

## DISSENT AND PROTEST IN INDIA: TOWARDS ANARCHY OR DEMOCRACY?

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*Abstract: Numbers of observations have been made on functioning of the democracy in India. From being called as a largest democracy to 'improbable democracy' democracy in India has, however, in general received a positive note. In the success and failure accounts of Indian democracy the issue that needs further attention is that of dissent and protest. Politics on the part of establishment has greater extent delved on defending the political actions it has taken than to really listen and convince the protesters and dissenters. Movements to be discussed in this paper on the question of protest and dissent in India reveal the quality of democracy. Responses to these movements show that both the method of violence and non-violence are judged by similar logic and rationale. Every protest and dissent in India would not always necessarily be anarchic. Anarchy is dangerous but protest which is always in the framework of democracy revitalises democracy but will not pave the way for anarchy. In the case of Indian democracy an assessment of representative institutions is essential because these institutions have not remained up to the expectations of their electors. Sorry state of affairs on the part of these institutions raise the question that- do the elected representatives in India have moral courage to call protest movements as anarchic? The debates and discussions on democracy, protests, and anarchy in India need to answer questions like- what is the logic and rationale that has been put forwarded to consider protest and dissent movements as anarchical, anti-state, and anti-constitutional? Have these movements really exhibited such tendencies? The present paper looks at some movements which received such remarks from different corners.*

*Key Words: Dissent, Protest, Dialogue, Democracy, Anarchy.*

### Introduction

There are wide number of observations on functioning of the Indian Democracy. From being called as a largest democracy to 'improbable democracy' (Varsheny2013:11-15), democracy in India has however, in general received a positive note. The note is that its working has been treated as a 'wonder that has happened to the country' (Guru 2002:39). There is an observation that even after being encountered by numbers of challenges 'democracy in India has survived and has grown deep roots in the country's soil. Despite India's failure to promote rapid economic development and abolish abject poverty, the country can be justifiably proud of having sustained a democratic order' (Ganguly and Mukherji 2011:17). In the success and failure accounts of Indian democracy the issue that

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needs further attention is that of dissent and protest. In last sixty six years of functioning of democracy in India, numbers of protest and dissent movements have come to the scene. Some of them and their actions have received very severe remarks such as anti-state activities, anti-constitutional activities, and anarchical activities. But, fact of the matter is that quality of dialogue and engagement between establishment and groups involved in dissent and protest has not always been in true spirit of democracy. Politics on the part of establishment has greater extent delved on defending the political actions it has taken than to really listen and convince the protesters and dissenters.

The question that needs to be answered in this regard is- what is the logic and rationale that has been put forwarded to consider these protest and dissent movements as anarchical, anti-state, and anti-constitutional? Have these movements really exhibited such tendencies? The present paper looks at some movements which received such remarks from different corners. The movements to be examined in the context of dissent and protest are Naxalite movement, protest against rape that took place in Delhi two years back, and Aam Adami Party's (AAP) protest.

Before discussing the concerned movements it would be helpful to know some common features of protest movements. Regarding features of protest movements it is analysed that the protest movements did have some distinctive features and they could be analysed and understood properly by keeping their features in mind (Singh 1991:448). One of the features of protest movement is that it is, 'directed against political system or against some specific class or some segment of the society or against an organization considered harmful to the interest of those who have been activated in launching such protest' (Ibid). The other feature of protest movement is 'it involves collective action on the part of the people. The collective action is formally organised and is responsible in creating necessary interest of awakening among large number of people' (Ibid: 448-449). As far as the orientation of protest movement is concerned 'it is generally oriented towards bringing about change either partial or total in the existing values and norms of the society' (Ibid: 449). Ideology plays a significant role in the success of any collective activity. Therefore, 'a protest movement is greatly influenced by ideological moorings of the leaders or organisers of such movements. Ideology does provide the vision or a driving force of having a new era which the protestors may be aspiring to have' (Ibid). Method of protest stands as one of the important feature of protest movement. It can deploy peaceful method or non-peaceful method. It depends upon the issues for which movement stands for and the nature of leadership of the movement. Therefore, it is rightly described that 'a protest movement deploys peaceful methods or non-peaceful (violent) methods to achieve their objectives (Ibid).

The movements to be discussed here in this paper have exhibited most of these above cited features. All these movements protested against the establishment with certain intents. The collective action was notable feature of all these concerned movements. Both leaders and people involved in these movements have given collective resistance to the establishment. All these movements were oriented towards change in the sense that they all tried to redefine and rethink the existing notions regarding oppression, exploitation and injustice in the system. It is difficult to state about ideological understanding of Aam Adami Party at this juncture because it has not yet clearly come up with any stated ideology. Same was the case with other protest movement the protest against rape. It was not guided by any political ideology. The only movement which has been clear about its ideology is Naxalite Movement. This movement is guided by the philosophy of Mao and Mao's philosophy is driving force for it in having change in the existing system. As far as the method of protest is concerned both AAP's protest and Protest against rape used peaceful methods in the sense that they did not go out of democratic framework whereas Naxalite movement employs violent method in realising its goals. The following discussion on these concerned movements makes an effort to understand remarks made on their method of protest.

### **Naxalite Movement**

One of the movements that has been widely discussed and termed as anarchist, Violent and anti-state is Maoist/Naxalite movement. Karl Marx's and Engel's criticism of anarchism is one of the base that has been used as a philosophical argument to term Maoist/Naxalite movement as anarchist movement (Rajimwale 2010). The other observations 'anti-state' and 'violent' are used because it employs violence for the realization of its objectives. Incidents of armed confrontations by Naxals are taken as proofs to give validity for such observations. Sometimes back the Naxal problem was even considered as a great national security threat (Dixit 2010:22). Violent method and strategies cannot be accepted as a proper means to realise any goal by any standards of liberal democracy. There is no scope for any activity which turns to be violent in liberal democracies. This is also true in the case of liberal democracy that it should not pave the way for any protest movement to go for very severe thought and action. In the case of Naxalite movement it is democratic government's inability to understand the root cause of the problem. This apathy and inaction on the part of democratic government in India is aggravating the problem. It is merely perceived as security problem. System tries to understand and looks at the problem by putting more emphasis on violence part of the problem. It has less been understood as developmental problem and the as the problem of human alienation. To simply treat Naxalas' only as forces of violence and to brand them

as terrorists has not helped stem their growth. The violent confrontation between the Naxalites and the Indian state has affected the political fabric of the entire society. The state agencies have given up all procedures under the rule of law on the pretext that forces of violence do not deserve it'(Mohanty 2006:3167). There is assumption among the leaders that they can eliminate the influence of the ideology of Naxals 'by liquidating the leaders, cadres and sympathisers of the movement' (Ibid). But, experience of last many years show that it cannot be suppressed by mere use of violence. The Naxal issue is one part of the problem of dissent and protest in India. The other part of the problem could well be discussed with very recent movements which too have received some criticisms.

### **Protests against Rape**

The other protest movement that needs to be discussed on the question of protest and dissent in the country is the one that happened against the horrific gang rape and violence perpetrated on the 23-year-old paramedical student in a moving bus in Delhi on the night of December 16, 2012 (Cover Story, *Frontline* 2013). This incident brought many concerned people to come together and fight against inactive attitude of the government on such barbaric acts. The government's handling of the situation in the beginning further 'added to the general feeling of shock and outrage' (Ibid). The government did not respond to the situation properly, instead it preferred to, 'confine itself to pleas for peaceful protests and restricting the movement of the protesters' (Ibid). Instead of dialogue and discussion to respond to the problem government employed aggressive strategies. The response of the police and administration to the movement was disproportionate to the protests. Such response to the, 'protests only aggravated the situation. It also brought home the point that the focus of policing in the country is increasingly getting reduced to suppressing dissent even when it is democratic' (Ibid). The very distressing thing on such issue is that the majority of the political parties studiously ignored the sentiments of the people. Instead of responding to the concern of the public they exhibited a strong tendency of succumbing to or paying obeisance to the conservative opinion (Ibid). Actions of Central and Delhi governments on this issue had been 'at best reactive and at worst cynical to scuttle the growing public solidarity and stifle people's right to express themselves' (Editorial, EPW 2013:7).

### **Arvind Kejriwal's Dharana**

Arvind Kejriwal's dharana in the month of January 2014, a few yards away from the Union Home Minister's office received response from wide sources that it was nothing but an anarchist act. Both Congress party and Bhartiya Janta party criticised Kejriwal's dharana as anarchic and a drama (Deccan

Chronicle, Jan 20, 2014). All India Congress Committee secretary Sajaya Nirupam called this dharana as drama.(Ibid) Other leaders of the congress like Manish Tewari said that AAP had 'been given a mandate to govern Delhi and not create anarchy'(Ibid) Bharatiya Janta Party leader Arun Jaitely said from 'gimmickry and populism AAP has moved to the next level – Anarchy' (Ibid). Media too did not lag behind in making such remarks about AAP's dharana. It called it as absurd drama (Editorial, The Hindu, 2014). Scholars, politicians, media came up with wide variety of arguments on the actions of AAP but it has to be handed to the Aam Aadmi Party, 'for forcing us to think democracy' (Gupta 2014).This dharana, 'was as much against the central government usurping the powers of the elected government in Delhi, as it was a flashpoint with the Delhi Police seemingly triggered by action against two police constables on charges of corruption'(Parsai 2014). Kejriwal launched this protest demanding executive control of the Delhi Police and transfer of police personnel who had defied orders from his then government's ministers (The Hindu, Jan21, 2014:1).In the same month of January 2014 ,anti-corruption helpline of the Delhi Government has netted two police constables. The vigilance department arrested these constables on charges of extortion following a sting operation (The Hindu, Jan11, 2014). The Delhi Police being under the control of Union Home Ministry and other issues like corruption, safety and security of women in Delhi city made Kejriwal to go for protest. The realisation on the part of Kejriwal was right in the sense that his government could not, 'deliver on its promise of ensuring the safety and security of women' (Parsai 2014). Therefore, the fight between Kejriwal and Home Minister appeared more to draw attention to the situation with regard to the police than to anything else' (Ibid). If law and order maintaining authorities do not listen to representatives of elected government, solution for this lacuna has to be searched within democratic framework. Kejriwal used protest as a democratic mode for seeking solutions for problems like corruption, weak security for safety of women. This protest could at best be understood as a tussle between centre and state on the question of federal powers. Reading such protests beyond certain limits may put the very possibility of protest and dissent in democracy in trouble.

If AAP's origin and its present form vis-a-vis present day politics to be considered, it should be noted that the AAP with its origin in Anna Hazare's anti-corruption movement, 'does not shy away from projecting itself as a party in movement mode. Indeed, it is different as a party-not distant, not structured and certainly not white-collared. Those who see politics largely through the prism of a "status quo mindset" and are more comfortable in a "high command" or single leader party structure will perhaps find it difficult to accept the AAP's open-door politics' (Ibid).Here, comparison must be made between AAP and other political parties. AAP is not like any other party and as it has already been said that its

origin was different. Its protest and dissent are not guided by any individual interest. Competitive electoral politics to gain power is not its intention to come to the scene. If we look at the background of most of the founder members of Aam Adami Party they are 'are well-known activists in the national public sphere. Many are better known than most of the parliamentarians of the two major coalitions. They are recognised as long-distance runners and not as ambitious upstarts who have come together in a hurry to climb the ladder of power by cashing in on the popularity of anti-corruption movements. They have earned credibility through their work in campaigns for the poor and the environment, for peasant and worker mobilisations, in human rights movements, for judicial activism, in student/youth organisations, in the fields of education and media, and in political reform work. Their contributions are recognised in the making of a variety of new laws which have established the rights to information, work and education' (Kumar 2013:11-12).

### **Anxieties and Real Tests of the Democracy in India**

There are real anxieties about democracies that they might move towards mobocracy or even complete chaos. Street protests by the protesting mob could be one of such event in which there is every possibility of situations becoming uncontrollable and violent. One of the criticisms on protest is that, 'crowds do occasionally degenerate into lawless mobs. However, since the days of Chauri Chura, whenever public leaders staged a celebration of dissent they had assumed the responsibility to see to it that things did not get out of hand' (Khare 2012). Further it is stated that such, 'days of responsibility and restraint are way behind us. Increasingly, as political leaders and parties have vacated the ramparts of moral respectability, the onus of maintaining the distinction between orderly crowds and marauding mobs has shifted to the "authorities". Political parties no longer seem to have sufficient control over their supporters and followers and, in any case, all the imaginary and physical sites of anger and protest have already been taken over and occupied by non-political actors and formations which have no stake in observing the conventional rules of the democratic game' (Ibid). It is observed that in, 'any fast changing society and economy, resentment and anger against an insensitive "system" is bound to find an expression; and, in our current discourse, empowered citizens are made to feel that they have a licence to defy, disobey and disrupt. A crowd is seen to be an *ipso facto* morally superior gathering in its collective democratic representativeness and hence is deemed to have sanction to resort to unorthodox methods of protests against presumably corrupt and crumbling power arrangements' (Ibid).

However, if democratic institutions do not function in accordance with law, what would be the option left with citizens of any political system? In such

realities, 'protests that seek to hold officials and institutions accountable remain an integral part of democratic life'(Mahajan2014).To any person one who believes in democracy 'resorting to civil disobedience is not legitimate when there are lawful methods and procedures available to remedy the evils that are being protested, or to achieve the ends sought. Where they are not available, or when a man of conscience cannot accept the judgment of the majority, or persuade them to his views, he may well consider himself morally or religiously obliged to rise on an issue of transcendent importance, bear witness to his faith, and resort to civil disobedience in order to open the minds and hearts of his fellow citizens'(Kampelman, Max M 1970:127). It is accepted, 'that putting pressure on the authorities to act in a manner that conforms to constitutional norms and laws is the political and moral duty of every citizen' (Mahajan2014).Mahatma Gandhi's actions and strategies during freedom struggle could come as defence for recent actions that happened on the questions of holding institutions accountable to the people. It was, 'Mahatma Gandhi who gave a more strident expression to this sentiment when he called upon the people to listen to their conscience and refuse to accept what is unjust and morally unacceptable. He asked those joining him in non-cooperation and civil disobedience to resist unjust laws, but be willing to suffer the consequence of their actions' (Ibid). It is morally required that one must be willing to accept punishment for breaking the law because rule of law deserves respect (Ibid).

Regarding the tactics of the AAP which it recently demonstrated, it was rightly observed that tactics such as both street demonstrations and working from a makeshift office under tent would not amount to anarchism (Gupta 2014). Rather, violence 'both physical and verbal, that invites anarchy more than anything else, whether or not such acts happen in the killing fields or in parliaments'(Ibid).It should be remembered that 'some of the most ruthless leaders in modern times were elected to power. This is why liberal democracy is not just about votes, but more about non-violence' (Ibid). In liberal democracies citizens have not only got, 'the right to express their views but also the right to protest and express dissent against prevailing procedure and laws, so long as they do not rely on violence or coercion'(Mahajan 2014). Kejriwal used this space that is available within democracies.

The larger question to be pondered over on the debate on democracy and anarchy is if representative institutions in democracies become stagnate, 'and become irresponsible and unaccountable to the values enshrined in the constitution, or if they position themselves against common citizens' (Ibid) what would be the alternative path? To correct this, 'it may be one's duty to infuse the legal with morally just. If self-critique and change could be ushered in through reasoned argument, then all forms of action outside the domain of constitutionally

mandated institutions would be, as B.R. Ambedkar suggested, unnecessary. But, when reason fails to deliver and the quest for power and interests comes to dominate, maintaining the stability of even a just constitution may require stronger action, including protests against institutionalised authority' (Ibid). Indian democracy has, no doubt, done some progress in terms of inclusiveness but has not shown expected result on the question of accountability (Jenkins 2007:55). There has been insistence on the part of many, if not all Indians, 'that their democracy be held to a higher standard and thus judged against the world's most successful democracies, not the dysfunctional postcolonial countries that happened to come of age at the same historical moment. The relevant yardstick from this perspective-the quality shared by the world's most mature democracies-is the ability to deepen democracy, that is, to make politics more *inclusive* and the state more *accountable*' (Ibid).

### **Our Elected Representatives and their Behaviour**

Representative institutions in India have not remained up to the expectations of the people. The behaviour and actions of elected representatives in India in last many years has shown that there is no seriousness on the part of them to remain up to the values and traditions of representative institutions in democracy. Sorry state of affairs on the part of these institutions raise the question that- do the elected representatives in India have moral courage to call protest movements as anarchic? Anarchical behaviour could be witnessed on the part of our elected members in both parliament and state legislatures. It has been witnessed number of undemocratic disruptions in these institutions while legislative sessions are on. It was not always so in earlier time of sessions in the country's representative institutions. Many of members of the Parliament in the early years after independence had great faith in parliamentary traditions. But, as India moved in its own way of parliamentary democracy numbers of changes have occurred in the working of parliament. To briefly state the changes, assemblies in some of the states ' in India's federal system have already witnessed scenes of furniture upended, microphones ripped out, and slippers flung by unruly legislators, not to mention fistfights and garments torn in scuffles' (Tharoor 2011). The national legislature has so far not gone to such an extent but, ' the code of conduct that is imparted to all newly elected MPs - including injunctions against speaking out of turn, shouting slogans, waving placards, and marching into the well of the House - is routinely honoured in the breach. Equally striking is the impunity with which lawmakers flout the rules that they are sworn to uphold' (Ibid). Recently Lok Sabha witnessed an unprecedented low. One Member of Parliament used a can of pepper to subvert the legislative process of tabling of the Andhra Pradesh Reorganisation Bill (Balaji J and Dhar, Aarti 2014).

## **Anarchy and Political Discourse**

Since the beginning of political discourse in the work of Aristotle in ancient Greece 'distrust of politics has been integral part of normative political theory'(Ramswamy 2014).The modern version of this distrust is emerged in the form of Anarchism. Ideas related to distrust of politics got systematic touch in 'the Anarchist theory of social organisations, comprising small units federated together but with no central power and authority' (Ibid).This theory was developed by Proudhon in the middle of the 19<sup>th</sup> century. Apart from Proudhon, anarchist thinking was developed in the works of Peter Kropotkin, Mikhail Bakunin, William Godwin and others (Fowler 1972:738-739). 'The essence of anarchist thought is the emphasis on the freedom of the individual, leading to the denial and condemnation of any authority which hinders his free and full development, particularly the State' (Novak 1958 :311). Both Marxism and Anarchism grow as critical schools 'within the industrialised capitalist society highlighting its evils like dehumanisation, alienation, inequality, oppression and exploitation' (Ramswamy 2014). Anarchism, 'desires to overthrow capitalism and the capitalist state' (Ibid). Comparison of Marxism and Anarchism on the question of state facilitates understanding of recent movements in India. Anarchism believes that 'the state is the basic source of all social injustice' (Ibid), but for Marxism state's 'nature is conditioned and determined by the economic base of society. The destruction of the state is the goal of both Anarchism and Marxism, but for the former it is an immediate objective, while for the latter is the ultimate aim' (Ibid). If recent movements in the discussion are analysed by comparing them with the goals of both Marxism and Anarchism, Kejriwal's protest and protest against rape would not qualify as anarchist movements. The actions of Kejriwal in his protest were not of the any implication that they were against Indian state. This same argument applies to the protest against rape that happened in Delhi.

Here in Indian democracy there has always been the kind of habit on the part of our politicians to be judgmental about others' actions. It is rightly reminded that, 'one person's anarchist could well be another person's activist. Go back a little in time and consider the demonstrations that brought in universal franchise or racial equality or the establishment of gay rights. Had these movements been banned, or dubbed as anarchist, our democracies would have been that much poorer. It is with the help of these protests that democracy grew and grew to give us this splendid shade under which most of us sit. It took decades of activism before women got the right to vote and before Blacks became legally equal to the rest in America' (Gupta 2014).

## Conclusion

These all experiences of protest and dissents in India show that both violent and non-violent actions received the same remarks in general that they are anarchist, and anti-constitutional. There is no proper dialogue with both kinds of protests. When there is method of violence, they are rejected as anti-state and when there is non-violent method of protest they are rejected as anti-constitutional. Indian polity to remain as democratic needs greater maturity in accommodating dissent rather than rejecting every action as anarchic, and anti-constitutional. Every protest and dissent in India would not always necessarily be anarchic. Anarchy is dangerous but protest which is always in the framework of democracy always revitalises democracy but will not pave the way for anarchy. Inability of the establishment to have dialogue and discussion with the protest movements raises the question that whether Indian political establishment is serious in its commitment to the preamble, and directive principles of the constitution? Most of the protest movements in India have raised pertinent questions on the implementation of the Directive principles. Instead of implementing in spirit the preamble, and directive principle of the constitution 'the state machinery had been subverting efforts to implement the Directive Principles. It had chosen violence as the main tool to suppress movements that try to uphold the Directive Principles' (Banerjee 2010:39). Surprising thing on the question of engagement with protest movements is that 'the Indian state resorts to violence not only when dealing with militant groups like Naxalites, Kashmiri secessionists or north-eastern insurgents, but also with non-violent movements of a Gandhian nature, like the Narmada Bachao Andolan being waged by professed Gandhians to protest against the uprooting of thousands of people by a dam, or a peaceful demonstration of citizens against some bureaucratic misdemeanour' (Ibid). The establishment's general response to such movements and their demonstrations is negative one. It treats 'such movements and demonstrations as a law and order problem (instead of inquiring into their causes and seeking a solution through negotiations), and' (Ibid) dispatches 'the police to suppress them' (Ibid).

Today's condition in the country could be considered as repression without emergency (Teltumbde 2012:11). During emergency the 'state had derived its powers through Article 352 of the Constitution by painting the conditions as threatening the internal order' (Ibid). Now, it is realised that just with ordinary laws dissent and protest can be prevented and suppressed (Ibid). It must also be noted here that when 'direct use of violence against unarmed populations, torture and blatant violations of human rights become less and less easy to sell, there is an increase in indirect violence, surveillance and destruction of the life-support systems of communities unable to defend themselves by using

modern institutional and legal remedies'(Nandy 2007:174). This is what happened in the case of lakhs of tribal communities in India. In the name of development lakhs of people had to be evacuated from their original habitat. When this evacuation became an issue of human rights violation political establishment in India had to rely on other measures like ordinary laws. An opposition to such indirect violent acts in the form of legislation became vocal, the very opposition had to be dealt with as law and order problem. Such adventures on the part of political establishment in India can be understood as its intolerant attitude towards protest and dissent.

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