

Role of Civil Society on Secular India

Abstract

Secularism is considered as a new phenomenon but has not been contributed by the west to the Indian integrity and peace. It was there since the past several ages. The present paper discusses secularism, its features and the impact of civil society on secular India. Over the past several years, it has seen that scams, nepotism, favoritism and corruption at the top bureaucratic setup has wasted much of the time of the Govt. and thereby slowed down the pace of the development by the Indian Govt. Since India is a democratic country, its citizens enjoy certain fundamental rights and this gave birth to the so called Jan Lokpal Bill, which had been spearheaded by Anna Hazare since April, 2011.

Dr. N.G.P.B. Patnaik has served for more than three decades teaching English at the Honours Level in different degree colleges in Odisha. He has obtained his Ph.D in discourse analysis (linguistics). He has attended a large number of state level and national level seminars and workshops. His areas of interest are English language, Teaching, Communicative languages, functional English, and English Literature. At present he is working as Head of the Dept. of English, Pipli College, Pipli, Puri, Odisha.

Keywords: Civil Society, Secularism.

Introduction

The present paper discusses secularism, its features and the impact of civil society on secular India. The constitution of India describes the state as sovereign, socialist, secular and democratic. The expression "Secular" has special significance in the context of the historical development of Indian Polity. The word 'secular' was inserted into the preamble by the 42nd amendment (1976). It implies equality of all religions and religious tolerance. To quote Mahatma Gandhi "I do not expect Indian of my dreams to develop one religion, i.e. to be wholly Hindu or wholly Christian or wholly Muslim, but I want it to be wholly tolerant, with its religions working side by side with one another." It implies that no one religion should be accorded special privileges in national life, or international relations, for that would be a violation of the basic principles of democracy and contrary to the best interest of religion and government. Upon closer examination it will be seen that the conception of a secular state involves three distinct but inter-related set of relationships concerning the state, religion and individual - the three sets of relations are:

- a. Religion and the individual (freedom of religion),
- b. The state and the individual (citizenship) and
- c. The State and religion (separation of state and religion).

The essence of secularism, however, rests on two basic principles:

- a. Separation of religion from politics and
- b. Acceptance of religion as purely and strictly private affairs of individuals having nothing to do with the state.

In short secularism is an instrument of social change and political transformation. It involves a change from a traditional to a modern pattern of human relations. It is in fact a positive and dynamic concept.

It has to be borne in mind that secularism is not an exotic concept planted in India from the west. It grew out of its past history of a wide and general movement in thoughts and feelings which emerges gradually from the intermingling of different groups and communities in consequence of the impetus given to it by changes in social, economic and political life.

Through secular state is considered as a state where there is political transformation and where the citizens are more aware of the functioning of the government, of late it has been found that there is secrecy in official matters involving public interest and corruption has entered into the very deep root of administration. There is no single sphere of administration which is free of corruption. The word



N.G.P.B. Patnaik

Head,
Deptt. of English,
Pipli College,
Pipli, Odisha

'transparency' has been thrown in to the bay. Behind the high sounding terms like 'Honesty', 'Integrity', 'Accountability' there is 'Corruption', 'nepotism', 'favoritism' which is the order of the day. Scams are rampant in the present day society and we are coming across situations like 'match-fixing' and 'question-fixing' every where even in assembly session.

The Home Minister P. Chidambaram was not allowed to utter a word in parliament on 22nd December 2011 with several opposition party leaders boycotting him for his alleged role in the 2G spectrum allocations. One of the brilliant examples of a scam where a large no. of bureaucrats are involved is the Justice Saha Commission. The M.B. Shah Commission, probing illegal mining in the country has on 12th December 2011 found, 'no direct evidence' of the Political Class in the multi-crores scam. However, the Commission is of the opinion that there is enough evidence of involvement of bureaucrats in the scam. The commission had representatives of major political parties, NGOs, Civil Societies, trade unions and different stake holders in the mining activities during the course of public hearing. Over 150 people registered their names to participate in the public hearing but the Commission had only 42 of them.

Taking into consideration what is civil society and what role does it play in a country like India, it can be said that Civil Society is an evolving network of associations and institutions of family and community, of production and trade, and of piety and compassion. Individuals enter into these relationships as much by consent as by Obligation but never by coercion. Civil society is premised on individual freedom and responsibility, and on limited and accountable government. It protects the individuals from the intrusive state and connects the individual to the larger social and economic order. Civil society is what keeps individuals from becoming atomistic and communitarianism from becoming collectivist. Political society on the other hand, is distinguished by its legalized power of coercion. Its primary purpose should be to protect, and not to undermine, civil society by upholding individual rights and the rule of law.

The crusader against corruption, Anna Hazare started an indefinite hunger strike on 5th April 2011 to exert pressure on the Indian Govt. to exact a strict anti-corruption law as envisaged in the Jan Lokpal Bill. This Bill will be an ombudsmen with the power to deal with corruption in public places. There was a nationwide protest in support of Anna Hazare. The fast came to an end on 9th April 2011, a day after the Govt. accepted Hazare's demands. A joint committee was formed consisting of Govt. and civil society representatives to draft the legislating. Anna has faced criticism for his authoritarian views on justice, including death as punishment for corrupt public officials and his alleged support for forced vasectomies as a method of family planning.

It is apparent that the partial failure of the state to address social and economic needs has had effect on the levels of development, but also on the quality and character of civil society. In some sense this failure has spurred groups and individuals to engage in civil society, but the inability to provide basic education and other forms of social services has

seriously hampered the development of civil society, with low level of literacy being a case in point. As a result, the Indian state, and various aid agencies, has utilized the competence and infrastructure of civil society in order to encourage social development.

Due to the inherent social, ethnic and economic cleavages of Indian society, the civil society is permeated by inequality and various forms of conflict, as noted in the current Indian debate. The expectations of efficiency, commitment and accountability of civil society should be seen in this light also, as various forms of inequality are likely to influence civil society. A more realistic view would be to define Indian Civil Society as a public arena in which various interests meet and compete, battling against the state, but also against other groups within civil society.

Another side the prevailing corruption and nepotism put into question is the legitimacy of the state power and give a pejorative connotation to the word 'politics', distribution of licenses, subsidies for the poor, control of the crime order are said to be "the plaything of state functionaries" that have lifetime security. The electoral process itself is put into question by the irregularities of the polls but also by the biased aspect of local elections that are mostly determined by cast belongings and the money involved in the campaign. The centralized political system makes political process inaccessible to a large part of population and alienates the potential existence of a form of civil society.

The role of civil society is considered as challenging the state in 3 different ways. Faced to the centralized power of the state, civil society first has a role of enabling the hitherto voiceless and unorganized communities' interests to be represented. In other term, the sphere of civil society has a goal of empowerment for local communities. In that special function, civil society can be considered as a 'space' that is free and accessible to everybody. Civil society can be considered as a 'movement' that has to influence public negotiation on public issues like health, education or security.

Civil society finally has a role of "ensuring the accountability" of the state in different spheres. Ensuring the right to access to information is a first step into the state accountability, in a country where the official secrecy act predominates. In a more general way, civil society has the monitoring function of holding "the law and order machinery accountable".

India is a developing country with a strong presence of political parties. Here the people are less aware of their rights, and sadly a weak civil society has existed in this country since independence. In this context resumption of participation of civil society in the political process after more than six decades of Independence through civil society movement initiated by team Anna Hazare attract significance.

As result of Anna Hazare's pressure on the Govt. of India, the Lok Sabha passed the most contentious Bill of the year - the Lokpal and Lokayuktas Bill 2011- late on Tuesday, the 27th of December 2011, after a day long debate full of high political drama. But the government failed to pass the constitutional amendment bill which would have given constitutional status to the Lokpal due to lack of

majority. It was also clear that the Govt. has lost the majority with it never touching the 272 mark needed for absolute majority in any of the division of votes over respective amendments. It is to be noted that the bill could not be passed in the Rajya Sabha on 30th December 2011. Several political party leaders charged that the Bill had been tabled in a hurry and stressed that there was a dialogue with political parties as well as the civil society after a debate on the anti corruption legislation in the Lok Sabha.

Conclusion

Anna Hazare's effort in the history of civil society movement in post independent India strikes a departure from the traditional path where the focus

was on environmental or Social and moves into a new phase. His movement symbolizes a land mark in the civil society history of this country as it attracted the people's attention in a sufficient manner and ended with success.

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