

IDENTITY CRISIS OF CIVIL SOCIETY: A THEORETICAL DISCUSSION ON INTER RELATIONSHIP BETWEEN STATE AND CIVIL SOCIETY IN INDIA

Miss Subhasmita Khuntia*

Dr N K Kumaresan Raja**

Abstract:

Civil society has been emerging as the quintessential actor in the process as well as the discourse of development in India. The neoliberal paradigm influencing the realms of governance and related factors such as higher degree of participatory civic culture has unravelled a never before emphasis on Civil Society. The civil society is now in the process of being reinvented so as to envisage itself as the contentious space for the expression of voice of the unmediated and the excluded, such as the women, dalits and low castes, peasants, farmers, forest dwellers, and tribals. This emergence inevitably also posits a challenge to the hitherto existing patriarchal thereby avoiding to become the preserve of only white, upper caste male, and property-owning elites as it was earlier. With this as a setting, the paper posits to explain the crisis that has been raised over the identity of the civil society at both intellectual and political level since its inception in India.

Keywords: Development, Neoliberal paradigm, Governance, Participatory civic culture, Identity

* PhD Scholar, Dept. of Politics & International Studies, Pondicherry University

** Assistant Professor, Dept. of Politics & International Studies, Pondicherry University.

Introduction

Civil society has been increasingly becoming the third quintessential actor in the process as well as the discourse of development. The neoliberal paradigm influencing the realms of governance and related factors such as higher degree of participatory civic culture has unravelled a never before emphasis on Civil Society and has been constantly redefining its relevance and actions. The civil society is now in the process of being reinvented so as to envisage itself as the space for the expression of voice of the previously exploited and excluded sections of the society including women, dalits and low castes, peasants, farmers, forest dwellers, and tribals, thereby avoiding to become the preserve of only white, upper caste male, and property- owning elites as it was earlier.¹ Therevival of civil society in the recent period juxtaposed with distinct contestations and debates around its role and nature of its relationship with the state have brought to light its preoccupation with the development discourse as a central theme. The paper shall find that how a theoretical ambiguity regarding the role of and the interrelationship of the civil society with the state still prevails in the Indian context since the inception of the concept of civil society.

Historical background

The ideas relating to the origin of civil society are both western and modern as the civil society is a recent phenomenon affirming its root in the western countries first.² To be particular, though the concept of civil society was invoked with greater enthusiasm only in 16th and 17th centuries in European countries as an integral part of the democratic form of the government, its advent can be traced back to the 13th century as a reaction to papal hegemony, there by inducing the process of transforming the society from a theocratic to a secular, liberal and democratic polity.³ However, in India, this concept became a part of the public discourse in 1970s and 80s with the increasing mobilisation as witnessed among the marginalised sections of the society and with the growing consciousness and the subsequent demand for a federal system of governance and decentralisation of powers at all levels of the government.⁴ However, the greater enthusiasm in the civil society triggered at institutional, intellectual and academic level was evoked with the crescent cognizance of civil society as an alternative to the overarching state or as a means to empower the people against the state with serious long-term consequences for the Indian democracy which is to be elaborated in the paper.⁵

The scholarly writing on civil society began probably with T. Hobbes, though he never used the word civil society (instead he used civil state) and blurred the distinction between the state and civil society in his masterly work “The Leviathan”. He attributed the artificial nature to the civil society. As he says that it is the product of the agreement of men living in the fatal and nasty state of nature in order to overcome its perilous effects and preserve their life and property. It is this artificial nature of the civil society which makes it susceptible to the degeneration and hence necessitated the common power in the form of the state to direct the actions of the individuals in such a manner as to ensure common benefit and continue and reinforce the agreement making it a permanent one.⁶ John Locke making a departure from Hobbes advocated for the establishment of common law and judicature with the authority to protect the members of the common wealth as well as giving its members the right to appeal to the law in case of their grievances. However, Locke postulated the role of civil society to preserve the property of its members which is to be legally guaranteed and recognised by the state, hence establishing a complementary relationship between the state and civil society.⁷ Rousseau has bolstered the ideas of Locke by advocating a more moral responsibility for the civil society to prevent injustices(which essentially stems from the activities of individuals) in the society by freeing profit-driven individual from all their personal dependences and impulses and guiding their behaviour along reason and conscience.

In Marxist tradition, besides Marx who sees the civil society as an instrument in the hands of the capitalist class to dominate the rest of the society, thinkers like Hegel and Gramsci have championed the concept of civil society. Civil society as seen by Hegel is a rational, ethical and complex system of interdependence into which individuals motivated by their caprice and impulses enters into it for satisfying their multiple, but particular economic needs. So civil society forges a unity among its member and compels them to work with each other for common good, thereby keeping their nature of extravagance and greed in check.⁸ But Hegel accorded a greater primacy to the state as he argued that it is the state which supplements the civil society in its functions by keeping a constant vigilance over the interaction of individuals and seeing that the essential tasks for the general good are being done in the civil society. So the particularity of the civil society is transcended into the universality by the instrument of the state exercising its legitimate authority upon the individuals and protecting them from unusual inconveniences. It

ensures an atmosphere in which free trade does not jeopardise common good.⁹ However as Hegel's conceptualisation of civil society primarily pertains to economic sphere, its relevance in the contemporary time is quite doubtful when civil society is mainly comprehended to check authoritarian tendencies and growing powers of the state.

In conceptualising civil society, a wave of continuity has been witnessed between the earlier political thinkers and the contemporary/ modern political thinkers. For instance, in Indian context, while the arguments postulated by Locke, Rousseau, Hegel etc have been defended and further advanced on the same line by the Indian political thinkers like Gurpreet, A. Bettle, Sanjay Kumar etc, some other political thinkers like Neera Chandoke, Manoranjan Mohanty, etc have acceded to the viewpoints of Gramsci and Marxian theorists regarding the civil society.

In Gramsci's view, the civil society is the creation of the capitalist state and as such the former always remains subservient to the latter for its survival and expansion, but this view is provoked even by himself when he asserted that the state is reliant on the civil society for legitimising its monopolisation of power through the various institutions of civil society which is beckoned to crush all the challenges stirred against the state so as to safeguard the state by obliging the individual in an intuitive manner to accept the dictate of the state without mounting any threat to its authority.¹⁰ These two seemingly contradictory arguments about the relationship between the state and civil society reveal their interdependence on each other though in a negative sense.^{*1} It is the presence of civil society that safeguards the state from the unusual raging of the storms in the form of protest, revolution or confrontation by attributing a role of passivity to the individuals even that too in the consciousness of the individual. That kind of role played by the civil society in favour of the state has had many advantages; first: little or no possibility of the occurrence of the violent clashes or war between the state and citizen thus posing no threat to the lives and wealth of the inhabitants, second: a peaceful life for all as individuals are consciously appeased with the state though that appeasement may be bogus and delusive and third: proper maintenance of law and order in the society leading to proper discharge of administrative functions of the state

¹The interdependence in a negative sense posits that the relationship between the state and civil society is not that kind of cooperation and mutual trust which is considered as an essential ingredient of good governance, rather it is a kind of subservience, hegemony etc.

institutions. In contrast to these gains, the most probable and looming flaw is only the swelling in the authoritarian and exploitative tendencies of the state and the consequent suppression the values of liberty and equality of the individuals.

If we concede Gramsci's conception of civil society as the locus where the state operates to enforce intangible and subtle forms of power, through educational, cultural and religious systems and other institutions of the society (Neera Chandhoke, 1995), we have to accept that individuals are deprived of prerogatives for the expression and articulation of their ideas and interests both in favour of and in contrast to the powers of the state. The question arises that if the civil society is an arena of procuring legitimacy of the state power through ideological and cultural domination over the individual, then what space is intended for the individual to exercise their freedom of expression and their right to resist the arbitrary power by the institutions of the state or is there no space for the individual to act independently without being influenced by the state. But is it possible for a state to continue its authoritarian activities for a long time keeping the individuals away from the framework of its power? Can the civil society be successful all time to keep the state in the protective shield and hide its actual authoritarian nature from the individuals? Why is civil society supposed to play such role of bulwark for the state against the individuals? Does it imply that individuals are devoid of reason, intelligence and critical thinking, so being unable to recognise and veto the authoritarian nature of the state? It is still quite doubtful that whether Gramsci's conceptualisation of civil society holds any relevance in the contemporary time as well as for the earlier period in the light of growing protest, revolution or confrontation against the state and its institutions in almost every part of the world. The great events like the French revolution, the Bolshevik revolution in Russia, the communist revolution in china and the recent anti-corruption movement in developing countries like India reveals that the state has had failed to tap the civil society to keep the individuals content, bewildered and powerless in the society, thereby challenging the assumptions of Gramsci about the civil society.

Civil Society in India

There is a greater dilemma over what constitutes civil society and how civil society organisations can be differentiated from the other voluntary associations in the state which are not part of the civil society. This dilemma becomes critical with the emergence of the modern state

characterised by differentiations of structures and specialisation of functions. This modern state is accommodating a wide range of voluntary and autonomous institutions like trade unions, business groups, churches, clubs, peer groups, etc thereby raising a hope for the strengthening of the roots of democracy in the society. Can we regard all these associations as the constitutive parts of the civil society and can we be sure that the expansion of these associations would help in democratising the society and the state? Though there has been a consensus among the political thinkers and intellectuals that various movements preoccupied with numerous right based issues and the voluntary associations independent of the control and influence of the state constitute civil society, they fail to delineate the civil society from the others which remain outside the purview of the civil society itself. An exception to those who tended to equate civil society with the collection of all voluntary associations existing in the society, Gurpreet in her article “civil society and Its Avatars” become quite successful in demarcating civil society from other voluntary associations by identifying the role of the civil society to secure freedom of all right-bearing individuals in the society while all other associations are neither fully committed to this function of protecting and promoting freedom of the individuals nor devoid of ascriptive values that sustain and perpetuate inequalities and discriminations among the citizen in the society. In an attempt to fortify this argument she has furnished the examples of caste panchayats, churches and temples of our society that discriminate between people of different castes, class and religion and thus reinforces the inequalities already existing among them rather than mitigating the structures and forces of these inequality.¹¹ In fact, they themselves have been the perpetuator of these inequalities. So it would not be wrong to attribute the character of civil society to only those associations and movements working for the amelioration of all and protection and promotion of freedom of each and every person in the society. It can now be inferred that the proliferation of voluntary association does not boost democracy unless they work for ensuring freedom for all irrespective of caste, religion, sex, colour, and creed.¹² Civil society showing concern for the welfare of all can be coterminous with the society as there would be no exclusion of any single group of people. That would in turn not only facilitate high level participation and cooperation among the members but also greatly render in having a more democratic, dynamic and developed culture. So the civil society organisations have a greater role to play in cherishing and realising the values of liberty, equity and fraternity. But the question is that whether the civil society organisations would play this role in contrast to the state or in

relation to the state. In other words, what should be the relationship between the state and civil society in a democratic society? In this context the advocacy of Gurpreet about the interrelationship between the state and civil society seems to be more appropriate. According to her, the state and civil society must share a complementary and symbiotic relationship since any kind of embroilment or wrangle between them would hinder the inclusive growth of the society. As both are credited to perform the same task of protecting individual rights and endorsing the values of social equality and justice in the society, so when one of them fails in its function, then other has the responsibility to assist in rejuvenating the other one and in restoring and ushering democracy.¹³

Theorising the changing course of priorities of Civil Society in India

The concept civil society incur huge implications for the democratisation of the state especially when it embraces the form of creative society which is the manifestation of acute struggle for freedom against the forces of domination, inequalities and alienation leading to social transformation for the welfare of all.¹⁴ This kind of creative society has already emerged in the country with the spurt of the movements of peasants and tribals, the movements for regional autonomy and self-determination, the environmental movements and the women's movement all these preceded by the anti-colonial struggle in India.¹⁵ While some of them might have been fortunate to achieve some tangible outcomes, but the cumulative outcome has remained still unattainable and farfetched as evident from the recent rise of strenuous challenges against the developmental programs of the state and emergence of disruptive forces in the society. Here two major compelling questions can be raised. Why has the democratic state failed to secure justice and equity for all in the society? Why do these movements have failed to bring about holistic social transformation in the society? These questions entail the inherent contradiction of our society in the form of a huge gap between the setting up and admiration of the ideological goals and realisation of these goals or the gap between policy and practise. According to Manoranjan Mohanty and Neera Chandhoke, though these several issue based struggles enjoy certain degree of autonomy in their respective spheres, they are not interconnected with each other and hence failed to accomplish the desired democratic goals.¹⁶ One of the primary reasons behind the failure of these pro-people struggles or in other words of the civil society as identified by Atul

kohli^{*2} is the lasting alliance between the state and the powerful propertied groups representing capitalist or corporate sector.¹⁷ However the state has been sternly censured by that section of the society who felt excluded from and discriminated in the ongoing process of economic growth and development due to apparently widening inequalities as the outcome of this state- capital alliance, though the state has been able to coerce the mobilising forces rising against it thanks to this state-capital alliance. Whatever be the reason, the truth is the trust-deficit and the subsequent chasm between the two most appropriate harbingers and vanguard of democracy i.e. the state which is entitled to protect the rights of its individuals on the one hand and the civil society which is supposed to enable them to voice their claims and urge for their rights. Again there is a need to reassess and elevate the relationship between the state and civil society.

The perpetual hostility between the civil society and the state would be counterproductive for both of them as well as for the health of democracy.¹⁸ And any kind of hostility between the state and civil society would not only lead to widening the disparity between the two, but also would help in concretising the path for the state to exercise its monopoly of coercive power against the challenging forces (even may be democratic in nature)^{*3} and subsequently giving rise to an imbalanced society. Unless the two show reciprocity and mutuality towards each other and forge a warm alliance between them in the performance of their most important but the same task of protecting and promoting individual rights, the realisation of true value of democracy would remain idealistic and futile.

While a forceful and dynamic civil society with its primary instruments of publicity, debate and dialogues and its adherence to the principles of social equality and freedom of all, bolsters and preserve the values of democracy in the society, a fragile and totalitarian civil society can undermine democracy by its practices.¹⁹ This has been manifested in our democratic state when

²Atul kohli stated that a new form of state-capital alliance has developed in which the state has to ally with the powerful propertied groups for the realisation of its most adored goals of high economic growth which is likely to benefit all as well as for the approval of its power by all.

³The term democratic is used in the sense that deprived people often fight for their rights against the state and hence poses challenges to its authority

the civil society has been overshadowed by the divisive and communal forces. We always regard civil society as the space that lays between the state and the family without sharing the edges of either of them i.e. it maintains an equidistant from both the family and the state. So it can be held that civil society is neither guided by the self interest of the household nor by the power motif of the politics, then the question is what makes civil society fragile and monolithic or how the practises of civil society becomes incompatible with the democracy itself? Moreover when we say that civil society is itself restraining democracy, would it be correct to call it as civil society? Neera Chandoke has rightly pointed out this inherent contradiction present in our society and observed it as the emergence of a reactionary society or a counter civil society thereby highlighting the absence of civil society in its true sense of the term.²⁰ she has defended her apprehension of the emergence of counter civil society by pointing out the gross violation of individual rights and subversion of individual identity and dignity in the face of rising forces of majoritarianism and particularistic tendencies.^{*4} It is true that there is no mechanism of evolving a civil society as it is a natural process of participating in the discussions and deliberations on matters of general concern and articulating and fulfilling genuine interests of all. It is sphere free of oppression, exclusion and abuse of any person or group of person and above all it is open to all irrespective of caste, colour, creed, religion, race and language. Then what makes civil society to take the shape of reactionary society or what prohibits the natural growth of civil society in India. At present situation can we say that the civil society is devoid of its weaknesses and undemocratic nature in our society? Can we be able to posit their characteristics and principles that make them unique and different from both the state and the family? Though our country is witnessing the frequent emergence of protests, movements challenging the birth of disruptive forces or the failure of the state to protect the interest of the vulnerable people of the society, but this increase in number of protests or rebels and the growing intense of the mobilisation against the state in turn establishes the fact that we still lack a conducive and benign environment for all and still there are some sections of the society which are deprived of their basic necessities or in other words being neglected. If we take into account the social, political and economic reality in

⁴Neera has been compelled to evoke the term counter civil society in the Indian context in the light of widespread communal riots carried out by the Hindu Fundamentalist organisations against the minorities in early 19990s in their futile attempts to promote Hindutva ideology.

our country, we can get ample evidences of how there have been a greater vacuum existing between the ideals and goals set by our constitution to be achieved and their substantial actualisation. For instance while right to property has been endorsed as a legal right, women constituting the half of our population have to fight for their rights to property still now. They have not still been recognised as productive members of the economy and society.

Amartya sen has labelled the civil society as civil initiative for the propagation of democratic values and augment of regular and warm engagement between the state and its citizens, avoiding any wild hostilities between the two.²¹ As he asserted that it would provide the adequate political space for better understanding between them as well as prompt the people to define themselves, their relationship with the state and to be involved in the process of deliberation and dialogue of public policy making as a result of which a government by discussion and equal participation of all would be cropped up. So the civil society only has the requisite potency to breed, nurture, and sustains a democratic political system bereft of corruption, nepotism and malfeasance. In this context, Gunnar Myrdal has found that the persistent corruption in public sphere in India is due to the absence of a strong and vibrant civil society which would otherwise have moulded people to express their strong opposition and renunciation of rampant corruption in political sphere. According to him, India is now gripped with plethora of corruption in political sphere only because of the ambience in the civil society that corruption could be taken for granted.²² And the precondition for the mitigation of the widespread corruption is the revival of a strong civil society which would channelize strong public resentment against the corrupt practises. Since in the civil society, people's rights which was in the form of mere idea, as bare, subjective and abstract right devoid of any social existence outside the civil society, are transformed into positive rights (Stace, 1924) and concretised as authoritative and instituted rights entailing the state to ensure their protection and promotion, people in civil society not only enjoy their natural and moral rights and realize their potential, but also resist and rebel against the offensive and fraudulent forces in the state.²³

Conclusion

In Indian context, it can be ascertained that the lack of lively and dynamic civil society has paved the way for the growth and reinforcement of the state-capital alliance involving the state's

affiliation with the capitalist class and business groups which in turn has induced a hierarchical and unequal society.^{*5}The crucial questions in this ambience are: is there any possibility of replacing the state-capital alliance with the state-civil society alliance or expanding the existing the state-capital alliance with the state-capital-civil society alliance? If it is possible then, how would that new and expanded form of alliance work in the society with immense social, economic and political divides?

However, in a heterogeneous and plural society as seen in India, the existence of civil society is both natural and inevitable.²⁴ As Amartya Sen asserted that it is the trait of heterodoxy and the indigenous values of pluralism that India inherits make it more convenient for the survival of civil society and a democratic state.^{*6} According to him, the two very principle that form the foundation of democracy in a pluralistic society i.e the equity of recognition and the equity of toleration makes the society itself convenient for the emergence and sustenance of a strong and vibrant civil society. It is because these two principles operate in true manner only when people of different castes, community, and class have a reciprocal attitude towards each other by overcoming the artificial barriers that stand before them as Mammoth Mountain. People behave in such manner as a reasonable and altruistic person only in the civil society, as the latter has the potency to develop a political climate of tolerance and reciprocity. This rationalises the essence of civil society in a democracy.

⁵Atul kohli in his book “The state and poverty in India” has attempted to find out the reasons that enforced the alliance between the state and capitalism, in our analysis of historical background of post-independent India, the absence of a strong civil society may be one of the primary reasons.

⁶Though Amartya sen has not made direct use of the term civil society in the chapter “Inequality, Inability and Voice”, his arguments in favour of democracy entails the support for and necessity of a vibrant civil society with adequate space for dialogue, discussion and expression of dissent.

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