



UNRISD

UNITED NATIONS RESEARCH INSTITUTE FOR SOCIAL DEVELOPMENT

Democracy and Well Being in India

Neera Chandhoke

Professor Department of Political Science, University of Delhi, and Director,
Developing Countries Research Centre, University of Delhi

prepared for the UNRISD Project on Social Policy and Democratization

May 2005

DRAFT WORKING DOCUMENT
Do not cite without the authors' approval



The **United Nations Research Institute for Social Development (UNRISD)** is an autonomous agency engaging in multidisciplinary research on the social dimensions of contemporary problems affecting development. Its work is guided by the conviction that, for effective development policies to be formulated, an understanding of the social and political context is crucial. The Institute attempts to provide governments, development agencies, grassroots organizations and scholars with a better understanding of how development policies and processes of economic, social and environmental change affect different social groups. Working through an extensive network of national research centres, UNRISD aims to promote original research and strengthen research capacity in developing countries.

Current research programmes include: Civil Society and Social Movements; Democracy, Governance and Human Rights; Identities, Conflict and Cohesion; Social Policy and Development; and Technology, Business and Society.

A list of the Institute's free and priced publications can be obtained by contacting the Reference Centre.

UNRISD, Palais des Nations
1211 Geneva 10, Switzerland

Tel: (41 22) 9173020
Fax: (41 22) 9170650
E-mail: info@unrisd.org
Web: <http://www.unrisd.org>

Copyright © United Nations Research Institute for Social Development (UNRISD).

This is not a formal UNRISD publication. The responsibility for opinions expressed in signed studies rests solely with their author(s), and availability on the UNRISD Web site (<http://www.unrisd.org>) does not constitute an endorsement by UNRISD of the opinions expressed in them. No publication or distribution of these papers is permitted without the prior authorization of the author(s), except for personal use.

Acknowledgements: I would like to thank Thomas Pogge, Rohini Nayyar, John Harriss, Niraja G. Jayal, Praveen Priyadarshi and Yusuf Bangura for their helpful comments on an earlier draft of this paper. Thanks to Komal and Ravi Ranjan for help with the data.

Word length: 16,424

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 discomfoting 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)¹. 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].

¹ 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 concentrated on establishing food security through (a) achieving self-sufficiency in food grains and (b) building buffer stocks of food grains particularly rice and wheat. The government obtains food grains from direct producers through fixing procurement prices/minimum support prices, by announcing support prices at sowing time, and by agreeing to buy all the food grains offered for sale at this price². Today procurement stands at 20 percent of food grain production. This has resulted in surplus buffer stocks, which by 2002 had risen to 60 million tonnes against the normal standards of 17 million

² The two crop insurance schemes, National Agricultural Insurance Scheme, and Farm Income Insurance Scheme have proved largely ineffective.

tonnes. Though food stocks declined thereon, in January 2004 these still stood at 24.4 million tonnes.

Despite food grain production going up from 175 million tonnes in the 1980s to 206 million tonnes in the 1990s, growth rate in the per capita availability of food grains has actually declined mainly because the poor lack purchasing power. After the food shortages in the 1960s, the Government had instituted a large public distribution system [PDS], which supplies food grains, edible oil, and kerosene at subsidised prices to households. Over the years it was found that the PDS benefited the non-poor more than the poor, and that it was biased towards the urban areas. In 1997 the scheme was converted to a Targeted Public Distribution System. Under the TPDS the government provides Below Poverty Line [BPL] families with 20 kilograms of subsidised food grains per month through a network of 400,000 Fair Price Shops. The identification of beneficiaries is based on state wise poverty estimates of the Planning Commission. According to the Ministry of Food and Civil Supplies, against a total ceiling of 6.52 crore BPL families in the country as per poverty estimates of the Planning Commission for 1993-94, State governments have issued more than 8 crore ration cards to BPL families. Correspondingly the food subsidy has jumped from Rs 2,450 crore in 1990-91 to Rs 25,160 crore in 2003-04 (*The Hindu* 2004: 18 September). The TPDS is supplemented by other nutrition related schemes. Under the Antodaya Anna Yojana, 25 kg of food grains is provided to destitutes at Rs 2 per k.g. for wheat, and Rs 3 for rice. This covers 1.5 crores of citizens. The Annapurna Scheme introduced in April 2000 provides free food grains to senior citizens below poverty line.

The country has however not been able to realise food security for poor households. For one, it was found that food grains under the TPDS are diverted to the market. The diversion rate is 64 percent in Bihar and Assam, 100 percent in Nagaland and 69 percent in Punjab. Secondly, most states do not have either adequate infrastructure or funds, which enable them to deliver food grains to BPL families. Thirdly, the offtake by the state governments from the central pool is much lower than the allocations. Fourthly, the poor do not have the resources to buy their quota of food grains. Fifthly the quality of food grains is low; a fact that is exacerbated by poor storage conditions. Above all weak monitoring, lack of transparency and accountability, and sale of food grains at higher prices than those fixed by the government, have combined to create an unprecedented crisis of food security. (Planning Commission 2000: 162-163).

b) Nutritional Security

Nutritional security is ensured through the provision of midday meals for primary school children. The government of Tamil Nadu, where the scheme had been originally introduced in 1925, adopted the programme in 1957. In 1995 the Ministry of Human Resources conceptualised a fully funded and centrally sponsored scheme of midday meals. The objective of the programme is to supplement nutrition of primary school going children, and thereby to improve school enrolment, retention, and attendance. Each child is provided with 100

grams of raw wheat/rice per school day. 6 states began to provide school children with cooked meals, and a 2001 Supreme Court Order makes it obligatory for each government and government funded school to provide cooked food to the students. In some states the scheme has been extended to cover students up to Class X. By 2001 105.1 million children were being served midday meals in 576 districts.

Evaluations of the scheme have found that the quality of food served to the children is poor, that proper data on enrolments on the basis of which food grains could be made available is not forthcoming, that transport to transfer food grains to states is not at hand, and that in some states lack of funds prevent meaningful implementation of the scheme. But on balance evaluations hold that most state governments have picked up their quota of food grains under the scheme and that the programme has resulted in increased recruitment of school children as well as ensured attendance.

The Integrated Child Development Services provides food supplements to pre-school children, pregnant women, and lactating mothers in the country. However, the reported coverage is only between 15 to 20 percent of the targeted population. There has been no significant decline in maternal under-nutrition and half of the children below the age of five years continue to be severely malnourished.

c) Education

Article 45 of the Constitution stipulates that the state shall endeavour to provide within a period of ten years free and compulsory education for children till age 14³. The National Policy of Education 1986, which was revised in 1992, provided momentum to the task and has achieved some success. The Census of India defines literacy rates as the proportion of literates to the total population above the age of 7 years. By these standards, at independence literacy stood at merely 18.3 percent for age group 5 years and above. Literacy rose to 43.6 percent in 1981, to 52.21 percent in 1991, to further rise to 65.4 percent in 2001. Of this figure 75.85 percent of males are literate and 54.16 percent of women are literate. In a ten-year period from 1991 to 2000, illiteracy declined for the first time by 32 million in absolute terms. Significantly in rural areas the literacy rate increased from 36 percent in 1981 to 59 percent in 2001. And this was achieved despite the fact that the education budget is clearly insufficient.

The goal of universalizing elementary education is sought to be achieved through setting up of Government or Government aided primary schools. By 1993, 94 percent of the total rural population was served by primary schools; and in the period 1950-1990 the number of schools increased by more than three times. The number of upper primary schools increased 15 times in the same period. The expansion of the school system was accompanied by the

³ This has been originally conceptualised as a fundamental right, but deliberations in the Constituent Assembly reduced education to a Directive Principle of State Policy.

provision of midday meals, free uniforms, textbooks, and scholarships in order to increase recruitment and prevent dropouts.

The elementary educational system has been strengthened from time to time by the launch of special campaigns such as 'Operation Blackboard' to upgrade infrastructure, train teachers, and improve the environment. To cover gaps in the educational system, in 2000-01 the Government of India launched the Sarva Shiksha Abhiyan or the movement for education to provide elementary education to children in the age group 6-14, in partnership with state governments, local governments and communities. The school system has been decentralised to enable community participation. This as reports show has led to improved performances, provided community owned education, and bridged gender and social disparities to some extent. The District Elementary Education Plan which was launched in 1994, and which is supported by international agencies, is based on assessments of specific needs of each habitat particularly in the field of Early Child Care and Education.

From 1986 onwards, the Government of India initiated several schemes to bring more than half the children in the age group 6-14 who are outside the school system within the ambit of education, by setting up a parallel stream of non-formal education, through opening up literacy classes to children outside the school system, and through the setting up of World Bank sponsored District Primary Education Programmes. Under the programme, 21,000 new alternative schools have been established, and 10,000 ECCE clusters have been set up. However, these initiatives, which introduced parallel streams of cheap but low quality education for poor children, have been criticised by educationists and activists. For instead of strengthening the existing government and government-aided school system, these schemes provided for contracting often under-qualified youths at low salaries to teach children for a period of nine months. The quality of education has thereby been compromised.

Adults above the age group of 15- 35 are provided functional literacy through the National Literacy Mission, which set up in May 1988 is administered in 561 districts through local communities and self-government bodies. The purpose is to achieve full literacy for 75 percent of population by 2005. This, it is expected, will lead to increased productivity, improvement in health care, and betterment of social life. More importantly, 14 states and 4 Union Territories have passed laws making elementary education compulsory. In 2001 the Central government passed the 93rd Constitutional Amendment Bill, subsequently adopted as the 86th Constitutional Amendment Bill, which grants a fundamental right to free and compulsory education.

The right to education however makes little sense unless the school system, which is marked by a high rate of drop-outs, teacher absenteeism, low levels of learning, low participation particularly of the girl child, and critical gaps in the availability of infrastructural facilities and qualitative aspects of education, including teachers training, educational curricula, equipments, and training material, is restructured. It has been estimated that more children drop out of

school for these reasons rather than those of poverty. Families would rather incur debt and send their children to expensive private schools.

Given these shortcomings, it is not surprising that despite 53 years of planned development, out of 200 million children in the age group of 6-14 years, 42 million children do not go to school. The National Human Development Report 2001 concluded that 'India's educational development is a mixed bag of remarkable successes and glaring gaps. In the post-independence period, the pace of educational development was unprecedented by any standards. At the same time, perhaps, the policy focus and public intervention in the provision of educational services was not adequately focused or, even misplaced, to the extent that even after 50 years of planned effort in the sector, nearly one-third of the population or close to 300 million people in the age group 7 years and above are illiterate' (2001: 51). These figures vary across regions, whereas literacy rates have improved in Rajasthan, Orissa, and Madhya Pradesh in the 1990s, and whereas Himachal Pradesh is a success story because by the end of the decade of the 1990s 98 percent of children were going to school in the state, literacy rates continue to be modest in Uttar Pradesh and Bihar. The picture on the educational front is simply not encouraging.

d) Health.

In 1946, on the eve of the independence of India, the Bhore Committee had suggested a detailed and comprehensive plan for health security. The report envisaging the establishment of a massive state-managed infrastructure for health stressed that provision of health care is an indispensable function of the government. Health care recommended the report, should be provided to all irrespective of their ability to pay, health services should be placed as close to the people as possible to ensure maximum benefit to communities, and the doctor should be a social physician who combines remedial and preventive measures. If it had been implemented effectively, the Bhore Committee Report would have rendered the private sector in health irrelevant, and the level of health services in the country would have reached to three-fifth of that of Britain during the Second World War.

The most significant suggestion of the Bhore committee was that the focus of health policy should be preventive rather than curative. A preventive health policy would conceptualise the provision of nutrition, safe drinking water, sanitation, hygiene, and education, as well as the institutionalisation of an extensive public health system: immunisation programmes and clinics and community health centres staffed by trained medical personnel and para-health workers, as *essential* preconditions of health. All this requires public investment to the tune of 10 percent of GDP, yet the Government of India invests only 0.9 percent of the GDP on health.

In fact, there is an odd schism between financial outlays and the stated objectives of health policy. The public health system consists of a three-tiered layer of primary health centres, sub-centres, and community centres providing multi-functional outpatient facilities. The number of centres is in direct

proportion to the numbers of people being served, with special provisions being made for rural, hill and tribal areas. The Government has also initiated and implemented several disease-control programmes and immunisation schemes, some of which have shown remarkable success. Under the Central Government Health Scheme, health care is provided to government employees, pensioners, and public officials living in big cities. The global debate on health strategy, the signing of the Alma Ata declaration of 'Health for All' by 2000, and the recommendations of various specialised bodies, have resulted in the enunciation of a comprehensive, integrated, approach to health care in the form of the National Health Policy in 1983. The 2002 National Health Policy aims at achieving the basic standards of good health through national public health programmes, extension of infrastructure, medical education, research, enhanced role of stakeholders such as NGOs, enforcement of quality standards in food and drugs, and women's health.

It is not as if India has made no progress in the past several decades in the field of health. There have been no reported cases of small pox since 1985, of guinea worm disease since 1996; and of plague since 1969. Cholera epidemics and related deaths have become more infrequent; in 1950, cholera cases numbered 1,76,307 with 86,997 deaths, by 2001 the total reported cases of cholera were 5000 (Deodhar 2001:8). The incidence of measles, polio, whooping cough, and tetanus is lower than before. And the proportion of children without immunisation declined from 30 to 14 percent between 1992/93, and 1998/9.

Yet the presence of both communicable and non-communicable diseases casts a heavy miasma over every prospect of wellbeing. Infant mortality rates have still to be brought below 60 per 1000 live births, which was the expressed goal of the 1983 health policy. Maternal mortality rates continue to be 540 per 100,000 live births annually (HDR 2004: 169-170). The main causes of mortality in the age group 0-5 are common diseases, which can be easily avoided, such as lower respiratory tract infection, diarrhoeal diseases, perinatal causes and vaccine preventable diseases. Communicable diseases like viral encephalitis, meningococcal meningitis, rabies kala azhar, dengue fever and tuberculosis have escaped control. Epidemics of food poisoning, infectious hepatitis, typhoid fever, measles, tetanus, and pneumonia regularly appear to bedevil the health scenario. It is estimated that about 15 million people suffer from tuberculosis, and that 2.2 million are added to this figure every year (India Health Report 2003: 3). The emergence of AIDS has begun to affect national and regional epidemiological profiles and priorities, and leprosy cases constitute a major part of the world's cases of leprosy.

Of course the picture is not even across the country; for instance Kerala has made progress on all health indicators, whereas Bihar, Uttar Pradesh, and parts of Madhya Pradesh and Rajasthan show tremendous vulnerability on this front. Moreover, the rural sector much more vulnerable to malnourishment and disease. What is also worrying is the massive social inequity between income groups across all regions of the country in this respect. A study has shown that

the richest 20 percent enjoy three times their share of the public subsidy for health compared to the poorest quintile, and that 20 percent of the population which belongs to the poorest section of society has more than double the mortality rates, fertility rates, levels of under-nutrition than of the richest 20 percent of the population (India Health Report 2003: 1-2).

The malaise of the health scene in India is conceivably due to the interaction of a number of factors. Firstly, much of the government health sector was created through policy pronouncements, which do not legislate the right to health. Secondly, the system is heavily bureaucratised and marked by erosion, corruption, inadequate infrastructure, and non-availability of medicines. Thirdly, whereas the Government of India has concentrated massive resources in specific disease eradication campaigns such as the huge campaign initiated in 1995 to eradicate poliomyelitis through a pulse polio immunisation programme, this has been at the cost of other programmes, which aim at the annihilation of common ailments such as diarrhoea and dysentery. Even though dysentery and diarrhoea along with acute respiratory infections leading to pneumonia happen to be the main killers of children below the age of five, these are not even seen by the Government as diseases. Fourthly, universal programmes of immunisation have failed to establish efficient epidemiological surveillance services for diseases that can be controlled. And fifthly, health policy in India has concentrated more on curative measures rather than on preventive measures.

Above all, from the Fourth Five Year Plan budgetary provisions for health shrank drastically reaching a new low in the first decade of the twenty first century, although the W.H.O has recommended that a minimum of 5 percent of GDP should be allotted to health care. India has one of the lowest health budgets in the world, and in fact, plan allocation for the year 2003-04 has been pegged at 2002-2003 levels that is Rs 1500 crore, leading to reduced allocations for various priority programmes (Ministry of Health and Family Welfare Annual Report 2003-04: 1). India, health is a State subject and States are expected to contribute to a major part of the finances allotted to the sector, but the budgetary allocation of State Governments has shown a consistent decline over the years. The general neglect of preventive health care and the increasing push towards the involvement of the private sector in the delivery of health services highlights a dramatic lessening of public commitment to health.

II Social Protection

a) The National Social Assistance Programme launched in 1995 has three components: The National Old Age Pension Scheme, the National Family Benefit Scheme, and the Janani Suraksha Yojana. The schemes are sponsored by the central government in order to ensure minimum standards of social assistance over and above the assistance provided by state governments. The National Old Age Pension Scheme is a tax-financed scheme that provides floor level income assistance of Rs 75 per month to very poor persons over 65 years of age. The NFBS gives Rs 10,000 to BPL families in event of the death of the breadwinner, and JSY is a maternity benefit scheme, which benefits women from BPL families for the first two live births.

II Social Protection

a) The National Social Assistance Programme launched in 1995 has three components: The National Old Age Pension Scheme, the National Family Benefit Scheme, and the Janani Suraksha Yojana. The schemes are sponsored by the central government in order to ensure minimum standards of social assistance over and above the assistance provided by state governments. The National Old Age Pension Scheme is a tax-financed scheme that provides floor level income assistance of Rs 75 per month to very poor persons over 65 years of age. The NFBS gives Rs 10,000 to BPL families in event of the death of the breadwinner, and JSY is a maternity benefit scheme, which benefits women from BPL families for the first two live births. The Janshree Bima Yojana, which has been launched through state insurance companies, is a group insurance scheme, which does not require premium contribution by workers. It covers contingencies in cases of natural/accidental deaths and partial or total permanent disability due to accident for people below the poverty line. The Krishi Shramik Samajak Suraksha Yojana 2001, which is a group insurance scheme for agricultural landless labour, provides for pension, insurance and money back schemes. The beneficiaries contribute Rs 1 per day and the government contributes Rs 2 per day to the scheme. In addition public initiatives launched by for instance the Self Employed Womens Association or SEWA provides social security through the setting up of cooperatives. The Finance Minister has announced a new universal health insurance scheme for the poor, a special group insurance scheme at a low premium, and the setting up of a Rural Health Mission, in the 2005 budget. The limited coverage of the clearly insufficient social security programme is largely due to resource constraints. For instance, against a target of 8.71 beneficiaries for old age pensions in 1999-2000, only 5 million people were provided assistance from central funds (Tenth Plan 2002:300). On the whole the majority of the working people have little or no social protection.

b) The Employees Provident Fund Scheme is a publicly managed, contributory, and a mandatory scheme to ensure that employed workers save some percent of their wages. But compliance mechanisms are ineffective and accounting methods are unreliable. In 2004 the Unorganised Sector Workers Social Security

Scheme, which was launched on a pilot basis in 50 districts, provides old age pension, personal accident insurance, and medical insurance for workers drawing not more than Rs 6,500 per month. Workers give a single contribution of Rs 50 per month with the government's contribution assessed on a relative basis. The scheme is implemented through the Employees Provident Fund Organisation

In addition the Government has set up five welfare funds for specific sectors of unorganised workers. Resources are raised outside the employer-employee relationship on a non-contributory basis, and the delivery of welfare services does not have any link to individual contributions. The cess collected from the employers and manufacturers of particular commodities go towards these funds. Some state governments such as West Bengal have introduced state assisted provident funds for unorganised workers. However the coverage under all these programmes is a little more than 10 million out of 370 million workers in the unorganized sector.

III Poverty Alleviation

a) Income Generation Schemes

Since the 1970s the Government of India has enacted several programmes to provide self-employment and supplementary wage employment to BPL families through the extension of bank credit and subsidies. On 1 April 1999 a self-employment programme called the Swarnajayanti Gram Swarozgar Yojana or the Rural Self-Employment Plan merged the earlier mandated Integrated Rural Development Programme [IRDP] and several sub-schemes. The programme, which is credit driven, encourages the development of micro-enterprises through the formation of self-help groups, the extension of credit and subsidies to groups, capacity building, selection of activity clusters, infrastructural development, and access to technology and markets. The Tenth Plan seeks to enhance SGSY by focussing on social mobilisation and group formation in the first phase, thrift and credit augmented by a revolving fund in the second phase, and access to credit from micro-finance institutions in the third phase. The plan stipulates that 50 percent of self-help groups must be formed exclusively by women, and that 50 percent of the benefits should flow to the Scheduled Castes/Tribes. Some provision has been made for the disabled (Tenth Plan 2002: 294-297).

However, the Tenth Plan estimates that the implementation of SGSY between 1999 and 2002 has been hampered because intermediate organisations lack requisite skills to mobilise people into self-help groups, and because they have failed to establish linkages with NGOs, which could have facilitated this process. This resulted in lower releases of funds from the central government as well as lower mobilisation of credit. Consequently only one third of the target of credit allocation could be achieved, and the coverage was considerably lower than the 2.2 million who benefited under IRDP during the Eighth Plan period every year.

But though the IRDP, which was initiated in 1978-79, benefited a large number of recipients, local powerful interests-politicians, contractors, and bureaucrats captured it. Secondly, it was characterised by defective implementation, inefficient targeting, non-availability of bank credit, overcrowding of projects and absence of market linkages. Thirdly, the scheme was subsidy driven and provided credit without follow up action. Fourthly allocations were made poor not on economic but on political grounds: the building of vote banks. All this inhibited income generation to a large extent.

b) Wage Generation Schemes

In December 2004 the long awaited National Rural Employment Guarantee Bill was introduced in the lower house of Parliament. When it is enacted as law, India will join 30 countries, which grant the constitutional right to work to their citizens. However it is important to note that the Bill does not grant a *generic* right to work because it promises but 100 days of employment per year to only one adult member of a poor rural household. If an eligible applicant is not provided employment within 15 days of receipt of his application, s/he shall be entitled to a daily unemployment allowance, the rate of which shall be specified by the state government. The wage rates will be fixed by the Central Government. The Bill further provides for the establishment of a Central Employment Guarantee Council at the Central Government level, and State Employment Guarantee Councils in states where the legislation is applicable. The councils will be responsible for the review, the monitoring, and the effective implementation of the scheme. A National Employment Guarantee Fund at the Central and a State Employment Guarantee Fund at the State levels will take care of the funds required for the scheme. In the 2005 budget speech the Finance Minister announced that food-for-work programmes, which have been introduced in 150 districts, will be converted into the National Rural Employment Guarantee Scheme. He also announced a substantial increase in allocations for the programme, from Rs 4020 crores in the current year to Rs 11,000 crores alongside promises of additional funds.

The Bill is significant since rural unemployment has increased over the decade of the 1990s. According to the National Sample Survey data 1999-2000, unemployment rates are as high as 7.2 percent for rural males in the work force and 7 percent for rural women (VijayShankar and Reddy 2004:24). Since the unemployed constitute the single largest group among the rural poor, there is urgent need that they be assured work. Employment will be offered on asset enhancing works such as public works, afforestation, irrigation facilities, ponds, road connectivity, wasteland development, and regeneration of degraded lands. This is important because though almost 79 percent of agricultural labour owns land, environmental degradation has rendered land holdings unproductive, forcing thereby thousands of poor families to seek work. Assured work on asset creating public works will lead to infrastructural development as well as to greater productivity, because land will be now proofed against drought and floods. This will necessarily result in an improvement of both labour absorbing capacities of small farms and profitability of farming

activities. Peasants will consequently move out of state sponsored employment schemes and back to their own land.

The development of infrastructure and enhanced productivity will not only lead to a reduction in rural poverty, but also lessen migration to other parts of the country, both rural and urban. More importantly wages will serve to generate demand for rural goods and services, even as the construction of roads will facilitate the reach of rural markets benefiting thus the rural economy. The development of infrastructure may well boost private investment, and generate secondary employment. Finally, assured employment at minimum wages will ensure that people have the opportunity to participate in other social sector programmes such as the provision of midday meals in schools. And if people are encouraged to participate in the selection of sites for work, in the making of cost estimates, and in the fixing of wages, this will result in an enhancement of popular participation.

The selective initiation of the Bill in 150 districts ensures that the cost of guaranteeing employment will not be more than 2 percent of the GDP. The size of investment will inevitably decrease in time because the need of families to work outside their land will decline over the years. Correspondingly, the programme by assuring Rs 6000 per year to each rural household will result in 75 percent of the rural poor rising above the poverty line (Editorial The Hindu 2004: 21 August).

The introduction of the Bill followed a period of sustained campaign by several civil society groups. Yet social activists are not happy with the Bill for several reasons: it will be introduced only in a few districts, it will replace food- for-work schemes, and it will be confined to only one adult member of BPL households. Moreover the guarantee of employment will be expanded to other parts of the country only if the experiment proves successful in 150 districts.

The point is that earlier employment schemes-the Jawahar Rojgar Yojana, the National Rural Employment Programme, the Rural Landless Employment Guarantee Scheme, and the Employment Assurance Scheme-which were merged into a single wage payment scheme, the Sampoorna Gramin Rozgar Yojana in 2001-and the 1979 Employment Guarantee Scheme for rural areas and C class municipal councils in Maharashtra have fetched mixed results. On the one hand unorganised casual labour has unionised to demand stipulated minimum wages and better implementation of projects. Secondly, though the scheme may not have reduced poverty, it has worked well for the poorest of the poor, for only this section of the population opts for often back breaking work on asset creating jobs. Thirdly, some rural infrastructure has been created. Fourthly village self-government bodies, which administer these schemes, have been strengthened. And fifthly the right to work has been put onto the political agenda.

On the other hand these programmes have not generated adequate employment. The reasons for the failure to do so are tediously familiar: indiscriminate universalisation of the programme led to the neglect of poor

areas, benefits were cornered by the non-poor, allocations were based on fixed criterion that did not distinguish between needs, and resources were thinly spread over the country. Even in poorer regions employment was provided for only 31 days, works were not labour intensive, and implementation was marked by massive corruption in the form of fictitious muster rolls and bogus employment records. A review of earlier wage employment schemes in the Ninth plan showed a considerable reduction of both allocation and employment generation. Allocations for wage employment declined in the Ninth Plan to only 88 percent of what they were in the Eighth plan (Tenth Plan 2002:299). And only 15 percent of the people who sought work in a village panchayat were actually given employment under JRY (Tenth Plan 2002: 296). Increasing costs of creating jobs compounded these problems. In 1999, when the JRY was revamped as the Jawahar Gram Samridhi Yojana, the programme was mainly meant to create rural infrastructure, rendering thereby employment generation to a secondary objective. Above all, village panchayats, which administered the scheme, received inadequate funds. Consequently, the schemes generated lower mandays of employment each successive year. Unemployment continues to stalk the lives of the rural poor. Therefore, unless serious attempts are made to correct existing flaws, the current avatar of the employment guarantee scheme may not prove effective.

Assessing Social Policy

Though the Government of India has enacted a number of policies that target in particular the rural poor, it is precisely this section of the population that remains vulnerable to all kinds of insecurities. Four reasons can be cited for the failure of the Indian state to implement the social goals laid down in part four of the Constitution. Firstly there are huge gaps between policy and implementation, between policy and financial outlays, and between policy and the needs of the people. Secondly, the enactment of social policy has been somewhat incoherent characterised as it is by overlaps between policies, periodic recasting of existing policies in new forms, and in particular the employment of these measures as political tools that address constituencies and forge vote banks more and ameliorate joblessness less. Thirdly, policies meant for the poor have been indiscriminately generalised, benefited often the non-poor, and been attended by mismanagement, corruption, and tardy implementation. The word 'leakage' must be one of the most inelegant terms in the English language, yet it captures to a nicety the fate of social policy in India. Fourthly, though the provision of social goods falls more or less within the provenance of state governments, the Planning Commission through the Five Year Plans determines strategy, priority, and allocation of resources. However, since the planning process 'was initiated without altering initial structural inequities, the distribution of benefits of economic growth has not been egalitarian' (Prabhu and Sudarshan 2002: 4-5).

An ex-civil servant who is extensively involved in monitoring government sponsored social programmes is more blunt on this front, 'even as the new development state in India has steadily amassed functions, and vastly extended

financial powers often in the name of the poor, its capacity to deliver has declined over the years. This is due to rising indiscipline and a growing belief, widely shared among the political and bureaucratic elite, that the state is an arena where public office is to be used for private ends' (Saxena 2004: 49). The definitive statement on the incapacity of the Indian state to deliver social goods effectively has been made by Dreze and Sen. They conclude that despite some notable successes, India's overall success in promoting social opportunities has been quite limited. The intensities of many basic deprivations have been considerably reduced, but there is nevertheless a long way to go in ensuring anything like acceptable living conditions for all citizens (Dreze and Sen 2002: 11).

This is borne out by the findings of the 2004 ILO report on *Economic Security for a Better World*. The report compliments India for maintaining high growth in the past two decades, but also comments adversely on the country's record of social security. India is ranked 74 out of 90 countries on the economic security index constructed by the ILO. The index is constructed on seven indicators-income, work, representation, job, employment protection, labour market, and skill reproduction. On income security India ranks 94th out of 96 countries, only above Congo and Sierra Leone, both which happen to be mired in civil war. The report concludes that anti-poverty programmes have failed to reach the poor, that the poor are often not aware of the benefits they are eligible for, and that they are less likely to receive benefits than the non-poor. More importantly, the take-up rate of social assistance programmes is very low (ILO 2004). These findings give us cause for some thought-why has economic well being *not* been accompanied by the distribution of benefits especially to the poor?

II Constraints on Welfarism

a) Land Ownership

Axiomatically social policy does not function in a vacuum; it is constrained or enabled by the distribution of resources and the structure of the labour market. Or that ownership of resources/income dictates access to social opportunities. To put it sharply, in a highly iniquitous society like India social policy can prove effective only if it addresses the structural roots of inequality. For instance the prevalence of deep poverty in the rural areas, where till today 60 percent of the population lives and works, required at the very least a radical restructuring of land relations. However, the conceptualisation and the administration of land reforms in India suffered from serious shortcomings. Though intermediaries were abolished and land was transferred to the tenants vide a series of legislations, not only were land reforms confined to 40 percent of the cultivated area, they suffered both from flawed conceptualisation and sluggish and ineffective implementation. Administered by often recalcitrant bureaucrats, land reforms failed to transfer land to the tiller, failed to correct imbalances in the structure of land relations, failed to provide security to tenants, and failed to secure implementation of land ceiling laws. More significantly, land reforms slowed down because the issue of compensation to erstwhile landowners was bogged down in massive litigation.

By the 1990s land reform was set on the backburner, for the subdivision and fragmentation of land weakened the case for a lowering of the land ceiling. This was despite the fact that inadequate tenancy reforms had resulted in concealed tenancy thereby denying to the tenants security of tenure and rent regulation. Further massive alienation of land from tribal communities that live off the produce of the land reduced many to penury. The decade also heralded the liberalisation of land laws to further corporate farming, in sharp contrast to the post-independence period when considerations of equity and social justice governed land reforms. Therefore, whereas by the end of the Eighth Five Year Plan [1992-1997] 52 lakh acres out of ceiling surplus 75 lakh acres were distributed among 5.5 million beneficiaries, the position remained unchanged at the end of Ninth Five Year Plan [1997-2002] (Tenth Five Year Plan 2002: 301). The net result is that in major parts of the country the poorest of the poor, mainly belonging to the Scheduled Castes, have been unable to access land, productive assets, and skills.

b) Poverty

From 1950-1970 poverty figures fluctuated between 45 to 60 percent of the population. Poverty began to decline from the 1970s onward partly because of economic growth in primary and tertiary sectors and mainly because of the initiation of the green revolution, which raised productivity (Dyson et al 2004:181)⁴. Yet by 2000 three quarters of the rural poor were unable to access the minimal consumption basket that defines the poverty line. What is more disquieting are regional imbalances when it comes to poverty: in Madhya Pradesh and Orissa numbers of the absolutely poor went up 1993-2000 though poverty fell somewhat in other states in the same period. Secondly, states containing larger proportions of the poor are also marked by low human development indicators and slower economic but higher population growth. Thirdly, poverty is much higher among the landless and among the marginal farmers whose small land holdings have been rendered unproductive because of environmental degradation and the vagaries of the monsoon. Above all half of India's 206 million Scheduled Castes/Tribes belong to the category of the absolute poor (NCAER 1996), with no access to employment and minimum wages because they lack educational skills. In sum, the ability of social policy to address deep problems of poverty is limited because it has *not* addressed the issue of redistribution.

c) Labour Markets

Considering that the contribution of agriculture to GDP has gone down from 50 percent to 25 percent by the beginning of this decade, the labour market in rural areas is marked by near zero elasticity of employment. Even if agricultural productivity rises dramatically in the next ten years it will not be able to absorb much of rural labour. That is why towns and cities witness streams of migrants in search of gainful employment. Here they join thousands of workers who are employed as casual, contract, and sub-contract labour in the informal economy. Around 90 to 93 percent of the working population of about 39.7 crores is in the unorganised sector: 62 percent of unorganised workers are in agriculture, 11 percent in industry and 27 percent in the service sector. Of the 10 percent of the workers employed in the formal sector, 6 percent have jobs in the public sector. But even here the onset of economic reforms has led to a decline in employment opportunities.

d) Patterns of Unemployment

Even as employment experienced a steady growth of around 2 percent per annum from 1960-1990, even as GDP grew by about 3.5 percent, the labour force grew at the rate of 2.5 percent per annum. Consequently the magnitude of unemployment increased from 6.5 million in 1961 to 16 million in 1990, and the rate of unemployment rose from 3.6 percent to around 5 percent of the labour force in the same period. In the first two years of the decade of the 1990s the rate of employment growth declined to 1.5 percent to further fall to

⁴ Dyson et al calculate that there are 300 million people in India below the poverty line.

1.07 percent in the period 1993-2000, with the informal sector absorbing much of the work force (Dyson et al 2004: 7). The growth rate of rural employment however was only 0.5 percent in the same period. Though the growth of GDP accelerated to 6.5 percent by the end of the 1990s from 3.4 percent in 1990-92, the increase failed to generate employment [Papola and Sharma 2004: 19]. This is mainly due to (a) the low capacity of agriculture to absorb the work force and (b) job losses in the public sector. The Tenth Five Year Plan intends to introduce 10 million jobs by the end of 2007. However a study undertaken by the Planning Commission concludes that unemployment will grow from 9.2 percent at the beginning of the Plan to 11 percent of the total work force by the end of the Plan. In effect 45 million people are going to be unemployed on the assumption of a 6.5 average GDP growth rate in the rest of the plan period (*The Economic Times* 2004: 21 November). The economy is doing well but this is not matched by commensurate growth in economic opportunities leading to the phenomena of jobless growth.

Figure 1

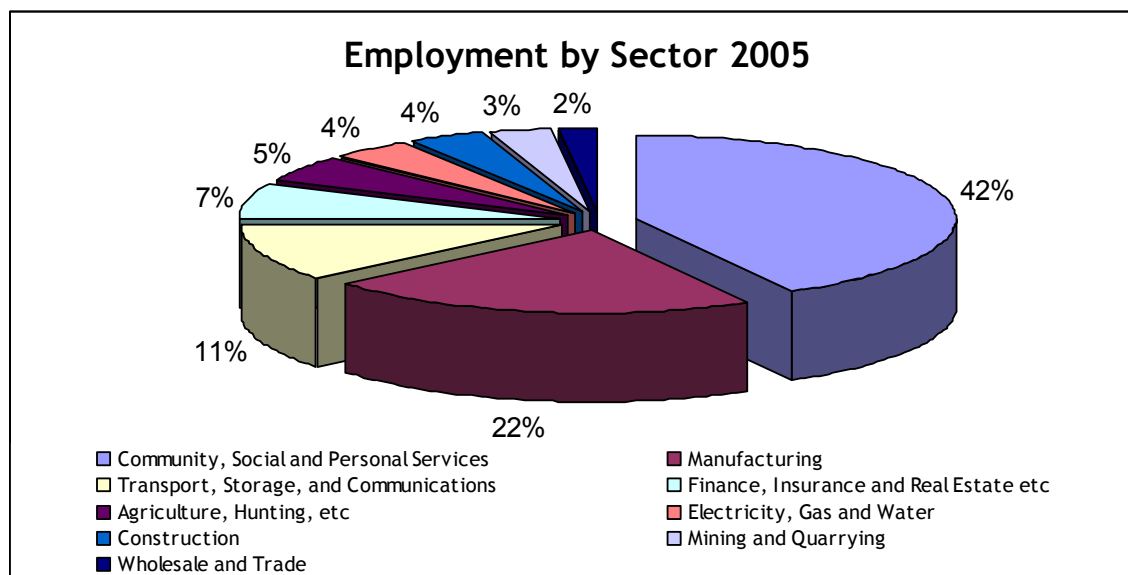
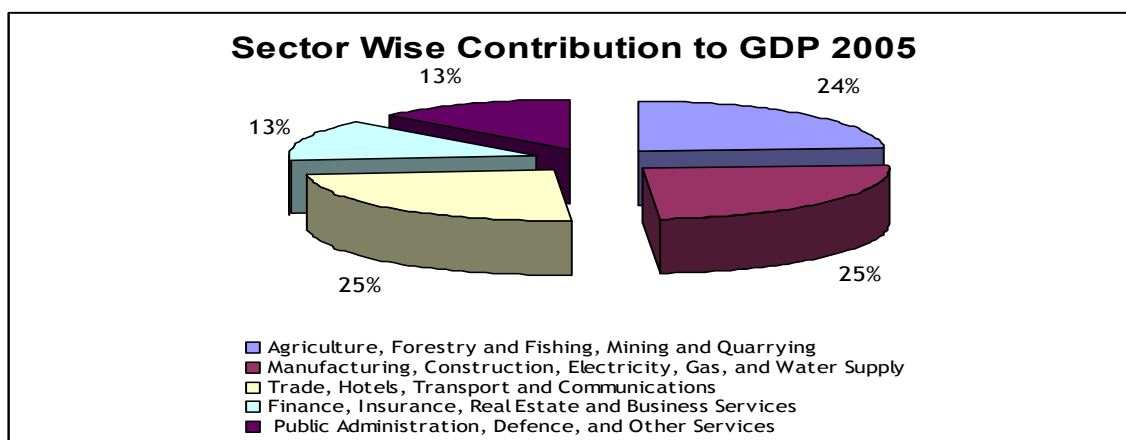


Figure 2



Source Economic Survey of India 2004-05 Government of India

Political Actors and Well Being

History shows us that structural barriers to welfarism *can* be neutralised if political agents such as parties and trade unions mobilise citizens on social issues. Trade unions have however failed to address problem of poverty and ill being because they represent a bare 7-10 percent of workers in the organised sector. It is not surprising that they lend themselves to the charge of being a labour aristocracy. This is compounded by the fact that most unions are affiliates of one or another political party and work within the respective manifestos of the parties.

In 1999 issues of governance came onto political agendas when the Bharatiya Janata Party led National Democratic Alliance drafted a 'National Agenda of Governance' to guide policies. In the State Assembly elections of December 2003 and the General Elections of 2004, 'governance' was catapulted into the political limelight. But governance was reduced to the slogan of 'roads, electricity, and water', delivery of services and construction of infrastructure, leaving poverty, ill health, illiteracy, and unemployment intact. It is true that the Congress is represented as pro-poor because it caters to the minorities, the scheduled castes, and the poorer sections of society. But the commitment of the party to welfare has proved more rhetorical than substantive over time. The BJP clearly represents the interests of the upper castes and classes. And regional parties are hemmed in by their commitment to the interests of specific castes. All this greatly inhibits the legislation of social welfare. In sum, with the exception of the Left parties which are working class and peasant based, political parties in India have paid but lip service to well being.

In effect, states, which have attained high levels of human development such as West Bengal and Kerala, have been under the sustained rule of the Communist Party of India (Marxist), which has placed social security, collective bargaining, and welfare high on the agenda. The United Progressive Alliance,

which under the leadership of the Congress party is in power at the centre today, has adopted a pro-active stance on issues of social policy simply because the CPI (M) which supports the government from outside has pressurised it to do so. It is also important to note that the prime reason for the success of social policy in Kerala and West Bengal is that the Left government has effectively implemented land reforms. Contrast this with Jammu and Kashmir. Though Sheikh Abdullah had launched a dramatic programme of land reform from 1948 onwards, equalisation of land holdings has not been followed by the enactment of appropriate social policies in the state.

The other state, which has done well on the human development front, is Tamil Nadu, which has the third lowest child mortality rate and the second lowest maternal mortality rate in the country. Widespread access to health care, sustained government initiatives in providing for child nutrition, large-ranging immunisation programmes, attendance of professionals at child births, social security measures such as old age pensions, social support to widows, improved status of women, favourable gender ratios, a high presence of women in the work force, midday meals in schools-the provision of which both improves school attendance and lessens child under-nutrition-and no gender bias in school attendance, has accomplished a revolution in human development. On social development indicators Tamil Nadu ranks just below Kerala. Tamil Nadu's commitment to human development is in the main an outcome of the progressive anti-caste movement, which since the beginning of the twentieth century has fought the entrenched domination of the upper castes and focussed on providing for the lower castes, which have been historically discriminated against. Bihar and Uttar Pradesh on the other hand have high infant mortality rates both because of lack of social infrastructure and lack of transformative political agents.

In sum realisation of human development through appropriate social policies requires three pre-conditions. Firstly political parties and by implication the government should be committed to the wellbeing of the people. Secondly, Kerala has done better than West Bengal on the human development front because it has a competitive party system. Thirdly Kerala has also done better than West Bengal because a number of social movements notably the Kerala Sastra Sahitya Parishad have mobilised popular opinion on social issues, as did the anti-caste movement in Tamil Nadu in an earlier time.

III

Civil Society and Well Being

Given that political parties and trade unions have been reluctant to take up the issue of social and economic democracy in a sustained manner, the only way that governments can be compelled to implement social policy is through civil society activism. And the grant of civil and political rights in part three of the Constitution has given civil society groups in the country enough space to

collectively mobilise on various issues and enabled them to demand that the state undertake appropriate action to realise the objectives laid down in the Directive Principles. To phrase it differently, if the Directive Principles of State Policy have laid down goals that are worth struggling for, fundamental rights have provided the arsenal for the struggle.

Groups have mobilised for social and economic justice since the onset of independence, and tenaciously fought entrenched systems of domination: the peasants' movement, the movement for land rights, the women's movement, the anti-caste movement, the environmental movement, the movement against displacement on account of large projects, and the radical armed struggle being fought by Maoist groups-the Naxalite movement. Whereas the struggle of Naxalite groups is grounded in strong notions of redistribution of resources, the feminist movement demands a restructuring of power relations that are endemic to a patriarchal society. Whereas the anti-caste movement demands that the balance of power which has consistently favoured the upper castes for centuries be reversed in favour of those who have been consistently marginalised from history, the environmental movement and the movement against big development projects insist that local communities have the first right over resources that have been traditionally been exploited by and for the rest of society.

Since the late nineteen nineties a qualitatively different series of campaigns have appeared on the political scene. These focus on upgrading of Directive Principles to the status of fundamental rights. The strategy is premised upon the assumption that a rights based approach to social problems might yield better results than a policy based one. For one, people become aware that certain rights are due to them, secondly rights place a compelling moral obligation on the government to deliver, and thirdly rights are backed by legal sanction whereas Directive Principles are not backed by such sanction.

Even as they skilfully employ the weapon of civil rights and draw upon an entire repertoire of political strategies available to non-violent struggles-public hearings or *jan sunwais*, rallies, sit-ins, processions, research, media, advocacy, and lobbying of members of Parliament and State Assemblies- some campaigns have borne results either in the form of policy formulations or increased outlays. Others to date have not yet drawn a response from the Indian state. But all of them have served to highlight the fact that the social objectives of policy in India, which have been encoded in part four of the Constitution, have been betrayed.

Five such campaigns: for the right to food, the right to work, the right to health, the right to education, and the right to information, are of some import because they have raised crucial issues related to the concept of basic needs. Today the concept of basic needs has been replaced by that of human development. But the concept still has enormous relevance for us, simply because the satisfaction of basic needs happens to be a *necessary* pre-requisite for human development. More importantly, the satisfaction of basic needs is absolutely essential for the avoidance of serious harm. Serious harm has been

defined as the shortfalls persons suffer in their health, civic status (civil and political rights, respect within their community), or standard of living relative to the ordinary needs and requirements of human beings (Pogge 2002)⁵. We of course assume that people are not responsible for the shortfall in their own lives such as poverty, illiteracy, or ill health. The causes of ill fare more often than not lie outside the control of the victims, in the skewed pattern of resource distribution for instance. Therefore, society in general and the state as the codified power of that society in particular (Chandhoke 1995) is responsible for the avoidance of harm.

Admittedly the specific measure in terms of which we assess the fulfilment of basic needs is a matter of some controversy among scholars. However, there is no disagreement that basic needs *have* to be met in order for people to do anything else. Or whatsoever be the specific interests people have in pursuing their own projects, and in a plural society these projects will necessarily be plural, *all people have an interest in having their basic needs met*. For unless these needs are met, human beings will not be able to do anything else: take up a satisfying job, form enriching friendships, engage in leisure activities or indeed participate in an activity that the Greeks called politics⁶.

The last activity that is political participation arguably constitutes the bedrock of democracy for two reasons. Firstly, as participative democrats repeatedly tell us, participation helps us to realise our basic selves as political and social beings. Secondly, enhanced participation ensures governmental accountability and responsiveness and thereby realises democracy. However, individuals can hardly participate in democratic politics, unless they are liberated from the tangible bonds that constraint their energy and inhibit self-realisation.

If the satisfaction of basic needs is indispensable for leading a life that is *not* mired in debasing and mortifying poverty or want; if the satisfaction of basic needs is a necessary pre-requisite for avoiding serious harm on the one hand and pursuing projects on the other, and if we assume with some justification that democracy is based on participation, then any government that calls itself democratic is *morally obliged* to see that these needs are met. A stronger argument can be made that in a democratic society, securing well being constitutes the *raison d etre* of the state. A democratic state has reason to exist because it is charged with securing the wellbeing of the people. We do not require, I think, to engage in any elaborate philosophical arguments to validate this proposition. It is enough that we remind ourselves that democracy rests on the normative premise that each and every individual is of equal value. And to value human beings is to ensure that (a) they do not come to serious harm, (b) that they are enabled to pursue their particular projects, and (c) that they are empowered to participate competently and actively in politics.

⁵ The notion of basic needs is sufficientarian in its suggestion of some level of minimal sufficiency, which shortfalls are relative to.

⁶ This classic formulation on this is of course to be found in John Rawls: *A Theory of Justice*.

Basic needs can of course be satisfied in two ways. For that section of the population, which is in a position to participate in market transactions as buyers or as sellers, the provisioning of basic needs can be routed through the market. But that the market is notoriously insensitive to the needs of those who can neither buy nor sell is well known; the institution simply has neither room nor compassion for those who lack buyers for what they want to sell, and who thereby lack resources for what they want to buy. For the poorer sections of the people, therefore, democratic governments are *obliged* to provide for basic needs *irrespective* of the ability of the poor to pay for these goods. To phrase it starkly, the goods that satisfy basic needs are of such *overriding importance* that they have to be placed outside the realm of market transactions for those who cannot pay for them. Correspondingly, the concept of basic needs provides us with a measuring rod to evaluate the depth of a given democracy's commitment to human well-being. It is the satisfaction of basic needs that forms the linchpin of the five campaigns.

The Right to Food Campaign

In August 2004, newspaper reports on 15 starvation deaths in Baran district of Rajasthan in July of the same year (*The Hindu* 2004: 11 August) served to draw attention once again to the paradox of the Indian political system. The country's stocks of food grains are far in excess of the normal buffer norms of food security. And yet in the same period reports of starvation deaths, hunger, and generalised malnutrition have regularly made an appearance on the front pages of newspapers⁷. The National Nutrition Monitoring Bureau has reported that though the percentage of children affected by malnutrition declined from 56.2 percent in 1990-91, to 47.7 percent in 2000-01, nearly half of children in the rural areas suffer from malnourishment, which has been identified as the single largest cause of child mortality (Radhakrishnan 2003: 51). The extent of malnourishment among adults, particularly pregnant women and lactating mothers, is no better. Health, which is at one and the same time a prime indicator of a society's wellbeing as well of its commitment to human development, is crucially dependent on access to food and nutrition. But the Government of India prefers that its overflowing food stocks rot in the storage bins, and are nibbled at by rodents, even as hunger and malnutrition relentlessly stalk millions of people in the country.

It was in response to this paradox that in 2001 the Rajasthan based *Akal Sangarsh Samiti*-an all state network of 60 grass roots organisations-launched a sit-in in Jaipur the capital of Rajasthan. The immediate provocation for the sit-in was the inability/unwillingness of the State government to redress unfavourable conditions caused by severe drought in the state. The State government, on the plea of lack of funds, vacillated on the issue of continuing relief works beyond the minimum period violating in the process its own 1962 famine code; on the issue of picking up the full quota of food grains that had

⁷ There is a fine line of distinction between hunger and malnutrition, whereas the former can be assuaged by the consumption of cereals, the latter requires also non-cereal foods, safe drinking water, and sanitation.

been allotted to it from the central pool; and on the issue of expanding the constituency for PDS. On April 16 2001, the Peoples Union for Civil Liberties [PUCL] Rajasthan filed a writ petition before the Supreme Court, citing the Government of India, the Food Corporation of India, and six State Governments as respondents. The list of respondents was enlarged in time to cover the governments of all States and Union Territories, and the issues raised by the writ petition-the provision of relief works during drought and the utilisation of surplus food stocks to feed starving people- were expanded to that of chronic hunger (Legal Action For The Right To Food 2004). The issues raised by the petition were:

- Given the rising prices of food grains in the 1990s, the poorer sections are unable to buy food. Therefore, institutional arrangements to deliver food to BPL families and destitute people needed to be strengthened, the implementation of various schemes monitored, and the administration of the schemes made accountable.
- Purchasing power of the people needs to be expanded through the institutionalisation of various income-generating schemes.
- The state has a large role to play in establishing food security.
- The right to food supervenes upon the right to life guaranteed by the Indian Constitution vide article 21.

The issues raised by the writ petition were serious enough to warrant a proactive and an interventionist stance by the Supreme Court of India. The Court ruled that it was of utmost importance that food should be provided to vulnerable sections. 'In case of famine, there may be shortage of food' stated the Court uncompromisingly, 'but here the situation is that amongst plenty there is scarcity....distribution of the same amongst the very poor and the destitute is scarce and non-existent leading to mal-nourishment, starvation and other related problems' (Legal Action For The Right To Food 2004:2). In a series of interim orders in 2001 the Court directed the Central and State governments to ensure that hardship was reduced through the provision of food, that various modalities that assure this be strengthened, that nutrition related schemes be implemented in full, that government and government funded school provide cooked mid day meals to school children, and that institutional arrangements to deliver food to target groups be fortified.

The public hearings held by the Court on the petition bred two consequences: firstly they gave rise to the campaign for the right to food, which is an informal alliance of organisations and individuals committed to the right to be free from hunger and from under-nourishment. Secondly, the Prime Minister on August 15 2001 announced that his government would initiate a massive programme of employment generation via the *Sampoorna Grameen Rozgar Yojana*. This was followed by a Central Government order streamlining the PDS. Several State governments conforming to the orders of the Supreme Court introduced midday meals in primary schools, and updated and improved other food related programmes.

Several achievements can be credited to the right to food campaign. Firstly, in response to Court orders, most State governments introduced midday meals in Government and Government aided schools⁸. It is a measure of the success of the campaign that in September 2004, the Planning Commission allotted an additional Rs 1.232 crore to the midday meal programme. The programme has been transferred to State governments who will be given an annual grant to run the programme. Secondly, the Supreme Court has set in place mechanisms that monitor the implementation of various food and nutrition related schemes of the Government of India by appointing food commissioners who are responsible to the Court. On numerous occasions the Court has pulled up State governments and the Central government for failure to discharge their obligations. This has been buttressed by the fact that the campaign for food rights holding public hearings in various areas has highlighted corruption and mismanagement in matters relating to identification of BPL families, functioning of ration shops, diversion of food grains to the open market, and the complicity of local administrators, politicians, owners of ration shops, and contractors in denying poor people access to food.

Thirdly the Court has accorded legal backing to the right to food. Fourthly, the campaign for food rights has secured the implementation of the food-for-work programmes. The issue had been put onto the agenda of the Common Minimum Programme [CMP], enacted by the United Progressive Alliance [UPA] which, led by the Congress Party, is currently in power at the Centre. In September 2004, the Planning Commission approved the launching of a Rs 2,020 crore food-for-work programme in 150 districts that have been affected adversely by hunger (*The Hindu* 2004: 10 September). The scheme is slated to be replaced by the Rural Employment Guarantee Scheme.

The Right to Employment Campaign

The campaign for the right to food realised fairly early on that assured employment is an essential precondition for food security for it liberates people from dependence on outside agencies for satisfaction of their basic needs. The demand for this right, [distinct from the demand for food-for-work programmes], has not raised a new entitlement onto policy agendas. As discussed above, several employment generating schemes have been introduced in the country but have failed to generate either meaningful employment or generate purchasing power. The current Bill can thus be but a transitional measure, leading in the long run to a fuller right to work.

The Right to Health Campaign

Between June and July 2004, 11 children in the age group of 0-5 died in the Dongiriguda Adivasi [forest dwellers] settlement located in the Jharigaon block of Nawrangpur district in Orissa. Other children living in the block were being

⁸ Though the Central Government had introduced the scheme in 1995, several states had not complied. Tamil Nadu, Karnataka, Kerala and Gujarat have run the midday meal scheme with some efficiency. Andhra Pradesh has extended the scheme to school holidays. Whereas the scheme in Delhi and Maharashtra is marked by poor implementation, Bihar, Assam and Uttar Pradesh have defaulted.

treated for similar symptoms, and reports stated that the understaffed and ill equipped Community Health Centre at Jharigaon was admitting about 40 ailing children per day. The proximate cause of the death of these children was diarrhoea, acute respiratory infection, and fever. The generic cause for these deaths however was malnutrition, which has been identified as the biggest cause of infant mortality in this district, as high as 97 deaths per 1000 live births. Since the Dongiriguda forest hamlet is a non-revenue village existing within reserve forests, none of the BPL families possess a ration card, which would entitle them to buy rice at a subsidized rate. The only benefit that the village receives is under the Integrated Child Development Programme. It is not surprising that when their meagre supplies of food run out during the monsoon, villagers are forced to survive on mango kernel, wild mushroom, tubers and leaves. Except for the fact that a health worker distributes free medicines once a month the villagers are not entitled to any medical facilities (Das 2004: 49-50). This illustrates the major problem with the public health system in the country: the thrust is curative rather than preventive.

Given the deficiencies of the public health system identified above, it is not surprising that the private sector has stepped into the field in a major way since 1991. The private medical sector is now responsible for three-fourths of the health care in the country. In effect the 1990s witnessed the development of a high technology private sector in health promoting with great vigour the phenomenon of health tourism, coexisting with a minimum clinical package provided by the government. The National Health Policy of 2002, departing from existing understanding, does not even refer to universal health care. What it does suggest is the privatisation of existing hospitals, introduction of more private hospitals, user-fees in government hospitals, and the involvement of the non-governmental Sector in health care.

However, the problems of leaving health care to the private sector in a predominantly poor country are many. Firstly, unlike the U.S. the private health sector in India is unregulated, save in some states where governments have laid down guidelines and regulations. Secondly, the private sector is by definition driven by the profit motive and marked by relative unconcern for equity. The state might heed the compulsion to provide health care irrespective of the patient's ability to pay, even if this motivation is under-laid by the pragmatic need to secure legitimacy. But the private sector does not need to worry about moral legitimacy at all. This has had the expected consequences. The poor who are unable to afford the services provided by the private sector are either denied access to health care, or compelled to resort to cheap but under-qualified or unqualified 'practitioners of medicine'. It has been estimated that the number of poor that did not seek medical treatment because of financial constraints increased from 15 to 24 percent in rural areas and doubled from 10 to 20 percent in urban areas in the 1990s. For a hospitalised Indian spends more than half of his/her total annual expenditure to buy health care (India Health Report 2003:2). Newspaper reports show that people forced into dependence on the private sector are either getting trapped

in debt or slipping into poverty. Reportedly 25 percent of hospitalised people have fallen below the poverty line because of hospital related expenses (*Times of India* 2004:19 November). Thirdly, if left to the private sector, health care will inevitably be skewed towards urban based and tertiary level health services, and against primary health care. Fourthly, again by definition, private practitioners are not inclined towards the initiation or the implementation of measures that ensure preventive health care.

Axiomatically health care is directly related to the establishment of supportive infrastructure, high literacy rates, popular exposure to mass media, social movements, and political will, as is the case of Tamil Nadu and Kerala. Therefore social activists have suggested a move away from a policy oriented approach to health and towards a human rights approach which might just manage to secure universal access to health. The Jan Swasthya Abhiyan or the Peoples Health Movement, a national level platform of social organisations working on health issues, approaches the issue of health care from the vantage point of human rights particularly from the basic right to life. The JSA, which has initiated a nationwide 'Health for All' campaign, suggests that health care should be a fundamental right and an operational entitlement. It has demanded that the Government of India enact a National Public Health Act to mandate a right to basic healthcare in accordance with article 47 of Directive Principles of State Policy, and article 12 of the International Covenant of Economic, Social, and Cultural Rights.

The Act would guarantee universal health care to all citizens through the enactment of comprehensive preventive measures that address mortality and morbidity; strengthen the public health system in rural areas, involve the community and local self government bodies in health care, raise public investment, regulate the private health sector, provide every patient the right to information on every aspect of her treatment, and institutionalise a patient friendly grievance-redressal system. The Act should make it obligatory for every doctor to render essential first aid and medical care in emergencies. If the public health system fails to deliver, this should be treated as a legal offence, remedy for which can be sought in a court of law. In sum, the overall goal of health policy should be to move towards a system where every citizen has assured access to basic health care along the lines of the Canadian system of Universal health care, the National Health Service in Britain, and the Cuban system of health care for all citizens (www.cehat.org).

It is a matter of some concern that these crucial issues have not been taken up by the Government. Public expenditure on health is far lower than the 5 percent of GDP recommended by W.H.O. And in the meanwhile the public health system continues to be in disorder, health care delivered by the private sector continues to be out of the reach of the poor, and life taking diseases continue to shadow the lives of small children and vulnerable sections of the population.

The Right to Education Campaign

On 28 November 2001 a rather momentous bill was passed by the Lok Sabha; the 93rd Constitution Amendment Bill which subsequently became the Constitution Eighty Sixth Amendment Act 2002 after receiving the assent of the President of India. The new Bill inserted a new sub-clause (a) after article 21 in chapter three of the Constitution, which protects the right to life. The sub-clause guaranteed that the State shall provide free and compulsory education to all children of the age of 6-14 in any manner as the State, may, by law, determine. The provision for free and compulsory elementary education, which had earlier formed article 45 of the Directive Principles of State Policy, was thus upgraded to being a fundamental right. This was replaced by a new article 45, which reads that the State shall endeavour to provide early childhood care and education for all children until the age of six years. Further article 51 A of the Constitution has been amended by adding clause (k) that lays down that parents and guardians should provide opportunities for education to their children in the age group six to fourteen years.

The 86th amendment should have occasioned much joy and euphoria, for it is the first step towards the realization of a long standing dream held by Indians since the days of the freedom struggle-that of providing education to all children irrespective of the ability of their families to pay. It has been estimated that almost 21 crore children will benefit from the right to education. And yet the passage of the bill was accompanied by vociferous protests emanating from a gathering of forty to fifty thousand people, including daily wage workers some of whom had come from far off villages and towns. Participants in the *Shikshan Satyagraha* (the campaign for education), who had been mobilized by the National Alliance for Fundamental Right to Education [NAFRE]- a coalition of about 100 groups working for the right to education- and CRY a funding agency, had assembled barely three kilometres from Parliament to demand the right to equitable education for their children.

However, what the meet, educationists and social activists did *not* want was the right to education quite in the way that had been conceptualised by the Government. The reservations which have been detailed above focus on the exclusions of the Bill such a neglect of Early Childhood Care and Education which is an important component of education, influencing heavily the most vital period of the development of human beings. Activists also object to the inclusion in the Bill of two grades of schools-approved schools and transitional schools for children out of the school system, for this introduces discrimination in the quality of education. Above all, the Bill far from banning child labour actually legitimises it by stating that the child's work should not interfere with her or his schooling, even as it provides for penalties for parents if they do not send their wards to school. For these reasons, the campaign finds the Free and Compulsory Education For Children Bill 2003, which will implement the provisions of the amendment, totally unacceptable and recommends that it be reconsidered before it is adopted by Parliament. The campaign has witnessed some success, for the provisions of the Bill are currently being reconsidered.

The Right to Information Campaign

In 2003, a Class XI student Bhupesh was taken aback, when his results showed that he had failed in the exam in the English language. Since all requests for a re-evaluation of the exam script brought no response from the concerned school, Bhupesh sent a written request to the Public Grievances Committee set up under the Delhi Right to Information Act [RTI]. In less than two months, his exam paper had been rechecked and it was found that he had passed the examination (Wadhwa 2004: 54). The RTI Act has been invoked successfully in other cases as well. For instance one school teacher living in Satara in Maharashtra has asked for information 62 times under the Act and has received information on 55 of these requests. All requests dealt with public matters ranging from the renewal of leases on government held properties, licenses issued for firearms often on the basis of false certificates, to a list of recipients of liquor licenses. 'The local administration', the school teacher stated perceptively, 'behaves itself once it knows that people are watching' (Wadhwa 2004: 54-55). Other requests for information under the RTI Acts have exposed corruption in the implementation of the PDS and Antyodaya scheme, transfers of police officers, the financial profligacy of legislators, and aided in uncovering massive mismanagement in public bodies. Aruna Roy the prime campaigner in the campaign for the right to information, states that the final aim of the campaign is 'to reach a state where even the reasons for decision-making in governance should be known to the public. The citizen's right to information is more than just law, it is a fight against governance shrouded in opaqueness against the agenda of corruption and the arbitrary use of power' (Wadhwa 2004: 56).

The campaign had a modest beginning in April 1996 when activists participated in a sit-in in Rajasthan's Beawar town on the issue. The slogan that was coined by the sit-in, which continued for forty days, is that 'the right to know is the right to live'. The participants invoked the ruling of the Supreme Court, which in 1981 had declared that 'where a society has chosen to accept democracy as its creedal faith, it is elementary that the citizens ought to know what their government is doing. The people of this country have a right to know every public act, everything, that is done in a public way, by their functionaries. They are entitled to know the particulars of every public transaction in all its bearing'. This, stated the court, is implicit in the right to free speech and expression guaranteed by the constitution under article 19 (1) (a) (MKSS 2002: 5). Very quickly the campaign gathered steam and attracted considerable attention as well as support from across all sections of the people. The lead organiser of the campaign-the workers and peasants coalition, or the Mazdoor Kisan Shakti Sangathan [MKSS] which based in the Rajsamand district of Central Rajasthan was formally constituted in 1990, has since 1994 waged a relentless struggle on the right of citizens to demand information from the government. In Delhi Parivartan consisting of a group of social activists launched a similar campaign in poor neighbourhoods to cull information on the money that has ostensibly been spent on public works.

The right to information campaign has raised a root right to the forefront of public attention; the right to information. By zeroing in onto the right of people to know what the government has allotted to them, and to know what has happened to various programmes and schemes that are meant for their well being, the campaign has managed to foreground several issues that lie at the heart of democracy.

- The right of people to know what they are entitled to and the right to know what the government has provided for them.
- The accountability of representatives, administrations, and self-government bodies to the people.
- The right of the citizens to publicly audit the performance of the social sectors.

The campaign for the right to information has, as two scholars put it, breathed new life into the two concepts that lie at the heart of democratic governance; that of transparency and accountability through the provision of information on demand. It is easy write Jenkins and Goetz, 'to dismiss movements for transparency as so much packaged liberal-pluralist theory... But like democracy itself, the idea of transparency maintains its grip on the popular imagination-or at least the intellectual inclinations of political analysts' (Jenkins and Goetz 1999: 607).

More importantly, the campaign for the right to information has managed to establish and institutionalise an institution that lies close to the heart of theorists of deliberative democracy-public hearings or *jan sunwais*. Public hearings perform three functions all of which are intrinsic to the democratic imagination. They produce informed citizens who are aware of what is due to them, they encourage participation in local affairs through the provision of information and social audit, and they create a sense of civic virtue inasmuch as people in far off and isolated spaces are made familiar with wider issues of collective concern. The right to information campaign in other words strengthens democracy simply because it enables people to be both aware of their political, civil, social and economic rights on the one hand, and of their own right to demand fulfilment of these rights.

As a result of the campaign, nine state governments have enacted the right to information beginning with Goa in 1997. In 2002 Parliament passed The Freedom of Information Act, which was notified in January 2003. The draft rules for the implementation of the bill, however, are still being finalised.

IV

Wrapping Up the Argument:

I have suggested above that the three preconditions that enable a transition to social democracy are (a) a competitive party system, (b) that political parties [and thereby the government] and trade unions be committed to social welfare, and (c) that civil society activism presses social issues onto the policy agenda. The experience of India however shows us that *one* more precondition is required to translate policy into practice: a pro-active judiciary. It is instructive to note in this context that most of the campaigns mentioned above have succeeded in accomplishing their objectives only when the Court has intervened on their behalf with the state. This is particularly evident in the case of the right to food campaign. In response to the write petition filed by the PUCL in 2001 in a series of interim orders the Court directed the Central and State governments to ensure food and nutritional security. Above all the Court ruled that the right to food directly emanates from article 21 of the Constitution of India which protects the right to life, and from article 47 of the Directive Principles of State Policy which *inter alia* provides that the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties. The Court has in effect accorded legal backing to the right to food.

In May 2002 the Supreme Court ruled that village self-government bodies shall frame employment generation proposals in accordance with the *Sampoorna Gramin Rozgar Yojana*. And earlier in 1993, the Supreme Court in the case of Unnikrishna J.P versus State of Andhra Pradesh had ruled that though right to education is not stated expressly as a fundamental right, it is implicit in and flows from right to life guaranteed under article 21. The court further declared that the Directive Principles of State Policy form the fundamental feature and social conscience of the constitution and the provisions of part III and IV are supplementary and complementary to each other. Fundamental rights, ruled the court, are means to ensure the goals laid down in part IV and must be construed in light of the Directive Principles.

Though Court interventions have helped campaigns to achieve their goals, the need for the Court to intervene at all illustrates the paradox of civil society mobilisation. In much of the literature it is assumed that civil society groups have the capacity to address the state, and to oblige the latter to heed demands made by these groups. However, the Indian State has proved more responsive to Court injunctions, compelling more and more groups to invoke judicial activism.

This however gives us cause for some thought-what kind of civil society activism does the Court support? In part the Court has adopted a pro-active stance because the agenda of contemporary civil society mobilisation is self-limiting and confined to the framework of the Constitution. For those social movements that demand a radical restructuring of power relations in the country have just not fetched the required response from the judiciary. This is

most evident in the case of the Narmada Bachao Andolan, a movement that has concentrated on the plight of the thousands of people who have been displaced by the building of the gigantic Sardar Sarovar Project on the river Narmada in Western India. The project consisting of 30 large, 135 medium and 3000 small dams have displaced more than 44,000 families in three states. In 1994 the NBA had approached the Court and asked it to order the government to stop construction of the dam. In October 2000 however, the Court permitted the raising of the height of the SSP to 90 metres. The ruling not only resulted in the displacement of more families, it mounted a serious setback to one of the most spectacular movements in the country; a movement that had challenged both iniquitous development planning and the power of the state to do with its people as it will (Chandhoke 2003: chapter4).

But in contrast to movements that demand a shake-up of power relations, contemporary campaigns concentrate on specific issues and leave the *big* story untouched-the huge inequalities of resources in the country for instance. These campaigns just do not dream the large and expansive dreams that were dreamt off by earlier generations of social activists-restructuring existing structures of power and forging new and equitable structures of social relations. These campaigns would rather ensure that the state delivers what it has promised in theory, that policy be implemented effectively, that local authorities be made accountable, that the functioning of the government be made public and transparent, that midday meals be provided to children in primary schools, that the poor get jobs for at least 100 days a year, and that children are brought into school. All this may not ensure a transition from formal to egalitarian democracy. But the quality of life for the ordinary Indian just may improve somewhat. This in turn may encourage enhanced participation and the deepening of democracy. The move from political to social democracy however proves more difficult than envisaged by political theorists.

References

Austin, Granville. 1999. *Working a Democratic Constitution: The Indian Experience*. Oxford University Press, Delhi

Chandhoke, Neera. 1995. *State and Civil Society: Explorations in Political Theory*. Sage, Delhi.

2003 *The Conceits of Civil Society*. Delhi, Oxford University Press

Das, Prafulla. 2004. "Hunger and Death" *Frontline*. August 27. pp 49-52

Deodhar N.S. 2001. *Health Situation in India: 2001*. Voluntary Health Association of India, Delhi

Dreze, Jean, and Amartya Sen. 2002. *India. Development and Participation*. Oxford University Press, Delhi

Dyson Tim, Robert Cassen, and Leela Visaria. 2004. *Twenty-first Century India: Population, Economy, Human Development, and the Environment*. Oxford University Press. Delhi

Economic and Political Weekly, 2004. Special issue on "Poverty Reduction in 1990s: Towards a Better Understanding". Vol 38. No 4. pp 296-412

Jana Swasthya Abhiyan. 2004. "Save Public Health-Ensure Health For All Right Now! Make Health a Fundamental Right". <http://www.cehat.org/rthc/policybrieffinal.pdf>, accessed in September 2004

Jenkins Rob and Anne Marie Goetz. 1999. "Accounts and accountability: theoretical implications of the right-to-information movement in India". *Third World Quarterly*. Vol 20. No 3. pp 603-622

Mazdoor Kisan Shakti Sangathan. 2002. *Right To Information Dossier: Taking Democracy Forward-The Story Of The Right To Information Movement In India*. Karnataka Women's Information and Resource Centre, Bangalore, April

Ministry of Health and Family Planning. *Annual Report 2003-04*. Government of India, Delhi

Misra Rajiv, Rachel Chatterjee, and Sujatha Rao. 2003. *India Health Report*. Oxford University Press, Delhi.

National Council of Applied Economic Research. 1996. *Human Development Profile of India: Inter-State and Inter-Group Differentials*. NCAER, Delhi.

Papola T.S and Alakh N. Sharma. 2004. 'Labour: down and out? *Seminar*. May, pp 19-23

Parikh, Kirit. S. and R. Radhakrishnan, 2002. *India Development Report*. Oxford University Press, Delhi

Planning Commission. 2002. *Tenth Five Year Plan 2002-2007, volume 2, Sectoral Policies and Programmes*. Government of India, Planning Commission, Delhi

Planning Commission. 2000. *Mid Term Appraisal of Ninth Five Year Plan 1997-2002*, Extracts. Government of India), Delhi

Planning Commission 2002. *National Human Development Report*. 2001. Government of India, Delhi

Pogge, T, 2002, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Polity Press, Cambridge.

Prabhu, Seeta and Sudarshan R. (eds). 2002. *Reforming India's Social Sector: Poverty, Nutrition, Health and Education*. Social Science Press, Delhi

PUCL, 2004, *Legal Action For The Right To Food: Supreme Court Orders and Related Documents*. Support Group of the Right to Food, Mumbai.

Radhakrishnan, R. 2002. "Food and Nutrition Security". In Parikh, Kirit.S. and R.Radhakrishnan edited. *India Development Report*. Oxford University Press, Delhi

Rao, Shiva, B. 1967. *Select Documents*, Volume 2, Indian Institute of Public Administration, Delhi.

1968. *The Framing of India's Constitution*. Indian Institute of Public Administration, Delhi

Saxena, N. C. 2004 "Improving Service Delivery" *Seminar*. Special issue on 'New Priorities'. September, no 541, pp 49-53

UNDP, *Human Development Report 2004*, Oxford University Press, Oxford

Vijay Shankar P. and C. Rammanohar Reddy. "Ensuring Employment Guarantee". *Seminar*, Special Issue on "New Priorities", August 2004, pp 24-28, Wadhwa, Soma, 2004, "I Know, So I Am" *Outlook*. September 13, pp 54-56