# THEORISING THE RELATION BETWEEN CIVIL SOCIETY, STATE, AND DEMOCRACY IN INDIA

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**Abstract**

Democracy is more than just a way of living. The only socio-political and economic structure that genuinely embodies the values of individual liberty, equality, fraternity, and dignity is that system. A system that affords equal rights to each individual and every group of individuals, maintains its independence from majoritarian rule, and incorporates all individuals and groups into the mainstream is suitable for the label of democracy. Adopting a democratic constitution can produce democratic government, but achieving democracy requires more than just creating a constitution that makes sense legally and rationally. Democracy is a process that will truly be completed only when there is a democratic government. The space defined by institutions between the state and the family—a space devoid of both state-mandated and kinship relationships—is referred to as civil society. A place where individuals may get together, set aside their personal relationships and concerns, exchange ideas, and fight for causes they both care about. Civil society is the environment in which people learn to become actively involved by standing up for their rights and taking responsibility for their actions. But when we examine India's civil society and its role in the democratic process, we discover that it is a complex place where hegemonic organisations express their hegemonic objectives while marginalised people raise their voices. In actuality, India's civil society is "fragmented, divided, and a hierarchically structured realm," not a place of solidarity. Without a question, India's civil society will play a significant role in transforming the country's constitutional democracy into an actual democracy, but first civil society must become democratic. The goal of this essay is to critically examine how India's civil society, government, and democracy interact.

**Keywords:** *Civil Society, India, Democracy, Hegemony*

## Introduction

The Indian state began drafting its constitution based on democratic principles after releasing itself from the bonds of colonial control. The preamble's lines, "We the people of India...," capture the democratic spirit of the constitution. Adopt, enact, and bestow upon ourselves the present constitution. The framers of the Indian constitution were cognizant of the challenges that would eventually impede the adoption of participatory democracy in a hierarchical and stratified society such as India. As a result, the Constitution contains several clauses aimed at establishing a democratic system that would afford equal rights to all members of society and resist the tyranny of the majority. Affirmative action provisions for the upliftment of underprivileged groups, special provisions for the representation of underrepresented sections in legislative bodies, reservations in government jobs, and a ban on discrimination based on caste, class, religion, and sex are just a few of the constitutional measures aimed at establishing an inclusive

democratic system. It was evident that "democracy is not just a matter of constructing a legally preferable, rationally justifiable constitution" due to the state's unsatisfactory performance in bringing the marginalised people into the mainstream[1]. The state's exclusivist stance was blamed for the deplorable situation of the marginalised population. As a result, there was mistrust and disdain for the government. The marginalised people's disenchantment with the state compelled them to look for alternatives, and at this point, civil society played a crucial role. Several groups that oppose the predominance of the elites were organised in the civil society domain as a reaction to the "twin process of expansionism and exclusivism." The civil society is now widely regarded. Many now believe that the civil society can serve as both a venue and an instrument for the establishment of inclusive democracy. The unquestioning supporters of civil society overlook the fact that, despite the fact that it unquestionably provides room for marginalised groups, dominant organisations also coexist in the same domain. Therefore, there needs to be some revision to the theory that civil society is the place that will always provide a solid foundation for democracy. In actuality, civil society in the Indian setting has the capacity to both foster and threaten democratic growth. The peculiarities of Indian civil society are the cause of this conflicting phenomena.

The word "civil society," which originated in the West, often refers to the area that provides a forum for the public manifestation of shared interests. Civil society is defined by Emest Gallner as "a set of diverse non-governmental institutions which is strong enough to counter balance the state and can nevertheless prevent the state from dominating and atomizing the rest of the society[2], while not preventing the state from fulfilling its role as the keeper of peace and arbitrator between major interests." According to Nicos Mouzelis, it is that public domain that exists outside of the purview of the state and is distinct from the private domain. According to Mouzelis, "all social groups or institutions which in conditions of modernity lie between primordial kinship groups or institutions on the one hand and state groups and institutions on the other" are considered to be part of civil society[3].

Rudolph and Rudolph correctly point out that the Habermasian concept of the public sphere unnecessarily limits what the public is. It does not include association based on non-print means of communication or association from below. It rejects the notion of many affiliations with different interpretations of the common good because it is too relativist[4]. According to Habermas, the plurality of public is an indication of "the assertion of private interest." Fraser promotes the idea of various publics in opposition to Habermas' idea of a single public. Due of their lack of access to the sophisticated public realm, depressed groups might actually benefit from the idea of a singular public. "No arenas for deliberation among themselves about their needs, objectives and strategies" would be available to members of subordinated groups[5]. Creating a 'single public' is actually a way of drawing the weaker people into a fictitious 'we that mirrors the more powerful'. As an alternative to the idea of a single public, Fraser proposes the concept of "subaltern counter-publics." Interaction between members of subordinated social groups takes place in the subaltern counter-public sphere. The term "parallel discursive arenas where members of subordinated social groups invent and circulate counter- discourse to formulate oppositional interpretations of their identities, interests, and needs" is used by Nancy Fraser, who draws this idea from revisionist historiography of the public sphere[6].

As the discussion above illustrates, a hierarchical and stratified society such as India does not lend itself to the conventional Western concept of civil society. In the Indian context, where certain individuals have been denied freedom and equality due to their membership in a particular group, groups should also be conceptualised as participants of civil society[7]. This is because the Western concept of civil society views the individual as the true actor of civil society[8]. Regardless of the foundations of group identity, "identity groups too are legitimate inhabitants of civil society, in addition to individuals" in India's varied, hierarchical, and plural society[9]. In general, India's civil society is made up of highly flexible social groups based on voluntary affiliation, intense kinship relationships, religions, and ancestral identities, such as caste. In general, India's civil society is made up of highly flexible social groups based on voluntary affiliation, intense kinship relationships, religions, and ancestral identities, such as caste. In the context of such exclusive identification groupings, the question of whether civil society can serve as a forum for democratic discourse emerges. Civil society in India has been the subject of divergent interpretations because of its unique structure and nature.

**Exploring Civil Society in India: Liberal and Communitarian Perspectives**
According to André Béteille, not all Indian society's mediating institutions are a component of the civil society. He believes that the institutions that mediate disputes based on kinship, caste, religion, race, and other factors hinder the development of civil society. Civil society may only be conceptualised as including institutions that are founded on equality and independent membership (e.g., universities, public hospitals, research laboratories). It would not be sufficient to simply multiply the mediating institution; instead, open, secular institutions must be strengthened. According to Béteille, British rule had an impact on the emergence of open and secular institutions in India beginning in the middle of the 19th century. Following India's independence, these secular, open organisations were incorporated into the country's democratic framework[10]. Even in the most developed segments of the urban middle class, not to mention other segments of Indian society, these new, transparent, and secular institutions "did not displace all the old ones based on kinship, caste, and religion"[11]. According to Béteille, the development of civil society depends on the plurality of institutions coexisting with their autonomy. In the Indian context, this perception of the state as the most serious threat to autonomy is not entirely accurate. More dangerous to the development of civil society in India, according to Béteille, are communities of birth (based on clan, tribe, caste, sect, and religion), which have a significant role to play in the Indian context, than the state's thirst for power[12]. According to his proposal, India's civil society prospects would only improve until the state and other open, secular institutions are free from caste. According to him, the chances for civil society in India are hampered by the country's stratified culture and populist politics. According to Béteille, India's current civil society is too dominated by tie-based organisations to function as an agent of democracy; as such, the country needs to establish a real civil society.

**Defining the correlation between Civil Society, State, and Democracy**
Democracy and the concept of civil society go hand in hand. In the current era, a thriving civil society is considered necessary for the effective application of democracy. Most people believe it to be the place where democracy is saved from an elitist and repressive state. The relationship between these three appears complex in the Indian context because the state continues to function as the primary mobilising force but civil society itself is susceptible to elite rule. As a result, scholars have interpreted these relationships in different ways.

**Civil Society as a Platform of Elites Rule**
According to Chatterji, nationalist elites' anti-colonial struggle gave rise to civil society in India. These elites challenged colonial dominance by establishing a secular public sphere grounded in western modernity. However, access to this secular space remains severely restricted. The public at large will not meet the criteria set by civil society, and the role of civil social organisations in regard to the public will be one of teaching rather than free association. This space will "remain an exclusive domain of the elite"[13]. Consequently, Chatterji contends that elites alone have access to civil society in post-colonial nations like India and that civil society is inherently more exclusive than the state. According to him, the scope of the state's legal-bureaucratic apparatus has expanded throughout the colonial and post-colonial eras to include almost every resident of its territory. However, the realm of civil social institutions, as previously defined, is still limited to a relatively tiny portion of the citizenry"[14]. According to Chatterji, meaningful democratic involvement in India can occur not in civil society per se, but in the political society that exists between civil society and the state; this domain was established in the early 20th century during mass nationalist activities. Parties, movements, non-party political formations, and other entities are included in this area of political society. Most of the time, political society's forms and tactics of involvement and mobilisation conflict with civil society's associational ideals. In post-colonial states, political society searches for alternative democratic models of the modern state that were not considered by the post-enlightenment social consensus of the secularised Christian world, claims Chatterji[15].

## Role of Civil Society as an "Anti-thesis" of State

According to Kothari, the disinterested and bureaucratic state can be replaced by civil society. Kothari claims that the state has lost its ability to act as a transformative force or even as a guardian and arbitrator in civil society matters, expressing his disenchantment with it. In fact, it becomes more and more evident that the state apparatus is using coercion to affect the entire relationship between the state and civil society[16]. Civil society is considered the area of self-governance and directs people's participation against this tyrannical regime. People's participation, innate desires, and goals define civil society, which is thought to be the ideal setting for strengthening participatory democracy. According to Kothari, civil society serves as the "launching pad for humane governance"[17]. Here, marginalised individuals—women, members of underrepresented ethnic groups, and members of lower social classes—raise their voices and band together in opposition to the repressive government. Kothari thus demonstrates his unwavering faith in civil society as a democratic agent.

## Theorising Civil Society and Democracy: Contradictory or Compatible

Scholars who view civil society as a place of ample diversity where hegemonic groups and protest groups coexist have questioned Kothari's unwavering faith in the democratic ethos of Indian civil society[18]. Neera Chadok oppose Kothari's view and emphasized that as not all civil society organisations and associations are founded on democratic ideals, civil society as a whole cannot be viewed as a vehicle for democratisation. According to Mahajan, a number of the Indian civil society organisations operate on the tenets of exclusion and hierarchy[19]. Prior to requesting autonomy for community institutions, it is necessary to look into the guiding principles of these establishments. The quest for autonomy for community organisations will lead us in the wrong direction in the Indian context, where ascriptive identity groupings based on exclusion and hierarchy play a major role. In a nation like India, "where the task of ensuring inter-group and intra-group equality still remains unfulfilled," strengthening all varieties of socio-religious civil society organisations is challenging[20]. Unfortunately, the idea that civil society may be a force for democracy "legitimises groups and institutions that do not operate on the democratic principle of equality"[21].

Neera Chandok is also close to Mahajan and Gupta. Chandok advises against holding out much hope for the contribution of civil society to the advancement of Indian democracy. While civil society is necessary for a healthy democracy, it does not certain that one would flourish in a nation like India. It is necessary to acknowledge that "associations of every stripe and hue exist in this space" if civil society is to be understood as the realm of organisations outside of the state. Certain social groups encourage civic involvement, while others stifle it; some broaden the scope of civil society by including formerly marginalised groups; and still others exclude these groups from participating in civic life. Because the opponents of democratic life are found inside civil society itself, even as well-organized groups that aim to force their will on the domain and may be able to get their demands met[22], to bolster her argument, Chandok cites the dominant role played by hindutavavadi forces in Indian civil society as well as their hegemonic and exclusionary tendencies. Minorities in such a civic arena are rarely allowed their own space, and even if they do, it will be a subservient one in this hierarchical civil environment[23]. According to Chandok, India's civil society is "far from being the realm of solidarity and warm personalised interaction." Instead, it is a divided, hierarchically structured realm. Because of this hierarchical structure, civil society should focus inward and "battle the power centres within its domain" rather than presenting itself against the state's power structure[24]. However, Chandok acknowledges that civil society can significantly contribute to the strengthening of democracy; therefore, he believes that civil society should be viewed as a process by which "inhabitants of the sphere constantly monitor both the state and the monopoly of power in civil society" rather than as an institution. Democratic movements must continually extend the boundaries of criticism for undemocratic actions, and in order to do this, they must be extremely watchful and self-critical"[25], The theory of civil society against state, according to Chandok cannot hold up in India's hierarchical and fractured civil society, where hegemonic and emancipatory groups coexist. Mahajan emphasises that the civil society cannot function as a democratic agency until the requirement of legal universality is met. The only entity that can uphold such universality of law is the

state. As a result, it is challenging to separate or even imagine civil society without the state. Civil society institutions indeed need to be understood as constituents of the democratic constitutional state. Chandok emphasises how important it is to view the relationship between the government and civil society as one of cooperation and mutual dependence rather than one of hostility[26]. As 'the state establishes the bounds of civil society, as well as frames social initiatives in civil society', the state is necessary for civil society to function as an agent to strengthen democracy[27].

## Conclusion

India's civil society is distinct because it is a place where many opposing groups coexist, including feminist and patriarchal organisations, anti-communalist and religious fundamentalist groups, pro-upper caste organisations seeking to maintain hegemony and lower caste organisations, developmentalist and environmentalist organisations, and conservative and progressive organisations. It's a really delicate site because of the way civil society has been constructed. It can, however, serve as a foundation for further democratic development. This is the arena in which the majority, if not all, of the social groups are represented—and they do so as active participants rather than as passive recipients. While it is true that members of civil society differ from one another in terms of their ability to influence others and form associations, this does not mean that the situation is hopeless. It's important to remember that the civil society is what brings to light the groups that have long been hidden from view.

Nevertheless, India's civil society is still in its infancy despite the aforementioned improvements. There is a lack of civil society ethics. In actuality, the precise definition of civil society has yet to be established. The civil society organisations require oversight, inspection, and training in order to function as democratising agents. Among the actions necessary to establish India's civil society into a democratic arena are:

It is important to note that organisations operating within the civil society domain are required to adhere to democratic norms in both intra- and inter-associational relations, as well as to seek democratic means of achieving their objectives.

• All members of civil society ought to be subject to legal governance. The rule of law should be viewed as a means of preserving the peaceful environment necessary for civil society organisations to operate more effectively, not as a threat to their independence. In parallel universes, India's civil society depends on the state as a resource supplier and agency for protection.

• The creation of a civil society ethic is the most crucial demand, and it requires the evolution of a mutually trusting environment. Establishing intercommunity groups can be one way to help such an ecosystem evolve. As a result of ascriptive links, it can lessen hostility between groups. Ashtosh Varshney considers the value of interethnic networks of civil activities as "agents of peace" in his project "Ethnic Conflict and Civic Life: Hindus and Muslims in India." In actuality, the climate of mistrust and hostility that exists between these groups—rather than the existence of ascriptive identity-based groups—is what is problematic about Indian civil society. Therefore, building an associational network beyond community boundaries is more important than eliminating ascription-based tie-based groups from the public arena.

In conclusion, India's civil society has the capacity to both upend the fundamental foundations of democracy and serve as a potential hub for the development of an inclusive democratic system. The outcome is dependent upon how we handle the civil society. As such, we must exercise extreme caution when interacting with India's civil society.

## References

1.      Kaviraj, S. (2008). *"In Search of Civil Society"* in Sudipta Kaviraj to Kaviraj and Sunil Khilnani (ed.), Civil Society: History and Possibilities (Delhi, Cambridge University Press), 306

2.   Gellner, E. (1995). *"The Importance of being Modular",* in John A. Hall (ed.), Civil Society Theory, History and Comparison (Cambridge, Polity Press), 32.

3.   Mouzelis, N. (1995). *"Modernity, Late Development and Civil Society in John A Hall* (ed.), Civil Society: theory, History and Comparison, (Cambridge, Polity Press), 225-26.

4.   Rudolph, S. H. & Rudolph, L.I. (2003). *"The Coffee House and the Ashram: Gandhi, Civil Society and Public Spheres"* in C.M Elliot (ed.) Civil Society and Democracy, 385.

5.   Fraser, N. (2003). *"Rethinking The Public Sphere: A Contribution to the Critique of Actually Existing Democracy"* in C.M. Elliott (ed.) Civil Society and Democracy. (New Delhi, Oxford University Press.), 90.

6.   *Ibid.*

7.   *Ibid.*

8.   See, T.K. Oommen, (2004). *Nation, Civil Society and Social Movements,* (New Delhi, Sage Publications, 113-14.

9.   *Ibid.* 114

10.  Giri, A. K. (2006). *"Civil Society and the Limits of Identity Politics" in N. Jayaram (ed.), On Civil Society: Issues and Perspectives*, (New Delhi, Sage Publications), 220.

11.  Beteille, A. (2003). *'Civil Society and Institutions' in C.M. Elliott (ed.), Civil Society and Democracy,* (New Delhi, Oxford University Press), 201.

12.  *Ibid,* 208

13.  Chatterji, P. (2003). "Beyond the Nation or Within", in Carolyn M. Elliot (ed), Civil Society and Democracy, opp. Cit., 137

14.  Chatterji, P. (2008). *"On Civil and Political Society in Post Colonial Democracies",* opp. Cit, 172.

15.  Chatterji, P. (2003). *"Beyond the Nation or Within",* opp. Cit. 140.

16.  Kothari, R. (1988). *State Against Democracy: In Search of Humane Governance,* (Delhi, Ajanta Publishers), 45.

17.  Kothari, R. (1988). *State Against Democracy: In Search of Humane Governance,* (Delhi, Ajanta Publishers), 3.

18.  This term has been used by Neera Chandok to define distinct nature of civil society in India

19.  Mahajan, G. (2003). *"Civil Society and Its Avatars",* in Carolyn M. Elliott (ed.); Civil Society Democracy, opp. cit., 185.

20.  *Ibid,*

21.  *Ibid,* 186

22.  Chandok, N. (2003). *"The 'Civil' and the 'Political' in Civil Society"* in Carolyn M. Eliott (ed.) Civil Society and Democracy, opp. Cit., 255.

23.  *Ibid, 256.*

24.  *Ibid, 259.*

25.  *Ibid, 261.*

26.  Gupta, D. (2003). *"Civil Society of the state: What Happened to Citizenship"* in Carolyn M Elliot (ed.) Civil Society and Democracy, opp. Cit. 233.

27.  Chandok, N. (2003). opp. cit, 246.