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## **Democracy and Well Being in India**

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## Introduction

What let me ask at the outset is the relationship between democracy and wellbeing? Is the relationship an essential one? Or is it random and contingent? Is the institutionalisation of democracy a *necessary prerequisite* for ensuring the wellbeing of people? Will the enactment and implementation of social policy inevitably accompany the establishment of democracy? There are perhaps no clear answers to these questions and if there was ever a time when theorists assumed that democracy essentially exists for the wellbeing of the people; that time seems to have long passed. After all authoritarian regimes, which deny to their people civil and political rights, have managed to assure the same people social and economic wellbeing. This is a reality that theorists in the business of conceptualising democracy have had to confront with some degree of discomfort. It is even more disconcerting to find that a fully functioning *political* democracy can co-exist quite easily with high levels of social and economic *inequality* and *unfreedom*.

Take India; the country holds an enviable record in institutionalising democracy in the form of Constitutionalism, a competitive party system, regular elections, rule of law, codification of political and civil rights, and guarantees of free press and a vibrant civil society. But even as India satisfies conditions that permit it to claim the label of democracy with some justification; a majority of the people continue to suffer from unimagined hardship, with the most vulnerable among them-the poor among the scheduled castes and tribes, hill people, forest dwellers, tribals, and women particularly the girl child- at tremendous risk in matters of both lives and livelihoods.

It is true that the decade of the 1990s which heralded the onset of economic reforms also brought a decline in poverty figures. In 1973-74, 55 percent of India's population fell below the poverty line; this was reduced to 36 percent in 1993-94, to further fall to 26 percent of a one billion population in 1999-2000. In absolute terms the number of poor declined from 323 million in 1983 to 260 million in 1999-2000 (National Human Development Report 2002: pg 38)<sup>1</sup>. The fall in poverty figures has been accompanied by a great deal of improvement in the basic parameters of human development. According to the 2003-2004 Report of the Ministry of Health and Family Welfare, infant mortality has declined significantly from 110 deaths per 1000 live births in 1981 to 66 deaths per 1000 live births in 2001. Correspondingly, life expectancy has increased from 54 years in 1981 to 64.6 years in 2000 (Annual Report 2003-04: 13). According to the 2001 Census, the literacy rate for the population above the age of seven stands at 65.4 percent, compared to 52.21 percent in 1991 [[www.censusindia.net](http://www.censusindia.net)].

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<sup>1</sup> Scholars, however, disagree sharply on the methodology of estimating poverty. See the special issue on poverty reduction in *Economic and Political Weekly*, January 2004.

Four factors need to be noted in this connection. Firstly, poverty is unevenly spread across regions with Uttar Pradesh, Bihar, Madhya Pradesh, West Bengal, and Orissa accounting for 69 percent of the poor in 1999-2000 (Tenth Five Year Plan 2002:293). Equally striking are rural urban disparities: 75 percent of the 260 million poor live in rural areas with no access to land, productive resources or employment. Secondly, different states have differing records of human development. Whereas Kerala has a literacy rate of 92 percent which is comparable to that of Vietnam; Bihar-a backward state-continues to have a literacy rate of only 47.5 percent. Equally, whereas the literacy rate in urban areas is 80.30 percent, the corresponding literacy rate for rural areas is only 59.40 percent. Thirdly, human development has little to do with economic development. Although the sex ratio according to the 2001 Census has improved slightly for the country in the decade of the 1990s, and is now 933 women per 1000 men compared to 927 women per 1000 men in the 1991 census, the situation has actually worsened in Himachal Pradesh, Gujarat, Haryana, Punjab, and Delhi which rank high on the scale of economic development. Fourthly we find a contradiction between human development indicators within a state. Take Himachal Pradesh, at the very time the state has witnessed a dramatic expansion of literacy levels; the sex ratio in the state has declined from 976 females per 1000 males in 1991, to 970 per 1000 males in 2001, problematising thereof the postulated link between literacy and women's status.

In sum, not only do a quarter of the world's poor live in India, the number of illiterates, school drop-outs, people suffering from communicable diseases, and infant, child and maternal deaths, amount to a staggering proportion of respective world totals. More troublesome is the fact that country has high numbers of hungry people despite the existence of huge buffer stocks of food. And India's record in providing services-sanitation, clean drinking water, electricity, housing, and jobs-is even bleaker. It is clear that political democracy has simply not been accompanied by the institutionalisation of economic and social democracy.

Does it then follow that given a choice between *more* democracy and *more* wellbeing democrats should opt for more wellbeing? The choice is difficult especially when we are confronted with massive poverty, deprivation, and ill-fare in the country. But let me hasten to suggest that democracy is *always* preferable to authoritarianism for one core reason: the possession and exercise of basic rights *enables* citizens to mobilise and press the state to deliver on the promises embedded in the Constitution and in policy pronouncements. Arguably mobilisation leads to enhanced participation, and participation *deepens* democracy simply because it helps realise the prime legitimacy claim of the concept-that of popular sovereignty. In sum, the peculiar virtue of Indian democracy, howsoever formal and minimal our *avatar* of democracy may be, is that it is premised on the recognition of, the grant of, and the codification of basic rights: the right to freedom of expression, of assembly, of association, and more significantly the *root* right to demand other rights. This alone allots

to democracy an intrinsic value that outweighs greater wellbeing delivered by non-democratic regimes.

I argue that whereas the codification of Directive Principles of State Policy in part four of the Indian Constitution has *motivated* the enactment of social policy, the *codification* of fundamental rights in part three of the Constitution has inspired and empowered collective action for the implementation of the said Principles. To put it differently, collective action in India has served to connect constitutional entitlements, state policy, and wellbeing via the route of expanding the vocabulary as well as the conceptual repertoire of rights.

The argument proceeds in four parts. In the first section I detail the structures of social opportunities provided by the state. In the second section I deal with the structural barriers to wellbeing and also the role of political agents in addressing these barriers. In the third section I discuss some of the contemporary campaigns that press for the effective implementation of the Directive Principles. And in the fourth section I analyse the pre-conditions that are required for achieving wellbeing. I suggest that whereas the compulsions of formal democracy may encourage the enactment of social policies; it is only when civil society mobilises for the strengthening, the expansion, and the effective implementation of these policies, that we can expect a transition from political to social democracy. But civil society interventions have their own limits. What these limits are is discussed in the last section of the essay.

## I

### **Structures of Social Opportunities**

The co-existence of political and civil freedom alongside social and economic unfreedom in India is cause for some regret. For the leaders of the freedom movement had understood as early as the 1920s that the task of attaining political freedom is necessarily hampered unless it is accompanied by social and economic freedom and vice versa. Consequently, it had conceptualised an integrated agenda of political, civil, social, cultural, and economic rights in the 1928 Nehru Constitutional Draft, and in the Karachi Resolution on Fundamental Rights adopted by the Indian National Congress in 1931. This integrated agenda was however split into two units in the Constituent Assembly. Whereas the grant of political, civil, and cultural rights in part three of the Constitution are backed by legal sanction, social and economic rights which are placed in part four under the title of Directive Principles of State Policy are *not* backed by such sanction. For a majority of the members of the Constituent Assembly held that the costs of implementing positive rights were prohibitive.

Consequently, the Directive Principles of State Policy are intended as general guidelines for legislatures and governments. The opening clause of the report of the sub-committee on fundamental rights clearly stated that '[w]hile these principles shall not be cognizable by any court, they are nevertheless fundamental in the governance of the country and their application in the making of laws shall be the duty of the state' (Shiva Rao 1967: 168).

Some members of the Constituent Assembly were deeply critical of the downgrading of social and economic rights to the status of Directive Principles. K.T Shah alleged that the whole scheme of directives have been reduced to a 'needless fraud'; 'an excellent window dressing without any stock behind that dressing' (Shiva Rao 1968:320-321). However, Dr Ambedkar the President of the Constituent Assembly assured members that though the Principles were not legally binding 'whoever captures power will not be free to do what he likes with it. In the exercise of it, he will have to respect these Instruments of Instructions, which are called Directive Principles. He cannot ignore them. He may not have to answer for their breach in a court of law. But he will certainly have to answer for them before the electorate at election time (Shiva Rao, 1968. 329).

In pursuance of the general objective of establishing a social order based on social and economic justice, the Directive Principles urge the state to assure the following cluster of social goods to the people of India.

- Firstly, *within the limits of its economic capacity and development* the state shall make effective provision for securing the right to work, a living wage, equal pay for equal work, just and humane conditions of work, adequate means of livelihood and a decent standard of life.
- Secondly, the state is obliged to ensure that health is provided for all, that maternity relief is available to women, which levels of nutrition are raised, and that free and compulsory education is provided to all children till the age of 14.
- The third set of directive principles commit the state to providing public assistance in cases of unemployment, old age, sickness, disablement, and in all cases of undeserved want.
- The fourth set of directive principles oblige the state to ensure that the ownership and control of essential commodities is not concentrated in a few individuals, that the ownership of resources is so distributed as to serve the common good, that workers are enabled to participate in the management of undertakings, and that the weaker sections, children, and youth are protected against exploitation.

Part 4 of the Constitution thus provides an impressive array of social objectives to guide the formulation of appropriate policies. Further as the legal historian Granville Austin suggests, though Directive Principles are not justiciable, 'they have become the yardstick for the measurement of government's successes and failures in social policy' (1999:8).

In pursuance of the general objectives of establishing a social order based on social and economic justice the government of India has enacted several policies, which aim at (a) satisfying basic needs and generating social protection and (b) engendering income and employment. Whereas the first set of policies is geared towards providing *all* people with basic goods essential for leading a life of dignity, other schemes are targeted towards raising the purchasing power of the poorer sections.

Social sector programmes fall within the purview of State Governments, and the Central Government supplements these efforts by granting additional resources for specific programmes through centrally sponsored schemes, additional central assistance, and special central assistance. Chart 1 which details expenditure on the social sectors by the Central and the State Governments shows that total spending on this sector has increased but marginally from 1986 to 2004-05. Whereas there has been some increase in spending on education, the budget for health has actually shrunk.

**CHART 1**

Total Expenditure of Central and State Governments on Social Services			
As percentage of total expenditure			
Years	1986-87	1995-96	2004-05
Social Services	18.9	21.6	19.3
Education	8.6	10.7	9.4
Health	4.5	4.7	4.4
Others	5.7	6.3	5.4
As percentage of expenditure on social services			
Education	45.6	49.4	48.8
Health	24.1	21.6	23.0
Others	30.3	29.0	28.2

Adapted from 2005 Budget, Government of India, Chapter 10, <http://indiabudget.nic.in>

## Mapping Social Security

### a) Food Security

Since the Bengal famine of the 1940s, the Government of India has

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