories about him were circulated which ascribed magical powers to Gandhi and his name was used to reinforce and establish caste hierarchies and make debtors pay. David Hardiman has emphasized the independent politics of the subaltern classes whether Bhil movements in Eastern Gujarat or tribal assertion in South Gujarat. Sumit Sarkar in 'The conditions and nature of Subaltern Militancy' observes that the Non- Cooperation movement revealed a picture of masses overstripping leaders. Popular initiative alarmed leaders into calling a halt and subaltern groups formed an autonomous domain with collective mentality. The colonial or bourgeois nationalist ideology could not establish its hegemony over the subaltern domain. The Subaltern

NSOU ? GE-PS-11 27 school underwent revision and modification with the advent of Post-Modernism and Post-Colonialism. The autonomous subaltern consciousness was challenged by Partha Chatterjee who postulated the subalternity of the elite in Nationalist thought and the Colonial world. Developing his idea within the framework of Edward Said, he said that colonial power knowledge was irresistible. He considered the colonial elite as subaltern vis- a vis the imperialist rulers. For Partha Chatterjee, the formation of the national state was a paradigmatic view of passive revolution, in which a structurally weak but passive bourgeoisie sought to build the largest possible nationalist alliance against the political rule of the colonial power but it also entailed confronting the fundamental cultural problem overcoming the parochial traditionalism of the peasant's world view. Chatterjee traces the sequential development of the Indian nationalist ideology through the moment of departure, maneuver and arrival. These are embodied in the thought of Bankim Chandra Chatterjee, Gandhi and Nehru respectively. Throughout these three moments, the peasantry and its politics remained marginalized. This marginalization was institutionalized when Indian nationalism became a state ideology in and through the Nehruvian project of nation building where the life of the nation was subsumed under the life of the state. Chatterjee's point was that the elite- subaltern split was maintained through non-hegemonic coercion under colonialism while in the post-colonial state it was largely resolved through nationalism. Indian nationalism perpetuated a potent split between the two domains not through coercion but through an equally non-hegemonic ideology which meant the exclusion of the subaltern from hegemony itself, the marginalization of autonomous and authentic forms of subaltern self-activity and expression and the attempted absorption of subaltern activity within the nationalist narrative. Gayatri Chakraborty Spivak in *Can Subalterns speak* criticized the humanist viewpoint of the Subaltern school. According to her, subaltern is a native man or woman without a human agency defined by social status. Knowledge is never innocent and expresses the interests of its producers.

4.4 Critical Estimate of Postcolonial Interpretations

The Subaltern school looks at India in terms of plural identities but these are not necessarily tangible sources of historical analysis. It has been alleged by Vinay Bahl in *Relevance or Irrelevance of Subaltern Studies*. Claiming to rewrite history from the perspective of subaltern groups, it has deviated from its original intent and become entangled in Post Modern debates about difference. What is its politics? Whose interest does it serve? These questions have arisen and the Subaltern school has no coherent theory of how subjectivity and agency are constructed within a concrete historical context. The aim of the Subaltern school was to remove the top-down approach and NSOU ? GE-PS-11 28 replace it with the study of culture of the people. What is missing here, is how do the social order and institutions articulate in the formation of the subject. How is the link between social and psychic reality to be specified? It has omitted material culture in the form of clothes, food, living and working conditions, hunting technology, etc. How is material culture produced by the human agency in the process of social interaction? The subaltern school is incapable of answering these questions and also producing emancipatory politics for the masses. It has also been observed that the Subaltern school has insisted on an autonomous domain predicated on the perpetuity of rebellious action, but whether this action is positive or negative, is not its primary concern. What is primary, is spontaneity and internally located self- generating momentum. The renowned historian Sumit Sarkar criticizes it for its drift towards Post -Colonialism. In 'The Decline of the Subaltern in Subaltern Studies', and 'Orientalism Revisited' he says that intellectually it is an attempt to make the best of both the worlds., critiquing others for Teleology, Essentialism etc. while claiming a special immunity from doing the same oneself. It has also produced no spectacular results. The framework of analysis is too restrictive and ultimately the Subaltern approach has swung from its simple emphasis on subaltern autonomy to an even more simplistic thesis of western cultural domination.

4.5 Conclusion

The endless debate between the different approaches to Nationalism makes any formulation difficult. The question is whether the contradictions can be resolved. It should be acknowledged that nation building is a complex process of contestation, adjustment and accommodation of multiple responses. Ania Loomba is right in saying that in the plural society of India, nationalism was bound to have many voices, those of Class, Caste, Brahmins, Dalits, Hindus, Muslims, Men, Women, etc. The ethos of cultural nationalism in British India exemplified by the Epics Ramayana and Mahabharata, the Indian Classics, religious practices etc acted as a catalyst of cultural integration. The syncretic tradition of India represented by Chaitanya, Namdev, Kabir, Nanak etc harped on the fundamental unity of India. British rule was responsible for India's political integration through Road and Railway network, Posts and Telegraphs, Indian Civil Service, Coin and Currency etc. The European ideas of nationalism strengthened the concept of political nationalism during the freedom struggle. The Indian internalized this western input and this inculcated a spirit of patriotism which was visible throughout the anti-colonial movement. Bipan Chandra is of the view that modern Indian nationalism arose to meet the challenge of foreign domination. With the realization of all the Indian classes that

NSOU ? GE-PS-11 29 Indian backwardness was caused by British rule, the nationalist spirit was ignited. The peasants saw that they were depeasantized because of the land revenue settlements of the British who patronized their oppressors, the rapacious zamindars and the moneylenders. The Dalit tribals found themselves uprooted by the Forest Acts. The artisans and handicraftsmen got frustrated at the breakneck speed of deindustrialization which was the cornerstone of the Imperial industrial policy. Later on, in the 20 th century, the factory labourers, mine workers, and bonded plantation laborers found that the rulers apparently sympathized with them but ultimately sided with the capitalists. Even the Zamindars and Jotedars joined hands with the nationalists when extreme racialism of the British shocked them and their convergence with colonial interests gave way to divergence and awakened in them, a sense of self-respect. The western educated intelligentsia was also disenchanting. R C Dutt revealed the economic exploitation of India by the British in Economic History of India. In course of time, Capitalists shed their Comprador character and united to oppose colonial trade, tariff, fiscal and transport policies. They opposed European Capitalists and sought protection from a national government. In the 1940s, many Indian industrialists demanded that all British investments be repatriated. Bipan Chandra sums up the issue well saying ' It was as a result

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of the intrinsic nature of foreign imperialism and its harmful impact on the lives of the Indian people that a powerful anti-imperialist movement arose and developed in India. This movement was a national movement because it united people from different classes and sections of the society who sank their mutual differences to unite against the common

enemy.' Considering all the approaches together, the Imperialist approach symbolizes motivated distortion by the British. The Marxist approach was not sufficient by itself to explain the phenomenon like Gandhi's popularity with the masses. Moreover, there are extra economic factors particularly cultural factor stated by Gramsci. The practitioners of fundamentalism are not actuated by economic motives alone. Patriotism has a world of its own which is beyond the comprehension of the Cambridge School. However, the point is whether the Congress movement succeeded in creating a Nation? Here lies the subaltern counter point. Sudipto Kaviraj in the 7 th volume of 'Subaltern Studies' writes that India, the objective reality of today's history, whose objectivity is tangible enough, is not an object of discovery but invention.' 4.6 Summing Up ? Post-colonial interpretation of Indian nationalism emerged in the closing decades of the 20th century. NSOU ? GE-PS-11 30 ? Subaltern school is an offshoot of the post-colonial approach to the study of Indian nationalism. ? The subaltern approach was rooted in the pre-colonial popular political structures. It had relatively greater depth compared to elite politics. ? In post-colonial theory, the term subaltern describes the lower social classes and other social groups displaced to the margins of a society. In an imperial colony a subaltern is a native man or woman without human agency as defined by his/ her social status. ? Post-colonial approach of nationalism has been criticised on the ground that it has no coherent theory of subjectivity and agency within a concrete historical context. 4.7 Probable Questions Essay Type Questions: 1. Analyse the basic features of the Post-Colonial approach to Indian Nationalism. Long Questions: 2. How is the Subaltern approach related to the Marxist approach to Indian nationalism? Short Questions: 1. What were the shortcomings of the Subaltern approach? 2. How does Partha Chatterjee challenged the autonomous subaltern consciousness? 4.8 Further Reading 1.

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Unit 5 : An Evaluation Structure 5.1 Objective 5.2 Introduction 5.3 An Evaluation on the Study of Nationalism in India 5.4 Conclusion 5.5 Summing Up 5.6 Probable Questions 5.7 Further Reading 5.1 Objective ? The present unit seeks to explicate the phenomena of nationalism in India with reference to the leading approaches to the study of Nationalism. ? It intends to emphasize on the views of the main proponents of nationalism. ? It ventures to place nationalism debates in comparative perspective by highlighting their areas of linkage and hiatus, continuity and discontinuity. 5.2 Introduction The subject of nationalism is one of bewildering complexity not only because of its various approaches and manifestations, but also because of the construction of the phenomenon and the role of the state and the people for making a New India since independence. The formation and concretization of nationalism was not the work of any particular group but the entire people of India including the peasants, laborers, women and subalterns. How the ideology of nationalism became integrated with the Indian scenario, can be perceived in the history of the freedom struggle and condition of nationalism after independence. It is difficult to provide uniform definitions of nationalism. In the historical context, it is an ideological movement aimed at attaining NSOU ? GE-PS-11 32 and maintaining the identity, unity and autonomy of a nation, united under a national banner. It is the most powerful ideology in the building and consolidation of nation state. However, if one looks at the various types of nationalism, one cannot fail to be struck by the fact that the sources of discontent can be related to factors like cultural identity, political discrimination, repression or economic deprivation. Here nationalism is a movement of minority groups which is a reaction to the policies of the Central Government. It is also a counter reaction either on the part of political authorities or threatened social groups. However, in most cases the state plays a key role in either manipulating or being the target of nationalist sentiments. 5.3 An evaluation on the study of nationalism in India Integration is to combine parts into a whole. When it comes to India, it means creation of an undivided unit. Some people confuse identity with nationhood. But is there anything as Oneness of India? Did it ever exist? Did India achieve at any stage of her history, a single empire? Attempts were made by Ashoka but they were abortive. Bharatvarsha in ancient literature, included the whole sub-continent. Kshitimohan Sen in 'Bharate Hindu Musalmaner-Jukta-sadhana' emphasized the point that an underlying unity created by language, religion and culture could be missed by superficial observers. Tagore also harped on the theme of India's infinite capacity of assimilation and integration. When Europeans went to America in 1492, there was no such assimilation and it was the same case with the Aborigines of Australia and Maoris of New Zealand. Kshitimohan Sen tries to drive home the point that there was an Indian identity. Many have claimed India as a nation while others have disputed it. The dictionary meaning of nation is a community of people of mainly common descent, history and culture. Nationalism refers to patriotic feelings. Stalin called it a historically evolved community. Walter Bagehot once said 'it is something we feel but cannot explain.' Benedict Anderson in Imagined Communities in 1983 said that they are all inventions which had in the past influenced the history of the world and still do so. Thus, we cannot ignore it. Partha Chatterjee in Nation and its Fragments refers to the view of Benedict Anderson that nations were not the determinate products of given sociological conditions such as language, race or religion they had been, in Europe and everywhere else in the

NSOU ? GE-PS-11 33 world, imagined into existence. He argued further that the historical experience of nationalism in Western Europe, America and Russia had supplied for all subsequent nationalisms, a set of modular forms from which, nationalist elites in Asia and Africa, had chosen the ones they liked. While acknowledging the influential role of Anderson's work in generating new theoretical ideas on nationalism, Chatterjee poses the question that if nationalisms in the rest of the world were to choose their imagined community from modular forms already made available to them by Europe and America, what do they have left to imagine. Chatterjee's contention is that this view is at variance with the evidence on anti colonial nationalism. The most creative results of nationalist imagination in Asia and Africa, are based not on identity but rather on a difference from the modular forms of national society propagated by the modern west. This difficulty arises from the tendency to take the claims of nationalism to be a political movement too literally and seriously. In this connection, Chatterjee says that any nationalist history would trace the beginning of Indian nationalism to the formation of the Indian National Congress in 1885. It would describe the preceding period as a period of preparation and the period prior to that, was one of social reform when colonial enlightenment was beginning to modernize the customs and institutions of a traditional society and the political spirit was still very much that of collaboration with the colonial regime. Thus, nationalism had not yet emerged. This would fall in line with Anderson's formulation and it is here that Chatterjee contends that the autobiography of nationalism is fundamentally flawed. His logic is that anti- colonial nationalism creates its own domain of sovereignty within colonial society well before it begins its political battle with the imperial power. It divides the domain of the world into material and spiritual. The former which is an outer domain, has economy, statecraft, science and technology as its constitutive elements while the latter, which is an inner domain, bears the marks of cultural identity. Nationalism declares the domain of the spiritual to be its sovereign territory and refuses any intervention of colonial state in this domain. The colonial state is kept out of the inner domain of national culture but it does not remain unchanged. It is here that nationalism tries to creatively fashion a modern, national culture which is nevertheless not western. In this domain, the nation is already sovereign even when the state is in the hands of the colonial power. In the Indian case, in the first phase of social reform the Indian reformers looked at the colonial authorities for state action to

NSOU ? GE-PS-11 34 reform traditional institutions. In the second phase, there was strong resistance against intervention of the colonial State in the realm of national culture. This was already the period of nationalism. Explicating his point, Chatterjee says that the European criticism of Indian tradition as barbaric, was based largely on religious beliefs and practices particularly those related to the treatment of women. In the early phase of the social reform movement, the agency of the colonial power, had concentrated on the area as central to Indian tradition. The nationalists disputed the choice of agency. Unlike the earlier reformers, they were not prepared to allow the colonial state to legislate to reform the traditional society. Their point was that only the nation could have the right to intervene in respect of cultural identity.

5.4 Conclusion Indian nationalism is generally explained in terms of colonial modernization throughout post-Plassey and pre-independence period particularly in the nineteenth century. That nationalism had already germinated in the Indian mind through people's experience down the ages and the colonial rule played only a catalytic role which is a debated formulation which could be critiqued as a teleological model of Enlightenment history giving the contested and contingent nation, a false sense of unity. In the wide range of contradictory ideas, the only convergence on how Indians imagined their nation, is that it was definitely the colonial shock which stimulated their plural society with multiple diversity of region, language, religion, caste, ethnicity, etc. to forge a national unity either with geographical expressions within European type of statehood or with what Bayly calls a pre-existing sense of territoriality and territorial patriotism rationalized by indigenous moral and ethical texts. The process of nation-building is still however a matter of intense controversy and debate. Partha Chatterjee calls it a derivative discourse though somewhat different from the west. Asis Nandy also thinks that Indian nationalism grew up as a response to western imperialism. This substituted the model of universalism advocated by Tagore and Gandhi with the western model of nation state. The debate on Nationalism in India first started with the imperialism approach which called Indian nationalism a creation of a minority group of people with vested interests. This was contested by the Nationalist approach which emphasized on the

NSOU ? GE-PS-11 35 nationalist feeling and unity among people irrespective of religion, caste and other differences. The Marxist approach termed the Indian nationalism as capitalist nationalism. The post-colonial approach, put emphasis on the subaltern sections of society who were kept out of the Nationalist project. 5.5 Summing Up ? Nationalism is not the handiwork of a few people, it is the entire people of India including peasants, workers, women and the marginalized whose effort went into the making of nationalism in India against the backdrop of the British colonial rule. ? It is not easy to provide a uniform definition of nationalism. Historically, it is an ideological movement aimed at achieving and maintaining the identity, unity and autonomy of a nation united under a national banner. ? Kshitimohan Sen pointed out that nationalism in India resulted from an unity of the Indian people based on language, religion and culture. Rabindranath Tagore talked about Indian people’s great capability for assimilation and integration. ? According to Partha Chatterjee, in a colonial society, nationalism creates its own domain which can be divided into material and spiritual. Spiritual domain is nationalism’s sovereign territory. It resisted the colonial intervention in this domain although it allowed the state to intervene for reform of traditional institutions. 5.6 Probable Questions Essay Type Questions: 1. Discuss the views of Partha Chatterjee regarding Indian Nationalism. Long Questions: 1. Write a note on Indian Nationalism. Short Questions: 1. Define Nationalism. 2. What is Kshitimohan Sen’s view on Indian Nationalism? NSOU ? GE-PS-11 36 5.7 Further Reading 1. Benedict Anderson, Imagined Communities, : Reflections on the Origin and Spread of Nationalism, London, 1983. 2.

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Module – II

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Unit 6 :Reformism and Conservatism in the Nineteenth Century Structure 6.1 Objective 6.2 Introduction 6.3 Nineteenth Century Nationalism in India : Some Trends 6.4 Reformism in Indian Nationalist Movement 6.5 Conservatism in Indian Nationalist Movement 6.6 Conclusion 6.7 Summing Up 6.8 Probable Questions 6.9 Further Reading 6.1 Objective After going through this unit the learners shall be able to understand— ? the philosophy of national movement in India ? the importance of reformism movement in India ? the significance of conservatism in Indian nationalist movement ? the new dimension of social change in 19 th century India ? social justice as the basis of reformism and conservatism 6.2 Introduction Nationalist movement in India was soaked in with the spirit of patriotism that created various types of politics and movements. Closely related with nationalism is the idea of social justice and social reform which was influenced by the idea of conservatism or modernism in 19 th century. This unit tries to understand the various dimensions of social reform and conservatism in 19th century India. The direct and indirect consequences of British rule provided the material, moral and intellectual conditions for the development of national movement in India. This consciousness began to be clearly stated by the political NSOU ? GE-PS-11 40 associations formed after 1850, especially those that came into being in the 1870s and 1880s. The onset of the second stage was marked by the formation of sub-national groups and the growth of a new desire for unity between the scattered and culturally diverse social groups. Politically this was the period when the first glimmer of nationalism appeared on the subcontinent. 6.3 Nineteenth Century Nationalism in India : Some Trends The Indian national movement has a long history. As a matter of fact, it began with the Revolt of 1857. The Revolt had been called as Sepoy Mutiny, by the British people, but many Indians considered it as the first war of India’s Independence. However, the actual struggle for freedom began with the formation of the Indian National Congress (INC) in 1885. The period between the Revolt of 1857 till the formation of the INC in 1885 was marked by a rapid growth of national consciousness for political freedom. With the formation of INC the national struggle became an organized movement. The second half of the 19th century witnessed rapid growth of organized national movement in India. It arose to meet the challenge of foreign domination. Most of these were led by English-educated professionals such as lawyers. The more important ones were the Poona Sarvajanik Sabha, the Indian Association, the Madras Mahajan Sabha, the Bombay Presidency Association, and of course the Indian National Congress. The need for an all-India organisation of educated Indians had been felt since 1880, but the Ilbert Bill controversy deepened this desire. The Indian National Congress was established when 72 delegates from all over the country met at Bombay in December 1885. The early leadership – Dadabhai Naoroji, Pherozeshah Mehta, Badruddin Tyabji, W.C. Bonnerji, Surendranath Banerji, Romesh Chandra Dutt, S. Subramania Iyer, among others – was largely from Bombay and Calcutta. Naoroji, a businessman and publicist settled in London, and for some time member of the British Parliament, guided the younger nationalists. A retired British official, A.O. Hume, also played a part in bringing Indians from the various regions together leading to the formation of the Indian National Congress. 6.4 Reformism in Indian Nationalist Movement The Reformism movement is actually the social reform movements. The presence of the British in India, however, brought about a radical change in the entire social perspective. Apart from the introduction of the idea of equality based on a conception of the individual as a repository of values and rights, this contact with the West gave to India, for the first time, a doctrine of social progress – the belief that man can himself, through collective

NSOU ? GE-PS-11 41 action, change the structure of society. Reformism in India did not ordinarily mean, as it did in the West, a reorganisation of the entire structure of society with a view to the alleviation of the conditions of the underprivileged; rather, it meant the infusion into the existing social structure of newer ways of life and modes of behaviour. Generally such change was gradual and was initiated only by the upper classes. Social change in India was, for a very long time, based on the 'filtration theory' — the filtration of attitudes and modes of behaviour from the upper layers of society to the lower ones. It was only at the beginning of this century with the growth of organised reform groups. that the social basis of Hinduism, the caste system, came to be questioned. Various social service institutions took up the cause of the less fortunate groups in society and sought to lift India from the morass of caste tyranny. What was unique about the social reform movement initiated in the nineteenth century? Charles H. Heimsath in the book *Indian Nationalism and Hindu Social Reform*(1964) notes that even prior to the nineteenth century, there were movements aimed at reform especially in the field of religion. The entire Bhakti cult was in a way a revolt against orthodox Hinduism. However, this was more a negative or sannyasin-renunciative type of movement than one of positive social action. For all its spiritual egalitarian-ism, the Bhakti movement failed to cure the diseased condition of the Indian social system. Its appeal was more emotional than rational and individual salvation rather than social salvation was stressed. Even in the nineteenth century, one finds Bhakti-type movements, as in the Swami Narayana Sect and the Sanmargha Sangha of Mahatnia Ramalingam and in the immediate effects of Shri Ramakrishna's mystical preaching. Broadly considered, the uniqueness of the social reform movement in India lay in the inspiration, the ideas and the motivations of the reformers themselves. While earlier reformers were prompted by a love for the underdog, these modern reformers saw the incompatibility of particular practices with the total progress of society. Furthermore, in their attempt to 'rationalise' the Hindu religion, these reformers sought to distinguish the essential aspects of Hinduism from the nonessential ones, to separate the pristine religion from the subsequent accretions. Throughout the nineteenth century, one notices that the movement for social and religious reform and the political movement, though interacting, constituted separate and clearly distinguishable traditions and were together to lay the intellectual foundations for the emergence of nationalism. Heimsath, discussing the course of the social reform movement till the First World War, sees it as a three stage development. The first stage was marked by efforts on the part of individuals to order their personal lives in accordance with standards adopted from the West. The archetype of such individual revolt and reform was Raja Rammohan Roy. With the turn of the century, social reform came to mean a regeneration of the traditional spirit of the nation — regeneration founded on religious revival and cultural xenophobia. In his effort to attract the educated Bengalis of his time, Roy founded the Brahma Samaj — a monotheistic religious body that drew much from the Christian doctrines but which had as its avowed

NSOU ? GE-PS-11 42 purpose the restoration of the Hindu faith to its pristine purity. Even before the establishment of the Brahmo Samaj, however, Roy had initiated a social reform movement of the first order. Through a succession of polemical battles waged both during discussion in the Atmiya Sabha (later the Brahmo Samaj) and in the pages of the Samvad Kaumudi, Roy was able to enlist support for such reform measures as the abolition of 'sati' and 'kulinism' and the introduction of widow remarriage. With Roy began the rationalising of the Hindu tradition and the clearing of the underbrush of social evils. The thread was taken up by other enlightened individuals in Bengal, Bombay and Madras. In Bengal, Ishwarchandra Vidyasagar shattered the very core of orthodoxy by his monumental crusade for widow remarriage. In Bombay Vishnu Shastri Pandit sought governmental sanction for the same, while in Madras the cause was taken up by Viresa Lingam Pantulu with the formation of the Rajamundhry Social Reform Association. To mention some of the leading lights of the social reform movement in Western India, there was Balgangadhar Shastri Jam-bhekar, the founder of the Bombay Darpan and a prominent champion of social reform, the Gujaratis Mehtaji Mancharam and Narmada Shankar and that ebullient literary social critic Gopal Hari Deshmukh Tokahitwadi. On the practical level, there was Jyotiba Phule, an ardent reformer and social worker, and Karsondas Mulji of the Maharaja Libel case fame. Even the Prarthana Samaj, formed in 1867 devoted itself to the reconstruction of Hinduism along more rational lines. An important characteristic of the activities of the reformers of Western India was their conscious effort to imbue public opinion with their rationalism. As against the dramatic unconventionality of the Bengali Reformers, in Bombay there was no complete break with traditional society; rather what was sought was a practical adjustment of religious convictions and social behaviour toward a more open and egalitarian basis. Totally different was the impact of Swami Dayanand and the early Arya Samaj on Northern India. Dayanand combined in himself several paradoxical elements. Extremely conservative in his thought and beliefs, sometimes to the point of obscurantism, yet astonishingly revolutionary in his attitudes and actions, Dayanand typifies a complex reaction to Western influence. Rejecting the existing caste basis of society, the inferior status of women and the system of child marriages, he called for a vigorous programme of social reform aimed not so much at westernising the Hindu religion as in reviving the glory of the Vedic religion. What Dayanand sought was not to help individuals attain personal salvation by isolating themselves from society; he was interested in the salvation of society by means of individual self-assertion and the amelioration of social evils. Of considerable relevance was the effect of Dayanand's militant spiritualism upon the emergence and development of extremist nationalism in India. By bringing the dynamism of the past to vivify the modern mould, Dayanand blazed the trail for the extremists in two significant respects: (1) His own deep-rooted xenophobia was carried on to the subsequent generations and served to inspire the militant anti-British

NSOU ? GE-PS-11 43 temper of extremist politics at the turn of the century. (2) Connected to this was Dayanand's idea that history could be interpreted in order to justify social action. This attitude was closely followed by Tilak in his interpretation of the Gceta and Savarkar in his interpretation of the 'Indian War of Independence'. What developed as Indian nationalism, Heimsath says, was actually a myth based on consciously propagated ideas and one which was more a product of the personal preferences of the so-called nationalists than an enunciation of social realities. He believes that once this was done, through a process of rationalisation, an attempt was made to relate this myth to shared religious, linguistic and geographic identifications. In short, the author suggests that there was nothing spontaneous about the appearance of nationalism in India; it was consciously and carefully contrived by an eminent company of intellectuals. One of the most urgent questions the nationalist movement faced in its very early stages, was whether social reform should precede political reform or vice versa. The earlier moderates tried to bypass this problem by assigning social reform to private action on the local level, while political reform was considered on the national level and through public discussion. The Indian National Congress deliberately kept aloof from social questions. However it was Ranade who sought to give national recognition to the social reform movement, by attaching the National Social Conference to the Indian National Congress as its counterpart. The National Social Conference itself was soon to split into two distinct schools. On the one side, there was the Ranade-Telang school which adhered to the doctrine of "progress along the line of least resistance". According to them, reformers must "flow with the tide of social change". For Telang, this meant a greater emphasis upon political reform, which he felt was easier to achieve in his day. This approach sought to effect change only in "constructive channels" and rarely sought to undermine the foundations of Hindu society. The opposite school of reform, led by Chandavarkar and the Madras reformers (particularly the Hindu and the Social Reformer) called for a vigorous campaign of social reform, Chandavarkar appealed to men and women to act from a free conscience and stand up against social evils. Such divergences naturally affected the overall efficacy of the movement for social reform. This was further vitiated by the fact that the social reformers themselves failed to live up to their high precepts. They yielded in the face of precisely those elements against which they should. have stood up (Ranades 'praya-schita', his second marriage to a child of eleven; Raghunatha Rao's reluctance to attend the marriage of a widow, etc). It is against this background that one sees the strength of Tilak's insistence that social reform should be completely set aside and that the all important task was that of invigorating the political movement. The early moderate nationalists tried to define a new India in terms of categories derived from European political and social experiences. These efforts failed in as much as the

NSOU ? GE-PS-11 44 general mass of people were unaffected. What was needed was a completely new alignment of political and social forces. The formation of the Muslim League and the theory of two separate streams of cultural consciousness cut at the roots of the earlier Congress stand on nationalism. Slowly, nationalism in the early years of this century became Hindu and adopted Hindu symbols and traditions on a mass scale. The path-finders of this new religio-political movement were the practitioners of political extremism like B C Pal, Tilak and Aurobindo. The basic requisites for the reconstruction of nationalism, the extremists believed, were : (a) the incorporation of the masses into the political movement and (b) the identification of the nation with religious ideas. These were linked together and gave to the movement a strong militant and revivalist character. If the national spirit was to penetrate beneath the English-educated intellectual groups, and be truly Indian, only cultural and religious awakening could affect this. In the head of social reform, Annie Besant, after an initial attempt to bolster the orthodox position, came out in her book "Wake Up India: A Plea for Social Reform" with a vigorous plea for all the major planks of the social reformer's programme including remarriage of virgin widows and the emancipation of the depressed classes. Further, the Theosophical Society carried her concern into endeavours of a social service or educational nature. Another figure on the intellectual horizon was Swami Vivekananda. Vivekananda was profoundly struck by the malaise of his own society. Much of the country's tragedy, he felt, could be ascribed to the hopeless quest for mukti. Vivekananda wanted to go to the very root of this malaise and effect a radical reformation. This he felt was possible only by means of a spiritual rejuvenation. "Put the tire there (at the level of the masses) and let it burn upwards and make the Indian nation." Vivekananda condemned the so-called reformers as having done no good "excepting the creation of a most vituperative, and most condemnatory literature." Rather than endorse the ornamental reforms advocated by the Social Conference, he sought to bring a new life for 'all' of India's women and for the lower classes. Vivekananda's thought marked the culmination of the 19th century social revolt. As Heimsath says: "The challenge Vivekananda presented to Indians to reform totally their religious and social life was not accepted, because on the one hand it called for too great a sacrifice from the still complacent educated and privileged groups and on the other hand, demanded an uprooting of traditions, customs and beliefs unacceptable to the general populace" Heimsath concludes his study with the assertion that social reform and nationalism are irrevocably linked as living processes and as organised movements in India as well as elsewhere. Following Daniel Lerner, he believes that nationalism and social reform emerge as a result of transformation of traditional societies and the transfer of individual loyalties from the family and caste groups to larger societies of the city, region and nation. It is basically from this social perspective that Heimsath views change and reform in India.

NSOU ? GE-PS-11 45 6.5 Conservatism in Indian Nationalist Movement Conservatism in Indian Nationalist Movement means the process by which modernisation drive of British colonial rulers influenced the Indian princes and they became a conservative lot by which they thought of creating a modernisation-conservatism model different from that of revolutionary upheaval to overthrow British colonial rulers. The question of the relationship between the British Empire in India and modernity remains highly contentious, and in some ways has become even more so in recent years. An older intellectual history approach tried to deal with the question by focusing on the conflicting and changing political projects of the British at the highest levels. It argued that the British were divided between liberal modernizers and conservatives, and the nineteenth century saw a fundamental change in British policy: between the 1820s and the 1850s, the British, inspired by utilitarian and evangelical political thought, promoted a confident liberal modernization—involving, among other things, the Anglicization of elite education, the introduction of liberal legal codes, and the annexation of the remaining Indian princely states. However, after the Rebellion of 1857–58 the British reversed many of these policies to a substantial degree, and increasingly relied on “traditional” modes of rule—that is through elites at the top of old status hierarchies, such as aristocrats, and by means of paternalistic methods. However, this approach has been much less popular in recent years. From the 1970s, the “Cambridge School” argued that British ideological projects—whether of modernization or support for traditional rule—had very little impact on local society and politics, which was largely determined by local factional conflicts. For some, there was no real developmental project underpinning British imperialism in India, over and above what was necessary to secure certain “imperial interests”—markets for British goods, access to cheap military manpower in the form of the Indian Army and prompt and predictable payment of Indian financial liabilities to both the British state and the private financial sector; British policy was largely pragmatic and relatively unaffected by ideology or party-political divisions in either London or Calcutta-Delhi. Others argue that while the British Raj may have undertaken some kind of liberal ideological project (the universalization and codification of law, the imposition of a free market and liberal individual property rights), it soon ran into the sands of collaborator machinations and resistance. In more recent writings, however, some members of the Cambridge School have argued that the British did have more of an impact on India, but by accident rather than design. Chris Bayly and others argue that the effect, if not necessarily the intention, of Raj policy and administration was the traditionalization of Indian culture, economy and society, while the deliberate demilitarization of Indian society between 1790 and 1840 had the effect of deurbanizing and deindustrializing India. Meanwhile for

NSOU ? GE-PS-11 46 Washbrook, traditionalization was the inevitable consequence of “collaborator” strategy, for under British rule certain groups such as high-caste Brahmins and dominant peasants, and certain practices, such as customary personal law, attained greater parport over Indian society than they had previously enjoyed. Conservative modernization was not the only British strategy, and some liberals remained opposed to it; nor was it systematic or coherent. Indeed there were endless differences among its advocates as to which elite groups (Indian kings, landed aristocrats, “native gentlemen” or agentrified English bureaucracy) were best suited to be the principal agents of development, as to how they themselves should be “improved,” and what precisely should be their relationship with the Raj itself. However, much British policy after the Mutiny makes more sense if seen through this prism. Rebellion of 1857–58 saw a major change in policy, as the British decided that liberal attacks on traditional elites and paternalistic forms of government had alienated many Indians and precipitated popular unrest. As Metcalf has argued, the result was a loss of faith in a more optimistic liberalism, and by the late 1860s there was broad agreement among liberals and conservatives that radical social and cultural change in India was both dangerous and inappropriate. However, he exaggerates the extent to which the British reverted to a Burkean conservatism. Rather, official policy increasingly adopted a conservative-modernizing approach—in effect combining a Romantic paternalism with an authoritarian liberalism. This, in turn, was legitimized by intellectual and scholarly writings, which queried conventional assumptions that India (especially its village social structures) was some kind of analogue of Western Europe’s medieval past, and that India might simply follow the same path of British economic and political development. By the mid-1870s this set of ideas about aristocrats and modernization was beginning to crystallize into a more coherent policy of conservative modernization. An early proponent was Viceroy Lytton (1876–80), appointed by the Conservative Prime Minister Disraeli, who united a romantic love of India’s old aristocracy with a strong commitment to liberal markets and the creation of efficient bureaucracies to promote economic development. But the high point of this British strategy of conservative, aristocrat-led modernization was reached under the vice-regency of Lord Curzon (1899–1905). Curzon was also keen to promote Indian aristocratic presence in the army and joined debates on establishing the rank of Indian King’s Commissioned officer which had been on-going since the 1880s. In 1901, he founded an Indian Cadet Corps (ICC) with a view to the “modernization” of the princes themselves, a group he saw was generally dissolute and indolent. It is clear that for many maharajas there was no contradiction between their traditional role as promoters of rajdharma and British understandings of “good governance” and “improvement.” So, for example, such indubitably “modern” tasks as holding a population census together information on the caste composition of a state could be seen as simply a continuation of the old kingly task of managing caste relations.

NSOU ? GE-PS-11 47 Similarly, the planning, reorganizing and rebuilding royal cities in accordance with modern ideas of sanitation, but which also re-sited groups by caste (as was done in Mysore), could also be presented as part of a traditional kingly duty of fostering social harmony and caste equilibrium. Meanwhile in Travancore the Maharaja could appear both the ideal “westernizing” reformer, bringer of “good government” and sound administration,” while presenting the same policies to his people as simply the continuation of traditions of kingly management. Thus old notions of rajdharma could also be invoked to justify efforts to create more integrative “national” identities intended to transcend sectarian divisions as a furtherance of orthodox kingly protection and patronage to all religions. But in truth the “progressive” princely states presented a vision of modernity radically at odds with that associated with the mainstream of Congress nationalism. Despite the creation of representative assemblies in a few of them, and even the introduction of a limited franchise, few were in any sense democratic. They had been, to a limited degree, bureaucratized, but not democratized. Moreover even reformist diwans such as Baroda’s Manubhai Mehta, was increasingly associated with the high conservative social and religious ideas of the Hindu Mahasabha. And while education—especially higher education—was a great strength of the reforming states and their diwans, reform was often accompanied by religious revival and interest in Vedic learning, of which many nationalists would not have approved.

6.6 Conclusion In nineteenth century India, nationalist movement reflected two opposing trends. On the one hand, there was a growing presence of social reformers and on the other hand, there was a large number of conservative Indian who included a large section of the Indian middle class intellectuals and the elite society of the princely states. They were highly influenced by the British colonial rulers. Both the social reformist preachers and the conservative elements were influenced by British education. They, in a way, created the base of nationalist movement by making the groundwork for future generation of leaders in twentieth century to carry forward the ethos of openness and pluralism to strengthen the Indian nationalist movement.

6.7 Summing Up ? Nationalism in India in the 19th Century began with the Sepoy Mutiny of 1857, the first war of independence. ? Nationalist movement in India in the 19th century gave birth to social reform movement which had both a progressive and a regressive character.

NSOU ? GE-PS-11 48 ? Nationalist movement also created conservative outlook among many social reformers as well as the rulers of the Princely States, majority of whom supported the British rulers. ? Nationalist movement in the 19th century created the base for the put me generation of leaders in the 20th century to carry forward the ethog of openness and plurality to strengthen the Indian Nationalist Movement.

6.8 Probable Questions Essay type questions : 1. Analyse the Revisionist phase of the Indian nationalist movement. 2. Explain, in detail, the Conservative phase of the Indian nationalist movement. Long questions : 1. Discuss the importance of Social reformers in the Indian nationalist movement. 2. Analyse the role of the Indian Princely States in creating a conservative atmosphere in the Indian nationalist movement. Short Questions : 1. Discuss the role of Dayananda Saraswati and Swami Vivekananda as social reformers. 2. Write a note on Cambridge School.

6.9 Further Reading 1. Maria Misra, Indian Aristocrats, British Imperialists and ‘Conservative Modernization’ after the Great Rebellion https://src-h.slav.hokudai.ac.jp/coe21/publish/no33_ses/Chapter%203.pdf, accessed on 10.3.2021 2. Vijay Nambiar, 1965, Nationalism and Social Reform in India, The Economic Weekly, 18th September 3. A. R. Desai, Social Backgorund of Indian Nationalism, Popular Prakashan, Mumbai, 1948

Unit 7 : Phases of Nationalist Movement : Liberal Constitutionalists, Swadeshi Structure 7.1 Objective 7.2 Introduction 7.3 Nationalist Movement in Early Twentieth Century India 7.4 Liberal Constituionalist and Freedom of Press 7.5 Swadeshi Phase of Indian Nationalist Movement 7.6 Conclusion 7.7 Summing Up 7.8 Probable Questions 7.9 Further Reading 7.1 Objective After going through this unit the learners shall be able to understand- ? the phases of national movement in India ? the importance of liberal constituionalists ? the significance of swadeshi and boycott in Indian nationalist movement ? the new dimension of anti-British psychology in late 19 th and early 20th century India ? autonomy as the basis of liberal constitutionalism and swadeshi movement 7.2 Introduction Nationalist movement in India was soaked in with the spirit of patriotism that created various types of politics and movements. Closely related with nationalism is the idea of constitution making and swadeshi movement which was influenced by the idea of liberal ideas of West Europe. This unit tries to understand the various dimensions of liberal constitutionalism and Swadeshi movement in late 19 th and early 20 th century India.

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The nationalists of the 20th century were to rely heavily on the main themes of their economic critique of colonialism.

The early nationalists sowed the seeds of nationalism philosophically and psychologically well and deep.
NSOU ? GE-PS-11 50 7.3. Nationalist Movement in Early Twentieth Century

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While until the end of the 19th century, Indian nationalists confined their political demands to a share in political power and control over the purse, by 1905 most of the prominent nationalists were putting forward the demand for some form of self-government. Here again, Dadabhai Naoroji was the most advanced. Speaking on the drain

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at the International Socialist Congress in 1904, he put forward the demand for 'self-government' and treatment of India 'like other British Colonies. A year later in 1905, in a message to the Benares session of the Indian National Congress, Dadabhai categorically asserted: 'Self-government is the only remedy for India's woes and wrongs.' And, then, as the President of the 1906 session of the Congress at Calcutta, he laid down the goal of the national movement as "self-government or Swaraj," like that of the United Kingdom or the Colonies. While minds were being prepared and the goals formed, the mass struggle for the political emancipation of the country was still in the womb of time. But the early nationalists were laying strong and enduring foundations for the national movement to grow upon. They did not base their nationalism primarily on appeals to abstract or shallow sentiments or on obscurantist appeals to the past. They rooted their nationalism in a brilliant scientific analysis of the complex economic mechanism of modern colonialism and of the chief contradiction between the interests of the Indian people and British rule. 7.4

Liberal Constituionalist and Freedom of Press

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Almost from the beginning of the 19th century, politically conscious Indians had been attracted to modern civil rights, especially the freedom of the Press. As early as 1824, Raja Rammohan Roy had protested against a regulation restricting the freedom of the Press. In a memorandum to the Supreme Court, he had said that every good ruler 'will be anxious to afford every individual the readiest means of bringing to his notice what ever may require his interference. To secure this important object, the unrestricted liberty of publication is the only effectual means that can be employed.'

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Even the work of the National Congress was accomplished during these years largely through the Press. The Congress had no organization of its own for carrying on political work. Its resolutions and proceedings had to be propagated through newspapers. Interestingly, nearly one-third of the founding fathers of the Congress in 1885 were journalists. Powerful newspapers emerged during these years under distinguished and fearless journalists. These were the Hindu and Swadesamitran under the editorship of G. Subramaniya Iyer, Kesari and Mahratta under B.G. Tilak, Bengalee under Surendranath Banerjea, Amrita Bazar Patrika under Sisir Kumar Ghosh and Motilal Ghosh, Sudharak under NSOU ? GE-PS-11 51 G.K. Gokhale, Indian Mirror under N.N. Sen, Voice of India under Dadabhai Naoroji, Hindustani and Advocate under G.P. Varma and Tribune and Akhbar-i-Am in Punjab, Indu Prakash, Dnyan Prakash, Kal and Gujarati in Bombay, and Som Prakash, Banganivasi, and Sadharani in Bengal. In fact, there hardly existed a major political leader in India who did not possess a newspaper or was not writing for one in some capacity or the other.

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To arouse political consciousness, to inculcate nationalism, to expose colonial rule, to 'preach disloyalty' was no easy task, for there had existed since 1870 Section 124A of the Indian Penal Code according to which 'whoever attempts to excite feelings of disaffection to the Government established by law in British India' was to be punished with transportation for life or for any term or with imprisonment upto three years. This clause was, moreover, later supplemented with even more strident measures. Indian journalists adopted several clever stratagems and evolved a distinctive style of writing to remain outside the reach of the law. Since Section 124A excluded writings of persons whose loyalty to the Government was undoubted, they invariably prefaced their vitriolic writing with effusive sentiments of loyalty to the Government and the Queen. Another stratagem was to publish anti-imperialist extracts from London-based socialist and Irish newspapers or letters from radical British citizens knowing that the Indian Government could not discriminate against Indians by taking action against them without touching the offending Britishers. Sometimes the extract from the British newspaper would be taken without quotation marks and acknowledgement of the source, thus teasing the British- Indian bureaucracy into contemplating or taking action which would have to be given up once the real source of the comment became known. For example, a sympathetic treatment of the Russian terrorist activities against Tsarism would be published in such away that the reader would immediately draw a parallel between the Indian Government and the Revolutionary Terrorists of Bengal and Maharashtra. The officials would later discover that it was an extract from the Times, London, or some such other British newspaper. Often the radical expose would take the form of advice and warning to the Government as if from a well-wisher, as if the writer's main purpose was to save the authorities from their own follies! B.G. Tilak and Motilal Ghosh were experts at this form of writing.

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Indian newspapers began to find their feet in the 1870s. They became highly critical of Lord Lytton's administration, especially regarding its inhuman approach towards the victims of the famine of 1876-77. As a result the Government decided to make a sudden strike at the Indian language newspapers, since they reached beyond the middle class readership. The Vernacular Press Act of 1878, directed only against Indian language newspapers, was conceived in great secrecy and passed at a single sitting of the Imperial Legislative Council. The Act provided for the confiscation of the printing press, paper and other materials of a newspaper if the Government believed that it was publishing seditious materials and had flouted an official warning. Indian nationalist opinion firmly opposed the Act. The first great demonstration on an issue of public importance was organized in Calcutta on this question when a large

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meeting was held in the Town Hall. Various public bodies and the Press also campaigned against the Act. Consequently, it was repealed in 1881 by Lord Ripon. The

Act was in particular aimed at the Amrita Bazar Patrika which came out at the time in both Bengali and English.

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Legislative Councils in India had no real official power till 1920. Yet, work done in them by the nationalists helped

in the growth of the national movement.

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The Government of India remained, as before 1858, an alien despot. Nor was this accidental. While moving the Indian Councils Bill of 1861, the Secretary of State for India, Charles Wood, said: "All experience teaches us that where a dominant race rules another, the mildest form of Government is despotism." A year later he wrote to Elgin, the Viceroy, that the only government suitable for such a state of things as exists in India a despotism controlled from home." This 'despotism controlled from home' was to remain the fundamental feature of the Government of India till 15 August 1947. What was the role of Indian members in this Legislative Council? The Government had decided to add them in order to represent Indian views, for many British officials and statesmen had come to believe that one reason for the Revolt of 1857 was that Indian views were not known to the rulers. But, in practice, the Council did not serve even this purpose. Indian members were few in number — in thirty years, from 1862 to 1892, only forty-five Indians were nominated to it. The

nationalist agitation forced the Government to make some changes in legislative functioning by the Indian Councils Act of 1892. The number of additional members of the Imperial and Provincial Legislative Councils was increased from the previous six to ten, ten to sixteen. A few of these members could be elected indirectly through municipal committees, district boards, etc., but the official majority remained.

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The new Councils attracted some of the most prominent nationalist leaders. Surendranath Banerjee, Kalicharan Banerjee, Ananda Mohan Bose, Lal Mohan Ghosh, W.C. Bonnerji and Rash Behari Ghosh from Bengal, Ananda Charlu, C. Sankan Nair and Vijayaraghavachariar from Madras, Madan Mohan Malaviya, Ayodhyanath and Bishambar Nath from U.P., B.G. Tilak, Pherozechah Mehta, R.M. Sayani, Chimanlal Setalvad, N.G. Chandravarkar and G.K. Gokhale from Bombay, and G.M. Chitnavis from Central Provinces were some of served as members of the Provincial or Central Legislative Councils from 1893 to 1909. The two men who were most responsible for putting the Council to good use and introducing a new spirit in them were Pherozechah Mehta and Gopal Krishna Gokhale. Both men were political Moderates. Both became famous for being fearlessly independent and the bete noir of British officialdom in India. 7.5

Swadeshi Phase of Indian Nationalist

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Movement With the start of the Swadeshi Movement at the turn of the century, the Indian national movement took a major leap forward. Women, students and a large section of the urban

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and rural population of Bengal and other parts of India became actively involved in politics for the first time.

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The richness of the movement was not confined to politics alone. The period saw a breakthrough in Indian literature, music, science and industry. Indian society, as a whole, was experimenting and the creativity of the people expanded in every direction. Swadeshi Movement had its genesis in the anti partition movement which was started to oppose the British decision to partition Bengal. There was no questioning the fact that Bengal with a population of 78 million (about a quarter of the population of British India) had indeed become administratively unwieldy. Equally there was no escaping the fact that the real motive of partitioning Bengal was political. Indian nationalism was gaining in strength and partition expected to weaken what was perceived as the nerve centre of Indian nationalism at that time. The attempt, at that time in the words of Lord Curzon, the Viceroy (1899-1905) was to 'dethrone Calcutta' from its position as the 'centre from which the Congress Party is manipulated throughout Bengal, and indeed which the Congress Party centre of successful intrigue' and 'divide ,the Bengali speaking population.' Rislely, the Home Secretary to the Government of India, was more blunt.

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The Indian nationalists clearly saw the design behind the partition and condemned it unanimously. The anti-partition and Swadeshi Movement had begun.

The anti-partition campaign began under the leadership of the Moderates during 1903-05. During this period, the leadership was provided by men like Surendranath Banerjea, K.K. Mitra and Prithwish Chandra Ray. The methods

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adopted were petitions to the Government, public meetings, memoranda, and propaganda through pamphlets and newspapers such as Hitabadi, Sanjibani and Bengalee. Their objective was to exert sufficient pressure on the Government through an educated public opinion in India and England to prevent the unjust partition of Bengal from being implemented.

From 1905 onwards the extremist leadership in Indian National Congress took hold of the movement. Emboldened by Dadabhai Naoroji's declaration at the Calcutta session (1906) that self government or swaraj was to be the goal of the Congress, the Extremists gave a call for passive resistance in addition to swadeshi and boycott which would include a boycott of government schools and colleges, government service, courts, legislative councils, municipalities, government titles, etc. so as to, as Aurobindo put it, "

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make the administration under present conditions impossible by an organised refusal to do anything which will help either the British commerce in the exploitation of the country or British officialdom in the administration of it".

The militant nationalists tried to transform the anti- partition and Swadeshi Movement into a mass struggle and gave the slogan of India's independence from foreign rule. "Political freedom is the life breath of a nation," declared Aurobindo. Thus, the Extremists gave the idea of India's independence the central place in India's politics. The goal of independence was to be achieved through self-sacrifice.

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The militant nationalists put forward several fresh ideas at the theoretical, propaganda and

programme levels.

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Among the several forms of struggle thrown up by the movement

were:

NSOU ? GE-PS-11 54 a. Boycott of foreign goods: This included boycott and public burning of foreign cloth,

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boycott of foreign-made salt or sugar, refusal by priests to ritualize marriages involving exchange of foreign goods, refusal by washer men to wash foreign clothes.

This form of protest met with great success at the practical and popular level. b.

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Public meetings and processions: These emerged as major methods of mass mobilisation and simultaneously as forms of popular expression.

c. Corps

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of volunteers or 'samitis': Samitis such as the Swadesh Bandhab Samiti of Ashwini Kumar Dutta (in Barisal) emerged as a very popular and powerful method of mass

mobilisation. These samitis generated political consciousness among

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the masses through magic lantern lectures, swadeshi songs, physical and moral training to their members, social work during famines and epidemics,

organisation of schools, training in swadeshi crafts and arbitration courts. d. Imaginative use of traditional popular festivals and melas: The idea was to use such occasions as a means of reaching out to the masses and spreading political messages. For instance, Tilak's Ganapati and Shivaji festivals became a medium of

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swadeshi propaganda not only in western India, but also in Bengal.

In Bengal also, the traditional folk theatre forms were used for this purpose. e. Emphasis given to self-reliance or 'atmashakti': This implied re-assertion of national dignity, honour and confidence and

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social and economic regeneration of the villages. In practical terms, it included social reform and campaigns against caste oppression, early marriage, dowry system, consumption of alcohol, etc. f. Programme of swadeshi or national education:

Bengal National College, inspired by Tagore's Shantiniketan, was set up with Aurobindo Ghosh as its principal. Soon

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national schools and colleges sprang up in various parts of the country.

On August 15, 1906, the National Council of Education was set up

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to organise a system of education (literary, scientific and technical) on national lines and under national control.

Education was to be imparted through the medium of vernaculars. A Bengal Institute of Technology was set up for technical education

and funds were raised to send students to Japan for advanced learning. g. Swadeshi or indigenous enterprises:

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The swadeshi spirit also found expression in the establishment of swadeshi textile mills, soap and match factories, tanneries, banks, insurance companies, shops etc. These enterprises were based more on patriotic zeal than on business acumen.

h. Impact in the cultural sphere: The nationalists of all hues took inspiration from songs written

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by Rabindranath Tagore, Rajnikant Sen, Dwijendralal Ray, Mukunda Das, Syed Abu Mohammad and others.

Tagore's Amar Sonar Bangla written on this occasion

NSOU ? GE-PS-11 55 was later to inspire the liberation struggle of Bangladesh and was adopted by it as its national anthem. In painting,

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Abanindranath Tagore broke the domination of Victorian naturalism over Indian art and took inspiration from Mughal, Ajanta and Rajput paintings. Nandlal Bose, who left a major imprint on Indian art, was the first recipient of a scholarship offered by the Indian Society of Oriental Art, founded in 1907. In science, Jagdish Chandra Bose, Prafulla Chandra Roy and others pioneered original research

which was praised the world over. i. Extent of Mass Participation: Students came out in large numbers to propagate and practise swadeshi, and to take a lead in organising picketing of shops selling foreign goods. Police adopted a repressive attitude towards the students. Schools and colleges whose students participated in the agitation were to be penalised by disaffiliating them or stopping of grants and privileges to them. Students who were found guilty of participation were to be disqualified for government jobs or for government scholarships, and disciplinary action fine, expulsion, arrest, beating, etc. was to be taken against them. Women, who were traditionally home-centered, especially those of the urban middle classes, took active part in processions and picketing. From now onwards, they were to play a significant role in the national movement. With the coming of Swadeshi and Boycott Movement, it became clear that the moderates had outlived their utility and their politics of petitions and speeches had become obsolete. They had not succeeded in keeping pace with time, and this was highlighted by their failure to get the support of the younger generation for their style of politics. Their failure to work among the masses had meant that their ideas did not take root among the masses.

7.6 Conclusion In sum, the liberal constitutionalists tried to emphasise on the freedom of press and more participation in legislative councils while the swadeshi movement widened the social base of Indian national movement.

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Swadeshi movement, with its multi-faceted programme and activity, was able to draw for the first time large sections of society into active participation in

the freedom struggle. 7.7 Summing Up ? Nationalist movement in the early 20th century put forward the demand for 'self- government and equal treatment of the Indians with their British counterparts. ? This phase of Nationalist movement included the liberal constitutionalists on the one hand and those propagating the Swadeshi ideology. NSOU ? GE-PS-11 56 ? The liberal constitutionalists were in favour of freedom of the press and more participation of the native people in the legislative councils. ? The proponents of Swadeshi, with its multi-pronged strategy, were able to bring large sections of society into the arena of the freedom struggle against the British rulers. 7.8 Probable Questions Essay Type Questions : 1. Analyse the role of the liberal constitutionalists in Indian national movement. 2. Explain the various features of Swadeshi movement. Long Questions : 1. Elaborate the movement for freedom of the Press. 2. Analyse the importance of the extremists in Swadeshi movement. Short Questions : 1. Point out the role of the Indian members in the Legislative Councils. 2. Write a note on the Moderate leadership during Swadeshi movement. 7.9 Further Reading 1. Bipan Chandra, 2006, India's Struggle for Independence 1857-1947, Penguin Books(Reprint edition edited by Aditya Mukherjee, Mridula Mukherjee, Sucheta Mahajan, K.N. Pannikar) 2. V. P. Verma, Modern Indian Political Thought, Agra, Lakshmi Narain Agarwal, 1961 3. Sumit Sarkar, Modern India, New Delhi, Macmillan

Unit 8 : Gandhi and Mass Mobilisation: Non-Cooperation and Civil Disobedience Structure 8.1 Objective 8.2 Introduction 8.3 Mahatma Gandhi and Mass Mobilisation: The Beginning 8.4 Non-Cooperation Movement under Gandhiji 8.5 Civil Disobedience Movement of Mahatma Gandhi 8.6 Conclusion 8.7 Summing Up 8.8 Probable Questions 8.9 Further Reading 8.1 Objectives On going through this unit the learners shall be able to understand- ? the Gandhian phase of national movement in India ? the importance of Gandhian leadership skills ? the significance of non-cooperation movement ? the new dimension of civil disobedience movement ? the Gandhian ideals of Truth, Non-violence and Satyagraha 8.2 Introduction Nationalist movement in India was soaked in with the spirit of patriotism that created various types of politics and movements. Among them the most discussed and celebrated leader was Mahatma Gandhi due to his unparalleled ability to mobilise the masses which he showed in two of his celebrated movement of non-cooperation and civil disobedience. This unit tries to understand the various dimensions of non-cooperation and civil disobedience movement under the spell of Gandhian leadership.

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To understand the man who was about to take over the reins of the Indian national movement and guide its NSOU ? GE-PS-11 58 destinies through its most climactic years it is essential to

understand the genesis of Gandhian experiment with the Truth of racism, injustice and oppression by colonisers. 8.3 Mahatma Gandhi and Mass Mobilisation: The Beginning When Mohandas Karamch and

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Gandhi called for a nationwide Satyagraha against the Rowlatt Act in March 1919, his first attempt at leading an all India struggle, he was already in his fiftieth year

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it is necessary to begin his story at least twenty-five years earlier, in 1893, when as a twenty-four old barrister, he began the struggle of Indians against racial discrimination in South Africa.

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Non-violent civil disobedience had succeeded in forcing the opponents to the negotiating table and conceding the substance of the demands put forward by the movement. The blueprint for the 'Gandhian' method of struggle had been evolved and Gandhiji started back for his native land. The South African 'experiment' was now to be tried on a much wider scale on the Indian subcontinent. In other respects, too, the South African experiment prepared Gandhiji for leadership of the Indian national struggle. He had the invaluable experience of leading poor Indian labourers, of seeing their capacity for sacrifice and for bearing hardship, their morale in the face of repression. South Africa built up his faith in the capacity of the Indian masses to participate in and sacrifice for a cause that moved them. Gandhiji also had had the opportunity of leading Indians belonging to different religions, Hindus, Muslims, Christians and Parsis

who were all united under his leadership in South Africa. 8.4 Non-Cooperation Movement under Gandhiji Before the second decade of the 20th century struggle for independence was carried by several leaders by their different ideologies and methods of programme. In the Gandhian era which was estimated after the First World War had seen the uniformity of the all section of the society, communities and profession. The philosophy of Mahatma Gandhi that was vested in the ideas of Non-violence and Satyagraha was introduced before the Non- Cooperation movement in the Champaran, Kheda and Ahmedabad. He also successfully used his ideologies and methods in South Africa against the racial discrimination towards the Indians by the British authorities. Gandhi saw the futility of both these techniques. He was therefore searching for an alternative to both the extremes, which would avoid the pitfalls of both. He found the answer in non-violent non-co-operation. His non-cooperation was posited against the moderate techniques which were ineffective at best and also ran the risk of being co-opted. And his non-violence was posited against the methods of violent revolutionaries, which could not last long and would eventually be suppressed. However in treating non-violence as a part of his strategy of struggle, one should not underplay his

NSOU ? GE-PS-11 59 total and uncompromising commitment to non-violence. Non-violence was an effective strategy for the movement, but for Gandhi its significance was much more than purely strategic. He was fully committed to it and convinced of its moral superiority. The Montagu Chelmsford Reforms of 1919 had failed to satisfy the Indian National Congress and the discontented mood of the common people, peasants and workers because of the War time sufferings (rise of the price of the commodities even did not change the policy of wages rise). Both the groups of the INC (Extremists and Moderates) had lost credibility as they failed to achieve their stated goals. The question of the Turkey before the Indian Muslims as a Khilaf against the British Dominance also created atmosphere for the national agitation among the Muslim community. The Muslims started the Khilafat movement against the British Government for preservation of the integrity of the Turkish Empire and better treatment of the Sultan of the Turkey. Muslim leaders Maulana Abul Kalam Azad, Ali brothers (Muhammad and Shaukat), Hasrat Mohani and Hakim Ajmal Khan formed the Khilafat committee to carry on a movement in the favour of Turkey in March 1919. The overthrow of the Czarist power in the Russia and the success of the Bolshevik Revolution were responsible for the change mind of people and nationalist leaders in British India. The Rowlatt Act of 1919 and the massacre at the Jallianwalla Bagh on 13 April 1919 also created a lot of tension among the Indian people. According to the official estimate, 379 persons were killed and more than 1,000 wounded as a result of firing ordered by General Dyer. Shekar Bandopadhyay (From Plassey to Partition) argued with the issue of mass mobilization. The Home Rule Leagues of Tilak and Annie Besant prepared the ground for the success of the Mahatma Gandhi's initial Satyagraha movements. It was estimated that sixty thousands souls all over India participated with the Leagues during the movement. The experiments of his philosophy as non-violence and Satyagraha in India were seen in the early Satyagraha movements in Champaran, Kheda and Ahmedabad. In the Champaran district of Bihar, the peasantry was forced to cultivate indigo in the 15% of their lands and supply them to the British officials at fixed rates. Mahatma Gandhi led the movement and the result came with the Champaran Agriculture Act 1919 which gave relief to the peasantry of the Champaran by abolishing the practice of forced indigo cultivation in their lands. In 1918, Mahatma Gandhi organized a non-violent strike for the textile mill workers at Ahmedabad for the retention of plague bonus which had been introduced since August 1917. He worked as an arbitrator between two groups, employers and workers which lasted with the workers' demand. In the Kheda district of Bombay, Mahatma Gandhi led the movement for the peasants, demanding remission of land revenue on the ground of failure of crops. As the results of these Satyagraha, Mahatma Gandhi emerged as a leader of the masses on the Indian political scene in 1919. . It was the Rowlatt satyagraha that made Gandhiji a truly national leader. Emboldened by its success, Gandhiji called for a campaign of "non- cooperation" with British rule. Indians who wished colonialism to end were asked to stop NSOU ? GE-PS-11 60 attending schools, colleges and law courts, and not pay taxes. In sum, they were asked to adhere to a "renunciation of (all) voluntary association with the (British) Government". If noncooperation was effectively carried out, said Gandhiji, India would win swaraj within a year. To further broaden the struggle he had joined hands with the Khilafat Movement that sought to restore the Caliphate, a symbol of Pan-Islamism which had been abolished by the Turkish ruler Kemal Attaturk. The Allahabad conference of the Central Khilafat Committee which was conducted on June 1920 decided to launch the movement in four stages:

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Boycott of titles, civil services, police and army and finally non-payment of taxes.

On 1st August, 1920, the day on which the dead body of Bal Gangadhar Tilak was carried for his funeral, Mahatma Gandhi began his Non-Cooperation campaign. He surrendered the Kaiser-i- Hind medal, which had been awarded to

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him by the British for his services during the War. In

an article in Young India he announced that through this movement he would bring Swaraj within one year. A special session of the Congress was held at Calcutta on 4-9 September, 1920. In that Mahatma Gandhi's resolution on Non-Cooperation was approved by which the programs were decided,

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surrender of Govt. titles, boycott of schools, court and councils and foreign goods, encouragement of National schools, arbitration courts and khadi.

In December 1920,

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the annual session of the Indian National Congress, held at Nagpur,

confirmed the Non-Cooperation Resolution already passed at Calcutta. But Bipin Chandra Pal, Annie Besant, M.A. Jinnah and G.S. Khaparde didn't approve the Non-Cooperation and left Congress. This was also the period of labor unrest and trade unionism, marked by a major strike in the Bombay textile industry in January 1919, appearance of the Madras labor union in 1918, some 125 new trade unions and finally the formation of the All India Trade Union Congress in Bombay in November 1920. About 14,582 delegates attended the Nagpur session and they supported Mahatma Gandhi for the national movement. All section of the Indian society, communities and professions joined the Non-Cooperation movement. In particular two major political decisions taken by Gandhi – withdrawal of the movement after violence in Chauri Chaura in 1922 and Gandhi –Irvin Pact signed in 1931 – aroused considerable debate. The withdrawal of the non-cooperation movement after violence at Chauri Chaura has been understood in different ways. In its own times, it was considered to be a matter of political choice between violence and non-violence. Given Gandhi's uncompromising stand on this question, it was believed to be at the heart of Gandhi's decision to call off the movement. Leading Marxist historian R.P. Dutt looked at this question very differently. In his view, it indicated and confirmed the 'bourgeois' character of the Movement because Gandhi did not want the Movement to go out of control and turn against the propertied classes. "Non-cooperation," wrote Mahatma Gandhi's American biographer Louis Fischer, "became the name of an epoch in the life of India and of Gandhiji. Non-cooperation was negative enough to be peaceful but positive enough to be

NSOU ? GE-PS-11 61 effective. It entailed denial, renunciation, and self-discipline. It was training for self-rule." As a consequence of the Non-Cooperation Movement, the British Raj was shaken to its foundations for the first time since the Revolt of 1857. 8.5 Civil Disobedience Movement of Mahatma Gandhi In December 1921, Indian National Congress at Ahmadabad session authorized Gandhi to launch a mass civil disobedience movement which had a motive behind it "non-violent violation of unjust laws in obedience to the higher laws of morality." Mahatma Gandhi had been planning to start the Civil Disobedience Movement in Bardoli of Gujarat. The Civil Disobedience Movement was one of the most significant movements launched by Mahatma Gandhi in the course of India's freedom struggle. The three main causes of the civil disobedience movement: 1. Formation of the Simon Commission 2. Demand for Dominion Status 3. Protests against the arrest of social revolutionaries. Dandi March (Salt Satyagraha) : Mahatma Gandhi was preparing for a mass movement on the lines of the Civil Disobedience Movement for a long time. He was looking for a symbol around which the entire movement could be centered and he hit upon the idea of salt as a tax on salt, in his opinion, was the most oppressive form of tax which humankind could devise since salt was a basic necessity of human existence, just like air and water. Therefore breaking of salt laws would be the most suitable way to launch the Civil Disobedience Movement. The Dandi March commenced on 12th March 1930 from Sabarmati Ashram in Gujarat towards the coastal village of Dandi which is about 390 km in distance. Gandhi along with 78 followers set out on foot towards Dandi. They covered the distance between Sabarmati Ashram and Dandi in 25 days and reached the coast of Dandi on 6th April 1930 where by picking up a handful of salt, Gandhi broke the salt laws and launched the mass Civil Disobedience Movement. Sarojini Naidu was among the leaders who accompanied Mahatma Gandhi during the Dandi March. With Gandhi's symbolic breaking of salt laws

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at Dandi, defiance of salt laws started all over the country.

The civil disobedience movement reached its peak by the end first half of 1930. The government's attitude was marked by ambivalence. Since the movement remained largely non-violent, the government fell into the trap of "damned if you do, damned if you don't".

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Either way, it led to the erosion of the hegemony of the British government.

After a lot of vacillation, the government finally ordered Mahatma Gandhi's arrest on May 4, 1930, when he announced his resolve to lead the raids on Dharasana Salt Works. In a conciliatory gesture, the Viceroy Lord Irwin in

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July 1930 suggested a Round Table Conference and reiterated the goal of Dominion Status.

This marked the beginning of the end of the Civil Disobedience Movement. In order

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to lay the groundwork for the Round Table Conference to be held in England, Mahatma Gandhi

entered into fortnight-long discussions with the Viceroy Lord Irwin which NSOU ? GE-PS-11 62 culminated in the Gandhi-Irwin Pact on 5th March 1931 signed by Gandhi

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on behalf of the Congress and by Lord Irwin on behalf of the

British India government. The Gandhi-Irwin pact is significant since it, for the for the first time, placed the Congress and the Government on an equal footing and the government had to recognize Gandhi as the representative of the Congress and the leader of masses who had orchestrated a non-violent mass movement which the government was unable to halt in spite of its massive resources. With these developments, the first phase of the Civil Disobedience Movement came to an end. In August 1931 Mahatma Gandhi set sail for London to attend the 2nd Round Table Conference (RTC). Meanwhile, in India, Lord Irwin was replaced by the reactionary Lord Willingdon as the Viceroy. The Indian delegates at the 2nd RTC were hand-picked loyalists of the British crown who claimed

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that the Congress did not represent the interests of all Indians and neutralized Gandhi's efforts to confront the imperialist rulers on the moot question of

India's freedom, for which the Civil Disobedience Movement had been launched.

The Civil Disobedience Movement of 1930-31, then, marked a critically important stage in the progress of the anti-imperialist struggle. The number of people who went to jail was estimated at over 90,000 — more than three times the figure for the Non-Cooperation Movement of 1920-22. Imports of cloth from Britain had fallen by half; other imports like cigarettes had suffered a similar fate. Government income from liquor excise and land revenue had been affected. Elections to the Legislative Assembly had been effectively boycotted. A vast variety of social groups had been politicized on the side of Indian nationalism — if urban elements like merchants and shopkeepers and students were more active in Tamil Nadu and Punjab, and in cities in general, peasants had come to the forefront in Gujarat, U.P., Bengal, Andhra, and Bihar, and tribals in the Central Provinces, Maharashtra, Karnataka and Bengal. Workers had not been missing from the battle either — they joined numerous mass demonstrations in Bombay, Calcutta, and Madras and were in the forefront in Sholapur. The participation of Muslims in the Civil Disobedience Movement was certainly nowhere near that in 1920-22. The appeals of communal leaders to stay away, combined with active Government encouragement of communal dissension to counter the forces of nationalism, had their effect. Still, the participation of Muslims was not insignificant, either. Their participation in the North-West Frontier Province was, as is well known, overwhelming. In Bengal, middle class Muslim participation was quite important in Senhatta, Tripura, Gaibandha, Bagura and Noakhali and in Dacca, Muslim students and shopkeepers as well as people belonging to the lower classes extended support to the movement. Middle and upper class Muslim women were also active. The Muslim weaving community in Bihar and in Delhi and Lucknow, the lower classes of Muslims were effectively mobilized as were many others in different parts of the country. NSOU ? GE-PS-11 63 8.6 Conclusion The support that the movement had garnered from the poor and the illiterate, both in the cities and in the villages, was remarkable indeed. Their participation was reflected even in the government statistics of jail goers — and jail-going was only one of the many forms of participation. The Inspector-General of Police in Bengal, E.J. Lowman, expressed the general official bewilderment when he noted: 'I had no idea that the Congress organization could enlist the sympathy and support of such ignorant and uncultivated people.' For Indian women, the movement was the most liberating experience to date and can truly be said to have marked their entry into the public space. 8.7

Summing Up ? Mahatma Gandhi was the first nationalist leader who made it possible for the Indian nationalist movement to acquire a mass character. ? Two most important movements led by Gandhiji based on the principles of non-violence and satyagraha are the Non-Cooperation Movement of 1920 and the Civil Disobedience Movement of 1930 respectively. ? Despite criticism against Gandhiji for his reluctance to take these movements to their logical conclusion, both these two movements had immense impact on the British rulers. 8.8 Probable Questions Essay Type Questions : 1. Analyse the importance of Gandhian phase of Nationalist movement in India. 2. Discuss the Non-Cooperation movement under Gandhiji. Long Questions : 1. Elaborate the evolution of Civil Disobedience movement. 2. Analyse the importance of Chauri-Chaura incident. Short Questions : 1. Point out the reasons for Civil Disobedience movement. 2. Write a note on Gandhi-Irwin pact.

NSOU ? GE-PS-11 64 8.9 Further Reading 1 Bipan Chandra, 2006, India's Struggle for Independence 1857-1947, Penguin Books (Reprint edition edited by Aditya Mukherjee, Mridula Mukherjee, Sucheta Mahajan, K.N. Pannikar) 2. Ram Chandra Guha, India after Gandhi Harper Collins, 2007. 3. Ram Chandra Guha, Gandhi before India, Penguin India, 2013 4. Bhikhu Parekh, Gandhi: A Very Short Introduction, Oxford University Press, New Delhi, 2005.

Unit 9 : Congress Socialists Structure 9.1 Objective 9.2 Introduction 9.3 Congress Socialists: Historical Background 9.4 Congress Socialist Party: Formation and Programme 9.5 Congress Socialist Party: Contribution to Nationalist Movement 9.6 Conclusion 9.7 Summing Up 9.8 Probable Questions 9.9 Further Reading 9.1 Objective On going through this unit the learners shall be able to understand- ? the division within Indian National Congress during freedom movement ? the importance of Congress Socialist Party ? the significance of Subhash Chandra Bose's leadership ? the new dimension of socialist influence in Indian nationalist movement ? the programme of the Congress Socialist Party 9.2 Introduction Nationalist movement in India was soaked in with the spirit of patriotism that created various types of politics and movements. Closely related with nationalism is the role of Indian National Congress and among them the first division that occurred was with the liberal Congress people and with socialist minded Congress people and finally the latter group dissociated from Congress party to form Congress Socialist party. This unit discusses in detail the reasons for formation of CSP, its nature and role in Indian Nationalist movement.

NSOU ? GE-PS-11 66 9.3 Congress Socialists: Historical Background In 1934,

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after the suspension of the Civil Disobedience Movement, a section of Congressmen decided to enter into the legislatures to work for the Congress cause within the government.

Mahatma Gandhi endorsed the line of action, adopted by these Congressmen who were known as the Constitutionalists.

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At this stage some socialists wanted to form a socialist party within the Congress

organisation so as to prevent the erosion of

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the revolutionary character of the Congress by entry into the legislatures. The Socialists within the Congress believed in Marxist ideas like the Communists. But there are two basic differences between the Congress Socialists and the Communists:i) First, while the Congress Socialists owed their allegiance to the

Indian National Congress, the Communists owe

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allegiance to the Communist International. ii) Secondly the Congress Socialists are nationalists, the Communists at the sametime also believed in the goal of global Communist society.

The Congress Socialists joined bourgeois democratic forces within the Congress

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for carrying on the national liberation with the help of workers, peasants and petty bourgeoisie.

The Congress Socialists

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held that the workers and the peasants should take part

national liberation. They believed in the efficacy of such technique and peasants' agitation for the attainment of freedom. Socialists believed in class struggle and

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stood for abolition of capital and princely states. They wanted to incorporate radical socio-economic

programme for the uplift of toiling masses into the Congress Party's programme. In the early thirties Socialist formed by the leftist Congressmen in provinces like Bihar, U.P., Punjab. In 1933 in Nasik jail some young Socialists such as Jayprakash Narayan, Achyut Patwardhan, M.R. Masani, N.G. Gore, Ashok Meht. L. Dantwala floated the idea of forming a Socialist Party within the Congress organisation. In April 1934 at Banaras, Sampurnananda published a pamphlet in which he

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stressed the need for the formation of an all-India Socialist

Congress. They were influenced by the ideas of Marx, simultaneously practical democracy of the West. The first All-India Congress Socialists' Conference was convened at Patna by Jaya Prakash Narayan on behalf of the Bihar Socialist party in May 1934.

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The Conference was presided over by Acharya Narendra Dev. In his presidential speech, Narendra Dev criticized the new Swarajist section of Congressmen who wanted to enter the legislatures and thereby run counter to the revolutionary character of the Congress. He asked the socialists to

carry on their agitation for the adoption of their programme by the Congress.

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The Conference passed a resolution asking the Congress to adopt a programme that was socialist in action and

objective. After this Conference the Congress Socialists worked hard to organise the All- India Congress Socialist party. As

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the Organising Secretary, Jaya Prakash Narayan campaigned in different parts of the country to organise the provincial wings of the party.

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The first annual session of the All-India Congress Socialist party was held in Bombay

in October 1934 under the presidentship of Sampurnananda. It was attended by delegates NSOU ? GE-PS-11 67 from thirteen provinces. In this meeting the National Executive of the Congress Socialist party was constituted with Jaya Prakash Narayan as the General Secretary. 9.4 Congress Socialist Party: Formation and Programme

The move towards the formation of a socialist party was made in the jails during 1930-31 and 1932-34 by a group of young Congressmen who were disenchanted with Gandhian strategy and leadership and attracted by socialist ideology. Many of them were active in the youth movement of the late 1920s. In the jails they studied and discussed Marxian and other socialist ideas. Attracted by Marxism, communism and Soviet Union, they did not find themselves in agreement with the prevalent political line of the CPI. Many of them were groping towards an alternative. Ultimately they came together and formed the Congress Socialist Party (CSP) at Bombay in October 1934 under the leadership of Jayaprakash Narayan, Acharya Narendra Dev and Minoo Masani. From the beginning, all the Congress socialists were agreed upon four basic propositions: that the primary struggle in India was the national struggle for freedom and that nationalism was necessary stage on the way to socialism; that socialists must work inside the National Congress because it was the primary body leading the national struggle and, as Acharya Narendra Dev put it in 1934, It would be a suicidal policy for us to cut ourselves off from the national movement that the Congress undoubtedly represents; that they must give the Congress and the national movement a socialist direction; and that to achieve this objective they must organize the workers and peasants in their class organizations, wage struggles for their economic demands and make them the social base of the national struggle. The CSP from the beginning assigned itself the task of both transforming the Congress and of strengthening it. The task of transforming the Congress was understood in two senses. One was the ideological sense. Congressmen were to be gradually persuaded to adopt a socialist vision of independent India and a more radical pro-labour and pro-peasant stand on current economic issues. This ideological and programmatic transformation was, however, to be seen not as an event but as a process. As Jayaprakash Narayan repeatedly told his followers in 1934: 'We are placing before the Congress a programme and we want the Congress to accept it. If the Congress does not accept it, we do not say we are going out of the Congress. If today we fail, tomorrow we will try and if tomorrow we fail, we will try again.' The transformation of the Congress was also seen in an organizational sense, that is, in terms of changes in its leadership at the top. Initially, the task was interpreted as the displacement of the existing leadership, which was declared to be incapable of developing the struggle of the masses to a higher level. The CSP was to develop as the nucleus of the alternative socialist leadership of the Congress. As the Meerut thesis of the CSP put it in 1935, the task was to 'win the anti-imperialist elements in the NSOU ? GE-PS-11 68 Congress away from its present bourgeois leadership and to bring them under the leadership of revolutionary socialism.' This perspective was, however, soon found to be unrealistic and was abandoned in favour of a 'composite' leadership in which socialists would be taken into the leadership at all levels. The notion of alternate Left leadership of the Congress and the national movement came up for realization twice at Tripuri in 1939 and at Ramgarh in 1940. But when it came to splitting the Congress on a Left-Right basis and giving the Congress an executive left-wing leadership, the CSP (as also the CPI) shied away. Its leadership (as also CPI's) realized that such an effort would not only weaken the national movement but isolate the Left from the mainstream, that the Indian people could be mobilized into a movement only under Gandhiji's leadership and that, in fact, there was at the time no alternative to Gandhiji's leadership. However, unlike Jawaharlal Nehru, the leadership of the CSP, as also of other Left groups and parties, was not able to fully theorize or internalize this understanding and so it went back again and again to the notion of alternative leadership. The CSP was, however, firmly well grounded in the reality of the Indian situation. Therefore, it never carried its opposition to the existing leadership of the Congress to breaking point. Whenever it came to the crunch, it gave up its theoretical position and adopted a realistic approach close to that of Jawaharlal Nehru's. This earned it the condemnation of the other left-wing groups and parties — for example, in 1939, they were chastised for their refusal to support Subhas Bose in his confrontation with Gandhiji and the Right wing of the Congress. At such moments, the socialists defended themselves and revealed flashes of an empiricist understanding of Indian reality. Jayaprakash Narayan, for example, said in 1939 after Tripuri: 'We Socialists do not want to create factions in the Congress nor do we desire to displace the old leadership of the Congress and to establish rival leadership. We are only concerned with the policy and programme of the Congress. We only want to influence the Congress decisions. Whatever our differences with the old leaders, we do not want to quarrel with them. We all want to march shoulder to shoulder in our common fight against imperialism.' From the beginning the CSP leaders were divided into three broad ideological currents: the Marxian, the Fabian and the current influenced by Gandhiji. This would not have been a major weakness — in fact it might have been a source of strength — for a broad socialist party which was a movement. But the CSP was already a part, and a cadre-based party at that, within a movement that was the National Congress.

Moreover, the Marxism of the 1930s was incapable of accepting as legitimate such diversity of political currents on the Left. The result was a confusion which plagued the CSP till the very end. The party's basic ideological differences were papered over for a long time because of the personal bonds of friendship and a sense of comradeship among most of the founding leaders of the party, the acceptance of Acharya Narendra Dev and Jayaprakash Narayan as its senior leaders, and its commitment to nationalism and socialism.

NSOU ? GE-PS-11 69 The Congress Socialist Party framed a constitution which outlined the following programme of action: i) To work for the acceptance of Congress Socialist Party programme by the Indian National Congress, ii) To organise the workers and peasants

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for their own economic uplift as well as for carrying on the movement for the achievement of independence and socialism, iii) To organise Youth Leagues Organisation and Volunteer Organisations and secure their support for

Socialist Party's programme, iv)

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To resist any attempt on the part of the British Government to involve India in imperialist wars, and to crises for the intensification of the freedom struggle, v) To resist any negotiation with the British Government on constitutional issues. The

meeting

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at Bombay adopted comprehensive programme as the blueprint of a Socialist society in India,

containing the following items: 1. Transfer of all power to the masses 2.

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Development of the economic life of the country to be planned and controlled by the state, 3.

Socialization of key industries for example steel, cotton, jute, railways, shipping, plantations, mines), Insurance and Public Utilities, with a view to the progressive socialisation of the instrument of production, distribution and exchange, 4. State monopoly of foreign trade 5. Organisation of

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cooperative societies for production, distribution and credit in the unorganised sector of the economic life. 6. Abolition

with compensation of princes and landlords and all other classes of exploiters, 7.

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Redistribution of land among the peasants. 8. The state was to encourage and control co-operative and collective farming, 9. Liquidation of debts owned by peasants and workers, 10.

Recognition of the right to work for maintenance by the State, 11. To everyone according to his needs is to be the basis ultimately of distribution of economic goods, 12. Adult franchise which shall have functional basis, 13. The State shall neither support nor discriminate between religions nor recognize any distinction based on caste or community 14. The State shall not discriminate between the sexes 15. Repudiation of the so-called public-debt of India NSOU ? GE-PS-11 70 The Bombay session adopted the

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programmes for the workers' and peasants uplift. For workers the demand : freedom to form trade unions and the right to a living wage,

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forty-hour week, and, insurance against unemployment, accident and old age. For the peasants the demand abolition of landlordism, encouragement of cooperative farming, exempt rents and taxes on uneconomic holdings, reduction of land revenue and of feudal levies.

Independence (

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freedom from British rule) and socialism were the twin objectives of the Congress Socialist Party. For the purpose of attainment of independence the Congress Socialists joined hands with socialist and non-socialist forces within the Congress. Jaya Prakash Narayan said "Our work within Congress is governed by the

policy of developing it into true anti-imperialist body". He also warned his co-workers early in 1935: "Nothing should antagonise the genuinely nationalist elements and drive the compromise-seeking right wing." But as the ultimate objective of Congress Socialists was to establish a Socialist society of India; the

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Congress also worked to secure the acceptance of their programme by the Indian National Congress.

Acharya Narendra Dev in his presidential speech in

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the first all-India Socialists Conference said that the Congress Socialists should carry on their "endeavour to influence the Nationalist Movement in the direction of socialism." The Congress Socialists followed three lines of activities for the attainment of the twin objectives of freedom and socialism: 1. Inside the Congress they worked out anti-imperialist and nationalist programmes of the Congress as Congressmen, 2. Outside the Congress they mobilised the workers, peasants, students, intelligentsia, youth and women for the cause of socialism, 3. They also sought to integrate the above two lines of activities.

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The Congress Socialists sought to mobilise the workers and peasants for their economic amelioration as well as the country's liberation from foreign rule. 9.5 Congress Socialist Party:

Contribution to Nationalist Movement

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There was a mixed reaction among the Congressmen to the formation of the Congress Socialist party. The conservative or Right Wing Congressmen criticized the Congress Socialists "loose talk" about the confiscation of property and class war. Mahatma Gandhi also rejected their idea of class war. Gandhi did not believe in the necessity of the abolition of princely order, zamindari and capitalism. He

wanted to bring about a change of heart in

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the princes, zamindars and capitalists so that instead of considering themselves the owners of the states, zamindaries and factories they should behave as the trustees for their subjects, tenants and workers. But the leftist Congressmen like Jawaharlal Nehru and Subhas Chandra Bose welcomed the formation of the Congress Socialist Party, though neither Nehru nor NSOU ? GE-PS-11 71 Bose joined the party. In the annual session of

the Congress, held at Lucknow in April 1936, in his presidential speech Nehru

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espoused the cause of socialism. He said: "I see no way of ending the poverty, vast unemployment, degradation and subjection of the Indian people except through socialism. That involves vast revolutionary changes in our political and social structure, ending vested interests in the land and industry as well as the feudal autocratic Indian states system. That means ending private property except in

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restricted sense and replacement of the present profit system by the higher ideals of cooperative service."

In 1936 Nehru inducted

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three Congress Socialists - Narendra Dev, Jaya Prakash Narayan and Achyut Patwardhan into the Congress Working Committee, besides another leftist, Subhas Chandra Bose. The Faizpur session

of the Indian National Congress,

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held towards the close of 1936 under the presidentship of Jawaharlal Nehru, adopted an agrarian programme, containing such items as reduction of revenue, abolition of feudal dues and levies, introduction of cooperative farming, living wage for

the agrarian labourers and formation of peasant unions. In the meantime

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the Congress Labour Committee asked the Congress ministries, formed in the provinces in 1937, for adopting measures for safeguarding and promoting the interests of the workers. The Congress Socialists played an important role in

the Kisan (peasant) movement.

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Through the efforts of Prof. N.G. Ranga, Indulal Yagnik, and Swami Sahajanand Saraswati, the All-India Kisan

Sabha was organised. The first All-India Kisan Congress met at Lucknow in 1936. The Kisan organisations

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demanded the abolition of zamindari, reduction of land tax, and collective affiliation to Congress. The Congress Socialists changed the Congress Party's policy from aloofness to closer involvement in the affairs of

the

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Princely States. The Congress socialist activists also took part in the democratic movements of the people in the Princely States against their autocratic rulers. They agitated for civil rights and responsible government. 9.6

Conclusion

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A group of young congressmen who were disenchanted with Gandhism and attracted by

socialism went to the extent of forming the Congress Socialist party. They wanted to give the Congress party and the nationalist movement a socialist direction. The Congress socialists simultaneously carried on a movement for independence from foreign rule and establishment of a socialist state. They organised the movement of the workers and the peasants. They carried on movements for the abolition of the Princely order, landlordism and capitalism. Their movement resulted in the adoption of programmes for the upliftment of workers and peasants by the Indian National Congress.

NSOU ? GE-PS-11 72 9.7 Summing Up ? Congress Socialists were a break away group from the Indian National congress. ? They formed a party called Congress Socialist party in 1934. ? Congress socialists themselves were ideologically divided Some were Marxists, some were Fabian socialists and some were Gandhian. ? The Congress Socialists played a very crucial role in the movement for independence and forced the Indian National Congress for taking measures for the upliftment of the peasants and the working class. 9.8 Probable Questions Essay Type Questions : 1. Analyse the relations between the Indian National Congress and the Congress Socialist Party. 2. Explain the various objectives of the Congress Socialists. Long Questions : 1. Elaborate the formation process of the Congress Socialist Party. 2. Analyse the role of the left within the Congress. Short Questions : 1. Point out the differences between the Communists and the Congress Socialists. 2. Write a note on role of Jaya Parakash Narayan in the formation of the Congress Socialist party. 9.9 Further Reading 1. Bipan Chandra, 2006, India's Struggle for Independence 1857-1947, Penguin Books (Reprint edition edited by Aditya Mukherjee, Mridula Mukherjee, Sucheta Mahajan, K.N. Pannikar) 2. Bidyut Chakrabarty and Rajendra Kumar Pondey, Modern Indian Political Thought: Text and Context, Sage, 2009. 3. Sekhar Bandopadhyay, Nationalist Movement in India – A Reader, OUP, New Delhi, 2009.

Unit 10 : Communists and Radicals Structure 10.1 Objective 10.2 Introduction 10.3 Role of the Communists in the Indian Nationalist Movement 10.4 The Formation of Communist Party of India 10.5 The Radicals in Indian Nationalist Movement 10.6 Conclusion 10.7 Summing Up 10.8 Probable Questions 10.9 Further Reading 10.1 Objective On going through this unit the learners shall be able to understand – ? the communist party formation during freedom movement in India ? the importance of radicals during freedom movement ? the difference between radicals and communists ? the new dimension of leftist influence in Indian nationalist movement ? the programme of the Communist Party of India 10.2 Introduction Nationalist movement in India was soaked in with the spirit of nationalism that created various types of politics and movements. The nationalist movement in India saw major rupture when the communists and radicals started to have different understanding about the course and strategy of nationalist movement keeping in mind the international balance of power situation during the Second World War and their difference surfaced against the leadership style of Indian National Congress and particularly that of Gandhiji. In this unit the leadership and role of communists and radical groups in Indian nationalist movement is discussed in detail.

NSOU ? GE-PS-11 74 10.3 Role of the Communists in the Indian Nationalist Movement The Leftist movement originated and grew in India

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as a result of the development of modern industries and the impact of socialist movements in other countries like Great Britain and Russia. As a result of the industrial development in

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certain places like Bombay, Calcutta and Madras, large and concentrated working populations came into existence. Gradually the

workers started organising themselves to demand better working conditions and higher wages. This led to the emergence of trade unions. In 1919, under the auspices of the Communist government of Soviet Union an international organisation of the Communist parties of different countries was established. This organisation was known as the Third Communist International, as two similar organisations had been formed earlier. It aimed at bringing about Communist revolutions and establishing governments of the working class all over the world. Till

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the end of the First World War, workers' strikes in the Indian industries were a rare

phenomena and

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the workers were not politically conscious. From the end of the First World War onwards there were frequent strikes in the industries and a large number of trade unions were formed.

The large-scale unrest of the workers at the end of the First World War was mainly due to the rise in prices caused by the War, and unwillingness of the employers to raise the wages. While demanding economic benefits the workers also became conscious of their political role. In cities like Bombay the workers organised strikes against the repressive Rowlatt Act. The nationalist leaders also became keenly interested in the working class movement. The first session of the All India Trade Union Congress was held at Bombay in October 1920 under the presidentship of the nationalist leader, LalaLajpat Rai. 10.4 The Formation of Communist Party of India Having seen the success of the Bolshevik Revolution in Russia, and the formation of the Communist International, some Indian revolutionaries and intellectuals, working within and outside India, contemplated the formation of a Communist Party in India. It was M.N. Roy (Manabendra Nath Roy) who first formed the Communist Party of India outside India in Tashkent under the auspices of the Communist International in 1920. In the meantime, the revolutionaries like VirendraNath Chattopadhyay, Bhupendranath Dutt, and Barkatullah who were working outside India became converts to Marxism, and inside India some Communist groups also emerged. Some Non-co-operators turned to communism after

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the suspension of the Non-Cooperation movement by Mahatma Gandhi. In

Bombay a Communist group was organised by ShripadAmritDange. Dange was born in October 1899 in a NSOU ? GE-PS-11 75 Maratha Brahmin family of Nasik. His father was a clerk in a Solicitor's firm. When Gandhi launched the Non- Cooperation Movement, Dange discontinued his studies and joined it. Soon after the suspension of the non-cooperation movement, he became a convert to communism. In 1921 he published a book titled Gandhi vs Lenin in which he showed his preference for socialism. In 1922 he started editing a Communist journal, entitled The Socialist. In an issue of this journal dated 16 September 1924, Dange announced the formation of Indian Socialist Labour Party of the Indian National Congress. Dange probably wanted the communists to function as group within the Congress. The early Indian Communists found it difficult to form an all-India organisation because of the British Government's hostility towards them. In 1924, the British Government started a conspiracy case against the four leading Communists –

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Muzaffar Ahmad, S.A. Dange, Shaukat Usmani and Nalini Gupta.

The Government alleged that these Communists had “a branch of a revolutionary organisation” known as Communist International, with the object of depriving the British King-Emperor of the Sovereignty of British India. This case is known as the Cawnpore Conspiracy Case, as the trial of the accused took place in Cawnpore. During the trial Dange claimed the right to preach socialism in India, as it had been allowed in other parts of the British Empire and Great Britain. As a result of this trial Dange, Ahmad, Usmani and Gupta were sentenced to four years’ rigorous imprisonment in May 1924. In September 1924, at Cawnpore, Satyabhakta announced the formation of Indian Communist Party. He also announced a provisional constitution of the party. This aimed at the attainment of complete independence and reorganisation of Indian society on the basis of common ownership and control of means of production and distribution of wealth in the interests of the whole community of India. In December 1925 Satyabhakta organised an All India Conference of Communists at Cawnpore which was attended by a number of communists including Nalini Gupta and Muzzafar Ahmad who had been released from jail. The Conference met under the presidency of Singaravelu Chettier. The Cawnpore Conference is regarded as the formal beginning of the Communist Party of India. In this meeting the Central Committee of the Party was constituted with S.V. Ghate and J.P. Bergerhatta as the Joint Secretaries. Towards the end of 1926 t of the Communist Party of India was published. Meanwhile, the Central Committee of the Communist Party held a number of secret sessions for working out the party’s programme. From 1925, the British Communists started coming to India for organizing the Indian Communist Movement. In 1928 two members of Communist Party of India were elected as alternative members of the Executive of the Communist International in its sixth Congress. In 1930 the Party was finally affiliated to the Communist International. The infant Communist Movement of India had some drawbacks: (a)It suffered from paucity of funds (b) The British Government was very hostile towards the Communist Party of India because of its revolutionary character and affiliation with the Communist International (c) There was paucity of cadres (d) The privileged NSOU ? GE-PS-11 76 upper strata of Indian society opposed Communism. In the meantime the Communists increased their influence over the Trade Union Organisations by leading the workers strikes. The Communists played a prominent role in the Railway Workshop strikes of February and September 1927 at Kharagpur. Their influence increased over the Bombay Textile Mill workers. From April to October 1928 the workers of Bombay carried on massive strikes, protesting against the wage-cuts. In these strikes, the Communist Girmi Kamgar Union played the most prominent role. There was a tremendous increase in the strength of this Trade Union in 1928. By December its strength went upto 54,000 members, while the Bombay Textile Labour Union under the veteran liberal trade unionist N.M. Joshi had only 6,749 members. The strikes in industries assumed alarming proportions in 1928. During that year 31.5 million working hours were lost as a result of the strikes. The Government held the Communists responsible for unrest in the industries. The Government, therefore, planned measures for curbing their activities. In January 1929, the Viceroy Lord Irwin declared in his speech before the Central Legislative Assembly: “The disquieting spread of Communist doctrines is causing anxiety”. On 13 April 1929 the Viceroy proclaimed the ordinance for the purpose of deporting the subversive elements. Simultaneously the Trade Disputes Act was passed. This Act introduced tribunals for settling workers’ problems and practically banned such strikes which “coerced” or caused hardship to the people. 10.5 The Radicals in Indian Nationalist Movement The mild policies of the Moderates in the Congress led to the rise of passionate, radical nationalists, who came to be called the ‘Garam Dal’. Thus the first phase of the nationalist movement came to an end with government reaction against the Congress on the one hand and a split in the Congress in 1907 on the other. That is why the period after 1905 till 1918 can be referred to as the ‘Era of Passionate Nationalists or Garam Dal’. Lala Lajpat Rai, Bal Gangadhar Tilak and Bipin Chandra Pal (Lal-Bal-Pal) were important leaders of this Radical group. When the Moderates were in the forefront of the action, they had maintained a low profile but now they swung into action. Their entry marked the beginning of a new trend and a new face in India’s struggle for freedom. According to them, the Moderates had failed to define India’s political goals and the methods adopted by them were mild and ineffective. Besides, the Moderates remained confined to the upper, landed class and failed to enlist mass support as a basis for negotiating with the British. The Garam Dal realized that the British were out to exploit Indians, destroy their self-sufficiency and drain India of its wealth. They felt that Indians should now become free of foreign rule and govern themselves. This group, instead of making petitions to the government, believed in organizing

NSOU ? GE-PS-11 77 mass protests, criticizing government policies, boycotting foreign goods and use of Swadeshi (home-made) goods etc. They did not believe in depending on the mercy of the Britishers, but believed that freedom was their right. Bal Gangadhar Tilak gave a slogan 'Freedom is our birth right and we must have it'. In 1916 the two groups were again united with the efforts of Mrs. Annie Besant. She started working for the Home rule movement in 1914. She was convinced that India should be granted Self-Government. In 1916, Muslim League and Congress also came to an understanding with each other and signed the Lucknow Pact. Later, Mahatma Gandhi, Jawahar Lal Nehru, Subhash Chandra Bose became the eminent figures of Indian National Congress, who led the freedom movement of India forward.

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Unlike moderates, the extremist leaders neither believed in the goodness of the British rule nor in their sense of justice and fair play.

They were aware that the British were driven by selfishness and had come to India to exploit her resources.

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Since exploitation of India was the chief motive of the British, the extremists did not expect them to take a sympathetic view of the popular demands of the Indian people. Therefore, it was necessary to use pressure to make them accept the demands, not by petitioning or praying like the moderates, but by openly agitating against them.

For the Extremist leaders like Lokmanya Tilak, 'Swaraj' was a 'birth right' and was not at all dependent on British assurances. The extremists' programme of action was radically different from that of the moderates and aimed specifically at arousing emotive indignation against British rule and thereby promoting active involvement of the masses in the agitations. The extremists aimed at preparing the masses for the struggle to gain 'Swaraj' by educating them, uniting them and instilling in them a sense of self-respect, self-reliance, and pride in their ancient heritage. Aurobindo Ghose and Lokmanya Tilak had played a major role in developing the blue print of

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the extremist programme, which involved the following activities: a) 'Boycott' of foreign goods and promotion of 'Swadeshi' goods to give impetus to the growth of indigenous industry and commerce. b) Non-cooperation with the bureaucracy; this included 'boycott' of governmental activities. c) Establishment of schools and colleges that gave education in the Indian languages and instill in the students pride for the glorious heritage of India, make the students nationalistic and public spirited in character and knowledgeable, self-reliant and independent in spirit. d) 'Passive Resistance' to British rule by non-payment of revenue and taxes and by organising separate 'indigenous administrative institutions' parallel to those of the British at the level of villages, talukas and districts.

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The Extremist leaders disfavoured the use of violence against British rule and did not approve the methods of political murder and assassination used by the Indian revolutionaries. However, they did take a sympathetic

NSOU ? GE-PS-11 78 view of the activities of the revolutionaries. For them the young revolutionaries were no doubt misguided and reckless but their violent actions were provoked by the equally violent repressive policies implemented by the British Government.

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There was a fundamental change in the nature of Indian nationalism under extremist leadership due to their forceful articulation of the demand for 'Swaraj' and use of more radical methods than those of the moderates. Their concept of nationalism was emotionally charged and based on rich interpretation of Indian religious traditions. The Extremist leaders tried to reorient Indian religious traditions to worldly life and link them with the national liberation struggle. Aurobindo Ghose reinterpreted Vedanta philosophy, which advocated unity of man and God and based his concept of nationalism on it.

To him national work was the work of God, which should be done in the spirit of Karma Yoga because the true nationalist was an ideal Karma Yogi, who performed his functions in the spirit of disinterestedness. The service of the millions of Indians was service of God because God was present in them. The extremists conceived the nation as 'Mother India', which represented united power or Shakti of millions of her children. Tilak reinterpreted the message of the Gita in his famous book Gita Rahasya. To Tilak, the Gita gave a message of disinterested action with full self-knowledge rather than that of Bhakti or Sanyasa. National work done for general welfare was a type of disinterested action. The new nationalism of the extremists was an "attempt to create a nation in India by reviving the spirit and action of the ancient Indian character." They vehemently opposed foreign rule. According to them, a good or just government was not a substitute for self government and freedom was an inalienable right of all human beings.

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The extremists emphasised the mobilisation of people against foreign rule by launching political movements. If the nation was not ready to undertake political movement, then it was the duty of the leaders to prepare the people for it. The extremists were ready to suffer imprisonment, deportation and other physical suffering for the sake of mobilising the masses for struggle against foreign rule.

They saw struggle against foreign rule as a full time activity and devoted their whole life for it.

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The demonstrations, processions undertaken by the extremists brought about an involvement of the common people in agitations against British rule. They also made use of popular symbols like Shivaji, and religious symbols like God Ganapati and Goddess Kali for mobilising the people. Thus, under the extremist

leadership, the Indian National Movement gradually began to acquire a mass character. However, the extremists could not fully exploit the potential of mobilised people or of their radical methods like boycott and passive resistance. They were successful in arousing the urban middle and lower classes, apart from mobilising the peasants and workers. The extremist leaders used religious symbols in arousing the masses; however, they did not mix religion and politics. Their concept of nationhood encompassed all religions in India. Though the 'Dharma' advocated by leaders like Tilak and Lajpat Rai looked like it had a Hindu connotation, for the extremists, it actually meant 'universal moral law' under whose unifying influence, the different religions and communities in India would coexist peacefully.

NSOU ? GE-PS-11 79 10.6 Conclusion In the unfolding of Indian National movement, the communist and radicals played a significant part to take on the British colonial rulers head on. The communists and the radicals had the dream of overthrowing the British rulers if required through violent means unlike the Gandhian non-violent position. Therefore, the British rulers responded with harsh measures to curb their activities. Due to the timing of historical unfolding of their activities, the radicals/extremists section had to face the music from the British rulers more than the communists as the later had the backing of International Communist movement and Communist International. Nevertheless, both the communists and the radicals unfolded a new paradigm in Indian national movement which accelerated the pace of freedom movement with different strategies from boycott to strikes. 10.7 Summing Up ? The communists played a very important role in the Indian freedom struggle. ? The communist movement grew in India as a reaction to the suppression and oppression by both the propertied class in India and the British colonial rulers. ? The Communist party of India was established outside India by M. N. Roy in 1920 and some revolutionaries established the party in India in the year 1925. ? The congress radicals or the extremists also had a deep impact on the Indian freedom movement. They were opposed to the mendicancy policies of the moderates and wanted to drive out the British rulers even by using arms against them. ? Both the communists and the radicals had to face severe repression by the British rulers. 10.8 Probable Questions Essay Type Questions : 1. Analyse the evolution of the Communist Party of India. 2. Write a note on the Extremists' role in the freedom movement of India. Long Questions : 1. Elaborate the role of M. N. Roy and S.A. Dange in the formation of the Communist Party of India.

NSOU ? GE-PS-11 80 2. Analyse the role of Tilak as a radical Indian nationalist. Short Questions : 1. Write a short note on Cawnpore Conspiracy Case. 2. Write a short note on 'Garam Dal'. 10.9 Further Reading 1. Bipan Chandra, 2006, India's Struggle for Independence 1857-1947, Penguin Books(Reprint edition edited by Aditya Mukherjee, Mridula Mukherjee, Sucheta Mahajan, K.N. Pannikar) 2. Sekhar Bandopadhyay, Nationalist Movement in India – A Reader, OUP, New Delhi 2009. 3. Partha Chatterjee, The Nation and its Fragments, OUP, Delhi, 1993.

Module – III

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Unit 11 : The Women's Question : Participation in the Indian National Movement and its Impact Structure 11.1 Objective 11.2 Introduction 11.3 Classification of Women's Movements 11.4 Social Reform Movements and Women 11.5 The Women in Indian National Movement 11.6 Women's Organizations and Leadership 11.7 The Impact of the Participation of the Women on the freedom struggle 11.8 Conclusion 11.9 Summing Up 11.10 Model Questions 11.11 Further Reading 11.1 Objective After studying this unit, students will learn: ? The meaning of 'women's question'. ? The role of women in Indian national movement. ? The impact of the participation of women on national movement. 11.2 Introduction The history of Indian freedom struggle would be incomplete without mentioning the contribution of women. They fought against the British colonial rule with true spirit and undismayed courage side by side with their male counterparts. The Indian women broke away from various restrictions and got out of their traditional home-oriented roles and responsibilities. The participation of women in the Indian national movement is simply incredible and praiseworthy. Their participation in freedom struggle strengthened not only the national struggle for freedom, but also it raised "the women's

NSOU ? GE-PS-11 84 question” during this time. Actually, the women’s question, like the untouchability question, emerged during the national movement as a political question. After independence the makers of our constitution enshrined many provisions to solve the women’s question in various articles of the constitution. In this Unit, we will discuss typologies of women movement and the social reform movements and women. Here, we will discuss very briefly different practices of the Hindu and Muslim communities, like - Child marriages, Purdah system, Sati system, Devdasi System, Polygamy etc and some reform activities undertaken by Raja Ram Mohan Roy, Ishwar Chandra Vidya Sagar and Jyotiba Phule. The second part of this unit will focus on the role of women in the national movement. Here, we will analyse different issues like Indian National Congress and women; women in the revolutionary and left movements, women’s organizations and their leaders etc. At the end of this unit, we will highlight the impact of the participation of women on the freedom struggle.

11.3 Classification of Women’s Movement

Different scholars classify women’s movements in different ways. Gail Omvedt (1978) classifies women’s movements into two types: (a) women’s equality movements; and (b) women’s liberation movements. Kalpana Shah divides the women’s movements into three categories, such as (a) Moderate or Women’s Rights Position; (b) Radical Feminism; and (c) Socialist Feminism (1984). In his book, *Social. Movements in India, a Review of Literature*, professor Ghanshyam Shah has focused on different issues regarding women movements, such as - social reform movements and women; freedom struggle and women; people’s movements and women; peasants and tribal movements; women’s movements on women’s issues etc.

11.4 Social Reform Movements and Women

There were many issues like Child marriage, Purdah system, Sati system, Devdasi system, Polygamy etc in colonial India and these issues affect women even in this century. Social reformers, as well as different women’s organisations, raised women’s question to establish a society where all people will have the right to equality, right to freedom and equal dignity. Social reformers like Rammohan Roy, Ishwar Chandra Vidyasagar, Mahadev Govind Ranade, Behramji Malbari, raised their voices against the prevailing religious and social customs subjugating women. Political rights—equal franchise and representation in legislatures - for women were demanded by women NSOU ? GE-PS-11 85 leaders, who were supported by the Congress party. A new education was provided through the Colonial government and Christian missionaries to alter and modernize the traditional social perceptions. To abolish different heinous practices, the Colonial government also made laws, like Abolition of Sati (1829), Widow Remarriage Act. (1856) Child Marriage Act (1872), Banning of Devdasi (1925) etc. Apart from these positive progressive activities, various organizations like Brahmo Samaj, Prathana Samaj etc did valuable work in educating women. Different communities also started talking about educating women. Even some women, awakened with true spirit and undismayed courage took part in the struggle for independence of India and to solve the women’s question. Jana Everett (1979) identifies five factors which have shaped such reformist Indian women’s movements. These are: (1) the hierarchical caste system; (2) the Hindu religion; (3) the joint family system; (4) Islamic rule and (5) British colonialism.

11.5 The Women in Indian National Movement

This section will focus on the role of women in the Indian national movement. Here we will analyse different aspects like, Indian National Congress and women; women in the revolutionary and left movements; women’s organizations and their leaders etc. The partition of Bengal in 1905 galvanised and transformed women’s participation in the national movement. Women of different classes from different parts of India in both rural and urban areas were involved in this movement. They took several steps including observing Arandhan vows, boycotting foreign goods, preservation of communal unity and Rakhi Bandhan. They played significant role in the formation of Swadeshi organisations and promotion of national unity. Sarala Devi promoted patriotism and nationalism through Bharati Newspaper. Not only that, the women participated in revolutionary activities also. Some British women also played important roles. Among them were Annie Besant and Dorothy Jinarajadasa, both Theosophists, Margaret Cousins, an Irish feminist, and Sister Nivedita, the disciple of Swami Vivekananda. The Indian national congress also took an important role to awake Indian women. But, initially the Indian national Congress did not directly address the women’s question. However, the Indian reformers and many scholars used the analogy of female goddesses to free Bharat Mata from the colonial rule. The nationalist imagined their country as "motherland" - as opposed to the concept of fatherland in Europe. Gandhiji had inspired women to participate in huge numbers in the Indian national movement. He said that full freedom of India was not possible unless our daughters

NSOU ? GE-PS-11 86 stand side by side with the sons in the battle for freedom and this was necessary to realize their own power. The participation of women in public domain started during Non Cooperation Movement (NCM) in 1920, when Gandhi mobilized large number of women. This movement witnessed unprecedented women activism. Amrit Kaur, Aruna Asaf Ali, Sarla Devi and Muthul Laxmi Reddy emerged as prominent women leaders. Even Muslim women also participated in the Khilafat-Non-cooperation movement under the leadership of Gandhiji. The Civil Disobedience Movement of 1930-33 was undoubtedly a major landmark in women's participation in political activity. Kasturba Gandhi initiated women's participation in the salt satyagrah by leading 37 women volunteers from Sabarmati ashram. Sarojini Naidu and Manilal Gandhi led the raid on Dharsana Salt Works. Women participated actively in processions, picketing of foreign shops, liquor shops and the making and selling of salt. These activities became common activities in all parts of the country. In Bengal, some women also participated in violent revolutionary movement and unlike Swadeshi movement where they played a supportive role, now they stood shoulder to shoulder with men with guns and shooting pistols at Magistrates and Governors. During the quit India movement in the 1940s, more women came forward to participate. During this movement women took a crucial role by volunteering, campaigning, protesting, fasting, and donating to the causes of freedom. When most of the men-folk were in prison, women came forward to take charge of the struggle. Mahatma Gandhi remarked: "When the history of India's fight for independence comes to be written, the sacrifice made by the women of India will occupy the foremost place." Apart from the Gandhian movement, Indian women also actively participated in several other ideological strains of Indian national movement. The revolutionary groups worked underground and the harsh life that they led made it extremely difficult for women to be part of it. In Bengal, women had revolutionary groups who formed physical culture clubs and secretly read banned revolutionary literature. Greatly excited women like Pritilata Waddadar and Kalpana Dutt became more actively involved in revolutionary activities. Late 1920s witnessed the emergence of a viable Left alternative within the Indian Nationalist Movement. Many women chose to join the Communist Party. Several women were actively engaged in trade union movements in Bombay, Madras, Kanpur and Coimbatore, which were important centers of textile industry. Women played an active role in the peasant struggle against landlords. Their role in Telengana and Tebhaga struggle was noteworthy.

NSOU ? GE-PS-11 87 11.6 Women's Organisations and Leadership Initially, the Mahila Mandals were organised by the social reform organisations such as Brahmo Samaj and Arya Samaj. The leaders who raised women's issues during this time were mostly males belonging to the upper strata of society. Since the early 1920s, women took an important role to organise women in support their demands. In this regard a few British women also took a crucial role. But these organisations were mainly confined to urban educated upper-class women. The leadership initially came from the upper caste or class, wives or daughters of princes, government officials and political leaders. Annie Besant, the president of the Theosophical Society and a founder of the Home Rule League was elected president of the Congress in 1917 and Sarojini Naidu was the first Indian women to be elected president of the Congress in 1925. One of the women's autonomous organisations, the All India Women's Conference (AIWC) played a very important role during the 1920s and 1940s to raise women's question, and mobilised middle-class women to fight for their rights. The AIWC took up the question of women's education and organised a large number of literacy schools and handicraft centres to help women belonging to poor families to earn and be relatively economically independent. It also actively campaigned against child marriage and fought for women's equal rights in inheritance. There were many more women's autonomous organisations in pre-independent India and those organisations played crucial role in Indian national movement and raised women's question also. Neera Desai and Vibhuti Patel (1985), classify these organisations into the following types: 1. Agitational, propagandist consciousness-raising groups which may be termed autonomous groups; 2. Grassroots or mass-based organisations like the trade unions, agricultural labourers' organisations, democratic rights groups, tribal organisations etc., taking up women's issues; 3. Groups concentrating on providing services, shelter, homes to needy women; 4. Professional women's organisations such as doctors, lawyers, scientists, researchers, journalists; 5. Women's wings or fronts of the political parties; and 6. Groups involved in research and documentation of women's issues.

NSOU ? GE-PS-11 88 11.7 The Impact of the Participation of Women in the Freedom Struggle After prolonged struggle India achieved Independence on August 15, 1947. Thousands of Indian women like men dedicated themselves to obtain freedom for their motherland. The participation of Women in freedom struggle strengthened not only the national struggle for freedom, but it impacted the entire society. Some scholars assert that the freedom movement helped women in their struggle for 'liberation'. Their participation in freedom struggle provided opportunity to raise women's question. The increasing participation of women in the national movement made it necessary to give them adequate representation in the organisation and decision-making process of the political parties. The makers of our constitution inserted many provisions in the constitution to protect women's liberty and dignity. 11.8 Conclusion Indian women played a crucial role in the national movement. They fought against the British colonial rule with true spirit and undismayed courage side by side with their male counterparts. Initially, there were many constraints . Gradually, the Indian women broke away from various restrictions and got out of their traditional home- oriented roles and responsibilities. They participated voluntarily in large numbers against British colonial rule. They played a significant role in the formation of Swadeshi organisations and in the establishment of national unity. Since the early 1920s women played important role to organise women in support their demands. They participated more actively in

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the Non-Cooperation Movement, the Civil Disobedience Movement, the Quit India Movement

etc. under the

leadership of Gandhiji. During these movements women played a crucial role by sacrificing time and material, volunteering, campaigning, protesting, fasting and donating for the causes of freedom. When most of the men-folk were in prison, women came forward to take charge of the struggle. Their participation in freedom struggle strengthened not only the national struggle for freedom, but also raised "the women's question" during this time. Actually, the women's question, like the untouchability question, emerged during the national movement as a political question. After independence, the makers of our constitution inserted many provisions in the constitution to empower them.

NSOU ? GE-PS-11 89 11.9 Summing Up ? Women played a very crucial rule in the freedom movement like their male counterparts. ? Women took up issues related to oppressive social practices and fought against them. ? Women participated in the freedom movement under the banner of the Indian National Congress, the left political organisations and also the revolutionary political out fits: ? Women built up their own organisations like AIWC and gave leadership to these organisations. ? Women participation not only made freedom struggle stronger but also helped women to raise issues concerning them. 11.10 Probable Questions Essay Type Questions : 1. Discuss the role of women in Indian National Movement. 2. How did Women's participation affect India's struggle for freedom? Long Questions : 1. Make an overview of the women's organisations and their leadership in pre- independent India. 2. Discuss, the importance of Social Reform movements in raising women's question in colonial India. Short Questions : 3. How would you classify women's movement? 4. What was the attitude of the Indian National Congress towards women's participation in the freedom movement? 11.11 Further Reading 1.

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Unit 12 : Caste Question Structure 12.1 Objective 12.2 Introduction 12.3 What is Caste? 12.4 Main Features of Caste System 12.5 Caste Question and Colonial in India 12.6 Indian Constitution and Caste Question 12.7 Conclusion 12.8 Summing Up 12.9 Probable Questions 12.10 Further Reading 12.1 Objectives After studying this unit student will be familiar with— ? The meaning of 'Caste and Caste system' ? The main features of caste system ? Caste question in Colonial India ? Indian Constitution and caste question 12.2 Introduction In this unit, we will discuss one of the most significant issues in social movements, that is, caste question in India. Caste, described as 'the steel frame of Hinduism' (Desai 1976: 243), has been one of the fundamental features of the Indian society since ancient times. M. N. Srinivas said, "It is impossible to detach Hindustan from the caste system." Caste is hierarchical. Status of an individual in caste-oriented social system is determined by birth. Actually, caste system is contrary to the values of democratic political system. In Hindu caste system, the upper castes, holding the dwija status consists of the Brahmins and Kshatriyas. Brahmin varna or caste was at

NSOU ? GE-PS-11 92 the top of the caste hierarchy as the priestly class and helmsmen in government and administration. They enjoyed not only the privileges in religious field but also in economic, educational and political spheres. A vast majority of people belong to intermediate castes, known as the 'backward castes'. They were below the dwija and above the Dalits. Majority of them were cultivators, small and marginal farmers, agricultural labourers, artisans and other service castes belonging to almost all states of the country. Untouchables or Scheduled Castes or Dalits were in the lowest rank of caste hierarchy. They were oppressed not only at the hands of upper castes but also some of the influential backward castes. The first part of this unit will discuss the meaning of caste, caste system and basic features of the caste system. Second part will analyse caste question in detail during the British colonial rule. We will mention some social reformers and leaders and their activities for the emancipation of the 'backward castes' and Dalits. The last part of this unit deals with caste question and Indian constitution. 12.3 What is Caste? It is very difficult to give a precise and definite meaning of caste. According to Indian sociologist, G. S. Ghurye, "We do not possess a real general definition of caste. It appears to me that any attempt at definition is bound to fail because of the complexity of the phenomenon. On the other hand, much literature on the subject is marred by lack of precision about the use of the term". The English word "caste" (/ka.:st, kæst) is derived

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from the Spanish and Portuguese 'casta', which, according to the John Minsheu's Spanish Dictionary (1569), means "race, lineage, tribe or breed".

Caste is an English word of 'Jati'. In Oxford Advance Learner's Dictionary, caste means "any of four main divisions of Hindu society, originally those made according to functions in society". Here we should keep in mind that the meaning of Caste is not always uniform and consistent among the Hindus and non-Hindus. Caste is hierarchical. Status of an individual in caste-oriented social system is determined by birth. According to Sir Herbert Risley, "Caste is a product of race that came to India along with Aryans." G S Gurye said that caste is a result of various historical processes, adapting to demands of time and therefore a dynamic institution. He also added that caste originated from occupation.

12.4 Main Features of the Caste System

Caste system is the steel frame of Hinduism and it has been one of the fundamental features of the Indian society since ancient times. We see this system in the Purusha Sukta in the Rig Veda. It speaks of four varnas. They are: The Brahmins (Priests), the Kshatriyas (Fighters), the Vaishyas (Traders), and the Shudras (Serviles). The Brahmin varna or caste

NSOU ? GE-PS-11 93 was at the top of the caste hierarchy. Beyond the pale of these four varnas, there were more caste communities who are collectively known as 'dalits'. They were considered impure and untouchables. The untouchables are the outcastes. They had various names such as Pariahs, Panchamas, Atishudras, Avarnas, Antyajas, Namashudra etc. The British Colonial government called them the Depressed Classes. Gandhiji called them Harijans and according to our constitution they are Scheduled Castes. Their touch, shadow and even their voice was enough to pollute the caste-Hindu. There were rigorous restrictions on their living place, food, dress, marriage, ornaments etc. The members of this caste could not marry outside of it. In a word we can say that they did not have the basic rights to live with dignity. G.S Ghurye identified six different features of the Hindu caste system in his popular book 'Caste and Race in India'. i) Segmentation of Society: The Hindu society is segmented into caste groups. The membership of the groups is determined by birth and not by choice. The status of a person depends not on the amount of wealth he or she possesses but on the rank that his or her caste enjoys in the Hindu society. ii) Hierarchical System: Caste is hierarchical. It follows the hierarchical system very rigorously. Each group is given a specific status in the overall framework of hierarchy. The Brahmins are at the top of the hierarchy. The concept of hierarchy forms the crux of the caste society. Each caste is considered to be more pure or impure than the other in the ritual sense of the term. iii) Restrictions on food and social intercourse: According to Prof. G. S. Ghurye, restriction on food and social intercourse is one of the most important features of the caste system. Food and social intercourse depends on their specific status. There are minute rules on the kind of food and drink that upper castes could accept from lower castes. iv) Segregation of civil and religious privileges among different sections: In the caste system, all individuals do not have equal rights. The dominant caste, the Brahmins do not allow the shudras and other lower castes to use a street, to draw water from a well, to read or learn the sacred scriptures etc. Even the touch, shadow and voice of the lower castes were enough to pollute the caste-Hindu. v) Hereditary Occupation : Generally each caste is associated with a particular occupation. There is no choice of selecting occupation higher or lower on the basis of the ritual purity or pollution of their associated occupations. vi) Restrictions of Marriage : There are many restrictions on marriage. People usually practice endogamy, the practice of marrying within one's own caste, rejecting

NSOU ? GE-PS-11 94 those from other caste as unsuitable for marriage. So, the members generally marry within one's own caste group. However, there were a few exceptions. In some regions of India, the upper caste man may marry a lower caste woman. This kind of marriage is known as hypogamy.

12.5 Caste Question in Colonial India

This section will analyse caste question during British colonial rule in detail. The 'Caste Question' like women's question, emerged strongly during the national movement as a political question. Actually electoral politics introduced by the British colonial rule brought the caste question to the fore. During the nineteenth and twentieth century, the lower castes were becoming class-conscious and were struggling for caste equality. Many organisations were established by the non-Brahman castes with the aim of securing preferential treatment for their castes. Apart from Maharashtra and South India, backward caste movements gained prominence in the states of Bihar, Uttar Pradesh and Bengal in varying degrees. The Indian National Congress also focused on the caste question. But, initially the leaders of the Congress thought very little. The Caste question in fact addresses the constitutive relationship between the emancipation of Dalit and Backward castes and Indian democracy. Many social reformers and leaders did a lot for the emancipation of the so-called lower castes during the colonial rule. They were against the inequalities inherent in caste system of Hindu society. Some of the leaders and their activities for the 'Backward castes' and Dalits are discussed below :

- ? Raja Ram Mohan Roy : Ram Mohan Roy, prominent social reformer founded Brahmo Samaj in 1828 to protest against the prevailing caste based inequalities in the society.
- ? Dayananda Saraswati : In 1875 Dayananda Saraswati established Arya Samaj to protest against caste based hierarchy. He focused on work-based division of society instead of caste based division. According to him a Brahmin could be degraded to the position of Shudra and a Shudra could upgrade himself to the position of the Brahmin.
- ? Jotiba Phule : Jotiba Phule was one of the famous pioneer of anti-brahmin and anti-untouchability movement during the 1870s. In Maharashtra, he founded Satyashodhak Samaj in 1873 to work for the cause of social uplift of the lower castes. He strongly criticized the Brahmanical domination in the name of religion. Like Dayananda, he desired for a form of social organisation that would reflect the merits and aptitudes of the individual, instead of enforcing birth as the basis both for occupation and for religious status. He suggested that spread of literacy and NSOU ? GE-PS-11 95 especially English education, could eradicate the Brahmanical hegemony. He also criticised the attitude of the Indian National Congress towards the weaker sections. According to him, Indian National Congress was indifferent to the caste question. The aim of his organization was to achieve social justice for weaker sections of the society.
- ? Sri Narayana Guru : Another famous leader of anti-untouchability movement was Sri Narayana Guru. He organised the untouchable caste of Ezhava by establishing Sree Narayan Dharama Praipalana Yogam (SNDP) in 1903. The main aim of SNDP was to Sanskritise the customs and norms of the Ezhava community to achieve social emancipation of the untouchables.
- ? Keshav Rao Jedhe and Dinkar Rao Jawalkar: Both Keshavrao Jedhe and Dinkarrao Jawalkar were freedom fighters, Congress leaders, social activists and above all leaders of non-brahmin movement in Maharashtra. During the 1920s, the non-brahmin movement came closer to the congress movement under their leadership.
- ? Dr. Bhim Rao Ambedkar : Ambedkar was the all-India leader of the untouchables. He began the Mahar movement to eradicate untouchability from Maharashtra and gradually Maharashtra started becoming the hub of the anti-untouchability movement. He was able to nationalise the Dalit question. During the 1930s the Dalit movements reached a new height. He declared 'you have nothing to lose, except your religion' (Keer 1954:237). In the Round table conference he demanded separate electorate for Dalits. This demand brought him into direct conflict with Gandhi. The Communal Award of 1932 granted separate electorate to the untouchables. Gandhi went on a fast unto death against such divisive decision of the Colonial government. After protracted discussion, Poona Pact was signed between Gandhi and Ambedkar. The central theme of the pact was the promise of a joint electorate with reservation for the depressed classes. But Ambedkar was not happy with the decision . In 1942, he established Scheduled Castes Federation to fight for the Dalit emancipation through the means of agitational and electoral politics. At his initiative special provisions have been inserted in the constitution to protect the interests of the depressed classes. Ambedkar has been criticised for his non-participation in the struggle against colonial rule. However, such criticism is unwarranted. Ambedkar believed that a spirit of unity felt by the bulk of the population was necessary to fight against alien rule. He wished to bring people in India together through the elimination of caste differences. In his assessment so long as a large section of people in India, the Dalits, remained socially marginalised, India could

NSOU ? GE-PS-11 96 not fight unitedly against colonisers. In fact, the anti-imperialist movement and the anti-caste agitations were all parts of the process of formation of a modern nation in India. According to Bidyut Chakrabarty and Rejendar Kumar Panday, participation of an increasing number of hitherto marginalised group of people in the national movement turned an elitist movement into a mass movement in the course of time. As R.P. Dutt (1940:500) argues, "... the advancing forces of the Indian people are leading the fight against caste, against illiteracy, against the degradation of the untouchables, against all that holds the people backward. While learned lectures are being delivered on the Hindu civilisation and its unchanging characteristics, the Indian national movement, enjoying the unquestioned support of the overwhelming majority of the people, has inscribed on its banner a complete democratic programme of universal equal citizenship, without distinction of caste, creed or sex" 12.6 Indian Constitution and Caste Question We have seen that the caste system in Hindu society is a heinous practice. It is the main obstacle to the development of society. Caste is hierarchical. Status of an individual in caste-oriented social system is determined by birth. So, the caste system is opposite to the values of democratic political system. In a democratic system all people enjoy all kind of rights including political rights. When India got Independence on August 15, 1947 and emerged as a sovereign socialist secular democratic republic, the makers of our constitution enshrined many provisions in the constitution, such as right to equality of status, dignity and opportunity; right to freedom of thought, expression, belief, faith and worship; right to freedom of religion; social, economic and political justice etc. to build an egalitarian social order and a welfare state. Apart from the mentioned provisions, special provisions are enshrined in the constitution of India to solve the 'Caste question', Such as: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article-15); Abolition of untouchability (Article- 17); Protection of interests of minorities (Article 29); Right of minorities to establish and administer educational institutions (Article-30); Reservation of seats in educational institutions and reservation in public employment and provisions for socially and economically Backward classes; National Commission for Scheduled Castes (Article-338); National Commission for Scheduled Tribes (Article -338A) etc. 12.7 Conclusion Caste question is one of the significant issues in social movements in India. It is the steel frame of Hinduism and it has been one of the fundamental features of the Indian society since ancient times. G.S Ghurye, identified six different features of the Hindu caste system in his popular

NSOU ? GE-PS-11 97 book 'Caste and Race in India', such as- i) Segmentation of Society; ii) Hierarchical System; iii) Restrictions on food and social intercourse; iv) Segregation of civil and religious privileges among different sections; v) Hereditary occupation and vi) Restrictions on marriage. Many social reformers and leaders did a lot for the emancipation of the so-called lower castes during the colonial rule. They were against the caste system of Hindu society. The British colonial government also reserved some posts in government services and offices in accordance with the divide and rule policy to weaken the Indian National Movement. After independence, the makers of our Constitution enshrined many provisions in the constitution to solve the caste question. 12.8 Summing Up ? Indian constitution has tried to address the caste question by incorporating the concept of positive discrimination as reflected in several articles enshrined in the constitution. ? Caste is the nucleus of Hindu Social system in India. ? Caste consists of four varnas, Brahmin, Kshatriya, Vaishya and Shudra. ? Caste differs from 'Jati' which includes the innumerable sub-castes of four varnas. ? Caste signifies the hierarchical position of the people in society. ? Owing the colonial rule, the caste question emerged as a political question. ? Many social reformers protested against caste inequalities and argued for emancipation of the lower castes from caste oppression and suppression. 12.9 Probable Questions Essay Type Questions : 1. What do you mean by 'caste'? Explain the main features of Caste system in India. Long Questions : 2. Write a critical note on the Caste question in colonial India. Short Questions : 3. Write short notes on: a. Ambedkar as a social reformer. b. Indian Constitution and Caste question.

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Unit 13 : Peasant Movements Structure 13.1 Objective 13.2 Introduction 13.3 Peasant Movements in the Pre-Independence Period 13.4 Peasant Movements in the Post-Independence Period 13.5 Peasant Movements in Contemporary India 13.6 Conclusion 13.7 Summing Up 13.8 Probable Questions 13.9 Further Reading

13.1 Objective After studying this unit students will be familiar with— ? The meaning of the Social Movement. ? The meaning of Peasant. ? Peasant Movements in the Pre-Independence and the Post-Independence Period in India. ? Peasant Movements in Contemporary India.

13.2 Introduction Social Movements are social processes and are parts of social progression. These are broadly considered as sustained, organized or collective efforts aiming at changes in thought, beliefs, values, attitudes relationships and major institutions in society or to resist any change in the societal arrangements. Social movements primarily take the form of non-institutionalised collective political action which strive for political and/or social change. These movements are found in all societies of this world in the past and present. The term 'Social movement' is used to indicate a set of activities undertaken by one or many organisations to bring 'change' in society. The core elements of the Social Movements are (1) collective action; (2) political and /or social change and (3) common purpose.

NSOU ? GE-PS-01 100 India has witnessed many such movements over the centuries. Peasant Movement or Agrarian movement is one of them. Anthony Pereira, a political scientist, has defined a peasant movement as a "social movement made up of peasants (small landholders or farm workers of large farms), usually inspired by the goal of improving the situation of peasants in a nation or territory". The first part of this unit deals with the nature of agrarian mobilisation and the peasant movements during the colonial period led by the Congress and the Communist Party of India. In the second part, we look at the agrarian mobilisation and movements after independence. In the last part we look briefly at the 'Farmers' movements which are going on in contemporary India. In India, the term 'peasant' is ambiguous and used differently by different authors. On the one hand, it is used for those agriculturists who are homogeneous, with small holdings operated mainly by family labour, and on the other hand, it includes all those who depend on land including landless labourers, as well as supervisory agriculturists. According to Debal K Singharoy, "In the localised vocabulary, peasants are denoted by terms like "kisan", "krishak", "roytu", "chashi", etc, more or less indicating cultivators who cultivate land with their own labour, and also the categories, namely, "adhiar" and "bhagchashi" (sharecropper and tenant) and "majdoor", "majur", "collie", "pait", "krishi shramik", etc. These terms signify specific cultural connotations to indicate the marginalised and inferior status of peasantry in Indian society." In sociological and social anthropological literature peasants have widely been described as culturally unsystematic, unreflective, unsophisticated and the non-literati, constituting the mosaic of the "little tradition" [Redfield 1956], the "incomplete" and a "part society with part cultures" [Kroeber 1948]. Politically they are found to occupy an "underdog position and are subjected to the domination by outsiders" [Shanin 1984] and "unorganised and deprived of the knowledge required for organised collective action" [Wolf 1984]. Thus peasants are socially and economically marginalised, culturally subjugated and politically dis-empowered social groups who are attached to land to eke out a subsistence living (Singha Roy 1992: 21-231). Peasant movements include the movements of agrarian or peasant classes which are related to agriculture in terms of working on the land or in terms of both working on land and its ownership. In other words, these are the movements of the agricultural labourers, poor and small peasant/tenants and farmers/kulaks/rich peasants/rural rich. We can divide the agrarian groups into two classes: i) The Rural Poor: Agricultural labourers and small/poor/marginal peasants — Agricultural labourers do not own land but work on other's land for wages either as agricultural labourers or tenants. Small/poor/marginal peasants have land but not enough to meet basic needs. They have to work on other's land also; and ii) Farmers/ middle peasants/kulaks/rich peasant/rural rich — these classes own land and other required paraphernalia in agriculture. They work on their land or do not work themselves except

NSOU ? GE-PS-01 101 doing the supervisory work along with employing agricultural labourers. The main objectives of any types of peasant movements are generally economic. But in several cases the economic and social issues overlap.

13.3 Peasant Movements in the Pre-Independence Period

The peasants were the worst sufferers in colonial India. We have seen different kinds of Peasant movements during the pre-Independence period throughout the country. These movements were organized by the exploited agrarian classes – peasants, tenants, agricultural labourers, artisans, etc. The pre-Independence movements can be said as the anti-colonial movements also, because most of these movements were against the landlords, moneylenders and other exploiting classes who were the supporters of the British empire. The issues raised in these movements were related to the nature of agrarian relations. The landlords, moneylenders and other exploiting classes exploited them in many ways to fulfil the requirements of the colonial forces and to satisfy their feudal needs. These include unreasonable increase in the rent, forced gifts (nazarans), begar (forced labour) physical torture, insecurity of tenure (eviction) etc. Even during the natural calamities like famines, flood etc. the landlords forcefully collected taxes from the peasants. The poor peasant classes were not only evicted from the land, they were tortured physically for the failure to meet the economic and non-economic requirements of the landlords. But the peasants did not accept everything silently. They reacted to the exploitative system in different ways. The agrarian society of India has experienced several peasant movements, such as, the Bengal revolt of 1859-60 against the indigo plantation system, the 'Deccan riots' of 1875 against moneylenders in Maharashtra, the fight of the Moplah peasants against their landlords in Malabar, while in Sitapur district of Awadh and in Mewar in Rajasthan peasants resisted rent enhancements and imposition of illegal cesses by their landlords in 1860 and 1897 respectively etc. In all these regions the tradition of peasant militancy continued into the first decade of the twentieth century, ultimately merging into the larger Gandhian mass movement in 1921. In the initial years the Congress ignored the urgency of improving the agrarian situation. It was only in the 1920s that Gandhi sought to convert the Congress organisation into a mass organisation and hence thought of bringing the peasants into the fold of the Congress. Under the leadership of Mahatma Gandhi peasant movements became partially linked to the Independence movement. For instance, the Bardoli Satyagraha (1928, Surat District) a 'non-tax' campaign as part of the nationwide non-cooperative movement, a campaign of refusal to pay land revenue and the Champaran Satyagraha (1917-18) were directed against indigo plantations. In the 1920s, protest movements against the forest policies of the British government and local rulers took place in certain regions.

NSOU ? GE-PS-01 102 Wolf (1984) has highlighted several historical revolutions and political upheavals, fought with peasant support, that took place in the 20th century. To him, peasants participated in the great rebellions because of the suffering caused by the crises of demographics, ecology, and power and authority. As poor peasants depend on landlords for their livelihood, they are 'unlikely to pursue the course of rebellion unless they are able to rely on some external power to challenge the power which constrains them'. Wolf holds that there are two components of the peasantry that possess sufficient internal leverage to enter into sustained rebellion: 'land-owning middle peasantry', and 'a peasantry located in a peripheral area outside the domains of landlord control'. He also points out that the 'peasant rebellions of the 20th century are no longer simple responses to local problems, if indeed they ever were. They are but parochial reactions to major social dislocations set in motion by overwhelming societal changes'. The series of peasant uprisings that took place throughout the nineteenth and the early twentieth centuries seriously contested the hegemony of the colonial state. These peasant movements of the pre-Independence period had impact on the programmes of the Indian National Congress. On the other hand, the Indian National Congress after the advent of Gandhi also tried to harness this force for its struggle against British rule. The Congress Socialist group within the Congress which included later generation of socialists, communists, advocated the need for drastic land reforms. The Congress appointed a committee to look into the distress of agrarian classes and to suggest measures to ameliorate their conditions. This had its impact on the agrarian policies of country when it became independent. During 1920s and 1940s, different peasant organisations were established by the leadership of the peasant movements. The first organisation to be founded was the Bihar Provincial Kisan Sabha (1929). Apart from the Congress, the Communists were the other major force that mobilised the peasants. During this time, the peasant movement was strengthened by the participation of a number of left-oriented leaders who espoused the cause of an autonomous peasant movement in the country by way of formation of a pan-Indian peasant organisation. Consequently, the All India Kisan Sabha was formed in 1936, reflecting '

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the new spirit of unity among Left-nationalists, Socialists and Communists’.

They worked for organizing Kisan Sabhas for the upliftment of poor peasants, tenants, sharecroppers and landless agricultural labourers. The peasants organised by the Sabhas demanded reduction in land revenue, minimum wages to agrarian labourers, abolition of zamindari, ownership of land to the tillers, distribution of surplus land amongst the landless farmers, and so on. The Tebhaga movement in Bengal (1946-47) and the Telengana movement (1946-51) in the former Hyderabad state were led by the Communists. The first was a struggle of sharecroppers in Bengal for two thirds share of their produce instead of the customary half. The second has directed against the feudal conditions in the princely state of Hyderabad.

NSOU ? GE-PS-01 103 Participation of the peasantry in the armed insurgency in Telengana under the banner of the Communist Party of India demonstrated how ideologies of nationalism and Marxism contributed to the mobilisation of the peasants. Religion, caste, nationalism and Marxism provided the basis of these peasant movements during this phase. Religion and caste became the rallying points of the peasants in Oudh, Mopillaha and Wahabi and Faraidi uprisings. Before 1857, peasant revolts occurred against various oppressive aspects of colonial rule in all parts of the country. But it remained disjointed or isolated and localised movements due to the complex class structure of Indian agrarian society, which had great regional variations. The post-1857 movements acquired some new features as well. First, we find in this period a greater awareness of colonial policies, laws and institutions among the peasantry, both tribal and non-tribal. Religion still played an important role in peasant rebellions as before; in Punjab, for example the attempts to purify Sikhism led to the Kuka revolt in 1872. The other important feature was the growing involvement of the educated middle-class intelligentsia as spokespersons for the aggrieved peasantry, thus adding new dimensions to their protests and linking their movements to a wider agitation against certain undesirable aspects of colonial rule. The educated urban middle-class leaders performed an important role. They tried to connect the localised and isolated peasant and tribal movements to a wider struggle against colonial rule.

13.4 Peasant Movements in the Post-Independence Period Certain issues which had dominated colonial era changed after independence. Land reforms, Zamindari abolition, declining importance of land revenue, community development programmes and agricultural extension schemes; the green revolution in select areas of the country during the 1960s, and opening of agricultural sector to the world market through the latest phase of globalisation from the 1990s introduced significant changes in rural India. The agrarian structure has undergone a change from a feudal and semi-feudal structure to a capitalist one. Agricultural production has increasingly become market oriented since the 1960s. Non-farm economic activities have expanded in the rural areas. As a result, new set of issues, new agrarian classes, new types of organisations and patterns of political mobilisation have emerged. These classes are agricultural labourers, poor and small peasants and the farmers/middle peasants/kulaks/rich peasants/rural rich. The period after 1947 was characterised by two major social movements: the Naxalite movement and the ‘new farmer’s movements. The Naxalite movement started from the region of Naxalbari (1967) in Bengal led by a faction of the CPI (M). The central problem for peasants was land. It erupted in the foothills of the eastern Himalayas in West Bengal, in a place called Naxalbari falling within the subdivision of Siliguri in

NSOU ? GE-PS-01 104 Darjeeling district. In Naxalbari, Kharibari and Phansidewa, the movement took a militant turn. In West Bengal, specifically since the late 1970s, the programmes of land distribution and tenancy reforms through Operation Barga, employment generation schemes through the food-for-work programmes, integrated rural development programme (IRDP), extension of microcredit through the rural banks and peasant cooperatives have helped reduce the dependency of the peasantry on landowners- cum-money lender. The so called 'new farmer's movements began in the 1970s. These movements had their own organisations and leadership. These movements were: the Bharatiya Kisan Unions (BKUs) led by Bhupender Singh Mann in Punjab and by Mahender Singh Tikait in Uttar Pradesh; Shetkari Sangathan led by Sharad Joshi in Maharashtra; Karnataka Rajya Raitha Sangha led by Prof. Nanjundaswami; Khedyut Samaj in Gujarat; Vivasayigal Sangam led by Narayanaswami Naidu in Tamil Nadu. These movements were regionally organised, were "apolitical" or "nonpolitical" and involved farmers rather than peasants. The basic thrust of the movement was anti-state and anti-urban. It has been argued that the farmers' movements have broadened their agenda to include environment and women's issues. Therefore, they can be seen as a part of the worldwide 'new social movements'.

13.5 Peasant Movement in Contemporary India Contemporary India is experiencing widespread changes and developments in its society, polity and economy, resulting in a variety of social movements in recent years. The peasant movements are going on against acquisition of cultivable fertile land for industrial units and developmental projects. A few examples are – movements at Singur and Nandigram in West Bengal in 2006 and Sompeta in Andhra Pradesh in 2010. Recently farmers movement is going on all over India against three farm laws passed by the Indian Parliament in September 2020. The Farm Bills have been described as "anti-farmer" by many farmer unions and politicians. They are protesting against the Farm Bills in different ways, such as, gherao, dharna, raasta roko, demonstration, etc.

13.6 Conclusion Social movements emerge as manifestation of collective discontent against existing social, economic and political arrangements. (Singha Roy, 2005) A peasant movement is a social movement. Early peasant movements took place in a Feudal and Semifeudal situation and were violent in character. More recent movements, fitting the definitions of social movements, are usually much less violent, and their demands include better prices for agricultural produce, better wages and working conditions for the agricultural laborers, Peasant mobilisation has been influenced by two developments in Post- Independence India: key role of the state in directing agrarian policies and a capitalist tendency in agriculture. Agricultural policies have undergone a number of changes. Farmers' movements have primarily been a response to the politics adopted by the states.

13.7 Summing Up ? Peasant movement is a social movement usually inspired by the goal of improving the situation of peasants in a nation or territory. ? Peasant uprising of the 19th and early 20th century contested the hegemony of the colonial state. ? Peasant movements in post-independence era included issues relating to environment and women and hence,, have become a part of the worldwide new social movements. ? Peasant movements in the 21st century revolve round the issue of forcible acquisition of agricultural land for industry and development. Nandigram and Singur movements in West Bengal are cases in point.

13.8 Probable Questions Essay Type Questions : 1) Write an essay on the peasant movements in the pre-Independence period. 2) Write a note on the peasant movements of the post-Independence period. Long Questions : 1) Discuss the nature of peasant movements in contemporary India. 2) Discuss the role of the left in mobilising peasants in colonial India. Short Questions : 1) What do you mean by 'peasant'? 2) Discuss the role of Bharatiya Kisan Union in the farmers' movements.

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Unit 14 : Tribal Movements Structure 14.1 Objective 14.2 Introduction 14.3 Classification of Tribal Movements 14.4 Nature of Tribal Movements 14.5 Phases of Tribal Movements 14.6 Factors behind the Tribal Movements in India 14.7 Some Major Tribal Movements in India 14.8 Salient Features of Tribal Movements 14.9 Conclusion 14.10Summing Up 14.11Probable Questions 14.12Further Reading 14.1 Objective This unit will help the learner : ? To understand the meaning of 'Tribe'. ? To explain the nature, classification and causes of tribal movements. ? To gain knowledge of some major tribal movements in India. ? To describe the phases and salient features of tribal movements. 14.2 Introduction The word 'tribe' is an administrative concept in India. It means 'Scheduled Tribes' or tribal communities under the Indian Constitution. In other words, the 'tribes' are known as Scheduled Tribes, adivasis, and aboriginals or as autochthonous. Article 366(25) of the Indian Constitution, defines 'Scheduled Tribes' as 'such tribes or tribal communities or parts or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purpose of this constitution'. By the Constitution (Scheduled Tribes) Order, 1950, issued by the president in exercise of the powers conferred by Clause

NSOU ? GE-PS-11 108 (1) of the Article 342 of the constitution of India, 212 tribes have been declared to be Scheduled Tribes. 'Isolation, backwardness and cultural distinctiveness', of a social group, though undefined in legal and sociological terms, have guided the state for inclusion to a community in the 'schedule'. Later, by an Act of Parliament, some other groups were also included in the 'schedule'. Each tribe has its own distinct culture and identity in terms of rituals, values, social structure, dialects, lifestyles, festivals and celebrations, and so on. The scheduled tribes can be divided into two categories. These are - frontier tribes and non- frontier tribes. Frontier tribes dwell in the northeast frontier states of India, on the other hand the non-frontier tribes are geographically spread across the country. In this unit, we will discuss one of the most significant social movements, that is, tribal movements in India. The unit will also discuss the classification, nature, main factors, various phases of tribal movements in India. The last part of this unit deals with some major features of the tribal movements.

14.3 Classification of Tribal Movements

There are variations in the tribal movements from region to region in India. So, there is no unanimity in the classification of the Tribal Movement. Different scholars or social scientists have suggested different classification of tribal movements. According to S.M. Dubey (1982) the tribal movements in north-east India can be divided into four categories: (1) religious and social reform movements; (2) movements for separate statehood; (3) insurgent movements; (4) cultural rights movements. Surajit Sinha (1968) classifies the movements into: (1) ethnic rebellion; (2) reform movements; (3) political autonomy movements within the Indian Union; (4) secessionist movements; and (5) agrarian unrest. Mahapatra (1972) divides the tribal movements into three categories: (1) reactionary; (2) conservative; (3) revisionary or revolutionary. But there is very little basic difference among the scholars about the use of different typologies. We can reformulate the typologies of the tribal movements as mentioned by Ghanshyam Shah in his book *Social Movements in India – A Review of Literature*. According to him the tribal movements may be classified into: (1) ethnic movements which include cultural/religious identity; (2) agrarian and forest rights movements; (3) environmental movements (4) involuntary displacement and rehabilitation movements; and (5) political movements around the nationality question for a separate state. Not only is there a great deal of overlapping among all five types, but they are also interconnected, and one leads to the other.

NSOU ? GE-PS-11 109 14.4 Nature of Tribal Movements The long history of tribal movements in India has been marked by the existence of a vast diversity and variation in the nature and context of these movements. Beginning from the late eighteenth century till the attainment of independence in 1947 and even after that, the nature of tribal movements are not same. The nature of tribal movements varies on different matters. The adivasis are dependent on natural resources. They respect nature. As a result their struggles are considered as a part of environmental struggles. In the past, particularly for the nineteenth century they fought to protect their land and forest rights. So, one of the key issues of the tribal movements of different places of the country is the alienation of tribals from forest lands. From this point of view ecological issues are central to tribal movements. The tribals of Andhra Pradesh participated in the Telengana movement and fought against the landlords and the forced labour. (Pavie 1981; Dhanagare 1983). So, the tribal movements are not only forest-based or ecological but agrarian, cultural, social and political. As an analyst points out, ...while the peasant movements tend to remain purely agrarian as peasants lived off land, the tribal movements were both agrarian and forest based, because the tribals' dependence on forests was as crucial as their dependence on land. There was also the ethnic factor. The tribal revolts were directed against zamindars, moneylenders and petty government officials not because they exploited them but also because they were aliens. (Singh 1986: 166) Some tribal movements used violent path, while, few tribal movements were organised in non-violent way. The Santhal, the Kol and the Munda rebellions were the violent movements. Tana Bhagat movement was a non-violent movement. This movement focused on the structural transformation of the communities.

14.5 Phases of Tribal Movements

Tribal movement is not a new phenomenon. It has had a long history of more than two centuries in India. There are differences of opinion about the phases of tribal movements among scholars. Without going into the debate we can categorise the tribal movements into three distinct phases in pre-independence times. First Phase (1795-1860) : The first phase of tribal movements covers the period of 1795–1860. It coincided with the rise, expansion and establishment of the British Empire. During this phase, there were various tribal revolts/movements in India such as: Tamar

NSOU ? GE-PS-11 110 Revolts (1789-1832); The Kherwar Movement (1833); Santhal Revolt (1855); Bokta Movement (1858) etc. According to Bidyut Chakrabarty and Rajendra Kumar Pandey, "...the movements of this phase were more in the nature of reflecting the anger of a whole region rather than just a group of people. For instance, the Chhotanagpur plateau became the hub of such movements during the 1820s, owing to the common grudge of all the people against the sinister designs of British rulers." Second Phase (1860-1920) : The second phase covers the period between 1860 and 1920. It coincided with the intensive phase of colonialism. During this phase tribals were exploited in a number of ways such as eviction from land, harassment, land encroachment, increased rent, and so on. They started to reject the activities of outsiders to establish their own independent territory and rights. The tribal movements of these times developed an unconventional blend of socio-religious reform on the one hand, and the political resistance, on the other. Birsa revolt, headed by Birsa Munda was one of the famous tribal movements. In this phase the leaders of tribal movements were regarded as Gods out to save them from the brutalities of the aliens. Third Phase (1921-47) : The third phase was between 1921 and till the achievement of independence in 1947. During this phase the tribals began to participate in nationalist and agrarian movements. But few of tribal leaders also did not participate in the nationalist and agrarian movements and they raised demands that were separatist in nature. For instance, while in Central Provinces, tribal leaders— like Ganjan Korke—became a formidable force during the Civil Disobedience Movements (Sarkar 1989: 298), at the same time few leaders organised separatist movement in some parts of the Chhotanagpur plateau.

14.6 Factors behind the Tribal Movements in India

The tribals had been living peacefully and in harmony with nature at different places of India for hundreds of years in their own forests. Their way of life changed after coming of the British in India. The British introduced different laws and allowed outsiders to settle in the tribal areas. The extension of the British land revenue system and the new forest regulations fully destroyed the autonomy of the tribal world. In other words, the imposition of British rule resulted in the loss of their autonomous domains of power, freedom and culture. When tribals were unable to pay their loan or the interest thereon, money-lenders and landlords usurped their lands. The tribals thus became tenants on their own land and sometimes even bonded labourers. The police and the revenue officers never helped them. On the contrary, they also used the tribals for personal and government work without any payment. This reduced them to the status of labourers and debtors from masters of their own land. The uprisings were basically against this unwelcome intrusion and a fight for their independence.

14.7 Some Major Tribal Movements in India

The political autonomy and control over local resources of the tribal population were threatened by the establishment of British rule and the advent of its non-tribal agents. As a result, many uprisings took place during the British Colonial rule against the British Government, zamindars, moneylenders and petty government officials who were not only their exploiters but aliens too. One of the major tribal revolts, the Kol uprising of 1831-32, took place in Chota Nagpur and Singbhum region of Bihar and Orissa. In these areas, they used to enjoy independent power for centuries. But British penetration and imposition of British law posed a threat to the power of the hereditary tribal chiefs. Raja of Chota Nagpur started evicting tribal peasants by farming out land to outsiders for higher rents. Another most effective tribal movement of this period was, the Santhal rebellion of 1855-56, organised by the four Murmu Brothers - Sidhu, Kanhu, Chand and Bhairav. The Santhals lived scattered in various districts of Curttack, Dhalbhum, Manbhum, Barabhum, Chota Nagpur, Palamau, Hazaribagh, Midnapur, Bankura and Birbhum in eastern India. This tribal movement was organised against the zamindars, the mahajans and the government. The low caste non-tribal peasants also joined this movement. The revolt was violently suppressed by the British. But the British government became more cautious about them and the Santhal inhabited areas were constituted into a separate administrative unit, called the Santhal Parganas, which recognised the distinctiveness of their tribal culture and identity. Munda Rebellion of 1899-1900 is one of the prominent tribal movements in India, led by the charismatic leader Birsa Munda in the Chotanagpur area against the British and the dikus (landlords, moneylenders, merchants). Apart from the above mentioned movements there were many tribal movements in India during British colonial rule. Such as -Tamar Revolts (1789-1832); The Kherwar Movement (1833); Bokta Movement (1858); Midnapur Movement (1918-1924); Bhoomi Sena Movement etc.

NSOU ? GE-PS-11 112 14.8 Salient Features of Tribal Movements Some basic features of tribal movements are: ????? There are variations in tribal movements from region to region. So, there is no unanimity in the classification of the Tribal Movement. ????? The tribals strongly felt that alien administration and outsiders ruined their culture and economy. ????? Land alienation, usury, forced labour, minimum wages, land grabbing, etc. were the main issues of tribal movements. ????? The tribal movements are not only forest-based or ecological but agrarian, cultural, social or political oriented also. ????? According to Ghanshyam Shah, the tribal movements have a threefold typology such as - ethnic movements, agrarian movements and political movements. ????? The tribal movements were basically against the unwelcome intrusion of the British Government, zamindars, moneylenders and petty government officials into their own tribal world and a fight for their antonomy. ????? Some tribal movements used the violent path, on the other hand, a few tribal movements were organised in a non-violent way. ????? The leaders of tribal movements were regarded as Gods out to save them from the brutalities of the aliens. ????? Many tribals leaders joined nationalist movements against the British colonial rule. Though some tribals leaders tended to take separatist position at the same time. ????? Various tribes have built up an alliance for achieving political autonomy after independence of India. Such as the tribes of Jharkhand, Nagaland, Mizoram, Gujarat etc. ????? After independence several adivasi groups have demanded more and more welfare programmes including reservation of jobs in government offices. ????? Some tribal groups launched Sanskritisation movements to assert their status as caste Hindus. These movements are also known as Bhagat movements.

14.9 Conclusion One of the most significant social movements in India is tribal movement. The tribals have their own distinct culture and identity. To protect their culture, land and forest, they fought against the British Government, zamindars, moneylenders and petty government officials. Some tribal movements followed violent path, while few tribal movements followed non-violent way. The tribal movements are not only forest-based or ecological issue but agrarian, cultural social or political oriented also. So, the tribal movements may be classified into: (1) ethnic movements which include cultural/religious identity; (2) agrarian and forest rights movements; (3) environmental movements (4) involuntary displacement and rehabilitation movements; and (5) political movements around the nationality question for a separate state.

14.10 Summing Up ? Tribal people are constitutionally recognised people of India who played a very crucial role in the freedom struggle of India. ? Tribal movements are social movements like other movements such as Peasant Movement, Women Movement and Environment Movement etc. ? Tribal movements vary in hature and context from one region to another.. ? Tribal movements were basically against the unwelcome intrusion of the British rulers into their own domain displacing them from their own territory. ? In post-colonial India, only their masters have changed. Issues around which the tribal movements revolve now remain much the same.

14.11 Probable Questions Essay Type Questions : 1. What do you mean by 'tribe'? Discuss the basic features of the tribal movements in India 2. Explain the nature of the tribal movements in India. Long Questions : 1. What are the main causes of the tribal movements in India? 2. Discuss the major tribal movements in India. Short Questions : 1. Write a short note on the Santhal Revolt. 2. Classify the tribal movements and show how they are different from other social movements.

NSOU ? GE-PS-11 114 14.12 Further Reading 1.

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Unit 15 : Workers' Movements Structure 15.1 Objective 15.2 Introduction 15.3 Meaning of Working Class 15.4 Phases of Working Class Movements 15.4.1 Working Class Movement in the Pre-Independence Period 15.4.2 Working Class Movement in the Post-Independence Period 15.5 Conclusion 15.6 Summing Up 15.7 Probable Questions 15.8 Further Reading 15.1 Objective The present unit will help students to: ? Understand the meaning of Working Class Movement. ? Examine the Working Class Movement in the Pre-Independence Period in India. ? Analyse the role of trade unions in the Working Class Movements. ? Review the Working Class Movement in the Post-Independence Period in India. 15.2 Introduction Social movements primarily take the form of non-institutionalised collective political action which strive for political and /or social change (Ghanshyam Shah, 2004). India has witnessed many such movements in the past and present. Workers' movement is also one of the important social movements which began after the establishment of a number of factories in the port cities of the country during the second half of the eighteenth century. But initially, the workers' movements were unorganised in nature and they could not raise their voices strongly against the intolerable and inhuman working conditions, low wages, long working hours and several other issues. Later, NSOU ? GE-PS-11 116 they were organised and many trade unions fought against the colonial administration to improve their working conditions in the factories. Like other sections of society, industrial workers of both organised and unorganised sectors, resort to various types of collective actions such as strikes, satyagrahas, hunger strikes, bandhs and hartals (general strike), gheraos, demonstrations, mass casual leave, work to rule, cutting off the supply of electricity, etc. (Kannappan and Saran 1967). In this Unit, we will discuss working class movements in India as a social movement. We are going to explain only industrial working class movements in India. The first part of this unit deals with the meaning of working class movement and different stages of these movements. The second part of this unit will focus on the working class movements and the role of trade unions in the Pre-Independence period. The working class movement in the post-Independence period in India will be explained in the third section of this unit. 15.3 Meaning of Working Class It is very difficult to define the working class. There are many debates about the meaning of working class among scholars. According to the Oxford Dictionary, working class is "the social group consisting primarily of people who are employed in unskilled or semi- skilled manual or industrial work." In Cambridge English Dictionary, working class is defined as a social group that consists of people who earn less than other groups, often being paid only for the hours or days that they work, and who usually do physical work rather than work for which one needs an advanced education.

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Karl Marx defined the working class or proletariat as individuals who sell their labour power for wages and who do not own the means of production. He argued that

the working class is the base of all capitalist state. They grow food, build dwelling places and create wealth of a society but they do not have anything to live. Some economists and sociologists have divided the non-agricultural work force into two sectors—organised and unorganised, or formal and informal. The unorganised workers are those who are employed in small-scale industry and other wage earners in non-farm activities. The workers in the organised sector can be divided into white-collar workers and blue-collar workers. 15.4 Phases of Working Class Movements 15.4.1 Working Class Movement in the Pre-Independence Period We can divide the working class movement in India into four stages: (i) 1850 to

NSOU ? GE-PS-11 117 1890; (ii) 1890 to 1918; (iii) 1918 to 1947; and (iv) The post-independence period. In this section we will explain the first three stages and the last stage will be discussed in the next section. The First Phase: 1850 to 1890 : During the first phase, many working class movements took place in India. At that time many peasants, who had been thrown out of their land under the impact of the colonial rule, became associated with the emerging 'modern' industrial sector. During this period, the actions of the working class were sporadic, unorganised and their movements were mostly ineffective. At that time several spontaneous strikes occurred. But, there is no unanimity about the exact date or event which might be construed to be the beginning of the labour movement in the country. For instance, while some scholars consider the strike of the textile workers in Bombay in 1882 as the beginning of the labour movement in the country, others argue that K. M. Lokhande's move in calling a meeting of the workers and submitting a memorandum to the President of the Cloth Mill workers in Bombay in 1890 initiated the labour movement in India. During this phase some philanthropists came forward to focus on the problems of the working class and tried to improve working conditions by urging the British authorities in many ways.

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S. S. Bengalee in Bombay, Sasipada Banerjee in Bengal and Narayan Lokhandya in Maharashtra

were prominent among them. In 1870, Sasipada Banerjee started a Working Man's Club and newspaper 'Bharat Shramjeevi'. In 1878, S. S. Banerjee drafted a bill for providing better working conditions to the labourers and tried to pass it in the Bombay Legislative Council. In 1880, the Bombay Mill and Millhands Association was set up by Narayan Lokhandya. He also started a newspaper called 'Deenbandhu'. The Second Phase : 1890 to 1918 : The labourers formed many trade unions during the second stage. In the last decades of the 19th century, many strikes were organised in Bombay, Kurla, Surat, Wardha, Ahmedabad and in other places all over the India. The strikes however were sporadic, spontaneous, localised and short-lived and were caused by many factors such as the intolerable and inhuman working conditions, low wages, long working hours and several other issues. Though the working class movements were limited in their impact, they prepared the base of the future working class movements at the national level and immensely added to the strength of the national movement. The Third Phase : 1918 to 1947 : The trade union movements underwent rapid transformations in India after World War I (1914 – 1918). During this time the working class struggle took an organised form and many strong and active trade unions were formed. The first trade union was established in April 1918 in Madras by B.P. Wadia, a social worker and member of the Theosophical Society. During the same

NSOU ? GE-PS-11 118 year, Mahatma Gandhi founded the Textile Labour Association (TLA). A number of strikes took place in Jamshedpur, Bombay, Nagpur, Calcutta and other places during this time and these strikes helped to give birth new unions. Panchanan Saha (1978) gives a descriptive account of various strikes by jute, railway, tramway, and Bata workers during the 1920s and 1930s. The Textile Labour Association went on strike under the leadership of Gandhiji. The workers of TISCO organised strike in Jamshedpur in 1920. According to official data, there were 396 strikes in 1921, involving 6, 00,000 workers. A total of 6,894 thousand man days were lost. Between 1921 and 1925, on an average, 4, 00,000 workers in a year were involved in strikes. The number of strikes had again gone up at the end of the 1930s. And the number reached a peak in 1947; there were 1,811 strikes involving 1,840 thousand workers. There were three ideological groups—leftists, nationalists and moderates’—within the Congress to organise the working-class movement. The main ideological groups were the communists led by S.A. Dange and M.N. Roy, the moderates led by M. Joshi and V.V. Giri and the nationalists which involved leaders like Lala Lajpat Rai and Jawaharlal Nehru. Nationalist Congressmen provided leadership and played an important role in the formation of trade unions and the launching of strikes during the 1920s and 1930s. In 1920 the All India Trade Union Congress (AITUC), a broad-based organisation involving diverse ideologies, was formed in Bombay under the leadership of Lala Lajpat Rai. Later on Pt. Jawahar Lal Nehru, Netaji Subhash Chandra Bose, V. V. Giri, Sarojini Naidu, C.R. Das and several other political leaders were associated with subsequent conferences. AITUC in its second session in 1921 in Jharia adopted a resolution of Swaraj (Complete independence from British rule), almost eight years before the Indian National Congress adopted such resolution in 1929. Gradually, the AITUC emerged as the conglomerate having affiliations of approximately 200 trade unions and played an important role by creating pressure on colonial government to improve the working conditions and wage structures of the workers. On the eve of the independence of the country, the AITUC was, by and large, overwhelmingly dominated by the communists. Congress leaders decided to quit the AITUC and formed another trade union body, the Indian National Trade Union Congress (INTUC) in 1947. Communist Party was actively associated with organising the working class and a series of strikes were organised in the wake of the economic depression in the middle of the 1920s. To suppress the communist movement and the communists, the colonial ruler enacted two laws in Bombay, such as- the Public Safety Bill and the Trades Disputes Act of April 1929. A major crack down on the communists came in March 1929 when Dange, along with 32 others were arrested and tried for conspiring against King-Emperor in the notorious Meerat NSOU ? GE-PS-11 119 Conspiracy Case. The case continued till 1933 and ended in long jail sentences for all the leaders. But this incident helped the Communist Party of India to consolidate its position among workers. The working class became associated with the freedom struggle by the end of the 1920s and the beginning of the 1930s. Workers participated in meetings and organised demonstrations and processions against the British Raj. The workers of Bombay, Sholapur, Calcutta, Ahmedabad and other places went on strike to support the Civil Disobedience movement. The workers of Ahmedabad went on total strike to protest against the arrest of Gandhi. Dilip Simeon observes that the workers were ‘profoundly aware of nationalism, identity and gender, not to speak of the violence and communal strife around them (2001:30). But, the trade union movements remained marginalised and fragmented social movement in the pre-independence period having only limited utility for and getting very negligible support from the mainstream national movement. [Bidyut Chakrabarty & Rajendra Kumar Pandey] 15.4.2 Working Class Movement in the Post-Independence Period The transfer of power and Independence of India created a different atmosphere for the entire working class in the country. According to some scholars (Ramaswamy and Ramaswamy 1981, Vaid 1972, Simeon 1995), political issues figure prominently in working- class strikes in post-independence India. Government of India formulated new industrial policy to improve the working conditions. As a result the number of strikes declined between 1947 and 1960. However, the number of conflicts, including strikes and lockouts increased in the 1960s and 1970s. 1982-83 was the important turning point in India’s working-class movement in the post-independence period. During this time a vast number of organised as well as unorganised textile workers’ strike took place in Bombay and it continued over one year. Traditional trade union leadership failed and a new kind of leadership emerged. Women workers of Ahmedabad and Tamil Nadu struck work in the last century and at the beginning of this century against discrimination and ill treatment (Murphy 1981). The New Economic Policy announced by the government of India in 1991 had severely affected the working class. The main focuses of the new economic policy are Liberalisation, Privatisation and Globalisation. As a result, several important public sector units in the country is being sold to private companies, the governmental control over the private sector has been reduced and the bargaining position of the workers vis-a- vis capital has weakened. So, when the government of India announced the new policy, almost all the trade unions, irrespective of their political affiliation, have expressed their

NSOU ? GE-PS-11 120 opposition to it. However, the entire movement could not deter the government. As the new economic policy unleashes economic forces, trade unions have a number of challenges to face in the coming years. The working class in order to be effective in the new economic regime have no alternative but to fight together. 15.5 Conclusion In this unit, we have discussed one of the most significant social movements in India, that is, workers' movement.

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The working class refers to those individuals who sell their labour power for wages and who do not own the means of production.

We can divide the working class into two sectors—organised and unorganised, or formal and informal. The workers' movement began after the establishment of a number of factories in the port cities of the country during the second half of the eighteenth century. Initially, the workers' movements were unorganised in nature and later, they became organised and fought against the colonial administration to improve their working conditions in the factories. The workers fought against the intolerable and inhuman working conditions, low wages, long working hours and several other issues by various types of collective actions such as strikes, satyagrahas, hunger strikes, bandhs and hartals (general strike), gheraos, demonstrations, mass casual leave, work to rule, cutting off the supply of electricity, etc. After independence, laws were enacted to improve the conditions of the working class. But those proved ineffective. The New Economic Policy announced by the government of India in 1991 had severely affected the working class in all respects. 15.6 Summing Up ? Workers' movement is one of the important social movements which emerged during the second half of the 18th century. ? Working classes are not very easy to define. Karl Marx defined them as individuals selling their labour power and having no ownership in the means of production. ? Working class movements in India originated in pre-independence India. ? Working class movements in India are ideologically divided. ? New economic policy based on liberalization, privatisation and globalization has resulted in the weakening of the workers' movement in Indian. NSOU ? GE-PS-11 121 15.7 Probable Questions Essay Type Questions : 1. Discuss the Workers' Movements in the pre-Independence period. 2. Examine the Workers' Movements in the post-Independence period. Long Questions : 1. Evaluate the role of the Trade Unions in the Working Class Movements in India. 2. Trace the history of the Working Class Movement in India highlighting the different phases. Short Questions : 1. Write a short note on the New Economic Policy and Workers' Movements. 2. Explain briefly the role of the Communist party in the Workers' Movements. 15.8 Further Reading 1.

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Module – IV

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NSOU ? GE-PS-11 125 Unit 16 : Quit India Movement and INA Movement Structure 16.1 Objective 16.2 Introduction 16.3 Importance of the Quit India Movement 16.4 Objectives of the Quit India Movement 16.5 Government's Attitude 16.6 Students' Participation and Government Repression over the Students 16.7 Role of the Working Class and the Peasantry 16.8 Popular Response 16.9 Non-Violence and Mass Participation 16.10 INA's Role and Significance. 16.11 Conclusion 16.12 Summing Up 16.13 Probable Questions 16.14 Further Reading 16.1 Objective ? To study the objectives and importance of the Quit India Movement. ? To deal with the issue of the Government's attitude to the movement. ? To dwell on the participation of the masses in the movement including the students, working classes, peasants and other sections of the society. ? To analyse the issue of non-violence and the Movement. ? To analyse the role and significance of the INA in the freedom

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movement. 16.2 Introduction The Quit India movement or the Revolt of 1942 or 'August Revolution' of 1942 was the most popular and powerful mass movement in the series of agitations led by Gandhi in the course of freedom struggle.

By the time

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this mass movement was mooted, the Second World War was going on, the shadows of the Japanese invasion on India were making the

NSOU ? GE-PS-11 126 sky dark and cloudy.

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The efforts of Cripps mission bore no fruit and the prices of essential commodities were soaring high and the day did not

appear to be far off

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for the deliverance from the British imperialism. Sumit Sarkar writes, "The summer of 1942 found Gandhi in a strange and uniquely militant mood, 'Leave India to God or to anarchy" he repeatedly urged the British – this orderly disciplined anarchy should go, and if as a result there is complete lawlessness I would risk it".

These statements made, in May 1942 are indicative of

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the restlessness of the leader, who 'promised' Swaraj within one year and who is eager and anxious to see that his mission of gaining freedom for India is realized soon. Sumit Sarkar aptly observes "though the need for non-violence was always reiterated, Gandhi's mantra of Do or Die represents the militant mood of Gandhi".

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One more feature to be noticed in this connection was the refusal of Gandhi to condemn the violence of the masses and held the government responsible for this violence. All over the country people responded positively and actively towards the fast of Gandhi. Gandhi was released on 6 May, 1944 on medical grounds. It is to be noted that the Quit India movement was the spontaneous participation of the masses compared to the earlier non-cooperation and civil disobedience movements. Bipan Chandra was of the view: "the great significance of this historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India' there could be no retreat. Independence was no longer a matter of bargain. And this became amply clear after the war". 16.3

Importance of

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the Quit India Movement Quit India or 'Bharat Choro', the simple but powerful slogan launched the famous struggle which also became significant by the name of 'August Revolution'.

The Quit India was the most powerful mass movement in late colonial India. Its importance lay not only in its reflecting the climax of the anti-British struggle but also in its vision for the future. Mahatma Gandhi led three major movements across the nation began with the Non-Cooperation movement, the Civil Disobedience Movement and the Quit India Movement. Gandhi was the outstanding leader and Gandhism the guiding ideology of the movement during this phase.

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He was the first leader who recognized the role of the masses in the struggle for national liberation.

He introduced an era of mass politics. He felt the need to launch a programme of struggle which would mobilize the masses in the nationalist struggle. Under his leadership, the Indians became patriotic and bold fighters for national emancipation. Gandhi was also an outstanding social reformer. He launched movements simultaneously not only against the British rule but also against atrocious social system, customs justified in the name of India's age-old traditions. He denounced the barbarous practice of untouchability. He also considered both Hindu and Muslim communalism as anti-human and anti-national.

NSOU ? GE-PS-11 127 16.4 Objectives of the Quit India Movement In the struggle of Quit India the common people of India demonstrated an unparalleled heroism in the context of draconian measures by the Government and suppression of basic liberties. Why then it became a necessity

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to launch a movement in these difficult conditions of brutal repression? The failure of the Cripps Mission in April 1942 made it clear that Britain was not willing to offer an honorable settlement during the War and she was determined to continue India's unwilling involvement in the War preparations. The Cripps offer convinced Congressmen like Jawaharlal Nehru and Gandhiji, who did not want to do anything to hamper the anti- fascist war

efforts,

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that any further silence would legitimize the British Government's right to decide about India without paying any attention to the wishes of the people. Though Gandhiji and Nehru did not want to oppose the anti-fascist struggle,

but Gandhiji

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was becoming convinced of the inevitability of a struggle. Gandhiji drafted a resolution after Cripps' departure for the Congress Working Committee calling for Britain's withdrawal and the adoption of non-violent non-cooperation against any Japanese invasion.

Apart from this, there were factors like price rise, war-time shortages resulted in popular discontent. The British policy of taking possession

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of boats in Bengal and Orissa to prevent their use by the Japanese had led to considerable resentment among the people. There was a growing feeling of an imminent British collapse

due to

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the news of Allied setbacks and British withdrawals from South-East Asia and Burma. Moreover, the

British had evacuated the whites from Malaya and Burma. Indians in South-East Asia in their letters

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to relatives in India expressed accounts of British betrayal and their being left at the mercy of Japanese. It was quite natural to expect that they would repeat the same in the event of Japanese occupation.

The nationalist leaders felt

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that the people were becoming demoralized and that in the event of a Japanese aggression, they might not resist.

Gandhiji was very clear on this aspect to draw the people out of this demoralized state and convince them of their power. He was so convinced about the appropriate time for struggle that he said to Louis Fischer that he will go ahead with the struggle in case of his inability to convince the Congress. However, the Congress accepted his advice on the timing of a mass movement. 16.5 Government's Attitude The Congress first accepted Gandhiji's idea of a struggle at the Working Committee meeting at Wardha on 14 July, 1942 to be followed by a meeting of

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the All India Congress Committee in Bombay to ratify this decision. This historic meeting at

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Gowalia Tank in Bombay was unprecedented in popular enthusiasm. Huge crowds gathered outside

but there was pin-drop silence. Gandhiji's speech

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had the most inspiring impact upon the audience. He made it clear that 'the actual struggle does not commence this moment. You have only placed all your powers in my hands. I will now wait upon the Viceroy and plead with him for the acceptance of the Congress demand. That process is likely to take two or three weeks.'" He added: 'you may take it from me that I am not going to strike a bargain with the Viceroy for ministries and the like. I am not going to be satisfied with anything short of complete freedom. Maybe, he will propose the abolition of salt tax, the drink evil, etc. But I will say:" Nothing less than freedom. He

added, '

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Here is a mantra, a short one that I give you. You may imprint it on your hearts and let every breath of yours give expression to it. The mantra is: "Do or Die". We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery.'(M. K. Gandhi, Collected Works, 1939) Gandhiji also provided specific instructions for the people. Government servants should openly declare their allegiance to the Congress, the Princes were asked to accept their

own people's sovereignty and the people should

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declare that they were part of Indian nation and they would accept the leadership of the Princes.

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He had proposed that peasants 'who have the courage, and are prepared to risk their all' should refuse to pay land revenue.

The Government was not at all interested to negotiate with the Congress or wait for the official launch of the movement.

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All top leaders of the Congress were arrested and taken to undisclosed destinations.

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On 8 August 1940, the Viceroy Linlithgow in a personal letter to the Governors expressed, 'I feel very strongly that the only possible answer to a 'declaration of war 'by any section of Congress in the present circumstances must be a declared determination to crush, the organization as a while.' 1

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The sudden attack by the Government produced an immediate reaction among the people. In

the United Provinces only, the number of persons placed in preventive detention on 9 August was 547. Spontaneous outbursts of violence took the form of damage of Government and municipal property, picketing, no-rent campaigns and similar other actions against the Government. In Bombay, as the news of arrests spread, there were clashes of lakhs of people with the authorities at Gowalia Tank.

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There were also disturbances on 9 August in Ahmedabad and Poona. On the

following day Delhi,

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Kanpur, Allahabad, Varanasi and Patna witnessed hartals, public demonstrations and processions. The Government blocked the press. The National Herald and Harijan ceased publication for the entire period of the struggle.

The Government justified the use of armed forces and the police by stating that the police were carrying out no more than their legal duties and obligations in using force for the security of people and property. In order to win public support, the Government of India issued instructions to all Provincial governments and administrations to emphasize the following points:

NSOU ? GE-PS-11 129 1. Action is not aimed at the Congress as a political party, but as an organization which has involved itself in a movement which, if successful, must cripple India's war effort. Moreover; this movement will also undermine India's political advancement. 2. The action is not punitive but preventive. 3. Once the resolution was passed, it was impossible for Government to hold its hand any longer. There is sufficient evidence that arrangements for a mass movement were being organized and there was no guarantee that these preparations would be suspended while Mr. Gandhi was initiating negotiations with the Viceroy. A large-scale use of military and police was made to suppress the movement. In the absence of the leaders who were themselves detained, people led and organized the movement. The humiliation and inhuman treatment meted out to the people can hardly be expressed in words. Houses of innocent people were raided, searched, looted and burnt. They were dragged out of their homes. As the movement spread in the countryside and took a serious turn; the Government followed the policy of collective punishment and imposed collective fines. The innocent villagers had to suffer not because they had participated in the movement but because they did not help the administration or they had failed to inform about the whereabouts of the leaders. The Government did not hesitate to use repressive measures for realizing collective fines. 16.6 Students' Participation and Government Repression over the Students Since the Government suspected the students and youths of joining the movement, they too were subjected to severe punishment. Non-violent and peaceful marches of the students were suppressed, fired upon, 'lathi' charged and beaten. On 11 August, 1942 the military and police killed seven students who tried to hoist National flag on Patna Secretariat. As the Government repression intensified, underground activities became common. The leaders who evaded arrest were declared absconders for whom awards were announced. The Government also harassed the relatives of such leaders. The uprising was spontaneous and uniform across the country. Though the Government was successful in suppressing the movement temporarily, its impact was so serious that it shook the foundations of British administration in India. On 9 August, 1942 about 5000 Congress leaders were arrested and All India Congress Committee, its subordinate committees and allied organizations were declared illegal and their premises seized. About 90 newspapers stopped publication. The symbols of imperialism became the main target of people's fury. There was large scale destruction of transport and communications. Students went on NSOU ? GE-PS-11 130 strike in schools and colleges across the country and joined processions. They involved themselves in writing and distributing illegal news-sheets. They also became couriers of underground networks.

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The reaction to the arrest was most severe in Bihar and Eastern U.P.

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Students of the Benaras Hindu University went to the villages to spread the message of Quit India. They

hijacked trains and wrapped them in national flags. There was government firing and repression. Students continued to be the mainspring of the movement in all plans. The Government threatened to take disciplinary action against the students who remained absent from classes after 1 September 1942; this, however, had no effect on them. Miss Usha Mehta; a girl student played an important role in 'illegal' programmes of 'illegal' Congress Radio. 16.7 Role of the Working Class and the Peasantry Though the British Government claimed that the working class remained isolated from the movement the fact is that it played its role everywhere. Their demands were confined not only to economic issues; they urged upon the Government to release political leaders. Workers in Bombay stayed away from work for more than a week following 9 August arrests.

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In Ahmedabad the mills were closed for three and half months, in

Jamshedpur there was a strike for thirteen days. These strikes seriously affected the war supplies directly or indirectly.

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Tirhut division in Bihar remained cut off from the rest of the country; control was also lost over Patna for two days. Eighty per cent of the police stations were captured or temporarily evacuated in ten districts of North and Central Bihar. There

was

also physical violence over Europeans. The rural population also did not lag behind the movement. The peasantry organized mass demonstrations, marches and attacks on the police stations, courts, railway stations, railway- lines, post offices and Government buildings. There were battles between the police and the people in eastern U.P. and Ballia and Ghazipur areas remained completely out of control for several days. Along with the peasants the people living in the princely states also joined the movement. They broke the barrier between princely states and the rest of India. It gave a violent shake to the bastions of imperialism as well as feudalism. Various Praja Mandals remained very active. The Congress committee was declared illegal

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in Mysore. According to official estimates, in the first week after the arrests of the leaders, 250 railway stations were damaged or destroyed, 500 post offices and 150 police stations were attacked.

There were incidents of firing over unarmed crowd. Under the Defence of India Rules twenty six thousand people were convicted and eighteen thousand detained.

NSOU ? GE-PS-11 131 16.8 Popular Response Though there was

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cessation of the mass phase of the struggle, underground networks were being consolidated in various parts of the country. An all-India underground leadership with prominent members like ArunaAsaf Ali, Achyut Patwardhan, Ram Manohar Lohia, Sucheta Kripalani, Biju Patnaik and Jay Prakash Narayan had begun to emerge.

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Those actually involved in the underground activity may have been few but they received all kinds of support from a considerable section of people. Businessmen donated generously. Sumati Morarjee, for example, helped Achyut Patwardhan to evade detection by providing him with a different car everyday borrowed from her friends. Others provided hideouts for such leaders and activists.

Villagers helped by refusing information to the police.

Government officials

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passed on important information about impending arrests. Achyut Patwardhan testifies that one member of the three-man high level official committee formed to track down the Congress underground regularly informed him of the goings on in that committee. 2 (

Bipan Chandra, India's Struggle for Independence, 1987, p-464).

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The Congress Radio operated clandestinely from different locations in Bombay where Ram Manohar Lohia regularly broadcast. The radio continued till November 1942 when it was discovered and confiscated by the police.

Gandhiji commenced a fast on 10 February 1934 in jail as a protest against Government's demand from him to condemn violence. He not only refused to condemn but held the Government responsible for it. There was immediate popular response to Gandhiji's fast in the form of

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hartals, demonstrations and strikes. Calcutta and Ahmedabad were particularly active.

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People secretly reached Poona to offer satyagraha outside the Aga Khan Palace where Gandhiji was detained. Public meetings demanded his release and Government

faced continuous flow of thousands of letters and telegrams from the

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students and youth, ordinary citizens, lawyers and labour organizations. The demand for his release was made by newspapers such as Manchester Guardian, Nation, New Statesman, News Chronicle

and

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by the British Communist Party. The citizens of London and Manchester, the Women's International League, the Ceylon State Council and the U.S. Government

also put pressure demanding Gandhiji's release. There was a severe

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blow to the prestige of the Government was the resignation of M.S. Aney, N.R. Sarkar and H.P. Mody

from the Viceroy's Executive Council who had earlier supported Government's suppression of the 1942 movement. But the Viceroy and his officials arrogantly refused to show any concern for Indian feeling

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guided by Winston Churchill's statement that 'this our hour of triumph everywhere in the world was not the time to crawl before a miserable old man who had always been our enemy.' 3 (

Ibid, p-465). The Government began to arrange military

NSOU ? GE-PS-11 132 troops for any emergency due to the death of Gandhiji. The anti-British feeling further heightened by such steps. The mass movement of 1942 was quite different. In the wake of the mass upsurge, the people liberated certain areas and established people's governments at various places, including Midnapur, Gaya, Tarapur, Ballia, Ahmedabad and Satara. These parallel governments had a well-organized structure, having various departments, including those of justice, war, health and public safety, law and order and education. In Tamruk the 'Tamralipta Jatiya Sarkar' was inaugurated on 17 December, 1942. Satish Chandra Samanta, a veteran leader, was installed as the first Sarbadhinayak of

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the Jatiya Sarkar. It undertook cyclone relief work, gave grants to schools and organized an armed Vidyut Vahini.

Swaraj Panchayats were established in the union jurisdictions for conducting administration at the village level.

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Nyayadan Mandals or people's courts were set up and justice dispensed. 'Gandhi marriages' celebrated to which untouchables were invited. Village libraries were set up and education encouraged. The '

Prati Sarkar' was set up and it continued to function until 1945 in spite of British repression. There had been a significant Muslim drift away from the Congress. Even in the North - West Frontier Province a prominent centre of Civil Disobedience in the early 1930s, support for Quit India was lukewarm. In other areas where Gandhiji's call for 'Do or Die' evoked enthusiastic response, Muslims remained apathetic to the slogan. While Muslim participation

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was not very high, it is also true that even Muslim League supporters

provided

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help by giving shelter to underground workers and did not act as informers. Also, there was

no communal clash. There was another large section of 'untouchables' or Dalits of Indian society appear to have been somewhat hesitant about joining the rich peasants and small landlords and also the students from rural or urban petty bourgeois background, the driving force behind the nationalist uprising in 1942. Another interesting feature of the movement was that, even when in the second phase it had spread out from the big cities and towns into the countryside and assumed the form of a mass peasant uprising in some places; it led to few anti-landlord actions. This was in remarkable contrast to the earlier campaigns of mass agitation against the British launched by the Congress in 1920-22 and 1930-34. It must be admitted that no national movement can expect to gain the active support of the nation or to be completely free from inner divisions. It is also true that the

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Communists at the local and village levels participated in the movement despite official position taken by the party.

Young men and women associated with the Congress Socialist Party and other radical organizations took a prominent part in the Quit India movement. Even in the Gandhian stronghold

NSOU ? GE-PS-11 133 of Ahmedabad, a young Congress Socialist, JayantiThakor assumed the leadership of the movement. The Quit India movement was projected initially as the mass Civil Disobedience movement of 1942 with an emphasis on the 'mass', though even

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in 1919-22 and 1930-32 the Congress allowed popular initiative and spontaneity. Infact, in all Gandhian mass movements the leadership chalked out a broad programme and left its implementation at the grassroots level.

Even in the Civil Disobedience movement, Gandhiji initiated

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the struggle by the Dandi March; the leaders and people at the local levels decided whether

to follow the programmes of the movement or to offer satyagraha, picketing

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or follow any of the other items of the programme.

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The resolution passed by the AICC on 8 August 1942 clearly stated: 'A time may come when it may not be possible to issue instruction or for instructions to reach our people, and when no Congress committees can function. When this happens, every man and woman who is participating in this movement must function for himself or herself within the four corners of the general instructions issued. Every Indian who desires freedom and strives for it must be his own guide.' 4 (

M.K. Gandhi 1939, Collected Works, p- 461) 16.9 Non-violence and Mass Participation

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How did the use of violence in 1942 match with the Congress policy of non-violence? There were many who refused to use violent means and confined to the traditional path of the Congress. But many, who used violent means, felt that the circumstances warranted their use.

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Gandhiji refused to condemn this violence because he considered it as a reaction to the much bigger violence of the

British state. A resolution adopted by the Congress Working Committee meeting in Pune on 14 September 1945 congratulated the nation for 'the courage and endurance with which it withstood the fierce and violent onslaught of the British power' and expressed deep sympathy with all those who had suffered during 1942- 45. In numerous speeches and writings Jawaharlal Nehru referred to the Quit India Movement as the greatest event in India since the Mutiny but also expressed regret that the people forgot the lessons of non-violence. Addressing the Bihar Provincial Students Conference in 1945, Nehru praised the students of the province for their outstanding part in the Quit India uprising and then said, 'I encourage you to have academic discussion on political matters, but warn you against taking the initiative in the political field. You must look for guidance from the accepted political party which is the Congress. V (J.L.Nehru, Selected Works,1983, p-510.) However, Gandhiji was of

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the view that mass participation would not be restricted as a result of violence. The

political maturity of the crowd behavior was reflected in the selective attacks on the symbols of colonial state and on the people loyal to it.

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The effectiveness and validity of the nationalist strategy lay in the active participation of the masses in the movement.

NSOU ? GE-PS-11 134 16.10 INA's Role and Significance Congress committees were revived under different names with constructive programmes with Gandhiji's release on 6 May 1944 on medical grounds.

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The Congress leaders were released to participate in the Simla Conference in June 1945. The idea of the

I.N.A.

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was first initiated by Mohan Singh in Malaya, an Indian officer of the British Indian Army.

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Indian prisoners of war were handed over by the Japanese to him who tried to recruit them into an Indian National Army.

By the end of 1942, 42000 men expressed their willingness to join the I.N.A. With

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the outbreak of Quit India movement anti-British demonstrations were organized in Malaya. The first division of the I.N.A. was formed

on 1 September 1942 with 16300 men.

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But by December 1942 serious differences emerged between the Indian Army led by Mohan Singh and the Japanese over

I.N.A's role. The major inspiration for carrying on a relentless fight against British imperialism came from Subhas Chandra Bose who

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had set up an Indian Legion in Berlin in 1941, but developed difficulties with Germany when they tried to use it against Russia.

He reached Singapore which was under Japanese control in July 1943 by submarine and issued

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his famous call 'Delhi Chalo' and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943.

Despite his conflicts with Gandhiji, Subhas Bose appealed for Gandhiji's blessings. He set up two I.N.A. headquarters, in Rangoon and Singapore.

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The I.N.A. was non communal and it also introduced women's wing named after the Rani of Jhansi.

The Japanese collapse in 1945 made I.N.A. men prisoners and

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British move to put the I.N.A men on trial immediately ignited massive demonstrations across the country.

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The British became extremely nervous about the I.N.A. spirit spreading to the Indian army and the Punjab Governor reported that a reception for

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released I.N.A. prisoners had been attended by Indian soldiers.

The impact of

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the use of Indian army in order to restore French and Dutch colonial rule in Vietnam and Indonesia

generated anti-imperialist consciousness. Meanwhile, post war problems of unemployment, price rise were further aggravated by a major food crisis. The officials feared in 1945 another Congress revolt. Lord Wavell complained about violent speeches by Congress leaders,

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glorifying the martyrs of 1942, demanding stern action for official atrocities and demanding immediate release of I.N.A. prisoners.

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A student procession demanding release of I.N.A. prisoners was organized by the Forward Bloc

and joined by Communist Student's Federation and students from Islamia College. The students tied together the Congress, League and the Communists as symbol of anti-imperialist unity. Gandhiji in

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a friendly dialogue with the Bengal Governor and the Calcutta Working Committee reiterated faith in non-violence.

The British

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announced that only I.N.A. accused of murder or brutal treatment of fellow prisoners would

face trial.

NSOU ? GE-PS-11 135 In February 1946 Calcutta witnessed major protest against seven years' rigorous imprisonment sentence of Abdul Rashid of the I.N.A. There was a remarkable unity between students and workers, Hindus and Muslims. The administration could restore order after two days of street clashes in Calcutta. 16.11 Conclusion The 1942 movement signalled the end of British rule in making it clear that the imperialists did not have sufficient force to govern the country in the face of the increasingly powerful and organized nation-wide opposition. Inspired by the 'Quit India' resolution passed by the All India Congress Committee at Bombay millions of ordinary peasants, workers, students, middle class professionals, artisans and employees took part in demonstrations, clashes with the police and various other forms of underground activity in the fervent belief that the hour of the final battle of the freedom struggle had come.

The great significance of the

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historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India' there could be no retreat. Any future negotiations with the British Government could only be on the transfer of power.

The Quit India movement was the last in the series of mass movements launched by the Congress. Under the leadership of Gandhiji it swept across the length and breadth of the country. With the outbreak of the Quit India movement, INA was formed in Malaya by Mohan Singh but the main inspiration to fight the British tooth and nail came from Netaji Subhas Chandra Basu when he formed INA anew. He fought valiantly against the British with the help of the INA in collaboration with the Japanese soldiers and even set up Azad Hind Government in Burma, although with the fall of Japan in the Second World War, the INA fell into the hands of the Allied Powers, many of them captured and put on trial which saw massive protest from the Indians against the British. Historians like Sumit Sarkar lauded the INA for its valuable contribution to the independence of India. 16.12 Summing Up ? The Quit India was the most powerful mass movement in late colonial India. Its importance lay not only in its reflecting the climax of the anti-British struggle but also in its vision for the future. ?

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The failure of the Cripps Mission in April 1942 made it clear that Britain was not willing to offer an honorable settlement during the War and she was determined to continue India's unwilling involvement in the War preparations. The Cripps offer convinced Congressmen like Jawaharlal Nehru and Gandhiji, who did not want to do anything to hamper the anti-fascist war

efforts,

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that any further silence would legitimize NSOU ? GE-PS-11 136 the British Government's right to decide about India without paying any attention to the wishes of the people. Though Gandhiji and Nehru did not want to oppose the anti-fascist struggle,

but Gandhiji was becoming convinced of the inevitability of a struggle. ? Gandhiji's

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mantra is: "Do or Die" - 'We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery.' ?

Gandhi

was an outstanding social reformer. He launched movements simultaneously not only against the British rule but also against atrocious social system, customs justified in the name of India's age-old traditions. ? The Government was not at all interested to negotiate with the Congress or wait for the official launch of the movement.

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All top leaders of the Congress were arrested and taken to undisclosed destinations. The Government

blocked the Press. ? A large-scale use of military and police was made to suppress the movement. In the absence of the leaders who were themselves detained, people led and organized the movement. The humiliation and inhuman treatment meted out to the people can hardly be expressed in words. ? The symbols of imperialism became the main target of people's fury. There was large scale destruction of transport and communications.

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Students went on strike in schools and colleges across the country and

joined processions. They involved themselves in writing and distributing illegal news-sheets. They also became couriers of underground networks.

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The reaction to the arrest was most severe in Bihar and Eastern U.P.

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Students of the Benaras Hindu University went to the villages to spread the message of Quit India. They

hijacked trains and wrapped them in national flags. There was government firing and repression. Students continued to be the mainspring of the movement in all plans. ? The uprising was spontaneous and uniform across the country. Though the Government was successful in suppressing the movement temporarily, its impact was so serious that it shook the foundations of British administration in India. ? The rural population also did not lag behind the movement. The peasantry organized mass demonstrations, marches and attacks on the police stations, courts, railway stations, railway-lines, post offices and Government buildings In the wake of the mass upsurge, the people liberated certain areas and established people's governments at various places, ? The 1942 movement signaled the end of British rule in India.

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The great significance of the historic movement was that it placed the demand for independence on the immediate agenda of the national movement.

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The idea of the INA was first initiated by Mohan Singh in Malaya, an Indian officer of the British Indian Army.

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Indian prisoners of war were handed over by the Japanese to him who tried to recruit them into an Indian National Army. The

first division of the INA was formed on 1 September 1942 with 16300 men. ? The major inspiration for carrying on a relentless fight against British imperialism came from Subhas Chandra Bose who had set up an Indian Legion in Berlin in 1941. He reached Singapore which was under Japanese control in July 1943 by submarine and issued

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his famous call 'Delhi Chalo' and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943 ? The

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was non communal and it also introduced women's wing named after the Rani of Jhansi. ? The Japanese collapse in 1945 made INA men prisoners and British move to put the INA men on trial immediately ignited massive demonstrations across the country. ?

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A student procession demanding release of I.N.A. prisoners was organized by the Forward Bloc

and joined by Communist Student's Federation and students from Islamia College. The students tied together the Congress, League and the Communists as symbol of anti-imperialist unity. 16.13 Probable Questions Essay Type Questions: 1. Do you agree with the view that the Quit India Movement exposed the limits of the Gandhian method of struggle in the Indian freedom struggle? Give reasons for your answer. 2. Analyse the nature of the Quit India movement as the mass Civil Disobedience movement of 1942. 3. Critically evaluate the role of Mahatma Gandhi in the Quit India Movement. Long Questions: 1. Analyse the significance of the Quit India Movement. 2. Examine the role of the INA in the freedom struggle of the country. 3. What were the basic characteristics of the Quit India Movement? Short Questions: 1. What were the objectives of the Quit India Movement? 2. Who initiated the idea of the INA and why? NSOU ? GE-PS-11 138 3. Discuss the impact of the Quit India Movement on the British attitude towards the freedom movement in India. 16.14 Further Readings 1. Bandopadhyay, Sekhar, Nationalist Movement in

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India, New Delhi: Oxford University Press, 2009. 2. Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin

Books, 1988. 3. Chakrabarty, Bidyut, Pandey, Rajendra Kumar, Modern Indian Political Thought, New Delhi: Sage. 4. Sarkar, Sumit, Modern India, New Delhi: Macmillan, 1983. Unit 17 : Communalism in Indian Politics Structure 17.1 Objective 17.2 Introduction 17.3 Meaning of Communalism 17.4 Emergence of Communalism 17.5 Opposition to Communalism 17.6 Role of the Muslim League 17.7 Conclusion 17.8 Summing up 17.9 Probable Questions 17.10 Further Reading 17.1 Objective ? To decipher the meaning of communalism ? To analyse the causes for the emergence of communalism ? To account for the opposition to communalism ? To study the role of the Muslim League and RSS in spreading Communalism 17.2 Introduction Communalism as a political philosophy has its roots in the religious and cultural diversity among the people of India. Communalism has been used as a political instrument to divide, create differences and tensions between communities leading to communal hatred and violence. It must be noted that in ancient period, people living in Indian society co-existed peacefully. Buddha and Ashok were pioneers of peace and religious tolerance. In the medieval period, despite occasional occurrences of religious conflicts, rulers like Akbar and Sher Shah Suri followed policies of religious toleration among various communities although rulers like Aurangzeb showed religious intolerance towards other religious practitioners. As a modern phenomenon, communalism arose as a result of British colonial policy of 'divide and rule' aimed at ruling the country for long in order to serve colonial interests by dividing the people on religious lines.

NSOU ? GE-PS-11 140 17.3 Meaning of Communalism The term 'communalism' connotes political action designed to preserve the vested interests of separate identity of religion, community, sector and group. Communalism promotes narrow mindedness and bigotry which generates in the adherents of one religion a sense of separateness totally antagonistic to other religions. It implies the opposite of secularism. Communalism is the belief that because a group of people follow a particular religion they have common, social, political and economic interest. It is the belief that in India the different religious communities have their own separate history and communal identity. Each religious community constitutes a homogeneous entity and there is no such thing as an Indian nation. The communalist assumes that the most meaningful distinction among the Indian people in social, cultural, economic and political issues is to be made on the basis of religious communities. The communalist usually starts from difference and ends up with the notion that the interests of the people following different religions are antagonistic. Communalism is the product of the socio-economic and political conditions. It is itself a social malady. It undermines the real struggle for changing social conditions. The struggle for independence from the British and the resulting partition of the country are associated with communalism in Indian minds. Most Indians would contend that British imperial policy of divide and rule was responsible for encouraging separatist tendencies. The roots of communalism lie in political demands made by different communities by exaggerating cultural and religious differences. These differences between two communities were kept alive for vested interests. They reap rich dividends on the stratagem of spreading religious hatred. The rise of nationalism and introduction of democratic institutions in India in the 19 th century was accompanied by the emergence of communalism as a political phenomenon. Indians can exist and act socially and protect their interests only as members of religion-based communities. Communalism considers other religio-cultures inferior and condemnable. It thrives on the philosophy which stood for promotion of a particular religious community. The communalist not only failed to represent national interests, he did not even represent the interests of the community he claims to represent. The basic thrust of communalism as an ideology is the spread of communal ideas and thoughts. The underlying cause of communal violence is the spread of communal ideology. Communal violence occurs when communal thinking reaches a certain level of intensity and the atmosphere is vitiated by the provocation of communal fear, suspicion and hatred. Thus, communal violence cannot exist without communal ideology. The communalists are primarily interested in spreading the communal belief system.

NSOU ? GE-PS-11 141 17.4 Emergence of Communalism Under the British rule communalism was the exploitation of religion by the rulers for a political purpose, for provoking mass conflict between Hindus and Muslims for the purpose of weakening the freedom movement of the country. Before the British rule there was no record of Hindu-Muslim riots or communal tensions. Wars waged by Hindu and Muslim rulers against each other did not take the form of religious antagonism between the two communities. This fact was admitted by the Simon Commission itself. The report mentions that in British India a generation ago communal tension as a threat to communal peace was at a minimum. Communalism was an instrument of colonial domination. Colonialism provided the social structure which produced communalism. Communalism arose as a result of British colonial impact.

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Throughout the 20 th century in the absence of modern industries and modern education, health service and

culture there were poor economic opportunities and unemployment. The growth of the middle classes constantly surpassed economic development. There was also an acute shortage of superior jobs most of these being reserved for Europeans till 1920s. Thus the lower middle classes were increasingly placed in a position of economic hardships that resulted a sense of social deprivation, frustration and a constant fear of loss of identity often created an atmosphere of violence which when triggered off by any religious issues led to communal riots. In such a situation, the national movement and the intelligentsia worked for the long term radical solution by the overthrow of colonialism. But some sections of the middle classes who lacked a wider social vision and faith in the capacity of national movement concentrated on their immediate interests and sought short- term solutions to their problems. There existed a very tough and unhealthy competition for jobs. The middle classes used various identities like caste; region and religion. The competition for jobs among individuals could be given the colour of a struggle between two religious communities even though the colonial underdevelopment was affecting both Hindus and Muslims equally. The middle class tendency to think and act communally tended to weaken the nationalist struggle for secularism and against communalism. Jawaharlal Nehru correctly observed that communalism was an inherent weakness of a nationalist movement based on the middle classes. The Congress would have found it easier to engage in an undaunted struggle against communalism if its social and ideological base had been shifted from the petty bourgeoisie to the peasantry and the working class .There was also the need to initiate an intense ideological and political campaign among the petty bourgeoisie. 1 (Bipan Chandra, 'Communalism as False Consciousness' in Sudipta Kaviraj, (ed), p. 303).

NSOU ? GE-PS-11 142 17.5 Opposition to Communalism

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There was hardly any communalism in India before the last quarter of the 19 th century. Both communities had fought together in the revolt of 1857.

With the introduction of mass politics in India by the Swadeshi movement, the British Government was compelled to offer some constitutional concessions.

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The communalists also realized that they had to enter the political arena. The All India Muslim League was founded by a group of big zamindars and Muslim leaders like the Nawab of Dacca,

Aga Khan in 1907.

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The organization supported the partition of Bengal, demanded separate electorates and safeguards for Muslims in government services.

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One of the major objectives of the Muslim League was to restrain the emerging intellectuals among Muslims from joining the Congress.

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From the 1870s, a section of Hindu zamindars and middle class professionals began to propagate anti Muslim sentiments.

In U.P. and Bihar they declared that Urdu was the language of the Muslims and Hindi of Hindus. In the early 1890s anti-cow slaughter propaganda was undertaken not against the British but against the Muslims. The leaders of the Punjab Hindu Sabha, founded in 1909

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directed their anger against the Congress for trying to unite Indians into a single nation and for sacrificing Hindu interests to appease Muslims.

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The first session of the Hindu Mahasabha was held in 1915 under the presidency of Maharaja of Kasim Bazar.

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Landlords and traditional religious priests, whether Hindu or Muslim were supporters of colonial power. But while among Hindus they were losing their leadership position they continued to dominate among Muslims.

Colonial underdevelopment and the crisis of the colonial economy in the 1920s and 1930s created a fertile ground for the rapid growth of communalism. The colonial agrarian structure also led to the peasants' struggles against landlords and moneylenders being given a communal form in several parts of the country. The colonial political structure and policies provided the ground on which communal politics could flourish. There was no permanent solution to the communal problem within the existing colonial social framework. It was impossible to put an end to communalism without the overthrow of colonialism and the colonial state. In 1907 Morley-Minto reforms introduced separate electorates where

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the voters were exclusively the followers of one religion, so the candidates

could make communal appeals and in turn, voters were trained to think and vote communally. The

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communalists justified their communalism by arguing that they were reacting to the communalism provoked by

the

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other community. The younger Muslim intellectuals were soon dissatisfied with the anti-Hindu mentality of the upper class leaders of the Muslim League. They

began to be influenced by the modern and nationalist ideas. There emerged a broad political unity among the Congress and Muslim League due to the important role played by Bal Gangadhar Tilak and M.A.Jinnah. They signed the Lucknow NSOU ? GE-PS-11 143 pact in 1916 that

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accepted separate electorates and reservation of seats for the minorities in the legislatures.

The pact thus opened

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the future resurgence of communalism in Indian politics. The nationalist movement and Hindu-Muslim unity strengthened after World War I during the agitation against the Rowlatt Acts, Khilafat and Non-Cooperation movements.

The Non-Cooperation movement was withdrawn in February 1922 and after 1922

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the country was plunged into communal riots. The Muslim League became active again and the upper class leaders with their communal ideology became predominant. The Hindu Mahasabha was revived in 1923 and began to preach anti-Muslim sentiments.

The Hindu and the Muslim

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communalists tried to inculcate the psychology of fear among Hindus and Muslims.

Mahatma Gandhi looked for a principle that could bind people with different faiths together. This principle he found in the doctrine of sarva dharma sambhava which implies equality of all religions. 17.6 Role of the Muslim League

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The nationalist leadership made serious efforts to oppose communal forces but was not able to evolve an effective line of action.

They tried to negotiate with the communal leaders. The Nehru report drafted by an all-parties committee

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recommended that India should be a federation on the basis of linguistic provinces and provincial autonomy, elections be held on the basis of joint electorates and reservation of seats for religious minorities in proportion to their population. The report

could not be approved unanimously at the Calcutta convention. Jinnah declared

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that the Nehru Report represented Hindu interests. He consolidated all communal demands made by different communal organizations at different times into a single document which became known as Jinnah's Fourteen Points.

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This strategy of trying to solve communal problem through an agreement

between different communities failed and there were certain weaknesses. Moreover impression was gaining ground that, by negotiating with communal leaders the Congress legitimized communal politics. On the contrary,

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negotiations with Muslim communal leaders weakened the position of secular

Muslims also. The real need of the hour was a comprehensive opposition to communalism in all domains like ideological, cultural, social and political; a strong

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political-ideological struggle had to be waged against communalism and communal forces.

As

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the Hindu communalists enjoyed little support, the support base of the Muslim communalists was also narrow. The

reaction to the Simon Commission revealed the weakness of communal forces. The emerging peasant, trade union and youth movements were fully secular.

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During the Round Table Conferences of the early 1930s the communalists joined hands with the most reactionary sections of the British. Both the Hindu and Muslim communalists NSOU ? GE-PS-11 144 tried to win the support of British to defend their communal interests.

But most of the Hindu and Muslim intelligentsia, peasants and workers joined the mainstream nationalism in the early 1930s. Meanwhile, in 1932, the British Government announced the Communal Award that accepted most of the Muslim communal demands. After 1937 communalism became the only policy of divide and rule of

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the colonial power. The outbreak of World War II further strengthened the reliance on communalism. The Congress withdrew its ministers and demanded that the British make a declaration about complete freedom after the war. The Muslim League

was recognized as the only spokesperson for Muslims. It was said that freedom could not be given so long as Hindus and Muslims did not unite.

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The Muslim League agreed to collaborate with the colonial authorities. The Hindu Mahasabha and other Hindu and Sikh communal organizations also offered

their support to the British government during the War. Both the Hindu Mahasabha and the Muslim League

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had incorporated most of the nationalist programme and Congress policies, except the agrarian policy, in their election manifestoes.

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The Congress till 1937 had permitted both Hindu and Muslim liberal communalists to work within the organization. Under the leadership of Jawaharlal Nehru and Left's pressure the Congress began to attack the communalists

and expel them from the Congress. In 1924 M.A.Jinnah revived the Muslim League in order to safeguard the interests and rights of the Muslims. He declared that Muslims should organize themselves for the protection of their community. But he was alienated from the nationalist stream. The younger generations among Muslim were increasingly shifting to nationalist and left politics. Jinnah decided to stay in Britain. But he returned in 1936 and advocated Hindu-Muslim cooperation. The Muslim League fought elections in 1937 on a semi-nationalist programme, but the poor results showed that his assumptions were wrong. He decided to build mass politics on the alarm of Islam in danger and also the danger of Hindu raj. In 1946 asking Muslims to vote for the Muslim League he said that the Muslims

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will be reduced to the status of Sudras and Islam will be

subjugated in India. The Muslim communalists now launched a dangerous campaign against nationalist Muslims like Maulana Abul Kalam Azad. Religion was now brought into the forefront of propaganda.

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The Hindu Mahasabha made a turn in the fascist direction under V.D.Savarkar's leadership

and the RSS from the very beginning organized on fascist lines.

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V.D. Savarkar warned Hindus of the dangers of being dominated by

the Muslims. The RSS attacked Muslims and Congress leaders during 1946-47. M.S. Golwalkar, head of the RSS, said in 1947,

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those who declared no swaraj without Hindu Muslim unity have thus perpetrated the greatest treason on our society.

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The Hindu communalists also tried to raise the cries of 'Hinduism in danger.'

Such campaigns of fear and hatred carried on by the communalists resulted

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in the Calcutta killings of August 1946 in which more than 5,000 lost their lives.

Jinnah said

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in his Presidential address to the Constituent Assembly of Pakistan on 11 August 1947, 'You may belong to any religion or caste or creed-that has nothing to do with the business of the State...We are starting with this fundamental principle that we are all citizens and equal citizens of one State...I think...

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and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.' 2 (

M.A. Jinnah, 1964, Speeches and Writings, pp-403-4)., But it was too late. India's Partition not only divided India but would do harm to Muslims of Pakistan.

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It is very important to note that Jinnah refused to tell the Congress leaders the demands whose acceptance would satisfy him.

He raised an absurd voice

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that the Congress should first renounce its secular character and declare it a Hindu communal body and accept the Muslim League as the sole representative of the Muslims. The

motive towards Pakistan was inevitable and the only alternative was to reject communal politics. Jinnah and the Muslim League propagated

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that Hindus and Muslims were two separate nations which must have separate countries. Hindu communalism also had moved in the same direction

but not in the form of a demand for a separate homeland. Communalism is an ideology that must

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be confronted and opposed. The failure to do so was the weakness of the Congress and the national movement. The Communists tried to appease the Muslim League from 1942-46

but failed and lost some of their members to Muslim communalism. The Congress and the Left thought that liberal communalists could be persuaded to fight extreme communalists. Liberal communalists like Madan Mohan

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Malaviya, Shyama Prasad Mukherjee and N.C.Chatterjee failed to oppose V.D. Savarkar or the RSS. Similarly, the liberal Muhammad Iqbal or other Muslims did not have the courage to oppose the communal campaign of hatred. 17.7

Conclusion In 1947 when the Congress was forced to accept partition of the country, perhaps, there was no other alternative at that time. Communalism had advanced too far. Despite the Congress'

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commitment to secularism, Gandhiji's constant emphasis on Hindu-Muslim unity and Nehru's sharp analysis of the socio-economic roots of communalism, the Indian nationalists failed to organize a mass ideological

and political movement against all types of communalism.

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The Congress relied too much on negotiations with the communalists and failed to evolve a long term strategy to combat communalism.

Finally, two new Dominions, India and Pakistan were born, ushering in political freedom to 400 million people, constituting one-fifth of the human race. Some people thought that partition of the country would bring about a lasting solution to the communal problems in India and this social evil would be wiped out of our society forever. NSOU ? GE-PS-11 146 It was hoped that the state would secularize and democratize the Indian society and after achievement of Independence religious antagonism and communalism would disappear from the country. It is, necessary to eliminate the social conditions which favour the growth of communalism. It is significant that most of the Indian political parties and intellectuals have not been communal. This has prevented the growth of communalism and has kept India secular. The Indian state has been basically secular and opposed to communalism so far. 17.8 Summing Up ? Communalism is the belief that because a group of people follow a particular religion they have common, social, political and economic interest. ? The communalist assumes that the most meaningful distinction among the Indian people in social, cultural, economic and political issues is to be made on the basis of religious communities. The communalist not only failed to represent national interests, he did not even represent the interests of the community he claims to represent. ? Under the British rule communalism was the exploitation of religion by the rulers for a political purpose, for provoking mass conflict between Hindus and Muslims for the purpose of weakening the freedom movement of the country. Before the British rule there was no record of Hindu-Muslim riots or communal tensions. ? Communalism was an instrument of colonial domination. Colonialism provided the social structure which produced communalism. Communalism arose as a result of British colonial impact. ? The national movement and the intelligentsia worked for the long term radical solution by the overthrow of colonialism. ? The middle class tendency to think and act communally tended to weaken the nationalist struggle for secularism and against communalism. Jawaharlal Nehru correctly observed that communalism was an inherent weakness of a nationalist movement based on the middle classes. ?

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The All India Muslim League was founded by a group of big zamindars and Muslim leaders like the Nawab of Dacca, Aga Khan in 1907.

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The organization supported the partition of Bengal, demanded separate electorates and safeguards for Muslims in government services. ?

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The Lucknow pact in 1916 accepted separate electorates and reservation of seats for the minorities in the legislatures.

The pact thus opened the future resurgence of communalism in Indian politics.

NSOU ? GE-PS-11 147 ? Mahatma Gandhi looked for a principle that could bind people with different faiths together. This principle he found in the doctrine of sarva dharma sambhava which implies equality of all religions. ? In 1932, the British Government announced the Communal Award that accepted most of the Muslim communal demands. After 1937 communalism became the only policy of divide and rule of the colonial power. ?

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The Hindu Mahasabha made a turn in the fascist direction under V.D. Savarkar's leadership.

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V.D.Savarkar warned Hindus of the dangers of being dominated by

the Muslims. ? Jinnah and the Muslim League propagated

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that Hindus and Muslims were two separate nations which must have separate

countries. ? Finally, two new Dominions, India and Pakistan were born. ? It is, necessary to eliminate the social conditions which favour the growth of communalism. The Indian state has been basically secular and opposed to communalism so far. 17.9 Probable Questions Essay Type Questions: 1. Do you think that the British rule was responsible for the spread of communalism in India? Give reasons. 2. Do you think that communalism was an instrument of colonial domination? Argue your case. 3. 'The colonial political structure and policies provided the ground on which communal politics could flourish'-Explain Long Questions: 1. Explain the emergence of communalism in British India. 2. Evaluate the role of the Congress and Muslim League in the context of communalism in British India. 3. Analyse the challenges faced by the communal forces in British India. Short Questions: 1. What is the meaning of communalism? 2. Mention the basic thrust of communalism. 3. Discuss the spread of communalism in British India.

NSOU ? GE-PS-11 148 17.10 Further Reading 1. Chandra, Bipan, Communalism in

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Unit 18 : The Two-Nation Theory Structure 18.1 Objective 18.2 Introduction 18.3 Meaning of Two-Nation Theory 18.4 Sir Syed Ahmed Khan and Two-Nation Theory 18.5 Muhammad Iqbal and Two-Nation Theory 18.6 Muhammad Ali Jinnah and Two-Nation Theory 18.7 Congress Views 18.8 Conclusion 18.9 Summing Up 18.10 Probable Questions 18.11 Further Reading 18.1 Objective ? To unearth the meaning of Two-Nation theory ? To study the contribution of Sir Syed Ahmed Khan, Muhammad Iqbal and Muhammad Ali Jinnah to the creation of the Two-Nation theory ? To show how the Congress leadership looked at the Two-Nation theory 18.2 Introduction The Two-Nation theory was a concept that emphasized a separate state for the Muslims in the sub-continent. History clearly shows that after the advent of Islam in the sub- continent, Muslim nationalism evolved as Muslims and Hindus could not co-exist without nationalism rearing its head. The Bhakti movement, Deen-e-Ilahi and other similar ideologies which tried to synthesize Islam and Hinduism prompted Muslim scholars to attempt to preserve the purity of Islam. After the British occupation of the sub-continent, the domination by the Hindus, backwardness of the Muslims and the threat for their survival coupled with sporadic clashes between the Hindus and the Muslims led to the emergence of the Two- Nation theory. The theory described the Muslims as a nation with different culture, heritage,

NSOU ? GE-PS-11 150 values and civilization. The Congress party wanted India to remain united as a secular state with equality for followers of all religious denominations but failed to forge a unity among the Muslims and the Hindus. The British colonial rulers encouraged this disunity by all means. As a result, the Two-Nation theory culminated in the partition of India into two separate and independent countries- India and Pakistan. 18.3 Meaning of Two-Nation Theory The two-nation theory means that cultural, political, religious, social and economic disparities between the two major communities, Hindus and Muslims. These differences of outlook were greatly instrumental in giving rise to two distinct political ideologies which were responsible for the partition of the subcontinent into two independent states. This theory means that the Hindus and the Muslims are two different nations and on the basis of this theory demand for two separate countries emerged. The concept of Muslims as a nation developed before the formation of Pakistan. A strong Muslim community had emerged in India who had its own way of life and culture. The British won over the Muslim rulers due to the industrial developments and modern war techniques. In general, the British Government and commentators made it a point of speaking of an Indian nation. Since Indians were not a nation, they were not capable of a national self-government. The Muslim scholars sought to reform the teaching of Islamic Law and to promote its application in a Muslim society. One of such prominent name among them is Sir Syed Ahmad Khan, who, through his educational drive; the Aligarh movement awakened and guided his community for social mobility under colonial rule. He thought, the Muslims were not in a position to involve into the anti-government activities. So he advised the Muslims not to join the Indian National Congress founded in 1885. He argued that modern education and non-political activities might be the key to Muslim advancement. He, in 1883,talked of two different nations, 'Friends, in India there live two prominent nations which are distinguished by the names of Hindus and Mussulmans. Just as a man has some principal organs, similarly these two nations are like the principal limbs of India.' 1 (Ram Chandra Guha, Makers of Modern India, HUP, 2011, p-65).

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The two-nation theory asserted that India was not a nation,

Hindus and Muslims of Indian subcontinent were each a nation, despite variations in language and culture within each of the groups. This theory asserts that that

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the concept of nation in the East was different from that in the West.

It also asserted that

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a Muslim of one country has more sympathies with a Muslim living in another country than with a non-Muslim living in the same country.

NSOU ? GE-PS-11 151 18.4 Sir Syed Ahmed Khan and Two-Nation Theory Sir Syed Ahmed Khan believed in Indian Nationalism but later due to Hindi-Urdu controversy he began to advocate the two-nation theory. In 1873, he declared that he did not care for religion to be regarded as the symbol of nationhood. He advocated separation between religious and political matters. When he was a member of the Viceroy's legislative council he stood for the welfare of both Hindus and Muslims. Before 1884, Sir Syed Ahmed Khan committed to unite Muslims and Hindus. He said in a speech at Patna on January 27, 1883: "...Just as the high caste of Hindus came and settled down in this land once, forgot where their earlier home was and considered India to be their own country, the Muslims also did exactly the same thing-they also left their climes hundreds of years ago and they also regard this land of India as their very own...But my Hindu brethren and my Muslim co-religionists breathe the same air, drink the water of the sacred Ganga and the Jamuna, eat the products of the earth which God has given to this country, live and die together...I say with conviction that if we were to disregard for a moment our conception of Godhead, then in all matters of everyday life the Hindus and Muslims really belong to one nation...and the progress of the country is possible only if we have a union of hearts, mutual sympathy and love...I have always said that our land of India is like a newly wedded bride whose two beautiful and luminous eyes are the Hindus and the Musalmans; if the two exist in mutual concord the bride will remain forever resplendent and becoming, while if they make up their mind to see in different directions the bride is bound to become squinted and even partially blind." 2 (V.P. Verma, Modern Indian Political Thought, 1961, p- 424). In Legislative Council, he was always eager for prosperity for the nation. He was the first to argue that the 1857 revolt had been caused by the indifference of the East India Company to the economic plight of the common people and the failure to grant Indians some form of advisory representation in the council. Later on there was a remarkable change in his attitude. He made the Muslims realize that they are separate nation. They should demand for separate country of their own. He was the first Muslim leader who used the word 'Nation' for the Muslims of sub-continent. He observed that in India there exist two nations, the Hindus and Muslims. They could not live together and gradually the hostility between the two nations would grow. He argued that Hindus and Muslims are two separate nations because their religion, culture and history were different from each other. He was the staunch believer and eminent voice behind two nation theory. He became suspicious of the Indian National Congress and advised Muslim community to keep distance from it. In 1888, in a critical assessment

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of the Indian National Congress, observed that the aims and objectives of the Indian National Congress

are based upon an ignorance of history and present politics. India is inhabited by different

NSOU ? GE-PS-11 152 nationalities. The Congress thinks that they profess the same religion and speak the same language, but such views are dangerous for all the nationalities of India, especially for the Muslims. He felt that the Muslims should concentrate on their educational advancement and he founded the Educational Congress in 1888. The Mohammedan Anglo-Oriental Defence Association was loyalist in its declared objectives and was committed to the prevention of political agitation among the Muslims. In spite of his advice, several Muslims like Badruddin Tyebji joined the Indian National Congress. 18.5 Muhammad Iqbal and Two-Nation theory Muhammad Iqbal was a great poet and his life seems to be a life of complete turnaround due to the factors apparently having roots in the policy of divide and rule followed by the colonial rulers from the beginning of the twentieth century in India. His stay in Europe proved to be a turning point in moulding his intellectual orientation towards various aspects of both local and global events. After his return from Europe, he was not very interested in politics. For instance, when the All India Muslim League session held in Lahore in 1920, he did not attend it though the meeting was held just opposite his residence. He entered into politics in 1925, when he contested and won the election to three Punjab Legislative Council and remained a member till 1928. He presided over the Allahabad session of the All India Muslim League in 1930. He advocated the idea of two separate administrative areas in India, one for Muslims and one for Hindus as a solution of differences between the two communities. Muhammad Iqbal remained an admirer of Indian nationalism till his departure for Europe in 1905. However, due to various influences of European ideas and incidents; he developed a love for Islamic religion and began to shape his ideas on the lines of pan-Islamism. Initially he was a poet of Indian nationalism, for example, Sare Jahan se Achcha Hindustan Hamara, represented the voice of Indian nationalists. In another poem, Naya Shivala, he was categorical in calling upon his countrymen to consolidate their affection for Indianness by discarding their parochial outlook and developing a broader perspective on India. Iqbal's love for nationalism as reflected in his poems, gradually disappeared by the seemingly negative policies of various European countries towards Muslims in certain parts of the world. He started to denounce European values such as territorial nationalism and secularism. He also criticized Machiavelli for arguing separation of politics and religion. To him, nationalism was a subtle form of idolatry. He wrote that when he realized that the conception of nationalism based on the differences of race and country, appeared more prominent than the world of Islam and the Muslims were in danger of giving up the universality of their ideal in favour of narrow patriotism and false nationalism, he felt it his duty to create awareness

NSOU ? GE-PS-11 153 about the dangers of nationalism. He had started arguing for a pan-Islamic world view aimed at bringing about a sort of fraternity and unity amongst Muslims. He felt that the destiny of the Muslims in India lay in the formation of a state for themselves. He had no sympathy with any political ideology that, in the name of idealism, would seek to annihilate their cultural entity. He regarded the Muslims as an 'All-India minority' and called them a nation. He was opposed to Indian nation as the plan for domination by the majority. He supported the Communal Award. Iqbal became an advocate of the consolidated North-West Indian Muslim State. This proposal had been placed before the Nehru Committee in 1928 but was rejected. He felt that in a United India there was no future for the Muslims. As the President of the Muslim League Session in Allahabad, he said on December 29, 1930: "To base a constitution on the conception of a homogeneous India, or to apply to India the principles dictated by British democratic sentiments, is unwittingly to prepare her for a civil war." 3 (Ibid, p-450). He was of the opinion that the problem of India was not national, but international. He proposed the formation of a 'consolidated Muslim State'. In 1933, he indicated at the redistribution of the country on the basis of religious, historical and cultural affinities. He had suggested in his letter to Jinnah on May 28, 1937 that in order to solve Muslim India's problems, it would be necessary to redistribute the country and to provide one or more Muslim states with absolute majorities. He is to be considered the spiritual father of the Pakistani ideology. 18.6 Muhammad Ali Jinnah and Two-Nation theory Muhammad Ali Jinnah refused to accept Jawaharlal Nehru's notion that there are only two forces in India, British imperialism and Indian nationalism as represented by the Indian National Congress. He reminded Nehru that there was another party, the 'Muslim League' which alone had the right to represent the Muslims of India. He said in his speech on 15 October, 1937 that the majority community has clearly shown that Hindustan is clearly for the Hindus. He was convinced that the Hindu majority wanted to coerce and dominate the Muslims. Jinnah traced the origin of the idea of Pakistan to Iqbal. "The idea of Pakistan, it is well known, originated in the brain of the late Hazrat Allma Iqbal. He was the mouthpiece of the highest aspirations of his people." 4 (A.R. Desai, Social Background of Indian Nationalism, 1948, p- 391). Iqbal had said in his address to the Muslim League in 1930 "I would like to see the Punjab, North- West Frontier Province, Sind and Baluchistan, amalgamated into a single state. Self-government within the British Empire or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the

NSOU ? GE-PS-11 154 Muslims at least the North-West India." 5 (Ibid, p-391). He wrote to Iqbal that why not the Muslims of North-West India and Bengal should be considered as nation entitled to self- determination just as other nations both in and outside India. He was convinced that the Muslims of India could never live with Hindus. He knew that Hindus would not tolerate the Muslims when the British would leave. He observed in 1940 that the British being Christian sometime forget the religious wars of their own history and today consider religion as a private and personal matter between man and God. But this can never be the fact in Islam and Hinduism. Both these have definite social codes. Addressing a historic public meeting; he said that it has always been taken for granted that the Muslims are a minority, but, they are a nation by any definition of a nation. Hindu

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and Muslims belong to two religion, social customs and literatures. They neither marry nor inter dine and belong to different civilizations which are based on conflicting ideas.

He said that Muslims are nation according to any definition of nation and they must have their homeland and state. He said "The problem in India is not of an inter-communal character, but manifestly of an international one, and it must be treated as such. So long as this basic and fundamental truth is not realized, any constitution that may be built will result in disaster...If the British government are really eager and sincere to secure peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by dividing India into two autonomous national states."He further declared that the Hindus and the Muslims could not be welded into a single Indian nation. He said, "

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It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religious in the strict sense of the word but are, infact, different and distinct social orders and it is a dream that the Hindus and Muslims can ever evolve a common nationality...

The Hindus and Muslims have two different religious philosophies...

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It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics,

their heroes are different...

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To yoke together two such nations under a single state ,one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built for the government of such a state." "

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Muslim India cannot accept any constitution which must necessarily result in a Hindu majority government. Hindus and Muslims brought together under a democratic system forced upon the minorities can only mean Hindu Raj.Democracy of

the kind with which the Congress High Command is enamoured

would mean the complete destruction of what is most precious in Islam." 6 (

Ibid, pp-391-92). The Muslims of the subcontinent responded very well to the Lahore Resolution of 1940. The demand for Pakistan presented the concept of a separate and independent Islamic state where the Muslims were absolutely free to live according to their religion. Jinnah said in an interview to London News Chronicle in 1944 that only realistic way to resolve

NSOU ? GE-PS-11 155 Hindu-Muslim differences is to divide India into two sovereign parts of Pakistan and Hindustan. Jinnah organized a demoralized group in a unified and determined whole within a short span of time. He founded a new country on the basis of an idea, that British India's Muslim needed a country of their own in which they could not only practice their religion but develop their culture and society without any hindrance. He believed that the Muslims in spite of their close proximity with the Hindus never lost their separate identity because most of the time after the arrival of Islam into South Asia, India was ruled by the Muslims. The protagonists of Pakistan rejected the scheme of a federal state for India with a central executive responsible to a central legislature retaining control over matters like defence, foreign affairs etc. They declared that a central legislature would be dominated by a Hindu majority since the Hindus formed the majority of the Indian people. Though the Muslim League had still not published any authoritative scheme giving a concrete and detailed idea of the nature of the autonomous sovereign Muslim state, individual Muslim intellectuals had evolved and published their own scheme. These schemes had one thing common regarding the basic premise that Hindus and Muslims in India were two distinct nations. Islamic ideology is the philosophy underlying Two Nation theory. Pakistan is a state founded on ideological basis and not on the territorial grounds. The Two Nation theory became a reality with distinct ideology called Pakistan ideology. Jinnah was not only a staunch believer and supporter of Two Nation theory, but also the founder of the state of Pakistan. 18.7 Congress Views The Indian National Congress, under the Liberal and Militant Nationalists like Bal Gangadhar Tilak, Bipin Chandra Pal and Aurobindo Ghose always held the view that the Indians were a homogeneous nation. Mahatma Gandhi and other leaders also continued to express the same view with an emphasis that the interests of the minority communities, depressed classes and others should be adequately safeguarded. The Congress leaders were opposed to the principle and system of separate communal electorates. However, in the interests of the Hindu-Muslim unity; they conceded the demands of the Muslims and the depressed classes for separate electorates or the reservation of seats. The Congress-League Pact of 1916 and Gandhi's concession to the Depressed Classes regarding legislative seats in 1933 were two such instances. However, the Congress had not officially considered the Indian Muslims as a separate nation. The Congress believed that the Indians as a whole constituted the Indian nation. It criticized the existing division of India into various provinces created by the British as not corresponding to the different linguistic groups. The Congress was in favour of

NSOU ? GE-PS-11 156 a federal state structure for India in recognition of the linguistic and provincial-cultural heterogeneity of the Indian nation. The Working Committee of the Congress passed a resolution at its Delhi session in 1942 in which it declared that no territorial unit would be forced to join the Indian Union against its will. Gandhiji and other leaders of the Congress did not accept the Muslim League's theory that the Indian Muslims formed a nation. They did not accept religion as the determinant of a nation. Gandhiji remarked: "The two-nation theory is an untruth. The vast majority of Muslims of India are converts to Islam or are descendants of converts. They did not become a nation as soon as they became converts. A Bengali Muslim speaks the same tongue that a Bengali Hindu does, eats the same food, and has the same amusements as his Hindu neighbour. They dress alike...The same phenomenon is observable more or less in the South among the poor who constitute the masses of India...The Hindu law of inheritance governs many Muslim groups...Hindus and Muslims of India are not two nations. Those whom God has made one, man will never be able to divide." He also expressed that "We are not two nations...We in India have a common culture. In the North, Hindi and Urdu are understood by both Hindus and Moslems .In Madras, Hindus and Moslems speak Tamil ,and in Bengal they both speak Bengali and neither Hindi or Urdu. When communal riots break out, they are always provoked by incidents over cows and by religious processions. That means that it is our superstitions that create the trouble and not our separate nationalities." 7 (Ibid, p-394). He blamed the British government for the Hindu-Muslim division to a great degree. However; he was convinced that if the Indian Muslims became determined to separate, no power could prevent them from doing so. He said, "I know no non-violent method of compelling the obedience of nine crores Muslims to the will of the rest of India, however powerful a majority the rest may represent. The Muslims must have the same right of self-determination that the rest of India has. Any member may claim a division. 8 (Ibid, p- 365). 18.8 Conclusion On the basis of the two-nation theory, India for Hindus and Pakistan for Muslims, India had accepted partition much against its will and ideal simply to accommodate the interests of all. It was a mistaken concept that two different religious communities cannot live peacefully in the same land. True religion does not divide or separate humanity. Pakistan was created on the basis that Hindus and Muslims are different people and cannot live in peace. As a result of Partition of India on the basis of the two-nation theory, millions had to leave their homes because of compulsions of the circumstances. The Partition of India and creation of Pakistan on the basis of two-nation theory is an outcome of British diplomacy-"divide and rule". Indian subcontinent is being destabilized.

NSOU ? GE-PS-11 157 This unfortunate division has unleashed a plethora of misfortunes. Maulana Abul Kalam Azad preferred Hindu Muslim unity even to Swaraj. As Muhammad Iqbal said that religion does not teach to be enemy to each other. All Indians belong to one country and India is one. But when he propounded the two-nation theory, he confined himself to the narrow boundary of religious bigotry. Pakistan's advocacy of a two-nation theory explains the hostile relation between the two countries. Jinnah said that Muslims and Hindus are two major nations by any definition with distinctive culture and civilization and distinctive outlook on life. So the main thing was to split up not only a state but a nation. Jinnah discovered that Muslims and Hindus were not two communities but two nations, coexisting under British rule. He held that with the British withdrawal each nation should separately exist in its own homeland. His two-nation theory was supposed to provide the ideological and philosophical foundation to Pakistani Muslims in India. The two-nation theory is socially reactionary and was never accepted by the Congress prior to independence and has been rejected by the Indian Constitution. This theory is based on an irrational assumption that religion makes a nation. The existence of several multi-cultural, multi-religious and multi-lingual nations in the world proves that the concept of nation has no direct relation with the concept of religion. Gandhiji expressed his vehement opposition to the two-nation theory and declared that Pakistan would be born over his dead body. In his philosophy difference in religion was totally immaterial. He believed that this doctrine would ultimately mean disaster for India and Pakistan and that was proved to be true. The genesis of two-nation theory was purely political. The Hindus and Muslims have lived together for centuries. The ideology of two-nation theory began to collapse immediately after Partition. It has neither ensured peaceful coexistence nor has it resulted into Hindu- Muslim unity. 18.9 Summing Up The two-nation theory held that, Hindus and Muslims were inherently separate people and as separate nations they require their own individual states. Sir Syed Ahmed Khan's political views are: ? India was inhabited by a vast population of different races and creeds. Among these, Hindus and Muslims were the major nations on the basis of nationality, religion, culture and historical traditions. ? After the British, they could not share the political power equally. ? The Indian National Congress was not acceptable to the Muslims.

NSOU ? GE-PS-11 158 ? There would be a disastrous civil war if the Congress persisted in its policy of uniting together the two nations. Muhammad Iqbal's views on two-nations are: ? Muhammad Iqbal remained an admirer of Indian nationalism till his departure for Europe in 1905. However, due to various influences of European ideas and incidents; he developed a love for Islamic religion and began to shape his ideas on the lines of pan-Islamism. ? He had started arguing for a pan-Islamic world view aimed at bringing about a sort of fraternity and unity amongst Muslims. M.A. Jinnah's views: ? Jinnah believed that the Muslims are not a minority, but, they are a nation by any definition of a nation. ? The Hindus and the Muslims could not be welded into a single Indian nation. ? The Muslims of the subcontinent responded very well to the Lahore Resolution of 1940. The demand for Pakistan presented the concept of a separate and independent Islamic state where the Muslims were absolutely free to live according to their religion. ? The Two Nation theory became a reality with distinct ideology called Pakistan ideology. Jinnah was not only a staunch believer and supporter of Two Nation theory, but also the founder of the state of Pakistan. ? The Partition of India and creation of Pakistan on the basis of two-nation theory is an outcome of British diplomacy- "divide and rule". ? The Indian National Congress always held the view that the Indians were a homogeneous nation. Mahatma Gandhi and other leaders also continued to express the same view with an emphasis that the interests of the minority communities should be adequately safeguarded. The Congress believed that the Indians as a whole constituted the Indian nation. 18.10 Probable Questions Essay Type Questions: 1. Critically examine the two-nation theory. 2. Evaluate Muhammad Ali Jinnah as a staunch believer and supporter of two-nation theory. 3. Critically examine the views of the Indian National Congress and Muhammad Ali Jinnah regarding two-nation theory.

NSOU ? GE-PS-11 159 Long Questions: 1. Discuss the differences between Syed Ahmed Khan and Muhammad Ali Jinnah regarding two-nation theory. 2. Write a brief note on the demand for two separate countries which emerged on the basis of two-nation theory? 3. Make a comparative analysis of Muhammad Iqbal and Muhammad Ali Jinnah regarding two-nation theory. Short Questions: 1. What are the unique features of Syed Ahmed Khan's political views? 2. Discuss Muhammad Iqbal's views on Indian nationalism till 1905. 3. How did Muhammad Ali Jinnah trace the idea of Pakistan to Iqbal? 18.11 Further Reading 1. Chandra, Bipan, Communalism in

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Modern India, New Delhi: Vikas Publishing, 1984.. 2. Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin

Books, 1988. 3. Desai, A.R., Social Background of Indian Nationalism, Mumbai: Popular Prakashan, 1948. 4. Sarkar, Sumit, Modern India, New Delhi: Macmillan, 1983. 5. Varma, V.P., Modern Indian Political Thought, Agra: Lakshmi Narain Agarwal, 1961
Unit 19 : Negotiations over Partition Structure 19.1 Objective 19.2 Introduction 19.3 Demand for Transfer of Power 19.4 Cabinet Mission Plan 19.5 Simla Conference 19.6 The Mountbatten Plan 19.7 Congress and Partition 19.8 Conclusion 19.9 Summing Up 19.10 Probable Questions 19.11 Further Reading 19.1 Objective ? To deal with the demand made by various stakeholders for transfer of power. ? To study the initiatives taken by the British Colonial rulers in the form of the Cabinet Mission Plan, Simla Conference, Mountbatten Plan etc. to hand over power to the colonized people of India. ? To make an estimate of the Congress attitude towards partition. 19.2 Introduction Partition of India was a permanent scar inflicted by the British colonial rulers on India, the effects of which are being felt even today. It was a handiwork of the British but the political situation as it existed at that time was no less to blame. It was natural that the Colonial rulers had adopted the policy of 'divide and rule' to continue their rule in India. But the two major

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political parties, the Indian National Congress and the Muslim League

were also to blame as they failed to forge a unity between the Hindus and the Muslims and the British rulers took advantage of this disunity to the hilt. They even went to the extent of giving separate electorate to the Muslim minorities as provided by the Morley-Minto Reforms

NSOU ? GE-PS-11 161 Act, 1919 thus sowing the seeds of communalism in India. Hence, it can be said that the role played by the Indian National Congress, the Muslim League and the British colonial rulers shaped the course of independence in the sub-continent. As rulers, the British faced the increasing wrath of the Indians who fought them both peacefully and with arms. Pressurized thus, the British rulers decided to give independence to India but with partition of the country into two independent States- India and Pakistan. What follows is an account of the negotiations between the British rulers and the Indian people for the independence and partition of India. 19.3 Demand for Transfer of Power India achieved Independence under the Indian Independence Act; 1947. The country was divided, partitioned on the basis of the two-nation theory. For over a long period Muslims and non-Muslims had lived as neighbours and friends, the British imperialism forced them to raise differences around themselves and such differences were exploited by the British rulers. Partition was the most tragic outcome of the age old Hindu-Muslim rift. The Congress succeeded in building up nationalist consciousness that exerts pressure on the British to quit India but failed to integrate the Muslim into

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the nation. The British had used the policy of conciliation and repression to suppress the growing national movement.

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When non-violent movements were met with repression, the ultimate motive behind the government became exposed.

The brutal repression of the Quit India movement offended every section of the nationalist leaders. The government's refusal to release Gandhiji, even when he was

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close to death during his 21 day fast in February- March 1943 and its decision to go ahead with the INA trials further offended both liberals and loyalists.

When it became clear that British rule could not survive on the basis of repressive measures for long, a graceful transfer of power

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became the aim of British policy-makers. The British government realized that a settlement was a must for good relations

in future and to contain the mass movement.

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With the Congress demand being that the British quit India; the Cabinet Mission went to India in March 1946 to negotiate

transfer of power. 19.4 Cabinet Mission Plan

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The Congress demand was for transfer of power to one centre, with minorities' demands being worked out in a framework from autonomy to Muslim provinces to self-determination on secession from the Indian Union-but after the British quit. The British was in support for a united India, friendly with

them.

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The Cabinet Mission was convinced that Pakistan was not feasible and the autonomy of the minorities must be safeguarded within united India. The Mission Plan conceived three sections, A-Bombay, Madras, Bihar, Uttar Pradesh, C.P. and Orissa; B-consisting of Punjab, NWFP and Sind; C-Bengal and Assam. There would

NSOU ? GE-PS-11 162 be a centre in charge of

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defence, foreign affairs and communications. After the first general elections a province

would be established

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out of a group. After ten years a province could call for a reconsideration of the group or union constitution. Congress observed that a province need not wait till the first election to leave a group; it should have the option not to join it. The

Muslim

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League wanted provinces to have the right to question the Union constitution now, not wait for ten years.

Both the Congress and Muslim League interpreted the Cabinet

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Mission Plan in their own way.Sarder Patel maintained that the Mission's Plan was against Pakistan. The League

announced its acceptance of the Plan on 6 th June.

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Nehru asserted the Congress Working Committee's interpretation of the plan on 7 July 1946 'We are not bound by a single thing except that we have decided to go into the Constituent Assembly.' 1 (

Bipan Chandra, India's Struggle for Independence, 1988, p- 493). So the Government was in a dilemma,

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whether to form the Interim Government with the Congress or await League agreement to the plan. Though Lord Wavell had opted for the second

option but the Government

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argued that it was vital to get Congress cooperation. The Interim Government was formed on 2 nd September 1946 with Congress members with Nehru as

the head. The British in 1946 took a different stand from their earlier one of encouraging communal forces. However; Jinnah had no such intention to break with the past. Muslim communal groups with their slogan Lekarrahenge Pakistan, Larkelenge Pakistan provoked communal elements in Calcutta on 16 th August 1946. Hindu communal groups also retaliated and 5000 lives lost. Wavell persuaded

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the League into the Interim Government on 26 October 1946 though it had not accepted the Cabinet Mission Plan and had not given up its policy of Direct Action. 19.5

Simla Conference Any account of the political developments must begin with the Simla Conference which Lord Wavell called in June 1945. The importance of this conference consists not so much in any tangible results achieved as in marking the end of the stalemate in Indian politics. Throughout the period of the war the Government had concentrated on the war effort and postponed even the most pressing problems for consideration till after victory had been won. Lord Wavell felt that the tasks of the post-war period would be rendered easier if a working arrangement in the political sphere could be reached during the period of war. An interesting feature of the proposals made at the conference was that they were based upon a composite government at the Centre, held together on the principle of cooperation in the war effort. The failure of the Simla Conference was no isolated episode. In the summer of 1945 the will for a settlement was strong among all parties. The desire for a share in the practical control of administration was common to them all. One factor in the situation which was not fully taken into account at the time of Simla Conference was the unexpectedly early end of the war with Japan. The sudden end of the war precipitated a host of problems which NSOU ? GE-PS-11 163 had been held in suspense while the war lasted, and the Government was not ready to solve them. It was clear that a purely official Government of the old pattern could not possibly tackle these problems with any hope of success and this made a political settlement particularly urgent. The general elections which were held in India during 1945-46, were the first practical consequence of the breakdown of the Simla Conference. The results were not unexpected. The Muslim League swept the polls in Muslim constituencies practically all over the country, the only exception being the N.W.F.P.; and the Congress did the same in other constituencies. The Muslims and the non-Muslims were thus revealed as arrayed in two opposite ranks. Jinnah had realized that it was disastrous for the League to leave the administration in Congress hands. The

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League ministers questioned action taken by Congress members and refused to attend the informal meetings

called by Nehru.

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Their disruptionist tactics convince Congress of the futility of the Interim Government as an exercise in Congress-League cooperation.

The League demanded the dissolution of the Constituent Assembly on 9 th December 1946.

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The date for British withdrawal from India was fixed as 30 June 1948 and the appointment of new Viceroy, Lord Mountbatten was announced.

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Partition of the country was implied in the provision that if the Constituent Assembly was not fully representative power would be transferred to more than one government.

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The League not only refused to join the Constituent Assembly but also demanded its dissolution. Nehru appealed to Liaquat Ali Khan

that it is desirable not speak to each other from a distance but to face the issue in a cooperative manner. Lord Mountbatten was directed by the Government

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to explore the options of unity and division till October 1947after which he was to advise

the Government on the form of transfer of power. But he discovered that he had little choice as Jinnah was stubborn that the Muslims would only accept a sovereign state. Mountbatten failed to move Jinnah from his stand. Atlee

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wrote, 'We would have preferred a United India. We couldn't get it, though we tried hard. 2 (

Ibid, p-497).

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Mountbatten's objective was to divide India, the country would be partitioned but so would Punjab and Bengal.

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He got his Government's approval to his argument that Congress goodwill was vital if India was to remain in the Commonwealth. The Mountbatten Plan tried to execute an early transfer of power on the basis of Dominion Status to India and Pakistan. Congress was willing to accept Dominion Status for some time because it felt

that it must assume power with an immediate effect and meet boldly the explosive situation in the country. Dominion Status,

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for Britain, offered a chance of keeping India in the Commonwealth even if for a temporary period. Though Jinnah offered to bring Pakistan into the Commonwealth,

Britain was more interested in India's membership of the Commonwealth as they

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had a greater value of trade and investment in India. The early date for transfer of power, 15th August 1947 was

fixed in order to secure Congress agreement to Dominion Status and also Britain could escape responsibility for the rapidly deteriorating communal situation. The

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senior officials in India like the Punjab Governor, Jenkins, and the Commander-in-Chief, Auchinleck, felt that

the peaceful division could take
NSOU ? GE-PS-11 164 a few years.

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The Boundary Commission Award was ready by 12 th August, 1947 but Mountbatten decided to make it public after Independence Day

in order to avoid responsibility. In 1947, Gandhiji, Nehru and Patel were accepting only the

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inevitable because of the long term failure of the Congress to mobilize the Muslims into the nationalist movement and

to restrain the communal forces, especially since 1937.The League won 90 per cent Muslim seats,

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the Congress leaders felt by June 1947 that only an immediate transfer of power could forestall the spread of Direct Action and communal disturbances.

Patel

argued in the AICC meeting on 14 th June, 1947 that we have to face the fact that Pakistan was functioning in Punjab, Bengal and in the Interim Government. Nehru was dismayed at

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the Interim Government's powerlessness and the Bengal provincial Ministry's inaction and even connivance in riots. He wondered whether there was any point in continuing in the Interim Government while people were being killed indiscriminately. So immediate transfer of power would at least mean the setting up of a government which could exercise the control

over this extremely volatile situation.

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The acceptance of Partition in 1947 was the final step to the Muslim League's demand for a sovereign Muslim state. In 1942, at the time of Cripps Mission

autonomy of Muslim majority provinces was accepted. Gandhiji

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accepted the right of self-determination of Muslim majority provinces in his talks with Jinnah in 1944. In June 1946, Congress accepted the possibility of Muslim majority provinces

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setting up a separate Constituent Assembly, but opposed compulsory grouping and upheld the right of NWFP and Assam not to join their groups if they so want. But later Nehru said he would accept the ruling of the Federal Court on whether grouping was compulsory or optional. The Congress accepted the clarification by the British Cabinet that grouping was compulsory. In early March 1947 a resolution was passed in the Congress Working Committee that Punjab must be partitioned if the country was divided.

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While asserting the sovereignty of the Constituent Assembly, the Congress also accepted compulsory grouping and abandoned NWFP to Pakistan. The Congress leaders finally accepted Partition

also because of their failure to

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stop communal riots but they firmly expressed about not surrendering to the blackmail of violence. Nehru wrote to Wavell on 22nd August 1946: 'We are not going to shake hands with murder or allow it to determine the country's policy.' 3 (

Ibid, p-502). The surprising speed and success with which this was accomplished must be attributed to the method adopted by Lord Mountbatten in his negotiations. Briefly; this may be called as the method of open diplomacy. In the past the British Government had proceeded on the basis of unilateral pronouncements; it declared what it would be pleased to grant; the political parties could take or leave it. It is not surprising that in most cases they preferred to leave it. The technique Mountbatten adopted was to take political leaders into his confidence and by persuasion obtain their concurrence to his proposals. The British Government's statement of June 3 was prepared on this principle. Since both the parties had already accepted its essential features, they could not refuse to implement it. There still

NSOU ? GE-PS-11 165 remains the problem of partition to be solved and more difficult to be implemented. But in the process of working out the plan of division in detail Lord Mountbatten has been adopting the same technique of open diplomacy with remarkable success. The grant of Dominion Status, it has been explained, was forced upon the British Government for reasons connected with the Transfer of Power. Moreover, the Dominion Status is not a political condition which conforms to a rigid and definite pattern. There was

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another hope that after the British withdrawal differences would be resolved and a free India built jointly by both Hindus and Muslims. But communalism was no longer merely sustained by the British, now it was even defying the British. Another unreal belief was that Partition was temporary; it

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was reversible once communal feelings subsided. Gandhiji told that Pakistan could not exist for long if people refused to accept Partition in their hearts. Nehru wrote to Cariappa: 'But of one thing I am convinced that ultimately there will be a united and strong India. We have often to go through the valley of the shadow before we reach the sun-lit mountain tops.' 4 (

Ibid, p-502). The most unreal belief was that Partition would be peaceful without any riot and there was also no planning regarding transfer of population. Gandhiji

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at his prayer meeting on 4 th June 1947 explained that Congress accepted Partition because the people wanted it.

He said, '

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The demand has been granted because you asked for it. The Congress never asked for it...But the Congress can feel the pulse of the people. It realized that the Khalsa as also the Hindus desired it.' 5 (

Ibid, p-503). The Mountbatten Plan confronted him and he saw the inevitability of Partition. He

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asked Congress to accept Partition as an unavoidable necessity in the given situation but to fight it in the long run by not accepting it in their hearts. He

walked

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barefoot through the villages of Noakhali to prevent riots by persuasion and threats of a fast in Calcutta.

He prayed in Calcutta for an end to the bloodshed.

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A 'peaceful' transfer of power took place at the cost of Partition and a communal catastrophe. V.P. Menon, the senior bureaucrat

reported to the Viceroy that Congress was losing popularity and

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there were serious internal troubles in Congress and fear of the Left wing.

In February 1947 when Muslim League's

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refusal to join the Constituent Assembly and cooperate in Cabinet functioning led to a major political crisis, the

British Government was also quick to come forward. On 20 February 1947 Attlee in his famous speech fixed June 1948 as the dead-line for transfer of power. 19.6 The Mountbatten Plan

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The formula of freedom-with-Partition was coming to be widely accepted well before Mountbatten took over charge. The transfer of power on the basis of grant of Dominion Status

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was suggested not by Mountbatten, but by V.P. Menon to the Secretary of State in January 1947.

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Mountbatten was responsible for the break-neck speed at which the process of transfer was carried out.

He decided that the Cabinet Mission framework had become inadmissible and formulated an alternative plan that

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envisaged transfer of power to separate provinces with Bengal and Punjab being given the options to vote for partition of their provinces.

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Nehru reacted against this plan after Mountbatten informed him about it in Simla and V.P. Menon's suggestion of transfer to two central governments, India and Pakistan on the basis of Dominion Status was taken up.

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This became the basis of India Independence Act which was ratified by British Parliament and Monarchy on 18 July and implemented on 15 August.

Nehru's opposition was strong enough to make Mountbatten abandon his alternative plan-once again proved the potential strength of the Congress position. In Bengal, many in the Muslim

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League were not very eager to be ruled from Punjab, Suhrawardy and Abul Hashem proposed a plan for a united

and

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independent Bengal, which a few Congress leaders like Sarat Bose seemed prepared to consider.

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In the N.W.F.P., demands were being raised for a free Pathan state, and the local Congress leadership under Abdul Ghaffar Khan felt that such a slogan could counter the

Muslim League .But the provincial assemblies were compelled to choose between India and Pakistan by the 3 rd June plan.

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Though the existing N.W.F.P.assembly had a Congress majority and had voted in favour of joining the Constituent Assembly, a plebiscite was forced on the question of choice between joining India or Pakistan. The Congress protested but did not

insist on universal franchise or any choice for

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the independent Pakthoonistan option. The N.W.F.P Congress decided to boycott the plebiscite in protest and went to Pakistan by a vote of 50.99

per cent.

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The question of the future of the princely states became a fundamental issue. The more ambitious rulers like Hyderabad, Bhopal or Travancore were dreaming of independence that would keep them as autocratic as before and received encouragement from the Government till Mountbatten enforced a more realistic policy. Meanwhile, a new movement began in 1946-47 demanding political rights and elective representation in the Constituent Assembly.

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The Congress criticized the Cabinet Mission Plan for not providing for elected members from states. Nehru

declared at Gwalior session of the All India States Peoples' Conference in 1947

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that states refusing to join the Constituent Assembly would be treated as hostile.

By 15 th

August 1947, all states except Kashmir, Junagadh and Hyderabad had agreed to sign an Instrument of Accession with India accepting central authority over the three areas of defence, external affairs and communications.

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The more difficult process of integration of states with neighbouring provinces or into new units like Vindhya and Madhya Pradesh, Rajasthan or Himachal Pradesh along with internal constitutional changes

was also accomplished within a very short period.

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The rapid unification of India is Sardar Patel's achievement but

there was the potential presence of mass pressures also. During

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the last two and a half months of British rule,

Mountbatten Plan was executed at remarkable speed.

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The minority members of the Bengal and Punjab assemblies voted for partition; the Sind assembly opted for Pakistan.

Boundary lines were drawn with urgency by two Commissions who knew almost nothing about Indian conditions or geography.

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Muslims resented the loss of Gurdaspur in Punjab and of Murshidabad and Nadia in NSOU ? GE-PS-11 167 Bengal; Hindus and Sikhs that of Lahore and the Canal colonies, of Khulna and Chittagong Hill tracts. 6 (

Sumit Sarkar, Modern India, 1983, p-452).

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Mountbatten agreed to the Congress request to act as Governor General of the new Indian Dominion; but was prevented from assuming the same post in Pakistan. 19.7

Congress and Partition Freedom with Partition came to the sub-continent as

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a cruel choice between threat of violence, squeezing of economic opportunities or a forced tearing out of age-old roots to join the

refugees. Two new Dominions, India and Pakistan, were born ushering in political freedom to 400 million people. At a special session of the Indian Constituent Assembly, the House assumed full powers for the administration of the Indian Dominion. The Constituent Assembly passed Pandit Nehru's resolution prescribing the oath. All members took the oath and then Dr. Rajendra Prasad and Pandit Nehru left for Government House to request Lord Mountbatten to accept the post of Governor-General. The first Cabinet of the Indian Dominion was headed by Pandit Nehru. An assurance to the minorities in India that they would receive fair and just treatment and there would be no discrimination against them was made by Dr. Rajendra Prasad when he addressed the historic session of the House. It must be noted that

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the economic and social contradictions that had provided the deeper roots of popular anti-imperialism had not been resolved. The

British had gone but the bureaucracy and police continued with little change. Gandhiji

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had warned that the country still had to attain social, moral and economic independence in terms of its villages.

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The Congress as a political party should be dissolved and replaced by a Lok Sevak Sangh of genuinely dedicated constructive village workers.

Many committed leftists could not accept such independence. 19.8 Conclusion It became clear to the British rulers that it would not be possible for them to rule India through repressive measures for long. So they started to find ways for an amicable transfer of power. For this purpose, they sent a Cabinet Mission to India to negotiate the transfer of power. Although the Congress regarded the Cabinet Mission plan as against the creation of Pakistan, the Muslim League thought otherwise. It refused to take part in the interim government, a result of the failure of the Simla conference, headed by the Congress in 1946 despite efforts made by Lord Wavell. The League demanded the abolition of the Constituent Assembly and stuck to its demand for a separate State for the Muslims. Then came the Mountbatten Plan which was in favour of creating two dominions- India and Pakistan. Both the Congress and the Muslim League accepted the Plan as it ensured the creation of two independent dominions. Two Constituent Assemblies were created for two dominions. Nehru became the head of the Indian dominion and Jinnah of the Pakistan dominion.

NSOU ? GE-PS-11 168 Mountbatten became the new Viceroy and 15 th August, 1947 was fixed as the date of independence of the Indian dominion. A new State, Pakistan came into being on 14 th August, 1947. The Two-Nation theory succeeded to divide a country of continental proportions into two independent States but at a great human cost. On the other hand, the British colonial rulers succeeded politically in the sense that acrimony created between the Hindus and the Muslims during the British rule still lingers and stands in the way of cordial relations between the two neighbours. 19.9 Summing Up ? India achieved Independence under the Indian Independence Act; 1947 was partitioned on the basis of the two-nation theory. ?

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The British had used the policy of conciliation and repression to suppress the growing national movement.

It became clear that British rule could not survive on the basis of repressive measures for long; a graceful transfer of power became the aim of British policy-makers. The Cabinet Mission went to India in March 1946 to negotiate transfer of power. ? Both the Congress and Muslim League interpreted the Cabinet

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Mission Plan in their own way. Sardar Patel maintained that the Mission's Plan was against Pakistan. The League

announced its acceptance of the Plan on 6 th June.

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The Interim Government was formed on 2 nd September 1946 with Congress members with Nehru as

the head. Wavell persuaded

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the League into the Interim Government on 26 th October 1946 though it had not accepted the Cabinet Mission Plan and had not given up its policy of Direct Action. ? .The importance of

Simla Conference which Lord Wavell called in June 1945 consists not so much in any tangible results achieved as in marking the end of the stalemate in Indian politics. The general elections which were held in India during 1945-46, were the first practical consequence of the breakdown of the Simla Conference. ? Jinnah had realized that it was disastrous for the League to leave the administration in Congress hands. The League demanded the dissolution of the Constituent Assembly on 9 th December 1946.

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The date for British withdrawal from India was fixed as 30

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June 1948 and the appointment of new Viceroy, Lord Mountbatten was announced. ? The

Mountbatten Plan tried

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to execute an early transfer of power on the basis of Dominion Status to India and Pakistan. ?

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The early date for transfer of power, 15th August 1947 was

fixed in order to secure Congress agreement to Dominion Status and also Britain could escape responsibility for the rapidly deteriorating communal situation.

NSOU ? GE-PS-11 169 ? The acceptance of Partition in 1947 was the final step to the Muslim League's demand for a sovereign Muslim state. Gandhiji

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at his prayer meeting on 4 th June 1947 explained that Congress accepted Partition because the people wanted it. ?

Two new Dominions, India and Pakistan, were born ushering in political freedom to 400 million people. At a special session of the Indian Constituent Assembly, the House assumed full powers for the administration of the Indian Dominion. ? The first Cabinet of the Indian Dominion was headed by Pandit Nehru. 19.10 Probable Questions Essay Type Questions: 1. Attempt a critical analysis of negotiations over Partition. 2. Make a critical analysis of discussions over Partition and Transfer of Power. 3. Discuss the role of the Congress and the Muslim League over negotiations regarding Partition. Long Questions: 1. Explain the importance of Dominion Status. 2. Analyse the reasons for acceptance of Partition by the Congress. 3. Discuss the significance of Mountbatten plan. Short Questions: 1. What are the reasons for Transfer of power? 2. Mention the key points of Cabinet Mission Plan. 3. Discuss the significance of Simla Conference. 19.11 Further Reading 1. Chakrabarty B.and Pandey, R.K., Modern Indian Political Thought, New Delhi: Sage, 2009. 2.

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NSOU ? GE-PS-11 170 Unit 20 : Making of The Indian Constitution Structure 20.1 Objective 20.2 Introduction 20.3 Need for a Constituent Assembly 20.4 Motilal Nehru Resolution 20.5 Gandhi's Demand for India's right to Frame a Constitution 20.6 Cripps Mission and the Cabinet Mission 20.7 The Constituent Assembly 20.8 Making the Constitution 20.9 The Preamble 20.10 Conclusion 20.11 Summing Up 20.12 Probable Questions 20.13 Further Reading 20.1 Objectives ? To study the need for a Constituent Assembly. ? To dwell on the importance of Matilal Nehru Resolution and Gandhiji's demand for framing a constitution for the Indians by themselves. ? To highlight the significance of the Cripps and the Cabinet Mission in paving the way for the constitution of the Constituent Assembly and the subsequent making of the Constitution. ? To study the processes leading up to the establishment of the Constituent Assembly, the making of the constitution and its Preamble. 20.2 Introduction The constitution of a country is the fundamental law of the land on the basis of which all other laws are made and enforced. It sets out the framework and principal functions of the

NSOU ? GE-PS-11 171 organs of the Government within the state and declares the principles by these organs must operate. The Constitution has devised a structure of power relationship with checks and balances and limits are placed on the powers of every authority or instrumentality under the Constitution. The constitution is the supreme or fundamental law of the country which not only defines the framework of the basic political principles but also establishes what the different government institutions should do in terms of procedure, powers and duties. According to KC Wheare, 'Constitutionalism means government according to rule as opposed to the arbitrary government, it means government limited by the terms of a Constitution, not government limited only by the desires and capabilities of those who exercise power'. Constitutionalism is different from 'constitution'. A country may have the constitution but not necessarily constitutionalism. For example, a country with a dictatorship, where dictator's word is the law can be said to have a constitution but not constitutionalism. Constitutionalism recognizes the need for the government but insists upon limitations being placed upon governmental powers. Indian Constitution was enacted by the Constituent Assembly which had been elected for undivided India. It was constituted under the scheme formulated by the Cabinet Mission plan. The Constituent Assembly sat for the first time on December 9, 1946, and started a historical journey which saw India attaining independence, deciding on its national flag, national insignia, national anthem; and ultimately adoption of the constitution which made our country a democratic republic. The architects of Indian constitution went through all the then existing major Constitutions of the world before drafting their own and as Dr. Ambedkar observed that they tried to accommodate the best possible and time-tested features of each of them to the requirement of the country, the largest influence being exercised on them by the Government of India Act, 1935. The Constitution of India was adopted on 26 November 1949 by the Constituent Assembly and it came into effect on 26 January 1950.

20.3 Need for a Constituent Assembly

The political system of any country is known by its constitution. The hopes and aspirations of the people of any country are reflected through the constitution. In all democratic countries, the constitution is recognized as supreme. It is regarded as fundamental law of the land. In every country making of constitution has gone through a definite process. This process varies from country to country. India adopted the process of making her constitution by a Constituent Assembly. The concept of a Constituent Assembly in order to draft the constitution of the independent India had always been linked with the growth of India's Nationalist movement. The idea of a Constituent Assembly, by which Indians themselves might frame a constitution of their own, was implicit in the opposition to the 1919 Act. In 1922, a joint meeting of members of the two houses of the Central Legislature was held at Simla at the initiative of Mrs. Annie Besant, which decided to call a convention for the

NSOU ? GE-PS-11 172 framing of a new constitution. Another conference attended by members of the Central and Provincial Legislatures was held in 1923 outlined essential elements of a constitution. A National Convention was called on 24 April, under the president ship of Sir Tej Bahadur Sapru, drafted the 'Commonwealth of India Bill'. This bill was submitted to a committee of the All Parties Conference held in January 1925 which was presided over by Mahatma Gandhi. Finally the draft was submitted to a Drafting Committee. The bill was sent to one member of the Labour Party and found wide support in the Labour Party. This bill was a major effort by the Indians to prepare a constitutional system by peaceful and constitutional means.

20.4 Motilal Nehru Resolution The adoption of Motilal Nehru Resolution in 1924 and 1925 on the National Demand was a historic event as the Central Legislature for the first time supported the demand that the future constitution should be drafted by the Indians themselves. At the Bombay session of the Congress on 17 May 1927, Motilal Nehru had introduced a resolution calling upon the Congress Working Committee to frame a constitution for India in consultation with the elected members of the Central and Provincial Legislatures and leaders of political parties. An All Party Conference organized at Bombay on 19 May 1928 appointed a committee under the chairmanship of Motilal Nehru to determine the principles of the Constitution of India. The report of the committee submitted on 10 August 1929 became famous as the Nehru Report that was the first attempt by the Indians to frame a fullfledged constitution for the country. The Report not only reflected the contemporary nationalist opinion but also an outline of the draft constitution for the country. The draft constitution prepared by the committee was based on the principle of Dominion Status with a parliamentary form of government. This document emphasized on popular sovereignty, fundamental rights, federal system, reservation of seats for minorities in the legislatures for a limited period.

20.5 Gandhi's Demand for India's right to Frame a Constitution Indians, under the leadership of Indian National Congress, could never accept that British Parliament would frame a constitution for India. Gandhiji for the first time made the demand for India's right to frame a constitution in 1922. He firmly expressed the view that Indians alone would form their constituent assembly. He wrote in Young India in 1922 that "Swaraj will not be a free gift of the British Parliament. It will be a declaration of India's full self-expression."The demand was ignored by the British Government. This was made clear by them when in 1927 it

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appointed Simon Commission to review the working of the Government of India Act,1919.

This Commission had no Indian member,

NSOU ? GE-PS-11 173 thus on the day of 3rd February, 1928 when Simon Commission arrived in India a countrywide hartal was observed with 'Go back Simon' slogan. In 1929, Congress session at Lahore, a resolution for Purna Swaraj was adopted. Since then the demand of Congress to have a constituent assembly constituted only by Indians began becoming stronger. The British Government issued a White Paper prior to enacting the Government of India Act, 1935. In 1934 the Congress Working Committee adopted a resolution opposing this White Paper. The resolution also mentioned that the most desirable alternative to this White Paper was a constitution framed by a constituent assembly formed on the basis of universal adult franchise. The same demand was raised in the Congress session held at Faizpur in 1936, in the Haripura session held in 1938 and in the Congress session held at Tripuri in 1939. In 1937, the ruling Congress in the provincial legislatures adopted a resolution, demanding an independent constituent assembly constituted by Indians. In 1938 Jawaharlal Nehru made the announcement that the basic demand of the Congress was to have a constitution drafted by a constituent assembly, free from external control and established on the basis of universal adult franchise. The White Paper issued after the third Round Table Conference outlined the British Government's proposal for constitutional reforms in India. In June 1934 the Congress Working Committee declared that the only satisfactory alternative to the White Paper was a constitution drawn up by a Constituent Assembly elected on the basis of adult suffrage. The Working Committee of the All India Congress Committee at its meeting held at Patna on 6-7 December adopted a resolution rejecting the scheme of Indian Constitutional Reforms as recommended in the report of the Joint Parliamentary Committee and reiterated the view that the only alternative to the scheme was a constitution drawn up by a Constituent Assembly. The Congress adopted a resolution at its Lucknow Session in April 1936 in which it declared that no constitution imposed by an outside authority shall be acceptable to India; it must be framed by an Indian Constituent Assembly elected by the people of India. The Congress had contested elections to the Provincial Legislatures on the issues like complete rejection of the Act of 1935 and the demand for a Constituent Assembly and following a victory in the election it adopted a resolution asserting the voters' approval of the demand for a Constituent Assembly. After the outbreak of the war in 1939, the demand for a Constituent Assembly was reiterated by the Congress Working Committee on 14 September, 1939. Gandhiji wrote in the Harijan that Constituent Assembly alone can produce a constitution for the people which fully represents the will of the people. 20.6 Cripps Mission and the Cabinet Mission In March, 1942, the British Government, sent Sir Stafford Cripps to India to consider the demand for a constituent assembly for India. In one of its recommendation the Cripps

NSOU ? GE-PS-11 174 Mission recognized the Indian demand for a sovereign constituent assembly for the first time. After the failure of the Cripps Mission ,no steps were taken for the solution of this problem until the end of war in Europe in May,1945.With the new Labour Government coming into power in England, its Indian policy was announced by Lord Wavell. He affirmed the Government's intention to convene a constitution making body as soon as possible. The new Prime Minister of Britain, Clement Attlee made a historic declaration when he gave recognition to Indians' right to self-determination and acceptance of Indian demand to frame independently a constitution. The British Government appointed a three-member Cabinet Mission, which came to India on 24 th March, 1946 and submitted its proposals on 16 th May, 1946.The Cabinet Mission proposed an outline of the state structure to be built after transfer of power and also proposed formation of an interim all-party government. Moreover, it was proposed that a constituent assembly comprising Indians alone would be constituted to frame a constitution. The proposed constituent assembly would have 292 members from the provinces, 93 from the Princely States, 3 from Chief Commissioner's provinces and 1 from Baluchistan. 1 (Amal Kumar Mukhopadhyay, A Journey across the Indian Constitution, 2017, p-15). The total number of members of the assembly would be 389. Members of provincial legislatures would elect from among them members of the constituent assembly, following the system of proportional representation. The process through which representatives of the Princely States would be members of the constituent assembly would be decided on in consultation with the native rulers. The proposals of the Cabinet Mission were accepted by the Muslim League on 6 th June, 1946 and by the Congress on 25 th June, 1946. Elections to the constituent assembly were held in July,1946.The Congress had won 204 seats out of 214 General seats and had got the support of 4 elected Sikh members. Muslim League captured 73 out of 78 allotted seats. 2 (Ibid, p-16). Meanwhile, the Muslim League rejected the proposals of the Cabinet Mission and on 14 th November, 1946, it took the decision to boycott the newly formed Constituent Assembly. Thus, before transfer of power, the Muslim League members never joined the sessions of Constituent Assembly. After partition the elected representatives of the Muslim League became members of the Constituent Assembly of Pakistan.

20.7 The Constituent Assembly Members of the Constituent Assembly were not directly elected by the people on the basis of universal adult franchise. The provincial legislatures, the members of which elected the majority members of the Constituent Assembly, were not elected on the basis of universal adult franchise but on the basis of restricted franchise as those who had minimum educational or property qualifications had their right to vote in elections to the provincial legislatures. The important Congress leaders like Nehru, Maulana Azad, Vallabh Bhai Patel and

NSOU ? GE-PS-11 175 Dr.Rajendra Prasad did not publicly admit this limitation of the Constituent Assembly but while drafting the rules on transacting business in the Assembly Rule No.7 was made ,proposing that only when two-thirds majority of members of Constituent Assembly had resolved, it could be dissolved. 3 (Ibid, p-17). Thus, though under the initiative and order of the British Government the Constituent Assembly was formed, they ensured that the British Government could not dominate it. The Congress was very much eager to ensure representation of all classes of people in the Constituent Assembly. It was directed that the provincial Congress must ensure nomination of the recognized leaders and adequate minority representation in the Constituent Assembly. The Constituent Assembly became fully representative of the states and provinces in India and sovereign of all external authority. The first session was held on 9 th December, 1946 and last session was held on 24 th January, 1950.The Constituent Assembly had eleven sessions. It adopted the Constitution on 26 th November, 1949. The historic Objectives Resolution envisioned a federal set up with the residuary powers vested in the autonomous units and people's sovereign power.Justice, social, economic and political; equality of status and of opportunity ;freedom of thought, expression, belief, faith, worship were to be guaranteed to all people along with adequate safeguards to minorities, backward, tribal areas and depressed classes. While defending the objective resolution, Nehru argued strongly for democracy and socialism. He defended democracy as the most appropriate system for India. Socialism also would bring about economic democracy to India. He believed that political independence must be supported by democratic governance and socialistic vision. He was critical of the princely states that were reluctant to accept democracy. As a true democrat he had no doubt that socialism was the ultimate solution for India's poverty. Thus the Resolution gave to the Assembly its guiding principles and the philosophy that was to disseminate its task of constitution making. It was finally adopted by the Assembly on 22 January1947 that later became the form of the Preamble to the constitution. The members of the Constituent Assembly were unanimous for a strong state despite being supportive of India's pluralistic social structure. The Cabinet Mission articulated a constitutional framework by taking into account the principle of accommodating diverse groups. Those who were critical of the Emergency provisions also defended a strong centralized state to strengthen the unity and integrity of the country. The fear of disorder was the most critical factor in favour of the arguments for a centralized state. In 1939, Dr. B. R. Ambedkar was in favour of a federal form of government for India with socio-cultural diversity. By 1946, he expressed a radically different view by saying that 'I like a strong united Centre, much stronger than the Centre we had created under the Government of India Act, 1935.' 4 (Bidyut Chakrabarty and Rajendra Pandey, Modern Indian Political Thought, 2009, p- 363). Nehru also argued in favour of a strong state when he expressed that a weak central authority would be antithetical to the interest of the country because it would be incapable of ensuring peace. Thus, federalism did not appear to be an appropriate structure of

NSOU ? GE-PS-11 176 government in the light of serious threats to the existence of the Indian nation. The framers of the constitution recommended a strong center in the making of the constitution. 20.8 Making the Constitution The Constituent Assembly appointed a number of committees to deal with problems of framing the constitution. These included the Union Constitution Committee, Union Powers Committee, Committees on Fundamental Rights, Minorities and others. These committees were headed by Nehru; Patel worked hard and produced valuable reports. The first draft was prepared in October 1947 by the Advisory branch of the office of the Constituent Assembly under Sir B. N. Rau. The Constituent Assembly on 29 August 1947 appointed the Drafting Committee with Dr. B. R. Ambedkar as the Chairman to scrutinize the draft of the constitution. The most eminent members were Sir Alladi Krishnaswami Ayer, Hriday Nath Kunjru, K. Shantanam, M.R. Jayakar, Satchidananda Sinha, Gopalswami Ayengar and K.M. Muni. Every provision of the draft of the constitution was minutely observed at the general session of the Constituent Assembly. The Assembly arrived at all of its decisions following the principle of consensus. So the Assembly followed a democratic process in decision making. Though the Congress enjoyed a majority in the Assembly, it always accepted different opinions. The members could freely express their diverse opinions. The Constituent Assembly had to make compromises also in certain cases. When there were strong differences among the two groups, compromise was made in issues, for example, relating to national anthem and official language. Among the members, there was a group of modernists and at the same time, a group by the traditionalists also. They chose a midway between parliamentary sovereignty and judicial supremacy. Moreover, federal system was adopted with some unitary features and the assembly adopted both rigid and flexible constitution. While introducing the Draft Constitution in the assembly for consideration on 4 November 1948, Dr. B.R. Ambedkar replied to some common criticisms of the Draft, observed, one likes to ask whether there can be anything new in a constitution framed at this hour in the history of the world. More than hundred years have rolled over when the first written constitution was drafted. It has been followed by many countries reducing their constitutions to writing. What the scope of a constitution should be has long been settled. Similarly, what are the fundamentals of a constitution are recognized all over the world. Given these facts, all constitutions in their main provisions must look similar. The only new things, if there can be any, are the variations made to remove the faults and to accommodate it to the needs of the country. As to the accusation that the Draft Constitution has produced a good part of the provisions of the Government of India Act, 1935, I make no apologies. There is nothing to be ashamed of in borrowing. It involves no plagiarism. Nobody holds any patent rights in the fundamental ideas of a constitution. 5 (Subhas Kashyap, Our Constitution, 1994, pp-39-40).

NSOU ? GE-PS-11 177 The consideration of the Draft Constitution was completed during 15 November 1948-17 October 1949. The Preamble was the last to be adopted. Thereafter, the Drafting Committee prepared the final draft and placed it before the Assembly. The second reading of the constitution was completed on 16 November 1949. The Constitution was finally signed by members of the Constituent Assembly on 24 January 1950. The Constitution was the result of a great deal of mutual accommodation, compromise and consensus. The Constitution rejected British rule, but not the institutions that had developed during British rule. The making of constitution and institution- building being a dynamic process, it did not come to an end on 26 November 1949 when the people of India adopted the constitution. The Constitution is a prime evidence of the commitment to constitutionalism and rule of law on the part of the framers of the constitution despite serious difficulties due to partition. In the Constituent Assembly, no attempt was made to force decision. The making of the Indian Constitution was a difficult exercise not only because of the historical context but also due to the social structure of India. The majority in the Assembly was defensive as a result of rising violence immediately after partition. The founding fathers were obsessed with their own notion of integrated national life. Dr. Rajendra Prasad declared, 'personally I do not attach any importance to the label which may be attached to it-whether you call it a Federal Constitution or a Unitary Constitution or by any other name. It makes no difference so long as the Constitution serves our purpose.' 6 (Bidyut Chakrabarty and Rajendra Pandey, op, cit, p-367). The Indian Constitution is regarded as the fundamental law of the country. Naturally; none of the political organs of the Indian State can violate this fundamental law. It is the prime responsibility of the judiciary to see that neither the legislature nor the executive ever overrides the Constitution. The Supreme Court held in the judgment of the case *Keshavananda Bharati vs. State of Kerala* that Parliament cannot amend the 'basic structure' of the Constitution. Thus it was established by this judgment that Parliament does not have unrestrained power of amending the Constitution. This proves that in India the Constitution is supreme. 20.9 The Preamble The Preamble to the Constitution of India declares the people of India as the architect of the Constitution with the words 'We the people of India'. Therefore, the Indian Constitution declares itself as the making of the people. India wanted to have a sovereign and independently made Constitution and thus the Preamble declares the people of India as the maker of the Constitution. This declaration also ensures the principle of popular sovereignty; the Constitution makes it clear that the people of India are sovereign in the Indian political system. Sovereignty of the people is the fundamental basis of democracy, it may be said that, by recognizing the people as the maker of the Constitution, the Indian Constitution has expressed its commitment to the democratic ideal. Thus, by establishing the sovereignty of

NSOU ? GE-PS-11 178 the people, the Preamble implies that the powers which are given to the government in India are sourced not from the states or any section of the society or the former rulers but from the people of India. The Preamble not only ensures a democratic polity but also consolidates the unity and integrity of the nation. The ideal of democratic republic guarantee the people the right of choosing their representatives to foster democratic governance in the country. By making India a republic, the framers of the Constitution ensures an elected head of the State instead of a hereditary Monarchy. The Preamble not only presupposes political democracy but also envisions social democracy. Thus, the Preamble mentions social, economic and political justice, freedom of thought, expression, belief, faith and worship and also promises equality of status and opportunity and maintaining fraternity among all. 20.10 Conclusion The Constituent Assembly drafted the Constitution in the context of serious uncertainty especially in view of the partition. The Constitution remains vital in India's governance. It is substantially different in terms of spirit from the Government of India Act, 1935. Although the basic structure remains unchanged, the Constitution has grown in its size as it is amended to address the needs of the changing time. The Constitution is successful in inculcating a sense of loyalty among large sections of the Indian society. The institutions like the Parliament, the Executive and the Election Commission derive their strength from the provisions of the Constitution. Here lies the validity of India's Constitution as a living document which remains meaningful and relevant even after several decades since it was inaugurated. 20.11 Summing Up ? India adopted the process of making her constitution by a Constituent Assembly. The concept of a Constituent Assembly in order to draft the constitution of the independent India had always been linked with the growth of India's Nationalist movement. ? The adoption of Motilal Nehru Resolution in 1924 and 1925 on the National Demand was a historic event as the Central Legislature for the first time supported the demand that the future constitution should be drafted by the Indians themselves. ? Gandhiji for the first time made the demand for India's right to frame a constitution in 1922. He firmly expressed the view that Indians alone would form their constituent assembly.

NSOU ? GE-PS-11 179 ? In 1929, Congress session at Lahore, a resolution for Purna Swaraj was adopted. Since then the demand of Congress to have a constituent assembly constituted only by Indians began becoming stronger. The British Government issued a White Paper prior to enacting the Government of India Act, 1935. ? In 1938 Jawaharlal Nehru made the announcement that the basic demand of the Congress was to have a constitution drafted by a constituent assembly, free from external control and established on the basis of universal adult franchise. ? The Congress had contested elections to the Provincial Legislatures on the issues like complete rejection of the Act of 1935 and the demand for a Constituent Assembly and following a victory in the election it adopted a resolution asserting the voters' approval of the demand for a Constituent Assembly. ? In March, 1942 the British Government, sent Sir Stafford Cripps to India to consider the demand for a Constituent Assembly for India. In one of its recommendation, the Cripps Mission recognized the Indian demand for a sovereign constituent assembly for the first time. ? The Cabinet Mission proposed that a Constituent Assembly comprising Indians alone would be constituted to frame a constitution. ? The Constituent Assembly appointed a number of committees to deal with problems of framing the constitution. ? The first draft was prepared in October 1947 by the Advisory branch of the office of the Constituent Assembly under Sir B.N.Rau. The Constituent Assembly, on 29 August 1947, appointed the Drafting Committee with Dr.B.R. Ambedkar as the Chairman to scrutinize the draft of the constitution. ? The Constitution is a prime evidence of the commitment to constitutionalism and rule of law on the part of the framers of the constitution despite serious difficulties due to partition. ? The Preamble to the Constitution of India declares the people of India as the architect of the Constitution with the words 'We the people of India'. Therefore, the Indian Constitution declares itself as the making of the people. The Preamble not only ensures a democratic polity but also consolidates the unity and integrity of the nation. 20.12 Probable Questions Essay Type Questions : 1. Write a critical essay on the composition and nature of representation in the Constituent Assembly of India.

NSOU ? GE-PS-11 180 2. Write a note on the making of the Constitution of India. 3. Analyse the significance of the Preamble of the Constitution of India. Long Questions : 1. Write a note on the political developments during 1922-1939. 2. Examine the role of the Indian National Congress in the making of India's constitution. 3. Examine the role of the British Government in the formation of the Constituent Assembly. Short Questions : 1. What is the Commonwealth of India Bill? 2. What is the significance of Motilal Nehru Committee? 3. Discuss Mahatma Gandhi's view regarding the demand for constitution. 20.13 Further Reading 1. Agrawal, R. C., Constitutional Development and National Movement of India, New Delhi: S. Chand

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	Cambridge Undergraduates, 'There is not, and never was an India, or even any country of India, no Indian nation, no people of India of which we hear so much that men of the Punjab, Bengal. North Western provinces and Madras, should ever feel that they belong to one great Indian nation, is impossible.'		Cambridge undergraduates: 'there is not, and never was an India, or even any country of India ... no Indian nation, no "people of India" of which we hear so much ... that men of the Punjab, Bengal, the North-West Provinces and Madras, should ever feel that they belong to one great Indian nation, is impossible.2 (
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	a cover for the struggle between various sections of the elite. They denied the legitimacy of the movement as one of the Indian people for the overthrow of imperialism and the establishment of an independent nation state.		a cloak for the struggle for power between various sections of the Indian elite, and between them and the foreign elite, thus effectively denying its existence and legitimacy as a movement of the Indian people for the overthrow of imperialism and for the establishment of an independent nation state.	
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	decency, character, integrity and selfless commitment of the Indian national movement. It denies any active political role to the mass of		decency, character, integrity and selfless commitment out of the Indian national movement.'^ Moreover, it denies any intelligent or active role to the mass of	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

5/358	SUBMITTED TEXT	26 WORDS	80% MATCHING TEXT	26 WORDS
	Anil Seal, The Emergence of Indian Nationalism, Competition and Collaboration in the 19th century, Cambridge University Press, 1968. 2. John Broomfield. Elite Conflict in a Plural Society 3.		Anil Seal, The Emergence of Indian Nationalism: Competition and Collaboration in the Later 19th Century (Cambridge, 1968); J. H. Broomfield, Elite Conflict in a Plural Society-20	
	<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>			

6/358	SUBMITTED TEXT	33 WORDS	73% MATCHING TEXT	33 WORDS
<p>Unlike the Imperialist historians, Marxist historians emphasize on primary contradiction as well as the process of nation making and unlike the Nationalists, they take full note of the inner contradictions of the Indian society.</p>		<p>Unlike the imperialist school, the Marxist historians clearly see primary contradiction as well as the process of the nation-in-the making and unlike the nationalists they also take full note of the inner contradictions of Indian society.</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
7/358	SUBMITTED TEXT	11 WORDS	91% MATCHING TEXT	11 WORDS
<p>integrate their treatment of primary anti-imperialist contradiction and secondary inner contradictions.</p>		<p>integrate their treatment of the primary anti-imperialist contradiction and the secondary inner contradictions,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
8/358	SUBMITTED TEXT	15 WORDS	67% MATCHING TEXT	15 WORDS
<p>actual detailed historical investigation of strategies, problems, ideology extent, forms of mass mobilization and tactical maneuvers. The</p>		<p>actual detailed historical investigation of the strategy, programme, ideology extent and forms of mass mobilization, and strategic tactical maneuvers of the</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
9/358	SUBMITTED TEXT	21 WORDS	52% MATCHING TEXT	21 WORDS
<p>the primary contradiction as well as the nations building and unlike the Nationalist, they study the inner contradictions of the Indian society. ?</p>		<p>the primary contradiction, as well as the process of the nation- in-the making, and unlike the nationalists, they also take full note of the inner contradictions of Indian society.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
10/358	SUBMITTED TEXT	14 WORDS	86% MATCHING TEXT	14 WORDS
<p>R.P Dutt, India Today. 2. A. R. Desai, Social Background of Indian Nationalism, Popular Prakashan,</p>				
<p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				

11/358	SUBMITTED TEXT	54 WORDS	33% MATCHING TEXT	54 WORDS
<p>of the intrinsic nature of foreign imperialism and its harmful impact on the lives of the Indian people that a powerful anti-imperialist movement arose and developed in India. This movement was a national movement because it united people from different classes and sections of the society who sank their mutual differences to unite against the common</p> <p>SA 0_SharviShummythesis..pdf (D116184325)</p>				
12/358	SUBMITTED TEXT	16 WORDS	87% MATCHING TEXT	16 WORDS
<p>Sumit Sarkar, Popular Movements and Middle Class Leadership: Perspectives and Problems of a History from below,</p> <p>SA Colonial India Paper Eric PARIDIMAL.docx (D1465768)</p>				
13/358	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>Partha Chatterjee, The Nation and its Fragments, Oxford University Press, Delhi, 1993 3.</p> <p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>				
14/358	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
<p>Bipan Chandra, et al, India's struggle for independence, New Delhi, 1988. 3.</p> <p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>				
15/358	SUBMITTED TEXT	17 WORDS	78% MATCHING TEXT	17 WORDS
<p>Sumit Sarkar, Popular Movements and Middle class Leadership: Perspectives and Problems of a History from Below,</p> <p>SA Colonial India Paper Eric PARIDIMAL.docx (D1465768)</p>				

16/358	SUBMITTED TEXT	17 WORDS	96% MATCHING TEXT	17 WORDS
<p>Anil Seal, The Emergence of Indian Nationalism, Competition and Collaboration in the 19 th Century, Cambridge</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>Anil Seal, The Emergence of Indian Nationalism: Competition and Collaboration in the Later 19th Century (Cambridge, 1968);</p>		
17/358	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>The nationalists of the 20th century were to rely heavily on the main themes of their economic critique of colonialism.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The nationalists of the 20th century were to rely heavily on the main themes of their economic critique of colonialism.</p>		
18/358	SUBMITTED TEXT	52 WORDS	100% MATCHING TEXT	52 WORDS
<p>While until the end of the 19th century, Indian nationalists confined their political demands to a share in political power and control over the purse, by 1905 most of the prominent nationalists were putting forward the demand for some form of self-government. Here again, Dadabhai Naoroji was the most advanced. Speaking on the drain</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>While until the end of the 19th century, Indian nationalists confined their political demands to a share in political power and control over the purse, by 1905 most of the prominent nationalists were putting forward the demand for some form of self-government. Here again, Dadabhai Naoroji was the most advanced. Speaking on the drain</p>		

19/358	SUBMITTED TEXT	172 WORDS	96% MATCHING TEXT	172 WORDS
	<p>at the International Socialist Congress in 1904, he put forward the demand for 'self-government' and treatment of India 'like other British Colonies. A year later in 1905, in a message to the Benares session of the Indian National Congress, Dadabhai categorically asserted: 'Self-government is the only remedy for India's woes and wrongs.' And, then, as the President of the 1906 session of the Congress at Calcutta, he laid down the goal of the national movement as "self-government or Swaraj," like that of the United Kingdom or the Colonies. While minds were being prepared and the goals formed, the mass struggle for the political emancipation of the country was still in the womb of time. But the early nationalists were laying strong and enduring foundations for the national movement to grow upon. They did not base their nationalism primarily on appeals to abstract or shallow sentiments or on obscurantist appeals to the past. They rooted their nationalism in a brilliant scientific analysis of the complex economic mechanism of modern colonialism and of the chief contradiction between the interests of the Indian people and British rule. 7.4</p>		<p>at the International Socialist Congress in 1904, he put forward the demand for 'self-government' and treatment of India 'like other British Colonies. A year later in 1905, in a message to the Benares session of the Indian National Congress, Dadabhai categorically asserted: 'Self-government is the only remedy for India's woes and wrongs.'^@ And, then, as the President of the 1906 session of the Congress at Calcutta, he laid the goal of the national movement as "self- government or Swaraj," like that of the United Kingdom or Colonies. While minds were being prepared and the goal formed, the mass struggle for the political emancipation of the country was still in the womb of time. But the early nationalists were laying strong and enduring foundations for the national movement to grow upon. They sowed the seeds of nationalism well and deep. did not base their nationalism primarily on appeals to abstract or shallow sentiments or on obscurantist appeals to the past. They rooted their nationalism in a brilliant scientific analysis of the complex economic mechanism of modern colonialism and of the chief contradiction between the interests of the Indian people and British rule.</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

20/358	SUBMITTED TEXT	12 WORDS	95% MATCHING TEXT	12 WORDS
	<p>Partha Chatterjee, The Nation and its Fragments, Oxford University Press, Delhi, 1993. 6.</p>			
	<p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>			

21/358	SUBMITTED TEXT	90 WORDS	96% MATCHING TEXT	90 WORDS
	<p>Almost from the beginning of the 19th century, politically conscious Indians had been attracted to modern civil rights, especially the freedom of the Press. As early as 1824, Raja Rammohan Roy had protested against a regulation restricting the freedom of the Press. In a memorandum to the Supreme Court, he had said that every good ruler 'will be anxious to afford every individual the readiest means of bringing to his notice what ever may require his interference. To secure this important object, the unrestricted liberty of publication is the only effectual means that can be employed.'</p>		<p>Almost from the beginning of the 19th century, politically conscious Indians had been attracted to modern civil rights, especially the freedom of the Press. As early as 1824, Raja Rammohan Roy had protested against a regulation restricting the freedom of the Press. In a memorandum to the Supreme Court, he had said that every good ruler 'will be anxious to afford every individual the readiest means of bringing to his notice whatever may require his interference. To secure this important object, the unrestricted liberty of publication is the only effectual means that can be employed.'</p>	
	<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>			

22/358	SUBMITTED TEXT	160 WORDS	95% MATCHING TEXT	160 WORDS
	<p>Even the work of the National Congress was accomplished during these years largely through the Press. The Congress had no organization of its own for carrying on political work. Its resolutions and proceedings had to be propagated through newspapers. Interestingly, nearly one-third of the founding fathers of the Congress in 1885 were journalists. Powerful newspapers emerged during these years under distinguished and fearless journalists. These were the Hindu and Swadesamitran under the editorship of G. Subramaniya Iyer, Kesari and Mahratta under B.G. Tilak, Bengalee under Surendranath Banerjea, Amrita Bazar Patrika under Sisir Kumar Ghosh and Motilal Ghosh, Sudhakar under NSOU ? GE-PS-11 51 G.K. Gokhale, Indian Mirror under N.N. Sen, Voice of India under Dadabhai Naoroji, Hindustani and Advocate under G.P. Varma and Tribune and Akhbar-i-Am in Punjab, Indu Prakash, Dnyan Prakash, Kal and Gujarati in Bombay, and Som Prakash, Banganivasi, and Sadharani in Bengal. In fact, there hardly existed a major political leader in India who did not possess a newspaper or was not writing for one in some capacity or the other.</p>		<p>Even the work of the National Congress was accomplished during these years largely through the Press. The Congress had no organization of its own for carrying on political work. Its resolutions and proceedings had to be propagated through newspapers. Interestingly, nearly one-third of the founding fathers of the Congress in 1885 were journalists. Powerful newspapers emerged during these years under distinguished and fearless journalists. These were the Hindu and Swadesamitran under the editorship of G. Subramaniya Iyer, Kesari and Mahratta under B.G. Tilak, Bengalee under Surendranath Banerjea, Amrita Bazar Patrika under Sisir Kumar Ghosh and Motilal Ghosh, Sudhakar under G.K. Gokhale, Indian Mirror under N.N. Sen, Voice of India under Dadabhai Naoroji, Advocate under G.P. Varma and Tribune and Akhbar-i-Am in Punjab, Indu Prakash, Dnyan Prakash, Kal and Gujarati in Bombay, and Som Prakash, Banganivasi, and Sadharani in Bengal. In fact, there hardly existed a major political leader in India who did not possess a newspaper or was not writing for one in some capacity or the other.</p>	
	<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>			

23/358

SUBMITTED TEXT

298 WORDS

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298 WORDS

To arouse political consciousness, to inculcate nationalism, to expose colonial rule, to 'preach disloyalty' was no easy task, for there had existed since 1870 Section 124A of the Indian Penal Code according to which 'whoever attempts to excite feelings of disaffection to the Government established by law in British India' was to be punished with transportation for life or for any term or with imprisonment upto three years. This clause was, moreover, later supplemented with even more strident measures. Indian journalists adopted several clever strategems and evolved a distinctive style of writing to remain outside the reach of the law. Since Section 124A excluded writings of persons whose loyalty to the Government was undoubted, they invariably prefaced their vitriolic writing with effusive sentiments of loyalty to the Government and the Queen. Another strategem was to publish anti-imperialist extracts from London-based socialist and Irish newspapers or letters from radical British citizens knowing that the Indian Government could not discriminate against Indians by taking action against them without touching the offending Britishers. Sometimes the extract from the British newspaper would be taken without quotation marks and acknowledgement of the source, thus teasing the British- Indian bureaucracy into contemplating or taking action which would have to be given up once the real source of the comment became known. For example, a sympathetic treatment of the Russian terrorist activities against Tsarism would be published in such away that the reader would immediately draw a parallel between the Indian Government and the Revolutionary Terrorists of Bengal and Maharashtra. The officials would later discover that it was an extract from the Times, London, or some such other British newspaper. Often the radical expose would take the form of advice and warning to the Government as if from a well-wisher, as if the writer's main purpose was to save the authorities from their own follies! B.G. Tilak and Motilal Ghosh were experts at this form of writing.

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24/358	SUBMITTED TEXT	134 WORDS	100% MATCHING TEXT	134 WORDS
	<p>Indian newspapers began to find their feet in the 1870s. They became highly critical of Lord Lytton's administration, especially regarding its inhuman approach towards the victims of the famine of 1876-77. As a result the Government decided to make a sudden strike at the Indian language newspapers, since they reached beyond the middle class readership. The Vernacular Press Act of 1878, directed only against Indian language newspapers, was conceived in great secrecy and passed at a single sitting of the Imperial Legislative Council. The Act provided for the confiscation of the printing press, paper and other materials of a newspaper if the Government believed that it was publishing seditious materials and had flouted an official warning. Indian nationalist opinion firmly opposed the Act. The first great demonstration on an issue of public importance was organized in Calcutta on this question when a large</p>		<p>Indian newspapers began to find their feet in the 1870s. They became highly critical of Lord Lytton's administration, especially regarding its inhuman approach towards the victims of the famine of 1876-77. As a result the Government decided to make a sudden strike at the Indian language newspapers, since they reached beyond the middle class readership. The Vernacular Press Act of 1878, directed only against Indian language newspapers, was conceived in great secrecy and passed at a single sitting of the Imperial Legislative Council. The Act provided for the confiscation of the printing press, paper and other materials of a newspaper if the Government believed that it was publishing seditious materials and had flouted an official warning. Indian nationalist opinion firmly opposed the Act. The first great demonstration on an issue of public importance was organized in Calcutta on this question when a large</p>	
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25/358	SUBMITTED TEXT	27 WORDS	100% MATCHING TEXT	27 WORDS
	<p>meeting was held in the Town Hall. Various public bodies and the Press also campaigned against the Act. Consequently, it was repealed in 1881 by Lord Ripon. The</p>		<p>meeting was held in the Town Hall. Various public bodies and the Press also campaigned against the Act. Consequently, it was repealed in 1881 by Lord Ripon. The</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			
26/358	SUBMITTED TEXT	20 WORDS	100% MATCHING TEXT	20 WORDS
	<p>Legislative Councils in India had no real official power till 1920. Yet, work done in them by the nationalists helped</p>		<p>Legislative Councils in India had no real official power till 1920. Yet, work done in them by the nationalists helped</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

27/358

SUBMITTED TEXT

173 WORDS

99% MATCHING TEXT

173 WORDS

The Government of India remained, as before 1858, an alien despot. Nor was this accidental. While moving the Indian Councils Bill of 1861, the Secretary of State for India, Charles Wood, said: "All experience teaches us that where a dominant race rules another, the mildest form of Government is despotism." A year later he wrote to Elgin, the Viceroy, that the only government suitable for such a state of things as exists in India a despotism controlled from home." This 'despotism controlled from home' was to remain the fundamental feature of the Government of India till 15 August 1947. What was the role of Indian members in this Legislative Council? The Government had decided to add them in order to represent Indian views, for many British officials and statesmen had come to believe that one reason for the Revolt of 1857 was that Indian views were not known to the rulers. But, in practice, the Council did not serve even this purpose. Indian members were few in number — in thirty years, from 1862 to 1892, only forty-five Indians were nominated to it. The

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28/358

SUBMITTED TEXT

124 WORDS

98% MATCHING TEXT

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The new Councils attracted some of the most prominent nationalist leaders. Surendranath Banerjea, Kalicharan Banerjee, Ananda Mohan Bose, Lal Mohan Ghosh, W.C. Bonnerji and Rash Behari Ghosh from Bengal, Ananda Charlu, C. Sankan Nair and Vijayaraghavachariar from Madras, Madan Mohan Malaviya, Ayodhyanath and Bishambar Nath from U.P., B.G. Tilak, Pherozeshah Mehta, R.M. Sayani, Chimanlal Setalvad, N.G. Chandravarkar and G.K. Gokhale from Bombay, and G.M. Chitnavis from Central Provinces were some of served as members of the Provincial or Central Legislative Councils from 1893 to 1909. The two men who were most responsible for putting the Council to good use and introducing a new spirit in them were Pherozeshah Mehta and Gopal Krishna Gokhale. Both men were political Moderates. Both became famous for being fearlessly independent and the bete noir of British officialdom in India. 7.5

The new Councils attracted some of the most prominent nationalist leaders. Surendranath Banerjea, Kalicharan Banerjee, Ananda Mohan Bose, Lal Mohan Ghosh, W.C. Bonnerji and Rash Beha Ghosh from Bengal, Ananda Charlu, C. Sankan Nair and Vijayaraghavachariar from Madras, Madan Mohan Malaviya, Ayodhyanath and Bishambar Nath from U.P., B.G. Tilak, Pherozeshah Mehta, R.M. Sayani, Chimanlal Setalvad, N.G. Chandravarkar and G.K. Gokhale from Bombay, and G.M. Chitnavis from Central Provinces were some of served as members of the Provincial or Central Legislative Councils from 1893 to 1909. The two men who were most responsible for putting the Council to good use and introducing a new spirit in them were Pherozeshah Mehta and Gopal Krishna Gokhale. Both men were political Moderates. Both became famous for being fearlessly independent and the bete noir of British officialdom in India. *

W https://mppscadda.com/books/ncert/PDF/H_1.pdf

29/358	SUBMITTED TEXT	31 WORDS	100% MATCHING TEXT	31 WORDS
	<p>Movement With the start of the Swadeshi Movement at the turn of the century, the Indian national movement took a major leap forward. Women, students and a large section of the urban</p>		<p>Movement — 1903- 1908 With the start of the Swadeshi Movement at the turn of the century, the Indian national movement took a major leap forward. Women, students and a large section of the urban</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

30/358	SUBMITTED TEXT	178 WORDS	97% MATCHING TEXT	178 WORDS
	<p>The richness of the movement was not confined to politics alone. The period saw a breakthrough in Indian literature, music, science and industry. Indian society, as a whole, was experimenting and the creativity of the people expanded in every direction. Swadeshi Movement had its genesis in the anti partition movement which was started to oppose the British decision to partition Bengal. There was no questioning the fact that Bengal with a population of 78 million (about a quarter of the population of British India) had indeed become administratively unwieldy. Equally there was no escaping the fact that the real motive of partitioning Bengal was political. Indian nationalism was gaining in strength and partition expected to weaken what was perceived as the nerve centre of Indian nationalism at that time. The attempt, at that time in the words of Lord Curzon, the Viceroy (1899-1905) was to 'dethrone Calcutta' from its position as the 'centre from which the Congress Party is manipulated throughout Bengal, and indeed which the Congress Party centre of successful intrigue' and 'divide ,the Bengali speaking population.' Risley, the Home Secretary to the Government of India, was more blunt.</p>		<p>The richness of the movement was not confined to politics alone. The period saw a breakthrough in Indian literature, music, science and industry. Indian society, as a whole, was experimenting and the creativity of the people expanded in every direction. * Swadeshi Movement had its genesis in the anti- partition movement which was started to oppose the British decision to partition Bengal. There was no questioning the fact that Bengal with a population of 78 million (about a quarter of the population of British India) had indeed become administratively unwieldy. Equally there was no escaping the fact that the real motive partitioning Bengal was political. Indian nationalism was gaining in strength and partition expected to weaken what was perceived as the nerve centre of Indian nationalism at that time. The attempt, at that time in the words of Lord Curzon, the Viceroy (1899-1905) was to 'dethrone Calcutta' from its position as the 'centre from which the Congress Party is manipulated throughout Bengal, and indeed which the Congress Party centre of successful intrigue' and 'divide ,the Bengali speaking population.' Risley, the Home Secretary to the Government of India, was more blunt.</p>	
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31/358	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
	<p>The Indian nationalists clearly saw the design behind the partition and condemned it unanimously. The anti-partition and Swadeshi Movement had begun.</p>		<p>The Indian nationalists clearly saw the design behind the partition and condemned it unanimously. The anti-partition and Swadeshi Movement had begun.</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

32/358	SUBMITTED TEXT	47 WORDS	99% MATCHING TEXT	47 WORDS
<p>adopted were petitions to the Government, public meetings, memoranda, and propaganda through pamphlets and newspapers such as Hitabadi, Sanjibani and Bengalee. Their objective was to exert sufficient pressure on the Government through an educated public opinion in India and England to prevent the unjust partition of Bengal from being implemented.</p> <p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				
33/358	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS
<p>The militant nationalists put forward several fresh ideas at the theoretical, propaganda and</p> <p>The militant nationalists put forward several fresh ideas at the theoretical, propagandistic and</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
34/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>Among the several forms of struggle thrown up by the movement</p> <p>Among the several forms of struggle thrown up by the movement,</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
35/358	SUBMITTED TEXT	34 WORDS	95% MATCHING TEXT	34 WORDS
<p>make the administration under present conditions impossible by an organised refusal to do anything which will help either the British commerce in the exploitation of the country or British officialdom in the administration of it".</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
36/358	SUBMITTED TEXT	18 WORDS	84% MATCHING TEXT	18 WORDS
<p>Public meetings and processions: These emerged as major methods of mass mobilisation and simultaneously as forms of popular expression.</p> <p>Public meetings and processions emerged as major methods of mass and simultaneously as forms of popular expression.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

37/358	SUBMITTED TEXT	25 WORDS	94% MATCHING TEXT	25 WORDS
<p>boycott of foreign-made salt or sugar, refusal by priests to ritualize marriages involving exchange of foreign goods, refusal by washer men to wash foreign clothes.</p> <p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				
38/358	SUBMITTED TEXT	20 WORDS	85% MATCHING TEXT	20 WORDS
<p>the masses through magic lantern lectures, swadeshi songs, physical and moral training to their members, social work during famines and epidemics,</p> <p>the villages through magic lantern lectures and swadeshi songs, physical and moral training to their members, did social work during famines and epidemics,</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
39/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>swadeshi propaganda not only in western India, but also in Bengal.</p> <p>Swadeshi propaganda not only in Western India but also in Bengal.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
40/358	SUBMITTED TEXT	32 WORDS	54% MATCHING TEXT	32 WORDS
<p>social and economic regeneration of the villages. In practical terms, it included social reform and campaigns against caste oppression, early marriage, dowry system, consumption of alcohol, etc. f. Programme of swadeshi or national education:</p> <p>social and economic regeneration of the villages and of reaching the rural masses. In actual terms this meant social reform and campaigns against evils such as caste oppression, early marriage, the dowry system, consumption of alcohol, etc. One of the major planks of the programme of self-reliance was Swadeshi or national education.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
41/358	SUBMITTED TEXT	26 WORDS	94% MATCHING TEXT	26 WORDS
<p>of volunteers or 'samitis': Samitis such as the Swadesh Bandhab Samiti of Ashwini Kumar Dutta (in Barisal) emerged as a very popular and powerful method of mass</p> <p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

42/358	SUBMITTED TEXT	17 WORDS	90% MATCHING TEXT	17 WORDS
<p>to organise a system of education (literary, scientific and technical) on national lines and under national control.</p>		<p>to organize a system of Education Literary, Scientific and Technical — on National lines and under National control'</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

43/358	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>national schools and colleges sprang up in various parts of the country.</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

44/358	SUBMITTED TEXT	14 WORDS	75% MATCHING TEXT	14 WORDS
<p>by Rabindranath Tagore, Rajnikant Sen, Dwijendralal Ray, Mukunda Das, Syed Abu Mohammad and others.</p>		<p>by Rabindranath Tagore, Rajani Kanta Sen, Dwijendralal Ray, Mukunda Das, Syed Abu Mohammed, and others</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

45/358	SUBMITTED TEXT	32 WORDS	100% MATCHING TEXT	32 WORDS
<p>The swadeshi spirit also found expression in the establishment of swadeshi textile mills, soap and match factories, tanneries, banks, insurance companies, shops etc. These enterprises were based more on patriotic zeal than on business acumen.</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

46/358	SUBMITTED TEXT	57 WORDS	83% MATCHING TEXT	57 WORDS
<p>Abanindranath Tagore broke the domination of Victorian naturalism over Indian art and took inspiration from Mughal, Ajanta and Rajput paintings. Nandlal Bose, who left a major imprint on Indian art, was the first recipient of a scholarship offered by the Indian Society of Oriental Art, founded in 1907. In science, Jagdish Chandra Bose, Prafulla Chandra Roy and others pioneered original research</p>		<p>Abanindranath Tagore broke the domination of Victorian naturalism over Indian art and sought inspiration from the rich indigenous traditions of Mughal, Rajput and Ajanta paintings. Nandalal Bose, who left a major imprint on Indian art, was the first recipient of a scholarship offered by the Indian Society of Oriental Art founded in 1907. In science, Jagdish Chandra Bose, Prafulla Chandra Ray, and others pioneered original research</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

47/358	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>Swadeshi movement, with its multi-faceted programme and activity, was able to draw for the first time large sections of society into active participation in</p> <p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>		<p>Swadeshi Movement with its multi-faceted programme and activity was able to draw for the first time large sections of society into active participation in</p>		
48/358	SUBMITTED TEXT	32 WORDS	81% MATCHING TEXT	32 WORDS
<p>To understand the man who was about to take over the reins of the Indian national movement and guide its NSOU ? GE-PS-11 58 destinies through its most climactic years it is essential to</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>To understand the man who was about to take over the reins of the Indian national movement and guide its destinies through its most climactic years, it is necessary to</p>		
49/358	SUBMITTED TEXT	28 WORDS	92% MATCHING TEXT	28 WORDS
<p>Gandhi called for a nationwide Satyagraha against the Rowlatt Act in March 1919, his first attempt at leading an all India struggle, he was already in his fiftieth year</p> <p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>		<p>Gandhi called for a nation- Satyagraha against the Rowlatt Act in March 1919, his first attempt at leading an all India struggle, he was already in his fiftieth year.</p>		
50/358	SUBMITTED TEXT	31 WORDS	100% MATCHING TEXT	31 WORDS
<p>it is necessary to begin his story at least twenty-five years earlier, in 1893, when as a twenty-four old barrister, he began the struggle of Indians against racial discrimination in South Africa.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>it is necessary to begin his story at least twenty-five years earlier, in 1893, when as a twenty-four old barrister, he began the struggle of Indians against racial discrimination in South Africa.</p>		

51/358	SUBMITTED TEXT	139 WORDS	98% MATCHING TEXT	139 WORDS
<p>Non-violent civil disobedience had succeeded in forcing the opponents to the negotiating table and conceding the substance of the demands put forward by the movement. The blueprint for the 'Gandhian' method of struggle had been evolved and Gandhiji started back for his native land. The South African 'experiment' was now to be tried on a much wider scale on the Indian subcontinent. In other respects, too, the South African experiment prepared Gandhiji for leadership of the Indian national struggle. He had the invaluable experience of leading poor Indian labourers, of seeing their capacity for sacrifice and for bearing hardship, their morale in the face of repression. South Africa built up his faith in the capacity of the Indian masses to participate in and sacrifice for a cause that moved them. Gandhiji also had had the opportunity of leading Indians belonging to different religions, Hindus, Muslims, Christians and Parsis</p>		<p>Non-violent civil disobedience had succeeded in forcing the opponents to the negotiating table and conceding the substance of the demands put forward by the movement. The blueprint for the 'Gandhian' method of struggle had been evolved and Gandhiji started back for his native land. The South African 'experiment' was now to be tried on a much wider scale on the Indian subcontinent. In other respects, too, the South African experiment prepared Gandhiji for leadership of the Indian national struggle. He had had the invaluable experience of leading poor Indian labourers, of seeing their capacity for sacrifice and for bearing hardship, their morale in the face of repression. South Africa built up his faith in the capacity of the Indian masses to participate in and sacrifice for a cause that moved them. had the opportunity of leading Indians belonging to different religions: Hindus, Muslims, Christians and Parsis</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
52/358	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Boycott of titles, civil services, police and army and finally non-payment of taxes.</p>		<p>boycott of titles, civil services, police and army, and finally non-payment of taxes),</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
53/358	SUBMITTED TEXT	20 WORDS	69% MATCHING TEXT	20 WORDS
<p>surrender of Govt. titles, boycott of schools, court and councils and foreign goods, encouragement of National schools, arbitration courts and khadi.</p>		<p>surrender of titles, the 'triple boycott' (of schools, courts and Councils), boycott of foreign goods, and encouragement of national schools, arbitration courts, and khadi</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
54/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>him by the British for his services during the War. In</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

55/358	SUBMITTED TEXT	13 WORDS	95% MATCHING TEXT	13 WORDS
<p>at Dandi, defiance of salt laws started all over the country.</p>		<p>at Dandi, the defiance of salt laws started all over the country.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
56/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>the annual session of the Indian National Congress, held at Nagpur,</p>				
<p>SA 08_chapter4.pdf (D37271270)</p>				
57/358	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>Either way, it led to the erosion of the hegemony of the British government.</p>		<p>Either way, it led to the erosion of the hegemony of the British government.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
58/358	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>July 1930 suggested a Round Table Conference and reiterated the goal of Dominion Status.</p>		<p>July suggested a Round Table Conference and reiterated the goal of Dominion Status.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
59/358	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>on behalf of the Congress and by Lord Irwin on behalf of the</p>		<p>on behalf of the Congress and by Lord Irwin on behalf of the</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
60/358	SUBMITTED TEXT	24 WORDS	57% MATCHING TEXT	24 WORDS
<p>that the Congress did not represent the interests of all Indians and neutralized Gandhi's efforts to confront the imperialist rulers on the moot question of</p>		<p>that the Congress did not represent the interests of all Indians vis-a-vis imperialism, and to neutralize Gandhiji and all his efforts to confront the imperialist rulers with the basic question of</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

61/358

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16 WORDS

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16 WORDS

to lay the groundwork for the Round Table Conference to
be held in England, Mahatma Gandhi

SA Vijaya kumari_Submitted file_Merge.docx (D152443624)

62/358

SUBMITTED TEXT

394 WORDS

92% MATCHING TEXT

394 WORDS

The Civil Disobedience Movement of 1930-31, then, marked a critically important stage in the progress of the anti-imperialist struggle. The number of people who went to jail was estimated at over 90,000 — more than three times the figure for the Non-Cooperation Movement of 1920-22. Imports of cloth from Britain had fallen by half; other imports like cigarettes had suffered a similar fate. Government income from liquor excise and land revenue had been affected. Elections to the Legislative Assembly had been effectively boycotted. A vast variety of social groups had been politicized on the side of Indian nationalism — if urban elements like merchants and shopkeepers and students were more active in Tamil Nadu and Punjab, and in cities in general, peasants had come to the forefront in Gujarat, U.P., Bengal, Andhra, and Bihar, and tribals in the Central Provinces, Maharashtra, Karnataka and Bengal. Workers had not been missing from the battle either — they joined numerous mass demonstrations in Bombay, Calcutta, and Madras and were in the forefront in Sholapur. The participation of Muslims in the Civil Disobedience Movement was certainly nowhere near that in 1920-22. The appeals of communal leaders to stay away, combined with active Government encouragement of communal dissension to counter the forces of nationalism, had their effect. Still, the participation of Muslims was not insignificant, either. Their participation in the North-West Frontier Province was, as is well known, overwhelming. In Bengal, middle class Muslim participation was quite important in Senhatta, Tripura, Gaibandha, Bagura and Noakhali and in Dacca, Muslim students and shopkeepers as well as people belonging to the lower classes extended support to the movement. Middle and upper class Muslim women were also active. The Muslim weaving community in Bihar and in Delhi and Lucknow, the lower classes of Muslims were effectively mobilized as were many others in different parts of the country. NSOU ? GE-PS-11 63 8.6 Conclusion The support that the movement had garnered from the poor and the illiterate, both in the cities and in the villages, was remarkable indeed. Their participation was reflected even in the government statistics of jail goers — and jail-going was only one of the many forms of participation. The Inspector-General of Police in Bengal, E.J. Lowman, expressed the general official bewilderment when he noted: 'I had no idea that the Congress organization could enlist the sympathy and support of such ignorant and uncultivated people.' For Indian women, the movement was the most liberating experience to date

The Civil Disobedience Movement of 1930-31, then, marked a critically important stage in the progress of the anti-imperialist struggle. The number of people who went to jail was estimated at over 90,000 — more than three times the figure for the Non-Cooperation Movement of 1920-22. Imports of cloth from Britain had fallen by half; other imports like cigarettes had suffered a similar fate. Government income from liquor excise and land revenue had been affected. Elections to the Legislative Assembly had been effectively boycotted. A vast variety of social groups had been politicized on the side of Indian nationalism — if urban elements like merchants and shopkeepers and students were more active in Tamil Nadu and Punjab, and in cities in general, peasants had come to the forefront in Gujarat, U.P., Bengal, Andhra, and Bihar, and tribals in the Central Provinces, Maharashtra, Karnataka and Bengal. Workers had not been missing from the battle either — they joined numerous mass demonstrations in Bombay, Calcutta, and Madras and were in the forefront in Sholapur. The participation of Muslims in the Civil Disobedience Movement was certainly nowhere near that in 1920-22. The appeals of communal leaders to stay away, combined with active Government encouragement of communal dissension to counter the forces of nationalism, had their effect. Still, the participation of Muslims was not insignificant, either. Their participation in the North-West Frontier Province was, as is well known, overwhelming. In Bengal, middle class Muslim participation was quite important in Senhatta, Tripura, Gaibandha, Bagura and Noakhali, and, in Dacca, Muslim students and shopkeepers as well as people belonging to the lower classes extended support to the movement. Middle and upper class Muslim women were also active. The Muslim weaving community in Bihar, and in Delhi and Lucknow the lower classes of Muslims were effectively mobilized as were many others in different parts of the country. The support that the movement had garnered from the poor and the illiterate, both in the town and in the country, was remarkable indeed. Their participation was reflected even in the government statistics of jail-goers — and jail-going was only one of the many forms of participation. The Inspector-General of Police in Bengal, E.J. Lowman, expressed the general official bewilderment when he noted: 'I had no idea that the Congress organization could enlist the sympathy and support of such ignorant and uncultivated people . . . For Indian women, the movement was the most liberating experience to date and can truly be said to have marked

and can truly be said to have marked their entry into the public space. 8.7

W [https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...](https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi...)

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after the suspension of the Civil Disobedience Movement, a section of Congressmen decided to enter into the legislatures to work for the Congress cause within the government.

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64/358 SUBMITTED TEXT 14 WORDS **96% MATCHING TEXT** 14 WORDS

At this stage some socialists wanted to form a socialist party within the Congress

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the revolutionary character of the Congress by entry into the legislatures. The Socialists within the Congress believed in Marxist ideas like the Communists. But there are two basic differences between the Congress Socialists and the Communists:i) First, while the Congress Socialists owed their allegiance to the

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66/358 SUBMITTED TEXT 25 WORDS **61% MATCHING TEXT** 25 WORDS

allegiance to the Communist International. ii) Secondly the Congress Socialists are nationalists, the Communists at the sametime also believed in the goal of global Communist society.

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67/358	SUBMITTED TEXT	15 WORDS	93% MATCHING TEXT	15 WORDS
<p>for carrying on the national liberation with the help of workers, peasants and petty bourgeoisie.</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
68/358	SUBMITTED TEXT	14 WORDS	83% MATCHING TEXT	14 WORDS
<p>stood for abolition of capital and princely states. They wanted to incorporate radical socio-economic</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
69/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>held that the workers and the peasants should take part</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
70/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>stressed the need for the formation of an all-India Socialist</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
71/358	SUBMITTED TEXT	42 WORDS	55% MATCHING TEXT	42 WORDS
<p>The Conference was presided over by Acharya Narendra Dev. In his presidential speech, Narendra Dev criticized the new Swarajist section of Congressmen who wanted to enter the legislatures and thereby run counter to the revolutionary character of the Congress. He asked the socialists to</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
72/358	SUBMITTED TEXT	17 WORDS	88% MATCHING TEXT	17 WORDS
<p>The Conference passed a resolution asking the Congress to adopt a programme that was socialist in action and</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

73/358

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the Organising Secretary, Jaya Prakash Narayan
campaigned in different parts of the country to organise
the provincial wings of the party.

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74/358**SUBMITTED TEXT**

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The move towards the formation of a socialist party was made in the jails during 1930-31 and 1932-34 by a group of young Congressmen who were disenchanted with Gandhian strategy and leadership and attracted by socialist ideology. Many of them were active in the youth movement of the late 1920s. In the jails they studied and discussed Marxian and other socialist ideas. Attracted by Marxism, communism and Soviet Union, they did not find themselves in agreement with the prevalent political line of the CPI. Many of them were groping towards an alternative. Ultimately they came together and formed the Congress Socialist Party (CSP) at Bombay in October 1934 under the leadership of Jayaprakash Narayan, Acharya Narendra Dev and Minoo Masani. From the beginning, all the Congress socialists were agreed upon four basic propositions: that the primary struggle in India was the national struggle for freedom and that nationalism was necessary stage on the way to socialism; that socialists must work inside the National Congress because it was the primary body leading the national struggle and, as Acharya Narendra Dev put it in 1934, it would be a suicidal policy for us to cut ourselves off from the national movement that the Congress undoubtedly represents; that they must give the Congress and the national movement a socialist direction; and that to achieve this objective they must organize the workers and peasants in their class organizations, wage struggles for their economic demands and make them the social base of the national struggle. The CSP from the beginning assigned itself the task of both transforming the Congress and of strengthening it. The task of transforming the Congress was understood in two senses. One was the ideological sense. Congressmen were to be gradually persuaded to adopt a socialist vision of independent India and a more radical pro-labour and pro-peasant stand on current economic issues. This ideological and programmatic transformation was, however, to be seen not as an event but as a process. As Jayaprakash Narayan repeatedly told his followers in 1934: 'We are placing before the Congress a programme and we want the Congress to accept it. If the Congress does not accept it, we do not say we are going out of the Congress. If today we fail, tomorrow we will try and if tomorrow we fail, we will try again.' The transformation of the Congress was also seen in an organizational sense, that is, in terms of changes in its leadership at the top. Initially, the task was interpreted as the displacement of the existing leadership, which was declared to be incapable of developing the struggle of the masses to a

The move towards the formation of a socialist party was made in the jails during 1930-31 and 1932-34 by a group of young Congressmen who were disenchanted with Gandhian strategy and leadership and attracted by socialist Many of them were active in the youth movement of the late 1920s. In the jails they studied and discussed Marxian and other socialist ideas. Attracted by Marxism, communism and Soviet Union, they did not find themselves in agreement with the prevalent political line of the CPI. Many of them were groping towards an alternative. Ultimately they came together and formed the Congress Socialist Party (CSP) at Bombay in October 1934 under the leadership of Jayaprakash Narayan, Acharya Narendra Dev and Minoo Masani. From the beginning, all the Congress socialists were agreed upon four basic propositions: that the primary struggle in India was the national struggle for freedom and that nationalism was a necessary stage on the way to socialism; that socialists must work inside the National Congress because it was the primary body leading the national struggle and, as Acharya Narendra Dev put it in 1934, 'it would be a suicidal policy for us to cut ourselves off from the national movement that the Congress undoubtedly represents; that they must give the Congress and the national movement a socialist direction; and that to achieve this objective they must organize the workers and peasants in their class organizations, wage struggles for their economic demands and make them the social base of the struggle. from the beginning assigned itself the task of both transforming the Congress and of strengthening it. The task of transforming the Congress was understood in two senses. One was the ideological sense. Congressmen were to be gradually persuaded to adopt a socialist vision of independent India and a more radical pro-labour and pro-peasant stand on current economic issues. This ideological and programmatic transformation was, however, to be seen not as an event but as a process. As Jayaprakash Narayan repeatedly told his followers in 1934: 'We are placing before the Congress a programme and we want the Congress to accept it. If the Congress does not accept it, we do not say we are going out of the Congress. If today we fail, tomorrow we will try and if tomorrow we fail, we will try again. The transformation of the Congress was also seen in an organizational sense, that is, in terms of changes in its leadership at the top. Initially, the task was interpreted as the displacement of the existing leadership, which was declared to be incapable of developing the struggle of the masses to a

higher level. The CSP was to develop as the nucleus of the alternative socialist leadership of the Congress. As the Meerut thesis of the CSP put it in 1935, the task was to 'win the anti-imperialist elements in the NSOU ? GE-PS-11 68 Congress away from its present bourgeois leadership and to bring them under the leadership of revolutionary socialism.' This perspective was, however, soon found to be unrealistic and was abandoned in favour of a 'composite' leadership in which socialists would be taken into the leadership at all levels. The notion of alternate Left leadership of the Congress and the national movement came up for realization twice at Tripuri in 1939 and at Ramgarh in 1940. But when it came to splitting the Congress on a Left- Right basis and giving the Congress an executive left-wing leadership, the CSP (as also the CPI) shied away. Its leadership (as also CPI's) realized that such an effort would not only weaken the national movement but isolate the Left from the mainstream, that the Indian people could be mobilized into a movement only under Gandhiji's leadership and that, in fact, there was at the time no alternative to Gandhiji's leadership. However, unlike Jawaharlal Nehru, the leadership of the CSP, as also of other Left groups and parties, was not able to fully theorize or internalize this understanding and so it went back again and again to the notion of alternative leadership. The CSP was, however, firmly well grounded in the reality of the Indian situation. Therefore, it never carried its opposition to the existing leadership of the Congress to breaking point. Whenever it came to the crunch, it gave up its theoretical position and adopted a realistic approach close to that of Jawaharlal Nehru's. This earned it the condemnation of the other left- wing groups and parties — for example, in 1939, they were chastised for their refusal to support Subhas Bose in his confrontation with Gandhiji and the Right wing of the Congress. At such moments, the socialists defended themselves and revealed flashes of an empiricist understanding of Indian reality. Jayaprakash Narayan, for example, said in 1939 after Tripuri: 'We Socialists do not want to create factions in the Congress nor do we desire to displace the old leadership of the Congress and to establish rival leadership. We are only concerned with the policy and programme of the Congress. We only want to influence the Congress decisions. Whatever our differences with the old leaders, we do not want to quarrel with them. We all want to march shoulder to shoulder in our common fight against imperialism.' From the beginning the CSP leaders were divided into three broad ideological currents: the Marxian, the Fabian and the current influenced by Gandhiji. This would not have been a major weakness — in fact it might have been a

higher level. The CSP was to develop as the nucleus of the alternative socialist leadership of the Congress. As the Meerut Thesis of the CSP put it in 1935, the task was to 'wean the anti-imperialist elements in the Congress away from its present bourgeois leadership and to bring them under the leadership of revolutionary socialism. This perspective was, however, soon found to be unrealistic and was abandoned in favour of a 'composite' leadership in which socialists would be taken into the leadership at all levels. The notion of alternate Left leadership of the Congress and the national movement came up for realization twice at Tripuri in 1939 and at Ramgarh in 1940. But when it came to splitting the Congress on a Left- Right basis and giving the Congress an executive left-wing leadership, the CSP (as also the CPI) shied away. Its leadership (as also CPI's) realized that such an effort would not only weaken the national movement but isolate the Left from the mainstream, that the Indian people could be mobilized into a movement only under Gandhiji's leadership and that, in fact, there was at the time no alternative to Gandhiji's leadership. However, unlike Jawaharlal Nehru, the leadership of the CSP, as also of other Left groups and parties, was not able to fully theorize or internalize this understanding and so it went back again and again to the notion of alternative leadership. The CSP was, however, fairly well grounded in the reality of the Indian situation. Therefore, it never carried its opposition to the existing leadership of the Congress to breaking point. Whenever it came to the crunch, it gave up its theoretical position and adopted a realistic approach close to that of Jawaharlal Nehru's. This earned it the condemnation of the other left-wing groups and parties — for example, in 1939, they were chastized for their refusal to support Subhas Bose in his confrontation with Gandhiji and the Right wing of the Congress. At such moments, the socialists defended themselves and revealed flashes of an empiricist understanding of Indian reality. Jayaprakash Narayan, for example, said in 1939 after Tripuri: 'We Socialists do not want to create factions in the Congress nor do we desire to displace the old leadership of the Congress and to establish rival leadership. We are only concerned with the policy and programme of the Congress. We only want to influence the Congress decisions. Whatever our differences with the old leaders, we do not want to quarrel with them. We all want to march shoulder to shoulder in our common fight against imperialism.'^^ From the beginning the CSP leaders were divided into three broad ideological currents: the Marxian, the Fabian and the current influenced by Gandhiji. This would not have been a major weakness — in fact it might have been

source of strength— for a broad socialist party which was a movement. But the CSP was already a part, and a cadre-based party at that, within a movement that was the National Congress. Moreover, the Marxism of the 1930s was incapable of accepting as legitimate such diversity of political currents on the Left. The result was a confusion which plagued the CSP till the very end. The party's basic ideological differences were papered over for a long time because of the personal bonds of friendship and a sense of comradeship among most of the founding leaders of the party, the acceptance of Acharya Narendra Dev and Jayaprakash Narayan as its senior leaders, and its commitment to nationalism and socialism.

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W [https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...](https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi...)

75/358 SUBMITTED TEXT 15 WORDS 80% MATCHING TEXT 15 WORDS

The first annual session of the All-India Congress Socialist party was held in Bombay

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76/358 SUBMITTED TEXT 32 WORDS 85% MATCHING TEXT 32 WORDS

for their own economic uplift as well as for carrying on the movement for the achievement of independence and socialism, iii) To organise Youth Leagues Organisation and Volunteer Organisations and secure their support for

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77/358 SUBMITTED TEXT 38 WORDS 80% MATCHING TEXT 38 WORDS

To resist any attempt on the part of the British Government to involve India in imperialist wars, and to crises for the intensification of the freedom struggle, v) To resist any negotiation with the British Government on constitutional issues. The

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78/358	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
<p>at Bombay adopted comprehensive programme as the blueprint of a Socialist society in India,</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
79/358	SUBMITTED TEXT	16 WORDS	87% MATCHING TEXT	16 WORDS
<p>Development of the economic life of the country to be planned and controlled by the state, 3.</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
80/358	SUBMITTED TEXT	16 WORDS	78% MATCHING TEXT	16 WORDS
<p>cooperative societies for production, distribution and credit in the unorganised sector of the economic life. 6. Abolition</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
81/358	SUBMITTED TEXT	26 WORDS	40% MATCHING TEXT	26 WORDS
<p>Redistribution of land among the peasants. 8. The state was to encourage and control co-operative and collective farming, 9. Liquidation of debts owned by peasants and workers, 10.</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
82/358	SUBMITTED TEXT	18 WORDS	64% MATCHING TEXT	18 WORDS
<p>programmes for the workers' and peasants uplift. For workers the demand : freedom to form trade unions and</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

83/358	SUBMITTED TEXT	36 WORDS	64% MATCHING TEXT	36 WORDS
<p>forty-hour week, and, insurance against unemployment, accident and old age. For the peasants the demand abolition of landlordism, encouragement of cooperative farming, exempt rents and taxes on uneconomic holdings, reduction of land revenue and of feudal levies.</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

84/358	SUBMITTED TEXT	44 WORDS	43% MATCHING TEXT	44 WORDS
<p>freedom from British rule) and socialism were the twin objectives of the Congress Socialist Party. For the purpose of attainment of independence the Congress Socialists joined hands with socialist and non-socialist forces within the Congress. Jaya Prakash Narayan said "Our work within Congress is governed by the</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

85/358	SUBMITTED TEXT	14 WORDS	76% MATCHING TEXT	14 WORDS
<p>Congress also worked to secure the acceptance of their programme by the Indian National Congress.</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

86/358	SUBMITTED TEXT	83 WORDS	62% MATCHING TEXT	83 WORDS
<p>the first all-India Socialists Conference said that the Congress Socialists should carry on their "endeavour to influence the Nationalist Movement in the direction of socialism." The Congress Socialists followed three lines of activities for the attainment of the twin objectives of freedom and socialism: 1. Inside the Congress they worked out anti-imperialist and nationalist programmes of the Congress as Congressmen, 2. Outside the Congress they mobilised the workers, peasants, students, intelligentsia, youth and women for the cause of socialism, 3. They also sought to integrate the above two lines of activities.</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

87/358

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The Congress Socialists sought to mobilise the workers and peasants for their economic amelioration as well as the country's liberation from foreign rule. 9.5 Congress Socialist Party:

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88/358

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59 WORDS

86% MATCHING TEXT

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There was a mixed reaction among the Congressmen to the formation of the Congress Socialist party. The conservative or Right Wing Congressmen criticized the Congress Socialists "loose talk" about the confiscation of property and class war. Mahatma Gandhi also rejected their idea of class war. Gandhi did not believe in the necessity of the abolition of princely order, zamindary and capitalism. He

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89/358

SUBMITTED TEXT

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the princes, zamindars and capitalists so that instead of considering themselves the owners of the states, zamindaries and factories they should behave as the trustees for their subjects, tenants and workers. But the leftist Congressmen like Jawaharlal Nehru and Subhas Chandra Bose welcomed the formation of the Congress Socialist Party, though neither Nehru nor NSOU ? GE-PS-11 71 Bose joined the party. In the annual session of

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90/358

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espoused the cause of socialism. He said: "I see no way of ending the poverty, vast unemployment, degradation and subjection of the Indian people except through socialism. That involves vast revolutionary changes in our political and social structure, ending vested interests in the land and industry as well as the feudal autocratic Indian states system. That means ending private property except in

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91/358	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>restricted sense and replacement of the present profit system by the higher ideals of cooperative service.”</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
92/358	SUBMITTED TEXT	25 WORDS	70% MATCHING TEXT	25 WORDS
<p>three Congress Socialists - Narendra Dev, Jaya Prakash Narayan and Achyut Patwardhan into the Congress Working Committee, besides another leftist, Subhas Chandra Bose. The Faizpur session</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
93/358	SUBMITTED TEXT	34 WORDS	95% MATCHING TEXT	34 WORDS
<p>held towards the close of 1936 under the presidentship of Jawaharlal Nehru, adopted an agrarian programme, containing such items as reduction of revenue, abolition of feudal dues and levies, introduction of cooperative farming, living wage for</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
94/358	SUBMITTED TEXT	32 WORDS	84% MATCHING TEXT	32 WORDS
<p>the Congress Labour Committee asked the Congress ministries, formed in the provinces in 1937, for adopting measures for safeguarding and promoting the interests of the workers. The Congress Socialists played an important role in</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
95/358	SUBMITTED TEXT	16 WORDS	66% MATCHING TEXT	16 WORDS
<p>Through the efforts of Prof. N.G. Ranga, Indulal Yagnik, and Swami Sahajanand Saraswati, the All-India Kisan</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

96/358	SUBMITTED TEXT	29 WORDS	95% MATCHING TEXT	29 WORDS
<p>demanded the abolition of zamindari, reduction of land tax, and collective affiliation to Congress. The Congress Socialists changed the Congress Party's policy from aloofness to closer involvement in the affairs of</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
97/358	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>A group of young congressmen who were disenchanted with Gandhism and attracted by</p> <p>a group of young Congressmen who were disenchanted with Gandhian strategy and leadership and attracted by</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
98/358	SUBMITTED TEXT	31 WORDS	95% MATCHING TEXT	31 WORDS
<p>Princely States. The Congress socialist activists also took part in the democratic movements of the people in the Princely States against their autocratic rulers. They agitated for civil rights and responsible government. 9.6</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
99/358	SUBMITTED TEXT	19 WORDS	86% MATCHING TEXT	19 WORDS
<p>as a result of the development of modern industries and the impact of socialist movements in other countries like</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
100/358	SUBMITTED TEXT	16 WORDS	73% MATCHING TEXT	16 WORDS
<p>certain places like Bombay, Calcutta and Madras, large and concentrated working populations came into existence. Gradually the</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

101/358	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
<p>the end of the First World War, workers' strikes in the Indian industries were a rare</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
102/358	SUBMITTED TEXT	30 WORDS	96% MATCHING TEXT	30 WORDS
<p>the workers were not politically conscious. From the end of the First World War onwards there were frequent strikes in the industries and a large number of trade unions were formed.</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
103/358	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
<p>Muzaffar Ahmad, S.A. Dange, Shaukat Usmani and Nalini Gupta.</p>				
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
104/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the suspension of the Non-Cooperation movement by Mahatma Gandhi. In</p>				
<p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
105/358	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>Unlike moderates, the extremist leaders neither believed in the goodness of the British rule nor in their sense of justice and fair play.</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

106/358**SUBMITTED TEXT**

54 WORDS

100% MATCHING TEXT

54 WORDS

Since exploitation of India was the chief motive of the British, the extremists did not expect them to take a sympathetic view of the popular demands of the Indian people. Therefore, it was necessary to use pressure to make them accept the demands, not by petitioning or praying like the moderates, but by openly agitating against them.

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107 WORDS

92% MATCHING TEXT

107 WORDS

the extremist programme, which involved the following activities: a) 'Boycott' of foreign goods and promotion of 'Swadeshi' goods to give impetus to the growth of indigenous industry and commerce. b) Non-cooperation with the bureaucracy; this included 'boycott' of governmental activities. c) Establishment of schools and colleges that gave education in the Indian languages and instill in the students pride for the glorious heritage of India, make the students nationalistic and public spirited in character and knowledgeable, self-reliant and independent in spirit. d) 'Passive Resistance' to British rule by non-payment of revenue and taxes and by organising separate 'indigenous administrative institutions' parallel to those of the British at the level of villages, talukas and districts.

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32 WORDS

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The Extremist leaders disfavoured the use of violence against British rule and did not approve the methods of political murder and assassination used by the Indian revolutionaries. However, they did take a sympathetic

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109/358 SUBMITTED TEXT 85 WORDS **99% MATCHING TEXT** 85 WORDS

There was a fundamental change in the nature of Indian nationalism under extremist leadership due to their forceful articulation of the demand for 'Swaraj' and use of more radical methods than those of the moderates. Their concept of nationalism was emotionally charged and based on rich interpretation of Indian religious traditions. The Extremist leaders tried to reorient Indian religious traditions to worldly life and link them with the national liberation struggle. Aurobindo Ghose reinterpreted Vedanta philosophy, which advocated unity of man and God and based his concept of nationalism on it.

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110/358 SUBMITTED TEXT 59 WORDS **100% MATCHING TEXT** 59 WORDS

The extremists emphasised the mobilisation of people against foreign rule by launching political movements. If the nation was not ready to undertake political movement, then it was the duty of the leaders to prepare the people for it. The extremists were ready to suffer imprisonment, deportation and other physical suffering for the sake of mobilising the masses for struggle against foreign rule.

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111/358 SUBMITTED TEXT 11 WORDS **87% MATCHING TEXT** 11 WORDS

<p>the Non-Cooperation Movement, the Civil Disobedience Movement, the Quit India Movement</p>	<p>The Non-Cooperation Movement (1920)..... 22 2.5.2. The Civil Disobedience Movement (1930-1931)..... 26 2.5.3. The Dandi March (1930)..... 29 2.5.4. The Quit India Movement (1942)..... 32 2.6.</p>
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W [https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...](https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In...)

112/358	SUBMITTED TEXT	44 WORDS	94% MATCHING TEXT	44 WORDS		
<p>The demonstrations, processions undertaken by the extremists brought about an involvement of the common people in agitations against British rule. They also made use of popular symbols like Shivaji, and religious symbols like God Ganapati and Goddess Kali for mobilising the people. Thus, under the extremist</p> <p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>						
113/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS		
<p>Shah, Ghanshyam: Social Movements in India: A Review of Literature, Sage Publications,</p> <p>SA Unit 1-5 (1).pdf (D129193984)</p>						
114/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS		
<p>Chakrabarty, Bidyut and Pandey, Rajendra Kumar : Modern Indian Political Thought:</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>						
115/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS		
<p>Sekhar : From Plassey to Partition: A History of Modern India,</p> <p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>						
116/358	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>from the Spanish and Portuguese 'casta', which, according to the John Minsheu's Spanish Dictionary (1569), means "race, lineage, tribe or breed".</p> <p>W http://wikipedia.org/wiki/Caste</p> </td> <td style="width: 50%; vertical-align: top;"> <p>from the Spanish and Portuguese casta, which, according to the John Minsheu's Spanish dictionary (1569), means "race, lineage, tribe or breed".[6]</p> </td> </tr> </table>					<p>from the Spanish and Portuguese 'casta', which, according to the John Minsheu's Spanish Dictionary (1569), means "race, lineage, tribe or breed".</p> <p>W http://wikipedia.org/wiki/Caste</p>	<p>from the Spanish and Portuguese casta, which, according to the John Minsheu's Spanish dictionary (1569), means "race, lineage, tribe or breed".[6]</p>
<p>from the Spanish and Portuguese 'casta', which, according to the John Minsheu's Spanish Dictionary (1569), means "race, lineage, tribe or breed".</p> <p>W http://wikipedia.org/wiki/Caste</p>	<p>from the Spanish and Portuguese casta, which, according to the John Minsheu's Spanish dictionary (1569), means "race, lineage, tribe or breed".[6]</p>					

117/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>the new spirit of unity among Left-nationalists, Socialists and Communists’.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The new spirit of unity among Left-nationalists, Socialists and Communists</p>		
118/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>Shah, Ghanshyam: Social Movements in India: A Review of Literature, Sage Publications,</p> <p>SA Unit 1-5 (1).pdf (D129193984)</p>				
119/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>Shah, Ghanshyam: Social Movements In India: A Review of Literature, Sage Publications,</p> <p>SA Unit 1-5 (1).pdf (D129193984)</p>				
120/358	SUBMITTED TEXT	1 WORDS	87% MATCHING TEXT	1 WORDS
<p>news/national/andhra-pradesh/a-valiant-fight-that-inspired- many-a-battle/</p> <p>W https://www.thehindu.com/news/national/andhra-pradesh/a-valiant-fight-that-inspired-many-a-battle ...</p>		<p>Karl Marx defined the working class or proletariat as individuals who sell their labour power for wages and who do not own the means of production. He argued that they were responsible for creating the wealth of a society. He asserted that the working class physically build bridges, craft furniture, grow food, and nurse children, but do not own land, or factories.[13][page needed] A sub-section of the proletariat, the lumpenproletariat (rag-proletariat), are the extremely poor and unemployed, such as day labourers and homeless people. Marx considered them to be devoid of class consciousness.</p>		
121/358	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
<p>Chakrabarty, Bidyut and Pandey, Rajendra Kumar: Modern Indian Political Thought-</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				

122/358	SUBMITTED TEXT	20 WORDS	52% MATCHING TEXT	20 WORDS
<p>A History of Modern India, Victoria University, Wellington, Orient Longman 15 Gular, Ranajit: Elementary Aspects Of Peasant Insurgency In Colonial India,</p> <p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				
123/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>Shah, Ghanshyam: Social Movements in India: A Review Of Literature, Sage Publications,</p> <p>SA Unit 1-5 (1).pdf (D129193984)</p>				
124/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Chakrabarty, Bidyut and Pandey, Rajendra Kumar: Modern Indian Political Thought</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
125/358	SUBMITTED TEXT	14 WORDS	82% MATCHING TEXT	14 WORDS
<p>Oxford University Press. 9. Bandopadhyay, Sekhar: From Plassey to Partition: A History of Modern India,</p> <p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>				
126/358	SUBMITTED TEXT	28 WORDS	100% MATCHING TEXT	28 WORDS
<p>Karl Marx defined the working class or proletariat as individuals who sell their labour power for wages and who do not own the means of production. He argued that</p> <p>W https://en.wikipedia.org/wiki/Working_class#CITEREFLebowitz20166.</p>				
127/358	SUBMITTED TEXT	23 WORDS	80% MATCHING TEXT	23 WORDS
<p>The working class refers to those individuals who sell their labour power for wages and who do not own the means of production.</p> <p>W https://en.wikipedia.org/wiki/Working_class#CITEREFLebowitz20166.</p>				

128/358	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>S. S. Bengalee in Bombay, Sasipada Banerjee in Bengal and Narayan Lokhandya in Maharashtra</p> <p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				
129/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>Shah, Ghanshyam: Social Movements in India: A Review of Literature, Sage Publications,</p> <p>SA Unit 1-5 (1).pdf (D129193984)</p>				
130/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Chakrabarty, Bidyut and Pandey, Rajendra Kumar: Modern Indian Political Thought</p> <p>SA Bashir ahmad, final thesis, history.pdf (D44203364)</p>				
131/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>Sekhar: From Plassey to Partition: A History of Modern India,</p> <p>SA FYBA History Semester-I - (English).pdf (D123321205)</p>				
132/358	SUBMITTED TEXT	23 WORDS	87% MATCHING TEXT	23 WORDS
<p>this mass movement was mooted, the Second World War was going on, the shadows of the Japanese invasion on India were making the</p> <p>this mass movement was arranged, the Second World War was going on; the shadows of the Japanese attack on India were making the</p> <p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>				
133/358	SUBMITTED TEXT	22 WORDS	72% MATCHING TEXT	22 WORDS
<p>The efforts of Cripps mission bore no fruit and the prices of essential commodities were soaring high and the day did not</p> <p>The endeavours of Cripps mission bore no fruit and the prices of important items were soaring high and the day does not</p> <p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>				

134/358	SUBMITTED TEXT	36 WORDS	75% MATCHING TEXT	36 WORDS
<p>movement. 16.2 Introduction The Quit India movement or the Revolt of 1942 or 'August Revolution' of 1942 was the most popular and powerful mass movement in the series of agitations led by Gandhi in the course of freedom struggle.</p>				
<p>SA 0_SharviShummythesis..pdf (D116184325)</p>				

135/358	SUBMITTED TEXT	52 WORDS	88% MATCHING TEXT	52 WORDS
<p>for the deliverance from the British imperialism. Sumit Sarkar writes, "The summer of 1942 found Gandhi in a strange and uniquely militant mood, 'Leave India to God or to anarchy" he repeatedly urged the British – this orderly disciplined anarchy should go, and if as a result there is complete lawlessness I would risk it".</p>				
<p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>				

136/358	SUBMITTED TEXT	52 WORDS	71% MATCHING TEXT	52 WORDS
<p>the restlessness of the leader, who 'promised' Swaraj within one year and who is eager and anxious to see that his mission of gaining freedom for India is realized soon. Sumit Sarkar aptly observes "though the need for non-violence was always reiterated, Gandhi's mantra of Do or Die represents the militant mood of Gandhi".</p>				
<p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>				

137/358	SUBMITTED TEXT	124 WORDS	76% MATCHING TEXT	124 WORDS
<p>One more feature to be noticed in this connection was the refusal of Gandhi to condemn the violence of the masses and held the government responsible for this violence. All over the country people responded positively and actively towards the fast of Gandhi. Gandhi was released on 6 May, 1944 on medical grounds. It is to be noted that the Quit India movement was the spontaneous participation of the masses compared to the earlier non-cooperation and civil disobedience movements. Bipan Chandra was of the view: "the great significance of this historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India' there could be no retreat. Independence was no longer a matter of bargain. And this became amply clear after the war". 16.3</p>		<p>One more component to be seen in this connection was the refusal of Gandhi to censure the brutality of the masses and considered the government in charge of this violence. Everywhere throughout the nation people reacted positively and effectively towards the fast of Gandhi. Gandhi was released on 6 May, 1944 for medicinal grounds. It is to be noticed that the Quit India movement was the spontaneous involvement of the masses contrasted with the previous non-cooperation and civil disobedience movements. Bipan Chandra was of the perspective: The great significance of this historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India' there could be no retreat. Independence was no longer a matter of bargain. And this became amply clear after the war . 2 1 .</p>		
<p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>				

138/358	SUBMITTED TEXT	27 WORDS	71% MATCHING TEXT	27 WORDS
<p>the Quit India Movement Quit India or 'Bharat Choro', the simple but powerful slogan launched the famous struggle which also became significant by the name of 'August Revolution'.</p>		<p>The Quit India Movement and the INA 'Quit India,' ' Bharat Choro'. This simple but powerful slogan launched the legendary struggle which also became famous by the name of the 'August Revolution.'</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

139/358	SUBMITTED TEXT	67 WORDS	67% MATCHING TEXT	67 WORDS
<p>to launch a movement in these difficult conditions of brutal repression? The failure of the Cripps Mission in April 1942 made it clear that Britain was not willing to offer an honorable settlement during the War and she was determined to continue India's unwilling involvement in the War preparations. The Cripps offer convinced Congressmen like Jawaharlal Nehru and Gandhiji, who did not want to do anything to hamper the anti- fascist war</p>		<p>to launch a movement in these difficult conditions, when the possibility of brutal repression was a certainty? For one, the failure of the Cripps Mission in April 1942 made it clear that Britain was unwilling to offer an honourable settlement and a real constitutional advance during the War, and that she was determined to continue India's unwilling partnership in the War effort. The empty gesture of the 'Cripps offer' convinced even those Congressmen like Nehru and Gandhiji, who did not want to do anything to hamper the anti-fascist War</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

140/358	SUBMITTED TEXT	35 WORDS	35% MATCHING TEXT	35 WORDS
<p>that any further silence would legitimize the British Government's right to decide about India without paying any attention to the wishes of the people. Though Gandhiji and Nehru did not want to oppose the anti-fascist struggle,</p>		<p>that any further silence would be tantamount to accepting the right of the British Government to decide India's fate without any reference to the wishes of her people. Gandhiji had been as clear as Nehru that he did not want to hamper the anti-fascist struggle,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
141/358	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>He was the first leader who recognized the role of the masses in the struggle for national liberation.</p>				
<p>SA Subha Kumari_History_ MU_240.doc (D105022205)</p>				
142/358	SUBMITTED TEXT	32 WORDS	81% MATCHING TEXT	32 WORDS
<p>was becoming convinced of the inevitability of a struggle. Gandhiji drafted a resolution after Cripps' departure for the Congress Working Committee calling for Britain's withdrawal and the adoption of non-violent non-cooperation against any Japanese invasion.</p>		<p>was becoming increasingly convinced of the inevitability of a struggle. A fortnight after Cripps' departure, Gandhiji drafted a resolution for the Congress Working Committee calling for Britain's withdrawal and the adoption of non-violent non-cooperation against any Japanese invasion.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
143/358	SUBMITTED TEXT	30 WORDS	62% MATCHING TEXT	30 WORDS
<p>of boats in Bengal and Orissa to prevent their use by the Japanese had led to considerable resentment among the people. There was a growing feeling of an imminent British collapse</p>		<p>of boats in Bengal and Orissa to prevent their being used by the Japanese had led to considerable anger among the people. discontent was enhanced by the growing feeling of an imminent British collapse.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
144/358	SUBMITTED TEXT	15 WORDS	81% MATCHING TEXT	15 WORDS
<p>the news of Allied setbacks and British withdrawals from South-East Asia and Burma. Moreover, the</p>		<p>The news of Allied reverses and British withdrawals from South-East Asia and Burma and the</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

145/358	SUBMITTED TEXT	35 WORDS	61% MATCHING TEXT	35 WORDS
<p>to relatives in India expressed accounts of British betrayal and their being left at the mercy of Japanese. It was quite natural to expect that they would repeat the same in the event of Japanese occupation.</p>		<p>to their relatives in India were full of graphic accounts of British betrayal and their being left at the mercy of the dreaded Japanese. It not only to be expected that they would repeat the performance in India, in the event of a Japanese occupation?</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
146/358	SUBMITTED TEXT	18 WORDS	84% MATCHING TEXT	18 WORDS
<p>that the people were becoming demoralized and that in the event of a Japanese aggression, they might not resist.</p>		<p>that the people were becoming demoralized and, that in the event of a Japanese occupation, might not resist</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
147/358	SUBMITTED TEXT	15 WORDS	66% MATCHING TEXT	15 WORDS
<p>the All India Congress Committee in Bombay to ratify this decision. This historic meeting at</p>		<p>The All-India Congress Committee was then to meet in Bombay in August to ratify this decision. historic August at</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
148/358	SUBMITTED TEXT	13 WORDS	76% MATCHING TEXT	13 WORDS
<p>Gowalia Tank in Bombay was unprecedented in popular enthusiasm. Huge crowds gathered outside</p>		<p>Gowalia Tank in Bombay was unprecedented in the popular enthusiasm it generated. Huge crowds waited outside</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

149/358	SUBMITTED TEXT	113 WORDS	93% MATCHING TEXT	113 WORDS
	<p>had the most inspiring impact upon the audience. He made it clear that 'the actual struggle does not commence this moment. You have only placed all your powers in my hands. I will now wait upon the Viceroy and plead with him for the acceptance of the Congress demand. That process is likely to take two or three weeks.' He added: 'you may take it from me that I am not going to strike a bargain with the Viceroy for ministries and the like. I am not going to be satisfied with anything short of complete freedom. Maybe, he will propose the abolition of salt tax, the drink evil, etc. But I will say:' Nothing less than freedom. He</p>		<p>had the most electrifying impact. He first made it clear that 'the actual struggle does not commence this moment. You have only placed all your powers in my hands. I will now wait upon the Viceroy and plead with him for the acceptance of the Congress demand. That process is likely to take two or three weeks.' But, he added: 'you may take it from me that I am not going to strike a bargain with the Viceroy for ministries and the like. I am not going to be satisfied with anything short of complete freedom. Maybe, he will propose the abolition of salt tax, the drink evil, etc. But I will say: "Nothing less than freedom.'" He</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			
150/358	SUBMITTED TEXT	81 WORDS	73% MATCHING TEXT	81 WORDS
	<p>Here is a mantra, a short one that I give you. You may imprint it on your hearts and let every breath of yours give expression to it. The mantra is: "Do or Die". We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery.'(M. K. Gandhi, Collected Works, 1939) Gandhiji also provided specific instructions for the people. Government servants should openly declare their allegiance to the Congress, the Princes were asked to accept their</p>		<p>Here is a mantra, a short one, that I give you. You may imprint it on your hearts and let every breath of yours give expression to it. The mantra Do or Die." We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery' Gandhiji's speech also contained specific instructions for different sections of the people. Government servants would not yet be asked to resign, but they should openly declare their allegiance to the Congress, soldiers were also not to leave their</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			
151/358	SUBMITTED TEXT	17 WORDS	94% MATCHING TEXT	17 WORDS
	<p>declare that they were part of Indian nation and they would accept the leadership of the Princes.</p>		<p>declare that they '(were) part of the Indian nation and that they (would) accept the leadership of the Princes,</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			
152/358	SUBMITTED TEXT	21 WORDS	97% MATCHING TEXT	21 WORDS
	<p>He had proposed that peasants 'who have the courage, and are prepared to risk their all' should refuse to pay land revenue.</p>		<p>he had proposed that peasants 'who have the courage, and are prepared to risk their all' should refuse to pay the land revenue.</p>	
	<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>			

153/358	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>All top leaders of the Congress were arrested and taken to undisclosed destinations.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>all the top leaders of the Congress were arrested and taken to unknown destinations.</p>		
154/358	SUBMITTED TEXT	48 WORDS	93% MATCHING TEXT	48 WORDS
<p>On 8 August 1940, the Viceroy Linlithgow in a personal letter to the Governors expressed, 'I feel very strongly that the only possible answer to a 'declaration of war 'by any section of Congress in the present circumstances must be a declared determination to crush, the organization as a while.' 1</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>On 8 August, 1940, the Viceroy, Linlithgow, in a personal letter to the Governors made his intentions clear: 'feel very strongly that the only possible answer to a 'declaration of war' by any section of Congress in the present circumstances must be a declared determination to crush the organization as a while.</p>		
155/358	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>The sudden attack by the Government produced an immediate reaction among the people. In</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The sudden attack by the Government produced an instantaneous reaction among the people. In</p>		
156/358	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>There were also disturbances on 9 August in Ahmedabad and Poona. On the</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>There were similar disturbances on 9 August in Ahmedabad and Poona. On the 10</p>		
157/358	SUBMITTED TEXT	28 WORDS	70% MATCHING TEXT	28 WORDS
<p>Kanpur, Allahabad, Varanasi and Patna witnessed hartals, public demonstrations and processions. The Government blocked the press. The National Herald and Harijan ceased publication for the entire period of the struggle.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Kanpur, Allahabad, Varanasi and Patna followed suit with hartals, public demonstrations and processions in defiance of the law. The Government responded by gagging the press. The National Herald and Harijan ceased publication for the entire duration of the struggle,</p>		

158/358	SUBMITTED TEXT	12 WORDS	78% MATCHING TEXT	12 WORDS
<p>The reaction to the arrest was most severe in Bihar and Eastern U.P.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The reaction to the arrests was most intense in Bihar and Eastern U.P.,</p>		
159/358	SUBMITTED TEXT	18 WORDS	77% MATCHING TEXT	18 WORDS
<p>Students of the Beneras Hindu University went to the villages to spread the message of Quit India. They</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Students of the Bananas Hindu University decided to go to the villages to spread the message of Quit India. They</p>		
160/358	SUBMITTED TEXT	13 WORDS	91% MATCHING TEXT	13 WORDS
<p>In Ahmedabad the mills were closed for three and half months, in</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>in Ahmedabad, the mills were closed for three and a half months, workers in</p>		
161/358	SUBMITTED TEXT	42 WORDS	73% MATCHING TEXT	42 WORDS
<p>Tirhut division in Bihar remained cut off from the rest of the country; control was also lost over Patna for two days. Eighty per cent of the police stations were captured or temporarily evacuated in ten districts of North and Central Bihar. There</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Tirhut division in Bihar was totally cut off from the rest of the country and no Government authority existed. Control was lost over Patna for two days after firing at the Secretariat. Eighty percent of police stations were captured or temporarily evacuated in ten districts of North and Central Bihar. There</p>		
162/358	SUBMITTED TEXT	30 WORDS	91% MATCHING TEXT	30 WORDS
<p>in Mysore. According to official estimates, in the first week after the arrests of the leaders, 250 railway stations were damaged or destroyed, 500 post offices and 150 police stations were attacked.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>in Bihar. According to official estimates, in the first week after the arrests of the leaders, 250 railway stations were damaged or destroyed, and over 500 post offices and 150 police stations were attacked.</p>		

163/358	SUBMITTED TEXT	43 WORDS	64% MATCHING TEXT	43 WORDS
<p>cessation of the mass phase of the struggle, underground networks were being consolidated in various parts of the country. An all-India underground leadership with prominent members like ArunaAsaf Ali, Achyut Patwardhan, Ram Manohar Lohia, Sucheta Kripalani, Biju Patnaik and Jay Prakash Narayan had begun to emerge.</p>		<p>cessation of the mass phase of the struggle. But in the meantime, underground networks were being consolidated in various parts of the country. An all-India underground leadership with prominent members such as Achyut Patwardhan, Aruna Asaf AM, Ram Manohar Lohia, Sucheta Kripalani, Chootubhai Puranik, Biju Patnaik, R.P. Goenka and later, after his escape from jail, Jayaprakash Narayan had also begun to emerge.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
164/358	SUBMITTED TEXT	53 WORDS	76% MATCHING TEXT	53 WORDS
<p>Those actually involved in the underground activity may have been few but they received all kinds of support from a considerable section of people. Businessmen donated generously. Sumati Morarjee, for example, helped Achyut Patwardhan to evade detection by providing him with a different car everyday borrowed from her friends. Others provided hideouts for such leaders and activists.</p>		<p>Those actually involved in the underground activity may have been few, but they received all manner of support from a large variety of people. Businessmen donated generously. Sumati Morarjee, who later became India's leading woman industrialist, for example, helped Achyut Patwardhan to evade detection by providing, him with a different car every day borrowed from her unsuspecting wealthy friends. Others provided hideouts for the underground leaders and activists.</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
165/358	SUBMITTED TEXT	37 WORDS	95% MATCHING TEXT	37 WORDS
<p>passed on important information about impending arrests. Achyut Patwardhan testifies that one member of the three-man high level official committee formed to track down the Congress underground regularly informed him of the goings on in that committee. 2 (</p>		<p>passed on crucial information about impending arrests. Achyut Patwardhan testifies that one member of the three-man high level official committee formed to track down the Congress underground regularly informed him of the goings on in that committee.^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
166/358	SUBMITTED TEXT	29 WORDS	72% MATCHING TEXT	29 WORDS
<p>The Congress Radio operated clandestinely from different locations in Bombay where Ram Manohar Lohia regularly broadcast. The radio continued till November 1942 when it was discovered and confiscated by the police.</p>		<p>the Congress Radio operated clandestinely from different locations in Bombay city, whose broadcast could be heard as far as Madras. Ram Manohar Lohia regularly broadcast on this radio, and the radio continued till November 1942 when it was discovered and confiscated by the police.^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

167/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>hartals, demonstrations and strikes. Calcutta and Ahmedabad were particularly active.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>hartals, demonstrations and strikes. Calcutta and Ahmedabad were particularly active.</p>		
168/358	SUBMITTED TEXT	22 WORDS	84% MATCHING TEXT	22 WORDS
<p>People secretly reached Poona to offer satyagraha outside the Aga Khan Palace where Gandhiji was detained. Public meetings demanded his release and Government</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>people secretly reached Poona to offer satyagraha outside the Aga Khan Palace where Gandhiji was being held in detention. Public meetings demanded his release and the Government</p>		
169/358	SUBMITTED TEXT	25 WORDS	64% MATCHING TEXT	25 WORDS
<p>students and youth, ordinary citizens, lawyers and labour organizations. The demand for his release was made by newspapers such as Manchester Guardian, Nation, New Statesman, News Chronicle</p> <p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>		<p>students and youth, men trade and commerce, lawyers, ordinary citizens, and labour organizations. From across the seas, the demand for his release was made by newspapers such as the Manchester Guardian, New Nation, News Chronicle,</p>		
170/358	SUBMITTED TEXT	22 WORDS	74% MATCHING TEXT	22 WORDS
<p>by the British Communist Party. The citizens of London and Manchester, the Women's International League, the Ceylon State Council and the U.S. Government</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>by the British Communist Party, the citizens of London and Manchester, the Women's International League, the Australian Council of Trade Unions and the Ceylon State Council. The U.S. Government,</p>		
171/358	SUBMITTED TEXT	17 WORDS	76% MATCHING TEXT	17 WORDS
<p>blow to the prestige of the Government was the resignation of M.S. Aney, N.R. Sarkar and H.P. Mody</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>blow to the prestige of the Government was the resignation of the three Indian members of the Viceroy's Executive Council, M.S. Aney, N.R. Sarkar and H.P. Mody,</p>		

172/358	SUBMITTED TEXT	33 WORDS	95% MATCHING TEXT	33 WORDS
<p>guided by Winston Churchill's statement that 'this our hour of triumph everywhere in the world was not the time to crawl before a miserable old man who had always been our enemy.' 3 (</p>		<p>Guided by Winston Churchill's statement to his Cabinet that 'this our hour of triumph everywhere in the world was not the time to crawl before a miserable old man who had always been our enemy,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
173/358	SUBMITTED TEXT	16 WORDS	83% MATCHING TEXT	16 WORDS
<p>the Jatiya Sarkar.It undertook cyclone relief work, gave grants to schools and organized an armed Vidyut Vahini.</p>		<p>The Jatiya Sar/undertook cyclone relief work, gave grants to schools and organized an armed Vidyut Vahini.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
174/358	SUBMITTED TEXT	26 WORDS	81% MATCHING TEXT	26 WORDS
<p>Nyayadan Mandals or people's courts were set up and justice dispensed. 'Gandhi marriages 'celebrated to which untouchables were invited. Village libraries were set up and education encouraged. The '</p>		<p>Nyayadan Mandals or people's courts were set up and justice dispensed. Prohibition was enforced, and 'Gandhi marriages' celebrated to which untouchables were invited and at which no ostentation was allowed. Village libraries were set up and education encouraged. The</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
175/358	SUBMITTED TEXT	13 WORDS	84% MATCHING TEXT	13 WORDS
<p>was not very high, it is also true that even Muslim League supporters</p>		<p>was not high, yet it is also true that even Muslim League supporters</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
176/358	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
<p>help by giving shelter to underground workers and did not act as informers. Also, there was</p>		<p>help by providing shelter to underground workers and did not act as informers. Also, there was</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

177/358	SUBMITTED TEXT	18 WORDS	94% MATCHING TEXT	18 WORDS
<p>Communists at the local and village levels participated in the movement despite official position taken by the party.</p>		<p>Communists at the local and village levels participated in the movement despite the official position taken by the Communist Party.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
178/358	SUBMITTED TEXT	30 WORDS	63% MATCHING TEXT	30 WORDS
<p>in 1919-22 and 1930-32 the Congress allowed popular initiative and spontaneity. Infact, in all Gandhian mass movements the leadership chalked out a broad programme and left its implementation at the grassroots level.</p>		<p>in 1930-31 and 1932, the Congress leadership allowed considerable room for popular initiative and spontaneity. In fact, the whole pattern of the Gandhian mass movements was that the leadership chalked out a broad programme of action and left its implementation at the local level</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
179/358	SUBMITTED TEXT	16 WORDS	75% MATCHING TEXT	16 WORDS
<p>the struggle by the Dandi March; the leaders and people at the local levels decided whether</p>		<p>the struggle by the Dandi March and the breaking of the salt law; the leaders and the people at the local levels decided whether</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
180/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>or follow any of the other items of the programme.</p>		<p>or follow any of the other items of the programme.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
181/358	SUBMITTED TEXT	79 WORDS	100% MATCHING TEXT	79 WORDS
<p>The resolution passed by the AICC on 8 August 1942 clearly stated: 'A time may come when it may not be possible to issue instruction or for instructions to reach our people, and when no Congress committees can function. When this happens, every man and woman who is participating in this movement must function for himself or herself within the four corners of the general instructions issued. Every Indian who desires freedom and strives for it must be his own guide.' 4 (</p>		<p>The resolution passed by the AICC on 8 August 1942 clearly stated: 'A time may come when it may not be possible to issue instruction or for instructions to reach our people, and when no Congress committees can function. When this happens, every man and woman who is participating in this movement must function for himself or herself within the four corners of the general instructions issued. Every Indian who desires freedom and strives for it must be his own guide.'</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				

182/358	SUBMITTED TEXT	43 WORDS	79% MATCHING TEXT	43 WORDS
<p>How did the use of violence in 1942 match with the Congress policy of non-violence? There were many who refused to use violent means and confined to the traditional path of the Congress. But many, who used violent means, felt that the circumstances warranted their use.</p>		<p>How did the use of violence in 1942 square with the Congress policy of non-violence? For one, there were many who refused to use or sanction violent means and confined themselves to the traditional weaponry of the Congress. But many of those, including many staunch Gandhians, who used 'violent means' in 1942 felt that the peculiar circumstances warranted their use.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
183/358	SUBMITTED TEXT	20 WORDS	77% MATCHING TEXT	20 WORDS
<p>Gandhiji refused to condemn this violence because he considered it as a reaction to the much bigger violence of the</p>		<p>Gandhiji refused to condemn the violence of the people because he saw it as a reaction to the much bigger violence of the</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
184/358	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>the view that mass participation would not be restricted as a result of violence. The</p>		<p>the view that mass participation would not be restricted as a result of violence. The</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
185/358	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>The effectiveness and validity of the nationalist strategy lay in the active participation of the masses in the movement.</p>		<p>The effectiveness and validity of the nationalist strategy lay in the active participation of the masses in the movement.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
186/358	SUBMITTED TEXT	17 WORDS	85% MATCHING TEXT	17 WORDS
<p>The Congress leaders were released to participate in the Simla Conference in June 1945. The idea of the</p>		<p>The Congress leaders were released to participate in the Simla Conference in June 1945. That the end of the</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

187/358	SUBMITTED TEXT	16 WORDS	65% MATCHING TEXT	16 WORDS
<p>was first initiated by Mohan Singh in Malaya, an Indian officer of the British Indian Army.</p>		<p>was first conceived in Malaya by Mohan Singh, an Indian officer of the British Indian Army,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
188/358	SUBMITTED TEXT	21 WORDS	88% MATCHING TEXT	21 WORDS
<p>Indian prisoners of war were handed over by the Japanese to him who tried to recruit them into an Indian National Army.</p>		<p>Indian prisoners of war were handed over by the Japanese to Mohan Singh who then tried to recruit them into an Indian National Army.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
189/358	SUBMITTED TEXT	20 WORDS	61% MATCHING TEXT	20 WORDS
<p>the outbreak of Quit India movement anti-British demonstrations were organized in Malaya. The first division of the I.N.A. was formed</p>		<p>The outbreak of the Quit India Movement gave a fillip to the INA as well. Anti-British demonstrations were organized in Malaya. On 1 September 1942, the first division of the INA was formed</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
190/358	SUBMITTED TEXT	19 WORDS	97% MATCHING TEXT	19 WORDS
<p>But by December 1942 serious differences emerged between the Indian Army led by Mohan Singh and the Japanese over</p>		<p>But, by December 1942, serious differences emerged between the Indian army officers led by Mohan Singh and the Japanese over</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
191/358	SUBMITTED TEXT	23 WORDS	90% MATCHING TEXT	23 WORDS
<p>had set up an Indian Legion in Berlin in 1941, but developed difficulties with Germany when they tried to use it against Russia.</p>		<p>had set up an Indian Legion in Berlin in 1941, but developed difficulties with the Germans when they tried to use it against Russia,</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				

192/358	SUBMITTED TEXT	21 WORDS	100% MATCHING TEXT	21 WORDS
<p>his famous call 'Delhi Chalo' and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>his famous call, 'Delhi Chalo', and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943.</p>		
193/358	SUBMITTED TEXT	16 WORDS	55% MATCHING TEXT	16 WORDS
<p>The I.N.A. was non communal and it also introduced women's wing named after the Rani of Jhansi.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The I.N.A. was demonstratively non-communal, with Muslims quite prominent among its officers and ranks, and it also introduced the innovation of a women's detachment named after the Rani of Jhansi.</p>		
194/358	SUBMITTED TEXT	16 WORDS	75% MATCHING TEXT	16 WORDS
<p>British move to put the I.N.A men on trial immediately ignited massive demonstrations across the country.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>British move to put the I.N.A. men on trial immediately sparked off massive demonstrations all over the country.</p>		
195/358	SUBMITTED TEXT	22 WORDS	93% MATCHING TEXT	22 WORDS
<p>The British became extremely nervous about the I.N.A. spirit spreading to the Indian army and the Punjab Governor reported that a reception for</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The British became extremely nervous about the I.N.A. spirit spreading to the Indian army, and in January the Punjab Governor reported that a Lahore reception for</p>		
196/358	SUBMITTED TEXT	8 WORDS	100% MATCHING TEXT	8 WORDS
<p>released I.N.A. prisoners had been attended by Indian soldiers.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>released I.N.A. prisoners had been attended by Indian soldiers</p>		
197/358	SUBMITTED TEXT	18 WORDS	86% MATCHING TEXT	18 WORDS
<p>the use of Indian army in order to restore French and Dutch colonial rule in Vietnam and Indonesia</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>the use of Indian army units in the bid to restore French and Dutch colonial rule in Vietnam and Indonesia.</p>		

198/358	SUBMITTED TEXT	17 WORDS	75% MATCHING TEXT	17 WORDS
<p>glorifying the martyrs of 1942, demanding stern action for official atrocities and demanding immediate release of I.N.A. prisoners.</p>		<p>glorifying the heroes and martyrs of 1942, demanding stern punishment for official420atrocities, and calling for immediate release of I.N.A. prisoners.</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
199/358	SUBMITTED TEXT	14 WORDS	86% MATCHING TEXT	14 WORDS
<p>A student procession demanding release of I.N.A. prisoners was organized by the Forward Bloc</p>		<p>A student procession demanding release of I.N.A. prisoners and initially organized by the Forward Bloc</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
200/358	SUBMITTED TEXT	16 WORDS	73% MATCHING TEXT	16 WORDS
<p>a friendly dialogue with the Bengal Governor and the Calcutta Working Committee reiterated faith in non-violence.</p>		<p>a fairly friendly dialogue with the Bengal Governor, and the Calcutta422Working Committee session of 7-11 December strongly reaffirmed its faith in non-violence</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
201/358	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
<p>announced that only I.N.A. accused of murder or brutal treatment of fellow prisoners would</p>		<p>announced that only I.N.A. members accused of murder or brutal treatment of fellow-prisoners would</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
202/358	SUBMITTED TEXT	40 WORDS	96% MATCHING TEXT	40 WORDS
<p>historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India' there could be no retreat. Any future negotiations with the British Government could only be on the transfer of power.</p>		<p>historic movement was that it placed the demand for independence on the immediate agenda of the national movement. After 'Quit India,' there could be no retreat. Any future negotiations with the British Government could only be on the manner of the transfer of power.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

203/358	SUBMITTED TEXT	57 WORDS	68% MATCHING TEXT	57 WORDS
<p>The failure of the Cripps Mission in April 1942 made it clear that Britain was not willing to offer an honorable settlement during the War and she was determined to continue India's unwilling involvement in the War preparations. The Cripps offer convinced Congressmen like Jawaharlal Nehru and Gandhiji, who did not want to do anything to hamper the anti-fascist war</p>		<p>the failure of the Cripps Mission in April 1942 made it clear that Britain was unwilling to offer an honourable settlement and a real constitutional advance during the War, and that she was determined to continue India's unwilling partnership in the War effort. The empty gesture of the 'Cripps offer' convinced even those Congressmen like Nehru and Gandhiji, who did not want to do anything to hamper the anti-fascist War</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
204/358	SUBMITTED TEXT	38 WORDS	32% MATCHING TEXT	38 WORDS
<p>that any further silence would legitimize NSOU ? GE-PS-11 136 the British Government's right to decide about India without paying any attention to the wishes of the people. Though Gandhiji and Nehru did not want to oppose the anti- fascist struggle,</p>		<p>that any further silence would tantamount to the right of the British Government to decide India's fate without any reference to the wishes of her people. Gandhiji had been as clear as Nehru that he did not want to hamper the anti-fascist struggle,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
205/358	SUBMITTED TEXT	26 WORDS	100% MATCHING TEXT	26 WORDS
<p>mantra is: "Do or Die"- 'We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery.' ?</p>		<p>mantra is: "Do or Die." We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery'</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
206/358	SUBMITTED TEXT	15 WORDS	86% MATCHING TEXT	15 WORDS
<p>All top leaders of the Congress were arrested and taken to undisclosed destinations. The Government</p>		<p>all the top leaders of the Congress were arrested and taken to unknown destinations. The Government</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
207/358	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>Students went on strike in schools and colleges across the country and</p>		<p>Students went on strike in schools and colleges all over the country and</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

208/358	SUBMITTED TEXT	13 WORDS	78% MATCHING TEXT	13 WORDS
<p>The reaction to the arrest was most severe in Bihar and Eastern U.P.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The reaction to the arrests was most intense in Bihar and Eastern U.P.,</p>		
209/358	SUBMITTED TEXT	17 WORDS	77% MATCHING TEXT	17 WORDS
<p>Students of the Beneras Hindu University went to the villages to spread the message of Quit India. They</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Students of the Bananas Hindu University decided to go to the villages to spread the message of Quit India. They</p>		
210/358	SUBMITTED TEXT	22 WORDS	93% MATCHING TEXT	22 WORDS
<p>The great significance of the historic movement was that it placed the demand for independence on the immediate agenda of the national movement.</p> <p>W https://bhattadevuniversity.ac.in/docs/studyMaterial/GunjanDas_History_UG6thSem_History%20of%20In ...</p>		<p>The great significance of historic movement was that it placed the demand for independence on the immediate agenda of the national movement.</p>		
211/358	SUBMITTED TEXT	21 WORDS	66% MATCHING TEXT	21 WORDS
<p>The idea of the INA was first initiated by Mohan Singh in Malaya, an Indian officer of the British Indian Army.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The idea of the INA was first conceived in Malaya by Mohan Singh, an Indian officer of the British Indian Army,</p>		
212/358	SUBMITTED TEXT	23 WORDS	89% MATCHING TEXT	23 WORDS
<p>Indian prisoners of war were handed over by the Japanese to him who tried to recruit them into an Indian National Army. The</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Indian prisoners of war were handed over by the Japanese to Mohan Singh who then tried to recruit them into an Indian National Army. The</p>		
213/358	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>his famous call 'Delhi Chalo' and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943 ? The</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>his famous call, 'Delhi Chalo', and announced the formation of the Azad Hind Government and the Indian National Army on 21 October 1943. The</p>		

214/358	SUBMITTED TEXT	14 WORDS	86% MATCHING TEXT	14 WORDS
<p>A student procession demanding release of I.N.A. prisoners was organized by the Forward Bloc</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>A student procession demanding release of I.N.A. prisoners and initially organized by the Forward Bloc</p>		
215/358	SUBMITTED TEXT	18 WORDS	62% MATCHING TEXT	18 WORDS
<p>Throughout the 20 th century in the absence of modern industries and modern education, health service and</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Throughout the 20th century, in the absence of modern industrial development and the development of education, health and</p>		
216/358	SUBMITTED TEXT	26 WORDS	66% MATCHING TEXT	26 WORDS
<p>There was hardly any communalism in India before the last quarter of the 19 th century. Both communities had fought together in the revolt of 1857.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>There was hardly any communalism in India before the last quarter of the 19th century. As is well-known, Hindus and Muslims had fought shoulder to shoulder in the Revolt of 1857.</p>		
217/358	SUBMITTED TEXT	16 WORDS	62% MATCHING TEXT	16 WORDS
<p>India, New Delhi: Oxford University Press, 2009. 2. Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin</p> <p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				
218/358	SUBMITTED TEXT	32 WORDS	63% MATCHING TEXT	32 WORDS
<p>The communalists also realized that they had to enter the political arena. The All India Muslim League was founded by a group of big zamindars and Muslim leaders like the Nawab of Dacca,</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The communalists, as also their official supporters, felt that they had to enter the political arena. At the end of 1907, the All India Muslim League was founded by a group of big zamindars, ex-bureaucrats and other upper class Muslims like the Aga Khan, the Nawab of Dacca</p>		

219/358	SUBMITTED TEXT	16 WORDS	70% MATCHING TEXT	16 WORDS
<p>The organization supported the partition of Bengal, demanded separate electorates and safeguards for Muslims in government services.</p>		<p>the League supported the partition of Bengal, raised the slogan of separate Muslim interests, demanded separate electorates and safeguards for Muslims in government services,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
220/358	SUBMITTED TEXT	20 WORDS	85% MATCHING TEXT	20 WORDS
<p>One of the major objectives of the Muslim League was to restrain the emerging intellectuals among Muslims from joining the Congress.</p>		<p>One of the major objectives of the Muslim League was to keep the emerging intelligentsia among Muslims from joining the Congress.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
221/358	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>From the 1870s, a section of Hindu zamindars and middle class professionals began to propagate anti Muslim sentiments.</p>		<p>From the 1870s, a section of Hindu zamindars, moneylenders and middle class professionals began to arouse anti-Muslim sentiments.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
222/358	SUBMITTED TEXT	22 WORDS	95% MATCHING TEXT	22 WORDS
<p>directed their anger against the Congress for trying to unite Indians into a single nation and for sacrificing Hindu interests to appease Muslims.</p>		<p>directed their anger primarily against the National Congress for trying to unite Indians into a single nation and for 'sacrificing Hindu interests' to appease Muslims.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
223/358	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>The first session of the Hindu Mahasabha was held in 1915 under the presidentship of Maharaja of Kasim Bazar.</p>		<p>The first session of the All-India Hindu Mahasabha was held in April 1915 under the presidentship of the Maharaja of Kasim Bazar.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

224/358	SUBMITTED TEXT	28 WORDS	76% MATCHING TEXT	28 WORDS
<p>Landlords and traditional religious priests, whether Hindu or Muslim were supporters of colonial power. But while among Hindus they were losing their leadership position they continued to dominate among Muslims.</p>		<p>Landlords and traditional religious priests, whether Hindu or Muslim, were conservative and supporters of established, colonial authority. But while among Hindus, they were gradually losing positions of leadership, they continued to dominate among Muslims.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
225/358	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>the voters were exclusively the followers of one religion, so the candidates</p>		<p>the voters were exclusively the followers of one religion, the candidates</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
226/358	SUBMITTED TEXT	15 WORDS	86% MATCHING TEXT	15 WORDS
<p>communalists justified their communalism by arguing that they were reacting to the communalism provoked by</p>		<p>communalists justified their own communalism by arguing that they were reacting to the communalism initiated by</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
227/358	SUBMITTED TEXT	24 WORDS	81% MATCHING TEXT	24 WORDS
<p>other community. The younger Muslim intellectuals were soon dissatisfied with the anti- Hindu mentality of the upper class leaders of the Muslim League. They</p>		<p>other. The younger Muslim intellectuals were soon dissatisfied with the loyalist, anti-Hindu and slavish mentality of the upper class leadership of the Muslim League. They</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
228/358	SUBMITTED TEXT	13 WORDS	80% MATCHING TEXT	13 WORDS
<p>accepted separate electorates and reservation of seats for the minorities in the legislatures.</p>		<p>accepted separate electorates and the system of weightage and reservation of seats for the minorities in the legislatures.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

229/358	SUBMITTED TEXT	28 WORDS	85% MATCHING TEXT	28 WORDS
<p>the future resurgence of communalism in Indian politics. The nationalist movement and Hindu-Muslim unity strengthened after World War I during the agitation against the Rowlatt Acts, Khilafat and Non-Cooperation movements.</p>		<p>the future resurgence of communalism in Indian politics. The nationalist movement and Hindu-Muslim unity took giant steps forward after World War I during the agitation against the Rowlatt Acts, and the Khilafat and the Non-Cooperation Movements.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

230/358	SUBMITTED TEXT	35 WORDS	45% MATCHING TEXT	35 WORDS
<p>the country was plunged into communal riots. The Muslim League became active again and the upper class leaders with their communal ideology became predominant. The Hindu Mahasabha was revived in 1923 and began to preach anti-Muslim sentiments.</p>		<p>the country was repeatedly plunged into communal riots. Old communal organizations were revived and fresh ones founded. The Muslim League once again became active and was cleansed of radical and nationalist elements. The upper class leaders with their open loyalism and frankly communal ideology once again came to the fore. The Hindu Mahasabha was revived in 1923 and openly began to cater to anti-Muslim sentiments.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

231/358	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>communalists tried to inculcate the psychology of fear among Hindus and Muslims.</p>		<p>communalists tried to inculcate the psychology of fear among Hindus and Muslims —</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

232/358	SUBMITTED TEXT	21 WORDS	90% MATCHING TEXT	21 WORDS
<p>The nationalist leadership made serious efforts to oppose communal forces but was not able to evolve an effective line of action.</p>		<p>The nationalist leadership made strenuous efforts to oppose communal political forces, but was not able to evolve an effective line of action.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

233/358	SUBMITTED TEXT	37 WORDS	79% MATCHING TEXT	37 WORDS
<p>recommended that India should be a federation on the basis of linguistic provinces and provincial autonomy, elections be held on the basis of joint electorates and reservation of seats for religious minorities in proportion to their population. The report</p>		<p>recommended that India should be a federation on the basis of linguistic provinces and provincial autonomy, that elections be held on the basis of joint electorates and that seats in central and provincial legislatures be reserved for religious minorities in proportion to their population. The Report</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
234/358	SUBMITTED TEXT	29 WORDS	90% MATCHING TEXT	29 WORDS
<p>that the Nehru Report represented Hindu interests. He consolidated all communal demands made by different communal organizations at different times into a single document which became known as Jinnah's Fourteen Points.</p>		<p>that the Nehru Report represented Hindu interests, he consolidated all the communal demands made by different communal organizations at different times into a single document which came be known as Jinnah's Fourteen Points.</p>		
<p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>				
235/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>This strategy of trying to solve communal problem through an agreement</p>		<p>This strategy of trying to solve the communal problem through an agreement</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
236/358	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>negotiations with Muslim communal leaders weakened the position of secular</p>		<p>negotiations with Muslim communal leaders weakened the position of secular,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
237/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>political-ideological struggle had to be waged against communalism and communal forces.</p>		<p>political- ideological struggle had to be waged against communalism and communal political forces.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

238/358	SUBMITTED TEXT	16 WORDS	70% MATCHING TEXT	16 WORDS
<p>the Hindu communalists enjoyed little support, the support base of the Muslim communalists was also narrow. The</p>		<p>The Hindu communalists commanded little support among the masses. The social base of the Muslim communalists was also quite The</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

239/358	SUBMITTED TEXT	41 WORDS	69% MATCHING TEXT	41 WORDS
<p>During the Round Table Conferences of the early 1930s the communalists joined hands with the most reactionary sections of the British. Both the Hindu and Muslim communalists NSOU ? GE-PS-11 144 tried to win the support of British to defend their communal interests.</p>		<p>during the Round Table Conferences of the early 1930s. At these conferences, the communalists joined hands with the most reactionary sections of the British ruling classes. the Muslim Hindu communalists made efforts to win the support of British authorities to defend their so-called communal interests.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

240/358	SUBMITTED TEXT	21 WORDS	72% MATCHING TEXT	21 WORDS
<p>The Muslim League agreed to collaborate with the colonial authorities. The Hindu Mahasabha and other Hindu and Sikh communal organizations also offered</p>		<p>The Muslim League, in turn, agreed to collaborate with the colonial authorities and serve as their political instrument of its own reasons. The Hindu Mahasabha and other Hindu and Sikh communal organizations also offered</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

241/358	SUBMITTED TEXT	35 WORDS	64% MATCHING TEXT	35 WORDS
<p>the colonial power. The outbreak of World War II further strengthened the reliance on communalism. The Congress withdrew its ministers and demanded that the British make a declaration about complete freedom after the war. The Muslim League</p>				
<p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				

242/358	SUBMITTED TEXT	32 WORDS	66% MATCHING TEXT	32 WORDS
<p>The Congress till 1937 had permitted both Hindu and Muslim liberal communalists to work within the organization. Under the leadership of Jawaharlal Nehru and Left's pressure the Congress began to attack the communalists</p> <p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>		<p>the Congress had permitted both Hindu and Muslim liberal communalists to work within the Congress organization. Under Jawaharlal Nehru's and the Left's pressure the Congress was frontally attacking the communalists.</p>		
243/358	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>will be reduced to the status of Sudras and Islam will be</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>will be reduced to the status of Sudras and Islam will be</p>		
244/358	SUBMITTED TEXT	17 WORDS	61% MATCHING TEXT	17 WORDS
<p>had incorporated most of the nationalist programme and Congress policies, except the agrarian policy, in their election manifestoes.</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
245/358	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
<p>The Hindu Mahasabha made a turn in the fascist direction under V.D.Savarkar's leadership</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The Hindu Mahasabha made a sharp turn in the fascist direction under V.D. Savarkar's leadership.</p>		
246/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>V.D. Savarkar warned Hindus of the dangers of being dominated by</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>V.D. Savarkar warned Hindus of the dangers of being dominated by</p>		
247/358	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
<p>those who declared no swaraj without Hindu Muslim unity have thus perpetrated the greatest treason on our society.</p> <p>W https://mppscadda.com/books/ncert/PDF/H_1.pdf</p>		<p>Those who declared "No Swaraj without Hindu-Muslim unity" have thus perpetrated the greatest treason on our society.</p>		

248/358	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>The Hindu communalists also tried to raise the cries of 'Hinduism in danger.'</p>		<p>The Hindu communalists also tried to raise the cries of Hinduism in danger, ' '</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
249/358	SUBMITTED TEXT	15 WORDS	76% MATCHING TEXT	15 WORDS
<p>in the Calcutta killings of August 1946 in which more than 5,000 lost their lives.</p>		<p>in the Calcutta killings of August 1946 in which over 5,000 lost their lives</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
250/358	SUBMITTED TEXT	48 WORDS	99% MATCHING TEXT	48 WORDS
<p>in his Presidential address to the Constituent Assembly of Pakistan on 11August 1947, 'You may belong to any religion or caste or creed-that has nothing to do with the business of the State...We are starting with this fundamental principle that we are all citizens and equal citizens of one State...I think...</p>		<p>in his Presidential address to the Constituent Assembly of Pakistan on 11 August 1947: 'You may belong to any religion or caste or creed — that has nothing to do with the business of the State . . . We are starting with this fundamental principle that we are all citizens and equal citizens of one State . . . Now, I think</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
251/358	SUBMITTED TEXT	46 WORDS	100% MATCHING TEXT	46 WORDS
<p>and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.' 2 (</p>		<p>and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
252/358	SUBMITTED TEXT	20 WORDS	69% MATCHING TEXT	20 WORDS
<p>It is very important to note that Jinnah refused to tell the Congress leaders the demands whose acceptance would satisfy him.</p>		<p>it is very important to remember this historical fact, he refused to tell the Congress leaders what the demands were whose acceptance would satisfy him</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

253/358	SUBMITTED TEXT	28 WORDS	93% MATCHING TEXT	28 WORDS
<p>that the Congress should first renounce its secular character and declare it a Hindu communal body and accept the Muslim League as the sole representative of the Muslims. The</p>		<p>that the Congress leadership should first renounce its secular character and declare itself a Hindu communal body and accept the Muslim League as the sole representative of the Muslims. The</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
254/358	SUBMITTED TEXT	21 WORDS	72% MATCHING TEXT	21 WORDS
<p>that Hindus and Muslims were two separate nations which must have separate countries. Hindu communalism also had moved in the same direction</p>		<p>that Hindus and Muslims were two separate nations which must have separate homelands, put forward the demand for Pakistan. Hindu communalism too had moved in the same direction.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
255/358	SUBMITTED TEXT	28 WORDS	78% MATCHING TEXT	28 WORDS
<p>be confronted and opposed. The failure to do so was the weakness of the Congress and the national movement. The Communists tried to appease the Muslim League from 1942-46</p>		<p>be confronted and opposed, as we have brought out The failure to do so was the real weakness of the Congress and the national movement. Interestingly, the Communists did try to appease the Muslim League from 1942</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
256/358	SUBMITTED TEXT	32 WORDS	77% MATCHING TEXT	32 WORDS
<p>Malaviya, Shyama Prasad Mukherjee and N.C.Chatterjee failed to oppose V.D. Savarkar or the RSS. Similarly, the liberal Muhammad Iqbal or other Muslims did not have the courage to oppose the communal campaign of hatred. 17.7</p>		<p>Malaviya, Shyama Prasad Mukherjee and N.C. Chatterji failed to oppose Savarkar or the RSS. Similarly, the liberal Iqbal or other liberal communal Muslims did not have the courage to oppose the campaign of hatred</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

257/358	SUBMITTED TEXT	27 WORDS	71% MATCHING TEXT	27 WORDS
<p>commitment to secularism, Gandhiji's constant emphasis on Hindu-Muslim unity and Nehru's sharp analysis of the socio-economic roots of communalism, the Indian nationalists failed to organize a mass ideological</p>		<p>commitment to secularism, despite Gandhiji's constant emphasis on Hindu-Muslim unity and his willingness to stake his life for its promotion, and despite Nehru's brilliant analysis of the socio-economic roots of communalism, the Indian nationalists failed to wage a mass ideological-</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

258/358	SUBMITTED TEXT	20 WORDS	76% MATCHING TEXT	20 WORDS
<p>The Congress relied too much on negotiations with the communalists and failed to evolve a long term strategy to combat communalism.</p>		<p>the Congress relied too heavily on negotiations with the communal leaders and failed to evolve a viable and effective long-term strategy to combat communalism</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

259/358	SUBMITTED TEXT	21 WORDS	69% MATCHING TEXT	21 WORDS
<p>The All India Muslim League was founded by a group of big zamindars and Muslim leaders like the Nawab of Dacca,</p>		<p>the All India Muslim League was founded by a group of big zamindars, ex-bureaucrats and other upper class Muslims like the Aga Khan, the Nawab of Dacca</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

260/358	SUBMITTED TEXT	16 WORDS	70% MATCHING TEXT	16 WORDS
<p>The organization supported the partition of Bengal, demanded separate electorates and safeguards for Muslims in government services. ?</p>		<p>the League supported the partition of Bengal, raised the slogan of separate Muslim interests, demanded separate electorates and safeguards for Muslims in government services,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

261/358	SUBMITTED TEXT	18 WORDS	67% MATCHING TEXT	18 WORDS
<p>The Lucknow pact in 1916 accepted separate electorates and reservation of seats for the minorities in the legislatures.</p>		<p>The Pact accepted separate electorates and the system of weightage and reservation of seats for the minorities in the legislatures.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

262/358	SUBMITTED TEXT	14 WORDS	96% MATCHING TEXT	14 WORDS
<p>The Hindu Mahasabha made a turn in the fascist direction under V.D. Savarkar's leadership.</p>		<p>The Hindu Mahasabha made a sharp turn in the fascist direction under V.D. Savarkar's leadership.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
263/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>V.D.Savarkar warned Hindus of the dangers of being dominated by</p>		<p>V.D. Savarkar warned Hindus of the dangers of being dominated by</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
264/358	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>that Hindus and Muslims were two separate nations which must have separate</p>		<p>that Hindus and Muslims were two separate nations which must have separate</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
265/358	SUBMITTED TEXT	16 WORDS	71% MATCHING TEXT	16 WORDS
<p>Modern India, New Delhi: Vikas Publishing, 1984. 2. Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin</p>				
<p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				
266/358	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>The two-nation theory asserted that India was not a nation,</p>				
<p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
267/358	SUBMITTED TEXT	14 WORDS	89% MATCHING TEXT	14 WORDS
<p>the concept of nation in the East was different from that in the West.</p>				
<p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				

268/358	SUBMITTED TEXT	23 WORDS	98% MATCHING TEXT	23 WORDS
<p>a Muslim of one country has more sympathies with a Muslim living in another country than with a non-Muslim living in the same country.</p>				
SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)				
269/358	SUBMITTED TEXT	16 WORDS	81% MATCHING TEXT	16 WORDS
<p>of the Indian National Congress, observed that the aims and objectives of the Indian National Congress</p>				
SA FYBA History Semester-I - (English).pdf (D123321205)				
270/358	SUBMITTED TEXT	26 WORDS	70% MATCHING TEXT	26 WORDS
<p>and Muslims belong to two religion, social customs and literatures. They neither marry nor inter dine and belong to different civilizations which are based on conflicting ideas.</p>				
SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)				
271/358	SUBMITTED TEXT	51 WORDS	93% MATCHING TEXT	51 WORDS
<p>It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religious in the strict sense of the word but are, infact, different and distinct social orders and it is a dream that the Hindus and Muslims can ever evolve a common nationality...</p>				
SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)				
272/358	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics,</p>				
SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)				

273/358	SUBMITTED TEXT	41 WORDS	100% MATCHING TEXT	41 WORDS
<p>To yoke together two such nations under a single state ,one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built for the government of such a state." "</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
274/358	SUBMITTED TEXT	33 WORDS	95% MATCHING TEXT	33 WORDS
<p>Muslim India cannot accept any constitution which must necessarily result in a Hindu majority government. Hindus and Muslims brought together under a democratic system forced upon the minorities can only mean Hindu Raj.Democracy of</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
275/358	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>would mean the complete destruction of what is most precious in Islam." 6 (</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
276/358	SUBMITTED TEXT	16 WORDS	71% MATCHING TEXT	16 WORDS
<p>Modern India, New Delhi: Vikas Publishing, 1984.. 2. Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin</p> <p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				
277/358	SUBMITTED TEXT	17 WORDS	61% MATCHING TEXT	17 WORDS
<p>the nation. The British had used the policy of conciliation and repression to suppress the growing national movement.</p> <p>the Raj. The British had relied over the years on a twin policy of conciliation and repression to contain the growing national movement.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

278/358	SUBMITTED TEXT	15 WORDS	71% MATCHING TEXT	15 WORDS
<p>When non-violent movements were met with repression, the ultimate motive behind the government became exposed.</p>		<p>When non-violent movements were met with repression, the naked force behind the government stood exposed,</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
279/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>political parties, the Indian National Congress and the Muslim League</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				
280/358	SUBMITTED TEXT	27 WORDS	80% MATCHING TEXT	27 WORDS
<p>close to death during his 21 day fast in February- March 1943 and its decision to go ahead with the INA trials further offended both liberals and loyalists.</p>		<p>close to death during his 21 day fast in February- March 1943, and its decision to go ahead with the INA trials despite fervent appeals from liberals and loyalists</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
281/358	SUBMITTED TEXT	18 WORDS	82% MATCHING TEXT	18 WORDS
<p>became the aim of British policy-makers. The British government realized that a settlement was a must for good relations</p>		<p>became the overarching aim of British policy-makers.^ The British Government was clear that a settlement was a must both for good future relations</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
282/358	SUBMITTED TEXT	20 WORDS	97% MATCHING TEXT	20 WORDS
<p>With the Congress demand being that the British quit India; the Cabinet Mission went to India in March 1946 to negotiate</p>		<p>With the Congress demand being that the British quit India, the Cabinet Mission went out to India in March 1946 to negotiate</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

283/358	SUBMITTED TEXT	46 WORDS	89% MATCHING TEXT	46 WORDS
<p>The Congress demand was for transfer of power to one centre, with minorities' demands being worked out in a framework from autonomy to Muslim provinces to self-determination on secession from the Indian Union-but after the British quit. The British was in support for a united India, friendly with</p>		<p>The Congress demand was for transfer of power to one centre, with minorities' demands being worked out in a framework ranging from autonomy to Muslim provinces to self-determination on secession from the Indian Union – but after the British left. The British bid was for a united India, friendly with</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
284/358	SUBMITTED TEXT	45 WORDS	61% MATCHING TEXT	45 WORDS
<p>The Cabinet Mission was convinced that Pakistan was not feasible and the autonomy of the minorities must be safeguarded within united India. The Mission Plan conceived three sections, A-Bombay, Madras, Bihar, Uttar Pradesh, C.P. and Orissa; B-consisting of Punjab, NWFP and Sind; C-Bengal and Assam. There would</p>		<p>The Cabinet Mission was convinced that Pakistan was not viable and that the minorities' autonomy must somehow be safeguarded within the framework of a united India. The Mission Plan conceived three sections, A – comprising Madras, Bombay, Uttar Pradesh, Bihar, C.P. and Orissa; B – consisting of Punjab, NWFP and Sind; and C – of Bengal and Assam – which would</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
285/358	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>defence, foreign affairs and communications. After the first general elections a province</p>		<p>defence, foreign affairs and communications. After the first general elections a province</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
286/358	SUBMITTED TEXT	44 WORDS	92% MATCHING TEXT	44 WORDS
<p>out of a group. After ten years a province could call for a reconsideration of the group or union constitution. Congress observed that a province need not wait till the first election to leave a group; it should have the option not to join it. The</p>		<p>out of a group. After ten years a province could call for a reconsideration of the group or union constitution. Congress wanted that a province need not wait till the first elections to leave a group, it should have the option not to join it in the</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
287/358	SUBMITTED TEXT	18 WORDS	100% MATCHING TEXT	18 WORDS
<p>League wanted provinces to have the right to question the Union constitution now, not wait for ten years.</p>		<p>League wanted provinces to have the right to question the union constitution now, not wait for ten years.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

288/358	SUBMITTED TEXT	17 WORDS	65% MATCHING TEXT	17 WORDS
<p>Mission Plan in their own way.Sarder Patel maintained that the Mission's Plan was against Pakistan. The League</p>		<p>Mission Plan in their own way, both seeing it as a confirmation of their stand. Thus, Patel maintained that the Mission's Plan was against Pakistan, that the League'</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

289/358	SUBMITTED TEXT	33 WORDS	89% MATCHING TEXT	33 WORDS
<p>Nehru asserted the Congress Working Committee's interpretation of the plan on 7 July 1946 'We are not bound by a single thing except that we have decided to go into the Constituent Assembly.' 1 (</p>		<p>Nehru asserted the Congress Working Committee's particular interpretation of the plan in his speech to the AICC on 7 July 1946: 'We are not bound by a single thing except that we have decided to go into the Constituent Assembly.'^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

290/358	SUBMITTED TEXT	24 WORDS	75% MATCHING TEXT	24 WORDS
<p>whether to form the Interim Government with the Congress or await League agreement to the plan. Though Lord Wavell had opted for the second</p>		<p>whether to go ahead and form the Interim Government with the Congress or await League agreement to the plan. Wavell, who had opted for the second</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

291/358	SUBMITTED TEXT	25 WORDS	95% MATCHING TEXT	25 WORDS
<p>argued that it was vital to get Congress cooperation. The Interim Government was formed on 2 nd September 1946 with Congress members with Nehru as</p>		<p>argued that it was vital to get Congress cooperation. Thus, the Interim Government was formed on 2nd September 1946 with Congress members alone with Nehru as</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

292/358	SUBMITTED TEXT	28 WORDS	85% MATCHING TEXT	28 WORDS
<p>the League into the Interim Government on 26 October 1946 though it had not accepted the Cabinet Mission Plan and had not given up its policy of Direct Action. 19.5</p>		<p>the League into the Interim Government on 26 October 1946 though it had not accepted either the short or long term provisions of the Cabinet Mission Plan and had not given up its policy of Direct Action.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

293/358	SUBMITTED TEXT	15 WORDS	80% MATCHING TEXT	15 WORDS
<p>League ministers questioned action taken by Congress members and refused to attend the informal meetings</p>		<p>League Ministers questioned actions taken by Congress members, including appointments made, and refused to attend the informal meetings</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
294/358	SUBMITTED TEXT	18 WORDS	89% MATCHING TEXT	18 WORDS
<p>Their disruptionist tactics convince Congress of the futility of the Interim Government as an exercise in Congress- League cooperation.</p>		<p>Their disruptionist tactics convinced Congress leaders of the futility of the Interim Government as an exercise in Congress-League cooperation.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
295/358	SUBMITTED TEXT	23 WORDS	97% MATCHING TEXT	23 WORDS
<p>The date for British withdrawal from India was fixed as 30 June 1948 and the appointment of new Viceroy, Lord Mountbatten was announced.</p>		<p>The date for British withdrawal from India was fixed as 30 June 1948 and the appointment of a new Viceroy, Lord Mountbatten, was announced.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
296/358	SUBMITTED TEXT	26 WORDS	77% MATCHING TEXT	26 WORDS
<p>Partition of the country was implied in the provision that if the Constituent Assembly was not fully representative power would be transferred to more than one government.</p>		<p>Partition of the country was implied in the proviso that if the Constituent Assembly was not fully representative (i.e. if Muslim majority provinces did not join) power would be transferred to more than one central Government.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
297/358	SUBMITTED TEXT	20 WORDS	66% MATCHING TEXT	20 WORDS
<p>The League not only refused to join the Constituent Assembly but also demanded its dissolution. Nehru appealed to Liaqat Ali Khan</p>		<p>the League not only refused to join the Constituent Assembly but demanded that it be dissolved. Nehru appealed to Liaqat AM Khan:</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

298/358	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
to explore the options of unity and division till October 1947after which he was to advise		to explore the options of unity and division till October, 1947 after which he was to advise		
W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...				

299/358	SUBMITTED TEXT	17 WORDS	97% MATCHING TEXT	17 WORDS
wrote, 'We would have preferred a United India. We couldn't get it, though we tried hard. 2 (wrote later — 'We would have preferred a United India. We couldn't get it, though we tried hard.'^^		
W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...				

300/358	SUBMITTED TEXT	17 WORDS	80% MATCHING TEXT	17 WORDS
Mountbatten's objective was to divide India, the country would be partitioned but so would Punjab and Bengal.		Mountbatten's formula was to divide India but retain maximum unity. The country would be partitioned but so would Punjab and Bengal,		
W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...				

301/358	SUBMITTED TEXT	52 WORDS	71% MATCHING TEXT	52 WORDS
He got his Government's approval to his argument that Congress goodwill was vital if India was to remain in the Commonwealth. The Mountbatten Plan tried to execute an early transfer of power on the basis of Dominion Status to India and Pakistan. Congress was willing to accept Dominion Status for some time because it felt		He got His Majesty's Government to agree to his argument that Congress goodwill was vital if India was to remain in the Commonwealth. The Mountbatten Plan, as the 3rd June, 1947 Plan came to be known, sought to effect an early transfer of power on the basis of Dominion Status to two successor states, India and Pakistan. Congress was willing to accept Dominion Status for a while because it felt		
W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...				

302/358	SUBMITTED TEXT	25 WORDS	73% MATCHING TEXT	25 WORDS
for Britain, offered a chance of keeping India in the Commonwealth even if for a temporary period. Though Jinnah offered to bring Pakistan into the Commonwealth,		For Britain, Dominion Status offered a chance of keeping India in the Commonwealth, even if temporarily, a prize not to be spurned. Though Jinnah offered to bring Pakistan into the Commonwealth,		
W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...				

303/358	SUBMITTED TEXT	21 WORDS	80% MATCHING TEXT	21 WORDS
<p>had a greater value of trade and investment in India. The early date for transfer of power, 15th August 1947 was</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>had a greater value of trade and investment there. The rationale for the early date for transfer of power, 15th August 1947, was</p>		
304/358	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>senior officials in India like the Punjab Governor, Jenkins, and the Commander-in-Chief, Auchinleck, felt that</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>Senior officials in India like the Punjab Governor, Jenkins, and the Commander-in-Chief, Auchinleck, felt that</p>		
305/358	SUBMITTED TEXT	22 WORDS	100% MATCHING TEXT	22 WORDS
<p>The Boundary Commission Award was ready by 12 th August, 1947 but Mountbatten decided to make it public after Independence Day</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>The Boundary Commission Award was ready by 12th August, 1947 but Mountbatten decided to make it public after Independence Day,</p>		
306/358	SUBMITTED TEXT	18 WORDS	71% MATCHING TEXT	18 WORDS
<p>inevitable because of the long term failure of the Congress to mobilize the Muslims into the nationalist movement and</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
307/358	SUBMITTED TEXT	51 WORDS	80% MATCHING TEXT	51 WORDS
<p>the Interim Government's powerlessness and the Bengal provincial Ministry's inaction and even connivance in riots. He wondered whether there was any point in continuing in the Interim Government while people were being killed indiscriminately. So immediate transfer of power would at least mean the setting up of a government which could exercise the control</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>		<p>the Interim Government's powerlessness to check Governors from abetting the League and the Bengal provincial Ministry's inaction and even complicity in riots, wondered whether there was any point in continuing in the Interim Government while people were being Immediate transfer of power would at least mean the setting up of a government which could exercise the control</p>		

308/358	SUBMITTED TEXT	24 WORDS	100% MATCHING TEXT	24 WORDS
<p>the Congress leaders felt by June 1947 that only an immediate transfer of power could forestall the spread of Direct Action and communal disturbances.</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
309/358	SUBMITTED TEXT	26 WORDS	94% MATCHING TEXT	26 WORDS
<p>accepted the right of self- determination of Muslim majority provinces in his talks with Jinnah in 1944. In June 1946, Congress accepted the possibility of Muslim majority provinces</p> <p>accepted the right of self-determination of Muslim majority provinces in his talks with Jinnah in 1944. In June 1946, Congress conceded the possibility of Muslim majority provinces (</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
310/358	SUBMITTED TEXT	28 WORDS	38% MATCHING TEXT	28 WORDS
<p>The acceptance of Partition in 1947 was the final step to the Muslim League's demand for a sovereign Muslim state. In 1942, at the time of Cripps Mission</p> <p>SA B.A(H)_Pol. Sc.(E)_NEP.doc (D143706284)</p>				
311/358	SUBMITTED TEXT	78 WORDS	84% MATCHING TEXT	78 WORDS
<p>setting up a separate Constituent Assembly, but opposed compulsory grouping and upheld the right of NWFP and Assam not to join their groups if they so want. But later Nehru said he would accept the ruling of the Federal Court on whether grouping was compulsory or optional. The Congress accepted the clarification by the British Cabinet that grouping was compulsory. In early March 1947 a resolution was passed in the Congress Working Committee that Punjab must be partitioned if the country was divided.</p> <p>setting up a separate Constituent Assembly, but opposed compulsory grouping and upheld the right of NWFP and Assam not to join their groups if they so wished. But by the end of the year, Nehru said he would accept the ruling of the Federal Court on whether grouping was compulsory or optional. The Congress accepted without demur the clarification by the British Cabinet in December, 1946 that grouping was compulsory. Congress officially referred to Partition in early March 1947 when a resolution was passed in the Congress Working Committee that Punjab (and by implication Bengal) must be partitioned if the country was divided.</p> <p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

312/358	SUBMITTED TEXT	24 WORDS	90% MATCHING TEXT	24 WORDS
<p>While asserting the sovereignty of the Constituent Assembly, the Congress also accepted compulsory grouping and abandoned NWFP to Pakistan. The Congress leaders finally accepted Partition</p>		<p>While loudly asserting the sovereignty of the Constituent Assembly, the Congress quietly accepted compulsory grouping and abandoned NWFP to Pakistan. Similarly the Congress leaders finally accepted Partition</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

313/358	SUBMITTED TEXT	39 WORDS	87% MATCHING TEXT	39 WORDS
<p>stop communal riots but they firmly expressed about not surrendering to the blackmail of violence. Nehru wrote to Wavell on 22nd August 1946: 'We are not going to shake hands with murder or allow it to determine the country's policy.' 3 (</p>		<p>stop communal riots, but their words were all about not surrendering to the blackmail of violence. Nehru wrote to Wavell on 22nd August 1946: 'We are not going to shake hands with murder or allow it to determine the country's policy.'^^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

314/358	SUBMITTED TEXT	46 WORDS	44% MATCHING TEXT	46 WORDS
<p>another hope that after the British withdrawal differences would be resolved and a free India built jointly by both Hindus and Muslims. But communalism was no longer merely sustained by the British, now it was even defying the British. Another unreal belief was that Partition was temporary; it</p>		<p>Another unreal hope was that once the British left, differences would be patched up and a free India built by both Hindus and Muslims. This belief underestimated the autonomy of communalism by this time — it was no longer merely propped up by the British, in fact it had thrown away that crutch and was assertively independent, defying even the British. Yet another fond hope was that Partition was temporary — it</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

315/358	SUBMITTED TEXT	61 WORDS	93% MATCHING TEXT	61 WORDS
<p>was reversible once communal feelings subsided. Gandhiji told that Pakistan could not exist for long if people refused to accept Partition in their hearts. Nehru wrote to Cariappa: 'But of one thing I am convinced that ultimately there will be a united and strong India. We have often to go through the valley of the shadow before we reach the sun-lit mountain tops.' 4 (</p>		<p>was reversible once communal passions subsided and sanity returned. Gandhiji often told people that Pakistan could not exist for long if people refused to accept Partition in their hearts. Nehru wrote to Cariappa: 'But of one thing I am convinced that ultimately there will be a united and strong India. We have often to go through the valley of the shadow before we reach the sun-lit mountain tops.'^^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

316/358	SUBMITTED TEXT	19 WORDS	97% MATCHING TEXT	19 WORDS
<p>at his prayer meeting on 4 th June 1947explained that Congress accepted Partition because the people wanted it.</p>		<p>At his prayer meeting on 4th June 1947 he explained that Congress accepted Partition because the people wanted it: '</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
317/358	SUBMITTED TEXT	37 WORDS	100% MATCHING TEXT	37 WORDS
<p>The demand has been granted because you asked for it. The Congress never asked for it...But the Congress can feel the pulse of the people. It realized that the Khalsa as also the Hindus desired it.' 5 (</p>		<p>The demand has been granted because you asked for it. The Congress never asked for it. . . But the Congress can feel the pulse of the people. It realized that the Khalsa as also the Hindus desired it.'^^</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
318/358	SUBMITTED TEXT	28 WORDS	89% MATCHING TEXT	28 WORDS
<p>asked Congress to accept Partition as an unavoidable necessity in the given situation but to fight it in the long run by not accepting it in their hearts. He</p>		<p>asked Congressmen to accept Partition as an unavoidable necessity in the given circumstances, but to fight it in the long run by not accepting it in their hearts. He</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
319/358	SUBMITTED TEXT	18 WORDS	63% MATCHING TEXT	18 WORDS
<p>barefoot through the villages of Noakhali to prevent riots by persuasion and threats of a fast in Calcutta.</p>		<p>barefoot through the villages of Noakhali, bringing confidence by his presence to the Muslims in Bihar and preventing riots by persuasion and threats of a fast in Calcutta.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
320/358	SUBMITTED TEXT	20 WORDS	79% MATCHING TEXT	20 WORDS
<p>A 'peaceful' transfer of power took place at the cost of Partition and a communal catastrophe.V.P. Menon, the senior bureaucrat</p>		<p>a 'peaceful' transfer of power was purchased at the cost of Partition and a communal holocaust. V.P. Menon, the senior bureaucrat</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				

321/358	SUBMITTED TEXT	13 WORDS	96% MATCHING TEXT	13 WORDS
	there were serious internal troubles in Congress and fear of the Left wing.		there were serious internal troubles in Congress and great fear of the Left Wing;	
	W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html			
322/358	SUBMITTED TEXT	18 WORDS	97% MATCHING TEXT	18 WORDS
	refusal to join the Constituent Assembly and cooperate in Cabinet functioning led to a major political crisis, the		refusal to join the Constituent Assembly and cooperate in Cabinet functioning led to a major political crisis, with the	
	W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html			
323/358	SUBMITTED TEXT	27 WORDS	93% MATCHING TEXT	27 WORDS
	The formula of freedom-with-Partition was coming to be widely accepted well before Mountbatten took over charge. The transfer of power on the basis of grant of Dominion Status		The formula of freedom-with-Partition was coming to be widely accepted well before Mountbatten took over charge. The one major innovation—immediate transfer of power on the basis of grant of Dominion Status (
	W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html			
324/358	SUBMITTED TEXT	17 WORDS	100% MATCHING TEXT	17 WORDS
	was suggested not by Mountbatten, but by V.P. Menon to the Secretary of State in January 1947.		was suggested not by Mountbatten, but by448V.P. Menon to the Secretary of State in January 1947.	
	W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html			
325/358	SUBMITTED TEXT	16 WORDS	85% MATCHING TEXT	16 WORDS
	Mountbatten was responsible for the break-neck speed at which the process of transfer was carried out.		Mountbatten was responsible to a considerable for the break-neck speed at which the whole process of transfer was carried out,	
	W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html			

326/358	SUBMITTED TEXT	21 WORDS	77% MATCHING TEXT	21 WORDS
<p>envisaged transfer of power to separate provinces with Bengal and Punjab being given the options to vote for partition of their provinces.</p>		<p>envisaged transfer of power to separate provinces (or to confederations, if formed before the transfer), with the Bengal and Punjab assemblies being given the options to vote for partition of their provinces;</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
327/358	SUBMITTED TEXT	34 WORDS	78% MATCHING TEXT	34 WORDS
<p>Nehru reacted against this plan after Mountbatten informed him about it in Simla and V.P. Menon's suggestion of transfer to two central governments, India and Pakistan on the basis of Dominion Status was taken up.</p>		<p>Nehru reacted violently against after Mountbatten informed him about it privately in Simla on 10 May, and the V.P. Menon-Patel suggestion of transfer to two central governments, India and Pakistan, on the basis of grant of Dominion Status was taken up</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
328/358	SUBMITTED TEXT	23 WORDS	90% MATCHING TEXT	23 WORDS
<p>This became the basis of India Independence Act which was ratified by British Parliament and Monarchy on 18 July and implemented on 15 August.</p>		<p>this became the basis of the India Independence Act which was ratified by British Parliament and Crown on 18 July and implemented on 15 August.</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
329/358	SUBMITTED TEXT	20 WORDS	75% MATCHING TEXT	20 WORDS
<p>League were not very eager to be ruled from Punjab, Suhrawardy and Abul Hashem proposed a plan for a united</p>		<p>League were not too eager to be ruled from distant Punjab, Suhrawardy and Abul Hashem had come forward with a plan for a united,</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
330/358	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>independent Bengal, which a few Congress leaders like Sarat Bose seemed prepared to consider.</p>		<p>independent Bengal, which a few Congress leaders like Sarat Bose seemed prepared to consider (</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				

331/358	SUBMITTED TEXT	28 WORDS	98% MATCHING TEXT	28 WORDS
<p>In the N.W.F.P., demands were being raised for a free Pathan state, and the local Congress leadership under Abdul Ghaffar Khan felt that such a slogan could counter the</p>		<p>In the N.W.F.P., demands were being raised for a free Pathan state, and the local Congress leadership under Abdul Ghaffar Khan felt that only such a slogan could counter the</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
332/358	SUBMITTED TEXT	36 WORDS	92% MATCHING TEXT	36 WORDS
<p>Though the existing N.W.F.P.assembly had a Congress majority and had voted in favour of joining the Constituent Assembly, a plebiscite was forced on the question of choice between joining India or Pakistan. The Congress protested but did not</p>		<p>Though the existing N.W.F.P. assembly had a Congress majority and had voted in favour of joining the Constituent Assembly, a plebiscite was still forced on the province on the question of choice between joining India or Pakistan. The Congress High Command protested, but did not</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
333/358	SUBMITTED TEXT	22 WORDS	90% MATCHING TEXT	22 WORDS
<p>the independent Pakthoonistan option. The N.W.F.P Congress decided to boycott the plebiscite in protest and went to Pakistan by a vote of 50.99</p>		<p>the independent Pakthoonistan option. The N.W.F.P. Congress eventually decided to boycott the plebiscite in protest—and N.W.F.P. went to Pakistan by a vote of 50.99%</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
334/358	SUBMITTED TEXT	60 WORDS	73% MATCHING TEXT	60 WORDS
<p>The question of the future of the princely states became a fundamental issue. The more ambitious rulers like Hyderabad, Bhopal or Travancore were dreaming of independence that would keep them as autocratic as before and received encouragement from the Government till Mountbatten enforced a more realistic policy. Meanwhile, a new movement began in 1946-47 demanding political rights and elective representation in the Constituent Assembly.</p>		<p>the question of the future of the princely states became a vital one. The more ambitious rulers or their dewans (like Hyderabad, Bhopal or Travancore) were dreaming of an independence which would keep them as autocratic as before, and such hopes received considerable encouragement from the Government of India's Political Department under Conrad Corfield till Mountbatten enforced a more realistic policy. Meanwhile a new unsurge of the states peoples' movement had begun in 1946-47, everywhere political rights and elective representation in the Constituent Assembly,</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				

335/358	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>The Congress criticized the Cabinet Mission Plan for not providing for elected members from states. Nehru</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The Congress criticized the Cabinet Mission plan for not providing for elected members from states. Nehru</p>		
336/358	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>that states refusing to join the Constituent Assembly would be treated as hostile.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>that states refusing to join the Constituent Assembly would be treated as hostile.</p>		
337/358	SUBMITTED TEXT	28 WORDS	94% MATCHING TEXT	28 WORDS
<p>The more difficult process of integration of states with neighbouring provinces or into new units like Vindhya and Madhya Pradesh, Rajasthan or Himachal Pradesh along with internal constitutional changes</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The more difficult process of 'integration' of states with neighbouring provinces or into new units like Kathiawar Union, Vindhya and Madhya Pradesh, Rajasthan or Himachal Pradesh, along with internal constitutional changes</p>		
338/358	SUBMITTED TEXT	10 WORDS	90% MATCHING TEXT	10 WORDS
<p>The rapid unification of India is Sardar Patel's achievement but</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The rapid unification of India is certainly Sardar Patel's greatest achievement, but</p>		
339/358	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>the last two and a half months of British rule,</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>The last two and a half months of British rule</p>		
340/358	SUBMITTED TEXT	18 WORDS	75% MATCHING TEXT	18 WORDS
<p>The minority members of the Bengal and Punjab assemblies voted for partition; the Sind assembly opted for Pakistan.</p> <p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>		<p>the minority members of the Bengal and Punjab assemblies, who had been given the right to meet separately, voted for partition; the Sind assembly opted for Pakistan;</p>		

341/358	SUBMITTED TEXT	35 WORDS	80% MATCHING TEXT	35 WORDS
<p>Muslims resented the loss of Gurdaspur in Punjab and of Murshidabad and Nadia in NSOU ? GE-PS-11 167 Bengal; Hindus and Sikhs that of Lahore and the Canal colonies, of Khulna and Chittagong Hill tracts. 6 (</p>		<p>Muslims resented the loss of Gurdaspur in Punjab and of Murshidabad and Nadia (as as Calcutta) in Bengal; Hindus and Sikhs that of Lahore and the Canal colonies, of Khulna and Chittagong Hill Tracts.</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
342/358	SUBMITTED TEXT	25 WORDS	86% MATCHING TEXT	25 WORDS
<p>Mountbatten agreed to the Congress request to act as Governor General of the new Indian Dominion; but was prevented from assuming the same post in Pakistan. 19.7</p>		<p>Mountbatten graciously agreed to the Congress request to act as Governor-General of the new Indian Dominion; he was prevented from assuming the same office in Pakistan,</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
343/358	SUBMITTED TEXT	21 WORDS	84% MATCHING TEXT	21 WORDS
<p>a cruel choice between threat of violence, squeezing of economic opportunities or a forced tearing out of age-old roots to join the</p>		<p>a cruel choice between threat of sudden violence and squeezing of employment and economic opportunities, or a forcible tearing-out of age-old roots to join the</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
344/358	SUBMITTED TEXT	19 WORDS	97% MATCHING TEXT	19 WORDS
<p>the economic and social contradictions that had provided the deeper roots of popular anti-imperialism had not been resolved. The</p>		<p>the economic and social contradictions that had provided the deeper roots of popular anti-imperialism had not been resolved, the</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
345/358	SUBMITTED TEXT	19 WORDS	100% MATCHING TEXT	19 WORDS
<p>had warned that the country still had to attain social, moral and economic independence in terms of its villages.</p>		<p>had warned that the country still had to 'attain social, moral and economic independence in terms of its 700,000 villages',</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				

346/358	SUBMITTED TEXT	21 WORDS	95% MATCHING TEXT	21 WORDS
<p>The Congress as a political party should be dissolved and replaced by a Lok Sevak Sangh of genuinely dedicated constructive village workers.</p>		<p>the Congress as a political party should be dissolved and replaced by a Lok Sevak Sangh of genuinely dedicated, self-sacrificing constructive village workers (</p>		
<p>W https://5y1.org/info/vanguard-dividend-aristocrats-index-fund_3_095d78.html</p>				
347/358	SUBMITTED TEXT	16 WORDS	65% MATCHING TEXT	16 WORDS
<p>The British had used the policy of conciliation and repression to suppress the growing national movement.</p>		<p>The British had relied over the years on a twin policy of conciliation and repression to contain the growing national movement.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
348/358	SUBMITTED TEXT	17 WORDS	65% MATCHING TEXT	17 WORDS
<p>Mission Plan in their own way. Sardar Patel maintained that the Mission's Plan was against Pakistan. The League</p>		<p>Mission Plan in their own way, both seeing it as a confirmation of their stand. Thus, Patel maintained that the Mission's Plan was against Pakistan, that the League'</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
349/358	SUBMITTED TEXT	17 WORDS	96% MATCHING TEXT	17 WORDS
<p>The Interim Government was formed on 2 nd September 1946 with Congress members with Nehru as</p>		<p>the Interim Government was formed on 2nd September 1946 with Congress members alone with Nehru as</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
350/358	SUBMITTED TEXT	33 WORDS	77% MATCHING TEXT	33 WORDS
<p>the League into the Interim Government on 26 th October 1946 though it had not accepted the Cabinet Mission Plan and had not given up its policy of Direct Action. ? .The importance of</p>		<p>the League into the Interim Government on 26 October 1946 though it had not accepted either the short or long term provisions of the Cabinet Mission Plan and had not given up its policy of Direct Action. The Secretary of</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
351/358	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>The date for British withdrawal from India was fixed as 30</p>		<p>The date for British withdrawal from India was fixed as 30</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				

352/358	SUBMITTED TEXT	14 WORDS	95% MATCHING TEXT	14 WORDS
<p>June 1948 and the appointment of new Viceroy, Lord Mountbatten was announced. ? The</p>		<p>June 1948 and the appointment of a new Viceroy, Lord Mountbatten, was announced. The</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
353/358	SUBMITTED TEXT	17 WORDS	82% MATCHING TEXT	17 WORDS
<p>to execute an early transfer of power on the basis of Dominion Status to India and Pakistan. ?</p>		<p>to effect an early transfer of power on the basis of Dominion Status to two successor states, India and Pakistan.</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
354/358	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>The early date for transfer of power, 15th August 1947 was</p>		<p>the early date for transfer of power, 15th August 1947, was</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
355/358	SUBMITTED TEXT	19 WORDS	97% MATCHING TEXT	19 WORDS
<p>at his prayer meeting on 4 th June 1947 explained that Congress accepted Partition because the people wanted it. ?</p>		<p>At his prayer meeting on 4th June 1947 he explained that Congress accepted Partition because the people wanted it: '</p>		
<p>W https://archive.org/stream/bipan-chandra-indias-struggle-for-independence-1989-penguin-books-indi ...</p>				
356/358	SUBMITTED TEXT	21 WORDS	47% MATCHING TEXT	21 WORDS
<p>Chandra, Bipan, India's Struggle for Independence, New Delhi: Penguin Books, 1988. 3. Desai, A.R., Social Background of Indian Nationalism, Mumbai: Popular Prakashan, 1948 4.</p>				
<p>SA DSC-3 Colonialism and nationalism in India.docx (D146409604)</p>				
357/358	SUBMITTED TEXT	12 WORDS	96% MATCHING TEXT	12 WORDS
<p>appointed Simon Commission to review the working of the Government of India Act,1919.</p>				
<p>SA Vijaya kumari_Submitted file_Merge.docx (D152443624)</p>				

358/358

SUBMITTED TEXT

15 WORDS

82% MATCHING TEXT

15 WORDS





















and Company, 1998. 2. Chakrabarty Bidyut and Pandey, Rajendra Kumar, Modern Indian Political Thought, New Delhi:














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PREFACE In a bid to standardise higher education in the country, the University Grants Commission (UGC) has introduced Choice Based Credit System (CBCS) based on five types of courses viz. core, discipline specific, generic elective, ability and skill enhancement for graduate students of all programmes at Honours level. This brings in the semester pattern, which finds efficacy in sync with credit system, credit transfer, comprehensive continuous assessments and a graded pattern of evaluation. The objective is to offer learners ample flexibility to choose from a wide gamut of courses, as also to provide them lateral mobility between various educational institutions in the country where they can carry acquired credits. I am happy to note that the University has been accredited by NAAC with grade 'A'. UGC (Open and Distance Learning Programmes and Online Learning Programmes) Regulations, 2020 have mandated compliance with CBCS for U.G. programmes for all the HEIs in this mode. Welcoming this paradigm shift in higher education, Netaji Subhas Open University (NSOU) has resolved to adopt CBCS from the academic session 2021-22 at the Under Graduate Degree Programme level. The present syllabus, framed in the spirit of syllabi recommended by UGC, lays due stress on all aspects envisaged in the curricular framework of the apex body on higher education. It will be imparted to learners over the six semesters of the Programme. Self Learning Materials (SLMs) are the mainstay of Student Support Services (SSS) of an Open University. From a logistic point of view, NSOU has embarked upon CBCS presently with SLMs in English / Bengali. Eventually, the English version SLMs will be translated into Bengali too, for the benefit of learners. As always, all of our teaching faculties contributed in this process. In addition to this we have also requisitioned the services of best academics in each domain in preparation of the new SLMs. I am sure they will be of commendable academic support. We look forward to proactive feedback from all stakeholders who will participate in the teaching-learning based on these study materials. It has been a very challenging task well executed, and I congratulate all concerned in the preparation of these SLMs. I wish the venture a grand success. Professor (Dr.) Subha Sankar Sarkar Vice-Chancellor

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UG : Political Science (HPS) Module-1 Introduction Unit-1 What is Feminism? 9-20 Unit-2 Distinction between Sex and Gender 21-29 Unit-3 Biologism and Social Constructivism 30-37 Unit-4 Private—Public divide 38-47 Unit-5 Diaspora and Hybridity: Changing ways of representation 48-58 Module-2 Feminist Tradition Unit-6 Understanding Patriarchy 61-70 Unit-7 Liberal Feminism 71-79 Unit-8 Socialist Feminism 80-88 Unit-9 Radical Feminism 89-98 Unit-10 New Feminism 99-103

Module-3 Feminism in Practice Unit-11 Feminism in the West 107-119 Unit-12 Feminism in the Socialist Countries 120-129 Unit-13 Islam and Feminism in West Asia 130-139 Unit-14 Social Reform Movements and the Women's Question in Colonial India 140-149 Unit-15 Women's Movement in India 150-158 Module-4 Women, Law and Labour Unit-16 Domesticity and Domestic Labour 161-168 Unit-17 Industrialization and Women's Work 169-177 Unit-18 Women in Peasant Movement 178-186 Unit-19 Women and Trade Union 187-195 Unit-20 Women, Law and Property Rights 196-204

Module- 1 Introduction

Unit-1 What is Feminism? Structure 1.1 Objectives 1.2 Introduction 1.3 First Phase 1.3.1 Important personalities linked to Liberal Feminism 1.3.2 Early achievements in a few countries 1.4 Second Phase: Radical Feminism 1.5 Marxist and Socialist Feminists 1.6 A new phase of feminist thinking: The Third Wave 1.7 Post-Colonial and Third World Feminism 1.8

Conclusion 1.9 Summing Up 1.10 Glossary 1.11 Probable Questions 1.12 Further Readings 1.1 Objectives N The study tends to explain the trends developed over the years in Feminist ideology. N It aims to understand the nature of Feminist theories, which emerged from feminist movements. N It helps to know the historical overview of the waves of feminist movements. 1.2 Introduction There can be no singular definition of feminist ideology that can be used to explain the varied trends of thought that have developed over years deriving inspiration from equally varied sources. However, to begin with, feminism can broadly be presented as a system of thought that challenges the social privileging of the male point of view and seeks to establish the right of women to be treated as 9

10 _____ NSOU N GE-PS-21 equals of men politically, economically and culturally. Thus, the ideology of patriarchy, which recognises men as supreme at both social and familial levels has been the main target of attack of all kinds of feminist movements. Feminist theories, which emerge from feminist movements, aim to understand the nature of gender inequality by examining women's social roles and lived experiences. These theories have been incorporated in a variety of disciplines in order to respond to issues concerning gender. Feminist movements are concerned with a wide range of issues namely, woman's right to own property and vote, getting same pay as men for the same work, gaining control over their own bodies by fighting for reproductive rights through the use of contraception and abortion and so on. It is obvious that this philosophy with all its ramifications was not shaped in a day; it developed over time responding to the contemporary socio-political, economic and cultural trends and visions implicating women's subordination in some way or the other. Some scholars consider feminist campaigns to be a main force behind major historical societal changes for women's rights, particularly in the West. Although feminist advocacy is, and has been, mainly focused on women's rights, some feminists, viz., Bell Hooks (Gloria Jean Watkins, an American author, professor, feminist, and social activist better known by her pen name Bell Hooks) argue for the inclusion of men's liberation within its aims because they believe that men are also affected by traditional gender roles. Now let us take a historical overview of the waves of feminist movements. Feminist movements, even as they developed in waves or phases, display a great deal of overlap among themselves. The most fruitful method to explore the concept will be through a discussion of the broadly identified trends. From Plato to Indian sastrakars, men have defined the ideals of womanhood and social and familial roles of women, but it is from the time when women themselves began to speak about their goals and roles that the term feminism becomes meaningful. 1.3 First Phase: Liberal Feminism The group that is known as liberal feminist was the first to foreground the idea of feminism in literary and social practice. At the theoretical level, the liberal feminists analyse gender inequality in terms of divergent processes of socialization, sway of superstition, irrationality and so on. Their preferred solution lies in legal reform, affecting change in the structure of values through sustained propaganda etc. The essential thrust of this theoretical tendency is individualism.

NSOU N GE-PS-21 _____ 11 It was in the backdrop of Enlightenment around seventeenth and eighteenth centuries that the earliest sounds of feminism (not all theorists would choose to apply the term 'feminism' to this phase, for them it could at best be called 'proto-feminist) were heard in United States and Great Britain when women started demanding legal equality, such as the right to be treated as full individuals endowed with the capability to make choices of life, such as the right to hold property and to choose their husbands. In most crucial sense, the status of women in these countries was very similar to that of children who were not considered capable of making rational choices. As only the householder could cast a vote, the restriction on property right kept most women disenfranchised. 1.3.1 Important personalities linked to Liberal Feminism Judith Sargent Murray in her landmark essay *On the Equality of the Sexes* (1790) articulated her thoughts on women's rights which were worked upon, expanded and elaborated by other feminist writers as the century rolled on. Mary Wollstonecraft, one of the early feminists, heavily influenced by Rousseau and French political thinkers, in her immensely influential book *A Vindication of the Rights of Woman* (1792), argued that women are not naturally inferior to men, but appear to be so only because they lack education. She suggested that both men and women should be treated as rational beings and imagined a social order founded on reason. By the turn of the century similar ideas started pouring in. For instance, Frances Wright in her *Views of Society and Manners in America* (1821) brought her to public attention as a critic of the new nation by advocating women's full political inclusion. In the contemporary period one of the most important male philosophers to support this wave of women's movement was John Stuart Mill (1806 –1873). Similar to Mary Wollstonecraft, he compared sexual inequality to slavery, arguing that husbands are often just as abusive as masters. In his book *The Subjection of Women*, Mill argued that sex inequality inhibited societal progress and believed that both sexes should have equal rights under the law. He also argued that until conditions of equality exist, no one can possibly assess the natural differences between women and men, distorted as they have been. 1.3.2 Early achievements in a few countries USA: Increasingly, more feminists began to see that obtaining voting rights was perhaps among the most important steps before other rights could be secured. But it took immense activism almost over half a century for women to gain voting rights in USA. Through stepping stones like Seneca Falls

12 _____ NSOU N GE-PS-21 Convention (1848), National Women's Right Convention (1850) National American Woman Suffrage Association (NAWSA) was ultimately formed, women had specific laws sanctioning their rights to vote. In 1920, after nearly 50 years of intense activism, women were finally granted the right to vote and the right to hold public office in the United States. After repeated failures in legal battle the National Woman's Party formed by Alice Paul in 1916 took to militancy over the question of suffrage. After a hard-fought series of votes in the US Congress and in state legislatures, the Nineteenth Amendment became a part of the US Constitution in 1920. It states that the right of US citizens to vote shall not be denied or abridged on account of sex. UK: In the UK, militant campaign began with

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the formation of the Women's Social and Political Union

in the first decade of twentieth century. Perhaps the most prominent agitator was Sylvia Pankhurst, a famous socialist who helped campaign for women's equality with men inter alia many other issues which exemplified social injustice. Women gained the right to vote in 1918 although their rights were not fully equal to men. Representation of the People Act 1918 enfranchised all men, as well as all women above the age of thirty who met minimum property qualifications. It was in 1928 that the Conservative government ultimately passed the act of equal franchise giving all men and women above the age of twenty-one the right to vote. Apart from voting right another important triumph for UK women came in 1857 when the Matrimonial Causes Act of 1857 set up a special court to deal with divorce cases. This meant that women could get divorce without the endorsement of the church. France: It appears ironical that the country that was the earliest to declare the 'Rights of Man' was almost the last to grant voting rights to its women. In 1909 French Union for Women's Suffrage, French feminist organization was formed primarily to fight for voting right, which was eventually granted in 1945. Through the 18 th century Feminist movements also developed in many other countries. For instance, in Southern Australia, right to vote was achieved by women in 1895, Catherine Spence being a relentless campaigner for this right. In Denmark, they had already achieved not only voting rights but equal rights laws that protected a woman's access to education, work and marital rights during the 1920s. Liberal feminism was quiet for four decades after winning the vote. In the 1960s during the civil rights movement, liberal feminists drew parallels between systemic NSOU N GE-PS-21 _____ 13 race discrimination and sex discrimination. Groups such as the National Organization for Women, the National Women's Political Caucus, and the Women's Equity Action League were created to further women's rights on issues such as reproduction, child care, domestic violence, work and equal pay and so on. 1.4 Second Phase: Radical Feminism The second wave of Feminism, often termed as radical feminism, began in the late 1960s and continued into the early 90

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s.This wave unfolded itself in the context of the anti-war and civil rights movements and the growing self-consciousness of a variety of minority groups around the world.

The book *The Second Sex*, (1949) an extremely important contribution to Feminist philosophy by Simone de Beauvoir, the French Existentialist author, is often regarded as the starting point of second-wave feminism. In *Second Sex*, her magnum opus, published in 1949 in French as *Le Deuxième Sexe*, she famously declared 'one is not born but becomes a woman'. Beauvoir argued that men had made women the 'other' in society by application of a false aura of 'mystery' around them and used this as an excuse to create an 'unfathomable woman' stereotype whose real problems need not be addressed. Its social expression, she clarified, was the creation of Patriarchy. After the publication of de Beauvoir's text, feminists began to employ 'gender' as a crucial analytical category for explaining social processes. These theorists were advocates of gender division as the most fundamental of all social divisions and the universality of patriarchy. The radical Feminists argued that sexual objectification was the most widely shared experience of women on the basis of which a common identity and common goal of action could be forged. Significantly this phase began with protests against the Miss America Pageant in Atlantic City in 1968 and 1969. With the rise of the New Left, this feminist phase got entangled with many other social movements. Whereas the first wave of feminism was generally propelled by Western white middle class women, the second phase drew in women of color and developing nations, seeking sisterhood and solidarity, claiming 'women's struggle is class struggle.' Feminists spoke of women as a social class and coined phrases such as 'the personal is political' and 'identity politics' in an effort to demonstrate that race, class, and gender oppression were all related. The second wave became increasingly theoretical, based on a fusion of neo-Marxism and psycho-analytical theory, and began to associate the subjugation of women with broader critiques of patriarchy, capitalism, normative heterosexuality, and the woman's role as wife and mother.

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Radical feminists generally formed small activist or community associations around either consciousness raising or concrete aims. Many radical feminists in Australia participated in a series of squats to establish various women's

centers, a form of action that became

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common in the late 1970s and early 1980s. By the mid- 1980s many of the original consciousness raising groups had dissolved, and radical feminism was more and more associated with loosely organized university collectives. Radical feminism can still be seen, particularly within student activism and among working class women.

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While radical feminists aimed to dismantle patriarchal society, their immediate aims were generally concrete.

Their common demands included: Expanding Reproductive Rights: This was

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defined by feminists in the 1970s as a basic human right

that included the right to abortion and birth control and much more. To be realised, reproductive freedom, it was argued,

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must include not only woman's right to choose childbirth, abortion, sterilisation or birth control, but also her right to make those choices freely, without pressure from individual men, doctors, governmental or religious authorities.

At a broader plane they sought to change the whole organization of

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the sexual culture, e.g., breaking down traditional gender roles and re-evaluating societal concepts of femininity and masculinity (a common demand in US universities during the 1980s). To achieve this, they often formed tactical alliances with other currents of feminism. 1.5

Marxist and Socialist Feminists Much of what radical feminists were arguing had overlaps with the thoughts of Marxist and Socialist Feminists, the latter being more focused on historical approach. The early Marxist Feminists, while accepting Patriarchy as an important cultural more, were keener on finding a 'material' explanation of gender, the whole approach being an attempt to develop a critique of Capitalism from gender perspective. Given this main theoretical thrust, they, none the less, were vexed by such questions as to what extent economic systems influence gender relationships, or whether subordination of women predates capitalism or, more crucially, the possibility of its continuance even in socialism etc. In an attempt to break-out of this theoretical deadlock, a new position emerged. The economic and gender system are not causally linked social processes, but operate simultaneously and interactively. The early Marxist Feminists from Clara Zetkin to Alexandra Kollontai variously drew their inspiration from F.

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Engels' The Origin of the Family, Private Property and the State.

Among the later Marxist Feminists were Maria Mies, [German professor of sociology and author of

NSOU N GE-PS-21 _____ 15 several feminist books, including Indian Women and Patriarchy (1980), Patriarchy and Accumulation on a World Scale (1986), etc], Gayle Maria Rosa Dalla Costa (Italian autonomist feminist who co-authored with Selma Jamesthe classic The Power of Women and the Subversion of the Community). 'The Power etc' launched the 'domestic labour debate' by re-defining housework as reproductive labour necessary to the functioning of capital, rendered invisible by its removal from the wage- relation. Mariarosa Dalla Costa and Selma James American writer, feminist and social activist were co-founders of the International Wages for Housework Campaign, and coordinators of the Global Women's Strike etc. 1.6 A new phase of feminist thinking: The Third Wave In the 1980s radical feminism as a theoretical approach was subjected to severe criticisms. The central charges were of essentialism and biological reductionism. It was alleged that their entire emphasis lay on the male 'need' to oppress women, but they have failed to provide any explanation beyond biology as to why it should be so. The obvious tendency of this approach was to treat men and women as 'homogenous'and 'unhistorical' categories. The critical atmosphere of the 1980s generated another theoretical trend that has been somewhat loosely termed as the Post-Modern or Post-Structuralist approach to feminism. Deriving from a wide range of philosophical currents as represented by the thoughts of Foucault, Freud, Lacan and Derrida, the feminism of this phase was by no means a homogenous trend. In examining identity formation and generation of stereotypes, the theorists variously explored the tools of psychoanalysis and the role of language. All these led to the destabilization of a variety of notions such as 'universal womanhood', body, gender, sexual heteronormativity and so on. Their

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celebration of ambiguity and refusal to think in terms of 'us-them' (

or men-women binary) led most of them to deny identification as 'feminists' as they found the word limiting and exclusionary. Given the immense complexity and variety of this approach it is difficult to delineate the salient points of a theoretical model. Yet a few directions can be indicated. Focusing on the early stages of child development emphasis has been placed on the centrality of language in communicating, interpreting and representing gender. By language the 'Post Structuralists' do not mean words but systems of meaning — symbolic orders — that precede the actual mastery of speech, reading and writing. Again, those who follow the Foucauldian method question causality or idea of single origin and conceive of processes to be absolutely interconnected and

16 _____ NSOU N GE-PS-21 entangled. Joan Wallach Scot, one of the very well-known theorists of this trend, provides illuminating exposition of how gender becomes the primary way of signifying relationships of power. To explain this, she enumerates few inter-related constitutive elements of gender. First, in every society there are available cultural symbols that evoke the idea of womanhood. These symbols are multiple and can also be contradictory. The most commonly available cultural icons in Western societies are those of 'Eve' or 'Mother Mary'. Then these symbols are employed in every sphere of social activity such as pursuance of religion, education, scientific research, legal and political doctrines and variously fix binary opposition of concepts of 'femininity' and 'masculinity' with clear implication of power relationship. This takes on a different dimension in modern societies with much wider purview of governance. Finally, the biological sexuality transforms into subjective identity through enculturation and further reinforces the stereotypes. This theoretical trend takes us beyond any simplified concept of fixed binary and fixed origin and opens the scope of dialogue with most other disciplines, namely History, Economics, Sociology, Psychology and so on. 1.7 Post-Colonial and Third World Feminism In the 1980s Postcolonial or often called the Third World Feminism, originated in countries that emerged out of colonial domination, as a critique of feminist theorists in developed countries pointing out the universalizing tendencies of mainstream feminist ideas in which the women living in non-Western countries are misrepresented. Postcolonial feminism emerged as part of the third wave of feminism, which began in the 1980s, in tandem with many other racially focused feminist movements in order to bring into focus the diverse nature of each woman's lived experience. As can be quite expected there is no singular 'Third World Feminism', yet there are certain underlying common theoretical assumptions and lived experiences that can qualify them as a trend. First, postcolonial theorists concern themselves with evaluating how different colonial and imperial relations throughout the nineteenth century have impacted the way particular cultures view themselves. The second defining factor is their opposition to 'Western Feminism' which, they argue, universalizes their own experience thereby becoming a participant in the Western knowledge hegemony. There is a general tendency of Western Feminism, they allege, to construct the 'Third World Women' as a homogenous 'powerless' group suffering victimhood of particular socio-economic systems. They argue that this approach

NSOU N GE-PS-21 _____ 17 issues from collapsing the distinction as women as real historical subjects and their representation. By rejecting the Western feminist imaging of non-western women, post-colonial feminism promotes a wider viewpoint of the complex layers of oppression that exist within any given society. Audre Lorde, American writer, Feminist and Civil Rights Activist, contributed to the creation of Postcolonial Feminism in her 1984 essay

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The Master's Tools Will Never Dismantle the Master's House.

The essay of Chandra Talpade Mohanty, Professor of Gender Studies and Sociology in Syracuse University, Under Western Eyes also came out in 1984, analyzing the homogenizing Western Feminist depiction of the 'Third World Women.' These works, along with many others, were foundational to the formation of postcolonial feminism. Celebrating difference in the lived experiences of women, Lorde asserts, that these should be used to create a community in which women use their different strengths to support each other. Mohanty's primary initiative has been to allow Third World Women to have agency and voice within the general feminist realm. The major emphasis of this group of Feminists has been on movement. In the article Third World Women and the Inadequacies of Western Feminism, Ethel Crowley, Professor of Sociology at Trinity College of Dublin, writes about how Western Feminism is lacking when applied to non-western societies. She accuses western feminists of theoretical reductionism when it comes to Third World Women. Her major problem with Western Feminism is that it spends too much time in ideological 'nit-picking' instead of formulating strategies to redress the highlighted problems. The most prominent point that Crowley makes in her article is that ethnography can be essential to problem solving and that freedom does not mean the same thing to all the women of the world. Postcolonial Feminism has strong ties with indigenous movements and wider Postcolonial theory. It is also closely affiliated with Black Feminism because both Black Feminists and Postcolonial Feminists argue that mainstream Western Feminism fails to adequately account for racial differences. Racism has a major role to play in the discussion of Postcolonial Feminism. Postcolonial Feminists seek to tackle the ethnic conflict and racism that still exist and aim to bring these issues into feminist discourse. In the past, Lorde argues, mainstream Western Feminism has largely avoided the issue of race, relegating it to a secondary place behind patriarchy and somewhat separate from feminism. It was only in recent times that 'White' Feminists are waking up to the need to address this issue.

18 _____ NSOU N GE-PS-21 Criticized as they are, the Western Feminists also launched their critique of Postcolonial Feminism in much the same way. It has been argued that Third World Feminists are also in danger of being ethnocentric, only addressing what is going on in their own cultures at the expense of other parts of the world for colonialism occurring across different timelines embodies different meaning for people across the world. 1.8 Conclusion Feminist thought and movements, as we have discussed, have different shades and strands. But policy making at both national and international levels has been compelled to acknowledge the concerted strength of their contributions, however variegated. Feminism has barely exhausted its potential and different issues, will continue to come and debates rage for a long time to come. The multiplicity of feminist trends not only indicates divergence, it more crucially implies the growing audibility of women's voice that had been achieved through long struggles and sacrifices. 1.9 Summing Up 1. Feminism can broadly be presented as a system of thought that challenges the social privileging of the male point of view and seeks to assert the right of women to be treated as equals of men politically, economically and culturally. Thus, the ideology of patriarchy at both social and familial levels has been the main target of attack of all kinds of feminist movements. 2. It was in the backdrop of Enlightenment around 17 th and 18 th centuries that the earliest sounds of feminism were heard in United States and Great Britain when women started demanding legal equality, such as the right to be treated as full individuals endowed with the capability to make choices of life, such as the right to hold property and to choose their husbands. 3. Wollstonecraft was one of the early feminists, heavily influenced by Rousseau and French political thinkers, in her immensely influential book A Vindication of the Rights of Woman (1792), argued that women are not naturally inferior to men, but appear to be only because they lack education. 4. The second wave of Feminism, often termed as Radical Feminism, began in the late 1960s and continued into the early 90s. This wave unfolded itself in

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the context of the anti-war and civil rights movements and the growing self- consciousness of a variety of minority groups around the world. 5.

The book *The Second Sex* (1949), an extremely important contribution to Feminist philosophy by Simone de Beauvoir, the French Existentialist author, is often regarded as the starting point of second-wave feminism. 6. The early Marxist and Socialist Feminists, while accepting Patriarchy as an important cultural move, were keener on finding a 'material' explanation of gender, the whole approach being an attempt to develop a critique of Capitalism from gender perspective. 7. The 1980s generated another theoretical trend that has been somewhat loosely termed as the Post-Modern or Post-Structuralist approach to feminism. Deriving from a wide range of philosophical currents as represented by the thoughts of Foucault, Freud, Lacan and Derrida they represented widely variegated strands of thought. Closely connected with them were the so-called Post-Colonial and Third World Feminists who were equally divergent in their approaches. 1.10 Glossary 1. Patriarchy— A socio-familial system in which social and political leadership rests with men. At the family level, the father or the eldest son is considered the head of the family and descent is determined by male-line. At the political and social level, power crucially rests with males, women being ascribed a secondary role. 2. Structuralism— It is employed in philosophy, sociology, anthropology, history and so on, structuralism indicates a method of understanding of human behaviour in terms of underlying broad structures that determine feelings, perceptions and thought processes. 3. Hegemony—In ancient Greece hegemony meant political military dominance of one city state over another, the dominant one being called the hegemon. However, in the definition of Antonio Gramsci, Italian Marxist, it came to denote the manipulative power of the ruling class to get people believe that their own interest was essentially catered by accepting and embracing the rulers' ideology.

20 _____ NSOU N GE-PS-21 1.11 Probable Questions Essay
Type Questions : 1. Write an essay on the Liberal Feminist theory. 2. Discuss the different phases of the feminist tradition.
Long Questions : 1. What are the theoretical overlaps between Radical and Marxist Feminists? What are their differences?
2. How do the Third World Feminists critique Western Feminism? Short Questions : 1. What were the achievements of the Liberal Feminists? 2. Write a short note on radical feminism. 1.12 Further Readings 1. Jagger Allison, *Feminist Politics and Human Nature*, Harvester Press, Brighton, 1983. 2. Tong Rosemarie, *Feminist Thought*, Westview Press, Colorado, 2009. 3. Kumar

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Radha, *The History of Doing: An Illustrated Account of Movements of Women's Rights and Feminism in India, 1800-1990*,

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NSOU N GE-PS-21 _____ 21 Unit-2 Distinction between Sex and Gender Structure 2.1 Objectives 2.2 Introduction 2.3 Feminist critique of sex-gender equation 2.4 Patriarchy 2.5 Role of other Institutions 2.5.1 State and the church working in tandem 2.5.2 Law 2.5.3 Politics 2.5.4 Media 2.6 Conclusion 2.7 Summing Up 2.8 Glossary 2.9 Probable Questions 2.10 Further Readings 2.1 Objectives N The study reveals the linguistic meaning of the term Gender. N It helps to distinguish between sex and gender in feminist epistemology. 2.2 Introduction The word 'gender' in common English usage is often used interchangeably with the word 'sex', implying male/female anatomical binary. But if we go a little deeper we see neither linguistically nor sociologically such interchangeability as tenable. Let us first look at language. Linguists generally use the word 'gender' to classify nouns. In most Indo-European group of languages (There are about 445 living Indo-European languages and nearly 42% of the human population speaks an Indo- 21

22 _____ NSOU N GE-PS-21 European language as a first language, by far the highest of any language family) gender implies classification of animate and an inanimate. But the classification mode widely varies. For instance, in both English and Bengali languages we find a triadic gender structure – masculine, feminine and neuter. But in languages like French, German etc. feminine and masculine binary applies to both animate and inanimate. Thus, a scale or a pencil can either be feminine or masculine. This applies to Hindi language as well. Such variations notwithstanding, given the global dominance of English, in our commonplace understanding gender broadly implies ‘masculine/feminine’ division and we tend to believe that gender and sex is one and the same thing. 2.3 Feminist critique of sex-gender equation Over years’ feminists have been arguing for making a distinction between sex and gender. The main point that they want to make is that while sex is a biological given, gender means the social role that society attaches to the sex-based division. In other words, while sex indicates biological man and woman, gender indicates social ‘manhood’ and ‘womanhood’. This distinction is also reflected in dictionaries. For instance, the entry of ‘gender’ in Oxford dictionary reads as follows: noun.

Either of the two sexes (male and female), especially when considered with reference to social and cultural differences rather than biological ones.

It further states that

the term is also used more broadly to denote a range of identities that do not correspond to established ideas of male and female.

Now the question arises as to how ‘manhood’ and ‘womanhood’ are defined. Feminists argue that ‘femininity’ and ‘masculinity’ are products of social construct that vary from epoch to epoch and in accordance to difference in social organizations. For instance, the concept of ‘femininity’ and ‘masculinity’ in matrilineal tribal societies and so-called ‘mainstream’ societies are often different in terms of certain crucial factors of social organization and day to day living. Then again, difference also occurs from one historical period to another depending on their specific notions of social production. For instance, in pre-modern agrarian society, where the economy was at least partially home-based, woman’s social productivity was viewed differently from that of industrial societies. Thus, femininity is a social construction just as masculinity is. Then again it should be understood that if the idea of gender had merely been indicative of social and historical variations of the notions of manhood and womanhood, it would have

NSOU N GE-PS-21 _____ 23 essentially remained a matter of anthropological interest. But as the gender stereotyping in almost all societies remain crucially linked to domination of females by males, the concept of gender is rendered politically charged. This will take us to a discussion of the Patriarchy and how patriarchal ideology permeates various institutional forms through which this domination is exercised. 2.4 Patriarchy Previously, narrowly conceived patriarchy simply implied a familial system where the father, being the Patriarch was vested with supreme authority. In current sociological usage, patriarchy is made to stand for a social system that creates conditions of subjugation of women by men. This is not to mean that domination by some ‘cruel’ men over women who are hapless victims. Feminists use the word to indicate systemic control over women. Juliet Mitchell, British psychoanalyst, socialist feminist and a prolific writer, describes patriarchy as a kinship system in which fathers are vested with certain symbolic powers to exercise within the system. She clarifies that such power creates a psychological ambience within which women naturally consider themselves as the inferior others. In short, by discussing the institution forms of domination the feminists, over decades, are trying to drive home the point that to comprehend the unequal power relation between men and women we need to look beyond biology.

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Kamla Bhasin, Indian developmental feminist activist, poet, author and social scientist,

provides a succinct summarization of the methods of patriarchal control over women. This formulation not only applies to India, but across countries of the world albeit with variations. Household work: In so far as women's work is concerned both within and outside the household, the control of men is only too obvious. Women's relentless household work is not only unpaid; it often goes without recognition. Little wonder that those who do not work outside are called 'unemployed'. The non-recognition of women's household labour as socially productive did not apply so much to pre- industrial household economy as it does to industrial and capitalist economy. In the former, as the household was the main centre of productivity, it was natural to treat household labour as socially productive. But in industrial societies on the other hand, since the major economic activities take place outside the house, home-centered activities of women become identical with unemployment. In the opinion of Maria Mies the surplus that women produce through their 'shadow work' is entirely discounted and is subjected to no economic evaluation. The UNDP (United Nations

24 _____ NSOU N GE-PS-21 Development Programme)
Human Development Report of 1995 says that the value of the invisible and unpaid labour of women the world wide is over 11 trillion US dollars. Then again to what extent women can be permitted to work outside their homes is determined by the male dominated familial culture that expects women to fulfill certain obligations. Biological productivity: Not only her economic activity, even the biological productivity of woman is subjected to similar control. Motherhood being a chief identifier of women, have to deal with a lot of social pressure upon them to exercise their choice in this regard. Women the world over have fought and are still fighting for control over their own sexuality. In the West it was a long and arduous struggle through which abortion rights were secured. There are still areas in the West where social consensus is strong against it. In India community pressure barely allows women freedom of choice. In very many places forceful abortion of female child at the fetal stage is still quite prevalent. 2.5 Role of other Institutions Patriarchy, as a mode of thinking, permeates all kinds of institutions and influences their policy decisions. We will take up these institutions one by one. 2.5.1 State and the church working in tandem: History has shown us as how the state in its own interest regulates and controls women's productivity and mobility. This was evident particularly in Post Second World War period when Germany was faced with the task of reconstruction. The crucial necessity then was labour power. Women were called upon to engage actively in the work of social and economic reconstruction. But something quite different took place in Britain. After the end of the same war, women who had joined in war efforts were asked to go back to their homes leaving the task of peace-time social reconstruction exclusively to men. The impact of the war in the United States saw an unprecedented population growth that added more than 50 million babies to the country by the end of the 1950s, a phenomenon that has gone down in history as 'Baby Boom'. During the Great Depression in the 1930s, economic pressures dissuaded many Americans from having children and the population growth dropped to a meagre nine million. The post-war economy proved to be more robust and families were encouraged to have more children. This was a covert encouragement to 'motherhood'.

NSOU N GE-PS-21 _____ 25 The transformation of the Free State of Ireland into the Republic of Ireland is a glaring example of how the state and church combine to control the policy of birth control. In order to handle the wartime anarchy and restlessness the state called upon the church to come to its aid. One of the prescriptions that the church floated as a solution was to reassert the ideal of motherhood. As a method, birth control measures were not only prohibited, any campaign for them was also banned. So, women now only lost their right to choose, they were even deprived of their right to know. The New Constitution of the Irish Republic retained the anti-abortion law of the earlier Irish State. 2.5.2 Law Legal structure embedded in the patriarchal belief system has its own way of perpetuating male domination. One of the crucial zones of social discrimination pertains to women's right to property. While it took a very long time to formally grant women, the right to household property that normally passed from father to son in most of the 'mainstream' societies, the actual enjoyment of it often remains unexercised under direct or indirect social pressures. Given the general social practise of women going over to the husbands' family after marriage, there is often a tacit or stridently expressed discouragement for women to ask for a share of her familial property. According to 2015 UN report on women, although, laws provide for gender equality in inheritance for the overall population, discrimination is still found in practice among many groups of population. This is the case for about half of the 116 developing countries with available information. Discriminatory informal laws, customs and practices restrict women's access to land and other property in a large proportion of developing countries, including more than three quarters with regard to land and nearly two thirds with regard to other property. 2.5.3 Politics In most of the 'mainstream' societies men are the masters of the world of politics. In almost all political associations, from the village level to the Parliament, men almost invariably dominate. In the United States a woman cannot dream of being a presidential candidate for a very long time. It is only very recently that a few parties have started thinking in terms of fielding women as residential candidates. But to have women leading role in politics does not imply any immediate change in the status of women in the society at large. For instance, the South Asian countries which are noted for having woman Presidents and Prime Ministers, women's presence in the Parliament had never been

26 _____ NSOU N GE-PS-21 more than 10 percent. As a repair move, few countries like India have even taken up policies to ensure greater presence through system of reservation of seats. But such policies have barely brought serious change in the ground reality. Newspapers are still rife with cases of various kinds of abuse of women. 2.5.4 Media Media is the main vehicle of propagating ideology in modern societies. Films of both the West and India, by and large, use woman's body as a consumer item while at the same time reinforcing the home-centric status of woman. On television, marriage, parenthood and domesticity are generally shown as more important for women than men. In the Western media between mid-40s and the 60s white middle class women were predominantly portrayed as 'house wives', their major concern being to keep the houses impeccably clean and rearing children. It cleverly hid the fact that by 60s, 40 percent of these women worked outside homes and post- World War II divorce had become rampant. In a study made in 1975, it had been found that while women were shown to be concerned with romance and family problems in 74 percent cases, men are shown to be sharing them only in 18 percent of the cases. The portrayal of women as weak and ineffectual continued to be overwhelming. But as the century rolled to its close and women entered the media profession in far larger numbers, they no longer remained mere consumers of media products, they got involved in decision making and directing. This obviously led to some balancing effect on gender sensitive questions. If we come to the advertisements the reflection of this change can be easily identified. In the erstwhile advertisements on the 'so-called' 'soap war', from the way women were portrayed one would assume that women by and large did nothing but washing clothes. With feminist protest against certain kind of stereotyping of women and with more women entering the world of media, there have been attempts to change certain stereotypes by featuring men in roles which we are used to seeing women in. But these are few and far between and remain as exceptions not to be taken very seriously. Discussion of advertisements perpetuating and even reinforcing divided gender roles of patriarchal tenor can become long enough meriting a separate discussion altogether. 2.6 Conclusion In rounding up the discussion let us once again look at the central idea at the basis of patriarchy. Patriarchy creates within family as well as other institutions a

NSOU N GE-PS-21 _____ 27 gendered consciousness under the influence of which men internalize their dominance and women their subjugation. This engenders two diverse visions and missions of life. Once again the point to note that as an ideology patriarchy not only enjoys the support of men, it is able to secure the consent of a large section of women as well. The cooperation of the subjugated can be secured in a variety of ways. Gerda Lerner, Austrian-born American historian and feminist author, in her book *The Creation of Patriarchy* enumerates them as follows: by educational deprivation, the denial of women the knowledge of their history, by putting restraints on access to political power and economic resources and creating division among women through defining 'respectability' and 'deviance', and by according class privileges to conforming women and so on. Patriarchal ideology not only creates a subjugated psychology that women internalize, it also creates an 'ideal type' for males which they internalize. However, the idea of transgender has complicated the feminist notion of gendering through social construction. In the late 70s and early 80s, corresponding roughly to the second wave of feminism, feminists (especially early radical feminists) were often in conflict with trans-women within feminism. Janice Raymond, professor of women's studies and medical ethics at the University of Massachusetts Amherst, published *The Transsexual Empire* in 1979. In *Empire*, Raymond criticised contemporary medical and psychiatric approaches to trans-sexuality and accused trans-women of reinforcing traditional gender stereotypes. However, the third wave of feminism showed greater acceptance of transgender rights within feminism, largely due to the influence of philosophers like Judith Butler, American philosopher and gender theorist, and Kimberle Crenshaw, American lawyer and civil rights advocate. These philosophers argued for a greater inclusion of other fields (such as critical race theory and queer theory) within feminism. Butler in particular argued that the liberation of women required a questioning of gender itself, and that acceptance of gay and trans-people would promote that sort of questioning. So, the horizon of feminist questioning of all hitherto existing stereotypes of man and woman is ever expanding and entering all systems of knowledge and activism.

28 _____ NSOU N GE-PS-21 2.7 Summing Up 1. Over decades, feminists, especially those belonging to the Second wave feminism, have been arguing in favour of making a distinction between sex and gender. Their main argument is that while sex is a biological given, gender is a product of social construct that varies from epoch to epoch and in accordance to different social organizations. 2. Patriarchy is an ideological system that not only creates fixed stereotypes of men and women, but ensures domination of men over women. Permeating through all social institutions it propels both men and women to internalize the notions of dominance and subjugation. 3. Institutions like state and church often act together to perpetuate the subordination of women. 4. The media representation of men and women more often than not serve to further entrench the dominant gender stereotypes. 5. In terms of enjoyment of property, legal enactments in favour equal enjoyment of property rights is often thwarted by customs and prejudices that still hold strong especially in developing countries. 6. With the inclusion of issues of trans-gender movement, the purview of feminist activity has substantially broadened. 2.8 Glossary 1. Great Depression—Lasting from 1929 to 1939 was a terrible economic downturn witnessed by the industrialised world. It began with a Stock Market crash which led the Wall Street investors go into panic, most of them ultimately getting wiped out. 2. Baby Boom—The period of Great Depression being over and the Second World War having ended the US went through a period of prosperity and witnessed a surge of population. It was this period, roughly extending from 1946 to 1964 that is generally referred to as the period of baby boom.

NSOU N GE-PS-21 _____ 29 2.9 Probable Questions Essay Type Questions : 1. Discuss the institutional forms through which Patriarchal ideology is propagated. 2. Examine the feminist critique of sex gender equation with special reference to the concept of patriarchy. Long Questions : 1. Write a brief note on how media representation of women perpetuates role stereotypes. Give examples to illustrate your argument. 2. How is gender discrimination entrenched in law and politics? Short Questions : 1. How does church come to aid the state in controlling women's sexuality? 2. Explain how Bhasin has exposed the patriarchal control over women. 2.10 Further Readings 1. Beauvoir, Simone de, *The Second Sex*, NewYork, Bantam, 1968. 2. Bhasin, Kamla, *Understanding Gender*, New Delhi, Kali for Women, 2000. 3. Mies Maria, *Patriarchy and Accumulation on a World Scale*, London, Zed Books, 1986. 4.

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30 _____ NSOU N GE-PS-21 Unit-3 Biologism and Social Constructivism Structure 3.1 Objectives 3.2 Introduction 3.3 Gender in Sociology 3.4 Socialist Feminists 3.5 Intervention of feminist Anthropologists 3.6 Summing Up 3.7 Glossary 3.8 Probable Questions 3.9 Further Readings 3.1 Objectives N The study gives a vivid idea of gender essentialism. N It reveals how creating feminine is a social learning. 3.2 Introduction The discussion on biologism and social constructivism needs to be read along with the earlier discussion on the difference between sex and gender as the two discussions complement each other. 3.3 Gender in Sociology: Feminist critique of biologism or essentialism Gender essentialism is a concept that attributes fixed, innate biological qualities to men and women. While femininity is often equated with motherhood, homeliness, caring and nurturing traits, masculinity is equated with power, rationality, worldliness and ambition. In Western civilization such ideas go back to the ancient Greeks, although with variations. Male dominance being the general ethos Greece also had 30 NSOU N GE-PS-21 _____ 31 city-states dominated by female warriors. Accomplished women were also not unknown. For instance, poet Saphhoof Lesbos has become iconic to posterity by entering the English lexicon. But with the advent of Christianity the whole idea of fixed attributes came to be more firmly grounded as these fixed attributes were presented in theological terms, as the creation of God, i.e., divinely ordained and therefore immutable. This view remained essentially unchanged till the middle of 19 th century when Darwin replaced Creation by Evolution. Though shorn of divinity, the belief in an immutable origin did not change so much. It was around the middle of the twentieth century during the second wave of the Feminist movement that the idea of gender as socially constructed was floated. Feminists called the tendency to attribute certain characteristics defined as the essence of women and essence of men shared in common by all women and men of all times as biologism or gender essentialism. Against this position feminists stressed that gender, instead of biological traits, denotes cultural constructions of societies based on their distinct conceptions femininity and masculinity and of appropriate roles of men and women. They also said that there was nothing static about these roles and in keeping with the system and values pertaining to each society and age these roles were defined and redefined. We have already read about Simone de Beauvoir's statement in

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the Second Sex that 'one is not born but becomes a woman'.

The idea that it was actually specific kinds of socialization that create 'femininity' in women and 'masculinity' in men was taken up by most of the later feminist challenging arguments regarding the biological roots of such attributes. The main argument is that the mechanism of creating feminine and masculine is social learning rather than biology. According to Kate Millet, Feminist writer, educator, artist and activist and the first American woman to be awarded a degree with first-class honors from St Hilda's College, Oxford, gender is the product of the sum total of parenting, peer pressure and the cultural notions regarding appropriate gender roles obtaining in specific societies. The combined influence of these reinforces women's subordination by socializing women into subordinate social roles. As a result women, in order to live up to social expectation, cultivate and project an image of being passive, emotional, ignorant and docile help- meet for men. Her book Sexual Politics (1970) had seminal influence on second- wave feminism. To repeat,

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social learning theorists hold that a huge array of different influences socialize us as women and

men. It begins with parenting right at the time of birth. From the offered choices of toys through colour of clothes to choice of profession, girls and boys keep getting different signals that leave deep imprints on their psyche and mould their behavioral and belief patterns.

32 _____ NSOU N GE-PS-21 3.4 Socialist Feminists Before we come to the contribution of Socialist Feminists of the 70s, we need to take a look how the concept of Feminism germinated within Marxism. For the foundation of idea of women's rights we need to go to

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The Origin of the Family, Private Property, and the State

by Friedrich Engels where he argued that women'

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s subordination was not a result of her biological disposition but of social relations.

Engels traced this phenomenon to the exclusive control of private property by the patriarchs of the rising slave owner class in the ancient mode of production, and the attendant desire to ensure that their inheritance is passed only to their own offspring. This led to the valorisation of chastity, fidelity and docility in women. Hence, onwards in the successive modes of production the same concern for private property led to the perpetuation of the subordination of women. In the early twentieth century, both

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Clara Zetkin and Alexandra Kollontai counter posed Marxism against bourgeois feminism, rather than trying to combine them.

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Instead of feminism, the Marxists supported more radical programme of liberating women through socialist revolution

believing that change in social relation will automatically bring women's liberation in its trail. Towards the 1960s and 70s Socialist Feminists who arose as an offshoot of feminist movement and the New Left, drew upon many concepts found in Marxism, such as

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a historical materialist point of view, which meant that they related their ideas to the material and historical conditions of people's lives.

For Maria Mies, maleness and femaleness are not biological givens, but rather the result of long historical processes. In each historical epoch maleness and femaleness are differently defined depending on the principal mode of production of the epochs. This means that the organic differences between men and women are differently interpreted and valued according to the dominant form of appropriation of resources for the satisfaction of human needs. In this way men and women develop qualitatively different relationships to their own bodies.

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Radical Women, a major Marxist- feminist organization, based its theory on Marx' and Engels' analysis that the enslavement of women was the first building block of an economic system based on private property. They contend that elimination of the capitalist profit-driven economy will remove the motivation for sexism, racism, homophobia, and other forms of oppression.

Later on through 80s and 90s, Socialist feminists of various groups belonging to Britain, USA, Germany developed their own theories on women's oppression along Marxist lines but with much greater emphasis on 'Patriarchy' as an autonomous institution that had to be addressed independently regardless of obtaining relation of production (see the earlier discussion on 'What is Feminism').

NSOU N GE-PS-21 _____ 33 3.5 Intervention of Feminist Anthropologists Anthropologists, towards the second half of the twentieth century, have made valuable contribution to the issue through various case studies. For instance, Sherry Beth Ortner, American cultural anthropologist, tries to find an explanation of universal devaluation of women. She says that biological determinists argue that there is 'something' inherent in the male species that naturally makes them the dominant sex. And as this 'something' is lacking in females, they are not only subordinate, but in general quite satisfied with their position since it affords them protection and opportunity to maximize maternal pleasures, which are most satisfying experiences of her life. While refuting this position, Ortner does not say that biological facts are irrelevant, or that men and women are not different, but these facts and differences only take on significance of superior/ inferior within culturally defined value systems. Now she asks the most crucial question. Given the fact that all cultures have their own specificities, how is it that in every culture women are accorded a second class status compared to men? To answer this question she delves into the idea of 'nature', 'culture' dichotomy. Ortner observes that every culture implicitly recognizes and asserts a distinction between the operation of nature and the operation of culture (human consciousness and its products). Culture, in almost all societies, is recognized as something superior to nature because culture is capable of transforming nature. Then as women in almost all cultures are seen to be closer to nature and men associated with culture that has crucial transformative capability, women are located in a lower order that is as a subordinate of culture. The question of cultural expression of sexual asymmetry has been variously probed by feminists. Michelle Zimbalist Rosaldo, American social psychologist and linguist, lists the available range of explanations, from historical, in which it is asserted that at one point of time to men usurped power from women to more suggestive accounts of male envy of women's productive power, or different hormonal cycle or emotional orientation, she expresses surprise as to how these could possibly lead to moral evaluation in terms higher and lower. Rosaldo states that biological research may illuminate the range of human inclination and possibilities, but cannot account for the interpretation of these facts in a cultural order. It also cannot explain why cultures everywhere have given Man, as a category opposed Woman, social value and moral worth. In order to get to the root of this Rosaldo gives examples of quite a few societies. In certain African societies like the Yoruba, women may control a good part of food supply, accumulate cash and trade in distant and important markets; yet when approaching their husbands, wives must feign

34 _____ NSOU N GE-PS-21 ignorance and obedience, kneeling to serve men as they sit. As an example how linguistic practice symbolizes subordination of women, Rosaldo cites the example of Merina tribe in Madagascar. It is a custom there that in order to be cultured, sophisticated and respectable one must learn to speak indirectly. Rather than being assertive, men, here, are masters of an allusive, formal style in public speech. Women, on the contrary are said not to know the subtleties of polite language. They are, in effect, are cultural idiots who are expected to blurt out language. In some of the Jewish ghetto communities of Eastern Europe women are generally strong, self willed, shapers of political events decision makers and so on. Yet, wives defer to husbands and their greatest joy is to have a male child. Taken individually none of these examples appear surprising. But Rosaldo points out a common thread running through them. Everywhere, even in those appear to us as very egalitarian, men are the locus of cultural value. Some areas of activity are always seen as exclusively or predominantly male and therefore overwhelmingly morally important. It is possible to go on with such examples of feminists of various strands pitting against gender essentialism. In substance, it needs to be noted that post sixties feminists, cutting across ideological persuasions, point out the historico-socio- cultural factors behind gender construction. (If the early Liberal Feminists of the West were charged for universalizing the experience of White women and using 'woman' as a-historical category, the later liberal feminists substantially modified their position.) Then again gender does not merely mean certain sets of culture specific symbols constituting the subjective identities of men and women: gender remains integrally linked and embedded in institutional and organizational practices. The latter encompass almost every inch of social space and every social action from the manner of speaking to the choice of economic activity, each item being defined either as manly or womanly. To give an example of gendered nature of the language, we need to go back to Simone de Beauvoir once again. A long time before gender was recognized as an analytical category, she argued that in the English language the word 'man' is often made to refer to humanity as a whole. The word 'woman', however, never enjoyed such broad applicability. Moving away from English language, if we look at some of the South Asian languages, we will come across such terms — as swami, pati, malek etc—which simultaneously mean husband and master. Many similar examples can be cited to

NSOU N GE-PS-21 _____ 35 demonstrate the gendered nature of our world of words. And it is through these words that we begin to learn about ourselves as well as the world that we live in. Now from language if we move to other social processes and institutional practices, we see the division to be operating just in the same way. Let us begin with home. Parenting: Almost unwittingly parents tend not only to buy their children gender stereotypical toys (guns and cars for boys and dolls for girls) and clothes (frocks for girls and shirt and trousers for boys), the choice colors is also stereotyped (blue for boys and pink for girls). Then Parents (often quite unintentionally) extend this difference in setting down their code of 'appropriate' behavior. While this precise form of gender socialization has changed a lot with the passage of time,

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even today girls are discouraged from sports like football or from playing 'rough and tumble' games and are more likely than boys to be given dolls or cooking toys to play with while boys are told not to 'cry like a baby' and be given 'masculine' toys.

Children's books keep on replicating similar differentiating models of conduct. For instance, males in most children stories are adventurers and leaders while girls are helpers and followers. Fairy tales are replete with stories where princes appear as saviors of hapless women. No wonder young girls are fed with dreams of an arrival of prince charming and made to believe that their future bliss lay in their natural obedience to their husbands. Division of space: Public places also tend to be categorized along the line of this difference. For instance, places like inns, motels, theatres, tea stalls, local clubs, coffee houses etc are clearly marked masculine spaces. Women are not denied entry to these places, but they are generally expected to come with male companions. Again there are specific spaces like kitchen, the precincts of water wells etc which are not only earmarked for women, but are treated as areas of their sovereignty where men are almost denied entry. (How spaces will be divided not only vary from culture to culture, the division is also not static and unchanging. And it goes without saying that the aforesaid division applies lot more to Indian, South Asian and Middle Eastern countries than to Western ones. In the former however, with more and more women entering the public sphere, such spatial division is increasingly coming under challenge.) Thus, it is evident that gender does not merely have psychological and linguistic

36 _____ NSOU N GE-PS-21 dimensions, it has spatial dimension too. Even categories like race and class can also be gendered. For instance, during the colonial period in the eyes of the British the non-warrior Bengali race appeared effeminate and therefore feeble and emasculated. It is evident that beyond certain biological givens, complex social and historical processes work behind the creation of notions of femininity and masculinity. In every society, its notions of rights and wrongs, duties and obligations, behavioural norms and so on combine to create specific cultural ideals within which women and men learn to recognize their distinctive identities. Just like women, neither men are born men, they become so. 3.6 Summing Up 1. Gender essentialism is a concept that attributes fixed, intrinsic, innate biological qualities to men and women. While femininity is often equated with motherhood, homeliness, caring and nurturing traits, masculinity is equated with power, rationality, worldliness and ambition. 2. It was around the middle of the twentieth century during the second wave of the Feminist movement that the idea of gender being socially constructed was given theoretical expression. Feminist called the tendency to attribute certain characteristics defined as the essence of women and men as biologism. 3. Gender as an analytic category had mostly to do with social construction rather than any 'innate' attribute supposed to be having biological roots. 4. Anthropologists have made valuable contribution to this debate by studying the variation of social roles of men and women across societies. They have demonstrated that in almost all societies with great differences in the social activities, women are almost universally accorded a secondary status. 5. The social construct of the division of gender permeates almost every institution. 3.7 Glossary 1. Gender—Grammatically gender in most of the major languages is loosely related to sex differentiation, male and female (and in some, neuter as well.)

NSOU N GE-PS-21 _____ 37 In sociological usage, however, male and female signify a range of attributes that societies view as femininity and masculinity without any necessary biological correspondence with the latter categories. 2. South Asian Languages— Of the huge variety the major languages are Hindi, Urdu, Bengali, Tamil, Tlclgu, Malayali, Canara, Nepali, Pali, Panjabi, Prakrit, Sanskrit and Sinhalese. The roots of these languages are generally Indo Aryan, Dravidian, Austro Asiatic, Tibeto-Burman etc. Many of the Himalayan languages are still unclassified. 3. New Left—A broad range of activist movements and intellectual currents that arose in Western Europe and North America in the 1950s and 60s. This phase was specifically marked by student radicalism and innovative reinterpretation of Maxism. 3.8 Probable Questions Essay Type Questions : 1. What is biologism? How do feminists criticise biologism in terms of gender theory? 2. How do cultural anthropologists describe subordination of women across societies? Long Questions : 1. Write an essay on how gender distinction permeates various social institutions. 2. Explain how gender is viewed in sociology? Short Questions : 1. Write a note on the arguments of Socialist Feminists. 2. Write a note on the representation of girls in the children's books you have read. 3.9 Further Readings 1. Rosaldo, M Z and L. Lamphere (eds) Women, Culture and Society, Stanford, Stanford University Press, 1974.

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NSOU N GE-PS-21 _____ 39 Unit-4 Private—Public divide
Structure 4.1 Objectives 4.2 Introduction 4.3 Social Contract Theorists 4.4 Habermas and the general theoretical thrust
4.5 Issues of working women 4.6 Personal is political 4.7 Indian Context 4.8 Conclusion 4.9 Summing Up 4.10 Glossary
4.11 Probable Questions 4.12 Further Readings 4.1 Objectives N The study tends to make an analysis of the public-private divide and how women are affected by it. N It aims to explain how feminist discourse challenges the existing dichotomy between public-private and establish how their interconnection is grounded in the patriarchy. 4.2 Introduction Modern World as defined by sociologists is based on a system of rights that recognize two distinct realms of people's day to day activities: the public and the private spheres. The basic distinction between them, is that, the public sphere is the larger realm of politics open to everyone where people (even if they are strangers) come together to engage in free exchange of ideas, whereas the private sphere is a smaller, enclosed realm (like a home) with restricted access.

40 _____ NSOU N GE-PS-21 In trying to trace the origin of the division of spheres political theorists go back to classical antiquity. For Plato (as he states in Republic) the main social division was a sexual one for man's virtues lay in knowing how to administer the state, while a woman's lay to order her house and in being obedient to her husband. For Aristotle, good life was possible only through participation in the life of the Polis. Although all other associations aimed at some good, it was in the Polis that the realization of highest good was possible. However, participation in the Polis was restricted only to citizens. Public persons, stated Aristotle, were responsible and rational beings who shared a public life of the Polis through its constitutive elements. Private persons (that included women and other non-citizens), on the other, were not fully rational and could only share in the limited goodness appropriate to their spheres. But this did not render the private sphere insignificant; it existed as a necessary condition for the superior public realm. 4.3 Social Contract Theorists Carole Pateman, English political theorist and feminist, writes that among the Social Contract theorists Hobbes and Locke both regarded women as incapable of public 'political' participation. For Hobbes, in the State of Nature the ultimate driving force was self-interest. Pursuance of uninhibited self interest led to a state of war— a situation in which none could be assured of peaceful life. To avoid the horrors of the state of nature people came together to hand over absolute power to sovereign who in return would ensure people's peace and security. It is necessary to remember that in Hobbes' hypothetical State of Nature men and women were equal—they could freely kill and be killed. Political or moral issues were not Hobbes' concern. Susan Okin, liberal Feminist, philosopher and author, points out that while women are mentioned by Hobbes in the familial structure in the State of Nature, they are entirely left out when people enter political society. Locke, however, allows women certain rights, but in any difference of interests between husband and wife, he makes clear that the will of man will prevail. Locke does not offer any satisfactory answer as to why it should be so. However, among the three Social Contract theorists, Rousseau shows most negative attitude towards women. Rousseau's Sophie (in his Emile et Sophie, incomplete sequel of Emile) lacking the 'wholeness of a unified soul' can merely qualify as man's help-mate rather than 'citizen'. Even though both men and women are passionate creatures, only man has 'reason' to restrain himself. Woman, on the other hand, is passionate but lacks moral restraint; she is docile, meek and physically weak, all of these being typified as strongly

NSOU N GE-PS-21 _____ 41 'feminine' traits. Men, on the other, are not only more capable of exercising moral control over their passions they are also physically strong, intelligent and overall rational and democratic. Wedded in marriage men are the instrument of 'will' and the 'head' of family, while woman has to submit to him. 4.4 Habermas and the general theoretical thrust Coming to modern times, we find, theorists of various ideological persuasions arguing in favour of a robust public sphere that encourages plurality of views and is necessary to avoid social and political stagnancy. Emphasis on the importance of the public sphere however, does not mean discounting the importance of the private sphere. The most influential text on the subject, however, was produced by Jurgen Habermas, German Sociologist belonging to the Frankfurt School. In his work The Structural Transformation of Public Sphere (1962) Habermas argues that the public sphere, a place where the free exchange of ideas and debate take place is the cornerstone of democracy. It is, he writes, made up of private people gathering together as a public articulating the needs of society before the state. Theoretically, public sphere do not debar the entry of anyone; all people regardless of their status can participate. Speculating on the development of public realm, Habermas argues that it actually took shape within the private sphere through the practice of discussing literature, philosophy and politics among family members and guests. Later this practice left the private sphere and effectively created a public sphere where men started engaging in such discussions and debates outside their homes. Especially, in 18th century Europe, the spread of coffee houses and other joints of gathering across the continent and Britain created a space where the concept of modern Western public sphere first germinated. In contrast to this, the private sphere is the realm of family and home life, which in theory is free of the influence of government and other social institutions. In this realm, one's responsibility is to oneself and the other members of one's house hold and work and exchange that takes place within the home is separate from the economy of the greater society. However, the boundary between the public and private sphere is not fixed and inflexible. It is important to note that in all these formulations the issue of women's participation in the public sphere is either ignored or dealt with hesitancy. Women's primary definition as 'care giver' and the general idealization of 'motherhood' fix

42 _____ NSOU N GE-PS-21 women's home-bound role as the primary one. That is why gender stereotypes about women 'belonging to the home' linger even today. But women do not constitute the only category to be excluded. Within the United States of America, people of colour and others perceived as different or deviant have been excluded from participating in the public sphere for a long time. Though progress in terms of inclusion has been made over time, we see the lingering effects of historical exclusion, among other things, in the over-representation of white men in the U. S. Congress. 4.5 Issues of working women Feminists have been trying to break out of this socially created separation since long ago. From the beginning of first wave feminism and the fight for women's suffrage, women have been using politics to enter the public realm of men, thus, challenging the strict division between public man and private woman. Since the Industrial Revolution in the late 19th and early 20th centuries, men have been defined as the money-making workers and women as the child-bearing emotional support for men. In this traditional model, the ability of the unencumbered individual (man) to participate in the public sphere of work and politics assumes that someone, usually a woman, is preparing his food, cleaning his house, and raising the next generation of labourers through her reproductive labour. But gradually various extraneous forces created the need for greater labour hands. This often required women to move out of the precincts of home into the labour market. But women's participation in the labour market did not bring about any radical change in the value system. In fact, much of it lingered till quite late into our times. The expectation that child care will be done 'for free' by the mother at home is connected to the lack of publicly funded day care that can enable women to work outside the home. This also turns the societal attention from the 'actual labour' involved in child care and home-making. Everything tended to be glossed over as 'labour of love'. By the same token, the non-valuation of child care and the work of nurturing also serve to under value the work performed by women in the labour force. Women have demanded the creation of better child care facility, better paid maternity and paternity leave, and equal pay in all occupational fields — all the issues that push the feminist agenda of equality for the sexes. Unfortunately, in politics, women's concerns and demands are largely regarded as reflections of moral or familial commitment, rather than authentic political stance. These issues often deemed as 'women's issues' tend to be trivialized and bypassed by the male-dominated political system.

NSOU N GE-PS-21 _____ 43 4.6 Personal is political It should be noted that

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women have had never been completely excluded from public life but the

ways in which they are included are grounded firmly in their position in their domestic spheres and in patriarchal beliefs and practices. Women's presence serves to highlight the continuity of patriarchal values in the sexual division of labour in the family and the sexual division of labour in the workplace. From laissez faire liberals to Marxists, it has been assumed that it is possible to understand economic activity in abstraction from domestic life. In the liberal model, the basic issue has been to create a structure of rights between individuals and contractually created organizations on the one hand and state action on the other. But in this theoretical formulation, family being a matter of private sphere, the rights of women have never been addressed or if at all addressed, then solely acknowledged in terms of women's reproductive function. Feminists insist on their interconnection. They insist that the liberal vision of separation between private and public realms is actually untenable. The essential connection between the two is grounded in the patriarchal structure of the society at large. The mantra of second wave feminism, 'the personal is political', signifies the first serious attempt to question the identification of public sphere with political and that between private with non-political. Feminists emphasize the ways in which the public/private dichotomy is gender-linked in terms of structure and ideology. Moreover, by designating family as private, most frameworks shield abuse and domination in this realm from legal redress and political scrutiny. For a long time politics had rested in the public realm, the private realm being a place to escape from politics. Frances Olsen, America-born feminist and legal theorist, explains that as family is regarded as the repository of values destroyed in the market place, the family is also seen as the sanctuary of privacy into which one can retreat to avoid state regulation. Thus, the ideology of public/private allows the state to wash off hands from any responsibility of the 'private' world. Thus, one of the main agenda of feminism is to question, critique, reformulate and redraw the public and private distinctions and their boundaries.

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Carole Pateman contends that the dichotomy between the private and the public is central to almost two centuries of feminist writing and political struggle,

and it is ultimately, what the feminist movement is all about.

44 _____ NSOU N GE-PS-21 Second Wave Feminists laid bare the contradictions within early liberalism. Without addressing the patriarchal structure of private life, they argue, women cannot expect to benefit from the scheme of universal rights or can be ensured equal standing with male in the public sphere. The slogan 'personal is the political' has led feminists to explain and argue about the ways in which women's lives are constrained by the private. They have emphasized how personal circumstances are structured by public factors, by laws about rape and abortion, by the status of wife, by policy of child care and sexual division of labour in the home and at the workplace. For feminists, personal problems can be solved only through political means and political action. In other words, it ought to be recognised that most of women's individual problems are not domestic and private problems, but in fact structural, public, and shared problems. There is no reason to believe that feminists offer any uniform point of view. There are differences between Liberal, Radical and Marxist feminists regarding their stance towards division of spheres as well as to the extent to which private sphere ought to be brought under the purview of state legislation. For instance, Susan Okin, in her work *Feminism* contends that challenging the dichotomy does not mean demeaning the value of privacy or making all behaviour subject to state action. As politics influences every inch of interpersonal behaviour – from small emotions to linguistic pattern– women's issues should always remain in focus of public debate. People need to realize from everyday experience that the determination of the model behaviour in the private sphere is often the result of the decision taken formally or informally in the public domain. The domestic division of labour underlies the public inequalities between men and women. Marxist scholars have pointed out that the boundary between public and private and the laws that enforce those boundaries, benefit capital more than labour. Feminist scholars, however, point out that these boundaries and the laws that reinforce them benefit men far more than women. According to Rawls, the celebrated American moral and political philosopher of the liberal tradition, the benefits and burdens of maintaining and sustaining the boundary between public and private are not equally shared among men and women. While women have to bear most of the burden, benefits accrue to men, thereby rendering this distinction unjust, unreasonable, and problematic. Besides, this injustice is very crucial as it makes the domination of men over women look 'natural'. Louise Lamphere, American anthropologist, writes that since mid nineteenth

NSOU N GE-PS-21 _____ 45 seventies the dichotomous relationship between men in the public sphere and women in private sphere has been critiqued by a number of Feminist anthropologists. For instance, talking of a small village in southern France, Rayna Reiter shows how men and women inhabit different domains. While women are primarily confined to the household, there are two public places that fall within women's domain: the church and few shops of which the most important is the local bakery. She shows how men and women use public places in different ways and at different times. While early in the day men leave for fields and congregate in squares and cafes to socialize after work in the evenings. In the early part of the day when women are cooking at home and doing other household chores, they are invisible to public view. But when the men have abandoned the village for fields, women come out to do their marketing in a leisurely fashion. The village then is in female hands. This kind of temporal adjustment of day to day activities testifies to fact of overall linkage between politics and the idea of division of spheres. Feminist anthropologists have led researches through almost all societies, Western and Eastern, among those emerging out of colonialism and those unaffected by it, to stress the afore-mentioned point. Thus, it becomes evident that private is not so private after all.

4.7 Indian Context Let us now briefly look at the Indian context. The reform movement that germinated under the aegis of the British colonial rulers and also engaged the Indian intelligentsia had the 'women's question as the nodal point. Its legacy continued through the first two decades of Indian Independence. Soon more specific issues relating to women's work and familial environment had to be attended to especially under the influence of refugee migration when substantial section of the middle class women started joining the workforce. From 1960 to 1975 the major issues related to discrimination of wages, health hazards and education. Although during the successive Five Year Plan Period, nothing much was achieved in actual terms, the Government appointed a Committee to undertake a thorough survey of the related rights and problems of women against the changing backdrop of the socio-economic scenario and make remedial recommendations. This brought to the fore an awareness of the major problems to be addressed. Meanwhile, the year 1975 was declared the International Year of Women and was subsequently extended for a decade. This created the context for the Indian Council for Social Science Research to majorly take up women related issues for in-depth exploration and policy formulation. Much

46 _____ NSOU N GE-PS-21 emphasis was given to the multifarious problems of lower class women in a developing economy like India. But no miracle happened. Violence in both public and private spheres went on unabated. But visibility of women and their issues had certainly increased. It is on this plank that future feminist movements could bring in more subtle issues as women's rights over their bodies and wedlock between patriarchy and state power, questions that had hitherto remained beyond the purview of women's movement in India. 4.8 Conclusion We will end with the problematization of the issue by Carole Pateman. She faults the leading theorists of democracy for ignoring the sexual division of labour along with women's dependent status. Pateman intends to 'connect' the public and the private, and wonders how the public world of paid employment and citizenship can be divorced from the private sphere. Pateman observes that feminists are torn by the dilemma over whether to become likemen and thereby full citizens, or to continue doing women's work that is of no value to citizenship. She searches for a non- patriarchal definition of democratic citizenship that would at once preserve women's autonomy and break down the opposition between paid and unpaid work, public and private work and independence and dependence. Given the deep social entrenchment of an ideology like patriarchy it is quite reasonable for one to wonder as to how feminism intends to simultaneously retain the division of the public and the private and break down the political implication associated with it. To reconnect the public and private in a way that women and their experiences are not subordinated and overlooked is a task that still awaits more imaginative attention of the feminists the world over. 4.9 Summing Up 1. The idea of division of spheres goes back to Classical antiquity. From Plato to Aristotle division of spheres have been variously explained. Women, by and large, have been denied political right. The same continues with the Social Contract theorist as well. 2. The most influential text on the subject, however, was produced by Jurgen Habermas, German Sociologist belonging to the Frankfurt School. In his work The Structural Transformation of Public Sphere (1962) Habermas

NSOU N GE-PS-21 _____ 47 argues, that the public sphere, a place where the free exchange of ideas and debate take place is the cornerstone of democracy. In contrast to this, the private sphere is the realm of family and home life, which in theory is free of the influence of government and other social institutions. In this realm, one's responsibility is to oneself and the other members of one's house hold and work and exchange that takes place within the home is separate from the economy of the greater society. However, the boundary between the public and private sphere is not fixed and inflexible. 3. The mantra of second wave feminism, 'the personal is political', signifies the first serious attempt to question the identification of public sphere with political and that between private with non-political. Feminists emphasize the ways in which the public/private dichotomy is gender-linked in terms of structure and ideology. Moreover, by designating family as private, most frameworks shield abuse and domination in this realm from legal redress and political scrutiny. 4. It should be noted that

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women have had never been completely excluded from public life but the

ways in which they are included are grounded firmly in their position, in their domestic spheres, in patriarchal beliefs and practices. However, women's presence serves to highlight the patriarchal continuity that exists between the sexual division of labour in the family and the sexual division of labour in the workplace. 5. From laissez faire Liberals to Marxists, it has been assumed that it is possible to understand economic activity in abstraction from domestic life. Feminists insist on their interconnection. Feminists conclude that the separate liberal world of private and public life are actually inter-related, connected by a patriarchal structure. 6. The year 1975 was declared the International Year of Women and was subsequently extended for a decade. This created the context for the Indian Council for Social Science Research majorly takes up women related issues for in-depth exploration and policy formulation. Now, more emphasis was given to concentrate on lower class women in a developing economy like India.

48 _____ NSOU N GE-PS-21 4.10 Glossary 1. Polis—Usually used to mean ancient Greek city-states consisting of a walled city and the surrounding countryside. Its life was marked by self-sufficiency, distinctive administrative and socio-political ethos. It was also used to mean a body of citizens. 2. Frankfurt School—Founded by Karl Grunberg in 1923 as an adjunct of the university of Frankfurt. The main project of the associated intellectuals (Adorno, Horkheimer, Marcuse, Habermas to name a few) was to develop a critical Marxist approach, by borrowing tools from psychoanalysis, sociology, existential philosophy and other currents of thought, to analyse society and culture. 3. Laissez-faire—The policy of letting things take their own course without interfering. In economics it means the abstention of the government to interfere in the workings of free market. 4.11 Probable Questions Essay Type Questions : 1. Trace the evolution of the idea of division of spheres from classical antiquity to modern times. 2. What do you understand by personal is political? Long Questions : 1. Write a short note on Habermas’ theory of Public Sphere. 2. What is the difference between liberal and radical Feminist positions on the division of spheres? Short Questions : 1. Narrate briefly the post-independence scenario of the status of women in India. 2. Write a short note on the issues of working women.

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50 _____ NSOU N GE-PS-21 Unit-5 Diaspora and Hybridity: Changing ways of representation Structure 5.0 Objectives 5.1 Introduction 5.2 Diaspora and Hybridity 5.3 Major Movements: History and Present 5.4 Conclusion 5.5 Summing Up 5.6 Glossary 5.7 Probable Questions 5.8 Further Readings 5.0 Objectives The present unit enables the learner to— N Understand the meaning of the concept of diaspora and hybridity. N Trace the history of diaspora in the modern world. N Introduce the concept of ‘other’ in the context of hybridity. 5.1 Introduction Diaspora: If one goes by dictionary entries, one will find the earliest use of the word diaspora in most of the well-known dictionaries, namely, the Cambridge Advanced Learner’s or Oxford or Webster, being inevitably linked with early Jewish movements from Israel to other parts of the world. Originally associated with the dispersal of the Jewish people in sixth century BC, the word today is widely used for the migration or scattering of people away from an established or ancestral homeland. Hybridity: In its most basic sense, hybridity refers to mixture. The term originated from biology and was subsequently employed in linguistics and in racial 50

NSOU N GE-PS-21 _____ 51 theory in the nineteenth century. Its contemporary uses are scattered across numerous cultural concepts related to colonialism, identity, anti racism and multiculturalism and globalization. Essentially diaspora and hybridity are linked phenomena, i.e., movement of people from their original homeland to other places and new identity formation through selective appropriation, modification and various other negotiations with the 'host culture'. The objective of the present discussion is a brief exploration of the phenomena of diaspora and hybridity in the twentieth century with emphasis on South Asian and particularly Indian scenario as can be gleaned from cultural representations. 5.2 Diaspora and Hybridity From time immemorial the world civilization has been witness to the fact of vast masses of people journeying out of their native soil. Migration may be voluntary within one's region, country, or beyond and also involuntary under pressure of environmental change, paucity of resources and various kinds of political and social persecution. Recently, scholars have distinguished between different kinds of diaspora, based on its causes such as imperialism, trade or labour migrations, or by the kind of social coherence within the diaspora community and its ties to the ancestral lands. For instance, according to Rogers Brubaker, Professor of Sociology at the University of California, from the initial paradigmatic case of Jewish diaspora, the term later expanded to refer to similar other cases as the Armenian or the Greek diasporas. More recently, it has been applied to emigrant groups that continue their involvement in their homeland from overseas, such as the Albanians, Basques, Hindu Indians, Irish, Japanese, Kashmiri, Koreans, Kurds, Palestinians, Tamils and so on. Diaspora theorist William Safran, Professor Emeritus of Political Science at the University of Colorado Boulder, delineates the features of the people of a diasporic community as follows: 1) they, or their ancestors, have been dispersed from a specific original 'center' to 'peripheral,' or foreign, regions; 2) they retain a collective memory, vision, or myth about their original homeland; 3) they believe that they are not—and perhaps cannot be—fully accepted by their host society and therefore, feel partly alienated and insulated from it; 4) they regard their ancestral homeland as their true, ideal home to which they would eventually return; 5) they

52 _____ NSOU N GE-PS-21 believe that they should, collectively, be committed to the maintenance and the safety and security of their original homeland; and 6) they continue to relate, personally or vicariously, to that homeland in one way or another, and this defines their ethno-communal consciousness and sense of solidarity. Closely in line with this typography A.K.Sahoo and Brij Maharaj in their work on Asian diaspora Sociology, argue that a migration can be defined as 'Diaspora' if four conditions are met: firstly, an ethnic consciousness; secondly, an active associative life; thirdly, contacts with the land of origin in various forms, real or imaginary; and fourthly, by relations with other groups of the same ethnic origin spread over the world. Thus, diaspora as a social form is an identified group characterized by their relationship despite dispersal. 5.3 Major Movements: History and Present If we try to look into the history of diaspora in the modern world, we have to begin from mid 15 th century when Christopher Columbus voyaged out to discover a new sea-route and incidentally opened the 'New World'. The British Empire began to take shape during the 16th century, precisely from the Elizabethan period (1558-1603), with the English settlement of North America and the smaller islands of the Caribbean, and the establishment of joint-stock companies, most notably the East India Company, to administer colonies and overseas trade. From then onwards migration took a whole new dimension. Under socio-economic and even religious compulsions people in hordes from Britain crossed the Atlantic Ocean and settled in the 'land of promise', a land which promised a fresh new start. In order to help them build their dream land, these 'New Englanders' transported the Africans slaves to cope with the problem of shortage of manual labour. This process continued till the 20 th century even after official prohibition of slavery. Although there has been a great deal of cross-racial and cross-cultural fusion, two distinct races, the native 'Whites' and the immigrant 'Blacks' still in racial turmoil continue to plague the social fabric. In so far, as studies on diasporic communities are concerned forced migration from Africa still occupies the centre stage. After losing the thirteen colonies in North America the British concentrated their full attention in the East. South Asia was also a fertile ground for fulfilling ever increasing need of the British for working hands. Just as the British imperialists journeyed out to the colonies, there was a horde of indigenous people from the colonies who were made to move to the Empire.

NSOU N GE-PS-21 _____ 53 These voyages however, did not end with the official withdrawal of British power from the various colonies. In fact, it can be said that at the end of the Second World War the former colonizing nations have witnessed a series of migratory moves of the people from erstwhile colonized nations to the old colonial centres often as government recruits in public services like health and transport and also as a refugee to escape the difficult and rigid political and economic conditions in their native lands. As a result, at the end of the twentieth century, Britain housed a wide variety of diaspora communities that grew out of their close connection with Australia, Africa, South Asia and China. Studies have shown that diaspora communities are always subjected to the predominant socio-political-cultural norms of the 'host country'. Too often, these people feel marginalized and suffer from a sense of alienation. The feeling of exclusion in a new country keeps them in a state of unmitigated psychological angst. Migrant population reveals a complex tension existing between distinct generations. In spite of the generational differences, the children of migrant families continue to suffer from sense of rootlessness and displacement. These have been major fodder of countless films and novels of our time. Hybridity and the concept of 'Other' This discussion takes us back to colonialism. Justification of their cultural superiority required the colonizers to create an 'inferior other'. The celebrated thesis of Edward Said has made it well known that the British colonialists had to justify their domination by convincing the subject populace of their civilization superiority and their glorious 'mission' to civilize them. This conversely saw the creation of Orient as an inferior homogenous entity to be used in defining the superior Occident. The most effective strategy of achieving this was through education policy. Macaulay's famous or infamous Minutes on education declared that the need of the day was to create a class of Indian natives who would be Indian in blood and colour, but European in taste, morals and intellect. The educational policies of the colonizers aimed at creating Europeanized natives, who suffered a precarious location between 'we' and 'they'. Homi K Bhaba, Indian English scholar and critical theorist, has developed a number of the key concepts, such as mimicry, difference and ambivalence to theoretically capture the duality that cause a split in the identity of the Western educated colonized, a social group that were a hybrid of their own cultural identity and the colonizer's cultural identity.

54 _____ NSOU N GE-PS-21 It is in terms of this psychological ambivalence we need to understand the struggle of the first generation of South Asians, who immigrated to Britain and USA after the independence of the subcontinent, and their progeny to find a space for articulating their diasporic identities. The predicament of the immigrant communities, as represented by films and literature, is that their fight is spread over multiple fronts like forging a positive identity by erasing a pre-given negative one, maintaining and resuscitating ties with the homeland left behind, and also adapting to the cultural mores of the new land. The result of such struggle has often been the creation of a condition of perpetual non-belonging, both here and there. We will come back to the cultural representation of this phenomenon. Feminism and Diaspora Developments in gender studies, second wave feminism, and feminist politics thereafter, have significantly impacted the western scholars' understanding and approach of diasporas. A gendered lens highlights how different the diasporic experience might be between men and women. Nadjie Sadig Al-Ali, Egyptian professor of gender studies says that as in other fields of study, large segments of diaspora studies reveal either limited or narrow conceptualization of gender roles or complete gender blindness. Diasporas cannot be fully understood and studied without taking into account how patriarchal control in the areas of laws, rights, and political dynamics and socio-cultural representation of women's bodies and sexualities. These aspects crucially inform and impact the context in which fluid diasporic individuals or communities build cultural identities. There has been a lot of theorization on Black diaspora referring to memory trauma and sense of loss. Ann Hua, Associate Professor in the Department of Women's Studies at San Diego State University, California, proposes to read Asian diaspora in the light of the theories offered for Black diaspora to gain a proper understanding of the complexities of both. Talking of diasporic Asian feminism in US and Canada, she underlines the basic issues at stake: history of colonialism and anti-colonial struggles, racism and sexism, the inter-connections among gender, race, class, sexual oppression, belonging/unbelonging and so on. One of the main objections of Asian Diasporic feminist theorists is that barring a few writers like Avtar Brah, Rey Chow and others, most other renowned theorists of diaspora like James Clifford, William Safran etc. have neglected to explore the theme of gender inequality in the context of diaspora.

NSOU N GE-PS-21 _____ 55 Representations Novels In the age of globalisation and mass migration, societies can hardly claim an exclusive cultural, ethnic or religious origin. Diasporas are a prime example of groups of individuals living in the contact zone between two cultures. Situated as they are in neither-here-nor-there, in-between cultures, their identities challenge any simplistic approach in terms of opposition of the mutually exclusive categories of the 'self' and the 'other'. There are often multiple layers within the 'otherness'. These complexities are best brought out through novels, films and other modes of cultural representation. Just as they explore the general feeling of alienation and rootlessness among diasporic communities, they also often speak for women and their precarious location in a doubly oppressive situation characterized by patriarchal sway along with shared general sense of alienation and loss. A few powerful exploration of the theme of dual marginalisation of displaced women, and the contradictory roles of an immigrant and expatriate communities are Anita Desai's *Journey to Ithaca*, Bharati Mukherjee's *Darkness and Desirable Daughters*, and Jhumpa Lahiri's *Unaccustomed Earth*. The following discussion will take up two novels which are major efforts to portray the dilemmas and difficulties of diasporic experience. A major theme of the novels by Amitav Ghosh is diaspora. The *Shadow Lines*: The first section of the novel titled 'Going Away' constitutes breaking down of utopian ideas and ideals that cause diaspora. Ghosh makes Ila a spokesperson of the present generation which believes in westernization in particular and internationalism in general as the only paths to follow. Ila represents the author's take of the young generation of India that is contemptuous of whatever that is happening inside, a perception that impels it leave the country to find 'space' elsewhere. 'West' to at least a section of this generation is a heaven for freedom. This is the hope that makes Ila leave India: to be free, to be free from the shackles of any cultural grid, to be free from all the conventionally-indoctrinated principles. Her departure from the 'fixity', i.e. home, entails the very possibility for freedom. For Ila nothing really important ever happens in her homeland except riots and disasters which are local and petty in nature. These are absolutely different from revolutions or anti fascist wars, that spring from higher political ideals and are laden with the promise to change the order

56 _____ NSOU N GE-PS-21 of the world. Ila negotiates between two lands: separated by space, geography and history. However, the rosy picture of the West that Ila had in mind is soon tarnished. Being in London, Ila realizes that her freedom is more apparent than real as deep seated racial prejudice of the new land barely allows her to actually enjoy the freedom. This is topped by the infidelity of Nick Price that actually shatters Ila's hopes of finding any real foothold within another culture. Her subsequent efforts of to carve out a niche for herself in an alien land continue to be disappointing in the same way. She remains in rootless. Ghosh creates a contrast between Ila's 'Going Away' and Thamma's 'Coming Home'. Having to leave her place of birth that is Dhaka because of marriage, Thamma, while living in Calcutta, was always haunted by nostalgia of the large and comfortable house where she was born and grew up. But the home that she cherished so long never created a permanency in her imagination due to the change of times that saw Partition of the country with Dhaka becoming the capital of East Pakistan, while both the countries became a hot bed of violent riots. Now when she goes back to her home after many years, she finds that nothing was the same as she remembered. Dhaka remains her place of birth only on her passport and disembarkation card. She feels like a foreigner. She desperately searches for her once familiar Dhaka but finds it nowhere. The house where she and her sister Maya Debi had grown up was crumbling. In place of what was once a garden in their house there is now an automobile workshop with a large number of families living there. Ghosh establishes striking metaphoric parallels in delineating the dislocated persons like Thamma and Ila. Thamma has been uprooted from Dhaka while Ila has failed to cultivate roots to any place. She has no place to call her own, no culture to assimilate into. Through the process of 'going away' and 'coming home' Ghosh examines the various perspectives that encourage the state of physical mobility, connected with the idea of finding 'home', but in both cases 'home' continue to be elusive in a world of confused search for identity. The next novel that will be taken up for discussion is Jhumpa Lahiri's *Namesake*. In her novel (2003), Jhumpa Lahiri, a second generation Indian immigrant, reflects the immigrants' inner psyche, identity crisis, sense of belongingness, loneliness, alienation, the clash of culture, the conflicts of adjustment and the baffling ties between the first and second generation. Ashoke Ganguli in pursuance of higher studies in fiber optics goes to settle in

NSOU N GE-PS-21 _____ 57 Cambridge and Massachusetts in USA with his wife Ashima. This was Ashoke's choice and Ashima's compulsion. Ashima, while trying hard to adapt to the ways of the new place, constantly pines to go back home. After their first child was born, as a suitable name takes time to come from 'home', they willy-nilly named the baby boy after Ashoke's favorite Russian writer Nikolai Gogol as Gogol Ganguli. Readers get to know that way back in his youth Ashoke survived a terrible train derailment where many had died. He had been reading a short story collection by Gogol just before the accident, and lying in the rubble of the accident he clutched a single page of the story 'The Overcoat' in his hand. Severely injured and with no strength to call out, dropping the crumpled page was the only thing Ashoke could do to draw the attention of medics looking for survivors. But our protagonist Gogol, ignorant of this connection between his father and Gogol, is however, not comfortable with the name that was neither American nor Indian and a point of fun and ridicule of his friends and associates. At the age of 14 he comes to hate his name. He finally had it changed to 'Nikhil' Gogol Ganguli. This change in name and Gogol's going to Yale, rather than following his father's footsteps to MIT, sets up the barriers between Gogol and his family. The distance, both geographically and emotionally, between Gogol and his parents continues to increase. Meanwhile, we get the pen picture of the struggle of Ashoke and Ashima to bring up their children the way it is done in their home country India. Lahiri shows how the first generation immigrants try their level best to follow the mannerisms, values and beliefs of their own culture and they feel bafflement noticing clash between their inherited ones and their children's imbibed ones. But for the sake of fulfilling the demands of their children, they often assimilate with the culture of the land they were living in. Gogol and her sister suffer the double alienation of the second generation migrants who are neither completely assimilated in the culture of their present homeland nor feels identity with that of their parents. However, years later in another context of accident his father revealed to him the background of his name. The rest of the story unfolds in the shadow of Ashoke's sudden death with Gogol undergoing failed relationships one after another and hopelessly searching for roots. Absolutely lonely, he is nonetheless comforted by the fact that Ashoke, prior to his death, finally told his son why he had chosen that name for him. Gogol comes to accept his name and picks up a collection of the Russian author's stories that his father had given him as a birthday present many years ago. At 32, feeling proud for his name and its meaning, Nikhil Gogol Ganguly accepted his name and destiny. Lahiri's expertise in exploring the diasporic traits in all their complexity and indeterminacy is fascinating.

58 _____ NSOU N GE-PS-21 Visual medium Here the discussion of TV channels like BBC, Channel 4 and ITV which regularly telecasts shows that range from genre of comedy, family drama to thrillers on Asian life in Britain will be left out because of their less familiarity with Indian/ Bengali TV viewers. Visual representation of diaspora in this discussion will be based on a somewhat popular film Bend it like Beckham made in 2002 by Gurinder Chadha. Chadha, born in Africa to Indian parents who migrated to Britain, grew up accustomed to ambivalence. Just as her Britishness was not pure, her Indianness was also not. She regularly clashed with her family's traditions, refusing to wear Indian clothes and trying to get out of her cooking duties. The director set the film in the area of England where she grew up and had the film show case many of her autobiographical components. In Bend it like Beckham the protagonist, Jesminder Bhamra, or "Jess", a Punjabi Sikh by birth isn't just a young woman trying to balance her British and Indian identities, she is also one who loves football. Jess, like Chadha, also comes from a family who was part of the Indian Diaspora and resents the traditional agenda imposed on her. In nearly every scene, we find Jess trying to come up with her own unique formula for balancing her heritage and her obsession with football. When she's in the kitchen with her mom, Jess is practicing knee-ups with a cabbage, and when hanging laundry, she bends the ball around the clothes—at once conforming to her familial duties and pursuing her dream to be a part of one of the sports that is quintessentially British. Viewers see Jess in many traditional situations—making Indian food, dancing at her sister's wedding ceremonies, and trying to wrap a pink sari in the locker room— alongside the scenes of her trying to pursue football. Bend it like Beckham helps viewers understand Jess's clever invention of a hybrid identity. Although Jess does not ignore her roots, she also does not resign herself to a life dedicated to be a faultless subscriber of tradition. Her attempt to play soccer in the park with boys and then secretly play for a team, while also trying to be a good Indian daughter, requires continuous maneuvering. David Beckham's (legendary English footballer) trademark kick of curling the ball so it looks like it's going one way, but, in midair, it actually swerves around a wall of defenders before hitting the back of the goal becomes 'a metaphor' especially for girls constantly trying to walk a tight rope between fulfilling parental expectations and personal ambition. The climactic football and the intermittent wedding scenes which Jess would have to attend capture the beauty and fullness Jess achieves from weaving her worlds together. When Jess's teammates lift her in the air, it truly feels as though she has transcended so many of the restrictions placed on her. In the locker room afterward, her

NSOU N GE-PS-21 _____ 59 teammates try to help her put her sari back on so she can get back to the wedding—a move that finally expresses their solidarity with her and respect for her culture. 5.4 Conclusion Diasporic experience is extremely complex to be homogenized in terms of any simple oppositional singularity like 'we' 'they'. In diasporic space borders of both the worlds are constantly challenged and negotiated through which ever new forms and identities are generated. Our foregoing discussion of literary and visual representation presents a thumbnail impression of this enormously variegated playing field. 5.5 Summing Up N Essentially diaspora and hybridity are linked phenomena, i.e., movement of people from their original homeland to other places and new identity formation through selective appropriation, modification and various other negotiations with the 'host culture'. N Developments in gender studies especially second wave feminism have significantly impacted the western scholars' understanding and approach of diasporas. A gendered lens highlights how different the diasporic experience might be between men and women. N Diasporic experience is extremely complex to be homogenized in terms of any simple oppositional singularity like 'we' 'they'. In diasporic space borders of both the worlds are constantly challenged and negotiated through which ever new forms and identities are generated. 5.6 Glossary 1. Diaspora —Originally associated with the dispersal of the Jewish people in sixth century BC, the word today is widely used for the migration or scattering of people away from an established or ancestral homeland. 2. Hybridity—Essentially meaning mixture, the term originated from biology and was subsequently employed in linguistics and racial theory in the nineteenth century. Its contemporary usage encompasses numerous cultural concepts like colonialism, multiculturalism, globalisation etc. 3. New World—A term used generally to indicate a large part of Western Hemisphere, specifically the Americas. It gained currency in the 16th century

60 _____ NSOU N GE-PS-21 during the so-called 'Age of Discovery', specifically after Amerigo Vespucci, the Italian explorer, declared that America represented a new continent and published his findings in pamphlet called 'Mundus Novus'. 5.7 Probable Questions Essay Type Questions : 1. How do sociologists describe diasporic communities? 2. Write an essay on Amitav Ghosh's novel 'Shadow Lines' discussing how the author explores the idea of searching roots. Long Questions : 1. Explain how Jhumpa Lahiri has explored the idea of searching roots in her novel Namesake? 2. What do the activities of Jess in the film Bend it like Beckham signify to you? Short Questions : 1. Explain diaspora and show briefly how it is related to hybridity. 2. Write a note on feminist position in relation to diaspora. 5.8 Further Readings 1. Safran William, Sahoo Ajaya Kumar and Lal Brij V (eds) Transnational Migrations: The Indian Diaspora, India, Routledge, 2009. 2. Brubaker Rogers, Ethnicity without Groups, USA, Harvard University Press, 2004. 3. Ghosh Amitav, Shadow Lines, India, Ravi Dayal, 1988. 4. Ghosh Amitav, The Glass Palace, India, Ravi Dayal, Penguin India, 2000. 5. Lahiri Jhumpa, The Namesake, India, USA, Houghton Mifflin, 2003. 6. Al Ali Nadjie, Koser Khalid (eds) New Approaches to Migration?: Transnational Communities and the Transformation of Home, London, Routledge, 2002. 7. Hua Ann, Diasporic Asian Feminism : Bridging ties Politics and Culture, Aug 2010.

Module-2 Feminist Tradition

Unit-6 Understanding Patriarchy Structure 6.1 Objectives 6.2 Introduction 6.3 What is patriarchy? 6.4 Role of Patriarchy in history 6.5 Patriarchal society 6.6 Means and agencies of patriarchal exploitation- Sexism and misogyny 6.7 Effects of Patriarchy on society 6.8 Societal rectification- Equality based on education empowerment 6.9 Conclusion 6.10 Summing Up 6.11 Glossary 6.12 Probable Questions 6.13 Further Readings 6.1 Objectives The unit seeks : N To identify the sources and agencies through which patriarchy functions not only in everyday life but as a system of thought over the historical development of society. N To look into exploitation both explicit and implicit as important expositions of patriarchy, as a systematic thought and practice which are looked into for a holistic approach towards the idea of patriarchy and the patriarchal system it supports. 63

64 _____ NSOU N GE-PS-21 6.2 Introduction The first step to solve any problem begins by accepting that there is a problem. To understand the problems of modern day gender discrimination as well as disparity that persists there is a need to grasp the basics of the source of such disparity which inadvertently is Patriarchy. As mentioned in The Concise Encyclopaedia of Sociology patriarchy is defined as "the totality of male domination and its pervasiveness in women's lives." The briefest glance at the current and historical outcomes of men relative to women yields an immediate impression that the latter are an unfortunate party to a societal flawed system and the origin of this system can be found in the agency of Patriarchy. To put it simply, it is a system created by and for men at the direct expense of women in a social setup which can include but need not be necessarily limited to family, clan, tribe, a grouping, or any social institution. The mechanism and institutions that reinforce and restrengthen patriarchy are important facets in learning how to deal with the problems it gives birth to and provide solutions for creating an antithetical reality against the machinations of patriarchy itself. 6.3 What is Patriarchy? Patriarchy understood in its most naïveté terms is superimposition of male dominated behaviour, thoughts and exercise, perpetuation of the same to maintain the status quo over any system where there exists members of two or more sets of genders. Classically the victims of patriarchy have been women as major part of civilized human historical epochs show the structural domination of the idea of a linear binary of gender roles put into practical effect by the agencies of patriarchy and its supporters, but the same effects have been felt by the newly acceptable ideas of third gender roles. For many civilizations all over the world patriarchy is considered a very normal form of social behaviour, the same is true for many of the modern multicultural States and Nations which support the cause of liberty equality and justice. Accepting the premise of patriarchy and being comfortable with it is the omission of not only the dignity of women but also show the decimation of the society which aims for advancement based on an all encompassing virtue of development. Modern day patriarchy expresses itself both in the private and public domains of social life in various forms. The most prevalent forms this in modern daily life is expressed in wage gap in the professional sphere, women being excluded from certain areas of

NSOU N GE-PS-21 _____ 65 work which are specifically dominated by male and restricted to womenfolk such as combative role in the military prevalent in many countries. Social demarcation based on gender discrimination is a reality both in the developed and the developing world and it is a serious cause of concern for the holistic development of humankind. 6.4 Role of patriarchy in history The term 'patriarchy' has an ancient connotation to the faith of the Hebrews, as the term was first applied to the male leaders of the tribes of Israel whose source of power was based upon kinship and not 'contract.' In light of the controversy raging in seventeenth-century England about the legitimate source of power in society and how power relations were to be regulated and maintained, the term according to the patriarchalist such as Sir Robert Filmer argued towards a gender based source of authority centred around the male heir of a male sovereign against the contractual argument of power to the people and then to the King. Filmer argued for absolute monarchy on the patriarchalist grounds that 'kings were fathers and fathers were kings'. According to the views supported under the banner of 'classic patriarchalism' as opposed to traditional patriarchy which is later defined as paternal rule of the family. Filmer's addition was to make the procreative power of the father in the family the origin of political right in society. The patriarchalist theory didn't meet much success as the counter arguments proposed by John Locke and Thomas Hobbes triumphed over the traditional patriarchalist tradition. These philosophers argued that all men are 'naturally' free and political right can only be imposed by contract not by patriarchal fiat. Hobbes and Locke separated paternal from political power and claimed that 'contract was the genesis of political right. However, they did not include women in their notions of contract and political right. Women continued to be subordinated to men as fathers and husbands. Hobbes conceived of the family as patriarchal 'wherein the Father or Master is the Sovereign,' and Locke concluded that there is 'a Foundation in Nature' for the legal subjection of women to their husbands. Therefore, by denigrating and entire half of humankind both the patriarchalist and the contractualists divided the social sphere into a superior and inferior sector. And the most noteworthy factor being that this demarcation happened in the land of the enlightening civilization by proponents of liberal order. To understand why women are typically thought to inhabit a specific role in the arena of domestic household while men have the privilege to not only seek professional satisfaction outside of the home but engage in it vociferously, the question goes directly to the origins of patriarchy beyond the determinants of contractual theory. The layman's argument resides in the division of labour which is

66 _____ NSOU N GE-PS-21 frequently mapped onto a social hierarchy in which males' freedom to venture outside of the home and presumed control over women is perceived as superior and dominant characteristics of any normative social life. As such, rather than working to destabilize the historical notion of patriarchy, much literature and history assess the origins of patriarchy with great implication on the institutions of male rule and privilege and entails female subordination. 6.5 Patriarchal society The exposition of patriarchy in a system is directly related to the concept of power exercise of one social strata over the other. Power in this sense is related to a position of privilege and preference in a society. In a system in which men have more power than women, it is understood that men enjoy a higher level of privilege to which women are not entitled residing in the same system. Therefore, the concept of patriarchy exposition of power in a hierarchical and exploitative manner has been central to the antithetical onslaught led by feminist theories. It is an attempt to explain the stratification of power and privilege by gender that can be observed by many objective measures, society can be observed as the macrocosm of patriarchal machination. A patriarchy, deriving from the ancient Greek patriarches, was a society where power was held by and passed down through the elder males. The modern historians as well as sociologists while theorising, describes a "patriarchal society," as men hold the positions of power and have more privilege, which can be seen both in the microcosmic entity of family where the male acts as head of the family unit, leaders of social as well as political outfits and groups, leaders and bosses in the workplace, and in the meta structure of state as heads of government (HOG's). In systematic patriarchy, there exists a hierarchy among men as well. In traditional patriarchy, the elder men had power over the younger generations of men. In modern patriarchy, some men hold more power (and privilege) by virtue of the position of authority, and this hierarchy of power (and privilege) is considered acceptable. The situation gets problematized in various ways as the patriarchal society perceives women in power as an exception to a collectively held view of women's role in society which is considered an aberration rather than an encouraging behaviour to be replicated en-masse. Feminist theorists have replaced the discourse that individual men oppressed women, with the structural argument that oppression of women came from the underlying bias of a patriarchal society and it's acceptance by all actors indulged in its perpetuation and exploitation. The stabilization of a patriarchal society over vast

NSOU N GE-PS-21 _____ 67 arrays of cultural denominations and political entities for a great part of human history shows its acceptability and invulnerability even by its victims. This societal acceptability has made the existence of patriarchy as a structural form of domination. It persist even through ever changing historical conditions and stages of human development both on a atomistic level as well as a macro institutional level. 6.6 Means and agencies of patriarchy- Sexism and misogyny Patriarchy functions through various means and agencies both tangible and intangible in the society. The various institutions that perpetuate patriarchal narratives and imposes them upon the members act hand in glove with the patronage of its instigators and profiteering section. Even the agents in the form of male hegemony create a structure of systematic oppression to align themselves with the ideology of patriarchy in order to maintain their domination and protect their privileges in the bifurcated society. The reluctance to share power as well as responsibility creates the need to maintain the dominant status quo over the exploited section. Considering the Hegelian premise of ideas triumphing over intent as well as the actions, thoughts play a great role and act as prime agency of propagation of any idea as a cohesive cognitive mainframe to be implemented upon a working environment comprising of objective reality based humans with subjective thoughts. Two of the most widespread agencies to propagate the idea of patriarchy as a definitive means of controlling society are I. Sexism- Sexism as a way of functioning within a society includes most commonly discrimination and prejudice based behaviour against women and girls. Sexism as an agency functions to maintain as well as sustain the existence of the patriarchal order, or male domination, through ideological and material practices of individuals, collectives, and institutions that oppress women and girls on the basis of sex or gender. Such oppression usually takes the forms of economic exploitation and social domination both in private as well as public. Sexist behaviours, conditions, and attitudes perpetuate stereotypes of social (gender) roles based on one's biological sex. A common form of socialization that is based in sexist concepts teaches particular narratives about traditional gender roles for males and females. According to such a view, women and men are biologically opposite and therefore, their social roles are also different with widely different. Rather both the sexes share complementary roles based on their physiological disposition: women are physically weaker sex and less capable than men,

68 _____ NSOU N GE-PS-21 especially in the realm of logic and rational reasoning. Therefore, women are subjected to be relegated to the domestic realm of nurturance and emotions and, therefore, according to the same line of reasoning, cannot be good leaders in business, politics, and academia. Although women are seen as naturally fit for domestic work and are superb at being caretakers, their roles are devalued or not valued at all when compared with men's work. Patriarchalist tendencies see an overt expression through the agency of sexism which seeks not only to discriminate women but also demean them to secondary status due to biased perceptions and false premises. Sexism therefore acts as a medium to keep patriarchal powers at the helm of affairs by keeping women out of the line of contention by denigrating their status based on their sex. II. Misogyny- Misogyny which conventionally means hatred of women, was once a radical accusation. A way of not only discrimination but also insult, ridicule and even imposition misogyny not only takes sexist attitudes but acts on them in a hostile or violent way, and is often revealed through demeaning or denigrating comments and to an extreme point even violence. The issue with misogyny is more structural than mere hatred and dismissal. Society was and in many ways even today is organized in a misogynistic way, even if its individual members didn't see themselves as woman-haters, the structure encourages a system of behaviour where there are certain acts which are considered demeaning or insulting just because it was expected to be done by a female. For millennia, rigidity and repetition has been ingrained into male and female identities, but behind these social structures may be something more primal which is expressed by thought perpetuation of patriarchy and its manifestation in action. 6.7 Effects of patriarchy on society Patriarchy, misogyny, sexism, toxic masculinity, domination, deprivation, isolation and denigration create the entire corpus of thought based exploitation of society along strict gender lines especially targeted towards the women. It creates an entire system of restrictions put on women to stop them from venturing out in public life and gaining the pre requisites for an independent and self actualised life without the shadow of patriarchal domination. Patriarchy not only harms the women from going forward and create a holistically developed society free from discriminating and denigrating tendencies but also restrengthens the shackles of disparity between

NSOU N GE-PS-21 _____ 69 women themselves as an overlapping agency to demarcate power parity based on status and relation to the menfolk with power. Patriarchy does not exist only in men. The force of patriarchy have a sway of both the sexes. Women can be just as patriarchal as men by holding those same types of values and biases. The effects on men have a subdued but potent effect as patriarchal agencies create a situation where makes are expected to behave in an oppressive manner to support the system which in many ways limits the scope of expression of oneself. Males subjected to ignominy if they don't toe the misogynistic line and may lead to the same form of dehumanisation faced by the women.

6.8 Societal rectification- Equality based on education empowerment. To counter the menace of patriarchy one of the foremost things to understand is that, it is a system supported by all its constituents units, both the oppressed and the oppressor. Therefore, the solution must be aimed to rectify the thought that goes behind patriarchy functioning in the social institutions both in private and public. Educating the masses about empowerment based gender roles where equality acts as the core ideal is a great method to eradicate patriarchal stereotypes. People need to be shown and made to realise how patriarchy is prevalent around them. Issues of masculinity, customs, and practices rooted in gender bias, media portrayal of women, and unequal opportunities at work, need to be debated within daily personal exchanges. The transformation of patriarchal education into transpersonal, integrative education will have to wait until the relevant authorities get over the still-prevailing taboo against therapeutic and spiritual elements in education. When systemic oppression seeps into the very core of human existence, it is tough to remove it at surface level. It requires critical intervention and sustained effort. Given the omnipresence of patriarchy, any form of affirmative action is a welcome step.

6.9 Conclusion Patriarchy has a long history in the human social sphere. It's existence is as long as civilization itself and it has sustained itself in every great historical epochs. Throughout various countries, cultures and institutions patriarchy has strengthened itself by creating differences between the genders and subverting the aspirations of women. The modern age seeks to rectify the historical mistakes perpetuated by the agencies of patriarchy and render more rights for a collaborative impetus for creation

70 _____ NSOU N GE-PS-21 of an equality based society that bases itself on skills rather than stereotypes. Indian patriarchy is about removing barriers from existing gender norms which create disparity and discrimination. To eradicate the patriarchal view on women in the society, it must be overtly displayed that irrespective of any gender an individual is capable of choosing their own path in life and be consistent with it. Never restricting oneself from achieving one's full potential in reaching desired targets, disproving the patriarchal belief that women cannot do things that men can do.

6.10 Summing Up N Patriarchy is an institution that has developed along with human civilization. N Patriarchy is domination of male based thoughts and actions making them primary actors over women. N Patriarchy functions in various institutions both in the public and private sphere. N There are various means and agencies by which patriarchy creates a hegemonic structure to subvert the identity of women. N The attributes of power, control, rationality and extreme competitiveness to disenfranchise the women are central to the exercise of patriarchy. N Sexism, misogyny, deprivation, discrimination, masochism, chauvinism are various way by which patriarchy imposes itself upon the societal structure to create a system of oppression aggravating the problems of women. N Feminist critique of patriarchy blames the perpetuation of exploitative means to males as well as to the acceptance and admittance by women and subtle means of expanding it through antithetical agencies as well. N The rectification of this system can be overtaken only by propagation of equality based education to create empowering situations for the womenfolk to achieve a stabilized developing and conducive environment for the future generations.

6.11 Glossary 1. Patriarchy- Patriarchy in literal terms mean a system or

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social organization marked by the supremacy of the father in the clan or family, the legal dependence of wives and children, and the reckoning of descent and inheritance in the male line.

NSOU N GE-PS-21 _____ 71 2. Subjugation- The act of subduing, subverting someone’s action, speech or role in a public or private affair to control their movements in order to create disparity is called subjugation. 3. Sexism- Sexism is prejudice or discrimination based on sex or gender, especially against women and girls. Although its origin is unclear, the term sexism emerged from the “second- wave” feminism of the 1960s through the 80s and was most likely modelled on the civil rights movement’s term racism (prejudice or discrimination based on race). Sexism can be a belief that one sex is superior to or more valuable than another sex. It imposes limits on what men and boys can and should do and what women and girls can and should do. The concept of sexism was originally formulated to raise consciousness about the oppression of girls and women, although by the early 21st century it had sometimes been expanded to include the oppression of any sex, including men and boys, intersexual people, and transgender people. 4. Microcosm- The microcosm-macrocosm analogy refers to the view according to which, there is a structural similarity between the human being and the cosmos as a whole. Given this fundamental analogy, truths about the nature of the cosmos as a whole may be inferred from truths about human nature, and vice versa. 5. Misogyny- Misogyny is the hatred of, contempt for, or prejudice against women or girls. It enforces sexism by punishing those who reject an inferior status for women and rewarding those who accept it. Misogyny manifests in numerous ways, including social exclusion, sex discrimination, hostility, androcentrism, patriarchy, male privilege, belittling of women, disenfranchisement of women, violence against women, and sexual objectification. 6.12 Probable Questions Essay Type Questions : 1. What is Patriarchy? Explain with examples how patriarchy functions in a society? 2. Describe the various forms in which patriarchy creates restrictions on women.

72 _____ NSOU N GE-PS-21 Long Questions : 1. Describe the various forms in which patriarchy affects the other members of society apart from women. 2. Discuss in detail how gender hierarchy in society disenfranchises women in public realm. Short Questions : 1. Mention two agencies of patriarchy and their exposition. 2. Explain briefly how the concept of empowerment act as a method to combat patriarchal stereotype. 6.13 Further Readings 1. Barret, Michele and McIntosh, Mary, The ‘Family Wage’: Some Problems for Socialists and Feminists, Capital and Class, no -11, Summer, 51-72. 1980. 2. Bhasin, Kamla, What is Patriarchy?, Kali for Women, New Delhi, 1993. 3. Bhasin, Kamla. Understanding Gender, Women Unlimited, New Delhi, 2003. 4. De Bouvier, Simone, The Second Sex, Batnam, New York, 1970. 5. Fraser, Nancy. Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory, Minneapolis: University of Minnesota Press. 1989 6. Jaggar, Alison, ML, Feminist Politics and Human Nature, Harvester Press, 1983. 7. Millett, Kate, Sexual Politics, Avon Books, New York, 1970. 8. Walby, Sylvia, Patriarchy at Work, Polity Press, Cambridge in association with Basil Blackwell, Oxford, 1986.

NSOU N GE-PS-21 _____ 73 Unit-7 Liberal Feminism
Structure 7.1 Objectives 7.2 Introduction 7.3 What is liberal feminism? 7.4 History of liberal feminism 7.5 Autonomy of personal and political 7.6 Equity feminism 7.7 Criticism 7.8 Summing Up 7.9 Glossary 7.10 Probable Questions 7.11 Further Readings 7.1 Objectives N The aim of the study is to understand the theoretical trajectory and the political phenomenon of feminism and specifically Liberal Feminism. N The unit analyses the three waves of feminism and highlights upon the impact of feminist narrative worldwide. N To examine the manifestation of liberal theory in various disciplines. 7.2 Introduction

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The term feminism can be used to describe a political, cultural or economic movement aimed at establishing equal rights and legal protection for women. Feminism involves political and sociological theories and philosophies concerned with issues of gender difference, as well as a movement that advocates gender equality for women and campaigns for women’s rights and interests. Although the terms “feminism” and “feminist” did not gain widespread use until the 1970s, they 73 74 _____ NSOU N GE-PS-21 were already being used in the public parlance much earlier.

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Feminism has altered predominant perspectives in a wide range of areas within Western society, ranging from culture to law. Feminist activists have campaigned for women’s legal rights (rights of contract, property rights, voting rights); for women’s right to bodily integrity and autonomy, for abortion rights, and for reproductive rights (including access to contraception and quality prenatal care); for protection of women and girls from domestic violence, sexual harassment and rape; for workplace rights, including maternity leave and equal pay; against misogyny; and against other forms of gender-specific discrimination against women.

Liberal feminists believe that their philosophy positively answers each of these critiques and though liberal feminism at one time was racist, classist, and heterosexist, it has overcome these issues. With its focus on gender justice and its ability to adapt, liberal feminism is here to stay. 7.3 What is liberal feminism? Liberal Feminism began in the 18th and 19th centuries and has continued till the present day. Throughout its history the liberal feminist movement has been and continues to be focused on eliminating female subordination. Its long history is a testament to how well it has been able to adapt and change to the many issues confronting women. Liberal feminism conceives of freedom as personal autonomy—living a life of one’s own choosing—and political autonomy—being co-author of the conditions under which one lives. Liberal feminists hold that the exercise of personal autonomy depends on certain enabling conditions that are insufficiently present in women’s lives, or that social arrangements often fail to respect women’s personal autonomy and other elements of women’s flourishing. They also hold that women’s needs and interests are insufficiently reflected in the basic conditions under which they live, and that those conditions lack legitimacy because women are inadequately represented in the processes of democratic self-determination. Liberal feminists hold that autonomy deficits like these are due to the “gender system” or the patriarchal nature of inherited traditions and institutions, and that the women’s movement should work to identify and remedy them. As the protection and promotion of citizens’ autonomy is the appropriate role of the state on the liberal view, liberal feminists hold that the state can and should be the women’s movement’s ally in promoting women’s autonomy. There is disagreement among liberal feminists, however, about the role of personal

NSOU N GE-PS-21 _____ 75 autonomy in the good life, the appropriate role of the state, and how liberal feminism is to be justified. Liberal feminism is built upon two inter-related elements. Firstly, women are rational individuals entitled to inalienable and universal human rights. In the eloquent words of the pioneering first-wave feminist Mary Wollstonecraft; “the mind has no gender.” In the context of gender equality, liberal feminists advocate a society in which women hold political equality with men. The second aspect of liberal feminism is the aim to facilitate a diversity of lifestyles amongst women. Diversity is the watchword of liberal feminists and the guiding principle should be one shaped by individual choice (as in the case of pro-choice pressure groups). A society governed by liberal feminism enables women (and men) to maximise their personal freedom to the very full. Liberal feminists contend that the governance of society would be improved significantly by a more inclusive attitude to women. These benefits would also apply to the economic realm. Access to education and career opportunities must also be broadened to benefit women – particularly those marginalised within society. Liberal feminists also wish to dismantle the patriarchal character of social institutions (notably within the political realm) that force women to suppress their natural femininity. Liberal feminism is the most significant of the main strands of feminism, and was the dominant strand during both the first-wave and the third-wave of the women’s movement. At heart, liberal feminism entails a constructive engagement with the political and legislative process (such as the One Billion Rising worldwide movement in opposition to violence against women). Ultimately, the problem of sexism is resolvable via a set of legislative and employment measures to prevent discrimination in the workplace. The focus of liberal feminism thereby, centres upon protecting the rights of females with regard to employment and reproduction. As the strand of feminism closest to the centre of the political spectrum, liberal feminism entails a rejection of the overt emphasis upon equality from those on the left of the women’s movement, and the extremist stance adopted by radicals at the margins of political debate. 7.4 History of liberal feminism Liberal feminism is part of, and thus, finds its roots in, the larger tradition of liberal political philosophy; thus, we see much liberal feminist work inspired by Immanuel Kant, John Stuart Mill, and John Rawls (and other figures in this tradition). But liberal feminism shares with feminist political philosophy generally a concern with understanding the “gender system” that is, the patriarchal nature of

76 _____ NSOU N GE-PS-21 inherited traditions and institutions, so that it might recommend a remedy. To get a good picture of that system, liberal feminists draw broadly from the rich tradition of feminist theorizing. For example, some liberal feminists draw on radical feminist insights into the nature of violence against women and into the nature of gender identity, some draw on psychoanalytic feminist theory; some on socialist feminist work on women's exploitation in the home. Classical-liberal or libertarian feminists understand themselves as heirs to the first generation of feminist political philosophers, for example Mary Wollstonecraft, Harriet Taylor Mill, and John Stuart Mill ; the first generation of feminist political reformers in the United States, the abolitionist feminists Elizabeth Cady Stanton and Sarah Grimke and the tradition of 19 th century anarchist feminism, including figures such as Voltairine de Cleyre. Equity feminists stress the extent to which these early thinkers and activists identify women's liberation with equal respect for women's right against coercive interference . Cultural libertarian feminists emphasize the extent to which these thinkers and activists challenged both coercive state power and the patriarchal culture. Classical-liberal or libertarian feminists hold that "the very arguments that rightly led to the legal reforms affecting the status of women during the 19 th century militate against the demands for reform from the late 20 th century women's movement". That is, they hold that the defense of equal rights and independence for women promulgated by these early feminists is incompatible with the tendency of the contemporary women's movement to call on the state to improve the lives of women. 7.5 Autonomy of Personal and Political Liberal feminists hold that women should enjoy personal autonomy. That is, they hold that women should live lives of their own choosing. Some offer "procedural" accounts of personal autonomy. These accounts suggest that to say women should enjoy personal autonomy means they are entitled to a broad range of autonomy- enabling conditions. On this view, the women's movement should work to identify and promote these conditions. Identifying these enabling conditions requires careful attention to the particular ways in which autonomy deficits are produced in diverse women's lives. Procedural accounts avoid judging directly the substance of women's choices or the arrangements that ensue. The following list of enabling conditions is representative. Being free of violence and the threat of violence: Violence and the threat of violence violate women's dignity; they make women do what others want or reduce

NSOU N GE-PS-21 _____ 77 women's sphere of activity to avoiding harm. In some cases, violence fractures the self and takes from women their sense of self-respect. The feminist literature on violence against women documents the particular role that violence and the threat of violence play in unfairly disempowering and limiting women. Being free of the limits set by patriarchal paternalistic and moralistic laws: Patriarchal paternalistic laws restrict women's options on the grounds that such limits are in women's interest. Think for example of laws that limit women's employment options on the grounds that taking certain jobs is not in women's interest. Patriarchal moralistic laws restrict women's options on the grounds that certain options should not be available to women because morality forbids women's choosing them. Again for example, the laws that prohibit or restrict prostitution or abortion, or laws that favour certain kinds of sexual expression or family forms. Together, patriarchal paternalistic and moralistic laws steer women into socially preferred ways of life. These are unfair restrictions on women's choices, on the liberal feminist view, because women's choices should be guided by their own sense of their self-interest and by their own values. Having access to options: On the liberal feminist view, women are entitled to access to options. Women's access to options is frequently and unfairly restricted due to economic deprivation, in particular due to the "feminization of poverty". Other sources of unfairly reduced options for women are stereotyping and sex discrimination in education and employment . Such stereotyping and discrimination affects some racial, ethnic and cultural groups in particularly pernicious ways. Liberal feminists also point to the way cultural homogeneity unfairly limits women's options, for example when culture assigns identities and social roles according to sex. Some emphasize the importance of internal, psychological enabling conditions as well, for example the ability to assess one's own preferences and imagine life otherwise. Without the ability to assess the preferences on the basis of which one makes choices, and the ability to imagine life otherwise, one can't meaningfully be said to have options other than affirming the status quo. These internal enabling conditions are related to the external ones. Violence and the threat of violence, stereotyping and discrimination, material deprivation, and cultural homogeneity all can have the effect of closing down reflection and imagination. Some liberal feminists emphasize the importance of political autonomy, that is, being co-author of the conditions under which one lives. Some use contractualist political theory to argue that the state should ensure that the basic structure of society satisfies principles of justice that women, as well as men, could endorse. Others

78 _____ NSOU N GE-PS-21 argue that the democratic legitimacy of the basic conditions under which citizens live depends on the inclusion of women in the processes of public deliberation and electoral politics. Some liberal feminists, inspired by John Rawls' contractualist liberal theory of justice, argue that the state should ensure that the basic structure of society distributes the benefits and burdens of social cooperation fairly, that is, in a manner that women as well as men could endorse. They argue that the basic structure currently distributes benefits and burdens unfairly, in part due to the gender system, or the patriarchal nature of inherited traditions and institutions. A substantial liberal feminist literature engages this tension between associational liberty and possible state action aimed at remedying the way the current distribution of the burdens of reproduction disadvantages women. Much of this literature draws on both the liberal tradition within feminism and feminist work on care giving.

7.6 Equity feminism Equity feminism is a form of classical-liberal or libertarian feminism that holds that feminism's political role is simply to ensure that everyone's, including women's, right against coercive interference is respected. Feminism's political role involves assuring that women's right against coercive interference by private individuals is recognized and protected by the state. On the equity feminist view, the feminist slogan "the personal is political" is accurate when the state fails to recognize women's right against coercive interference, especially in women's personal lives. So, for example, in some countries husbands have legal control over their wives' persons and property. If women are to be described as currently oppressed in societies like the United States, on the equity feminist view, one must show that the state fails to protect women, as a group, from sustained and systematic rights violations. Some feminists have argued that violence against women is pervasive in societies like the United States so that, even though the law recognizes women's right against it, that right is insufficiently protected, and thus, women endure sustained and systematic denial of their right to bodily integrity. Equity feminists argue that the differences in outcomes between women and men can be explained, not by violence against women and sex discrimination, but by differences in the preferences of women and men. To be sure, classical-liberal or libertarian feminists hold that women and men are sufficiently the same that they have the "same political interests," in particular the interest in being treated as a self-owner.

NSOU N GE-PS-21 _____ 79 7.7 Criticism By far the most common argument in the classical-liberal or libertarian feminist literature is consequentialist. The argument says that the political arrangements recommended by classical-liberalism or libertarianism, as compared with the alternatives, will provide women with more of what is good for them: for example safety, income and wealth, choices, and options. Some critics take aim at the consequentialist argument offered in support of classical-liberal or libertarian feminism. The consequentialist argument says that the political arrangements recommended by classical-liberalism or libertarianism, as compared with the alternatives, will provide women with more of what is good for them. In addition to the consequentialist argument, classical-liberal or libertarian feminists offer an argument from principle. According to this argument, regardless of the consequences, women and men should be treated as self-owners with rights to property justly acquired and to freedom from coercive interference because this is what they deserve as ends in themselves, or because this is what moral insight teaches, or because this is what their perfection requires. In short, the claim is that the dignity of women and men depends on their being treated as self-owners. Critics urge us to consider that all human beings are utterly dependent on the care of others for many years at the start of life; many come to need the care of others due to temporary or permanent disability later in life; and many require care as they become infirm at the end of life. Those who provide care for those who cannot care for themselves will also find themselves dependent on others for material support. Liberal criticism of the argument from principle begins by noting that the liberties championed by classical-liberals and libertarians are valuable because of what they make it possible for individuals to be and do. But it is not liberties alone which facilitate our being and doing what people value. It is required also, at least, adequate material resources, genuine opportunities, and standing as an equal in society. Critics have also taken aim at the treatment of oppression in classical-liberal or libertarian feminism. Recall that equity feminism holds that women are oppressed when the state fails to protect them, as a group, from sustained and systematic rights violations. Equity feminists argue that, in western countries like the United States, women are not oppressed because the state protects these rights of women. It should be conceded that much violence against women which was, in the past, tolerated or condoned is now unambiguously prohibited. But, critics contend, violence against women remains all too common in western countries, and thus, it is premature to

80 _____ NSOU N GE-PS-21 suggest that women are not oppressed, that is, are not effectively protected against sustained and systematic rights violations. To summarize, critics suggest that classical-liberal or libertarian feminism is not adequately supported by a consequentialist case; fails to recognize our obligations to those who cannot care for themselves; hides from view the way in which the work of care is distributed in society; denies that state power should be used to ensure equality of opportunity for women and women's equal standing in society; and (cultural libertarianism excepted) is uncritical of traditional social arrangements that limit and disadvantage women. For reasons such as these, some have argued that classical-liberal or libertarian feminism counts as neither feminist nor liberal. 7.8 Summing Up N

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The term feminism can be used to describe a political, cultural or economic movement aimed at establishing equal rights and legal protection for women. N Feminism involves political and sociological theories and philosophies concerned with issues of gender difference, as well as a movement that advocates gender equality for women and campaigns for women's rights and interests.

N Liberal feminism conceives of freedom as personal autonomy. N Liberal feminists hold that women should enjoy personal autonomy. That is, they hold that women should live lives of their own choosing. N Equity feminism is a form of classical-liberal or libertarian feminism that holds that feminism's political role is simply to ensure that everyone's, including women's, right against coercive interference is respected. N Feminism's political role involves assuring that women's right against coercive interference by private individuals is recognized and protected by the state. 7.9 Glossary 1. Liberal- Liberals espouse a wide array of views depending on their understanding of these principles, but they generally support free markets, free trade, limited government, individual rights (including civil rights and

NSOU N GE-PS-21 _____ 81 human rights), capitalism, democracy, secularism, gender equality, racial equality. 2. Emancipation- Emancipation is any effort to procure economic and social rights, political rights or equality, often for a specifically disenfranchised group, or more generally, in discussion of many matters. 3. Rights- Rights are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people according to some legal system, social convention, or ethical theory. 4. Gendered- Reflecting the experience, prejudices, or orientations of one sex more than the other. 7.10 Probable Questions Essay Type Questions : 1. What is liberal feminism? Explain its basic tenets. 2. Trace the history of liberal feminism. Long Questions : 1. What measures can a liberal state take to empower women? Mention two steps. 2. Examine the criticisms labelled against the liberal feminists. Short Questions : 1. Name two seminal feminist texts and their authors? 2. Explain the concept of personal and political with respect to feminism. 7.11 Further Readings 1. Abbey, Ruth. 'Back to the Future: Marriage as Friendship in the Thoughts of Mary Wollstonecraft V. Hypatia 14: 78-95. 1999. 2. Anderson, Elizabeth . 'Toward a Non-Ideal, Relational Methodology for Political Philosophy: Comments on Schwarzman's Challenging Liberalism.' Hypatia 24: 130-145. 2009.

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NSOU N GE-PS-21 _____ 83 Unit-8 Socialist Feminism Structure 8.1 Objectives 8.2 Introduction 8.3 What is socialist feminism? 8.4 History of socialist feminism 8.5 Why Socialist feminism 8.6 Critique of Global capitalism. 8.7 Marxist critique 8.8 Criticism 8.9 Summing Up 8.10 Glossary 8.11 Probable Questions 8.12 Further Readings 8.1 Objectives The present unit helps us-- N To dissect the relationship between socialism and feminism and to look into the larger narrative of socialist feminism. N To understand the phenomena of socialist feminism which bring about a crucial change to the discourse of feminism as it introduces the feature of class and class oppression into the fold of gender oppression. N To understand the relationship between the class and gender dichotomy that plagues the cause of feminism as a liberating ideology. 8.2 Introduction

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The phrase "socialist feminism" was increasingly used during the 1970s to describe a mixed theoretical and practical approach to achieving women's equality. 83 84 _____ NSOU N GE-PS-21 Socialist feminist theory analysed the connection between the oppression of women and other oppressions in society, such as racism and economic injustice. Socialists had fought for decades to create a more equal society that did not exploit the poor and the powerless in the same ways that capitalism did. Like Marxism, socialist feminism recognized the oppressive structure of a capitalist society. Like radical feminism, socialist feminism recognized the fundamental oppression of women, particularly in a patriarchal society. However, socialist feminists did not recognize gender and only gender as the exclusive basis of all oppression. Rather, they held and continue to hold that class and gender are symbiotic, at least to some degree, and one cannot be addressed without taking the other into consideration. Socialist

feminism has often been compared to cultural feminism, but they are quite different although there are some similarities. Cultural feminism focuses almost exclusively on the unique traits and accomplishments of the female gender in opposition to those of men. Separatism is a key theme, but socialist feminism opposes this. The goal of socialist feminism is to work with men to achieve a level playing field for both genders. Socialist feminists have referred to cultural feminism as "pretentious." Socialist feminism is also distinctly different from liberal feminism, although the concept of liberalism has changed over the early decades of the 21st century. Though liberal feminists seek equality of the sexes, socialist feminists do not believe that is entirely possible within the constraints of current society.

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Socialist feminists intend to integrate the recognition of sex discrimination within their work to achieve justice and equality for women, for working classes, for the poor and all humanity. 8.3

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socialist feminism? Socialist feminism addresses women's inequality in a two-pronged approach, connecting capitalism and patriarchy and proving that patriarchy isn't the sole source of oppression. The first objective is often referring to women's limited roles in society, staying at home and raising a family, as a major factor in their oppression. The second object aims to show that women can experience it in various other ways, including race, class, sexual orientation, and education, among others. Socialist feminism gained momentum during the 1960s to 1970s, a timeframe also known as the second wave of feminism. This wave was focused on social welfare issues. Though it is not considered the most radical form of feminism, socialist feminism still has strong ties to Marxist theory and calls for a major shift in societal structure. More specifically, it calls for an end to the capitalist economic system, which social

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feminists believe perpetuates sexism, patriarchy, and a division of labour based on gender. A common mentality during that second wave of feminism was that children needed their mothers at home in order to be properly nurtured. However, with the rise of single mothers and a lack of affordable childcare and liveable working wages for women, socialist feminism began to spread. Instead of focusing primarily on working-class women, socialist feminism also reached out to poor women of colour and colour activists. At the time, women of colour were experiencing a different kind of oppression based on their race. Many were victims of forced sterilization while giving birth at local hospitals, some through coercion and others through complete deception.

As result of this cooperation a joint attack on male dominated economic system and its perpetuation in the social level was addressed by the socialist feminists. 8.4 History of socialist feminism Socialist supporters for feminism have existed since the 19th century with prominent socialist thinkers such as Friedrich Engels who outlined how the capitalist economic system acts to reinforce the oppression of women under the nuclear family. Friedrich Engels set forth the theoretical basis for modern socialist feminism in his book
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of the Family, Private Property and the State. He explains that a

communal, matriarchal social system preceded the rise of private property, class society, patriarchy, slavery and the state. He pointed to the primary role women played in the economic, social, cultural and political life of these communal societies and the egalitarian relationships that characterized them. Socialist feminists argue that women are shackled by capitalism because of their function as bearers of children. It is in the capitalist class' interest to maintain control over women's sexual functions because of the need for capitalists to secure the inheritance of their property and wealth by their own offspring. Thus, capitalists have historically sought to constrain women's sexuality under notions of the feminine virtues of virginity, female chastity and submission to one's husband. This is the cornerstone of the nuclear family and while this model of the family has gradually broken down in many western societies it is still a powerful feature in the lives of women in developing countries and even in the west it hasn't totally disappeared. For example, even today women are often quietly discriminated against due to the expectation by employers that they will become mothers and will thus, leave their profession to start a family or at the very least be rendered less productive by the burden of pregnancy. Thus, women are often passed over for promotion in favour of

86 _____ NSOU N GE-PS-21 men and also face wage discrimination even in the advanced west with women still frequently earning less than men for the same work. Another area which capitalism oppresses women uniquely is their role in providing unpaid household labour. Even in the developed world it is still remarkably common for women to do the majority of household tasks and chores, almost by default, leaving men free to work more and women tied to the home. Capitalism has often encouraged men to support this status quo. For instance, one of the chief propaganda tools of the anti-women's suffrage campaign in the early 20th and late 19th centuries was an appeal to working men about who would look after the house if women were allowed to take a role in the public sphere (as opposed to the private sphere of the home) with suffragettes demonized as poor wives and bad mothers for taking time out of household work to engage with politics. As a result of the overthrow of the matriarchy and the rise of private property and capitalism, women now bear the brunt of the poverty, suffering, deprivation, wars and environmental devastation the profit system creates. 8.5 Why socialist feminism? One answer is that reforming capitalism so that it is "kinder and gentler" is a dead end. Reforms are important for survival but they are always undermined or reversed. Never-ending attacks on reproductive rights and affirmative action and endless imperialist wars are just a few examples of the limits of reformism. Social justice advocates end up fighting the same battles over and over again instead of expanding democratic rights for excluded groups or preventing the next war. Equality for women cannot be achieved under capitalism while socialism cannot be attained without the participation and leadership of working and poor women in the struggle to win it. Socialist feminists believe that the only way to win the fight for women's rights is to connect it up with the larger global campaign for human liberation in all its forms. Women are the most oppressed of every oppressed group. No one needs revolutionary transformation of society worse than they do and no other group has the capacity to unite the oppressed in a mighty, working class movement that addresses all the injustices suffered by the dispossessed under capitalism: racism, poverty, homophobia, xenophobia, anti-Semitism, ageism, and war. The profit system survives on women's unpaid labour in the home and low- waged labour in market place. Their inequality is solidified like concrete in a

NSOU N GE-PS-21 _____ 87 perverse arrangement where owners and employers profit off of women's second- class status and misery. This is a radicalizing experience and accounts for the tremendous role women play, particularly women of colour and indigenous women, as leaders in the struggle for revolutionary change. Both men and women have a stake in changing their unequal relationship. The subjugation of females lays the basis for ruling class exploitation of poor and working-class males of all races, nationalities, abilities and sexual orientations. The profit system, and the oppression of women which keep it afloat, must be overthrown for women, children and men to be free of economic insecurity and discrimination. Working class men who are feminists know that when they fight for women's rights, they are making a stand for all the exploited—including themselves! Socialist feminism would turn capitalism and the subjugation of women and all other underdogs upside down. First, because socialism replaces the current system of wealth for a few with a system that can meet the human needs of the majority. Secondly, because the fight for women's equality, with the lowest paid and most oppressed in the leadership, would guarantee everyone wins, because when those at the bottom of the economic ladder rise up, everyone moves up with them.

8.6 Critique of Global capitalism Socialist feminism developed as a critique of both radical feminism and of Marxism. Its point of departure was that radical feminism alone was ahistorical and idealist and therefore inadequate to provide an understanding of the situation of women. It argued that the radical feminist use of the concept of patriarchy was ahistorical because it assumed that relations between men and women were unchanging throughout history and universal in different cultures. The socialist feminists argued that radical feminism was simplistic in arguing that there was one single cause of women's oppression. They also said that it focused too exclusively on ideological factors and that it totally separated the oppression of women from capitalist social relations. Socialist feminism argued that Marxism was the main theoretical source that could provide feminist analysis with a materialist foundation - an analysis that took account of class relations as well as the concept of patriarchy. Such a synthesis was said to be necessary because Marxism alone was incomplete or deficient when it came to a comprehensive understanding of women's oppression. Having rejected Marxist analysis, socialist feminism then sets up the concept of

88 _____ NSOU N GE-PS-21 patriarchy as the centrepiece of its viewpoint. While criticizing the ahistorical approach of radical feminists such as Kate Millett, socialist feminism adopts the radical feminist notion that women's oppression is a result of a distinct system of social relations based on male supremacy and oppression of women. In the socialist feminist view, patriarchy is a system of oppression bearing equal responsibility with economic / class relations for the shape and character of a society. It rejects as "reductionist" and "economist" the notion that all social relations, including those between the sexes, are framed and determined by historically developed systems of social relations (such as capitalism, feudalism, etc) centring on production of the essentials of life. Socialist feminism asserts that patriarchy and particular relations of production have different origins and are relatively autonomous of each other. It rejects the notion that particular forms of social organization can be understood as a unified whole. Relations between men and women are said to have their own, independent logic, dynamic and history that do not stand in any necessary or contingent relationship to the prevailing relations of production.

8.7 Marxist critique Socialist feminism is a popular trend among the petty bourgeois women's liberation movement that split from the "new left" and various other liberation struggles of the late '60's and early '70's. Socialist feminists are not a consolidated group but rather various groups whose common unities are the criticisms of what they call the Marxist movement and the feminist movement as advocated by old school marxists. The Marxist critique of socialist feminism views that it does not speak to the oppression of women but merely concerns itself with things that "relate directly to the productive process." Many view "orthodox Marxism" as an outdated product of 19th century capitalism that has traditionally been insensitive to women's needs and struggles only to improve the economic conditions of workers. Feminism, on the other hand, is seen as a response to the inequality of the sexes that exists to some degree in all societies. Socialist feminists see that feminism exposes the oppression of women by men the same way that they see Marxism exposing the class nature of society. Feminism, however, is aimed only at men, ignoring what socialist feminists consider the "other" enemy of women, the capitalist system. Socialist feminists borrow much of radical feminist analysis, some of which can be seen in the analysis of the origin of women's oppression.

NSOU N GE-PS-21 _____ 89 8.8 Criticism Socialist feminists do put forward that full liberation cannot exist for women within a capitalist society, not because class society and private property are the material basis for the oppression of women, but rather because, imperialism uses and distorts any reform designed to alleviate the oppression of women. Their analysis seems to indicate that they see imperialism more as an obstacle to their primary struggle against the patriarchy. Many, however will not agree with this characterization. Socialism is the alternative proposed. Their view of socialism, however, is Utopian. They see socialism not as the dictatorship of the proletariat, but as the elimination of what they call the hierarchy of society. Socialism, they say, is a social system where decisions are made collectively. "Collectivity" is seen as a feminist alternative to capitalism because it is the negation of the male principle of "competition" which they see as the driving force of capitalism. Thus, socialism is seen as the triumph of women over both of their enemies, the patriarchy and imperialism. In the main, this position vacillates between that of men as the enemy and imperialism as the enemy. Their tactics inevitably reflect this vacillation. Some socialist feminists choose to work on alternative institutions based on the female principle; others will join anti-imperialist organizations, such as the Lawyers Guild, but within those organizations will focus primarily on the woman question. Many times, however, socialist feminists will combine the struggle for legal reforms and the struggle for alternative institutions. Unlike radical feminists, socialist feminists tend to rely more on the state. 8.9 Summing Up N

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Socialist feminists agree that liberal feminism does not appreciate the depth of the oppression of women and basically only addresses the situation of women of the upper and upper middle classes. N They also agree that women have been oppressed in virtually all known societies, but the nature of this oppression has differed because of the different economic realities. N Socialist feminists do not think that the oppression of women is based solely 90

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on the economic system, and they suggest that patriarchy and capitalism are combined into one system. They believe that we must understand the continuing effects that colonization, imperialism, and racism have on the women of the world. N Socialist feminists maintain that it is wrong to suggest that any one form of oppression is the most important or key form of oppression. Instead, they recognize that oppression based on sex/gender, class, race, and sexual orientation are all interwoven. To effectively challenge any one of these forms of oppression, we must understand and challenge all of them.

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Socialist feminists emphasize the economic, social, and cultural importance of women as people who give birth, socialize children, care for the sick, and provide the emotional labour that creates the realm of the home as a retreat for men from the realities of the work place and the public arena. N Socialist feminists

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emphasize that within the work place women face challenges of job market segregation, lower wages for the same work, and sexual harassment. They also recognize that the labour movement has been complicit in maintaining this. 8.10

Glossary 1. Socialist- An Individual who believes in a political, social, and economic philosophy encompassing a range of economic and social systems characterised by social ownership of the means of production. 2. Economic determinism- Economic determinism is a socio economic theory that economic relationships (such as being an owner or capitalist, or being a worker or proletarian) are the foundation upon which all other societal and political arrangements in society are based. 3. Materialism- Materialism is a form of philosophical monism that holds that matter is the fundamental substance in nature, and that all things, including mental states and consciousness, are results of material interactions. 4. Dogma- Dogma in the broad sense is any belief held unquestioningly and with undefended certainty. It may be in the form of an official system of principles or doctrines of a religion.

NSOU N GE-PS-21 _____ 91 8.11 Probable Questions Essay Type Questions : 1. Explain and situate Socialist feminism in the context of Marxism? 2. Discuss how gender struggle is related to class struggle in the context of Engels work on the Family, Private Property and the State. Long Questions : 1. 'Gender roles are determined by who imposes them'. Explain the sentence in respect to discrimination against women. 2. Explain how socialist tradition differed from the liberal tradition of feminism. Short Questions : 1. Name two socialist feminists and discuss in brief their contribution to this tradition. 2. 'Women hold up half the sky'- What is meant by the statement? 8.12 Further Readings 1.

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92 _____ NSOU N GE-PS-21 Unit-9 Radical Feminism Structure 9.1 Objectives 9.2 Introduction 9.3 What is radical feminism? 9.4 History of radical feminism 9.5 Discourse of radical feminism 9.6 Critique of radical feminism 9.7 Conclusion 9.8 Summing Up 9.9 Glossary 9.10 Probable Questions 9.11 Further Readings 9.1 Objectives The objective of the unit are : N To understand the phenomenon of radical feminism as a separate entity within the fold of feminist studies and also as anti-thetical to the other trajectories of feminism. N To provide a Radical feminist critique of patriarchy, liberal feminism and status quist tendencies in a fresh perspective to the ever expansive corpus of feminism in itself. 9.2 Introduction

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Radical feminism is a philosophy emphasizing the patriarchal roots of inequality between men and women, or, more specifically, the social domination of women by men. Radical feminism views patriarchy as dividing societal rights, privileges, and power primarily along the lines of sex, and as a result, oppressing women and privileging men. Radical

feminists tend to be more militant in their approach (radical 92

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as "getting to the root") than other feminists. A radical feminist aims to dismantle patriarchy rather than making adjustments to the system through legal changes. Radical feminists also resist reducing oppression to an economic or class issue, as socialist or Marxist feminism sometimes did or does. Radical feminism opposes patriarchy, not men. To equate radical feminism to man-hating is to assume that patriarchy and men are inseparable, philosophically and politically.

Radical feminism arose from the backlash of the 1960s' focus on liberal and Marxist feminism. Radical feminism focuses on male oppression of females both privately and politically. Radical feminists claim that the central issue is the subordination of women by men within the private and political spheres. This subordination is exemplified by the rhetoric surrounding rape and victim blaming. During the 1970s, radical feminists argued that rape was not a biological predisposition among men but the socialization of men that projected women as objects. Throughout the 1970s and 1980s, radical feminists, along with liberal feminists, reformed rape statutes in all states to reflect the sentiment that rape was not just a crime against virginal women but against all women, through the fear of rape. Radical feminism focuses on the rejection of the patriarchal ideal that the private sphere (for women) focuses on child rearing, marriage, and the maintenance of the household. Due to this private sphere, the political sphere of patriarchy results in women being harmed through rape, domestic violence, and prostitution. Many radical feminists prioritized the struggle against violence on women since they saw that violence as upholding patriarchy. Radical feminists often were the driving force behind rape crisis hotlines and shelters for women subjected to domestic violence. In speaking out and organizing against violence against women, radical feminists transformed the discussion within our society. Their efforts successfully ended the silence about rape and domestic violence and helped to begin changing our criminal justice system. Many radical feminists took a stand against pornography, because they viewed it as propaganda for patriarchy and violence against women. This was more controversial and was rejected by many other feminists.

9.3 What is Radical feminism? Radical Feminist theory analyses the structures of power which oppress the female sex. Its central tenet is that women as a biological class are globally oppressed by men as a biological class. Radical feminism has from the beginning been concerned with all

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forms of oppression which affect the life chances and human 94

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them together, and provided the beginnings of a

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framework for understanding all forms of invidious hierarchical distinctions between categories of human beings.

It believes that male power is constructed and maintained through institutional and cultural practices that aim to bolster male superiority through the reinforcement of female inferiority. One such manifestation of the patriarchy is gender. The theory supports that manifestation of such kind are a socially constructed hierarchy which functions to repress female autonomy and has no basis in biology. Radical Feminists also critique all religions and their institutions and other practices that promote violence against women such as prostitution.

9.4 History of Radical feminism?

One of the first theoretical advances of second wave feminism was to separate out biological conceptions of women's identity from socially-constructed ones in order to disprove the notion that biology was destiny and hence, that women's main role was as mothers and caregivers. It was in the 1960's which saw Radical feminism emerging from second-wave feminism and the civil rights movement. Radical feminism began to diverge from other forms of feminism with their belief that the whole system of social and political institutions should be destroyed and rebuilt. Radical feminists emphasized the creation of alternative institutions and women-only spaces. They were involved in cultural initiatives such as women's music festivals. Kate Millet, in her book *Sexual Politics* (1970), writes that the root of women's oppression lies in the sex/gender system, and to eliminate oppression, gender has to be eliminated. This is because through elaborate social sanctions of institutions like religion and family, patriarchy justifies male control by imposing naturalized gendered ideals. Though she looks forward to an androgynous world, she warns against embodying undesirable masculine and feminine traits. The assertiveness to change this oppressive system demanded the radicalisation of the feminist movement bringing the radical feminist to the mainstream.

9.5 Discourse of Radical feminism

Unlike liberal feminists, who view power as a positive social resource that ought to be fairly distributed, and feminist phenomenologists, who understand domination in terms of a tension between transcendence and immanence, radical feminists tend

NSOU N GE-PS-21 _____ 95 to understand power in terms of dyadic relations of dominance/subordination, often understood on analogy with the relationship between master and slave. Like socialist feminists, radical feminists take issue with the individualism of liberalism and argue that personal choices and individual achievement are not enough to transform society. And they locate women's oppression in a broader, societal context. Thus, the initial task which faced early radical feminist thinkers was that of creating a theory which both treated the family as a social institution and recognised its centrality in structuring social life as a whole. Thus, if for liberalism the state, or public law, has been seen as possessing priority in structuring social life, and if in certain interpretations of Marxism the economy, or sphere of production, has been viewed as the base from which might be explained all other social phenomena, so for radical feminism the family, sometimes described as the sphere of "reproduction," occupies an analogous role. From the beginning, radical feminists have been especially concerned with sexual and domestic violence, seeing it as fundamental to women's oppression. Andrea Dworkin, one of the most prominent radical feminists of the 1980s, distinguished herself with her crusade against sexual violence. In one of her most famous speeches, "I Want a 24 Hour Truce During Which There is No Rape," Dworkin implored men in the audience to try to understand the profound fear of sexual violence that women live with every day. This commitment to combatting sexual violence — a scourge that hinders all aspects of women's lives — is admirable. So too is radical feminists' emphasis on large-scale reform rather than small-scale tweaks. Those who work in radical feminism continue to take issue with many of the central tenets of liberal feminism, especially its focus on the individual and the supposedly free choices that individuals can make. Where the liberal sees the potential for freedom, the radical feminist sees structures of domination that are bigger than any individual. Patriarchy itself, according to this view, dominates women by positioning them as objects of men's desire. Radical feminists remain committed to getting at the root of male domination by understanding the source of power differentials, which some radical feminists, including Catharine MacKinnon, trace back to male sexuality and the notion that heterosexual intercourse enacts male domination over women. "Women and men are divided by gender, made into the sexes as we know them, by the requirements of its dominant form, heterosexuality, which institutionalizes male sexual dominance and female sexual submission.

96 _____ NSOU N GE-PS-21 Claiming that an exclusive feminine gender identity is detrimental to women’s development as full human persons, radical libertarian feminists encouraged women to embrace androgyny, i.e., embodying both masculine and feminine characteristics. This claim was challenged by other radical feminists who believed that being androgynous necessarily implied assuming mostly masculine traits, and sometimes the worst of the masculine characteristics. However, they understood that this was an attempt to free women to express and choose their own gender identities. Radical cultural feminists rejected this model of androgyny by suggesting that women should embrace their femininity and celebrate those values that are culturally associated with being women, thus, essentializing the ‘female nature’ that is common to all women, across varied socio-cultural-political contexts. According to radical-libertarian feminist Gayle Rubin, the

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sex/gender system is a “set of arrangements by which a society transforms biological sexuality into products of human activity.

This means that society (associated with patriarchal norms) takes certain biological characteristics of being male and female and converts that into a system of masculine and feminine identities that create a hierarchical power relation between men and women. Masculine traits (assertiveness, independence, practicality, etc) are associated with being a man and these are more celebrated than feminine traits (submissiveness, interdependence, being emotional) that are looked down upon. These societal constructions are naturalized as biological or inherent to individuals and this limits their freedom to express their gender identities if different from their biological identities. The early organisers of radical feminism shared with the rest of the New Left a belief in the systemic nature of much of political injustice. Thus, when these women began to perceive the situation of women as representing a case of this injustice, they employed the adjective “radical” to describe their stance. It signified a commitment to look for root causes. Radical feminists viewed the activities of women who had been involved in existing business and professional women’s organisations as “reformist,” helpful and necessary but fundamentally inconsequential. This view stemmed both from a belief that the criticisms liberal feminism made of relations between women and men in both domestic and non-domestic life did not go far enough, and also, from a belief that liberal feminism had no sense of the importance of gender, and the social relations of domestic life, in structuring all social life. For radical feminism, liberal feminism’s belief in the power of the law to remedy inequalities between women and men testified to a lack of insight into the fundamentality of the “sex-role system,” those practices and institutions which were important in creating and maintaining sex-role differences. Of particular importance was the family, for it was here that biological men and women learned the cultural

NSOU N GE-PS-21 _____ 97 constituents of masculinity and femininity, and learned about the fundamental differences of power which, according to radical feminism, were a necessary component of both. The attention that radical feminists gave to the dynamics of personal relations was accompanied by a belief that attention to feelings and personal experience was a necessary condition for eliminating the present sex-role system. Since the components of that system were embedded in deep and complex ways in daily life experience, it was only through careful examination of that experience that the multiple manifestations of gender could be understood and thus changed. Essentially, radical libertarian feminists claimed that gender is separable from sex, and naturalized gender roles are attempts on the part of patriarchal society's to control women through rigid sanctions. Hence, most of them supported the idea of androgyny as it implied women, (and men) can choose to embody the combination of gender identities and traits at will. While most radical libertarian feminists believed that there should not be any judgment towards sexual practices (as being good, healthy, normal as opposed to bad, unhealthy, abnormal), radical cultural feminists believed that the only unambiguously good form of sexuality for women is monogamous lesbianism. They believed that patriarchy as an institution traps women into heterosexual relationships that need to be severed in order to end sexual oppression.

9.6 Critique of radical feminism Both radical libertarian and radical cultural feminism have been heavily critiqued by each other as well as non radical feminists. Radical libertarian feminism has been criticised for its overemphasis on 'choice'. Critics argue that while the idea of women's freedom to choose is empowering, in reality, their ability to do so is seriously constrained in a patriarchal context. Patriarchy coerces women into upholding patriarchal norms by constraining the range of choices available to them, and creating the illusion of 'free choice', when in reality women are conditioned to act a certain way due to patriarchal social conditioning. On the other hand, radical cultural feminists have been criticized because of essentializing masculine and feminine traits as being universal. Essentialism has been previously used to justify many forms of oppression (racism, colonialism, slavery), and by trapping women into rigid roles, radical cultural feminism falls into the danger of doing the same. Generalising every man as the oppressor and every woman as the victim is oversimplifying the way patriarchy works- through elaborate system of social sanctions and institutions.

98 _____ NSOU N GE-PS-21 Further, this also rejects the nuanced relationship that sexism has with other forms of oppression, such as racism or classism or casteism, in the case of India. In other words, the power hierarchies become unstable when one or more of these axes of oppression are thrown into the equation. For instance, the direction of oppression between a white woman and a black man, or between an upper caste woman and a lower caste man cannot be analysed as simplistically as saying 'all men are oppressors'. By proclaiming universal sisterhood through similar experiences, radical feminism negates the unique socio-cultural contexts that different women come from, thus, being in danger of being representative of only one type of feminism, that of a white, western feminism. It is precisely in this context of essentialism and being perceived as primarily a feminism of white, middle class women, other forms of feminisms such as feminism of colour, postcolonial and third world feminism emerged. The strengths of radical feminism lay in its recognition of the interconnection of sexuality and gender and of their importance in affecting social life, its weaknesses result from its tendency to collapse gender into sexuality and to see all societies as fundamentally similar.

9.7 Conclusion In sum, for radical feminism, women's inferior political and economic status were mere symptoms of a more fundamental problem: an inferior status and lack of power built into the role of femininity. Radical feminism challenged prevailing beliefs that the constituents of this role, such as women's abilities and interests in child-rearing or lack of assertiveness or even the content of women's sexual interests, were "natural." Rather the argument was made that all but certain limited biological differences between women and men were cultural. The constituents of the sex-role system were social constructions, and more important, such constructions were fundamentally antithetical to the interests of women. The norms embodied in femininity discouraged women from developing their intellectual, artistic, and physical capacities. It dissuaded women from thinking of themselves and from being thought of by others as autonomous agents. Whereas "masculinity" embodied certain traits associated with adulthood, such as physical strength, rationality, and emotional control, "femininity," in part embodied traits associated with childhood, such as weakness and irrationality. The norms of femininity created an emphasis in women's lives on achieving the roles of wife and mother whose outcome was a comparable imbalance between men and women in economic and emotional autonomy. Moreover,

NSOU N GE-PS-21 _____ 99 while the norms embodied in femininity often worked against women, the norms embodied in masculinity served to create many unattractive beings, those who too frequently were aggressive, selfish, instrumental in their dealings with others, and unskilled in the arts of nurturance and caring. The source of the problem, according to radical feminism, was to be found in the home and family, where girls and boys received their initial and most primary lessons on the differences between the sexes and where adult women and men played out the lessons that they learned. The lessons of gender differences learned and practiced in the home were in turn transferred to the outside world when women did leave the home. Thus, when women took paid employment, they replicated and were expected to replicate the practices and inferior status of women which were a part of the home. In sum, according to radical feminism, the inferior status of women as political or economic beings was merely the symptom of a problem whose roots were to be located elsewhere. 9.8 Summing Up N Radical feminist thought thus, analyses women's oppression primarily from the understanding of patriarchal control over women's sexuality and reproductive labour. N Radical feminism not only attempts to understand women's oppression and victimhood but also focuses on celebrating womanhood and sisterhood and consciousness raising to negotiate with patriarchal and structural inequities. N Societal constructions are naturalized as biological or inherent to individuals and this limits their freedom to express their gender identities. N Commitment to getting at the root of male domination by understanding the source of power differentials. 9.9 Glossary 1. Radical- If something is considered extremist or very different from anything that has come before it, call it radical. A radical is someone who has very extreme views, so you could say that their views are different from the root up. Similarly, a radical flaw or change is a fundamental one whereas a radical design or idea is very new and innovative.

100 _____ NSOU N GE-PS-21 2. Objectification- Objectification is a notion central to feminist theory. It can be roughly defined as the seeing and/or treating a person, usually a woman, as an object. In this entry, the focus is primarily on sexual objectification, objectification occurring in the sexual realm. 3. Counter culture- A counterculture is a culture whose values and norms of behaviour differ substantially from those of mainstream society, sometimes diametrically opposed to mainstream cultural mores. A countercultural movement expresses the ethos and aspirations of a specific population during a well-defined era. 4. Second-wave feminism- Second wave or second wave of feminist movement was a period of feminist activity, and though it began in the United States in the early 1960s, it lasted roughly two decades. It quickly spread across the Western world with an aim to increase equality for women by gaining more than just enfranchisement. 9.10 Probable Questions Essay Type Questions : 1. Discuss the prime arguments of Radical feminism and its take on oppression eradication? 2. Discuss the issues that radical feminism answered in respect to liberal Feminism? Long Questions : 1. Trace the history of radical feminism. 2. Make a critical assessment of radical feminism based on the arguments forwarded by its critics. Short Questions : 1. Compare and contrast the tradition of radical school with that of socialist feminism. 2. Write a short note on Kate Millet's Sexual Politics. 3. State two ways how radical feminism is different from liberal feminism regarding role of women in society?

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102 _____ NSOU N GE-PS-21 Unit-10 New Feminism
Structure 10.1 Objectives 10.2 Introduction 10.3 Meaning of Neo feminism 10.4 History of Neo feminism 10.5 Difference feminism 10.6 Conclusion 10.7 Summing Up 10.8 Glossary 10.9 Probable Questions 10.10 Further Readings 10.1 Objectives The present unit helps us-- N To know the meaning and context of Neo feminism. N To understand the complementary role of the opposite sexes. 10.2 Introduction Feminism is being re-shaped by its increased articulation through a global discourse of human rights and an increased focus on state interventions. There is an increase in the use of rhetoric that women’s rights are human rights as a framing and justification of feminist action, simultaneous with a turn of feminist activity away from autonomous separatist groups towards their mainstreaming within civil society and the state. Of course, neither the use of the notion of equal rights nor demands on the state are entirely new within feminism, but both the state of the use of universalistic conceptions of human rights, which draw down on global and regional practices and institutions, and the extent of the orientation to states constitute new developments. This raises a number of questions as to how this is to be understood and why it is happening. Globalization has facilitated new spaces, institutions and rhetoric where the notion of universal human rights is a powerful justificatory 102

NSOU N GE-PS-21 _____ 103 principle embedded in specific institutions. Globalization constitutes a new framing for feminist politics that assists the change in discursive presentation and new opportunities for argumentation. Globalization impacts on the nature of feminism especially by creating changes in political opportunities. On a different stratum altogether we have seen an overlapping of the traditional and the modern aspects of feminism with the advent of the new millennium. New Feminism becomes a crucial part of this overlapping and resuscitate the controversial dichotomy of the linear and horizontal progression of modernity and it’s aspects. 10.3 Meaning of Neo feminism New feminism is traditionally attributed to the opponents of the 1920’s suffragette movement claiming that differentiation of the female self from the men women duality and creating an individualist rhetoric will only harm the cause of feminists. The new feminists argue in favour of such measures as family allowances paid directly to mothers, welfare schemes targeted towards the females of the society and increased impetus on female health care within the state. They were also largely supportive of protective legislation and safeguards in the industry. The new feminists in many places have been referred as welfare feminists or welfare suffragists for their encouragement of state based gendered welfare. 10.4 History of Neo feminism In an 180° turn, the Welfare suffragist based new feminism has been taken over by one of the most patriarchal institutions in existence, The Roman Catholic Church. The term New feminism that has been revived by feminists responding in actuality answers to the call of Pope John Paul II’s idea

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for a “‘new feminism’ which rejects the temptation of imitating models of ‘male

and domination’. On the other hand the Pope affirmed that

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in order to acknowledge the true potential of women in every aspect of the life of society

there is a need to overcome all discrimination, violence and exploitation and with it creating an independent narrative of women power and empowerment. The crucible of such a thought is centred around integral complementarity of sexes. Pope John Paul II had begun his theologically-based affirmation of integral gender complementarity in his Wednesday audiences between 1979 and 1984, in what is now compiled as the Theology of the Body. In this work, he describes his belief that men and women are formed as complementary human beings for the sake of loving and being loved. Pope John Paul II continued his call for women to become advocates of humanity

104 _____ NSOU N GE-PS-21 in his Apostolic Letter to Women prior to the 1995 Beijing Women’s conference. Integral complementarity differs from fractional complementarity. In that it argues that men and women are each whole persons in and of themselves, and, together, equal more than the sum of their parts. The concept of fractional complementarity argues that a man and woman each make up a part of a person. The form of integral complementarity supported by the Pope eschews the idea that the relationship between the two sexes isn’t based on the dichotomous relationship of superiority or inferiority. Both men and women are integral part and are cooperative in nature. 10.5 Difference feminism New feminism in the broader corpus of feminism is identified as a form of difference feminism,. Difference feminism advocates the idea that women and men are different in aspects of role as well as identity. There is no competition between both and both exists as coordinated units of the human social structure. It also supports the idea that men and women have different strengths, perspectives substantiating varied roles. Though new feminism supports differentiation of assessment, it supports the contradictory idea of judging the roles based on the premise of holistic equality. New feminism gives equal worth and dignity of both sexes despite differentiation of characteristics and functionality. Certain concepts that make it a distinct trend among feminists is that it recognises biological differences as significant and does not compromise sexual equality. New Feminism holds that women in society should be valued in their traditional role as child bearers which have been vehemently opposed by radical feminists maintaining that women are individuals with equal worth as men; and that, in social, economic and legal senses they should be equal, while accepting the natural differences between the sexes. The acceptance of naturalization of gender roles among sexes is what that has brought the wrath of radical feminists against the new feminists. New feminists support the idea that politics is what that has problematized the feminists movement and in a way discredited it as a reactionary movement rather than progressive stance for equality. To solve this the narrative put forward by the new feminists is that natural roles are dedicated to women due to societal and historical imperatives which is not demeaning of exploitative. Treating the natural roles with respect and keeping them in the same precipice as men is what is required to emancipate the women of the world. Where major trends of feminism support politicization of the gender and political change supporting it’s cause, the new feminists argue that depoliticising of the gendered norms can create real equality with mutual respectability of respective roles. Radical feminists have criticized this stance as imposition of latent patriarchy in the name of

NSOU N GE-PS-21 _____ 105 biological imperative. This is seen as moulding thought process to keep command over the power structure by the association of the exploitative gender and conservative dogmatism of religion. 10.6 Conclusion New feminists claim that men and women are different and that this difference affects the way they live their lives, what they care about, and their strengths and weaknesses. Women can fulfill their vocational calling by acting as spiritual mothers in whatever their occupation: as wife, mother, consecrated woman, working professional, or single woman. Differences between the sexes should never be used to unilaterally discriminate except in cases when a task is contingent upon a person being of a certain. 10.7 Summing Up N With an increased focus on state interventions and a global discourse of human rights, feminisms was reshaped. N The neo feminists were supportive of protective legislation and safeguards in the industry. N

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The term New Feminism has been revived by feminists responding to the call of Pope

John Paul’s idea for a ‘new feminism’. N It is often identified as a form of difference feminism. N It gives equal worth and dignity of both sexes despite differentiation of characteristics and functionality. 10.8 Glossary 1. Third wave feminism- Influenced by the postmodernist movement in the academy,

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third-wave feminists sought to question, reclaim, and redefine the ideas, words, and media that have transmitted ideas about womanhood, gender, beauty, sexuality, femininity, and masculinity, among other things. 2.

Theology- Theology literally means ‘thinking about God’. In practice it usually means studying the sources of Christian belief like the Bible and the Creeds, and exploring the meaning of Christianity for today.

106 _____ NSOU N GE-PS-21 3. Articulation- Articulation (expression) theorizes the relationship between components of social formation or relationship between cultural and political economy. 4. Autonomous- Political autonomy exists when a group of persons or a territory are self-governing, thus not under the control of a higher level of government. 5. Foucauldian- Foucauldian discourse analysis is a form of discourse analysis, focusing on power relationships in society as expressed through language and practices, and based on the theories of Michel Foucault. 10.9 Probable Questions Essay Type Questions : 1. Explain the different ways by which women participation and empowerment can be encouraged in society. 2. How has modern opportunities changed the life of women in public sphere. Explain with examples. Long Questions : 1. Which institution has been blamed to overtake the new feminist phenomenon? 2. What is the difference between equal feminists and difference feminists? Short Questions : 1. What wave is considered the advent of new feminism? 2. Do you think new feminism has enlightened feminism in a new direction? Justify. 10.10 Further Readings 1. Allen, Prudence, "Can Feminism be a Humanism?" Women in Christ : Toward a New Feminism. Ed by Michele M. Schumacher. Cambridge, UK: WBE Publishing Co., 2004. 2. Allen RSM, Sister Prudence (Summer 2006), 'Man-woman complementarity, The Catholic inspiration', Logos : A Journal of Catholic Thought and Culture.

Module - 3 Feminism in Practice

Unit-11

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Feminism in the West Structure 11.1 Objectives 11.2 Introduction 11.3 Early Feminism in the West 11.4 Feminism in the

West: Eighteenth to Nineteenth Century 11.4.1 Liberal Feminism: First Wave 11.4.2 Marxist-Socialist Feminism 11.5 Feminism in the West: Twentieth Century 11.5.1 Liberal Feminism: Second and Third Wave 11.5.2 Radical Feminism 11.5.3 Marxist and Socialist Feminism 11.6 Post Modern Feminism 11.7 Conclusion 11.8 Summing Up 11.9 Glossary 11.10 Probable Questions 11.11 Further Readings 11.1 Objectives N To understand the evolution of the Feminist approach in the West. N To explore the diversities within the Western idea of Feminism and study its variants. 11.2 Introduction Feminism is a concept with complexities and diversities. It has always involved theoretical disagreements and reflected different perceptions and interests of women. Today it has multiple connotations and includes a diversity of approaches with relative focus on different issues. To understand the crux of the feminist approach, we need to examine these diversities. In this context, it is pertinent to use 109

110 _____ NSOU N GE-PS-21 the term 'feminisms' rather than feminism. Despite its multiple connotations and diversities, it can be argued that feminism believes in subordination, oppression and subjugation of women and calls for equal rights and opportunities and a change in this subordination. It differs on the sources and levels of subordination and the means to change it. The origin of feminism lies in the West though there is debate on the exact period of emergence of the feminist approach. Feminism in the West is also a site of disagreements, debates and controversies. Our objective is to explore those debates. The term 'feminist' was first used in 1880s to indicate demands for equal legal and political rights of women. Feminism is often being criticized as a Western approach or an approach that addresses the problems of Western white women only. The idea originated and flourished first in the West but later came to include women and issues of the non-western world too. To understand the evolution of the idea of Feminism, we must study the development of Feminism in the West. Feminism in the West has gone through different changes and phases with each phase focussing on different issues. From this perspective, Feminism can be divided into three waves- First wave, Second wave and Third wave. These divisions are not in terms of time period but in terms of issues that they addressed. Within these three waves, we find different variants of Feminism-Liberal feminism, Radical feminism, Socialist feminism and Postmodern feminism. Each of these variants differ with the other in terms of the broader political ideologies they identify with, their theoretical standpoints and the issues they focus upon.

11.3 Early Feminism in the West Feminist activity in the West initiated in early modern England though the term 'feminist' first came into use in the 1880s. These activities are usually identified with efforts made by women to seek better treatment from men though there exists debate on whether they can be regarded as feminism. The earliest documented expression of feminist consciousness is said to have occurred in the West wherein alternative readings of Christian theology were used to assert the worth of women. In the beginning of the fifteenth century, claims were raised in Europe on educating women and subsequently there developed a Europe-wide public debate called Querelle des femmes. This debate was mainly focussed on education of women and feminine morality and manners and the arguments in favour of women were based on alternative readings of Bible. In 1405, Christian De Pisan published a book, Book of the City of Ladies wherein she documented remarkable contributions made by women since ancient times. This book is regarded as one of the earliest feminist text. England, during the period between sixteenth to eighteenth century witnessed several developments that challenged patriarchal authority

NSOU N GE-PS-21 _____ 111 in social, religious and cultural fields like education, arts, and literary tradition. From sixteenth century there emerged feminist voices in the field of literature. Katherine Philips (Orinda), Aphra Behn (Astrea), Deleriviere Manley, Mary Pix, Catherine Trotter, Mary Astell were all female writers from seventeenth and eighteenth century England who made remarkable contributions in the field of literary tradition. Their work highlighted different woman-identified issues. Women poets in the later half of the seventeenth century took up the subject of female friendship and also wrote passionately about relationships between women. The woman-centric literary tradition of this period was England-based and it also raised the issue of women's education. In the early seventeenth century, the English Catholic reformer, Mary Ward, created a new religious order called the Institute of Blessed Virgin Mary. This institution offered an opportunity to English girls to have free education and thus, expanded the scope of women's education. The humanist philosophers of the Renaissance also reflected enlightened views of women. Inspired by Enlightenment philosophers' focus on reason and rationality thinkers like Mary Astell, Marie de Gourmay, Anna Maria Van Schurman questioned the traditional authority of patriarchy exercised through unreasonable institutions. Akkerman and Sturum have described this seventeenth century feminism as 'rationalist feminism' in Europe. These activities, often termed as 'early feminist' activities in the West, may not have brought crucial legislative changes but they laid the foundation for further development of feminist thought in the forthcoming centuries.

11.4 Feminism in the West: Eighteenth to Nineteenth Century The eighteenth century was the time when the Enlightenment ideas reached their fullest political expression. The ideas of reason, rationality, freedom and individual worth got a tangible form through the French Revolution and the American Declaration of Independence. It was in this backdrop that the first wave of feminism evolved in the West. The first wave of feminism, that was initiated in the late eighteenth century, challenged the idea of individual in the contemporary dominant Western ideology of liberalism. This variant of feminism was called liberal feminism and it was a Western idea. Chris Beasley refers to liberal feminism as a 'broad church' where inspite of all commonalities, variations exist between its different variants [Beasley, 2005]. She has identified three characteristic features of liberal feminism: N Focus on reason and the idea of the universal human N Focus on the status of women as the basis of a just society N Focus on social reforms to ensure to alleviate the status of women

112 _____ NSOU N GE-PS-21 11.4.1 Liberal Feminism: First Wave The liberal feminism of the first wave argued for inclusion of women in the liberal project. Influenced by the Enlightenment philosophy's focus on reason, Liberalism was based on the belief in the autonomy and freedom of individual as a rational agent. Liberal feminism argued that liberalism is a flawed descendent of Enlightenment as this rational individual of liberalism is exclusively male and does not include women and women were considered irrational creatures without any social, economic and political rights like right to education, vote or property. Liberal feminism challenged liberalism's claim of universality and argued for extension of social and political rights to women. The most important proponent of liberal feminism of this era was Mary Wollstonecraft. She is known to be the first major feminist thinker of the West.

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FEMINISM AND THE POLITICS OF INTERPRETATION BY ... (D141208497)

Her A Vindication of the Rights of Woman (1792) is regarded as a

crucial text of liberal feminism where she called for inalienable human rights for women also. An advocate of individual rights, she challenged the idea that women are devoid of the power of reason and have a different set of virtues. She questioned the dominant feminine virtues of her time like frivolity, vanity, sensuousness or sensibility and called for the power of reason. These feminine virtues are a construct that impedes the development of women. Women, to her, are equally capable of reason as men. She wanted women to be given access to equal education with men and social participation to public life. She had a debate with Rousseau on education of women. Rousseau, in his Emile, argued for an education of women that was different from men. Confronting Rousseau's view, she argued that since by nature men and women are equally capable of reason, there should never be different set of virtues for men and women. Liberal feminism wanted equal rights for men and women and believed that this could be achieved through legislative changes. It never challenged the capitalist system and believed that changes in the position of women can be brought through guarantee of rights through legislative changes within that system. It is also called equal rights feminism. The principles of liberal feminism later faced criticism from radical feminism as well as Marxist and Socialist feminism. 11.4.2 Marxist-Socialist Feminism Liberal feminism has been criticized by another tradition of feminist thought in the West- Marxist and Socialist feminism. This tradition has Marxism as its intellectual foundation. By the late nineteenth century, a sharp split was observed in many European states between mainstream feminists with their focus on equality and rights and the Marxist- Socialist feminists who emphasized on class struggle and revolution. Classical Marxism viewed women's oppression as a product of capitalism which can

NSOU N GE-PS-21 _____ 113 be solved only with the abolition of capitalism. It gave primacy to class politics over sexual politics but both Marx and Engels have identified the sexual division of labour between man and woman as the first division of labour in human history. Fredrich Engel's The Origin of Family, Private Property and the State (1884) gave an account of how the origin of class society based on private property led to a transition from matriarchal to patriarchal family and can be regarded as an earliest expression of the origin of patriarchy. He gave a historical-materialist explanation of the oppression of women. As he says, 'The overthrow of the mother's

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right was the world historic defeat of the female sex. The man seized the reign in the house also; the woman was degraded, enthralled, the slave of man's lust, a mere instrument of breeding children'. Following the Marxist

line, Alexandra Kollontai argued that the world of women is divided between bourgeois and proletariat women, the interests and aspirations of which differ from each other. Other than the suffering within a family, there can never be a universal 'woman question' for there can never be any unanimity of aspirations between these classes of women. For women, the solution of the oppression within the family is no less important than achieving political rights and economic independence. The 'woman question' acquired importance in the writings of August Bebel, leader of the German Social Democratic party, who established an official party line on this question in Germany in late nineteenth century. His book *Woman under Socialism* (1878) is considered a key text of the Marxist-socialist feminism in Germany. Bebel agreed with Engels that oppression of women is a product of society and it can only end with a socialist revolution and establishment of a socialist society, where women will have economic independence and all domestic work will be done collectively. But Bebel gave importance to non-economic aspects of women's oppression also like the double standard or sexual morality or the restrictions imposed on women's freedom through conventional female dresses. He also recognized the dual oppression of women through capitalism and patriarchy and highlighted the role of women in socialism. Bebel's ideas were later supported by Clara Zetkin, another leader of the Social Democratic Party, who believed that socialism cannot be achieved without establishing equality between sexes.

11.5 Feminism in the West: Twentieth Century

The twentieth century has been crucial for feminism in the West as the diversities in the feminist tradition flourished and acquired more complexities in this century. This century witnessed liberal feminism and Marxist feminism acquiring new dimensions. There have also been alternative traditions like the radical feminism and post-modern feminism.

11.5.1 Liberal Feminism: Second and Third Wave

Liberal feminism of the first wave inspired the Suffragette movement in Europe and America that initiated in nineteenth century and reached its culmination in twentieth century. Elizabeth Cady Stanton, The Pankhurst sisters, Sarah Grimke, Angelina Grimke were all British and American women who demanded political, legal and economic equality of women with men. John Stuart Mill was also an ardent campaigner for women's economic and political rights. Elizabeth Cady Stanton, the American feminist, was an activist of the American anti-slavery movement and she along with others raised voice against exclusion of women from an anti-slavery convention held in London in 1840. In her leadership the first women's rights convention was held in America in 1848 - the Seneca Falls Convention. The convention made a Declaration of Sentiments and Resolution through which demands were raised for rights of women as citizens to vote, to property, to education, to employment and to public participation in politics and church. Elizabeth Cady Stanton is known for being instrumental in making a trans atlantic network of feminists demanding equal rights for women. The first wave of liberal feminism brought the following changes through legal reforms in different states:

- Rights for women to have admission in medical schools
- Right to have job opportunities in public and clerical work
- Reforms in matrimonial laws ensuring equality of women
- Reforms in laws on sexual morality
- Right to have custody of child
- Right to have ownership in property
- Right to have access in political process

Liberal Feminism of first wave in the West is said to have reached its fullest expression by the first half of the twentieth century. Then there was a period of silence after which the major feminist breakthrough again took place in the 1970s. On first wave of liberal feminism, Betty Friedan said, 'The fact is that to women born after 1920, feminism was dead history. It ended as a vital movement in America with

NSOU N GE-PS-21 _____ 115 the winning of that final right: the vote” [Friedan, 1965]. In her *The Feminine Mystique*, she raised the issue of the emergence of a new feminism of women’s liberation which is more complex than the old feminism of equal rights. This new version of liberal feminism is said to be belonging to the second wave of feminism. While the earlier version of liberal feminism was individualist and reformist, the new one was collective and revolutionary. Focus on collective action was found in the writings of second wave liberal feminists like Gloria Steinem and Beatrice Faust. Equal rights, opportunities and non-discrimination were again demanded in new forms. Friedan founded the National Organization for Women (NOW) in the USA which demanded equal participation in mainstream American society within the framework of existing laws. The liberal feminism of the second wave does not focus upon freedom or equality of individual woman or self-realization of individual woman to put an end to gender-based social hierarchy; rather it focuses on legal and political reforms through collective action. It shares commonality with the first wave on its support for the liberal ideas of equality and democracy and furthering the cause of women through institutional reforms. Waves of feminism are not chronological developments and are often found to be coexisting. Second wave of liberal feminism and third wave of liberal feminism often coexisted with each other. Naomi Wolf, Natasha Walter, Camilia Paglia, Kate Rolphe, Susan Okin can be regarded as proponents of the third wave of liberal feminism, which emerged as a response to radical feminism. In 1993, Naomi Wolf in her *Fire with Fire* gave the idea of ‘power feminism’ and ‘gender quake’ where instead of viewing women as victims of oppression she asserted on independence of women and their power to achieve success. The focus was strongly on individual self-development as the political means to achieve equality and the idea of woman as a rational autonomous individual. The demands were no longer limited to involvement of women in public sphere; rather there were demands for better conditions in employment to make it more compatible with family life and more involvement of men in domestic responsibilities. There was call for a paradigm change in social policy with more role of state in ensuring gender equality and justice through education, employment legislation and child care provisions. A gender just society needs a restructuring of domestic and caring responsibilities and this structuring should be done by public policy.

11.5.2 Radical Feminism Radical feminism is a development of twentieth century. The idea developed as a critique of and a response to the first wave of liberal feminism based on equal

116 _____ NSOU N GE-PS-21 rights campaign. Criticizing liberal feminist position on equality, radical feminism focussed on difference. In 1949, Simone De Beauvoir published *The Second Sex*, known as a ground breaking work on how gender is constructed. “One is not born a woman, but made” , argued Beauvoir [Beauvoir, 1949]. Her main argument was that the main reason behind women’s oppression is their cultural construction as the other. This argument later became the key issue of second wave feminism.

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Kate Millet’s <i>Sexual Politics</i> , Germaine Greer’s <i>The Female Eunuch</i> , Shulamith Firestone’s <i>The</i>			

Dialectic of Sex, Michael Wandor’s *The Body Politic* are all key texts that propagated the idea of radical feminism during the second half of the twentieth century. The key ideas of radical feminism are:

- N Patriarchy is the basis of subordination and oppression of women
- N Position of women can improve only if patriarchy is overthrown
- N Legal reforms cannot bring the desired changes in society
- N Society needs radical change not reforms
- N Whatever personal is political
- N Relation between sexes is power-centric and thus political
- N Focus on difference and not equality between sexes

Radical feminism put forth the idea of patriarchy as a root cause behind subordination and oppression of women in society. Patriarchy is the principle of rule of men. Radical feminism focussed on patriarchy as power-centred political relationship between sexes and believed that emancipation of women cannot be possible within this structure of power-centred relationship. Millett argues that the principle of patriarchy is two-fold – ‘male shall dominate female, elder male shall dominate young’. This sexual domination of male is so universal and complete that it expands over all spheres of life. It permeates our culture and appears as natural to us. It becomes a pervasive ideology through gender socialization from early stages of life. Women are conditioned to believe that they are made for roles in private sphere only while the public sphere is for men. Radical feminism focused on the idea of ‘personal is political’ and contested the idea of public-private divide. Politics does not end at the threshold of home. It is very much existent in personal man-woman relationships. Marriage and motherhood bear the manifestations of patriarchy. Marriage is conceived by radical feminists as perpetuating male domination camouflaged by love. Firestone

NSOU N GE-PS-21 _____ 117 argued 'Love, perhaps even more than child bearing, is the pivot of women's oppression today'. Radical feminism brought to the forefront several aspects of subordination and oppression of women- domestic violence, sexual violence, domestic labour, reproduction, pornography. Catherine Mckinnon and Andrea Dworkin were radical feminists known for their anti-pornography campaigns. The idea of reproductive rights was also advocated by them as rights of women to decide on the time and mode of reproduction. Some radical feminists have also challenged the idea of heterosexuality and called it a political act. 'Woman identified woman' or 'lesbian continuum' are all challenges to heterosexuality as an essentialist principle. With its radical ideas radical feminism made a significant challenge to mainstream political theory and traditions of feminist thought influenced by it and successfully laid the claim that woman should develop their own political theory.

11.5.3 Marxist and Socialist Feminism The classical Marxist position gave primacy to class politics over sexual politics. This classical Marxist position that developed in nineteenth century was contested later by some socialist feminists of twentieth century. Socialist feminists agree with classical Marxism that the oppression of women is rooted in their social and economic life, but they differ on the relative importance of gender and class. Classical Marxists gave priority to class division over sex division and regarded 'class war' as more fundamental than 'sex war'. Women's revolution is just viewed as a by-product of social revolution in which capitalism will be overthrown and socialism established. But socialist feminists of twentieth century questioned this prioritization of class politics over sexual politics and highlighted the discrimination women faced in socialist societies or within socialist parties. Marxist-socialist feminism in West during this period focused on cultural and ideological roots of patriarchy and its link with capitalism. Juliet Mitchell suggested in her Women's Estate (1971) that women perform four social functions: i) they are all

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members of the workforce and are active in production; ii) they bear children and thus, reproduce human species; iii) they

socialize the children; iv) they are sex objects. Abolition of capitalist system is not enough to liberate women. Marxist-Socialist feminism became popular in Britain and America also in the twentieth century. Male domination of socialist politics in Britain was challenged by Sylvia Pankhurst. An active participant of revolutionary political movements in Europe after the First World War, she argued that emancipation of women is linked to emancipation of the working class. She argued for collectivisation of housework and child care and condemned marriage as an unequal economic relation between

118 _____ NSOU N GE-PS-21 sexes where the woman is economically dependent on the man. She supported open relationships based on love. The American Communist Party was founded in 1919 where a handful of women acquired important positions during the 1930s giving rise to debates on feminist issues. Mary Inman, an American feminist of the Marxian tradition, focused on the politics of personal life and domestic labour. She extended Marxist economic categories to include women's domestic labour and to highlight how housework plays an important role in capitalism as it is the process through which labour power is reproduced and maintained. She wanted housewives in capitalist societies to organize and demand for changes in their working conditions. An important feature of Marxist-socialist feminism in America is that within these tradition voices of black women were raised. A group of American black women, who were part of the Communist Party, highlighted the issue that the specific condition of exploitation of poor black women and argued for making their struggle central to any sort of emancipatory movement for women. They insisted that the people who were most exploited in the capitalist societies were black women domestic workers, who were employed by white housewives to do menial domestic chores. They focused on the issue of triple oppression-race, class and gender- of black women in capitalist societies. 11.6 Postmodern Feminism Feminism has many variants most of which thrive on the modern-postmodern continuum. In the earlier section we have discussed feminism with focus on issues of modernity like equality, freedom, rights and justice. They have existed as part of the metanarratives of liberalism and Marxism. But we also have approaches of feminism which can be associated with postmodernism. The ideals and principles of modernity that developed in Europe since the Enlightenment got challenged during twentieth century in the works of theorists like Lacan, Derrida and Foucault. Influenced by postmodern approach, French Feminism focused on issues of different dimension. Theorists like Julia Kristeva, Helene Cixous and Luce Irigaray raised the issue that whether there exists anything particular called feminine or is there any essential femininity based on biology. Postmodern feminism criticized all the earlier feminisms for being universal and based on meta narrative. If gender is a construction, the idea of any essential femininity becomes fluid. If all dichotomies or binaries are constructed, the question of gender becomes linguistic rather than material or social, argues Judith Butler. To her, not only gender but sex is also a product of society and not determined by nature. Society creates the categories of 'man' and 'woman' by

NSOU N GE-PS-21 _____ 119 socializing us and attaching great importance to certain physiological features of our anatomy. Society constructs the idea of masculinity and femininity, which is called gendering. Gender roles, thus, can be undone also. 11.7 Conclusion The different phases of feminism indicates that there have always been many feminisms in the movement. It is, therefore, not just a single ideology to suit all time and conditions. There have always been debates and counter debates which have enriched the ideology with an innate objective to reduce gender discrimination and in promoting equality. 11.8 Summing Up N The present unit, have studied the idea of feminism as it evolved in West with a focus on the diversities and complexities of the concept. Often criticized later as a Western idea, the evolution was predominantly Western as most of the main variants of feminism have developed in the West, particularly Europe and America. N To study the concept, effort is being given for a discussion century-wise with each century having more than one tradition. The nineteenth and twentieth centuries have been most crucial for feminism in the West as in these centuries most of the crucial categories of feminism developing in the West namely liberal feminism, Marxist-socialist feminism, radical feminism and postmodern feminism have been found. N Diversities and critiques have been the major features of feminism in the West as each variant differed as well criticized the other. There have been reformists as well as radicalists, liberal as well as socialists. N Feminist theory reached its highest level in the twentieth century where new dimensions as well radicalism were found. It addressed so many issues that with the end of the century there developed a belief that the movement has achieved all and facing a phase of decline. From this belief, there emerged the idea of 'post-feminism' which argues that most of the feminist goals have been achieved and the movement has no further relevance. But the fact is that patriarchy still exists and asserts itself in new forms. The idea of feminism is longer limited to the West and we must focus on feminism in

120 _____ NSOU N GE-PS-21 the Islamic countries or feminism in Africa. So long as patriarchy exists, feminist theory will never lose its relevance. 11.9 Glossary Patriarchy: A social structure where there is rule by men. It operates through two principles- rule of women by men and rule of younger males by older males. Sexual Politics: A key concept of feminist theory that argues that relations between different sexes in society are power-structured and thus, political. To bring women's liberation, it is necessary to understand the dynamics of operation of sexual politics. Liberal feminism: A type of feminist theory which have challenged the idea of universal human of liberalism on the ground that it is male-defined. It calls for equal political and economic rights for women and argues that subjugation and oppression of women can be changed through legal reforms. Marxist-socialist Feminism: A type of feminist theory that is based on Marxian analysis. It argues that women's oppression is due to the dual operation of capitalism and patriarchy and their emancipation is possible only if capitalism is overthrown and socialist society established. Radical Feminism: A type of feminist theory that views patriarchy as the root cause of subordination and oppression of women. It does not believe that any change can be achieved through reforms and argues for radical change in the society. Power-feminism: A concept put forth during liberal feminism of the third wave .The term was used by Naomi Wolf to mean a type of feminism that emphasizes power of women instead of presenting them as victims. 11.10 Probable Questions Essay Type Questions : 1. Explain the evolution of the idea of liberal feminism. 2. Narrate the development of the idea of feminism in the West during eighteenth to nineteenth century. 3. Write a note on the development of feminism in the West in the twentieth century.

NSOU N GE-PS-21 _____ 121 4. Explain the key ideas of the main variants of feminism in the twentieth century Long Questions : 1. Explain the first wave of liberal feminism as it developed in the West. 2. Enumerate the main argument of radical feminism. 3. Analyse the development of the idea of Marxist-socialist feminism in the West. 4. Examine the idea of radical feminism that developed in West in the twentieth century. Short Questions : 1. Write a short note on early feminism in the West. 2. Discuss briefly, the key features of liberal feminism. 3. Explain the meaning of patriarchy. 4. Write a short note on power feminism. 5. What is the main argument of postmodern feminism? 6. Explain briefly the main argument of post-feminism. 11.11 Further Readings 1. Beasley Chris, Gender and Sexuality: Critical Theories, Critical Thinkers, Sage Publications, 2005. 2. Gamble, Sarah eds., The Routledge Companion to Feminism and Post-feminism, Routledge, London, 2001. 3. De Beauvoir, Simone, The Second Sex, Penguin Books, London, 1972. 4. Naomi Wolf, Fire with Fire, Random House Publishing, New York, 1993. 5. Wollstonecraft, Mary, A Vindication of the Rights of a Woman, T.F.Unwin, London, 1891. 6. Heywood Andrew, Political Ideologies, Palgrave Macmillan, New York, 2007.

122 _____ NSOU N GE-PS-21 Unit-12 Feminism in the Socialist Countries Structure 12.1 Objectives 12.2 Introduction 12.3 The Marxist-socialist argument 12.4 Feminism in Russia 12.5 Feminism in Czechoslovakia 12.6 Feminism in Bulgaria 12.7 Feminism in Yugoslavia 12.8 Conclusion 12.9 Summing Up 12.10 Glossary 12.11 Questions 12.12 Further Readings 12.1 Objectives N To study the development of feminist ideas in the socialist countries N To explore its difference with feminism in the non-socialist world 12.2 Introduction The Marxist line of feminist theory and feminism in the socialist countries are related as Marxism forms the ideological basis of the political system of socialist states. Marxist-Socialist feminism believed that the 'women's question' is a by- product of capitalism and women face oppression due to the dual operation of capitalism and patriarchy. It considered capitalism as a more fundamental reason behind women's oppression and argued that with the overthrow of capitalism and establishment of a socialist society, equality between the sexes will be achieved. This

NSOU N GE-PS-21 _____ 123 argument of classical Marxism was supported by many socialist feminists though some of them later questioned the primacy of class politics over sexual politics. If we study the condition of women in the socialist countries we will find that establishment of a socialist society was not a solution to the problems women faced. The disappointing progress made by women in socialist countries made it evident that socialism could not overthrow patriarchy. An overview of feminism in the socialist countries is crucial to understand the idea of feminism as a practice. 12.3 The Marxist-Socialist Argument Classical Marxist theory has given primacy to class politics in society over divisions over sexual politics. Class divisions in a society are more fundamental than class divisions and class exploitation is deeper than sexual oppression. It recognized the importance of 'women's question' but considered it as a by-product of capitalism. This 'women's question' cannot be separated from social and economic life. Women face oppression in a capitalist society and with the abolition of capitalism they will be liberated from their subordination. Women's emancipation is a by-product of a social revolution that will overthrow capitalism and establish socialism. This position can be found in the ideas of thinkers like Frederick Engels, August Bebel and Clara Zetkin.

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The Origin of Family, Private Property and the State, explained the evolution of the family

from the earliest savage society. He contested the claim that the evolution of family is natural and argued that in the primitive societies sexual relations were free and unregulated and relations between sexes were based on equality and not domination. Women had a superior status in society as descent was calculated in female line. This position of equality changed with development of private property. The overthrow of mother's right was viewed by him as the first historic defeat of women in society. With this, men took command in the home also degrading the women and making them live a life of servitude. With class society women lost their status and can regain it with the abolition of the class society only. The basis for equal relations between sexes evolves within the capitalist society as capitalism demands involvement of more women in the labour. Female paid employment was viewed by him as a progressive force but he recognized the exploitation of women in capitalist societies. Women's liberation, to Engels, is subject to two condition. The first condition is to bring the whole female sex back into public industry and the second condition was the social revolution that would overthrow capitalism and establish an economic system based on common ownership.

124 _____ NSOU N GE-PS-21 Bebel, a leader of the German Social Democratic Party has also been crucial in his ideas on feminism. His work *Women under Socialism* (1878) is regarded as an important document of the Marxist position on women. Like the classical Marxist position of Engels, Bebel also believed that women's liberation is subject to socialist revolution. Only in a socialist society, women can have full economic independence and freedom from domestic responsibilities as domestic work and child care would be collectivised. He gave full importance to role of women in socialism and argued that without active participation of women socialism cannot succeed. He focused on dual exploitation of women in capitalist societies as a labour earning less than men and as a person with the burden of domestic responsibilities. Bebel was the Marxist thinker who recognized the non-economic oppression of women like the norms of sexual morality that are different for women. 12.4

Feminism in Russia The origin of feminist thinking in Russia, as says Valerie Bryson, was during nineteenth century. Feminist thinking originated in pre-socialist Tzarist Russia. It is said that the early feminism in Russia was influenced by feminist thinking in Western Europe. Russia had an extremely patriarchal society with its basis in the Orthodox Church. Men dominated every aspect of personal and public life. To give legal validity to existing patriarchal customary practices, in 1836 a Russian law code was passed by Tzar Nicholas I in which men were given full legal right to control their wives. Women were not allowed any separate civil identity and required permission of their husbands to work, study or travel. Marriage was considered as a career option and women were not given any right to initiate divorce proceedings. Norms of sexual morality were also stricter for women than men. From mid nineteenth century, middle class women in Russia were found demanding right to education, economic rights, right to vote and equal legal rights with men. These demands were raised as part of other broader demands for social reform. The left-wing organizations treated women's issues seriously and alongside demands for social reforms there were also radical women's movements during the late nineteenth in support of equal rights. These movements even used terrorist measures and women became actively involved in anti-Tsarist movement also. This involvement was so keen that the assassination of the Tzar Alexander II was orchestrated and led by a woman, Sofia Perovskaya, in 1881. She was executed and now known as Russia's first woman terrorist. The Bolshevik Revolution took place in Russia in 1917 putting an end to Tzar regime. Inspired ideologically by Marxist ideas, the 'woman question' was a part of

NSOU N GE-PS-21 _____ 125 the socialist question in the new regime established after 1917. Nedezhda Krupskaya, Lenin's wife, was the first to apply Marxist ideas to address the women's question in post-Bolshevik revolution Russia. Following the classical Marxist tradition of thinking, she argued that women's participation in the workforce is progressive and women's liberation can only be achieved through class struggle. She published a pamphlet, *The Woman Worker*, where she highlighted the working condition of both working class and peasant Russian women. Her pamphlet was instrumental in making issues of legal and political rights of women a part of the party programme from 1903. Women's issues were not matters of political priority for Lenin but he also focused on the need to liberate women from the burden of everyday domestic responsibilities. He wanted to make use of technology and public provisions to liberate women from the drudgery of housework. Women have specific needs and problems and there should be separate organizations and methods to involve women in revolutionary politics. He established a separate women's department called Zhenotdel in 1919. It was the women's section of the Central Committee of the Communist Party. The Zhenotdel was entrusted with the responsibility of educating women in socialism and involving them in the revolutionary politics. The Zhenotdel made significant contributions to organization-building and improving political participation of women during the period 1919-1923. It was based on the idea of involving women in their own emancipation and to achieve this goal it worked in close cooperation with the Commissionerate of Health, Education and Labour, Social welfare and Internal affairs to address different aspects of Russian women's lives. Issues of motherhood, abortion, labour rights, prostitution, child care were addressed by the Zhenotdel members and they also published journals highlighting women's issues and women's pages in leading newspapers. It worked both at national as well as grassroots level and helped women get empowered through formation of self help groups of women. Alexandra Kollontai was in charge of the Zhenotdel for a brief period in the 1920s. After the establishment of the socialist state of Soviet Union, Kollontai became the Minister of Social Welfare. With her initiative, the socialist state ensured legal equality of women and guaranteed them reproductive rights by legalizing abortion. But the legalization of abortion was revoked later by Stalin in 1936 to increase birth rate for the purpose of fulfilling the demand for labour. Kollontai also influenced the ruling Communist Party to adopt policies on collective housework and childcare to relieve women from the burden of domestic responsibilities. Initially it was taken but soon withdrawn as other policy decisions took priority over women's liberation. When the New Economic Policy was introduced in 1921, Soviet Union faced disproportionate and rising female

126 _____ NSOU N GE-PS-21 employment, budgets cuts for local party committees resulting in liquidation of their women's sections and budgets cuts in social services like public child care and food preparation services that helped in making women free from the drudgery of domestic chores. Kollontai was removed from Zhenotdel and the ministry and sent on a diplomatic mission to Norway. With her exit, the issue of women's liberation took a back seat and the Zhenotdel focused more on low key issues. Finally, the Zhenotdel was abolished by Stalin in 1929 on the basis that the 'woman question' has been solved. The initiatives for a gender-just society that characterized the early years of the socialist state of Soviet Union gradually declined from the 1920s. With Stalin's rise to power, women who were active politically earlier were gradually removed from important political positions. The Soviet authoritarian state considered the women question as a solved issue and focus was laid on women's role in family rather. There were campaigns to emphasize role of women in a family. The idea of women's liberation from the drudgery of housework, that was once a policy objective, was no longer given any importance. Women were expected to work for a job as well as in the home simultaneously. Women's agenda were only discussed in the context of their familial responsibilities. In the mid 1980s Mikhail Gorbachev introduced Glasnost and Perestroika and Soviet citizens were ensured of greater civil liberties. The dissolution of the Soviet Union in 1989 is often considered as the time for emergence of Russian feminism. With greater opportunities to speak and to be heard, women's organizations raised their voices. Demands were raised on domestic violence law, maternity and paternity leave, abortion rights and post-divorce custodial matters. Several women's groups became active in their protests. The Pussy Riot and the Femen are some of such organizations that operate in contemporary Russia. The Pussy Riot is a feminist punk rock group, which became famous for its protest through performance of a song in the Church of Christ the Saviour in Moscow. The Femen is a Ukraine-based women's group, which has protested sexual exploitation, corruption, homophobia and fascism. 12.5 Feminism in Czechoslovakia Feminism in Czechoslovakia is often conceived as a development after the Velvet Revolution of 1989. Though the Czech history has a long tradition of women's activism that started much before the establishment of the socialist regime, the socialist republic of Czechoslovakia has no major instance of any feminist activism. The Czech land was once part of the Austro-Hungarian empire and there

NSOU N GE-PS-21 _____ 127 was a movement for Czech national revival in the nineteenth century. In this movement women participated actively along with men. There was focus on education of women in their own language and their right to vote. In early twentieth century, when there were movements for civil and political rights of women in the Western world, there were no such activities in Czechoslovakia as Czech women have already achieved them. The first President of Czechoslovakia, Tomas Garrigue Masaryk, was an advocate of women's rights. Radical feminists argue that Masaryk's regime resisted the formation of woman's separate identity as there was no confrontation between men and women. The socialist state that was established in 1948 gave no priority to women's issues. Feminism was considered as a silly Western import which women don't need. Women's participation in labour work force increased but their role in family also increased simultaneously. The equality between men and women was considered an important part of the political programme of the socialistic rebuilding of the Czech society but liberation of women was viewed as dependent upon the liberation of the working class. The Stalinist regime in Soviet Union stopped giving any special primacy to the idea of women's liberation. Influenced by the Stalinist regime of Soviet Union, the socialist state of Czechoslovakia focused on the role of female labour force. But this participation didn't bring any change in their familial responsibilities. With the breakdown of the traditional family structure, collective responsibility of child rearing came to an end. Unlike Soviet Union, Czechoslovakia did not have any provision for state-supported collective child rearing. So the domestic burden on women increased but their share in economic activities also increased. There was also a rise in their level of education. But an independent collective feminist movement failed to develop in the socialist regime of Czechoslovakia as the communist state did not provide any opportunity to raise the question of rights. Feminism was considered as a 'bourgeois ideology' and as women were bound to participate in the workforce, the 'women's question' was perceived to be solved. With higher level of participation of women in workforce and a rise in their level of education, birth rates started declining. The Czech government placed restrictions on abortions affecting women's reproductive rights. From 1960s motherhood incentives were also introduced to increase birth rate. Women's role as natural mothers was valorised. The objective was not ensuring women's rights but induce them for reproduction. The Czechoslovak state-controlled Czechoslovak Women's Union (CSWU) was re-established in 1967. It worked to increase the length of maternity leave, increase welfare services to women and children and

128 _____ NSOU N GE-PS-21 ensure equal pay for and women. The CSWU worked in cooperation with the popular women's magazine Vlasta to raise awareness on these issues. But both were controlled by the centralized Czechoslovak state. Feminist activities were there in socialist Czechoslovakia but they were shaped and controlled by the state. This state- controlled feminism was there in Czechoslovakia from 1948-1989, the period when Czechoslovakia was socialist. The Velvet Revolution of 1989 put an end to the socialist regime and established democratic rights. The women's movement was liberated from state control and acquired new dimensions. 12.6 Feminism in Bulgaria Feminism in Bulgaria also has a similarity with Feminism in Czechoslovakia. It also had an official state-sponsored women's committee and most activities concerned with women's issues were framed and controlled by the committee on behalf of the socialist Bulgarian state. In 1968, the Committee of the Bulgarian Women's Movement (CBWM) was formed by the Bulgarian state to address issues concerned with women. The magazine Zhenata Dnes was the official state women's magazine and it was controlled by the CBWM. This magazine was the platform of communication between the Bulgarian women and the CBWM. The Bulgarian women were encouraged to share their views on domestic issues through the magazine. Since 1944, like Czechoslovakia, the participation of Bulgarian women in the workforce also increased. The economic dependence of women on men declined and their access to education increased. But at the same time like all other socialist states of the time their domestic responsibilities also increased and there was focus on women's dual role as workers and mothers. When the birth rate in Bulgaria started declining in Bulgaria, the CBWM was reorganized to make plans to increase birth rate without affecting women's participation in the labour force. The CBWM encouraged women for reproduction but advocated the concept of shared parenting rather than placing the burden of child rearing on women alone. The socialist state of Bulgaria countered the traditional patriarchal expectations of the Bulgarian society and encouraged men to share domestic responsibilities. The CBWM proposed expansion of state entitlements for mothers that included a new maternity leave policy with paid leave of two years for mothers and counting the time spent in motherhood as labour service in calculation of pension for women. The proposal also included child allowances for women with new born babies, creches at work place and provisions for meals at workplace so that women can carry them to home after work. Bulgaria was much ahead of all other socialist states in making provisions for women that can help them

NSOU N GE-PS-21 _____ 129 to participate in labour force and reduce their burden of domestic responsibilities. Like Czechoslovakia, Feminism in Bulgaria was also state-controlled and state-sponsored. Women's issues were determined from above in the context of other broader issues. 12.7 Feminism in Yugoslavia Yugoslavia had a history of feminist activism during the pre Second World War period when it did not have a socialist regime. When the socialist state came to power, like all other socialist states women's issues were considered dependent upon other broader issues. But feminist activism in Yugoslavia reappeared in 1970s and Yugoslavia is said to have one the most vibrant feminist movement of all other socialist states of that time. The Communist Party in Yugoslavia supported the role of women in the public life but the party was itself dominated by men. From 1970s different feminist groups started operating in different parts of Yugoslavia like Belgrade, Zagreb and Ljubljana. They were active in discussing wide ranging issues like Christianity, patriarchy, family, gender and language. They were called the new Yugoslav feminists. The feminism which reappeared here had a new form and it reformulated the 'women's question'. It provided a critique of the model socialist- state sponsored women's emancipation which was the practice in other socialist states of East Europe. The new Yugoslav feminism provided a feminist critique of socialism. The socialist state guaranteed equality of women with men but the feminist movement questioned this equality in practice. This new Yugoslav feminism had a wide range of activities that include artwork, intellectual discussions, publications and direct political activism. On one hand, it tried to include its agenda in the official policies while on the other, it provided a critique of the socialist state. There were regular feminist conferences in Yugoslavia during the 1980s and help lines launched for abuse victims or victims of domestic violence. Initiatives were also taken to institutionalize feminist knowledge through introducing subjects like women's studies or gender studies in the university curriculum. 12.8 Conclusion The socialist regimes of the above stated countries suggests that the blooming feminist ideas was followed by a subordination of the woman question to the class

130 _____ NSOU N GE-PS-21 struggle. The ushering in of socialism resulted in standardisation in addressing the woman question. Though the socialist governments were committed to emancipation but they seem to have different constraints in implementation particularly when women questions were concerned. However, at the same time what is highly neglected in most of the works on women of socialist regimes lies on the assumption that it was the government alone and not women who were active in doing anything for emancipation. Such an approach in a way undermines the positive role played by the women of the region in promoting sexual equality. 12.9 Summing Up In this unit we have studied the development of feminism in socialist countries. Classical Marxist theory has always given primacy to class politics over sexual politics. So, feminism was not a matter of interest in classical Marxist thought. Feminism has also taken different forms and character in different socialist countries. The socialist states of Russia, Czechoslovakia, Bulgaria or Yugoslavia have witnessed feminist developments but the pattern has differed according to their specific context. 12.10 Glossary Zhenotdel: A special woman's department that was established in USSR in 1919. It was the women's section of the Central Committee of the Communist Party. The Zhenotdel was entrusted with the responsibility of educating women in socialism and involving them in the revolutionary politics. CBWM: CBWM is the Committee of the Bulgarian Women's Movement (CBWM) which was formed by the Bulgarian state to address issues concerned with women. It used the columns of a woman's magazine to communicate with the Bulgarian women. The Bulgarian women were encouraged to share their views on domestic issues through the magazine. CSWU: The CSWU is the Czechoslovak state-controlled Czechoslovak Women's Union (CSWU) which was established in 1967. It worked to increase the length of maternity leave, increase welfare services to women and children and ensure equal pay for men and women. The CSWU worked in cooperation with the popular women's magazine Vlasta to raise awareness on these issues.

NSOU N GE-PS-21 _____ 131 Pussy Riot: The Pussy Riot is a Russian feminist rock group famous for staging feminist protests in different parts of contemporary Russia. The group is based in Moscow and it was established in 2011. The band is also called a protest band. They are famous for organizing performances in public places and voice their protests. They have raised issues like LGBT rights. 12.11 Probable Questions Essay Type Questions : 1. Give an outline of the development of Feminism in socialist countries. 2. Do you think that Feminism has not played a significant role in socialist states? Argue your case. 3. Explain the role of Feminism in the socialist states of Russia and Czechoslovakia. Long Questions : 1. Explain the development of Feminism in Russia. 2. Trace the evolution of Feminism in Czechoslovakia. 3. Trace the evolution of Feminism in Bulgaria. 4. Explain the Marxist-socialist argument of Feminism. Short Questions : 1. Write a short note on Zhenotdel. 2. Mention two features of Feminism in Russia. 3. Mention two features of Feminism in Czechoslovakia. 4. Write a short note on Feminism in Bulgaria. 5. Write a short note on Feminism in Yugoslavia. 12.12 Further Readings 1. Beasley Chris, Gender and Sexuality: Critical Theories, Critical Thinkers, Sage Publications, 2005. 2. <https://web.ics.purdue.edu/~msubrama/Carstens%20Feminism%20in%20Russia-%20Confronting%20a%20Gendered%20Regime%20Final.pdf> 3. <https://core.ac.uk/display/97679697> 4. <https://historum.com/threads/feminism-in-sfr-yugoslavia.178997/>

132 _____ NSOU N GE-PS-21 Unit-13 Islam and Feminism in West Asia Structure 13.1 Objectives 13.2 Introduction 13.3 Feminism in Saudi Arabia 13.4 Feminism in Iran 13.5 Feminism in UAE 13.6 Feminism in Israel 13.7 Conclusion 13.8 Summing Up 13.9 Glossary 13.10 Probable Questions 13.11 Further Readings 13.1 Objectives N To understand the evolution of feminism in West Asia N To analyse its differences with Feminism of the West 13.2 Introduction Feminism in Islamic countries has not developed in uniform pattern. There have been diversities. When Western feminism made its foray into Islamic countries, many Muslims grappled with its colonial and secular undertones. Many of these countries were on the way of gaining freedom from colonial powers and they were uncomfortable with the colonial connotation of Western feminism. The same uneasiness was also there for the ideal of secularism. As a response to this, feminism in Islamic countries took a dual mode. On one hand, there developed secular feminism, mostly practiced by upper class Muslim women while on the other hand, there developed a new variant called Islamic feminism. The term Islamic feminism 132

NSOU N GE-PS-21 _____ 133 was coined in the 1990s. Islamic feminism provides a challenge to Western secular feminism. On one hand, it challenges the Christian modality of Western secular feminism, on the other hand it tries to accommodate the demands of Muslim women with reference to Islam. Like all other non-western feminisms, Islamic feminism also tried to nuance feminism with specific religion and culture. It is often conceived as a reaction to the Western model. Islamic feminists have criticized the traditions and practices of Islam and not Islam itself. Their argument is that though religious texts of Islam were open for interpretation, women in Islam were never given the opportunity to interpret the holy text. They were always subjected to patriarchal interpretation of the text and faced discrimination. Subjugation of women was never a part of Islam and they came into being just as practices associated with the religion. Islamic feminism is based on this argument core values of Islam have principles of equal rights for women but it is the way Islam is practiced that women get deprived of their rights. Islamic holy texts can thus, be reinterpreted and the feminine voice accommodated therein. The patriarchal bias of Islamic traditions is due to misinterpretation of Islamic holy texts. Islamic feminist writers like Fatima Mernissi, Margot Badran, Leila Ahmad, Asma Barlas and Amina Wadud believe that religious text is open for interpretation but women are never given the opportunity to interpret it and are always subjected to male interpretation, which is discriminatory. Islamic feminism can be found in different Islamic countries of the world. West Asia is the region which is predominantly Muslim and follows Islam as its religion. An overview of feminism in West Asia can help understand the position of feminism in the Islamic world. West Asia comprises of the states of United Arab Emirates, Saudi Arabia, Jordan, Lebanon, Iraq, Iran, Turkey, Cyprus, Azerbaijan, Armenia, Israel, Yemen, Oman, Qatar and Syria. 13.3 Feminism in Saudi Arabia Saudi Arabia is a country in West Asia. It follows Sharia law supplemented by some secular codes. Islam is the official religion. Segregation of sexes is followed formally in public places and maintained by the religious police 'mutawa'. All activities in public life are conducted in a way that restricts intermingling of unrelated men and women. Feminist development in Saudi Arabia and demands for equal rights for women is a recent development that specifically initiated in the 1990s. The interest of the Western public, specifically in America, in Saudi women was mainly triggered by the 1991 Gulf War. As Saddam Hussein approached the Saudi border, the United States sent troops to Saudi Arabia to stop another invasion

134 _____ NSOU N GE-PS-21 by Iraq. This was the formal start of the Gulf War which witnessed the largest deployments of female soldiers in American history. The experiences of military women were heavily documented in Western media. These women often reported the restrictions they have to face as compared to their male counterpart. Patriarchal bias of Saudi police was also reported. Feminist advocates and American feminists lobbied to change foreign policies by virtue of which America was patronizing countries that violate basic human rights. In these debates one thing was highlighted that Saudi women is lacking agency and they need the help of Western feminists to achieve equality .The advent of digital technology gave an impetus to women's rights based groups. Several women's rights based groups started developing in Saudi Arabia. Through the digital platform women got the opportunity to exchange their ideas. It is also often argued that with globalization women got opportunities for economic empowerment. There was expansion of work opportunities for women and women's participation in jobs started rising since 1990s. They were found opting careers in the public as well as the private sector. The number of women in workforce rose with most being employed in the field of education and government jobs. Many women took to entrepreneurship also. In the private sector also the areas of finance, manufacturing, retail and business services started having increasing representation of women. This economic empowerment of women had family support also. So, Saudi women were found making a balance between their traditional family roles and economic empowerment. Many Saudi women started expressing their agency through breaking dress code rules or other areas of discrimination while at the same time adhering to religious laws. Use of veil continued but it was made a fashion symbol with more decorations. Saudi women were found combining modern fashion with traditional practices. Feminist was not the preferred term and women activists from Saudi Arabia used the term womanist. They did not question Saudi culture or Islam and argued for alternative reading of religious texts. Space for protest and activism is limited in Saudi Arabia but within that restricted space women were found expressing their agency. Demands for equal rights were voiced in areas of driving and make guardianship. In 2011, Saudi Arabian activist Maran-al.Sharif, posted a video of her driving on youtube. Driving has been an activity which was prohibited for women in Saudi Arabia and this video became the symbol of discrimination women faced in Saudi society. After the video went viral and used by Western media to depict the plight of women in Saudi Arabia, Maran-al Sharif was arrested. She got support from feminists all over the world, who highlighted women's prohibition to drive as an ultimate form of injustice to women. Subsequently, women's restrictions to driving

NSOU N GE-PS-21 _____ 135 were removed. Several other areas of discrimination also came into focus. There was a concept of male guardianship whereby women required male approval for certain activities. Women could be jailed for driving or inciting political dissent but require a male guardian to sign their prison release papers. They can vote but they have to be escorted by a male chauffeur in the car that drives them to the polling station. There is also the practice of wearing an abaya that women use to cover their body. Though there is no law that provides for using the abaya but Saudi women would use it in public places. Western feminists view these as symbols of oppression and some Saudi women prefer not to conform to these practices. But many Saudi women who are advocates of women's rights voluntarily don the abaya or don't object to be driven by male chauffeurs. Contrary to the Western secular version of feminism, they believe that the best way to further their rights is to act within the structure of Islamic law. A growing number of Saudi women are now found using their traditional attire but asserting their authorities at the work place, home or even in the corridors of the government. 13.4 Feminism in Iran Like other countries of West Asia, in Iran also Islamic law forms the basis of the constitution and treats man and woman unequally. Iran has a theocratic state which applies Islamic law to personal, social and political spheres. In 1979 the Pahlavi dynasty under Mohammad Reza Shah Pahlavi was overthrown in Iran and replaced by an Islamic republic under Ayatollah Ruhollah Khomeini. The revolution was led by people representing diverse political and social groups ranging from leftists, nationalists, and Islamists to middle-class women and men and the working class. During the movement, the cleric faction following Khomeini's lead became powerful and casted out other groups. It is often argued that Iran had two revolutions: a populist revolution and an Islamic one. The leftists and liberals were part of the populist revolution that led to the overthrow of the monarchy and gave rise to a republic. However, due to the lack of cohesion and organization, they were marginalized by the Islamic one, and a theocratic state was established in Iran. During the following years, the new regime crushed most of its opponents inside the country. The Islamic Republic of Iran under the leadership of Khomeini approved a new theocratic-republican constitution that applied Islamic law to personal, social, and political areas and made the provision of veil mandatory for women. These changes weakened the position of women and decreased their legal status. The Family Protection Laws, which restricted polygamy and raised the marriage age for

136 _____ NSOU N GE-PS-21 women passed under the previous regime, was abrogated by Khomeini. Women were banned from occupying public office. All public spaces were segregated on the basis of sex. The practice of veil or hijab was made legally mandatory and not following it a punishable offence under Islamic Punishment Law of Iran. Before Khomeini's regime, the Iranian women have achieved certain degrees of gender equality in terms of right to vote, right to have custody of children, right to have maintenance after divorce and right to move to court. Polygamy was also banned in Iran in 1976. But under Khomeini's regime all these provisions were abrogated and women were driven back to the sphere of domesticity. Iranian women continued their fight for equality and it became more prominent after the election of President Khatami in 1997, who had women as a major group of supporters. Although under Khatami's rule there were changes in many discriminatory measures but Khatami was not able to remove the influence of the conservative clerical establishment of Iran and his measures were restricted. In spite of those women were able to make achievements in the field of education and their representation in universities improved. They were also given scholarships to study abroad. In 2002, Women's Studies as an academic discipline were introduced in many universities of Iran. But in 2012, Iran's Supreme Council of the Cultural Revolution changed the name of the discipline to 'Family Studies and Women's Rights in Islam' and subsequently it was removed from the curriculum of different universities. Feminists in Iran were also from both the schools of secular feminists and Islamic feminists. One of the first scholars who started discussing the women's movement in Iran in terms of Islamic feminism is Afsaneh Najmabadi. In her famous essay 'Feminism in an Islamic Republic: Years of Hardship, Years of Growth', Najmabadi considers Islamic feminism as an opportunity for dialogue and debate between Islamic and secular feminists. Though as per Iranian law, women are not equal to men in legal and social status, Najmabadi sees "an incredible flourishing of women's intellectual and cultural productions" in Iran. She highlighted Iranian women's active presence in the diverse fields of artistic, educational, industrial, social, and athletic activities. Although most secular feminists believe that Iranian women have gained these successes despite the Islamic Republic and against Islam as the dominant discourse in the society, Najmabadi does not consider it as a valid explanation for the achievements of Iranian women. After the revolution of Iran, the task of confronting the apparent misogyny of Islam fell on the women who supported the Islamic Republic. This gave rise to efforts to rethink gender and women's status

NSOU N GE-PS-21 _____ 137 in Islam. As a result, many women's organizations and institutions were formed which focused on reinterpretation of Islam. Many journals also came out representing women's views. Zananwas one such journal that represented voices in support of reform. It was founded by Shahla Sherkat in 1992. Sherkat believed that gender equality is Islamic and the religious texts have been misinterpreted by the misogynists. Ziba-Mir-Hosseini is another Iranian woman, who focused her research on status of women in Iran after the revolution. She argued that women's participation in public and politics increased after the revolution as the enforcement of hijab made use of public space by women appear morally correct to the traditionalist society and thereby gave legitimacy to women's involvement in public life. Mir-Hoseini has been a strong Iranian voice of Islamic feminism. One of the problematic laws of Iran is the law on custody which makes a distinction between guardianship and fostering. Guardianship of the child is considered as the natural and automatic right of the father and in his absence the paternal grandfather. And fostering or caring for the children is considered as the natural right of mothers. Mothers do the caring work while the important decisions of guardianship like finance, marriage etc are managed by the fathers. Fathers and paternal grandfathers, on their death, can leave this duty to others. This law has been opposed by the feminists. There have been other discriminatory laws like the law of using compulsory veil or the law that prohibits women from holding position of those judges in the judiciary, who can make judgements. Women are allowed only in the lower rungs of the judiciary, where they cannot pass a verdict. Islamic feminists in Iran are often criticized for not demanding formal equality of sexes in these spheres. 13.5 Feminism in UAE United Arab Emirates is not a democracy. It is a union of several monarchies. Traditionally women are considered the backbone of family life and society and an important part of the country's Islamic heritage and national culture. In the United Arab Emirates, women enjoy the same constitutional rights as men. Under the Constitution, women enjoy the same rights as men regarding access to education, healthcare and social welfare. They also have equal rights to employment. As per the World Economic Forum's Global Gender Gap Report, 2018, the UAE ranks 121 among all the counties with respect to gender balance and this position is higher than other countries of the region like Saudi Arabia, Kuwait, Lebanon, Jordan, Oman or Qatar. Of the four indices of gender inequality, UAE scores most in terms of political

138 _____ NSOU N GE-PS-21 empowerment of women. In the field of political empowerment of women, UAE ranks 68, which is higher even than the USA. To improve her gender balance, in 2015, the UAE formed a Gender Balance Council to make women equal partners in nation building. The establishment of the UAE Gender Balance Council aimed at reducing gender gap in all UAE sectors, public as well as private. It also aims at achieving gender balance in centres of decision-making and strengthening the position of the UAE in the Global Competitiveness reports in the area of gender gap at workplace. According to government figures, while the literacy rate of both women and men in the UAE is close to 95%, participation of women in secondary education and university enrolment is higher than men. In September 2014, the UAE opened the region's first military college for women. The state-of-the-art military college provides world-class training, physical fitness sessions and leadership development. Women in the UAE participate actively in the private sector also. They have equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws. The UAE had the highest number of women on Forbes' 100 most powerful Arab business women with 19 Emirati women on the list. Women business-owners account for 10% of the total private sector in the UAE. There are several active women's organizations in the UA Eliekei the General Women's Union (GWU), Family Development Foundation and the Dubai Women's Establishment. The GWU was established in 1975 by HH Sheikha Fatima Bin Mubarak. The GWU has been a key player in the government's strategy to provide a supportive environment for women. It was established to bring together all the existing women's societies under one umbrella. Since its formation, the government- funded GWU has been instrumental in organizing literacy programmes, vocational training, job placement services and family mediation services for women. It helped women to organize small businesses and become economically independent. It also made suggestions for new laws and amendments in existing laws that would benefit women. 13.6 Feminism in Israel Feminism in Israel can be said to be having three phases. The first wave started in the pre-statehood Yishuv period when women demanded inclusion in the public sphere on equal terms with men. The women wanted to preserve their distinctive identity as women and gain equal civil equality with men. This feminist movement was very popular during the first two decades of the twentieth century when there

NSOU N GE-PS-21 _____ 139 was a movement in the region demanding the right to vote in the Yishuv institutions. Israeli women believed that suffrage could ensure them equality in other spheres. The second wave of feminism in Israel initiated during the 1970s when women's status became a crucial part of the social and national agenda of Israel. In the 1960s the second wave of feminism was very popular in the Western world but Israel remains largely unaffected by this Western wave. Distinct from the West, Israel had its own second wave of feminism. In 1970, Shulamit Aloni, the founder of Citizen's Rights movement returned to Israel. She

92%

MATCHING BLOCK 64/78

W

was the first to ask 'Does Israel need a women's right movement?' In 1972, the first radical women's movement was

initiated in Israel and this period was marked as the second phase of feminism in Israel. As a part of the movement a society was established whose name was 'Women for a Renewed Society'. The appointment of Golda Meir as Prime Minister in 1969 and the economic boom that followed the 1967 war paved the way for entry of more Israeli women into

54%

MATCHING BLOCK 65/78

W

the labour market. It helped expose the myth of equality in Israeli society. Women realized that they were mostly channelized into feminine occupations and were

just secondary players in the workforce. They were also absent from the decision-making level of the economic, social and political spheres. The Yom Kippur War of 1973 constituted a watershed in the feminist movement of Israel. The three weeks of hostilities of the war revealed the full intensity of the gendered role division that existed between men and women and the marginality of women in the public sphere. Women were excluded from

100%

MATCHING BLOCK 73/78

W

the military leadership, the civilian administration, and war production. Many women reported

a feeling of helplessness during the war. However, the feelings of anger and frustration were soon channelled into areas of activity that are considered legitimate for women. These activities include

85%

MATCHING BLOCK 66/78

W

concern for the soldiers, caring for the wounded, the widows, and the orphans. Women cooked and knitted for the men at the front, inundated the hospitals that cared for the wounded, and of course looked after family members who remained at home. The longer the hostilities persisted, the greater became the number of caring and integration roles were

performed by women. The importance of the potential of women in times of crisis was felt.

83%

MATCHING BLOCK 67/78

W

The waste of human capital in a gender-stratified society was felt. The first body to react to the situation was the Israel Defence Forces (IDF). The process of self-criticism carried out by the military high command after the war, combined with the need to strengthen combat units and the increasing use of advanced technologies, led the army to reassess its policy toward women. The adoption of the new technologies, whose operation required trained and high-quality personnel, opened many new military fields to women and afforded them new 140

NSOU N GE-PS-21

100% MATCHING BLOCK 68/78

W

opportunities. Women's functions in the military became more diverse, a trend that has continued ever since.

From the late seventies, feminist organizing in Israel intensified. It has diverse features and comprises different forms of social-feminist endeavours like

84% MATCHING BLOCK 69/78

W

feminist writing, translations of leading international feminist articles, local texts, and a feminist journal, Noga. Shelters for battered women and rape crisis

centres have been established. Various mutual support groups were set up by women.

79% MATCHING BLOCK 70/78

W

A women's party was founded in 1977; though it did not attain the minimum percentage of votes required, it was clearly another milestone in the feminist fight. Alongside the

radical feminist organizations, the Israel Women's Network was established in 1984 which worked in close cooperation with the policy-makers. In 1992, the government established a Committee on the Status of Women which became a statutory committee in 1996. Since

100% MATCHING BLOCK 71/78

W

the last decade of the twentieth century there has been an outburst of voices

of secular as well as religious women, which is often termed as the third phase of feminism.

92% MATCHING BLOCK 72/78

W

Mizrahi women, Palestinian women living in Israel, lesbians, single mothers, mothers of soldiers, women in black, women in green,

and women with political views ranging from right to left became voices of women in the public-political discourse. Everyone raised her voice in her own way. Feminist movement in Israel has grown more diverse preventing the formation of any uniform female identity. 13.7 Conclusion For long, the possibilities for combining Islam and feminist movements were regarded as inconsistent and incoherent through the lens of western epistemology. In an age of multiculturalism, when diversities and differences in culture had received special acknowledgment within a dominant political culture, stereotyping the usage of veil as a symptom of oppression for muslim women has resulted in severe complications over the issue. Again on the question of women's liberty to make their own choices of political and social rights, the fear psyche of Taliban rule in Afghanistan for the second time, has asserted the existence of a strong patriarchal religions culture within Islamic society. However, Islamic culture cannot be used in an uniform manner since its variations is evident and noticed in different Islamic states. What is worth here to note, is that, if interpretations on Islam needs to be reshaped to meet the changing demands of women over time then's it is equally important to review the Islamic feminism independent of existing western biases and its deep ingrained cultural variations need to be reconsidered.

NSOU N GE-PS-21 _____ 141 13.8 Summing Up N Feminism in West Asia has a character which is distinct from feminism in the West. N Within West Asia there are distinct diversities. We have discussed feminism as it developed in some states of West Asia. Feminism has not always been the preferred term in the region and in many states women are found opting for empowerment along with maintaining their traditional and religious customs and duties. N Islamic feminism is mostly used to describe the development of the region with again, Israel being an exception. N Intersectionality is the best way to describe feminism in West Asia where the identity of a woman intersects with her other identities to form a distinctive character. 13.9 Glossary N Islamic World—Commonly known as ‘Ummah’ it usually refers to the Islamic community which consists of all states that adheres to the religion of Islam. N Sharia—Islamic law based on the teachings of the Koran which prescribes the sacred duties and even penalties for law breaking. N Mutawa—It refers to the religious police in Saudi Arabia whose duty is to ensure obedience to the established codes of conduct. N Polygamy—The custom of being married to more than one person at the same time. 13.10 Probable Questions Essay Type Questions : 1. Do you think feminism in West Asia has diversities? Argue your case. 2. Do you think feminism in West Asia has a different character than feminism in the West? Argue your case. 142 _____ NSOU N GE-PS-21 Long Questions : 1. Explain the idea of feminism as it developed in Saudi Arabia. 2. Analyse the idea of feminism as it developed in Iran 3. Do you think feminism in West Asia is abided by the Islamic law? Argue your case. Short Questions : 1. Explain the idea of Islamic feminism. 2. Explain how Islamic feminism differs from Western feminism. 3. Give a brief outline of feminism in Israel. 13.11 Further Readings 1. Al-Dabbagh, May. “Saudi Arabian Women and Group Activism.” *Journal of Middle East Women’s Studies* 11, no. 2 (2015): 235-237. 2. Badran, Margot. *Feminism in Islam: Secular and Religious Convergences*. London: One World Publications, 2013. 3. http://www3.weforum.org/docs/WEF_GGGR_2018.pdf 4. <https://www.uae-embassy.org/about-uae/women-uae> 5. <https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel>

NSOU N GE-PS-21 _____ 143 Unit-14 Social Reform Movements and the Women’s Question in Colonial India Structure 14.1 Objectives 14.2 Introduction 14.3 Abolition of Sati 14.4 Education for Women 14.5 Widow Remarriage 14.6 The New Woman 14.7 Conclusion 14.8 Summing Up 14.9 Glossary 14.10 Questions 14.11 Further Readings 14.1 Objectives N To study how the social reform movement of colonial India addressed women’s issues. N To analyse the role of social reform movement in the upliftment of the social conditions of women in India. 14.2 Introduction In colonial India the ‘woman question’ acquired a central importance during the nineteenth century. The question was not ‘what do women want?’ rather it was on ‘how to modernize them?’. The social reform movements that started taking shape in early nineteenth century India gave primary importance to women’s issues like education, widow remarriage and discriminatory social practices like the child 143

144 _____ NSOU N GE-PS-21 marriage and Sati. Influenced by the Enlightenment ideas and the liberal ideas of the West, the West-educated Indian intelligentsia led the social reform movement in India and the major focus of this movement was the uplift of the status of women and ensuring them equal opportunities in different spheres of life. So the women's issues acquired a position of importance in the social reform measures of the nineteenth and early twentieth century India. The experience of the colonial rule is considered as having a formative influence on the feminist movement of the nineteenth and early twentieth century India. The nineteenth century was a period when justices and injustices done to women became major issues and were organized movements to alleviate the conditions in which Indian women were living. An interesting feature of the social reform movements of the early nineteenth century was that the attempts to bring changes in the lives and status of women were mostly led by men. Women were the subject and they did not have agency. By the late nineteenth century women started joining the movement as wives, sisters and daughters of the male protagonists or as women affected by the reform measures. By early twentieth century, autonomous women's organizations were formed and women's movement in India acquired an activist role. The male reformers played an important role in upholding and advocating for the 'woman question'. In Bengal there Iswar Chandra Vidyasagar championed the cause of female education and led the campaign to legalize widow remarriage. Raja Rammohan Roy, a pioneer of the Brahmo Samaj was active for abolishing Sati. Keshav Chandra Sen, another leader of the Brahmo Samaj, sought to bring women into new roles through schools and other experiments in the style of living. Swami Dayananda Saraswati, the pioneer of Arya Samaj, advocated for female education and condemned discriminatory practices like dowry and polygyny. Among Muslims, Kwaja Altaf Hussain Ali, Shaikh Mohammad Abdullah, Syed Ahmed Khan, Shakhawat Hossain supported the cause of educating women.

14.3 Abolition of Sati The nineteenth century has been defined as 'an age of women' by Radha Kumar. It is called an age of women all over the world because in this period the rights of women, the wrongs done to them, their capacities as well as their potentials became subjects of discussions. In Europe feminist consciousness started becoming popular during the French Revolution and by the end of the eighteenth century it has spread its wings to Russia also. In all these states, the 'woman question' became an important issue. In India, the injustices done to the women became subject of interest

NSOU N GE-PS-21 _____ 145 to the social reformers of the nineteenth century. The social reform movements of this period was mainly in Bengal and Maharashtra and the 'woman's question' also became a crucial issue in these states. As parts of demands for social reforms, there were campaigns against caste, polytheism, idolatory, purdah, child marriage, and sati. They were considered as reflections of pre-modern identity, which needs to be reformed for the establishment of a modern civilized society based on egalitarian principles. The social reform movements of this period were not uniform as different campaigns were there at different points of time and different issues were addressed. Some of these campaigns and some of these issues were focused on women. The introduction and spread of British education in India created an Indian intelligentsia who were dedicated to the principles of liberty and equality. Rationalism, evolutionism and utilitarianism were ideas that were very popular in nineteenth century Britain. Influenced by these ideas, the Indian intelligentsia initiated campaigns in support of certain social reform measures in Indian society. Bengal and specifically Calcutta became an intellectual centre and there started a process which was called the Bengal Renaissance. In this period there started the Young Bengal Movement. Under the Young Bengal Movement, different groups were formed who concentrated mainly on defying caste hierarchies by encouraging and participating in practices like eating meat, drinking wine or attempting to reform women. Several issues and campaigns concerning women were initiated during the early nineteenth century. Of these various issues, two of the earliest issues were introduced by the same group of people. The importance of educating women and the abolition of Sati were these issues. The importance of educating women was first discussed publicly in Bengal by the Atmiya Sabha. The Atmiya Sabha was founded by Raja Rammohan Roy in 1815. In the same year he wrote the first text in which he attacked the practice of Sati. The campaign for abolition of Sati got support of the colonial government instantly and law was enacted soon in this regard. The movement for women's education continued for a long time with many Indians participating in it over the period. Rammohan Roy is regarded one of the first Indians who campaigned actively in favour of abolition of Sati. But British missionaries and the colonial government have from the late eighteenth century cited it as a practice reflecting Hindu barbarism and as a reason that justifies the British rule as a civilizing mission. In spite of depicting it as a barbaric practice the British Parliament was initially reluctant to pass legislation in this regard. The issue even became an issue of contention among the British politicians with the conservatives supporting non-

146 _____ NSOU N GE-PS-21 interference and the liberals campaigning for legislative action. The Liberals were divided into the Radicals and the Evangelists with the latter interested in the construction of a cruel and barbaric native in need of the civilizing mission of the Christian evangelists. The Liberals wanted a support from the community that was practicing Sati and with Roy and others initiating the campaign; they got the support they were asking for. In 1817, Mrityunjaya Vidyalamkara, the Chief Pundit of the Supreme Court announced that Sati has no shastric sanction. In 1818, the provincial governor of Bengal, William Bentinck, prohibited Sati in his province. The abolition of Sati act was finally passed in 1829, when William Bentinck became the Governor General of India. There were protests from the Hindu orthodoxy and in 1830 orthodox Hindus in Calcutta formed the Dharma Sabha to campaign against the act of abolishing Sati. By the end of the nineteenth century there was the presence of a strong reformist ideology. The position of women in this ideology was retained throughout the twentieth century. Indian women were conceived to be in misery. This view of pity towards Indian women became a major component of the Western critique of Indian society. Humanitarianism was considered as the basis of social reforms. Influenced and inspired by the Western ideas, many reformers like Raja Ramnohan Roy, Pandit Vidyasagarr and Swami Dayananda Saraswati wanted India to recover from her dark age and revive the golden age. Social reform measures were considered as being in harmony with natural law and reason. Customs like child marriage and polygyny were considered as not being in harmony with nature and nor regarded as rational. There is a body of scholarship which argue that the colonial power influenced anti-abolition movement might have created a myth of an existing practice of Sati, which did not exist in reality. Doubts were casted in the numbers of Sati. It was also argued that it is strange that most of the Satis were reported from Bengal with Ashis Nandy calling it the Bengali 'epidemic' of Sati. Scholars like Anand Yang has pointed out that a considerable proportion of Satis recorded in early nineteenth century Bengal were of women who killed themselves years after their husbands have died and it may be due to other reasons rather than the cause of Sati.

14.4 Education for Women The movement for women's education was another part of the social reform movement of early nineteenth century. The first school for girls was started by the English American missionaries in the 1810s. In 1819, a text on women's education

NSOU N GE-PS-21 _____ 147 was written by Gourmahan Vidhyalankar and published by the Female Juvenile Society in Calcutta in 1819. Several other schools were opened in the vicinities of Calcutta in the next decade. By 1827, many girls schools were opened by the missionaries in the Hooghly district. The Ladies Society for Native Female Education also opened schools for women. By the mid nineteenth century, women's education became an issue that was campaigned by the members of the Brahmo Samaj and even Muslim women got enthusiastic in getting education. Hindu and Brahmo schools for girls were opened. Radha Kumar argues that while poor women attended schools opened by the missionaries, women from upper castes attended the schools by Hindus and Brahmos. There even started campaign for adult education for women or offering services of education to women at home for those who cannot attend schools. This was called home education and though the endeavour was started by the missionaries, it was soon followed by the Brahmos. Special curriculum were adopted for this practice of home education. Bethune school was opened in Calcutta in 1849 and in 1882 the Indian Education Commission (Hunter Commission) the progress of education in India. In the interim period several efforts were made to develop primary school for girls and teacher-training institutions. But higher education for women and co-educational institutions, argues Geraldine Forbes, were still debatable issues. Hunter Commission report pointed out that 98 percent of school age girls were still not in school and recommended more grants for opening schools for girls than for boys. In the next two decades of the nineteenth century, higher education for women expanded rapidly. So, while in 1881-82 there were only six women in the Indian universities, by the end nineteenth century this figure went upto 264. Secondary school enrolment of girls also increased significantly from 2054 to 41,582. Geraldine Forbes argues that the story of women's education in India following the Hunter Commission till the end of the nineteenth century can be best told through the work of three great educationists-Pandita Ramabai, Mataji Tapaswini and D.K Karye. Pandita Ramabai was part of the social reform movement. She started the Sharada Sadan in Bombay and Poona. She was a pioneer in women's education and a champion of women's rights. She worked with the Arya Mahila Samaj to educate women and focused on the need to have more women doctors and teachers. In 1889, after receiving education from England, USA and Canada, she started the Sharada Sadan, a school for widows. In the Sharada Sadan, all the caste rules of Brahmins were observed, which attracted high caste Hindu widows to the school. Though Pandita Ramabai was later accused of converting widows to Christianity in her school, she was successful in bringing changes in the lives of Hindu widows of

148 _____ NSOU N GE-PS-21 Maharashtra. She herself was a Christian and she denounced the caste practices of Hindus. In 1897, she started a second school called Mukti in a place called Kedgaon near Poona. There was a famine in Maharashtra during that period and women and child victims of the famine sought refuge in Sharada Sadan. To accommodate the larger number of inmates in Sharada Sadan she started the second school at Kedgaon. This school accommodated 2000 women and children. It provided industrial training to the inmates. Ramabai designed a unique educational programme to suit the needs of the inmates. Literature, physiology, botany, printing, carpentry, masonry, tailoring, wood-cutting and weaving all became parts of the curriculum. Funding for her Mukti came from an American organization. Mataji Tapaswini's contribution to women's education was different from that of Pandita Ramabai. She founded the Mahakali Pathshala of Calcutta in 1893 and was considered as an Indian attempt of making provision for women's education. The school had many branches which imparted education to women on what was later called 'the nationalist line'. These schools had no foreign assistance or foreign teachers and they did not advocate the idea of co-educational institutions or common curricula for boys and girls. Their objective was to educate Indian girls on national lines and regenerate the Hindu society. Mataji Tapaswini wanted to impart female education in Harmony with Hindu religious and moral principles. To her, education for women should be based on a syllabus that included sacred literature and history, myths and legends that spoke of duties of mother, daughter, wife and sister. Education should enable women to be better members of the Hindu society. Though the people associated with Mahakali Pathshala had differences with the liberal reformers, they too believed in the importance of female education. D.K. Karye was known for starting schools for widows in Poona in the 1890s. He was associated with the social reform movement of this period and founded the first school for widows in 1896 in Poona. He viewed education as a medium of empowering widows and making them self-sufficient. He also designed a curriculum for his school which could make the widows employable and self-sufficient. Apart from widows, he also started a school for unmarried girls. The curriculum for unmarried girls was different. While the objective of widow's education was employability, the objective of education for unmarried girls was to train them to be good wives, mothers and neighbours. Karve was not an advocate of widow remarriage; rather he supported economic independence of women. In 1916, Karve started another institution for women, which was the Women's University. This university

NSOU N GE-PS-21 _____ 149 was later adopted by Sir Vithaldas Thackersey and renamed after his mother as Shreemati Nathibai Damodar Thackersey Women's University or the SNDT University. Another crucial effort of women's education was made in the early twentieth century by Begum Rokeya Sakhawat Hossain. She was the pioneer of education for Muslim women in India. She started a school for Muslim girls in 1909 in Bhagalpur district of Bihar. Later she closed this school and opened the Sakhawat Memorial School in Calcutta in 1911. Supported by her husband, Syed Sakhawat Hossain, Begum Rokeya got education in Urdu and English and published articles, short stories and novels at a very young age. She believed that neglecting female education would ultimately threaten Islamic culture. She wanted to make women conscious of their oppression and conceived education as a means of doing that. The schools started by Begum Rokeya maintained provisions for purdah and female seclusion. Arrangements were made to transport girls to and from the school in carriages with curtains and students were allowed to cover their head inside the school. In the curriculum that was taught in Begum Rokeya's school practical subjects like handicrafts, home science and gardening were included. There were also provisions for physical training of girls in the school. Radha Kumar has pointed out that by the end of the nineteenth century, several strands were visible in the social reform movement that differ on why women should be educated and what their education should comprise of. On one hand, there were demands for education in English language where reformers wanted English behaviour and manners for the women. Bombay Parsi Framji Bomanji was very vocal in English education for women. Keshav Chandra Sen preferred Bengali literature and Brahmo religious instructions in the curriculum for girls of his schools and home education groups. His schools taught cooking, sewing and nursing to the girls. Iswar Chandra Vidyasagar did not favoured religious instruction but wanted Sanskrit and Bengali in the curricula of his schools for women. Syed Ahmed Khan, a pioneer of Muslim social reform movement, wanted home education for Muslim women and was strictly against any sort of anglicisation of Muslim girls through English education. Dayananda Saraswati and his Arya Samaj held both Hinduism and Islam responsible for degradation of women in India and wanted education for girls in secular lines. He differed from many of his contemporaries on the view that women should be educated so that they can be better mothers and wives. To him, women's education should be a path to virtue. Education following the Vedic texts was also advocated by the Tattavabodhini Sabha formed by Rabindranath Tagore in 1839. The Sabha preferred reading of the Upanishads over any other religious texts.

150 _____ NSOU N GE-PS-21 14.5 Widow Remarriage The deplorable condition of Hindu widows led the reformers work on reforming on discriminatory Hindu customs and resist the degradation of women. There have been diverse responses from the social reform movement on the question of condition of widows. Vidyasagar wrote a tract supporting widow remarriage in 1855 in which he claimed that this practice was permissible in Kaliyug. He was supported by many as well as opposed by many and even subjected to abuse and insult. He urged the British to legislate on the matter and also collected signatures in support of his appeal. Finally, the colonial government passed the Hindu Widow Remarriage Act in 1856. Despite effort by Vidyasagar and legislation by the government, widow remarriage was not approved by the larger society. In the 1890s it was reported that even forty years after the act, the number of widow remarriages in India was barely five hundred. Widows were continued to force to relinquish their jewellery and food habit. Young widows were often victim of lust of men and many of them landed in brothels. In 1869, a report was published in the Amrita Bazaar Patrika, which claimed that ninety percent of Calcutta's prostitutes were widows of whom a large number were from upper caste Hindu families. Remarriage was also used as an excuse to deprive them of their rightful share of inheritance. Another reformer who fought for widow remarriage was Kandukuri Virasalingam Pantulu. As a member of Brahma Samaj and Prarthana Samaj he supported the idea of purifying religion by eliminating inhuman customs. He made widow remarriage and female education the key points of his programme for social change. The widow remarriage campaign led by Virasalingam brought the Western-educated Telegu people into social reform activities. 14.6 The New Woman The social reform movement of the nineteenth century changed the way Indian women were living their lives. By the end of the nineteenth century there emerged a group of women who were educated, liberated and mobile. They were not merely good wives and mothers but were actively visible in public life. These were the 'new women' of the nineteenth century who benefitted from the 'woman question' of social reform movements. They were educated, either at home or in schools. There were women who were married at a later age or women who continued their education after marriage. They also started experiencing increased opportunities to express their individuality. Women developed a voice of their own and started

NSOU N GE-PS-21 _____ 151 reading, writing and publishing on a regular basis. Pandita Ramabai, Begum Rokeya or Sarala Devi Caudhurani were examples of this breed of new women. 14.7 Conclusion Social reform is not meant the same way as it did in the West. In the West social reform primarily meant a reorganisation of the entire structure of society with a view to improve the conditions of the under privileged. In India, social reforms was more an infusion into the existing social structure of newer ways of life and behaviour. So social change in India was gradual and was mostly initiated by the upper class. However, social reform movement in India was not an isolated phenomenon. It had much wider national and political implications. It provided a strong impetus to nationalism in India though its practical appeal remained confined to urban population in India. 14.8 Summing Up N The social reform movement of the nineteenth century encompassed the 'woman question' and played a crucial role in changing the lives of women. As part of the reform movement there were efforts to reform Hindu customs and practices that discriminated or degraded women and also initiatives to make women educated and in some instances, economically independent. N Abolition of Sati, education for women and widow remarriage were the prominent issues that became part of the 'woman question'. Apart from these issues there were also issues of rehabilitating prostitutes, child marriage and debate over the age of consent. N The pioneers of the social reform movement fought for justice for women through legal measures. N The 'woman question' was relegated to the spiritual sphere by the nationalists in the twentieth century. The new and reformed women who emerged from the nineteenth century moved forward to set up their own organizations. 14.9 Glossary Sati: Sati or Suttee is the act or custom whereby a Hindu widow burned herself on the funeral pyre of her husband. The act was supposed to be voluntary. It was considered a prevalent practice of among upper caste Hindus against which the

152 _____ NSOU N GE-PS-21 reformers as well as the British voiced their views. Though a body of scholarship expresses doubt on the frequency of occurrence of sati and considers the figure as a myth created by the colonial powers to justify their missionary zeal. Brahma Samaj: The Brahma Samaj is a monotheistic reform movement of the Hindu religion, which stood against orthodox customs and believed in the existence of a single god. The phrase means a society of worshippers of one true God. The movement was started in 1828

by Raja Rammohun Roy and his friends by opening a place for worship

at Chitpore, Calcutta. Prior to that in 1815, he has started a society of friends called Atmiya Sabha for discussion of religious truth and translation of Sanskrit monotheistic treatises. The movement gained momentum when Keshav Chandra Sen joined in 1857. Arya Samaj: The Arya Samaj was a reform movement within Hinduism. It was started in 1875 at Bombay by Swami Dayananda Saraswati. The objective was regeneration of the Vedic texts and based on those initiate programmes of social reform. The Samaj was against caste practices, child marriage and idolatry. It worked for female education as a part of social reform measures. Tattwabodhini Patrika: The Tattwabodhini Patrika was a journal of the Tattwabodhini Sabha. The Tattwabodhini Sabha was a splinter group of the Brahmo Samaj, established by Maharshi Debendranath Tagore in 1839. In 1843, it started a journal called the Tattwabodhini Patrika. 14.10 Probable Questions Essay Type Questions : 1. Analyse the 'woman question' in the social reform movement of colonial India. 2. Do you think the social reform movement of colonial India adequately addressed the 'woman question'? Give arguments in support of your answer. Long Questions : 1. Analyse the contribution of the social reform movement in abolishing sati. 2. Examine the contribution of any three pioneers of women's education in India.

NSOU N GE-PS-21 _____ 153 3. Do you think the 'woman question' was part of the social reform movement of the nineteenth century? Argue your case. 4. Examine how education of women was emphasized by the reformers. Short Questions : 1. Write a short note on the movement for abolition of sati. 2. Give a brief outline of Pandita Ramabai's contribution to women's education. 3. What was Begum Rokeya's contribution to the education of Muslim women in India? 4. Give a brief outline of Raja Rammohan Roy's contribution to the abolition of sati. 5. Give a brief outline of Vidyasagar's role in widow remarriage. 14.11 Further Readings 1. Kumar Radha, The History of Doing, Zubaan, New Delhi, 2007. 2. Forbes Geraldine, Women in Modern India, Cambridge University Press, 2007. 3. Khullar Mala (ed.), Writing the Women's Movement: A Reader, Zubaan, 2005. 154 _____ NSOU N GE-PS-21 Unit-15 Women's Movement in India Structure 15.1 Objectives 15.2 Introduction 15.3 Women's Movement in post-independent India: 1950s and 1960s 15.4 Women's Movement in post-independent India: 1970s onwards 15.5 Women's Movement of the Nineties 15.6 Conclusion 15.7 Summing Up 15.8 Glossary 15.9 Probable Questions 15.10 Further Readings 15.1 Objectives N To understand the changing issues and concerns of the women's movement in post-independent India. N To analyse the role of the women's organization functioning for the emancipation of women in India. N To introduce the complexities and debate ensuing within women's movement in post independent era. 15.2 Introduction The idea of feminism is said to have originated in the West with the liberal feminists asserting their demands on the suffrage issue and the issue of women's education. Since then it has traversed a long way with significant changes in its issues and concerns. Today it is better to say 'feminisms' rather than feminism. Now if we focus on India, we can find here women's activism and awareness of women's issues since the nineteenth century simultaneously with the development of liberal 154

NSOU N GE-PS-21 _____ 155 feminist ideas in the West. Though initially inspired by the liberal school of thought, women's movement in India has never blindly followed the footprints of its Western counterpart. Rather it has developed a dynamic and distinct character of its own according to the local socio-political, socio-economic and cultural condition. A brief overview of the trajectory of the movement would show how it has been responsive to the broader issues. The history of women's movement in India is said to have passed different phases or 'waves'. The first phase began in the early nineteenth century as a part of the social reform movements and continued till the first half of the twentieth century. Radha Kumar held the view that from the early nineteenth century there arose the issue of deplorable condition of Indian women and the need to change them through reform. By the early twentieth century the emphasis shifted to stressing on women's rights to be treated as useful members of society and by the late twentieth century the emphasis further shifted to the demand that women should have the power to decide their own lives. The first phase of the women's movement witnessed campaigns for social reform and the issues related to women were addressed within the broader agenda for social change. The early nineteenth century social reform movements, supported by the colonial government addressed the 'woman's question'. The main argument was that women's difference from men does not justify the suffering and subjection of the former and their condition needs to be reformed through legal and social changes. This period witnessed some significant legal reforms like abolition of sati and provision for widow remarriage. There were also strong campaigns supporting women's education. The early twentieth century was the phase when women's activism took a concrete shape and several women's organizations were formed like the Bharat Stri Mahamandal, Women's Indian Association and the All India Women's Congress. These organizations heralded the emergence of a rudimentary women's movement in India. Entry into the nationalist struggle for freedom marked the period between 1930s to 1947. Women were motivated to serve the nation with their abilities to nurture and care. 15.3 Women's Movement in post-independent India: 1950s and 1960s Women's participation in the nationalist movement created the preconditions for the growth of a critical consciousness that found expression in the radical recommendations made by the Women's Sub-committee of the National Planning 156 _____ NSOU N GE-PS-21 Committee set up by Nehru in 1939-40. This committee comprising of women active in the nationalist movement was formed to study and draft a plan to improve Indian women's status in the planned economy of free India. It wanted development of women based on the ideal of equality and just society and stressed the importance of social as well as economic planning in uplifting the status of women in India. Though the committee report was a landmark document, it did not receive any importance in post-independent India. During the immediate post-independent period, programmes for women were undertaken by the state and the focus was on women's welfare. Women from diverse groups came forward to explore avenues for socio-economic mobility or a search for new identities in the new democratic set-up. The Constitution guaranteed them new rights and the exercise of these rights came into conflict with the patriarchal values of society. During the first two decades after independence except for the spirit of protest build up before the passage of the Hindu Code Bill of 1956, there was not any remarkable agitation on women's issues. The women's movement got fragmented and the women's issues gradually disappeared from the political agenda. The 1950's and 1960s were decades when the state-led developmental model was having its heyday and the nation enjoyed a hegemonic status in the eyes of its citizens. This period is often referred to as the silent period of the women's movement. 15.4 Women's Movement in post-independent India: 1970s onwards The 1970s witnessed a renewal of concern for women's issues. The United Nations mandate given to governments of all member countries to critically assess the status of their women led to

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the formation of the Committee on the Status of Women in India (CSWI).

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CSWI comprised of activists, academicians and members of Parliament. The report of the CSWI was called 'Towards Equality', which is regarded as the founding text of women's movement in India. It highlighted gender inequalities reflected through the imbalanced sex ratios and constraints experienced by women as a result of socio-cultural institutions like dowry, polygamy and child marriage. It also identified discriminatory legal frameworks and economic practices that did not recognize the contribution of women, an educational system that was not equally accessible to women and a political system that did not promote women's participation adequately. The women's movement in India since 1970s onwards is also viewed as one of the many efforts of reassertion of citizens' claims

NSOU N GE-PS-21 _____ 157 to participate as equals in the political and developmental process. The main concerns of the movement were based on the issues brought to the forefront by the CSWI report. Agnihotri and Majumdar points out that in contemporary India, the resurgence of the women's movement should be examined in the light of: 1) The crisis of the state and the government culminating into emergency; 2) The post- emergency upsurge in favour of civil rights; 3) The mushrooming of women's organizations in the early 1980s and the arrival of women's issues on the agenda. From its earliest phase in the late 1970s one of the major issues addressed by the contemporary women's movement has been violence against women. One of the first cases that came to limelight in the late 1970s was the rape of a poor Muslim woman, Rameeza Bee, in Hyderabad in 1978. Rameeza Bee was a poor Muslim woman, who while returning home with her rickshaw puller husband, was picked up by police and accused as being criminals. Rameeza Bee was raped in the police station and when her husband protested, he was beaten to death. The incident created serious repercussions among the masses and there were severe protests from all over Andhra Pradesh that demanded action and even resignation of the Chief Minister. There were protests from diverse groups and everywhere the issue was highlighted as a women's issue. Several women's organizations actively participated in these protests. In 1980, another incident of rape became subject of serious protests by women activists. It was the custodial rape of Maya Tyagi in Uttar Pradesh and in this case also the husband was killed and before rape the woman was made to strip and parade naked. Women activists from all over the country responded immediately and the government was forced to set up an enquiry commission to probe the incident. In 1979, the Supreme Court judgement in the Mathura rape case consolidated women's groups all over the country on the issue of rape as a form of violence against women. In Maharashtra, a young woman called Mathura was raped by two policemen who were found guilty by the High Court. Later the Supreme Court acquitted them and even held that Mathura has submitted to the rape. Women's groups all over the country protested this move. It was highlighted that rape violates human rights of women under the law and the Constitution. Women's groups in Mumbai took the initiative to protest and a series of coordinated demonstrations were held in various other cities. These groups demanded action and accountability of the government and expressed their solidarity with victims of other similar cases. Several other incidents, which have erstwhile remained outside the public eye, came to the forefront. The demand was to change the law on rape, which have not changed since the last one hundred and fifty years. The state responded to the demands and the Law Commission was charged with the responsibility of drafting a new legislation. The Law Commission made a

158 _____ NSOU N GE-PS-21 comprehensive document incorporating some of the observations of the women's groups. Scholars like Urvashi Butalia points out that when the legislation was finally accepted by the Parliament in 1983 it was found it was a much diluted version of what was actually demanded by the women's groups. The activism that centred around Mathura rape case represented the resurgence of organized women's activism in post-independent India. Bombay became the centre of protest against rape and a forum was set up in 1981, called the Forum Against Rape. It later became Forum Against Oppression of Women. During the same period of 1970s and 1980s another issue that crystallized in the women's movement was dowry. During this period newspaper reported regular occurrences of dowry deaths. In most of the cases the deaths were presented as suicide and accident and the guilty acquitted by the court. The victims were all young and earlier subjected to violence and demands for dowry. Though dowry was legally prohibited as early as in 1960s, it continued to be an important part of marriage rituals of many families. Organized protests against the practice of dowry and dowry deaths originated from Delhi during the latter half of 1970s. Two Delhi- based women's groups were at the forefront of these protests-Mahila Dakshata Samity and Stree Sangharsh. Various demonstrations were organized in Delhi which targeted the police, the state, the offending families and also the communities that tacitly provided support to the perpetrators of violence. Groups were also formed in other states like Mahila Utpidan Virodhi Mancha of Uttar Pradesh. The anti-dowry agitation caught much attention during the 1980s. The agitation developed some popular slogans like 'Brides are not for Burning'. There was organized public assertion on issues that were earlier considered as private agenda. There were demands for amendments in existing laws. The most remarkable instance of amendment was the introduction of Sec 498A in the Criminal Procedure Code (CrPC) of the Indian Penal Code as a law designed for victims of dowry violence wherein mental cruelty to victims was made legally punishable. In the 1980s the women's movement brought within its ambit the campaign against widow immolation following the death of Roop Kanwar in Rajasthan. This issue of forcible widow immolation of Roop Kanwar as a Sati was taken up by many women's organizations and there were massive protests from all over the country. These protests resulted in a court order to stop the celebration of the event. The government was also forced to intervene with a law. In the same decade female foeticide and infanticide were also taken up as issues by the activists. A number of autonomous women's groups emerged during this period like Manushi (1979), Saheli (1981), Jagori (1984), Kali for Women (1984) etc.

NSOU N GE-PS-21 _____ 159 The eighties were also the time when the Shah Bano judgement was delivered by the Supreme Court. In the early seventies, Shah Bano, a Muslim woman, was divorced by her husband, Mohammad Ahmad Khan. Shah Bano filed an application for maintenance under Sec 125 of Criminal Procedure Code. The case continued for a considerable time for the contradictions between Sec 125 and the Muslim Personal Law and finally came before a bench of the Supreme Court. The five-member bench of the Supreme Court upheld Shah Bano's right to maintenance under Sec 125 of CrPC. This landmark judgement of Supreme Court created several repercussions among Muslim religious leaders, who were of the opinion that the judiciary did not have the right to interfere with Muslim Personal Law and Muslim women must be excluded from Sec 125 of CrPC. As a result of this reactions, the Parliament in 1986 passed the Muslim Women's (Protection of Rights on Divorce) Act, whereby Muslim women were entitled to have maintenance only under this Act. Women's groups supported the Shah Bano judgement of the Supreme Court and vehemently protested this Act. Women's activism in the 1970s and 1980s was one among the several other movements of the period demanding democratic rights. Large scale capitalist model of development in the 1950s and 1960s, unemployment and poverty have initiated student's movements, worker's agitations, peasant, tribal, anti-caste and consumer movements. Women participated in many of these movements actively. The Adivasi women initiated strong struggles particularly in the Shahada movement against consumption of alcohol by men and domestic violence. In Maharashtra, an anti-price rise movement was organized by a temporary coalition of women belonging to the Communist Party of India (CPI), Communist Party of India (Marxist) [CPIM] and the Social Democratic Socialist Party. The emergence of the Self Employed Women's Association (SEWA) in 1972 was also an important development wherein women went for self-employment through formation of cooperatives. SEWA became a movement for economic empowerment of women. 15.5 Women's movement of the Nineties The 1980s was also crucial for the emergence of Dalit women's voices within the women's movement. Earlier, caste identities were camouflaged by the larger demands of sisterhood. Young dalit feminists formed the Mahila Samsad in Mumbai to discuss issues concerning dalit women. In the mid 1990s the Dalit Stree Sahitya Manch was formed which was a forum of the Dalit feminist literary movement. By

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the 1990s there developed several independent and autonomous organizations of 160
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 Federation of Dalit Women and the

Christi Mahila Sangharsh Sangathana. The Dalit feminist movement challenged the brahminical bias of the Indian women's movement and the patriarchal bias of Dalit politics in India. The Dalit feminist movement highlighted the issue of difference within the feminist movement. The women's movement in India has not addressed the concerns of Dalit women and has been mostly dominated by urban upper caste women. This thrust changed the character of women's movement in India. The debate that initiated within the women's movement during the eighties culminated in a more fragmentation and difference in the 1980s. Anupama Rao points out that it was in the 1990s that the Indian lesbian, gay, bisexual and transgender (LGBT) movement sought to place diversity of sexualities and genders on the agenda of the women's movement. They demanded recognition of sexual and gender diversities and elimination of discrimination against the LGBT people. The central concern of the Seventh National Conference of the Autonomous Women's Movement in Kolkata in 2006 was affirming diversities without divisiveness. The Women's movement in the 1980s and 1990s also encompassed the struggle to enhance women's representation to elected bodies. The issue has first emerged in pre-independent India and was revisited by the CSWI report 'Towards Equality' in the 1970s. The CSWI report highlighted the structural constraints that inhibit women's representation in elected bodies. The report was not able to provide a principle for reservation but it recognized that they face constraints. But it provided recommendations for one-third representation at the Panchayat level. A demand for increased representation for women was raised again in the 1980s. Under pressure from the women's movement the National Perspective Plan for Women (1988) emphasized reservation upto thirty percent at the Panchayat and Zilla Parishad level. Under the 73 rd and 74 th Constitution Amendment Act reservation of seats for women were provided to Panchayats and Municipalities respectively. The Women's organizations continued their demand for reservation of seats at state assemblies and parliament. The Women's Reservation Bill was tabled in the Parliament for the first time in 1996. But due to lack of unanimity among different political parties on the terms and conditions of the bill, it has failed to have its passage through the Parliament till date. With the initiation of the liberalization process in India, there has been a change in the character of the women's movement. The liberalization of the economy brought non-governmental organizations in the process of development alongside the state. There was a proliferation of autonomous organizations running on funds from NSOU N GE-PS-21 ----- 161 international organizations. The NGOs and their funding facilitated in many cases campaigns on specific issues. So, several networks are often formed on specific agenda and they become inactive after some time and replaced by some other network. This is often called the NGO-facilitated women's activism.

15.6 Conclusion The genesis of women's movement in India was not a recent one. Its history can be traced way back before independence when women's question was adequately addressed and became a bone of content for the later scholars. The civilizing mission of the colonial masters and the counter arguments by the nationalists, no wonder has succeeded in politicising the women's question. Since then women's movement has traversed a long way wherein its style, form and mode of functioning have been changing to keep up with the passage of time. Thus, women's movement in recent years has embraced a varied range of issues to fight for originating from violence to economic and political empowerment.

15.7 Summing Up N The women's movement in India is full of diversities in terms of issues addressed, participants and political affiliations. N A large number of organizations with wide range of political affiliations from left to Gandhian can be traced. N There has also been a trend of autonomous women's movement where women's groups have established themselves as groups distinct from any political parties. N Women's movement has brought within its ambit a diverse range of issues from violence to economic and political empowerment.

15.8 Glossary SEWA—Self-employed women's association (SEWA) is a women's movement for economic empowerment and self-reliance. It was founded in 1972 by Ela Bhatt. It is basically a trade union organization of poor, self-employed women workers of unorganized sector. The members of SEWA earn their own living through small businesses.

162 _____ NSOU N GE-PS-21 Dalit Feminism—Feminist consciousness of Dalit women. Dalit feminism is a challenge to brahminical bias of the mainstream feminism and the patriarchal biasness of Dalit politics. Dalit Feminism emerged in India in the 1980s. 15.9 Probable Questions Essay Type Questions : 1. Explain the major issues of the Women’s movement in India. 2. Do you think the women’s movement in India has covered a wide range of issues? Argue your case. 3. Describe the different phases of the women’s movement in post-independent India. Long Questions : 1. Do you think India has an autonomous women’s movement? Argue your case. 2. Describe women’s movement in India during 1970s and 1980s. Short Questions : 1. Give an outline of the anti-dowry women’s movement in India. 2. Give an outline of women’s activism against rape. 3. What do you mean by autonomous women’s movement? 4. Write a short note on Women’s Reservation Bill. 15.10 Further Readings 1. Indu Agnihotri and Vina Majumdar, Changing Terms of Political Discourse: Women’s Movement in India, 1970-1990s in, Mala Khullar (ed.) Writing the Women’s Movement: A Reader, Zubaan, 2005. 2. Mala Khullar (ed.) Writing the Women’s Movement: A Reader, Zubaan, 2005. 3. Kumar Radha, The History of Doing, Zubaan, 2007. 4. Geraldine Forbes, Women in Modern India, Cambridge University Press, 2007. 5. Rao Anupam, ‘The Women’s Movement’ in Niraja Gopal Jayal and Pratap Bhanu Mehta (ed.) The Oxford Companion to Politics in India, OUP, 2013.

Module - 4 Women, Law and Labour

Unit-16 Domesticity and Domestic Labour Structure 16.1 Objectives 16.2 Introduction 16.3 Influence 16.4 Domesticity and the Women’s Movement 16.5 Women and Domestic Labour 16.6 Conclusion 16.7 Summing up 16.8 Glossary 16.9 Questions 16.10 Further Readings 16.1 Objectives The

present unit will help us to— N Looks

at some aspects of the patriarchal relations surrounding the home and domesticity. N Explain the relation between the Domesticity and Domestic labour. N Analyse relation between Domesticity and the Women’s Movement. 16.2

Introduction The Culture of Domesticity is a term used by historians to describe what they consider to have been a prevailing value system among the upper and middle class during the 19 th Century in the United States and United Kingdom. This value system emphasized new ideas of femininity, the woman’s role within the home and dynamics of work and family. “True Woman”, according to this view, was supposed to possess four cardinal virtues: piety, purity, domesticity, and submissiveness. The idea revolve around the woman being the centre of the family, she was considered “the light of the home”. Although all women were supposed to emulate this ideal of femininity, black, working class, and immigrant women were often excluded from the definition of “true 165

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women” because of social prejudice. Since the idea was first advanced by Barbara Welter in 1966, many historians have argued that the subject is far more complex and nuanced than terms such as “Cult of Domesticity” or “True Womanhood”. They suggest, that the roles played by and expected of women within the middle-class, 19 th century context were quite varied and often contradictory. For example, it has been argued that much of what has been considered as anti-feminist in the past, in fact, helped to lead to feminism. According to Welter, an ideal true woman was too “frail”, mentally and physically weak to leave her home. The care of her home supposedly made her feminine, and she depended on men to protect her within the shelter of it. Wilma Pearl Mankiller agrees, claiming that a “True Woman” was expected to be delicate, soft, and weak. She should not engage in strenuous physical activity that would damage her “much more delicate nervous system.” Frances B. Cogan described the ideal of “Real Womanhood”, in which women were encouraged to be physically fit and active, involved in their communities, well educated, and artistically accomplishes, although usually within the broader idea that women were best suited to the domestic sphere. The conflation of Domesticity and True Womanhood” can be misleading in that dedication to the domestic sphere did not necessarily imply purity, submission, or weakness. The characteristics of “True Womanhood” was described in sermons, books, and religious texts as well as women’s magazines. Magazines which promoted the values of the “Cult of Domesticity” fared better financially than those competing magazines which offered a more progressive view in terms of women’s roles. In the United States, Peterson’s Magazine and Godey’s Lady’s Book were most widely circulated and popular among both men and women, supported some of the ideals of the “Cult of True Womanhood”. The magazine’s paintings and pictures illustrated the four virtues, often showing women with children or behind husbands. It also equated womanhood with motherhood and being a wife, declaring the perfection of womanhood is the wife and mother”. The magazine presented motherhood as a woman’s natural and most satisfying role and encouraged women to find their fulfillment and their contributions to society mainly with the home. At the same time, the long-time editor of Godey’s Sarah Josepha Hale, encouraged women to improve themselves intellectually, to write, and to take action that would, improve the moral character of their communities and their nation. 16.3

Influence The Cult of Domesticity affected married women’s labour market participation in the 19 th and the beginning of the 20 th century. “True Women” were supposed to

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it nonetheless laid the groundwork for the later development of feminism by creating women with a moral authority which implicitly empowered them to extend their moral influence outside the home. The ideal woman was expected to act as a status symbol for men and reflect her husband's wealth and success, and was to create babies and care for them so that her husband's legacy of success would continue, but she was also seen as the "Angel in the House" whose purpose was to guide her family morally. Because of the perceived importance of the role, this ideology was imprinted on girls at a very young age; these girls were taught to value their virginity as the "pearl of great piece" which was her greatest asset" and to develop the skills to manage a household and rear children, but they were also taught to themselves as "a pillar of strength and virtue" who was key not only in providing her husband a proper image but in raising boys who would later have a direct impact on the success on the nation. During the Progressive era, the ideal of the New Woman emerged as a response to the Cult of True Womanhood. The New Woman, frequently associated with the suffrage movement, represented an ideal of femininity which was strongly opposed to the values of the Cult of True Womanhood. Although women finally gained ratification of a constitutional amendment and the right to vote in 1920. After emancipation, these New Women could be identified by as "cigarette-smoking, lipsticked and rouged, jazz-dancing, birth-control-using types known as 'modern girls' or flappers. World War II brought about a restructuring of the labour market as women stepped into the war effort on the home front. In the era after World War II, many of the ideas of the "Cult of Domesticity" were stressed again as American society sought to integrate veterans and emphasize the rival of family life and enter companionship marriages. Veterans returned home to be the head of the family and women who had been involved in high-paying and high-skilled wartime jobs were pushed back into the home. The remaking of the private life was central to this era. Anticommunism structured much of the American life, emphasizing the free enterprise system which brought about a period of economic prosperity and a consumer culture. In the 1950s television shows often presented series that depicted fictional families in which the mother's primary work was to raise the children and run the household. Men's and women's spheres were increasingly separated as many families lived in suburban settings, from which men commuted to other cities for work. However, this image of separate spheres disguised the reality that all groups of women continued to work for pay; many did not stop working after the men returned home from the war, they were instead forced into lower-paying jobs. Wages were low and there was little room for advancement. Women that did enter into professional fields were

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intense scrutiny for going against the feminine domestic ideal. Despite, neo- domestic ideals, many middle-class mothers were burdened by women's double shift of working in the home and also a job. At the same time, women had independent lives during the day and were often active in volunteer and community activities, particularly around issues of education, health, children, and welfare. 16.5 Women and Domestic Labour Women's participation in the public sphere was primarily (but not exclusively) conceived in terms of economic independence, and within less than two decades women all across the western world had joined the labour market. This move was hardly balanced by men who remained reluctant to increase their involvement in unpaid domestic and family work, and the need to combine unpaid work with paid work turned to be a distinctive brand of women's lives. In geography and in neighbouring disciplines feminists paid much attention to the confinement of women to the privacy of the home, the resulted limiting pattern of their home-work relations, and their dependence on the provision and finance of adequate parental and domestic services in various locations. This imbalance resonate Marxist theories of surplus value, with women's unpaid domestic work being recognized as the facilitator of urban decentralization and the suburban way of life. It has become apparent that for women, the family home is primarily a place of work for which they are not paid and hence, it is where the impression of the totality of capitalism loses its colour as it intersects with patriarchy. Accordingly, the home has been conceptualized as a site of women's oppression, where patriarchy takes a variety of forms from direct domestic violence, through economic dependence to socio-cultural vulnerability. Moreover, it turned out that women's abilities to fulfill their (public) right to the city (to appropriate and to participate in the urban creation) depends to a large extent on their right (to appropriate and participate) in their home, that is, their power to share responsibilities and to dictate family life is connected to their freedom to use public spaces. While the notion of the separated spheres is a powerful tool for a gendered analysis, feminists also criticized this imaginary 'separation' on two central grounds. First, that this image reflects the ideal of the dominant white, middle-class, heterosexual, nuclear families, and it is historically and geographically specific. Second, empirical evidence from across the world showed that the private and the

170 _____ NSOU N GE-PS-21 public spheres and their epitome of home-work relations are linked and interdependent. It was noted that the two spheres represent fluid entities which are mutually defined, and the delineation of one relies on the omission of activities, duties, privileges and people that typically mark the other. It is however, not insignificant that the rhetoric of the spheres, whether separated or linked, presents them as seemingly equivalent. Yet, the tendency to prioritize public sphere interests and promote profit-making, productive, capitalist concerns (as opposed to reproductive, domestic ones) is most apparent among individuals and institutions in family settings, workplace arrangements, policy-making contexts, political situations and other circumstances. This hierarchy heavily relies on the power of the gendered identification of the private, domestic sphere as feminine and the public sphere as masculine, which is a deeply-seated cultural code whose self-evident risks it is being overlooked. However, the transformation of the home that follows second wave feminism, not only propelled out women and brought in auxiliary labour, its effects has challenged the one-dimensional, authoritarian meaning of home. The home can also serve as a working- place for its permanent residents who work for money at home. Examples includes rural women in peripheral areas who sew and quilt, women who combine their contesting, domestic and work duties by locating both at home, and men and women in various locations who rely on communication technologies to generate income from within the home. This raises the issue of the division of domestic space itself and how the gendered meaning of some domestic parts (such as dens and kitchens) changes at the intersections of the performers and the type of the performed activity. 16.6 Conclusion Whereas these various circumstances suggest that the home and domestic relations are politicized in a ways that involve identity performances, they also draw attention to the typical senses of attachment and belonging which are embedded to the experience at home. Here domesticity in its more positive connotations, seems to link the self, and the home as it is recognized that all imply being and living in the world. 16.7 Summing up N The idea of Cult of Domesticity and Domestic Labour, paved the way for the nuclear family.

NSOU N GE-PS-21 _____ 171 N The expectations of female nature focus consequently on consumerism, sexualized marriage, and civic activism. 16.8 Glossary Domesticity: A woman's proper place was in the home and her role as a wife was to create a refuge for her husband and children. Cooking, needlework, making beds, and tending flowers were considered naturally feminine activities, whereas reading anything other than religious biographies was discouraged. Purity: Virginity, a woman's greatest treasure, must not be lost until her marriage night, and a married woman had to remain committed only to her husband. Piety: Religion was valued because unlike intellectual pursuits it did not take a woman away from her "proper sphere," the home, and because it controlled women's longings. Submission: True women were required to be as submissive and obedient "as little children" because men were regarded as women's superiors "by God's appointment". Domestic Labour: Domestic labour refers to the different roles and responsibilities that need to be completed within the household. For example, child rearing and house work. Domestic labour, a concept developed within feminist theory to analyse the significance of the unpaid work performed by women in the home. Most definitions of domestic labour equate it with housework but some include 'emotional work' such as tension, management and caring. Womanhood: Womanhood is the state of being a woman rather than a girl, or the period of a woman's adult life. 16.9 Probable Questions Essay Type Questions : 1. Explain the relation between Domesticity and the Domestic Labour. 2. How is the women's movement related with Domesticity? Try to use specific examples from the unit to formulate your response? 3. How has the history of feminism been influenced by Domesticity? Analyse the relationship between the two based on what you read.

172 _____ NSOU N GE-PS-21 Long Questions : 1. Explain feminist discourse on domesticity. 2. Briefly analyse women and labour. 3. What are the values of women labour? Short Questions : 1. Write a short note on womanhood. 2. Influence of the Cult of Domesticity. 3. Describe Purity. 16.10 Further Readings 1. Buillet, Richard W. *The Earth and Its People: A Global History* (3rd ed). Boston: Houghton Mifflin. P. 586, 2005. 2. Carroll, Bret E. *American Masculinities: A Historical Encyclopedia*. Thousand Oaks Calif,: SAGE Publications. Pp. 120-122, 2003. 3. Lavender, Catherine. "Notes on The Cult of Domesticity Womanhood" (PDF). The College of Staten Island/CUNY, Retrieved 27 October, 2014. 4. Lisa A. Keister, Darby E. Southgate *Inequality: A Contemporary Approach to Race, Class, and Gender*. Cambridge University Press, Cambridge, p. 128, 2011. 5. Mathews, Glenna, "Just a Housewife": The Rise and Fall of Domesticity in America, Oxford University Press, New York, pp. 6, 42, 1987. 6. Rotman, Deborah L., *Historical Archaeology of Gendered Lives*. Springer: London and

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Unit-17 Industrialization and Women's Work Structure 17.1 Objectives 17.2 Introduction 17.3 Agriculture and Domestic Service 17.4 Women's workforce participation 17.5 Why were women employed? 17.6 Impact of mechanization 17.7 Conclusion 17.8 Summing up 17.9 Glossary 17.10 Probable Questions 17.11 Further Readings 17.1

Objectives The present study will enable us to : N

Explain whether the Industrial Revolution was a great turning point in women's lives or not. N State the debate between industrial and domestic workforce. N Explain women's workforce participation. N Analyse women and industrialization.

17.2

Introduction The Industrial Revolution, traditionally associated with the late eighteenth and nineteenth centuries has long been seen as the great historical turning point in the nature of women's working lives. With it came a reorganization of the production process which separated the household from the workplace. A debate has raged 174

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among both feminists and historians since the early years of this century over the positive and negative impact of industrialization on women's workforce participation and status. Optimists have argued that industrialization and the factory brought gains in employment and higher wages which improved women's status within the family. Pessimists have argued that women's jobs were narrowed to less skilled and less valued work, and that women's social position was degraded by the decline of the household economy. In spite of the feminist pronouncements on this crucial historical period, and in spite of significant quantitative research on the social and economic structures of eighteenth century, we are as yet no closer to definitive conclusions on this debate. The first generation of women's historians in the inter-war years, wrote the first sustained historical studies of working women. They were seeking to understand the constraints on women's working lives in a historical transition associated with mechanization and the rise of the factory system. Sources accessible to quantitative estimates have been difficult to identify for women's work in the eighteenth century, a time when women's occupations were only rarely specified in terms other than widow, spinster or servant, and when their contributions were not separated out from those of the head of household or family. It is unlikely that we will ever resolve this debate at the level of the whole economy, but it may at least be addressed at the level of individual sectors, industries and regions. Apart from assessing the impact of industrialization upon women, it is also important that our understanding of industrialization itself is determined by the gender division of the workforce. We can ask to what extent key features of the Industrial Revolution were determined by the characteristics of its labour supply. Our current understanding of the Industrial Revolution is thus, largely based on what we know of the occupational distribution and wage trends of male labour. We can ask to what extent our assessment of the Industrial Revolution is thus, largely based on what we know of the occupational distribution and wage trends of male labour. Most of the debate on industrialization and women's work has focused on women in manufacturing, and this will necessarily be the case here. 17.3

Agriculture and Domestic Service It is first important to note that more women, in absolute numbers, were occupied in agriculture and domestic service during the eighteenth and nineteenth centuries than in any other income-earning activity. Social tables provide only extremely rough estimates of occupational distribution, found one in four families occupied in agriculture in 1759 and one in seven by 1803. However, trends in female employment

176 _____ NSOU N GE-PS-21 in these sectors diverged in the course of the nineteenth century. Agricultural developments include a transition to more arable cultivation and to larger farms; these innovations resulted in the shedding of labour, which much higher proportions of female labour than of male labour disappearing. Women's traditional labour during the harvest and in dairying was curtailed over the course of the century. Male labour became concentrated at harvest time, and women's employment was increasingly confined to low-paid activities such as weeding, stone-gathering, hoeing and spreading manure. Proportionately fewer women were employed in dairying. This was because of trends to more arable cultivation, and also to bigger farms, as a result both of enclosure and of the amalgamation of farms. In contrast, women's employment in domestic service increased. A consensus exists that, from the later eighteenth century onwards, the occupation became feminized. One reason for this appears to have been the rising numbers of middle- class consumers. Certainly by 1851 there were large numbers of domestic servants. Servants accounted for one in ten of the labour force, and women outnumbered men by nine to one. But here too, available estimates are subject to large errors. Those who assembled data failed to separate personal services either from work in husbandry or, even on occasions, from retailing and household manufacture. In both centuries, therefore, there may have been proportionately fewer occupied in personal domestic service than we now tend to assume. 17.4 Women's workforce participation There have been varied explanations for the unequal and subordinate participation of women in the workforce. What has been lacking hitherto has been a detailed analysis of the specific historical conditions for women's entry into industrial work during the eighteenth century. Explanations for the special features of women's participation in industry must first be sought

on the basic outlines of labour supply and demand. These were affected in turn by three factors: population change, institutional change and organizational and technological innovations. Taking labour supply first, a new economic framework was provided by the contemporary growth in population, with its changed age and gender balances. The higher numbers of women than men in the population, and the higher proportion of women marrying late or not, meant that many women were seeking some means of gaining subsistence in the period. They created a ready pool of cheap labour. Substantial numbers of women needed to gain an independent subsistence, but in

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many cases, wages were pitifully inadequate or highly precarious. Our standard image of women working mainly within the context of the household or family economy is therefore, a distorted one. Where women did work within a family economy, their earnings were very meagre, especially at times in their life-cycle when this was dominated by rearing small children. But even these limited earnings, if pooled within a family economy, could help to put together subsistence. Among very poor families, all women and children who could find any work did it. Amongst those who were poor, but who could eke out a living, the earnings of the head of the household – rather than female market wages– provided the major determinant of female participation rates. This was another factor which contributed to new departures in female labour supply although there was considerable regional variation. Low male wage rates–where family incomes were at stake–had the effect of encouraging high rates of female labour force participation. It is likely that such improvements came about, not through higher wage rates or more employment for males, but through more labour by women and children. If trends in population and wages helped stimulate a new female labour supply in the eighteenth century the agricultural and institutional change, added considerably to this. Women's income earning activities on the commons were sharply constrained by enclosure during the course of the eighteenth century. Enclosure cut out vital sources of subsistence in gleaning, wood gathering and gardening. It also drastically reduced the possibilities for both squatters and copyholders to pursue small trades and domestic industries which, on their own provided insufficient or volatile returns, but with common rights could provide subsistence income. Other institutional changes, especially those in the poor law, increased difficulties in obtaining outdoor relief, housing and a settlement. These were all the factors which had eased women's participation in the labour force. These institutional changes, when taken together with agricultural innovation, caused the classic 'release of labour' from agriculture that economists have shown to be necessary before the transition to modern economic development can take place. It is important to appreciate that the labour that was released was predominantly female. We can thus, understand the historical origins of a rising female labour supply in the early stage. But labour force participation must also depend upon labour demand. Labour demand was changing in conjunction with these supply factors. 17.5 Why were women employed? The gender division of the workforce was clearly a major consideration in the demand for labour in manufacturing. Wage rates were one factor, women generally

received one third to one half of the male wage. More important in explaining the demand for women's labour than wages was organizational and technological innovation. Women's labour was used to yield substantially higher rates of profit than was possible under earlier manufacturing regimes. Proto-industrialization in some of its forms was associated with extensive division of labour, and putting out or other subcontracting arrangements. Large-scale workshops, and small factories could yield economies of scale even when there were as few as six to fifteen employees. This was because of a division of hand-performed tasks, the use of simple tools, better supervision, and a more disciplined work regime. Such factories and workshops drew on higher proportions of female and child labour than their predecessors. In industries deploying large-scale production, such as the factory textile industry and paper making, more capital-intensive processes were associated to some extent with the substitution of women and children for men. It is interesting to

see that women and children were assumed to be the key workforce in certain situations. For example, contemporary innovation in processes such as calico printing and spinning was tried out first on a female and child workforce. In situations of high-labour intensity, processes were broken down into series of dexterous operations; these were performed particularly well by teenage girls who contributed manual skills learned at home. There is increasing evidence of single women and girls working in all-female households or workshops in such activities as lacemaking, calico printing, linen spinning and button manufacture, as well as in the better-known and more conventional factory arrangements in cotton manufacture or the potteries. Organizational innovation also tapped the supply of married women with children, thus, developing a division of labour based on an adult with child assistants. Women workers in these early factories, workshops and proto-industrial manufacturers were employed as they are in the Third World today. They were employed not because their wages were lower than those of local male labour, but because new methods of production could be introduced. These included management practices, divisions of labour and technologies which bypassed traditional artisan customs and arrangements. While high proportions of the labour force employed in manufacture were women and child workers, it was also evident that the employment provided by industry was insufficient. The demand for labour created by industry was not adequate to the task of soaking up surplus labour left in the wake of demographic and agricultural change. While factors affecting both labour demand and supply encouraged NSOU N GE-PS-21

179 high rates of female labour force participation during the industrial revolution, the demand created for women's labour was not what models of economic development would predict. To explain this, one area to which we must turn is the effect of technological innovation. 17.6 Impact of mechanization If we look at those industries affecting women, there is evidence of an eighteenth-century 'machinery question', one predicting the introduction of the big power technologies and large-scale factories of the nineteenth century. Spinning jenny, warp spinners, weft spinners, silk-throwing machinery and Heathcoat's lace-making machinery destroyed traditional sources of women's domestic employment. The double engine loom, the jacquard loom, the flying shuttle, and framework knitting machinery displaced more. But other new processes in calico printing, the Birmingham trades, and the potteries drew on more women's labour. The spinning jenny and the power loom displaced women workers, but they were still themselves worked by women. When women's work in woolen spinning in Scotland went into decline it was by flax spinning, then by flowering muslin or embroidery. Since we are hampered by the lack of quantitative indicators on women's employment for the early industrial period, there can be no resolution of the issue of mechanization and women's work but it seems probable that the opportunities afforded for women in the new sectors (which were still a relatively small part of industry in terms of value added according to current estimates) were not sufficient to offset the numbers of women displaced in agriculture and domestic spinning. The labour surplus economy which prevailed for men by the early nineteenth century also prevailed for women. Nevertheless, in terms of their proportionate contribution to the manufacturing labour force, women workers played a greater part of the whole course of the eighteenth century, than they had done previously and were due in the later stages of industrialization. While for the most part women's work in this period was low-waged and exploitative, but there is no doubt that

this work contributed to a family economy. Where wages were higher for women, there were some limited possibilities of gaining an independent subsistence, and in such cases single women did work independently or in groups outside the family economy. But such work was precarious, subject to fashion or to short-term cyclical trends or structural imbalances. It could support women as individuals, but did so generally for limited phases of the life cycle. By the mid-nineteenth century labour conditions historically specific to the

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Industrial Revolution had changed. As real wages rose, the proportions of occupied women fell at a rate of 0.7 per cent per decade over the last half of the nineteenth century. Other factors combined to reinforce this effect, notably a combination of factory legislation, the activities of male trade unionists and an increasingly pervasive ideology of the male breadwinner and of 'fit and proper' female activities. 17.7 Conclusion What impact does the recognition of women's employment have on our interpretation of the Industrial Revolution? Interpretations have so far been focused mainly on data for adult male labour. The shift of labour away from agriculture would be reinforced with the inclusion of female labour. But the interpretation given to industry might be substantially alerted by accounting for women's labour. The dominants part of the manufacturing sectors were employers of higher proportions of women than of men, and women rather than men were employed in the new progressive industries to which most of the productivity gain in industry has been attributed. We need to know the extent to which the sources of productivity gain which made the first Industrial Revolution can be found, in industry at least, in the deployment of a large female workforce with attributes of low wages, high labour intensity and discipline, and technical dexterity. 17.8

Summing up N Thus, the present unit

contemplating an Industrial Revolution which did achieve significant productivity gains, by employing women labour.

N Again

by introducing the organizational and technological innovation which went with this: the Industrial Revolution as it was began to be familiarly

understood. 17.9 Glossary Women's Work—Women's work or woman's work is work believed to be exclusively the domain of women and associates particular stereotypical tasks that history has associated with the female sex. It is particularly used with regard to the unpaid work that a mother or wife will perform within a family and household.

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Industrial Revolution—The Industrial Revolution, now also known as the First Industrial Revolution, was the transition to new manufacturing processes in Europe and the United States, in the period from about 1760 to sometime between 1820 and 1840. This transition included going from hand production methods to machines, new chemical manufacturing and iron production processes, the increasing use of steam power and water power, the development of machine tools and the rise of the mechanized factory system. The Industrial Revolution also led to an unprecedented rise in the rate of population growth. Gender—Either of the two sexes (male and female), especially when considered with reference to social and cultural differences rather than biological ones. The term is also used more broadly to denote a range of identities that do not correspond to established ideas of male and female. Mechanization—Mechanization is the process of changing from working largely or exclusively by hand or with animals to doing that work with machinery. In some fields, mechanization includes the use of hand tools. In modern usage, such as in engineering or economics, mechanization implies machinery more complex than hand tools and would not include simple devices such as an ungeared horse or donkey mill. Devices that caused speed changes or changes to or from reciprocating to rotary motion, using means such as gears, pulleys or sheaves and belts, shafts, cams and cranks, usually are considered machines. After electrification, when most small machinery was no longer hand powered, mechanization was synonymous with motorized machines. Extension of mechanization of the production process is termed as automation and it is controlled by a closed loop system in which feedback is provided by the sensors. It controls the operations of different machines automatically. Production—Production means the action of making or manufacturing from components or raw materials, or the process of being so manufactured. Production is a process of combining various material inputs and immaterial inputs in order to make something for consumption. It is the act of creating an output, a good or service which has value and contributes to the utility of individuals. Labour Women—Labour Women is the women's section of the Labour Party of Ireland. All women party members are Labour Women

members. Those who wish to be actively involved are included in a mailing list which informs them of events, developments, networking opportunities and any other relevant information.

182 _____ NSOU N GE-PS-21 17.10 Probable Questions Essay

Type Questions : 1. Explain the Women's work and the Industrial Revolution. 2. How is the women's question addressed in the Industrial Revolution? Try to use specific examples from the unit to formulate your response? 3. How has the history of feminism been influenced by Industrial Revolution? Analyse the relationship between the two.

Long Questions : 1.

Explain women's workforce participation. 2. Analyse women and industrialization. 3. Why were women employed? Short Questions : 1. Write a short note on mechanization. 2.

Write a short note on Labour Women. 3.

Describe women's work. 17.11 Further Readings 1. Allen, R. C., Enclosure and the Yeoman, Oxford University Press, London, 1992. 2. Allen, R. C., The British Industrial Revolution in Global Perspective, Cambridge University Press, New York, 2009. 3. Behagg, C., Politics and Production in Nineteenth Century England, Routledge, London

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Movement Structure 18.1 Objectives 18.2 Introduction 18.3 Definition of Peasant 18.4 History of Peasant Feminism 18.4.1 Peasant upsurge in Awadh: Role of Women 18.4.2 The Tebhaga Movement 18.4.3 The Telangana Struggle 18.5 Conclusion 18.6 Summing up 18.7 Glossary 18.8 Probable Questions 18.9 Further Readings 18.1

Objectives The present unit enables us to : N

Explain the formation and historical background of peasant women in India; N State the trajectory of the various movements based on peasant class; and

N Analyse

the social stratifications that determine the assertion of peasant women. 18.2

Introduction India's struggle for independence is of tremendous importance in the history of anti-colonial movements. The nationalist movement set the precedent of achieving independence through non-violence and thus, a whole new philosophy based on ahim . sa was born. The culmination of the movement in the partition on religious grounds of a country as big and culturally diverse as India was also significant. However, arguably the most important aspect of this movement which need to be 184

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forth for independence from a historical point of view was that it was mass participation by Indian women, women who had till then been confined to the domestic sphere whether they were of upper class, middle class or lower class. On the other hand, Partha Chatterjee makes it clear to us that "

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I.Introduction by Gladin Rose .pdf (D19855608)

The nationalist discourse about women; women do not speak here. It is a discourse which assigns to women a place, a sign, an objectified value; women here are not subjects with a will and

a consciousness. We now have to ask very different questions to allow women in recent Indian history to speak for themselves". The subjective and objective dimensions of the peasant women's conditions are important and it will help to understand their affinities or detachments related to

peasant

movements. 18.3 Definition of Peasant It is important to understand the concepts related to the categories such as peasantry. This exercise that engages with the definitions of these categories will help us to locate the linkages that exist between gender, and the peasantry. The category of peasant is contested. It refers to diverse sections such as share croppers, rich small holders, landless labourers and sections such as feudal tenants. These are dealt within the Marxist theoretical tradition. The revolutionary agency of the peasantry is very much part of the Marxian analysis. Marxist scholars link feudal tenants to the world of peasant economies. This approach explores the conditions that determine the location of rural day labourers, feudal tenants and independent farmers. Peasants and their life worlds are explored in the context of consumption/production, capitalist/non-capitalist agriculture and the exploitation of impoverished producers in agriculture. The mode of production plays a vital role in the class location of the peasant. Anthropological readings on peasantry focus on the role of norms and values, predicaments on tradition, nature of vision and so on. In other words, norms, values, tradition and vision of peasantry are studied in the field of anthropology. Scholars who belong to the school of subaltern studies positioned the category of peasant in a different theoretical fashion, Ranajit Guha (1983), one of the path breaking founders of the school, emphasized the historiography of the peasant and peasant insurgency in colonial India as seen 'from below'. Thus, a subaltern study re-reads the peasant (subaltern) resistance and its representation in the colonial historiography. Subaltern studies focused on the impact of caste system in agrarian milieu and resistance. It explored the dimensions of peasants and their movements in the pre-colonial, colonial and post colonial period. "Subaltern is a category that

186 _____ NSOU N GE-PS-21 signifies subordination. Partha Chatterjee is one of the important scholars who contributed to the field of subaltern studies. He provided the subaltern interpretation of the peasant world and caste system. He criticized the Marxian analysis of the peasantry as a particular way of reading that reduces the caste system to a super structural epiphenomenon. He contended that this reading was a particular kind of Marxist distortion. According to Partha Chatterjee (1983) both base and superstructure contribute to the shaping of caste system. He argues that religion acts as a form of consciousness which helps the subalterns to oppose the dominant forces. Tom Brass (1991) criticized subaltern studies for its construction of rural producers as uniform and he equates it with the approach of populism. Three agencies such as Sarkari (government), Sahukari (money lending) and Zamindari (landlordism) controlled the lives of the peasants in India. These agencies are active in the exploitation of the peasantry. However, the peasantry in contemporary- neoliberal India is experiencing the retreat of state from agriculture, lack of proper policies, the penetration of capitalist forces in the field of agriculture, "NGO-ization" and the consequential depoliticization of peasant agency, recurring suicides in agrarian communities, rapid technological change and so on. 18.4 History of Peasant Feminism In the previous section we learnt about how the categories of peasant and working class have been defined by various scholars in the field. In this section, we will examine these categories in a historical framework as well as in relationship to women and feminism. Some of the issues to be covered here include the condition of Indian women, their relationship to labour, and to agriculture. The independence related struggle about the peasantry in our country took place in 1857. It was an unorganized feudal peasant struggle against the colonizers that was led by feudal lords. The emergence of leadership among peasants happened only after the formation of Kisan Sabhas. Uday Mehta (1979) has classified peasant movements in terms of the following three phases: 1) First phase: The sporadic growth of peasant movements in the absence of organized and proper leadership emerged in the period, 1857-1921. 2) Second phase: During the period 1923-46, an organized form of Kisan Sabhas created consciousness among the peasants. The salient feature is that peasant movements were led by people and they gave importance to the problems of peasant in the national question.

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Post-Independence era: Agrarian movements became assertive due to the ruling parties' incompetence to foreground the problems of Indian peasantry. It was broadly mobilized by leftist parties and in the late seventies and eighties; it became the discourse of some other autonomous farmers' organization. The tremendous peasant assertions, is a part of "the deepening economic crisis which affects the peasants and more brutally than urban middle class". The agendas of the peasant movements were land to the tiller, higher prices for farm producers, write off farmers' loans, and so on. Militant peasant assertions were neutralized by clashes, firings and deaths.

18.4.1 Peasant Upsurge in Awadh: Role of Women

After the Uprising of 1857, the dynamic of British rule changed and a need was felt to create an ally which would enable the upholding of their rule in India. Thus, were created and buttressed a small class of feudal barons and their 'kinsmen' along with the rajas and maharajas of the Princely States. The taluqdars of Awadh were on such category which found patronage in the British Raj. Besides general exploitation numerous humiliation were exerted on the peasantry to carry out their extortionate demands. The outbreak of the First World War resulted in scarcity and high prices, adding to the existing problems of poverty, unemployment and underemployment. In Awadh, the loyal supporters of the Empire-the taluqdars-squeezed the peasantry dry by forcibly raising war loans and recruits to aid their masters, leading to increased discontent. The British Government was well aware of their conditions prevailing in the Awadh areas. But any step taken to improve the peasants' lot was bound to annoy the taluqdars, which the government could not afford as they were the upholders of the empire against 'seditious' national leaders. The peasants of Awadh were ready to take to any means to achieve compensation of their grievances. They found a benefactor in the form of Baba Ram Chandra. He launched an eight-fold agrarian program for the upliftment of the peasantry. The peasantry was stirred into action in May 1920. This soon involved women also as we find the first instance of active political participation of women in the peasant struggles in August-September 1920. When Ram Chandra was arrested for the first time, about 40,000 peasants surrounded Pratapgarh jail and the government was forced to release him. Women had taken an active part in this agitation and after this there is no going back. Incidentally, Ram Chandra and thirty two other peasants had been arrested by the police on the complaint of a woman taluqdar. As the revolt thickened, women were the major sufferers. In December 1920, the Ajudhya Kisan

188 _____ NSOU N GE-PS-21 Conference was held in which 50,000 one lakh peasant men and women were present. This was a great achievement. When there was resistance from the authorities women offered Satyagraha and sustained the struggle. The peasant movement in Awadh assumed the dimensions of a class war as the desperate peasantry resorted to militant action on a large scale in Rai Bareilly district.

18.4.2 The Tebhaga Movement

The Tebhaga movement of sharecroppers started in undivided Bengal in 1946- 47 after the great famine of 1943. The sharecroppers of that particular region did not have occupancy rights. They faced threats of eviction. The landlord exploited them by taking their produce. They levied illegal cess from the sharecroppers and the women were exploited by the landlords. The main slogan of this movement was 'land to the tiller'. It demanded a reduction in land rents from one-half to one-third of the crop share. It was organized by Bengal Provincial Kisan Sabha (BKPS) and led by Communist Party of India. Women's self-defense league or MARS (Mahila Atma Raksha Samiti) was also part of the struggle. It was founded in the year 1942 and linked to the mobilization of Bengali women on the eve of Bengal famine. In 1943 five thousand women from Calcutta and its suburban regions conducted a hunger march to the Bengal Legislative Assembly to protest against the hike in prices. They also conducted marches in small towns of Bengal. It had branches in every district by May 1944. There was membership of 43,500 women belonging to working class, peasant, middle class, urban poor sections. Oppression on the basis of gender is related to caste, economy based oppression and agrarian conditions. Caste Hindu landlords regulated the lives of the women who also experienced sexual exploitation from the land lords. It is argued that rural poor women faced the worst conditions. Both Hindu and Muslim women were very much part of this struggle. Women acted as the informers for the activists of the movement. They informed the activists about the arrival of the police, gave food and shelter to them. Women also become messengers of the activists who worked in the market and other areas. There were Nari Bahinis or Mahilla Bahinis (women's corps) to protect the village. Women who belong to poor sections were active in meetings and demonstration. They were also the members of the Tebhaga committee. These women were courageous and resisted arrests. They used household devices used for husking, chopping woods, brooms, knives, mixture of dust and chilli powder to resist and attack the police. They resisted the landlords who were harvesting paddy with the help of the police. Many women were killed and got injured during the movement. They protested against wife beating in the Tebhaga peasant courts and branches of MARS. They argued that wife beating questions the integrity of the movement

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against the landlords. Their campaign against domestic violence provided new dimensions to the Tebhaga movement. Some of the peasants in the Muslim areas objected to the presence of women in the Kisan Samitis. 18.4.3 The Telengana Struggle The Telengana struggle started in the year 1945 as an armed struggle organized by the Communist party of India in the rural part of Andhra Pradesh against the feudal regime. It stood for the cause of providing land to the peasant cultivators. It demanded hike in wages, abolition of forced labour and sexual exploitation of women. Three million men and women belonging to 3000 villages of the several districts of Telengana participated in the struggle. Landlords during the Nizam period sexually exploited women from the poor and vulnerable sections. They were kidnapped and forced to submit themselves to the sexual advance of the landlords. Those women who were part of this movement belong to landless and middle class peasant backgrounds. They joined the movement to solve their land related issues. It was also an attempt to come out of the structure of oppressive family. Women in Andhra Pradesh participated in the Telengana struggle and challenged the barbaric rule of razakars during 1948-50. They were active in rallies and strikes. Men found refuge in the forests for their activism during the bitter days of repression. Women remained in the family. Women used chilli powder, slings and pestles to defend themselves. Women carried messages by disguising themselves as boys. Ten thousand women participated in this struggle. They were repressed and brutally raped by the police and landlords. But, leaders of Telengana showed a paternalistic attitude to women's question. Women were not allowed to work as guerrillas and asked to work as messengers, providing shelter and so on. Male leaders considered women as not capable of fighting with arms. Thus, women who were part of the Telengana were alienated from the dominant patriarchal leadership. During Telengana, women guerrilla committees were formed and women fought against the razakars of Nizam. Some of them who were part of the guerrilla wing were asked to go back to family after the struggle. For instance, women were considered as a supportive part of the Communist Party. A few among them only become party members. Women argue that they did everything for the struggle like their male counter parts. But, they were not given membership in the party. The question of separate land titles to women, domestic violence, dowry were never discussed in the party. Women played a role in environmental movements. They were assertive in the Chipko movement. It emerged in the Garhwal hills of northwest India. The Chipko movement was innovative way to prevent the cutting of trees. It was against the exploitation of forest that was owned by the government and the forest department

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and emerged in the year 1973. One village woman protested against the logging of a tract of oak forest related to the potato seed farm. Women protested because it would result in the loss of their source of fuel and fodder and would add five kilometers to their journey for fire wood. Women took the initiative to start vigilance against illegal felling. They also protested against the tree auctions. They also opposed alcoholism and domestic violence. They were conscious that their daily life was dependent on trees. Thus, women become more active in village meetings. 18.5 Conclusion Peasant women are fragmented in contemporary India. Social strata based on caste, class, region proliferate the fragmentations. At the same time they are facing the challenges of the retreat of the nation-state from social security. They are also becoming the victims of development included displacement that is driven by neo-liberal ideology. The oppression of the dalit-advansi-women working class in Nandigram, plachimada, Muthanga and so on demonstrates the brutal dimensions of the repression of their assertions. Identity politics and the NGO-ization of the social movements accelerate the gap that exists between the different sections of women. They think that leadership from their community can only address their issues in a positive manner. Thus, they are caught in a complicated gendered political milieu. The differences as well as solidarities symbolize the diverse ways of engendering democracy. 18.6 Summing up N The unit tried to explore the intersections of peasant class identities among women. It dealt with their struggle in the various movements in India and also about contribution towards the peasant class.

N The present unit

critically analysed questions such as: What conflict exist between peasants and ideological/repressive state apparatus? Has male leadership in the peasant assertions-movements addressed the question of women? These questions have discussed by locating women's issues and concerns in the historical context of peasant movements. 18.7 Glossary Agency—Human action and its impact on actors; ability to take action. Peasant—A poor small land holder

or agricultural labourer of low social status (chiefly in historical use or with reference to subsistence farming in poorer countries).

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Endogamy—It is the selected or prescribed practice of marriage within the boundaries of kin-group, clan, lineage, village and social class. The opposite of endogamy is called as exogamy in which the prescribed marriage will be outside the in-group. Feudalism—This term refers to the political system of western European institutions during the middle age. It is also applied to refer to the landholding in the seventeenth century England. Marc Bloch explored the relationship between feudalism-vassal age. According to him, the features of feudalism are succession based on hereditary, the mode of providing land by lords to their Vassals; split in the authority and limited/taxable self disciplined peasantry. Max Weber linked it with patrimonial power and struggle related to rent. Zamindari—The system under which zamindars held land or the office or territory of a zamindar. Colonialism—Colonialism refers to the political order imposed by the developed countries on Asia, Africa, Australia and Latin America. It began with the penetration of white populations of Spain, Portugal, Britain, France and Netherlands during the fifteenth century and their entry to Asia and Africa in the nineteenth century. They exploited native resources. It also contained the idea of civilizing mission to hide its exploitative nature.

18.8

Probable Questions Essay Type Questions : 1. Define peasant class.

Explain in your own words based on your reading of the relevant sections. 2. How is the women's question addressed in the peasant movement of India? Try to use specific examples from the unit to formulate your response. 3. How has the history of peasant movements been influenced by peasant feminism? Analyse the relationship between the two.

Long Questions : 1.

Given the current debates in peasant feminism, what are your thoughts about the future course of related movements in India? 2. What are the various aspects of peasant class feminist discourse? Explain their contribution with examples. 3.

Analyse the Tebhaga peasant uprising.

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Write a short note on Feudalism. 5. Describe Telangana Uprising. 6. What were the limitations of Tebhaga movement?

18.9 Further Readings 1. Agarwal, Bina, 'The Gender and Environment Debate: Lessons from India'. *Feminist Studies*, (18)1, 119-158. 1992. 2. Agarwal, Bina, *A Field of One's Own: Gender and Land Rights in South Asia*. Boston: Cambridge University Press, 1994. 3. Babel, August, *Women in the Past, Present and the Future*. Calcutta: National Book Centre, 1975. 4. Chatterjee, Partha, 'Peasants, Politics and Historiography'. *Social Scientist*, No. 120, 1983. 5. Custers, Peter, 'Women's Role in Tebhaga Movement'. *Economic and Political Weekly*, VOL. 21 NO. 43, (OCT. 25, 1986). 6. Gough, E. K., 'Peasant Uprisings in India'. *Economic and Political Weekly*, VOL. 9, NO. 32-33-34. (AUG 10, 1974). 7.

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Unit-19 Women and Trade Union Structure 19.1 Objectives 19.2 Introduction 19.3 Defining Working Class 19.4 Trade Union Movement in India 19.5 Limitations 19.6 Conclusion 19.7 Summing up 19.8 Glossary 19.9 Probable Questions 19.10 Further

Reading 19.1 Objectives This unit will be able to: N

Explain the formation and historical background of working class in India; N State the trajectory of the various movements based on working class; and

N Analyse

the social stratifications that determine the assertion of working class women. 19.2

Introduction The Emancipation of Women – The enslavement of women, historically, is the legacy of development of class society based on private property relations i. e. Private ownership of the Means transformed from Feudalism to Capitalism, could not end the exploitation and inequality. The status of the women also continued to be secondary even in capitalist society and in fact, it further deteriorated due to commodification of women and severe exploitation of working women. The emancipation of women is impossible without total emancipation of the society as a whole and this can be achieved only under a non- exploitative system like socialism as perceived by the Marxist tradition of thought. Working Class is the vanguard of

the struggle against capitalism. Women can never be emancipated in the capitalism because the system itself is based on exploitation of the working class and women are inseparable part of the toiling masses. The gender inequality is not a feminine issue but a class issue and must be fought against by the workers as a class by both men and women. Thus, organizing working women is not a task of only women but a task of the whole working class. Working women have an important role in trade unions. Their participation is vital not only as part of working class but also in the democratic movement. They add new dimensions to the struggles. Once they are convinced and motivated their participation is total and militant. Women become loyal members of the unions if their specific issues are taken and some gains are achieved through struggles. Women workers are ready to make any sacrifices needed for their struggles and they also have a clear vision of rights and wrongs. They are normally very strong and do not easily back out from the struggles. They are also very clear about their class enemies and the nexus between their employers, police and politicians. The trade union movement and working women's movement have achieved many things through their struggles such as equal remuneration, maternity benefits, no deployment in night shift, provisions of crèche, rest rooms etc. The movement was demanding an Act against Sexual Harassment at workplace for a long time. The working women's movement should now give a united fight for the legislations, their application to all sectors and strict implementation. 19.3

Defining Working Class The working class is the class which has to sell its labour power for survival. Marx called this category as the "proletariat." The sale of labour power within a particular time determines the wage of labourer. But, there are differences in the category of working class based on market conditions and work. The labour contract too decides the nature of the subordinate location of the working class. Blue collar occupations and manual jobs determine the social space of working class. The working class is not a homogenous category. Rather, there are differences in the location and social mobility of the working class. Those who are skilled are more privileged than the unskilled. The section that exists between skilled and unskilled are the semi skilled.

Those who are part of the primary market and secondary market also have a different trajectory. Changing needs and demands in labour market result in poverty. Primary market and secondary markets are the two entities of labour market. Primary market is determined by the requirements of the workers. It has good jobs with career prospects. It also has proper pension schemes, full time employment

and good pay. Those who are part of the primary labour market are socially mobile and better paid than those who work in the secondary labour market. The primary labour market is composed of skilled labours. On the other hand, secondary market provides low social mobility, part time jobs. It does not provide pension. Those workers in the secondary market are vulnerable to multiple forms of exploitation and exclusion. The marginalized sections are very much part of the secondary labour market. For instance, workers who belong to the subordinate classes, castes, races and gender are part of the secondary labour market. They do not have the access to paid vacations, standardized labour contracts, pensions and entitlements, and other forms of social security. Unemployment and under-employment are the salient features of those workers who are situated within the secondary labour market. The working class in the first world faces the threat of automation. Rapid technological changes call into question the day to work of the labourers. The primary markets and manufacturing sectors also undergo rapid changes in the developing society. The shrinking of those sectors affects the working class in such countries. 19.4 **Trade Union Movement in India** Women's organization in India first appeared at the beginning of this century partly under male patronage, partly under the initiative of some western women, involving primarily elite Indian women. The earliest of the women's organization and Mahila Samitis came to be established in Bengal in 1910. In 1917, the foreign women active in the Theosophical Society, notably Annie Besant and Margaret Cousins founded Women's Indian Association (WIA). They urged Indian Women to join Home Rule League and the Swadeshi Movement.

The National Council of Women in India was established in 1925 by lady Tata. The All India Women's Conference (AIWC) was formed by Margaret Cousins

in 1926-27 and soon came to be recognized as the most important among women's organizations in India. All these organizations concerned themselves with social and educational problems of women. The AIWC intended to press for educational rights for women. A major dilemma for this elite women's organization was retaining the importance of women's issues together with their participation in the freedom movement. In 1971, the WIA raised the issue of women's suffrage in front of the Montague Commission; its lobbying was responsible for the grant of restricted franchise to women based on wifehood, property and education. Dr. Muthulakshmi Reddy became the first women legislator. Sarojini Naidu, a WIA leader, on becoming the President of the Indian National Congress, further tried to interlink the women's issue with the nationalist

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issue. But the entire approach of the pre-independence women's movements was generally cautious and appeasing. The post-independence period witnessed a mushrooming of women's organizations operating on an All India or regional basis, covering women's issues, general and specific. It is these organizations, which have been able to mobilize masses of women or at least, large sections of them into political activity. Also the pressure from these organizations has influenced the government and political agenda. All the major parties, particularly the leftist ones have women's wings or women's organizations. The CPI has the National Federation of Indian Women (NFIW) which established in 1954, happen to be the oldest of the party organizations. The CPI-M organized their women's front in the All India Coordinating Committee of Working Women (women's wing of the CITU) and the All-India Democratic Women's Association (AIDWA). From the 1970s, the Janata Party's Mahila Dakshata Samiti has been active. Most of these organizations are national, have local chapters and are organized hierarchically. They are primarily mobilization organizations. The BJP's women's front is organized on the lines of the Sangha Parivar. The RSS has its Rashtra Sevika Samiti, the VHP Matri Mandal and Durga Vahini, and the BJP has Mahila Morcha. Whereas the Rashtra Sevika Samiti was founded as early as 1936, the other women's organizations of the Parivar dramatically expanded only in 1989- 90, on the eve of Babri Masjid demolition. The women's organizations of the Communist parties share the parties approach to the Indian state and follow similar agitational strategy. The CPI's National Federation is committed to the cause of the poor and the working class women. It adopted a two fold technique: one, social service projects for poor women, such as, literacy classes and employment generating projects; the other technique is that of 'agitation' through mobilizing and enrolling women in the local level organization for pressurising government for increased educational and employment opportunities, equal pay, prohibition of dowry and land reforms. In spite of agitational activity, its major objective has been getting more laws enacted in favour of women. The women's front of CPI-M emerged in the late 1970's as a response to the demands of the leftist women generated by the rise of women's consciousness during the 1970's. The AICCWW (All India Coordination Committee of Working Women) as the Women's wing of the CITU aimed at improving trade union policy with regard to women, and to induct women into the trade union movement. In contrast, the AIDWA, is a membership organization. It functions through its local affiliates which organize local women against dowry, violence, price rise, working women's grievances, etc. From the 1970's the NFIW, the AIDWA and AICCWA on various women's

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issues such as rape, dowry deaths, have formed broad coalitions with autonomous women's groups; they demonstrate together, petition to the government, organize public rallies to influence government policies. In reality their objective is to mobilize poor and working class women for electoral purposes and strengthen the women's base of the respective parties. They have been helpful to women's cause no doubt they primarily have contributed to building the working class movement. The Mahila Dakshata Samiti (Women's Vigilance Committee) of the Janata Dal has its roots in the Anti-price Rise movement of the 1970's; the Emergency that followed and the ensuing elections brought together socialist women leaders like Pramila Dandavate, Dr. Sushila Nayar, Mrinal Gore etc. in organizing the Mahila Dakshata Samiti (

MDS). In contrast to the communist women's organizations, the MDS followed the strategy of parliamentary politics by relying on lobbying with parties and legislators for better laws. Besides lobbying, MDS has three major areas of activity which include (i) Consumer protection, (ii) Women's rights and anti-dowry issue, and (iii) a concern for general status of women. In the late 1970's the MDS organized women against rape, dowry deaths, and contributed to media publicity and public awareness. It also took up the cause of the rights of Muslim women in the matter of divorce. Compared to the NFIW and AIDWA, the Mahila Dakshata Samiti is relatively independent and functions more as pressure group, but in outlook, membership and organization it is closely related to the Janata party. The Congress Party, also did not remain unaffected by the ferment of the 1970's and 1980's. It formalized its women's front, the Mahila Congress, which has been very subdued after the nationalist period. Adequate information is not available on the activities of Mahila Congress; its primary role has been to mobilize women's voters at the time of election, and use women as electoral support base. The BJP and the two organizational wings of the Sangha family – the RSS and VHP defined the political and social role of women from the conservative rightist Hindu position; the emphasis was on Matri Shakti, the strong Hindu women, both as wives and mothers. Although the Rashtra Sevika Samiti (of the RSS) brought Hindu women outside the family for physical training, the priority was always the family and the preservation of Hindu culture in the context of modernization. In contrast to the party-based women's organizations, from the late 1970's and especially from 1980's there has been a proliferation of autonomous women's groups in most parts of the country. Three most successful organizations which can be mentioned here are Self-Employed Women's Association (SEWA, Ahmedabad) Working Women's Forum (Madras) and Annapurna Mandal (Bombay). Some of these are offshoot of large professional organizations like Vimochana. Even the

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SEWA originated from the Textile Labour Association. Women who were part of different trades in the informal economy were mobilized by the SEWA. This was founded by Ela Bhatt in the year 1972. Compared to many other autonomous women's groups, the SEWA and Working Women's Forum adopt a co-operative stand towards the state. Both use government and international funding to create economic opportunities for poor women and become politically effective. The SEWA has expanded into rural areas, organized income generating projects through Khadi protection and dairy development. The Working Women's Forum in Tamil Nadu organizes poor rural women so that they receive bank loans for income generating projects, but the long-term objective is to develop leadership and make them effective in the community. 19.5 Limitations Though there is need to organize Working Women on a greater scale, there are some hurdles which we have to overcome to engage them in Union work. Some of them are – 1) They have to bear the triple burden – Work at Factory/Office; - Work at home; - Work in the Trade Union. 2) They have less access to education, further trainings and skill up gradation programs. They also have a very little opportunity for self-study and development. 3) They are victims of religious and social

taboos, inhibitions imposed by customs and tradition. 4) Restrictions from the husband and in laws for participating in Trade union work. 5) They are easy targets of character assassination when they work in public along with male colleagues. 19.6 Conclusion The division between the rights oriented wing and the empowerment wing is often fluid, it is a matter of priorities or emphasis. Often a single organization engages in both kinds of activities. In fact, in the process of mobilization and the consequent empowerment, the agencies are not fixed and predetermined. The political parties, particularly the leftist parties, have a significant role in mobilizing

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and making rural women politically conscious. Sometimes the government can also contribute to the process of empowerment. An example can be found in the Forest Protection Committees (of women) in West Bengal. The process of empowerment has manifested itself with greater intensity in rural areas among lower caste/class. Tribal women formed Coastal Women's Front which became a part of fish-workers movement against mechanized trawling and also to be establish a separate platform for women. The two major problem areas for autonomous groups are: its over emphasis on autonomy of women's issues which might delink women from the mainstream, and second, the practical aspect of dependence for funding, both on national and international sources. 19.7

Summing up N The present

unit tried to explore the intersections of working class identities among women.

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It dealt with their struggle in the various movements in India and contribution towards the working class.

A critical analysis of

women's issues and concerns in the context of trade union movement was made. 19.8 Glossary Capitalism—This refers to an economic system that subjects wage labour and commodity production for sale. It is also associated with exchange and profit. It does not immediately address the needs of the producers. It is a principle as well as the means of industrialization. It abounds with private property, free-competitive market and involvement of work force in employment in the private sector. It promotes the idea of free market of small scale entrepreneurs who are competent to hire individual labourers for minimum cost. It also expects profit maximization through this sort of an arrangement. It focuses on the production for profit and private property that is partially controlled by the state. Sociologists such as Max Weber explored the category of wage labour and market exchange as one of the key aspects of capitalism. Capitalist systems are based on calculated rationality, achieving wealth through deferred gratification and separation of the economic and social conditions. Labour—According to Karl Marx, labour not only produces commodities; it produces itself and the worker as a commodity. It is identical with wage-labour. It is conceptualized as the conflicting realm of the labour and class in Marxian scholarship. Labour refers to the working class and exploitation of the labour power by the 200 _____

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capitalist class. Marx argues that if labour is value, wage is private property. Thus, labourer belongs to one whom he labours. Working class is not homogenous and the decomposition of labour happens due to their stratification of their skills. Skill—Skill refers to the manual and mental techniques that have to be acquired through training and schooling. It is also associated with aptitude. Trade Union—A trade union is an association of workers forming a legal unit or legal personhood, usually called a "bargaining unit", which acts as bargaining agent and legal representative for a unit of employees in all matters of law or right arising from or in the administration of a collective agreement. Working Class—The social group consisting of people who are employed for wages, especially in manual or industrial work. "Working class" is a

socio-economic

term used to describe persons in a social class marked by jobs that provide low pay, require limited skill and/or physical labour, and have reduced education requirements. Unemployed persons or those supported by a social welfare program are often included in this group. Informal Economy—The informal economy is the diversified set of economic activities, enterprises, jobs, and workers that are not regulated or protected by the state. The concept originally applied to self-employment in small unregistered enterprises. It has been expanded to include wage employment in unprotected jobs.

19.9

Probable Questions Essay Type Questions : 1. What are the definitions of working class? Explain in your own words. 2. How is the women's question addressed in the working class movement of India? Try to use specific examples from the unit to formulate your response? 3. How has the history of working class movements been influenced by working class feminism? Analyse the relationship between the two.

Long Questions : 1.

Given the current debates on working class feminism, what are your thoughts about the future course of related movements in India? 2. What are the various aspects of working class feminist discourse? Explain their contribution with examples. 3. Analyse the Trade Union movement in India.

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201 Short Questions : 1. Write a short note on SEWA. 2. Describe Capitalism. 3. What were the limitations of Trade Union movement in India? 19.10

Further Readings 1.

Arya, P. P., "Workers Involvement in Trade Unions", Indian Journal of Labour Economics, VOL. XXIII, No. 3. 1985. 2. Babel, August, Women in the Past, Present and the Future. Calcutta: National Book Centre, 1975. 3. Chatterjee, Partha, 'Peasants, Politics and Historiography'. Social Scientist, No. 120. 1983. 4. Chatterjee, Rakhahari, Politics India: The State-Society Interface, South Asian Publishers, New Delhi, 2001. 5. Chowdhury, Sanjib, "Liberalization and the Role of Trade Union, Management and Government", Personnel Today, VOL. XVII, NO. 2, July-September, 1996. 6. Shamim, Shubha, Role of the Working women in Trade Union Movement (<https://www.subhashamim.blogspot.com>), 2011. 7. Calman, Leslie, Towards Empowerment: Women and Movement Politics in India (Boulder: Westview Press), 1992. 8. Gandhi Nandita and Shah Nandita, The Issues at Stake: Theory and Practice in The Contemporary Women's Movement in India, Kali for Women, 1991. 9. Kaushik Susheela, Women's Participation in Politics (New Delhi: Vikas Publishing House), (ed. 1993). 10. Mies Maria and Shiva Vandana, Eco-Feminism, London: Zed Books), (ed. 1993). 11. Mohanty, Manoranjan, Caste, Class and Gender: Readings in Indian Government and Politics. New Delhi: Sage Publications, (ed. 2004). 12. Nelson, Barbara and Choudhury, Najma, Women and Politics World Wide (New Haven: Yale University Press), (eds. 1994).

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Unit-20 Women, Law and Property Rights Structure 20.1 Objectives 20.2 Introduction 20.3 Global Overview 20.4 International Regulations on Women Property Rights 20.5 Shifting Systems 20.6 Impact of Gender Bias 20.7 Patriarchal Property Rights 20.8 Barriers to Change in Status 20.9 Conclusion 20.10 Glossary 20.11 Probable Questions 20.12 Further Readings 20.1

Objectives The present unit will enable us to explain : N The property rights of women N International regulations on women property rights N Barriers to women property rights 20.2

Introduction Ownership of any of the movable and immovable property comes under the property rights. Property rights are the rights of own, acquire (through purchase, gift, or inheritance), manage, enjoy, and dispose of tangible and intangible property, including land, house, money, bank accounts and other assets, livestock, and crops. Women's property rights are property and inheritance rights enjoyed by women as a category within society at any point in time. Women, under the international law, have equal property rights. It applies for both movable and immovable (or tangible NSOU N GE-PS-21 _____ 203

and intangible) properties. The patterns and rights of property ownership vary between societies and are influenced by cultural, racial, political, and legal factors. In many countries of the world, women property rights are limited by norms, religious traditions, social customs and legislations. The lack of control over both productive and non-productive resources that is apparent in both rural and urban settings places women at a reduced level of advantages in areas of security of home, maintaining a basis for survival, and accessing economic opportunities. Development related problems faced across the globe have been increasingly linked to women's lack of property and inheritance rights, especially with regard to land and property ownership, encompassing areas such as low levels of education, hunger and poor health. Thus, land property rights, through their impact on patterns of production, distribution of wealth, as well as market development, has evolved as one of the prerequisites of economic growth and poverty reduction. 20.3

Global Overview Women play an integral part in the production of food and goods, from work in fields, factories, and home-based business across the globe. There is a critical relationship in the role that women play and the sustenance provided for families, communities, and nations. Globally, an estimated 41% of women headed households live below the locally defined property line, with one-thirds of world’s women either homeless or living in inadequate housing facilities. The additional exclusion of women from access to land pushes them towards cities, where they often join the ranks of increasing number of women-headed households in slum areas. However, through the processes of globalization and industrialization, there has been a noted increase in the numbers of women entering in the waged labour sectors. Rural women are solely responsible for half of the world’s food production, and in developing countries, as much as 80% of food crops. More recent estimates claim that half of the world’s food and in developing countries, between 60-80% of food crops are the results of growth from seeds that have been planted by a woman’s hand. This persistence of traditional divisions of labour, in which woman hold primary responsibility for producing food, as well as other labour-intensive tasks such as gather water and fuel, contributes to the large percentage of women informally working in rural areas. The roles that women play differ significantly by region, with an average of 43% of the agricultural labour force in developing countries, ranging from 20% in Latin America to 50% in Eastern Asia and Sub-Saharan Africa. Thus, in addition to increasing vulnerability and reducing status, exclusion of women from

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the decision making process and the control and transfer of land has also led to a decrease in food security and sustainable development. 20.4 International Regulations on Women Property Rights: The international human rights law requires equal protection of property rights of both men and women. Property rights are actually human rights. Women’s right to land and property, being the inalienable human right, is also related to adequate standards of living, right to housing and freedom from forced evictions. These rights are guaranteed in the international instruments. International Relevant Article Text Convention Article Universal Declaration of Human Rights

100%	MATCHING BLOCK 77/78	W
Convention on the Elimination of All Forms of Discrimination against Women 17 13-16		

Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his/
her property.

States to ensure that men and women are treated equally in their right to family benefits are treated equally in land and agrarian reform as well as in land resettlement schemes enjoy adequate living conditions. Particularly in relation to housing, have equal rights to conduce contracts and to administer property have the same rights for both spouses in respect of the ownership acquisition, management, adminis- tration, enjoyment and disposition of property, whether free of charge or for a valuable consideration. Both the International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights require that there will be no discrimination based on “property” of a person.

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The Beijing Platform for Action (announced in 1995) has also required that women's right to inheritance and ownership of land and property should be recognized and governments should take legislative and reform measures to remove disparities. Women's property rights are also implicit in Millennium Development, especially Goal 1 on eradicating extreme poverty and Goal 3 on gender equality. The goals to reduce or eradicate poverty and achieving gender equality will remain distant if women are not granted property rights. 20.5 Shifting Systems Though women's lack of formal control over land and resources has long persisting historical roots, economies and societies undergoing extensive change created deep implications for ownership rights. In subsistence production systems, access to land was determined by status within the family rather than actual ownership of rights; resulting in both men and women having "user rights" to produce food for their families. The combined processes of industrialization and globalization have disrupted longstanding livelihoods and systems of production, forcing many families to focus more on income-generating activities than on subsistence practices. However, increasing women's access to property rights has numerous significant economic benefits for the overall community as well as psychological and social benefits for the lives of women, themselves, especially in agricultural societies. Economically, when women have greater access to land-ownership in rural areas, which started being implemented by the government following the 20 th century mandates on property laws in order to ultimately promote greater gender equality, women began to independently cultivate their own land (given to them either by the state itself, allocated otherwise through the private market, or passed on by a male relative), from women collectives to learn more about agricultural practices as well as profit-generating skills and ultimately, have yielded more output from that given land than the previous owners. Further, the psychological benefit from increasing women's access to property rights is that this leads to a significant decrease in instances of marital domestic violence. All these factors would contribute positively to the economic growth of that given community in the long-term by experiencing greater overall

labour

force participation rates, increased income generation and greater investment in child health care and education, also thereby combating malnutrition and breaking out of the poverty cycle.

206 _____ NSOU N GE-PS-21 20.6 Impact of Gender Bias The typical process of agrarian transformation under which labour shifts from agriculture to non-agricultural has occurred slowly and with heavy gender bias. Because women's property rights are often assumed through the security of the often times, male, household head, some inheritance laws allocate less property to female heirs than male heirs. Ongoing adherence to male-dominated traditions of property ownership has generally meant that women cannot take advantage of the wide range of benefits associated with ownership and control of property. According to the Land Tenure Service at FAO, poverty is inversely correlated with household land ownership and direct access to land minimizes women's risk of impoverishment and improvements the physical well-being and prospects for children. The process of titling has been administered with strong gender bias, with women usually denied equal ownership rights. Furthermore, property and inheritance claims are generally processed through loosely organized administrative bodies consisting of local leaders and clerks with limited legal training. Closer inspection of the decision makers, notes a body of mostly males. 20.7 Patriarchal Property Rights Women who are potentially able to meet their subsistence needs on their own may threaten to leave the household if they are not given a large share of the surplus. However, due to patriarchal property rights, husbands control over the allocation of wives' labour time, husbands can make decisions that reduce the value of their wives' alternatives to marriage. Both the right to manage land and control the income from production, encompassing secure rights to land access, has much deeper implications than mere access. For many women, access to land and property are essential to the production of food as well as sustainable livelihoods, but are dependent on natal and marital affiliations. In many countries, women can lose rights to land when there is a change in marital status, including marriage, divorce, or even death of a spouse. Because of the worldwide prevalence of patrilineal inheritance customs, both productive resources and property such as household goods have ended up in the hands of men and not women. When only men have rights of inheritance or family succession, women have little opportunity to improve their status or living conditions within the family and community. Consequently, they are rendered dependent on male relatives for survival and have little say over how property is used to generate

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income or to support families. Additionally, within patrilineal communities, there is strong resistance by men towards endowing women, especially daughters, with rights to land access. 20.8 Barriers to Change in Status While there are a growing number of contemporary laws, as framed by the modern State, which give inheritance rights to daughters when they are recognized as individuals among the communities, the process of marriage and the traditionally patrilineal customs have remained largely unchanged. Thus, there remains a mismatch between marriage practices and inheritance laws, with the strength and biases of the marriage practice often overriding inheritance laws. This is also evidenced in the process of dowry practices. In many cultures, a daughter's dowry is viewed by her family as her direct portion of her inheritance, even though it may be typically absorbed by the new husband and his family. Thus, while in some communities, women do have the formal rights to inherit lands, the social representation of inheritance in the form of dowries and the strength of the practice of marriage trump given laws. Levels of education, often times products of restrictions on women's interaction with institutions which are primarily composed of men, ideologies about the conduct that a woman displays, normally taking the form of docility, can bring shame to the idea of challenging persisting gender inequalities in law, policy and land rights. Gender ideologies, or beliefs and stereotypes of the expected characteristics of a particular gender, provide a barrier for women to gain property rights and enhance status. These ideologies may take the form of assumptions of the role that a woman plays in society, her needs or capabilities, which thus affect the way that an issue is framed and implemented. 20.9 Conclusion Unless women are granted property rights, a country can't develop. Women property rights promote gender equality, which eventually leads to development. Lack of these rights causes underemployment of women and keeps them impoverished. According to UN Habitat, every one in four

developing countries have laws that impede women from owning property. As argued by World Bank, countries with the unequal inheritance laws have also unequal property rights regimes. Hence, women's property rights are important, as these are fundamental to women's economic

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security, social and legal status, and sometimes their survival. Land and property ownership empowers women and provides income and security. Without property rights, women have limited say in household, decision-making and no recourse to the assets during crises (be it divorce or death of a husband or any other difficult situation). The lack of property rights also results in domestic violence. 20.10

Summing up N The present unit analyses the

land and property rights, women's right in ancestral property, property rights for daughter and married woman etc.

N It highlighted the limitations of property rights and exposed how it is gender biased. 20.11

Glossary Land Rights—Property rights are claims to property that are legally and socially recognized and enforceable by external legitimized authority. Broadly defined, land rights can be understood as a variety of legitimate claims to land and the benefits and products produced on that land. Inheritance, transfers from the State, tenancy arrangements, and land purchase are all constructs of land rights. These rights can be in the form of actual ownership of usufruct, the rights of use. Property Right—Property rights are theoretical socially-enforced constructs in economics for determining how a resource or economic good is used and owned. Resource can be owned by (and hence be the property of) individuals, associations, collectives, or governments. Property rights can be viewed as an attribute of an economic good.

Globalization—Globalization is the word used to describe the growing interdependence of the world's economies, cultures, and populations, brought about by cross-border trade in goods and services, technology, and flows of investment, people, and information. Industrialization—Industrialization is the process by which an economy is transformed from primarily agricultural to one based on the manufacturing of goods. Individual manual labour is often replaced by mechanized mass production, and craftsmen are replaced by assembly lines.

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Gender Bias: Gender bias is the tendency to prefer one gender over another. It is a form of unconscious bias, or implicit bias, which occurs when one individual unconsciously attributes certain attitudes and stereotypes to another person or group of people. Male Dominance: A male-dominated society, organization, or area of activity is one in which men have most of the power and influence. 20.12 Probable Questions Essay Type Questions : 1. Explain Women's Property Rights in your own words. 2. How is the women's property right addresses the Women's Question? 3. How has the history of property rights been influenced by feminism? Analyse the relationship between the two.

Long Questions : 1.

3/78	SUBMITTED TEXT	30 WORDS	98% MATCHING TEXT	30 WORDS
<p>Radical feminists generally formed small activist or community associations around either consciousness raising or concrete aims. Many radical feminists in Australia participated in a series of squats to establish various women's</p>		<p>Radical feminists have generally formed small activist or community associations around either consciousness raising or concrete aims. Many radical feminists in Australia participated in a series of squats to establish various women's</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
4/78	SUBMITTED TEXT	46 WORDS	95% MATCHING TEXT	46 WORDS
<p>common in the late 1970s and early 1980s. By the mid-1980s many of the original consciousness raising groups had dissolved, and radical feminism was more and more associated with loosely organized university collectives. Radical feminism can still be seen, particularly within student activism and among working class women.</p>		<p>common in the late 1970s and early 1980s. By the mid-1980s many of the original consciousness raising groups had Approaches to Feminism 73 Notes dissolved, and radical feminism was more and more associated with loosely organized university collectives. Radical feminism can still be seen, particularly within student activism and among working class women.</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
5/78	SUBMITTED TEXT	14 WORDS	78% MATCHING TEXT	14 WORDS
<p>While radical feminists aimed to dismantle patriarchal society, their immediate aims were generally concrete.</p>		<p>While radical feminists aim to dismantle patriarchal society, their immediate aims are generally concrete.</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
6/78	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>defined by feminists in the 1970s as a basic human right</p>		<p>Defined by feminists in the 1970s as a basic human right,</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
7/78	SUBMITTED TEXT	30 WORDS	100% MATCHING TEXT	30 WORDS
<p>must include not only woman's right to choose childbirth, abortion, sterilisation or birth control, but also her right to make those choices freely, without pressure from individual men, doctors, governmental or religious authorities.</p>		<p>must include not only woman's right to choose childbirth, abortion, sterilisation or birth control, but also her right to make those choices freely, without pressure from individual men, doctors, governmental or religious authorities.</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				

8/78	SUBMITTED TEXT	36 WORDS	87% MATCHING TEXT	36 WORDS
<p>the sexual culture, e.g., breaking down traditional gender roles and re-evaluating societal concepts of femininity and masculinity (a common demand in US universities during the 1980s). To achieve this, they often formed tactical alliances with other currents of feminism. 1.5</p>		<p>the organizational sexual culture, e.g., breaking down traditional gender roles and re-evaluating societal concepts of femininity and masculinity (a common demand in US universities during the 1980s). In this, they often form tactical alliances with other currents of feminism. 4.6.2</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
9/78	SUBMITTED TEXT	11 WORDS	95% MATCHING TEXT	11 WORDS
<p>Engels' The Origin of the Family, Private Property and the State.</p>		<p>Engels, Friedrich. The Origin of the Family, Private Property and the State.</p>		
<p>W https://ebin.pub/feminisms-english-edition-9788125063803.html</p>				
10/78	SUBMITTED TEXT	9 WORDS	100% MATCHING TEXT	9 WORDS
<p>The Master's Tools Will Never Dismantle the Master's House.</p>		<p>the master's tools will never dismantle the master's house',</p>		
<p>W https://ebin.pub/feminisms-english-edition-9788125063803.html</p>				
11/78	SUBMITTED TEXT	23 WORDS	100% MATCHING TEXT	23 WORDS
<p>the context of the anti-war and civil rights movements and the growing self-consciousness of a variety of minority groups around the world. 5.</p>		<p>the context of the anti-war and civil rights movements and the growing self-consciousness of a variety of minority groups around the world.</p>		
<p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
12/78	SUBMITTED TEXT	11 WORDS	100% MATCHING TEXT	11 WORDS
<p>celebration of ambiguity and refusal to think in terms of 'us-them'</p>				
<p>SA Socio-Political ideas of Ramabai.pdf (D110378501)</p>				

13/78	SUBMITTED TEXT	18 WORDS	88% MATCHING TEXT	18 WORDS
<p>Radha, The History of Doing: An Illustrated Account of Movements of Women's Rights and Feminism in India, 1800-1990,</p> <p>SA Chapter 3.docx (D36606075)</p>				
14/78	SUBMITTED TEXT	11 WORDS	90% MATCHING TEXT	11 WORDS
<p>Kamla Bhasin, Indian developmental feminist activist, poet, author and social scientist,</p> <p>SA Avantika Pandey, Dept of History.pdf (D26941241)</p>				
15/78	SUBMITTED TEXT	16 WORDS	84% MATCHING TEXT	16 WORDS
<p>Mies Maria, Indian Women and Patriarchy: Conflicts and Dilemmas of Students and Working Women. New Delhi,</p> <p>SA Avantika Pandey, Dept of History.pdf (D26941241)</p>				
16/78	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
<p>social learning theorists hold that a huge array of different influences socialize us as women and</p> <p>Social learning theorists hold that a huge array of different influences socialise us as women and</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
17/78	SUBMITTED TEXT	10 WORDS	100% MATCHING TEXT	10 WORDS
<p>The Origin of the Family, Private Property, and the State</p> <p>The Origin of the Family, Private Property and the State.</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
18/78	SUBMITTED TEXT	12 WORDS	83% MATCHING TEXT	12 WORDS
<p>the Second Sex that 'one is not born but becomes a woman'.</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				

19/78	SUBMITTED TEXT	13 WORDS	89% MATCHING TEXT	13 WORDS
<p>s subordination was not a result of her biological disposition but of social relations.</p> <p>SA 2168730b.docx (D36583198)</p>				
20/78	SUBMITTED TEXT	16 WORDS	91% MATCHING TEXT	16 WORDS
<p>Clara Zetkin and Alexandra Kollontai counter posed Marxism against bourgeois feminism, rather than trying to combine them.</p> <p>SA Research_Paper_on_Feminist_Legal_Theory.docx (D35562194)</p>				
21/78	SUBMITTED TEXT	15 WORDS	83% MATCHING TEXT	15 WORDS
<p>Instead of feminism, the Marxists supported more radical programme of liberating women through socialist revolution</p> <p>SA Research_Paper_on_Feminist_Legal_Theory.docx (D35562194)</p>				
22/78	SUBMITTED TEXT	22 WORDS	87% MATCHING TEXT	22 WORDS
<p>a historical materialist point of view, which meant that they related their ideas to the material and historical conditions of people's lives.</p> <p>SA Research_Paper_on_Feminist_Legal_Theory.docx (D35562194)</p>				
23/78	SUBMITTED TEXT	44 WORDS	91% MATCHING TEXT	44 WORDS
<p>even today girls are discouraged from sports like football or from playing 'rough and tumble' games and are more likely than boys to be given dolls or cooking toys to play with while boys are told not to 'cry like a baby' and be given 'masculine' toys.</p> <p>even today girls are discouraged from playing sports like football or from playing 'rough and tumble' games and are more likely than boys to be given dolls or cooking toys to play with; boys are told not to 'cry like a baby' and are more likely to be given masculine toys</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				

24/78	SUBMITTED TEXT	51 WORDS	97% MATCHING TEXT	51 WORDS
<p>Radical Women, a major Marxist- feminist organization, based its theory on Marx' and Engels' analysis that the enslavement of women was the first building block of an economic system based on private property. They contend that elimination of the capitalist profit-driven economy will remove the motivation for sexism, racism, homophobia, and other forms of oppression.</p> <p>SA Research_Paper_on_Feminist_Legal_Theory.docx (D35562194)</p>				
25/78	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Engels, F, The Origin of the Family, Private Property and the State,</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				
26/78	SUBMITTED TEXT	15 WORDS	100% MATCHING TEXT	15 WORDS
<p>Buchanan, Ian. Socialist Feminism. A Dictionary of Critical Theory. Oxford Reference Online. Oxford University Press.</p> <p>SA Chapter 3.docx (D36606075)</p>				
27/78	SUBMITTED TEXT	15 WORDS	76% MATCHING TEXT	15 WORDS
<p>Women, 2000. 6. Ortner, Sherry B, Is Female to Male as Nature Is to Culture?</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				
28/78	SUBMITTED TEXT	23 WORDS	93% MATCHING TEXT	23 WORDS
<p>Carole Pateman contends that the dichotomy between the private and the public is central to almost two centuries of feminist writing and political struggle,</p> <p>Carole Pateman (1940–) asserted that “the dichotomy between the private and the public is central to almost two centuries of feminist writing and political struggle;</p> <p>W https://philarchive.org/archive/MILFE-7</p>				

29/78	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>women have had never been completely excluded from public life but the</p> <p>SA Sociology of Gender by Samikshya Madhukullya.docx (D131128319)</p>				
30/78	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
<p>women have had never been completely excluded from public life but the</p> <p>SA Sociology of Gender by Samikshya Madhukullya.docx (D131128319)</p>				
31/78	SUBMITTED TEXT	22 WORDS	78% MATCHING TEXT	22 WORDS
<p>Radha, The History of Doing: An Illustrated account of Women's Rights and Feminism in India, 1800-1990 New Delhi, Kali for Women, 1993. 5.</p> <p>SA Chapter 2.docx (D123681973)</p>				
32/78	SUBMITTED TEXT	16 WORDS	85% MATCHING TEXT	16 WORDS
<p>New Delhi, OUP, 2001. 6. Engels F, The origin of Family, Private Property and the State,</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				
33/78	SUBMITTED TEXT	83 WORDS	100% MATCHING TEXT	83 WORDS
<p>Feminism has altered predominant perspectives in a wide range of areas within Western society, ranging from culture to law. Feminist activists have campaigned for women's legal rights (rights of contract, property rights, voting rights); for women's right to bodily integrity and autonomy, for abortion rights, and for reproductive rights (including access to contraception and quality prenatal care); for protection of women and girls from domestic violence, sexual harassment and rape; for workplace rights, including maternity leave and equal pay; against misogyny; and against other forms of gender-specific discrimination against women.</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				

34/78	SUBMITTED TEXT	30 WORDS	100% MATCHING TEXT	30 WORDS
<p>social organization marked by the supremacy of the father in the clan or family, the legal dependence of wives and children, and the reckoning of descent and inheritance in the male line.</p>				
<p>SA Book chapter II (1).doc (D46050561)</p>				

35/78	SUBMITTED TEXT	85 WORDS	93% MATCHING TEXT	85 WORDS
<p>The term feminism can be used to describe a political, cultural or economic movement aimed at establishing equal rights and legal protection for women. Feminism involves political and sociological theories and philosophies concerned with issues of gender difference, as well as a movement that advocates gender equality for women and campaigns for women's rights and interests. Although the terms "feminism" and "feminist" did not gain widespread use until the 1970s, they 73 74</p> <p>-----</p> <p>_____ NSOU N GE-PS-21 were already being used in the public parlance much earlier.</p>				
<p>SA Book chapter II.doc (D44426392)</p>				

36/78	SUBMITTED TEXT	144 WORDS	91% MATCHING TEXT	144 WORDS
	<p>The phrase "socialist feminism" was increasingly used during the 1970s to describe a mixed theoretical and practical approach to achieving women's equality. 83 84</p> <p>-----</p> <p>----- NSOU N GE-PS-21 Socialist feminist theory analysed the connection between the oppression of women and other oppressions in society, such as racism and economic injustice. Socialists had fought for decades to create a more equal society that did not exploit the poor and the powerless in the same ways that capitalism did. Like Marxism, socialist feminism recognized the oppressive structure of a capitalist society. Like radical feminism, socialist feminism recognized the fundamental oppression of women, particularly in a patriarchal society. However, socialist feminists did not recognize gender and only gender as the exclusive basis of all oppression. Rather, they held and continue to hold that class and gender are symbiotic, at least to some degree, and one cannot be addressed without taking the other into consideration. Socialist</p> <p>W https://www.thoughtco.com/socialist-feminism-womens-history-definition-3528988</p>		<p>The phrase "socialist feminism" was increasingly used during the 1970s to describe a mixed theoretical and practical approach to achieving women's equality. Socialist feminist theory analyzed the connection between the oppression of women and other oppressions in society, such as racism and economic injustice. The Socialist Socialists had fought for decades to create a more equal society that did not exploit the poor and the powerless in the same ways that capitalism did. Like Marxism, socialist feminism recognized the oppressive structure of a capitalist society. Like radical feminism, socialist feminism recognized the fundamental oppression of women, particularly in a patriarchal society. However, socialist feminists did not recognize gender and only gender as the exclusive basis of all oppression. Rather, they held and continue to hold that class and gender are symbiotic, at least to some degree, and one cannot be addressed without taking the other into consideration. Socialist</p>	
	<p>Socialist feminists intend to integrate the recognition of sex discrimination within their work to achieve justice and equality for women, for working classes, for the poor and all humanity. 8.3</p> <p>W https://www.thoughtco.com/socialist-feminism-womens-history-definition-3528988</p>	29 WORDS	94% MATCHING TEXT	29 WORDS
	<p>The term feminism can be used to describe a political, cultural or economic movement aimed at establishing equal rights and legal protection for women. N Feminism involves political and sociological theories and philosophies concerned with issues of gender difference, as well as a movement that advocates gender equality for women and campaigns for women's rights and interests.</p> <p>SA Book chapter II (1).doc (D46050561)</p>	52 WORDS	96% MATCHING TEXT	52 WORDS

39/78	SUBMITTED TEXT	135 WORDS	98% MATCHING TEXT	135 WORDS
	<p>socialist feminism? Socialist feminism addresses women's inequality in a two-pronged approach, connecting capitalism and patriarchy and proving that patriarchy isn't the sole source of oppression. The first objective is often referring to women's limited roles in society, staying at home and raising a family, as a major factor in their oppression. The second object aims to show that women can experience it in various other ways, including race, class, sexual orientation, and education, among others. Socialist feminism gained momentum during the 1960s to 1970s, a timeframe also known as the second wave of feminism. This wave was focused on social welfare issues. Though it is not considered the most radical form of feminism, socialist feminism still has strong ties to Marxist theory and calls for a major shift in societal structure. More specifically, it calls for an end to the capitalist economic system, which social</p>		<p>socialist feminism. Socialist feminism addresses women's inequality in a two-pronged approach, connecting capitalism and patriarchy and proving that patriarchy isn't the sole source of oppression. The first objective is often referring to women's limited roles in society, staying at home and raising a family, as a major factor in their oppression. The second object aims to show that women can experience it in various other ways, including race, class, sexual orientation, and education, among others. Overview of Socialist Feminism Socialist feminism gained momentum during the 1960s to 1970s, a timeframe also known as the second wave of feminism. This wave was focused on social welfare issues. Though it is not considered the most radical form of feminism, socialist feminism still has strong ties to Marxist theory and calls for a major shift in societal structure. More specifically, it calls for an end to the capitalist economic system, which social</p>	
	<p>W https://study.com/academy/lesson/socialist-feminism-definition-lesson-quiz.html</p>			

40/78	SUBMITTED TEXT	109 WORDS	94% MATCHING TEXT	109 WORDS
	<p>feminists believe perpetuates sexism, patriarchy, and a division of labour based on gender. A common mentality during that second wave of feminism was that children needed their mothers at home in order to be properly nurtured. However, with the rise of single mothers and a lack of affordable childcare and liveable working wages for women, socialist feminism began to spread. Instead of focusing primarily on working-class women, socialist feminism also reached out to poor women of colour and colour activists. At the time, women of colour were experiencing a different kind of oppression based on their race. Many were victims of forced sterilization while giving birth at local hospitals, some through coercion and others through complete deception.</p>		<p>feminists believe perpetuates sexism, patriarchy, and a division of labor based on gender. A common mentality during that second wave of feminism was that children needed their mothers at home in order to be properly nurtured. However, with the rise of single mothers and a lack of affordable childcare and liveable working wages for women, socialist feminism began to spread. Instead of focusing primarily on working-class women, socialist feminism also reached out to poor women of color and color activists. At the time, women of color were experiencing a different kind of oppression based on their race. Many were victims of forced sterilization while giving birth at local hospitals, some through coercion and others through complete deception.</p>	
	<p>W https://study.com/academy/lesson/socialist-feminism-definition-lesson-quiz.html</p>			

41/78	SUBMITTED TEXT	12 WORDS	87% MATCHING TEXT	12 WORDS
	<p>of the Family, Private Property and the State. He explains that a</p>			
	<p>SA Research_Paper_on_Feminist_Legal_Theory.docx (D35562194)</p>			

42/78	SUBMITTED TEXT	72 WORDS	95% MATCHING TEXT	72 WORDS
<p>Socialist feminists agree that liberal feminism does not appreciate the depth of the oppression of women and basically only addresses the situation of women of the upper and upper middle classes. N They also agree that women have been oppressed in virtually all known societies, but the nature of this oppression has differed because of the different economic realities. N Socialist feminists do not think that the oppression of women is based solely 90</p> <p>-----</p> <p>-----</p>				
<p>SA feminism essay 3.docx (D36606167)</p>				

43/78	SUBMITTED TEXT	88 WORDS	97% MATCHING TEXT	88 WORDS
<p>on the economic system, and they suggest that patriarchy and capitalism are combined into one system. They believe that we must understand the continuing effects that colonization, imperialism, and racism have on the women of the world. N Socialist feminists maintain that it is wrong to suggest that any one form of oppression is the most important or key form of oppression. Instead, they recognize that oppression based on sex/gender, class, race, and sexual orientation are all interwoven. To effectively challenge any one of these forms of oppression, we must understand and challenge all of them.</p>				
<p>SA feminism essay 3.docx (D36606167)</p>				

44/78	SUBMITTED TEXT	50 WORDS	91% MATCHING TEXT	50 WORDS
<p>Socialist feminists emphasize the economic, social, and cultural importance of women as people who give birth, socialize children, care for the sick, and provide the emotional labour that creates the realm of the home as a retreat for men from the realities of the work place and the public arena. N Socialist feminists</p>				
<p>SA feminism essay 3.docx (D36606167)</p>				

45/78	SUBMITTED TEXT	33 WORDS	91% MATCHING TEXT	33 WORDS
	emphasize that within the work place women face challenges of job market segregation, lower wages for the same work, and sexual harassment. They also recognize that the labour movement has been complicit in maintaining this. 8.10			
	SA feminism essay 3.docx (D36606167)			
46/78	SUBMITTED TEXT	49 WORDS	100% MATCHING TEXT	49 WORDS
	Radical feminism is a philosophy emphasizing the patriarchal roots of inequality between men and women, or, more specifically, the social domination of women by men. Radical feminism views patriarchy as dividing societal rights, privileges, and power primarily along the lines of sex, and as a result, oppressing women and privileging men. Radical		Radical feminism is a philosophy emphasizing the patriarchal roots of inequality between men and women, or, more specifically, the social domination of women by men. Radical feminism views patriarchy as dividing societal rights, privileges, and power primarily along the lines of sex, and as a result, oppressing women and privileging men. Radical	
	W https://www.thoughtco.com/what-is-radical-feminism-3528997			
47/78	SUBMITTED TEXT	66 WORDS	100% MATCHING TEXT	66 WORDS
	as "getting to the root") than other feminists. A radical feminist aims to dismantle patriarchy rather than making adjustments to the system through legal changes. Radical feminists also resist reducing oppression to an economic or class issue, as socialist or Marxist feminism sometimes did or does. Radical feminism opposes patriarchy, not men. To equate radical feminism to man-hating is to assume that patriarchy and men are inseparable, philosophically and politically.		as "getting to the root") than other feminists. A radical feminist aims to dismantle patriarchy rather than making adjustments to the system through legal changes. Radical feminists also resist reducing oppression to an economic or class issue, as socialist or Marxist feminism sometimes did or does. Radical feminism opposes patriarchy, not men. To equate radical feminism to man-hating is to assume that patriarchy and men are inseparable, philosophically and politically. (
	W https://www.thoughtco.com/what-is-radical-feminism-3528997			
48/78	SUBMITTED TEXT	43 WORDS	80% MATCHING TEXT	43 WORDS
	forms of oppression which affect the life chances and human 94 ----- _____ NSOU N GE-PS-21 dignity of women, that is, with all forms of oppression. By attributing all forms of oppression to male domination, the early radical feminist account linked		forms of oppression which affect the life chances and human dignity of women, that is, with all forms of oppression. By attributing all forms of oppression to male domination, the early radical feminist accounts linked	
	W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf			

49/78	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>framework for understanding all forms of invidious hierarchical distinctions between categories of human beings.</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>framework for understanding all forms of invidious hierarchical distinctions between categories of human beings.</p>		
50/78	SUBMITTED TEXT	16 WORDS	90% MATCHING TEXT	16 WORDS
<p>Buchanan, Ian. "Socialist Feminism." A Dictionary of Critical Theory. Oxford Reference Online. Oxford University Press. 2011. 2.</p> <p>SA Chapter 3.docx (D36606075)</p>				
51/78	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>Daly, Mary, Gyn/ecology: The Metaethics of Radical Feminism, Boston: Beacon Press. 1990. 2.</p> <p>W https://ebin.pub/feminisms-english-edition-9788125063803.html</p>		<p>Daly, Mary. Gyn/Ecology: The Metaethics of Radical Feminism. Boston: Beacon Press, 1990.</p>		
52/78	SUBMITTED TEXT	18 WORDS	79% MATCHING TEXT	18 WORDS
<p>Firestone, Shulamith, The Dialectic of Sex: The Case for Feminist Revolution, revised edition, New York: Bantam Books. 1971. 4.</p> <p>W https://ebin.pub/feminisms-english-edition-9788125063803.html</p>		<p>Firestone, Shulamith, The Dialectic of Sex: The Case for a Feminist Revolution. New York: Bantam Books, 1970.</p>		
53/78	SUBMITTED TEXT	18 WORDS	85% MATCHING TEXT	18 WORDS
<p>sex/gender system is a "set of arrangements by which a society transforms biological sexuality into products of human activity.</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				
54/78	SUBMITTED TEXT	13 WORDS	100% MATCHING TEXT	13 WORDS
<p>for a "'new feminism' which rejects the temptation of imitating models of 'male</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>for a "'new feminism' which rejects the temptation of imitating models of 'male</p>		

55/78	SUBMITTED TEXT	17 WORDS	85% MATCHING TEXT	17 WORDS
<p>in order to acknowledge the true potential of women in every aspect of the life of society</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>in order to acknowledge and affirm the true genius of women in every aspect of the life of society</p>		
56/78	SUBMITTED TEXT	15 WORDS	93% MATCHING TEXT	15 WORDS
<p>The term New Feminism has been revived by feminists responding to the call of Pope</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>the term 'new feminism' has been revived by Catholic feminists responding to the call of the Pope</p>		
57/78	SUBMITTED TEXT	27 WORDS	75% MATCHING TEXT	27 WORDS
<p>third-wave feminists sought to question, reclaim, and redefine the ideas, words, and media that have transmitted ideas about womanhood, gender, beauty, sexuality, femininity, and masculinity, among other things. 2.</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>Third-wave feminists sought to question, reclaim, and redefine the ideas, words, and media that have transmitted ideas about gender, gender roles, womanhood, beauty, and sexuality, among other things.</p>		
58/78	SUBMITTED TEXT	15 WORDS	80% MATCHING TEXT	15 WORDS
<p>Feminism in the West Structure 11.1 Objectives 11.2 Introduction 11.3 Early Feminism in the West 11.4 Feminism in the</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>		<p>FEMINISM IN THE WEST Structure 5.0 Objectives 5.1 Introduction 5.2 Origins of Feminism in the West 5.3 Origins of Feminism in the</p>		
59/78	SUBMITTED TEXT	13 WORDS	87% MATCHING TEXT	13 WORDS
<p>Her A Vindication of the Rights of Woman (1792) is regarded as a</p> <p>SA FEMINISM AND THE POLITICS OF INTERPRETATION BY KARISHMA TALREJA.docx (D141208497)</p>				

60/78	SUBMITTED TEXT	36 WORDS	54% MATCHING TEXT	36 WORDS
<p>right was the world historic defeat of the female sex. The man seized the reign in the house also; the woman was degraded, enthralled, the slave of man's lust, a mere instrument of breeding children'. Following the Marxist</p> <p>SA BLOCK I MSO 302.docx (D48664295)</p>				
61/78	SUBMITTED TEXT	11 WORDS	76% MATCHING TEXT	11 WORDS
<p>Kate Millet's Sexual Politics, Germaine Greer's The Female Eunuch, Shulamith Firestone's The</p> <p>SA Sociology of Gender by Samikshya Madhukullya.docx (D131128319)</p>				
62/78	SUBMITTED TEXT	15 WORDS	73% MATCHING TEXT	15 WORDS
<p>The Origin of Family, Private Property and the State, explained the evolution of the family</p> <p>The Origin of the Family, Private Property and the State. He traces the origins of family</p> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>				
63/78	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>members of the workforce and are active in production; ii) they bear children and thus, reproduce human species; iii) they</p> <p>SA Sociology of Gender by Samikshya Madhukullya.docx (D131128319)</p>				
64/78	SUBMITTED TEXT	20 WORDS	92% MATCHING TEXT	20 WORDS
<p>was the first to ask 'Does Israel need a women's right movement?' In 1972, the first radical women's movement was</p> <p>was the first to ask "Does Israel need a women's rights movement?" In 1972, the first radical women's movement was</p> <p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

65/78	SUBMITTED TEXT	24 WORDS	54% MATCHING TEXT	24 WORDS
<p>the labour market. It helped expose the myth of equality in Israeli society. Women realized that they were mostly channelized into feminine occupations and were</p>		<p>the labor market, helped entrench the dominant myth of equality in Israeli society. Women were not aware that in practice they were channeled into "feminine" occupations and were</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

66/78	SUBMITTED TEXT	54 WORDS	85% MATCHING TEXT	54 WORDS
<p>concern for the soldiers, caring for the wounded, the widows, and the orphans. Women cooked and knitted for the men at the front, inundated the hospitals that cared for the wounded, and of course looked after family members who remained at home. The longer the hostilities persisted, the greater became the number of caring and integration roles were</p>		<p>concern for the soldiers and helping to treat the wounded, the widows, and the orphans. Women baked and knitted for the men at the front, inundated the hospitals that cared for the wounded, and of course looked after family members who remained at home. The longer the hostilities persisted, the greater the number of caring and functional roles were</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

67/78	SUBMITTED TEXT	85 WORDS	83% MATCHING TEXT	85 WORDS
<p>The waste of human capital in a gender-stratified society was felt. The first body to react to the situation was the Israel Defence Forces (IDF). The process of self-criticism carried out by the military high command after the war, combined with the need to strengthen combat units and the increasing use of advanced technologies, led the army to reassess its policy toward women. The adoption of the new technologies, whose operation required trained and high-quality personnel, opened many new military fields to women and afforded them new</p> <p>----- -----</p>		<p>The waste of human capital that occurs in a gender-stratified society was fully manifested in the three weeks of full hostilities. The first body to react to the situation was the Israel Defense Forces (IDF). The process of self-criticism carried out by the military high command after the war, combined with the need to bolster combat units with males and the growing recourse to advanced technologies, led the army to reassess its policy toward women. The adoption of the new technologies, whose operation required trained and high-quality personnel, opened many new military fields to women and afforded them new</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

68/78	SUBMITTED TEXT	16 WORDS	100% MATCHING TEXT	16 WORDS
<p>opportunities. Women's functions in the military became more diverse, a trend that has continued ever since.</p>		<p>opportunities. Women's functions in the military became more diverse, a trend that has continued ever since.</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

69/78	SUBMITTED TEXT	21 WORDS	84% MATCHING TEXT	21 WORDS
<p>feminist writing, translations of leading international feminist articles, local texts, and a feminist journal, Noga. Shelters for battered women and rape crisis</p>		<p>feminist writing, translations of leading international feminist articles, texts written locally, and a feminist journal, Noga. Shelters for battered women and rape crisis</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				
70/78	SUBMITTED TEXT	28 WORDS	79% MATCHING TEXT	28 WORDS
<p>A women's party was founded in 1977; though it did not attain the minimum percentage of votes required, it was clearly another milestone in the feminist fight. Alongside the</p>		<p>A women's party was founded in 1977; although it did not attain the minimum percentage of votes required to take part in the Knesset, it was clearly another milestone in the feminist fight. The</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				
71/78	SUBMITTED TEXT	14 WORDS	100% MATCHING TEXT	14 WORDS
<p>the last decade of the twentieth century there has been an outburst of voices</p>		<p>the last decade of the twentieth century, there has been an outburst of voices:</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				
72/78	SUBMITTED TEXT	19 WORDS	92% MATCHING TEXT	19 WORDS
<p>Mizrahi women, Palestinian women living in Israel, lesbians, single mothers, mothers of soldiers, women in black, women in green,</p>		<p>Mizrahi women, Palestinian women living in Israel, lesbians, single mothers, mothers of soldiers, Women in Black, Women in Green,</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				
73/78	SUBMITTED TEXT	12 WORDS	100% MATCHING TEXT	12 WORDS
<p>the military leadership, the civilian administration, and war production. Many women reported</p>		<p>the military leadership, the civilian administration, and war production. Many women reported</p>		
<p>W https://jwa.org/encyclopedia/article/feminism-in-contemporary-israel</p>				

74/78	SUBMITTED TEXT	13 WORDS	80% MATCHING TEXT	13 WORDS		
<p>by Raja Rammohun Roy and his friends by opening a place for worship</p> <p>SA Socio-Political ideas of Ramabai.pdf (D110378501)</p>						
75/78	SUBMITTED TEXT	13 WORDS	88% MATCHING TEXT	13 WORDS		
<p>the formation of the Committee on the Status of Women in India (CSWI).</p> <p>SA INTRODUCTION 25.10.doc (D117048908)</p>						
76/78	SUBMITTED TEXT	30 WORDS	40% MATCHING TEXT	30 WORDS		
<p>the 1990s there developed several independent and autonomous organizations of 160</p> <p>----- _____ NSOU N GE-PS-21 Dalit women like the National Federation of Dalit Women and the</p> <p>SA WOMEN'S MOVEMENT RASHMI GOPI.docx (D63993717)</p>						
77/78	SUBMITTED TEXT	8 WORDS	100% MATCHING TEXT	8 WORDS		
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Convention on the Elimination of All Forms of Discrimination against Women 17 13-16</td> <td style="width: 50%;">Convention on the Elimination of All Forms of Discrimination against Women</td> </tr> </table> <p>W https://ddceutkal.ac.in/Downloads/UG_SLM/Polsc/GE_1.pdf</p>					Convention on the Elimination of All Forms of Discrimination against Women 17 13-16	Convention on the Elimination of All Forms of Discrimination against Women
Convention on the Elimination of All Forms of Discrimination against Women 17 13-16	Convention on the Elimination of All Forms of Discrimination against Women					
78/78	SUBMITTED TEXT	33 WORDS	94% MATCHING TEXT	33 WORDS		
<p>The nationalist discourse about women; women do not speak here. It is a discourse which assigns to women a place, a sign, an objectified value; women here are not subjects with a will and</p> <p>SA I.Introduction by Gladin Rose .pdf (D19855608)</p>						