



Liberal democracy and the concept of freedom in India

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Abstract

The liberal democracy of 21st century throughout the world has passed through many ups and downs. Though Indian state has moved towards liberal democracy with multiparty system, some authoritarian trends are visible: majoritarian communalism, criminalization of politics, the crisis of governance, corruption and marginalisation of vast sections. If democracy in India is to survive in the long run, the rights and dignity of the marginalized are to be protected and their voice must be heard in the decision making process by which they can attain their fullest realization.

Keywords: liberal democracy, freedom, century, politics, communalism

Introduction

The liberal democracy of 21st century throughout the world has passed through many ups and downs. Francis Fukuyama in his argument shows history has come to an end with the triumph of liberal democracy throughout the world. He cites the cause of disintegration of former Soviet Union and transition of Chinese economy towards market society. With the advancement of science and technology the whole world has become a family though certain authoritarian trends cannot be ruled out. Though Indian state has moved towards liberal democracy with multiparty system, some authoritarian trends are visible: majoritarian communalism, criminalisation of politics, the crisis of governance, corruption and marginalisation of vast sections.

Liberalism

First of all I would like to explain the core liberal thinking. According to the traditional picture, people on the left believe in equality and hence endorse some form of socialism, while those on the right believe in freedom, and hence endorse some form of free-market capitalism, in the middle are the liberals, who believe in a wishy-washy mixture of equality and freedom and hence endorse some form of welfare state capitalism ^[1].

Liberalism is the pursuit of freedom and justice. It is based on individualism, a concept that is often misused. Some equate with egoism but I think individualism is a positive power allowing people to determine their destiny as an individual. Individualism leads to self-respect, self-fulfillment, self-development and emancipation from traditional relations and groups. Individualism is the antipole against increasing anonymity, bureaucracy and uniformity of modern society.

Liberalism attests to, in a loose sense, a set of dispositions and a way of life sustained by reason and human values, it is in many ways more flexible than any ideology ^[2]. Liberalism itself offers an intellectual climate and platform, made possible by its commitment to freedom and toleration, for other ideologies to exist and function ^[3]. As Alan Ryan makes

it clear whatever liberalism involves, it certainly includes toleration and an antipathy to closing ranks around any system of beliefs ^[4].

It is easy to list famous liberals; it is harder to say what they have in common. John Locke, Adam Smith, Montesquieu, Thomas Jefferson, John Stuart Mill, Lord Acton, T.H. Green, John Dewey, and contemporaries such as John Rawls and Isaiah Berlin are liberals but they do not agree about the boundaries of toleration, the legitimacy of the welfare state, and the virtues of democracy, to take three rather central political issues. They do not even agree on the nature of the liberty they think liberals ought to seek ^[5].

Liberalism vs Libertarianism

We may now make distinction between liberalism and libertarianism. Both are committed to the promotion of individual liberty; both support human rights according to which individual enter the world with a right to the free disposal of themselves and their resources. The line of difference lies between the libertarian view that the government is not a necessary evil but largely unnecessary evil and the liberal view that government power is to be treated with caution, but like any other instrument may be used to achieve good ends. Perhaps the most important point of difference is that libertarians see our rights as a form of private property, what Nozick has called 'entitlements'. The individual is the owner of his/her person and abilities, so viewed, our rights have two sources only-our initial ownership of our own selves and capacities, and the claims on whatever resources and abilities of other people have freely agreed to transfer to us. The state, if legitimate at all, may do no more than secure these rights. Nobody has the right to deprive anyone else of their property by force if they have committed no crime and neither does the state.

This is sharp contrast to the most famous recent account of welfare, state liberalism, John Rawls' 'A Theory of Justice'. Rawls' claims is that we should acknowledge two rights, the right to the most extensive liberty with the same liberty for

everyone and a right to just treatment enshrined in the thought that inequalities are justified only to the least advantaged^[6]. The second principle is often called the maximum theory of justice, since it explains social justice as maximizing the size of the minimum holding of social resources. This principle is clearly inimical to any account of the state that restricts it to the defense of property rights. The introduction of a conception of social justice into the defense of a liberal political theory rests on the idea that individuals have a right to self-development, and therefore on the kind of individual development that underpins Mill's *On Liberty* and alienates defenders of classical liberalism.

Liberal democracy in the 21st century

After analysing liberalism we may now turn to discuss the model of liberal democracy into the twenty-first century. In a liberal democracy, it is the people who have the undisputed right to determine the framework of rules, regulations and policies within a given territory and govern accordingly^[7]. Liberal democracy is premised on the notion of popular sovereignty and institutionalization in citizenship rights. Democratic rule is exercised in the sovereign, territorially consolidated nation-state. In a bounded territory, people's sovereignty is the basis upon which democratic decision-making takes place, and the people and the addresses, or the constituents, of the political decisions.

In a liberal democracy, the people are sovereign. The idea of popular sovereignty gained wide currency in the late eighteenth century. It was during the struggle of the American colonies for independence from Britain and during the crisis and revolutionary overthrow of the French Monarchy in the last third of the eighteenth century that a new principle for the political legitimization of political authority was established: the state is legitimate only in so far as it enacts the people's will and is, thereby, responsible and accountable to the public^[8]. Not only had the people abolished or overthrown, an established political order; they had also established a new political principle in that they replaced the idea of state's authority to define public right and welfare with their claim to popular mandate to rule^[9].

John Locke in his argument concluded that individual rights are 'inalienable', men do not give up their natural rights; i.e. life, liberty and property when they enter into a political community. Rather, the primary function of a political community, or government was seemed to be maintenance and protection of these rights. If government violated these rights, it forfeited the trust of its citizens had put in it and could be legitimately overthrown. Political authority in a liberal polity rests on the freely given consent of the governed. It was within the context of this political philosophy that liberalism since the late eighteenth century strove to lay down constitutional provisions that protected the citizens from the interference by the state and to stipulate the rights that have in 'private' sphere. There was recognition of separation between 'public' and 'private', spheres, between the 'state' and 'civil society'. Individuals were considered to be more than citizens with political interests, rights and duties; they were seen as possessing capacities and interests of a non-political nature which they were at liberty to express and peruse without state interference^[10].

Liberal democracy accepts the diversity of social interests and the legitimacy of their pursuit in the political area. Different interests necessarily exist in different classes of citizens argues James Madison one of the founding fathers of American constitution. Madison recognized that society was composed of different alliances, groupings and parties all of then pursuing plurality of interests. The idea of democracy had been raised for the first time in the Greek polis in the first half of the fifth century BC. It was that the idea was formulated and institutionalized that a substantial number of free adult males should be entitled to participate in governing the political community. Such kind of democracy can be viable only in small states. Due to the larger size of the modern states there was favour for the idea of representative democracy. Whether parliamentary or presidential form of government the representatives must recognize individual liberty and welfare for all.

We are now in the beginning of 21st century where democracy now generally means a republican or representative government. Liberal democracy represents following characteristics. Representation highlights elections though secret ballot, regular elections for public office competitive bi-party or multi-party elections and universal suffrage. It recognizes multiple groups, freedom of speech, free media, freedom of religion, freedom to from unions / business, fair trial / rule of law – Now I want to focus how Indian state is working since independence and the emerging issues and debates.

Working of Indian democracy since independence

Indian political leaders did adopt liberal democracy recognizing universal adult franchise, fundamental rights, parliamentary democracy, independent judiciary, competitive party system, freedom of media, freedom of religion and rule of law and centrally recruited bureaucracy. The goal of the state was to establish an open liberal and plural model. Pandit Jawaharlal Lal Nehru was the architect of modern Indian democracy. Nehru followed mixed economy and democratic virtue of social justice.

Rajni Kothari being a liberal supported democratic institutions and diversity of Indian culture and noted that Indian culture has marked tendency towards "agglomeration more than segmentation, accommodation more than confrontation"^[11] of all the agencies, the congress functioned as the major mediating agency, which according to kothari "gave to the country a coherent and unified leadership which could speak for the nation as a whole, and so acquired a power of identity of its own"^[12]. The congress party was able to accommodate multiple identities in the first two decades of independence. Sudipta Kaviraj also endorses Indian democracy due to independent path of reformist welfarist and capitalist development Indian state was much more consolidated in the initial era as compared to the period that followed.

By 1970s Indira Gandhi was severely criticized for imposing emergency though she empowered Indian poor through bank nationalization, abolition of privy purses and "Garibi hatao" slogan. Since the beginning of 1980s congress party was challenged by several regional parties: Shiromani Akali Dal in Punjab, Assam Gana parishad in Assam, Telgu Dessam party in Andhra and DMK in Tamil Nadu; Rajiv Gandhi's period is

marked by revolution in the field of science and technology. In the years following independence there was joyous hope and pride in the establishment of democracy, but by the beginning of 21st century this gave the way to cynicism and disappointment with the functioning of democracy on the other hand, there has been a removal of democratic spirit among the citizens of India in the form of people's movements that question the various aspects of the Indian state and its functioning.

Sixteen national elections and many more state level elections have been held till now. The probability of democratic collapse is minuscule. Democracy has become the institutionalized common sense of Indian politics no one thinks any longer that there is any other way of coming to power. "Keeping the nation together is perhaps the greatest achievement of Indian democracy, though democracy alone has not made that happen: a combination of force and persuasion has been used to quell insurgencies and riots" [13] Democracy has seriously attacked caste inequalities in the South but in North the process has only recently acquired force. Mass poverty remains the greatest failure of Indian democracy. Since 1991 the rate of decline in poverty has accelerated, and a real measure of property has reached the middle classes for the first time in modern Indian history.

In recent years, those who look at poverty, primary and secondary education, and public health and economic growth figures entered or substantially, unsatisfactory. Critics of Indian democracy calls it procedural not a substantive democracy. Indian state started with three national projects-national unity, dignity and social justice, and elimination of mass poverty. Though Indian state is multicultural, multi-religious and multilingual society it has been successful to maintain unity of the state. The second project-dignity and social justice called for attacking the inequality of the caste system, a lasting feature of Hindu society which constituted over 80 percent of the country after partition. A modern polity could not accept radically different bundles of rights based on birth. The third project sought to bring basic material comforts— food, clothing, health and shelter to the millions of Indians living in shocking squalor and deprivation at the time of independence. In these fronts Indian state has not successfully overcome these issues.

The concept of freedom and democracy in India

In this essay, I try to follow the story of the ideas of modern freedom in India in both senses, as the liberty of individuals to choose their lives, but also as the freedom of specific social groups like castes and the nation to follow what regard as their 'destiny' In studying intellectual history in India, the organizing principle is not the distinction between negative and positive liberty but the liberty of individuals and communities.

The legal structure of democratic politics was constructed in great detail and with enormous technical care, and after exhaustive often extremely subtle theoretical debates in the constituent Assembly. The constitutional arrangements adopted after independence were the ideas of nationalism federalism, social reform and individual freedom. The constitutional arrangement was a liberal document. Its configuration of rights was centered in its turn on a right to

freedom conceived in a primarily negative liberal manner; of speech, association, belief, faith, acquisition of property an unsurprising recitation of liberal freedom [14]. Rights to politically equality was provided which is a liberal conception, and in the peculiar Indian contexts social equality rather than economic. These are two distinct ways for securing freedom. The first procedural way which advocates liberal state and the rules of procedure for the equal treatment it put in place. The second, participatory, trend was to oppose the state through political mobilization to bring social justice. The target was the colonial state. The new state was created which is a liberal individualist model with parliamentary democracy.

The Independent Indian state has marched through two periods. The first extended to the end of the 1960s over four general elections. This period was unproblematic and extolled the virtues of liberal democratic state. This period is marked by capitalist freedom and socialist redistribution. From 1970s Indian political discourse began to speak a kind of political vernacular and it was the inequalities of caste, region, and religion which would completely dominate political demands, entirely erasing the earlier language of class interest capitalism, and socialism.

Many analysis in political theory have concentrated on cases in which the ideal of collective freedom of a group suffocates and eventually abrogates liberty of the individual. Intense demands for freedom or self-assertion of a religions community might restrict the freedom of individuals by interpreting all aspirations for individuation as disruptive of the community's identity. Since the 1970s the conflicts have risen around the assertion of the lower castes former untouchables, and the strata immediately above them in the traditional caste hierarchy. These strata make their claims on the state for their rights but obviously their focus is the assertion of the right of their groups in the political arena. Because of their numerical strength, political parties can hardly ignore them. Some sections of upper caste groups have voluntarily abandon practices of separation and hierarchy through their conversion to modern beliefs and indeed have been major agents of reform. Less progressive elements among them who would like to practice caste inequality have in effect accepted formal directions of the state and have resorted to the freedom of private belief and private behaviour to practice such conduct where possible. In some respects, the same is true of the communal hostility of the BJP towards Indian Muslims: it is constantly split between a rhetoric of hatred against Muslims and a desire for liberal respectability in claiming that it practises real secularism while other parties are pseudo – Secularists. It is intellectually remarkable that even the BJP cannot express explicit hostility towards secular principles and has to look for excuses.

Conclusion

In recent times we have witnessed atrocities against the poor, dalits, tribals, minorities and women which can hardly be democratic. If democracy in India is to survive in the long run the rights and dignity of the marginalized are to be protected and their voice must be heard in the decision making process. A nation-state is strengthened if its members attain autonomy which leads towards their fullest realization and their right to dissent. The state has to ensure liberty reconciled with

equality and treat its citizens with equal concern. India is a multi-cultural, multi-ethnic and multi-lingual society and we must be tolerant to each other's identity. In democracy, those whose lives are affected by the decision-making process should have a say in the decision-making process. There must be dialogue between the government and the governed. To conclude, we must recognize diversity and differences.

References

1. Kymlicka, Will, *Contemporary Political Philosophy An Introduction*, Oxford University Press, UK, 2002, 1-2.
2. Bhargava, Rajeev and Acharya, Ashok (eds.), *Political Theory: An Introduction*, Dorling Kindersley (India) Pvt. Ltd., Delhi, 2008, 237.
3. Ibid.
4. Ryan, Alan. Liberalism, in Goodin, Robert E. and Pettit, Philip (eds.) *A Companion to Contemporary Political Philosophy*. Oxford/Blackwell, UK/USA, 1993, 292.
5. Berlin, Isaiah. *Four Essays On Liberty*, Oxford University Press, London, 1969, 122-34.
6. Rawls, John. *A Theory of Justice*, Harvard University Press, Cambridge/Mass, 1971, 272-4.
7. Held, David. Democracy, the Nation-state and Global System, *Economy and Society*. 1991; 20(2):150.
8. Axtman, Ronald. *Liberal Democracy into the twenty first century Globalisation, Integration, and the Nation-State*, Manchester University Press, Manchester, 1996, 11.
9. Ibid.
10. Ibid, 17.
11. Kothari, Rajni. *Politics in India*, Orient Longman, Delhi, 1970, 233.
12. Ibid, 153.
13. Varshney, Ashutosh. *Battles Half Won India's Improbable Democracy*, Penguin Books, New Delhi, 2013, 4.
14. Kaviraj, Sudipta. *The Enchantment of Democracy and India*, Permanent Black, India, 2014, 76-7.