

DEMOCRACY THROUGH INCLUSION: REFLECTIONS ON DEMOCRATIC CULTURE IN INDIA

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Democracy is most opted system of governance in the world; but it is most debatable also. It is debated widely is the testimony of the fact that it provides liberty and right and allows people to express their opinion irrespective of their political affiliation and concerns. The ideal requirement of the concept is that as many as possible members of the polity must participate in decision making about structures and functions of the governing institutions. Generally observed, every democratic polity is still away from this said ideal, but every polity is planning to its best capacity to reach that. In India, social and political exclusions have been historical fact, and they have their existence even in the present. To make democracy wide and healthy theoretical and philosophical opposition have been registered against historical as well as contemporary exclusions and consequently the process of inclusions has been meticulously undertaken. Though it has made marks, it has yet not achieved the expected goals in addressing the questions of marginalized and even stigmatized collectivities. The present paper evaluates the attempts at inclusion to asses the level of commitment of India and Indians towards democracy. In the process of argument I first take to understand democracy and its spirit in reference to philosophical discourses and analysis of profesor Sidney Verba. I argue that democratic spirit has generated democratic culture which is required for accepting democracy as governing mechanism for the polity. But this culture should be the culture of all possible, and hence those who are away or kept away from participation should be brought in. This is attempted by the process of inclusion. After elaborating different dimensions and philosophical foundations of inclusion, I attempt to reflect on cultural inclusion. My argument is that culture has been the main base of historical and contemporary exclusions and hence cultural inclusion should be on

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priority. I analyze the ability of multiculturalism in dealing with the crisis of cultural recognition. I argue that political inclusion has been guaranteed by constitution by providing participatory rights and protecting personality and dignity. I try to find a relationship between inclusion and political participation to consolidate my opinion in opposing participation criterion adopted by profesor Verba for judging the structure and function of democracy. I finally argue that India has democratic spirit and democratic culture that assure the existence and development of successful democratic polity.

For the purpose of present discussion, we can take democracy as having two important dimensions. One is regarding its appearance in the manifest world in form of principle of governance, or as the basis of the organization of the society or as regulating force to maintain sustainable relations among different individuals and collectivities. The other dimension is of the factors that make the manifest appearance possible, one that convinces individuals to accept democracy as the basis of the organization of society, or as regulating force for the maintenance of relations or a way of governance. It is convenient to call the first as the structure and the second as spirit of democracy. These two dimensions are mutually dependent and sincerely related. The reality that is manifest is only the representative of the idea that made the existing reality possible. Right from the beginning of systematic political thinking the created has been subordinated to creator and the product to producer. To be more precise, the apparent cannot exist without abstract. The structure can not be built without spirit. Thus, the more important dimension of democracy actually, what I would like to call, is Spirit of Democracy. In present paper, I am emphasizing more on the spirit of democracy. My effort is to analyze the attempts, which I take as compulsion of developing democratic spirit, to strengthen the democracy through inclusion in India. For the purpose of political analysis, the spirit of democracy can be conceived as intention to have democracy. The political intention to have democracy as polity needs to have a workable consensus among the people to develop the faith in the ways and means of democratic institutions operating under the democratic framework. In other words, it can be said that for democracy to exist, there must be consensus among member of society on the question of political system. It can be also put as; a society needs a specific political culture to have democracy as polity. It is in fact, the spirit of democracy that evolves and develops the required political culture for democracy.

It is about this democratic culture that profesor Sydney Verba is talking to find the foundation of democratic desire in the countries he opted for

studies. He maintains that the formal institution of democracy —universal suffrage, party system, and elected legislature— cannot assure the existence of democracy and democratic system as these may be found even in non democratic or authoritarian systems (Almond, Verba, Sage 1989, 3). However, in authoritarian political system these institutions of democracy may be present only in form and not in function. He further argues, to be sure of democracy or for the existence of democracy, along with the formal institution of democracy, a democratic culture is also required. This is actually an argument in favor of democratic spirit resulting into democratic culture. But spirit of democracy is something which is related to different aspects of society including its history and suffering at the hands of ruling authorities. This is particularly important in case of country like India. A society that was subjected to colonial rule for about 200 years experienced different faces of rules and regulations and the authority of discretion. To have an enthusiasm for a polity of any nature was not conducive to the experiences. And as such it was not in the tradition of the population in the immediate past. Though India had a very bright past during Vedic, later Vedic, Upanishad and Smriti periods,¹ its immediate past was a bitter experience. For a country to overcome the immediate past and to feel pride in its ancient past is not a matter of a period of 50 to 60 years. Hence, the criterion for democracy in India may not appear very encouraging if we try to apply the evaluating mechanism of Prof. Verba.

Profesor Verba talks of political culture of participation. Civic Culture for him is a mixture of traditionalism and modernity. He adds, it is a plural culture. It is a culture of consensus and diversity (Verba, 1989, 2-19). Political culture of a nation refers to different orientations of its population towards political system. “It is cognitive, effective and evaluative orientation towards the political system ”(Verba, 1989, 12-19). He talks of three types of political culture: Parochial, Subjective and Participant. He links political culture to political structures and suggests that Parochial political culture will have traditional political structure, Subject political culture authoritarian political structure and the Participant political culture will have a democratic political structure. He submits that civic culture is participant political culture (Verba, 1989, 12-19). Sydney Verba in his Civic Culture only values participation. Accordingly, participation is the only index that can determine the level of democracy, democratic culture, and democratic

¹ For detail understanding refer to (1) Jayaswal K.P. (1934) Hindu Polity, Calcutta (2) Altekar A.S. (1949) State and Government in Ancient India, Banaras.

orientations. But he does not consider the nature and attitude of that participation. The participation without spirit to strengthen cannot be contributory in a positive sense. Hence, the concern is not only participation. It should be positive and valued participation.

It was natural for profesor Verba to confine political science to a premise dominated by government. Describing the political culture of a nation the author of Civic Culture only considered the individual's response to the activities of the government. Entire analysis about democratic culture, national culture, and attitude towards democracy describe individual in relation to the political system. It totally ignores the relations among individuals themselves. Their own structure of relational institutions ought to be democratically oriented, if democracy is to be established at a larger level. But the individuals independent of the concerns of political authority do not find space in the Civic Culture analysis. But then taking the time of the work in consideration, it is well understandable that individuality did not have that vigor in 1960s as it has today. The autonomy of individual was defined not as a person independent of any unreasonable control, but as a person committed to fulfill the expectations of sovereign or political authority. But today the situation has changed. Assertion of individuality and its acceptance with arguments of justification have been the focus point of contemporary political debate. The debate of universalism versus particularism filtering down to a new debate of Liberalism versus Communitarianism and Libertarianism versus Communitarianism have emphasized and relied much on individual liberty and autonomy.² In such a situation, the importance of analysis of individual as independent of any concern is equally important as analysis of individual as obliged member of society in control of a so-

² Universalism vs. Particularism is the debate of 1960s. Infact, after World War-II, the political scene of the world was not theoretically stable. The grand narratives were being questioned and value orientation of political theory faced challenges. The emergence of Behavioral Movement strengthened the arguments in favour of objectivity and fact. During this period a debate started about the priority of concern for development. The universal concerns or particularistic concern should be on priority? was the question involved. After 1971, this produced another debate of Libertarianism vrs Communitarianism. This debate emerged in the backdrop of post modernism and hence, contained the spirit of autonomy and individuality of individuals. Libertarians argued that individuality of individuals should be independently protected where as communitarians said that individual does not have any existence independent of community and so, every attempt at individual development must route through community. Communitarianism basically emerged as a result of criticism of John Rawls universalism. Charles Taylor, Michael Sandel, Michael Walzer and A. McIntyre were prominent among communitarians.

vereign government. Perhaps, this partially explains the reason why Civic Culture does not take into account the analysis of individuals. However, the situation becomes rather challenging and complicated when we try to apply the characteristic features set by Civic Culture to analyze and evaluate the status of democracy and democratic culture in India.

India is a plural society with constitutional arrangement for the protection of plurality. If we accept participant orientation to be linked with democratic structure, it means that participation is the fundamental component of evaluating mechanism for the status and existence of democracy. If we mean participation to be democratic political culture, then what is more needed in India for democracy is not the presence of civic culture but absence of its opposites. What harms the civic culture must be removed from the society, rather than simply locating the corners where participation orientation exists. In India every community has different meaning of the values that are conducive to social cooperation and equality. They have their own definitions how they can contribute to a particular political system and how they can strengthen and stabilize the existing political system. It is almost impossible to change their definition and conceptions as doing or attempting to do this would be interference in their cultural practices to the limits of imposition and subordination, which is not at all accepted in today's plural world. In a plural society like India, the conviction about participation is explained in different way. I can not elaborate it here³ but I can safely say that there are communities that claim that they are assisting the consolidation of democracy by not participating in the process and functioning of different institutions. However, no one should conclude that it is not possible to have democracy in plural societies. "It may be difficult but not at all impossible to achieve and maintain stable democratic government in plural societies" (Lizphart, 1989, 1). The most important feature of democracy is related to the intention of the people. The formal institutions of democracy and the polity structures may not necessarily be conducive to the democra-

³ There are several peculiar characteristics of Indian electoral politics. The society is digitally divided on caste and religion lines. The feelings of religious sympathy some time override political responsibility. In a particular constituency if no candidate is from specific religious community, the members of that community do not show any enthusiasm for participation in the election process. They argue that the candidates in fray cannot work in the interest of democracy and one out of these will return to representative institution. They do not want to be a party in sending an unable person to representative institution. Non participating individuals here have well protected right to participate, but they do not participate. Their logic is that they are not being party to corrupting democracy by returning an unworthy person and hence, their non participation is more valuable than their participation.

tic system if the inhabitants do not intentionally wish to direct the results of functioning of the institutions to be in line of requirements of democracy. Every society has its embedded attitude and level of dependence for co existence. This is function of historical background and value system attached to that. A society based on use of force and consequent suppression can hardly opine in favour of equal existence, even when the force is replaced by consent and the suppression by co operation. What Arend Lizphart is trying to make the point here is that it is the desire of the people and their commitment that can be a strong sign of democracy or an attempt towards it. A plural society can be a stable democracy when it has high possibility of remaining democratic and has low inclination towards violence and a low level of actual potential for civil violence (Lizphart, 1989, 4).

Thus, it is not only the participation but many others factors that are equally important for a democratic system. In a plural society like India, the participation alone is definitely insufficient to state the level of democracy and its culture. This participation is to be loaded with some value of normative nature to make it a convenient measuring rod for Indian society.

There may be debate on the issue that what characteristics are essentially required for a polity to be democratic. But there is complete agreement on the issue that these characteristic should be of total population or sizable population. But if the culture of democracy or the spirit of democracy is limited only to a part of the population, this cannot have the demanded impact on polity. Thus, the attempt is being made that those who are away from this process should be brought in the main stream so that they can participate in the political process and strengthen democratic spirit and culture. In India, this is particularly interesting. Traditionally speaking, the country has historical record of exclusion. Different communities divided on the basis of caste and class and religion were not allowed any space in public sphere.⁴ They were marginalized and stigmatized. These communities actually did not have any interest in political process or political system. However, this should be very clearly understood that these communities were not allowed to have interest, even after their desire to be a part of public space. Today it is realized politically as well as philosophically that democracy should be an inclusive democracy if not the total democracy. So, in every plural socie-

⁴ This point is well taken by Amartya Sen in 'Idea of Justice' (2009), Allen Lane, pp. 329-337. V. Rodrigues also explains this point in his 'Essential Writings of B.R.Ambedkar' (2002), Oxford University Press. For elaborate undrestandin also see P.N.Prabhu (1940), 'Hindu Social Organization', Popular Prakashan and R.C.Majumdar (1966), 'Corporate Life in Ancient India', Government of India Publication.

ty the process of social inclusion has been started and so is in India. Today almost every university in India has a 'centre for study of exclusion and inclusion policy' that is funded by the central body - the University Grants Commission. I only want to emphasize here that the process of social inclusion has been taken up in India to consolidate democracy and democratic institutions. This brings us to the question of the philosophy and content of the process of inclusion in India.

Exclusion as historical fact is less frustrating for social scientists as exclusion as a social process in contemporary developed and developing societies. As historical fact I mean the presence of a particular collectivity who were deprived of equality and were marginalized by the majority who were actually minority in number but majority in terms of control of social, economic, political, and religious resources and establishments. The marginalized community was forced to stay outside the public reward system and was subjected to severe and several discriminations. This exclusion is in proportion to our dating back in history. This means that the discrimination becomes more and more serious as we go back toward ancient period. But one might hope, and must hope, that with the passage of time and as result of several movements the situation should show a sign of improvement; and the traditional superiority- inferiority framework should tend towards something like egalitarianism. This perhaps should have been, as not accepting it is not accepting the developing power of human reason and morality, and as such it is as bad as to reject the development of humanity. But the fact is that this has not happened. The reason being that it has entered the social process in contemporary societies and this process is being used and misused by several groups and individuals for the benefit of a particular set of interests. My submission here is that exclusion was less severe a problem in the history as it is in the existing societies.

There is no harm to accept it that exclusion that still exists in contemporary societies is legacy of past traditions. But the grounds at which it occurred in ancient society is different from the grounds at which it is operating in existing societies. It will be out of context to discuss the necessity of the historical exclusion as argued by traditionalists,⁵ but I can stop here only by saying that the historical exclusions were structural where as the contem-

⁵ Traditional ancient Indian historians maintain that the division of society on the basis of Varna and Ashram were best suited to the requirements of the polity. This was accepted by the members without the use of any coercive force. The division managed the ideal condition for social cooperation and optimum production of services and goods. As such, every one was placed in a particular locational situation for which none felt to be excluded.

porary exclusions are intentional. But again I would like to make it crystal clear that there is absolutely no discontinuity, rather the contemporary exclusion mentality and the arguments for the justification of the attempt to exclude owe entirely to the past traditions and practices. However, today there is universal agreement on the position that exclusion is bad. Here exclusion includes only those groups and individuals who are excluded on the grounds to which they are not responsible. This does not include the groups and individuals excluded for particular legal reasons. There is emerging a consensus belief that all should have liberty and right to participate in social and political activities to the extent it is permitted in the interest of the self and society.

In the contemporary world, the philosophers like Amartya Sen and Anne Phillips talk at length about different aspects of exclusion and required inclusions. No one can decide for other; and even if one plans to decide honestly for other, he cannot be capable of representing his interest totally. To put it other way, in the absence of a person, his interest cannot be protected. One's physical presence matters a lot and hence, all those who are for one reason or other not provided space in public decision making should be made to participate failing which their interest can never be represented. This might have been the reason why Anne Phillips talked of 'Politics of Presence'. Social exclusion is such an activity that destroys the very essence of individual. The practice and norms of a society may be structured in such a way that it provide space for some and exclude the others. There are traditions that assign rankings to different activities. Thus either a case may be of not providing space or of providing space at terms and conditions different from others. To use the language of Amartya Sen, one is unfavourably excluded and included. Unfavourable exclusion means people are kept out which is unfavourable situation for them. Unfavourable inclusion means people are not kept out. They are allowed space but they are included on terms, which are unfavourable for them and inferior and restricting than others. Unfavourable inclusion is actually inclusion with several impositions and restrictions. Sen also talks of 'Active Exclusion' and 'Passive Exclusion'. Active Exclusion is done by intentional or unintentional legislation. A political authority either because of the pressure of dominant group or otherwise makes some policy that marginalizes any section of that society or is against the interest of a particular section of that society, this policy will be termed as excluding policy and the process will be termed as active exclusion. But there are certain traditions and establishments that naturally exclude some people from the process of decision making or

participations in social and political life. The exclusion on the basis of the function and structure of social institutions are called by Sen as Passive Exclusion. Thus, an active exclusion is the activity of political authority where as passive exclusion is the result of social stratification. Indian society has been historically divided resulting into social ranking and consequent exclusions. Historically depressed status of some of the traditionally marginalized communities has affected the latent, intellect, and productivity of the members of these communities. This low merit in different fields is generally taken as counter to the policies of affirmative actions in India. One of the most popular grounds on which affirmative actions and reservations are opposed is that of merit and ability. Amartya Sen does not agree to these arguments. He asserts that low merit, low education, low productivity etc are not the causes of exclusion; actually, they are the consequences of traditional and historical exclusions to which Indian Society has been subjected. Now it is a general realization that these mistakes should be corrected. As a mechanism for the correction, the process of inclusion has been undertaken.

Inclusion is the universal debate of the day. Its Indian version is more complicated and comprehensive because of the volume and variety of the excluded groups. Understanding of exclusion or inclusive mechanism has attained a remarkable height; thanks to the realization of their potential by individuals resulting into evolution and emergence of diverse status in social and political fields. This diversity has generated the demand for recognition that has stimulated the process of inclusion. For the last many years, universally, "the conflict among the individuals, minorities and majorities of diverse kinds has been characterized as struggle over recognition" (Tully, 2004, 84-106). Though there are several categories of collectivities who demand recognition on different bases, the most prominent ones are on the grounds of culture, religion, caste – that happened to be even the most important grounds of social and political exclusion. Cultural exclusion and consequent upon that the cultural inclusion is the most urgently required dimension of social life where the attention is to be paid. At philosophical level, the problem of cultural inclusion is well address by multiculturalism and pluralists orientations. It argues for the equality of cultures and negation of any type of cultural relativism. It will not be out of context to discuss in brief the meaning of culture and philosophical project of multiculturalism.

Terry Egaleton (Egaleton, 2000, 1) writes that culture is an activity, which is originally derived from nature. It is an activity in the sense that it attaches itself with material consciousness of the people, resulting in his thought about his faith, surroundings and life opportunities and prospects.

The argument that Terry Eagleton puts is based on his conviction that culture is the product of nature; but nature can change culture. People have natural occupation to find the suitability of his life conditions, and if at distance, to arrange to make them accessible. When the efforts for organizing and grouping started, culture became one of the criteria. With Raymond Williams (Williams, 1963) one who is supposed to be the first scholar highlighting the importance of culture and cultural considerations, we can reach at finding four different meanings of culture. These can possibly be:

1. Culture as an individual habit of mind.
2. As a state of intellectual development of whole society.
3. As the arts.
4. As a whole way of life of a group of people.

The first two meanings appear too narrow and the last two, too broad. As a habit of mind culture puts individual in isolation, disconnecting him from one who cares and accommodates. It also separates individuals from the very core of the society, and thus does not appreciate his effort towards organization and togetherness. It becomes more a personal value not capable of explaining the behavior of a social group. Similarly, if culture is taken as state of intellectual development of whole society, it detaches human life from all other concerns except the intellect. Intellectual development refers to the capacity of considered moral judgment for taking a decision to make a workable choice. However, this is not the complete statement about the life of a free individual. Apart from his intellectual pursuits, he has many other aspects lacking which he will not be able to contribute his share of services and to discharge his responsibilities towards the social order. Intellectual development may form one aspect —may be the important one— but it cannot be the culture in itself. Culture as arts and Culture as a whole way of life of a group of people are too broad elaborations. They show the totalitarian character of culture, which is definitely not helpful to find a cultural base for theorization of human activity and expectations. In fact, the four different meanings of Raymond Williams can be synthesized together to deliver the expected and helpful meaning of culture. Culture, thus is a belief in common way of persuasion of interests by members of a community who are homogeneous and knit together through a bond of uniqueness and defended individuality.

Thus, culture refers to a way of life and culturalism to allow pursuing that way of life. In this sense, multiculturalism is a concept in which diffe-

rent cultures, which are existing, are allowed to exist. They are allowed to pursue their own way of life and to manage the affairs regarding ways and means for the attainment of their defined good. In a way, multiculturalism to be operative requires certain conditions. It expects some thing from state as well as society. It demands from the state that there should be no culture of the state. It sounds very similar to the demand of secularism that there should be no religion of the state. In restraining state to own any culture or religion, the two concepts —secularism and multiculturalism— appear following the same path. However, when it comes to positive actions, perhaps the responsibility of a multicultural state is undoubtedly more than that of a secular state.

The multiculturalism expects state to provide equality to all cultural groups. It should legislate in a way that no cultural group is deprived of the opportunities of its development. Moving positively, the state should pay special attention for the development and existence of the minority cultural groups. It should never try, and oppose all efforts by any group, to bring the minority cultural groups in mainstream in the name of societal culture, work place culture, or nationalism. Contrary to it, it should provide special advantages —going to the extent of positive discrimination and affirmative actions— so that the minority cultures could grow and sustain their growth. On the side of society, it is required that the majority will provide space for the survival and development of minority cultures. It is the responsibility of the majority cultural groups to make sure that minority cultures co-exist with them. They should always try to create an environment conducive to the existence and development of minority cultural groups.

It will not be out of context to clarify the distinction between multicultural and multiculturalism. Existence of many cultures in a society makes the society plural or multicultural. However, being multicultural is not necessarily being multiculturalist. If all the cultures existing in the multicultural society enjoy equality, and state and society treat all of them as equal, providing equal opportunity to grow, and neither the state nor the society believes in cultural relativism, the society and state are multiculturalists, and are adhering to the conception of multiculturalism.

Taking multiculturalism as a positive act of state and society paves the way to connect it to the concept of politics of recognition. The thesis about recognition reveals that our identity is shaped by the recognition or its absence (Goldberg, 1994, 75-104). Identity by absence of recognition is generally a false or manipulated identity. Misrecognising one is marginalizing or stigmatizing him. Non recognizing or misrecognising can inflict harm,

may be a form of oppression. It can put some one to a reduced mode of being. The stereotype for women, dalits and religious minorities in India can be the best examples of not or misrecognising. It reflects a prejudice to frame a person or a group into a fix image, which is generally unconnected to the actual one. The majority groups, committed states, dominant economic classes and custodians of social practices take on to this politics to maintain their respective positions by projecting the framed images of others. The most alarming registration of misuse of the recognition in framing a false image has come from feminists theorists and activists.

The politics of recognition to a corrective end in its very crude form is an organized revolt against the established norms of classical monism (Goldberg, 1994, 75-104). Belief in a way of life as the best possible one, and believing that way to be the only moral way and to be the only one that has genuine potential to lead to a good life, is challenged on each front. The very emergence of plural societies can be attributed to this superiority-ridden belief. The plural nature of existing society is not a debate today. It has obtained universal recognition. Even the most fanatic religious societies cannot claim honestly that their notion of one superior culture is not challenged from within. With the development of faculties of individuals, a feeling has crystallized that there are more than one way to attain the good life. What was immoral for monism has turned moral to gays and lesbians. Thus, it is being taken as established fact today that contemporary societies consists of many cultural groups in which one may be dominant but the dominance of the dominant cultural group is no longer tolerated and accepted as model, but is being questioned by other cultural groups. To put it other way, the urge for equality of different minority cultural groups has surfaced up.

Thus, multiculturalism refers to negation of cultural relativism by state and society. It consists in the freedom of the cultural groups to take course to their way of faith and conviction. But culture has been an important ground for raising the status of inequality among the members of different communities. It has brought about the making of stereotype of a particular community and their members there by accepting them less than their actual selves. This in fact has created a peculiar type of relativism paving ways to subordination and imposition. Indian society, as is eminent, is a plural society having different cultures and religions. These cultural and religious communities are not treated equally, rather there are certain stigmas attached with them with an end to marginalize them in the interest of hegemony of other community. This has excluded some cultural communities restricting their entrance to public political space. This cultural exclusion is being reali-

zed today and an attempt is being put to end such practices in India. The philosophical support for the project is being claimed from multiculturalism.

It is not worth to discuss the attempts at state level to fight against the traditional taboo of exclusion and separatedness before independence. In fact, divided and differentiated India suited better to alien rulers and hence the efforts were directed towards maintaining the division and not uniting the population through the process such as inclusion. But after independence and with the adoption of the constitution an obligation to eradicate or to minimize to possible extent the exclusion of different communities from participation in social and political process was legally imposed on the members of the national society.⁶ Fundamental Rights, Directive Principles of State Policy, Reservation for SC & ST, special treatment for different marginalized social communities and many such provisions were included in the supreme law of the land to help the marginalized enter into mainstream social, political, and national process. Zoya Hasan (Hasan, 2009, 7 y 8) in her latest work affirms that India has created public sphere that are equally shared by different communities. The policies of the government and the attitude of the society have been, largely, successful in establishing equality among the members of different communities. Indian government and Indian society have accepted the required respect for cultural plurality and its policy structure is a testimony to that. But she is critical about the grounds at which government is recognizing the marginalized and deprived communities to provide them preferential treatment. In a particular reference, she claims that the target of the government is not broad enough to include all communities to enable them to participate in social and political life of the nation.

One important ground on which Indian effort towards establishing social justice and including marginalized communities is criticized is that it does not consider religion as basis of deprivation.⁷ Infact, the constitution

⁶ The constitution of India takes the guarantee of political rights of each and every citizen. Part III of the constitution that deals with Fundamental Rights provides for Equality before Law and Equal Protection of Law to all. From article (14) to article (18) the provisions related to Equality and removal of Discrimination are mentioned. Right to Freedom and Religious Freedom are also provided via article (19) and article (25) to (28). Part IV deals with Directive Principles of State Policy that imposes obligations on state toward establishment of welfare society with the help of preferential treatments. For detail see V. N. Shukla *The Constitution of India* (1975) Eastern Book Company. Also see *Constitution of India*, Government of India Publication.

⁷ The issue was discussed in Constituent Assembly. The members did not agree to consider religion as a basis to provide reservations and for the purpose of affirmative actions. For details refer to *Constituent Assembly Debates*, Government of India Publication.

of India through its different provisions in part III related to Fundamental Rights assures that no discrimination between persons can be made on the ground of religion. But this provision is for existing political communities, while considering the communities that were marginalized, the Constituent Assembly only discussed and accepted those communities that were historically deprived and stigmatized on the basis of caste hierarchy. The religious minorities were not considered as deprived category and hence they were not provided any special treatment. The same policy continued when reservation was extended to OBC after the implementation of Mandal Commission. Zoya says that Muslims in India are as marginalized as any Hindu Dalit. But Muslims are not treated as deprived and depressed for the purpose of special benefits of the state (Hasan, 2009, 227-239).

Philosophically speaking, the theoretical justification for preferential treatment to the people for their equality and empowerment can be found in the Philosophical Works of John Rawls in contemporary political thinking. In his 'A Theory of Justice' Rawls provides philosophical support to the movement undergoing in United States for the equal status of Blacks.⁸ He gave two principles of justice. First was regarding equality saying that every individual has equal right to basis liberty to the most extensive limit. He opines that liberty of any individual cannot be compensated by economic or social benefits. His second principle is the inequality principle that says that even unequal distribution of benefits and burdens under state can be considered just when they are for the benefit of the least advantaged class of the society. (Rawls, 1971, 60-64) This difference principle can be taken as primary attempt at establishing social justice and it actually justifies all actions and policies of any preferential treatment including reservation. The context in which Rawls was talking was that of Blacks who were severely discriminated in American society. Thus, Zoya Hasan arguments for the preferential treatment to religious minorities cannot be justified even on the basis of Rawlsian second principle of the Two Principles of Justice.

⁸ John Rawls (1971) 'A Theory Of Justice' is a ground breaking work in sense that apart from many others, the origin of philosophical tradition of Social Justice and revival of political philosophy are attributed to him. The project of Rawls was to support the cause of Black Movement for equality and proper recognition. The basis of support that he philosophically provided to the movement was not religious. It was only to oppose the exploitation and discrimination against Blacks on the grounds of historical traditions. Thus, for Rawls, historically and traditionally deprived and marginalized collectivities were the target, not religiously separated people of existing society.

Zoya Hasan wishes that a consensus must be attempted before going for any special treatment policy. The government can make peoples' political obligation easy and natural if the social consensus is achieved. She gives example of Reservations Policy of the government of India. There was generally no resistance at the policy of reservation of quotas for the members of Schedule Caste and Schedule Tribe communities. But at the time of the implementation of the Mandal Commission, there was great resistance from forward communities against the reservation to OBCs. I extend this argument in support of my own arguments when I oppose government policy of inclusion through affirmative action and reservation for the establishment of social justice. Social Justice through inclusion is not important only for deprived class, society a whole desperately needs it. Taking course to social justice, as conceptualized today in India based on our understanding of west originated concepts, is taking course to egalitarianism, redistribution and proper recognition with a larger aim of reformation or transformation. In a way, it is imposition of apparently looking unfavourable conditions over a segment of society for the betterment of others, and through that of whole. We can possibly do it by

- (i) Coercive Imposition.
- (ii) Strengthening Ethical Relations.
- (iii) Giving priority to collectivity over individuality.
- (iv) Adhering to universalism.

Imposition may create disintegration, priority to collectivity may alienate one from self, ethical relations are too ideological to handle the problems of selfish material world, and universalism may harm the faith in difference and plurality. So long, we are imposing. We do not care for political process, and if we claim we care, we take unidirectional process instead of a multidirectional dialogue. We must enter into real political process and must establish the position through dialogue. This is perhaps what Zoya Hasan is arguing in name of a consensus.

Zoya raises another problem about the grounds of selection of marginalized communities. She argues (1) it should be on the basis of their historically depressed status that resulted from specific rituals and process of social exclusion or (2) It should be on rather broader ground of deprivation established by a combination of social, economic, and cultural backwardness. Her major concern is that Muslims should be recognized as marginalized community and should be given preferential treatment. It is generally

argued that reservations are fundamental to equality; and this requires that disadvantaged groups be treated differently. But this is not applied to religious minorities. Religious identities are not recognized for the purpose of any affirmative action. The result of these uninformed policies regarding reservation and affirmative action is, she maintains, that it is not available to all groups, but remains for a particular social category only. She concludes, India is successful with regard to inclusion on the basis of caste; it is a failure in including the religious minorities (Hasan, 2009, 227-239).

In contemporary political theorization, there are many opinions that question even the viability of inclusion. In Indian society the inclusion has been taken seriously but has not brought much favorable change either in the Human Development Index or in the level of participation. It is also a fact that there is a direct relation between type of polity and development. "It is an accident that countries of High Human Development category are almost always democratic, and countries at the bottom of human development scale are almost always not" (Niraja Gopal Jayal, 2009, 359-374). India is a democratic polity but still has not been able to establish respectable equality among the members of national society. Does it mean that inclusion does not have ability to address this issue? Niraja Gopal Jayal gives affirmative answer to it and prefers to replace inclusion by democratic citizenship.

After evaluating different arguments on the method and intention of inclusion, it can be safely concluded that Indian democratic polity has been broadly successful in dealing the question of different category of excluded communities. This is perhaps being possible because of the spirit of democracy the society has. It has reflected the emerging trends that are not only encouraging; they are conducive to democratic polity. The number of representatives to local bodies and central and state legislatures from so far marginalized community is on rise. The process of social accommodation is breaking the traditional chain of divisions, and a new culture of equity is taking shape. The process of resolving conflicts and differences through dialogue and mutual understanding is gearing up. All these features are the strong confirmation of the fact that democratic spirit is capable of developing a democratic culture that will maintain and improve the existing democratic polity in India.

I conclude, the process of inclusion is successful in strengthening democratic structure. The emerging trends in society are logically positive sign for democracy. The democratic spirit that exists among the people of India will develop democratic culture. This culture will consolidate the existing orientation of the people. The result will be a strong, stable, and inclusive democratic polity of India.

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