

Gandhi: Democracy and Fundamental Rights

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“I understand democracy as something that gives the weak the same chance as the strong.” –MK Gandhi

Introduction

All those who are familiar with the ideas of Mahatma Gandhi or those who understand his philosophy, they very well know that he was an anarchist. He was for such a stateless society in which life becomes perfect. People, without any prejudice, never become hindrance to one-another's routines. Moreover, self-regulation, self-dependency and mutual cooperation on priority become essential in day-to-day human practices. For Gandhi, the institution like the State or the system like democracy cannot be the final ideal. These institutions are based on political power, therefore, they can only be the means of enabling people to better their condition at different levels in different walks of life, but cannot lead human beings to achieve the goal of life. In this regard he clearly wrote in *Young India* on July 2, 1931, ***“To me political power is not an end but one of the means of enabling people to better their condition in every department of life. Political power means capacity to regulate national life through national representatives. If national life becomes so perfect as to become self-regulated, no representation becomes necessary. There is then a state of enlightened anarchy. In such a State everyone is his own master. He rules himself in such a manner that he is never a hindrance to his neighbour. In the ideal State, therefore, there is no political power because there is no State. But the ideal is never fully realized in life. Hence the classical statement of Thoreau that the government is best which governs the least –is worthy of consideration.”***

It is clear that even being an astute anarchist and introducer of an *Ahimsa*-based stateless society to the world, Mahatma Gandhi was himself not sure of transformation of his ideas into a reality. Further, creating an atmosphere surcharged with morality and ethics on the basis of which everybody could develop in him a high degree of intellect never seemed an easy task to him. Then, what could be the alternative? In this context he was quite clear, which could be observed from his support and advocacy for democracy. Accepting democracy to be a great institution, he never asked for its avoidance. Rather, he laid a great stress on decreasing of possibility of its misuse. Democracy, despite being a manmade institution and, therefore, likely to be misused, if works to the maximum possible extent on the basis of *Ahimsa*, it can prepare people to self-control, self-dependency and mutual cooperation. In Gandhi's own words, ***“There is no human institution but has its dangers. The greater the institution the greater the chances of abuse. Democracy is a great institution and therefore it is liable to be greatly abused. The remedy, therefore, is not avoidance of democracy but reduction of possibility of abuse to a minimum.”*** [*Young India*, May 7, 1931]

Not only this, in a country of diversities like India, which has a long history of harmony of different ideas and has always accorded honour to others' views, and where forbearance and tolerance have been in the root of solution of inevitable day-to-day conflicts, disputes or struggles, only democracy could work successfully. Furthermore, history of democracy in India goes to the remote past. Perhaps it is India where for the first time democracy started functioning. Those who are acquainted with exemplary and unique traditions of India, know that since ancient times problems, disputes and conflicts have been resolved here either on the basis of direct dialogue between the parties involved, or by *Panch Nirnay* [arbitration], which is one of the best democratic methods of transforming conflicts. That is why; Mahatma Gandhi, instead of

denying democracy, wished for its constant development on the basis of high human values including morality so that it could pave the way for a stateless society at the global level. He, thus, in one way or the other considered democracy to be essential as the first phase for transforming more or less his dream of stateless system into the reality. He wished the beginning of this work from India, and also desired India to become ideal for the whole world in this regard.

Undoubtedly, freedom and justice had been the two basic pillars of democracy of Mahatma Gandhi's imagination. He saw the welfare of all, general and particular, in a democracy where equal freedom and justice are available. Particularly, he laid great stress on individual freedom in democracy as is evident from his following statement, ***"...if individual liberty goes, then surely all is lost; for, if the individual ceases to count, what is left of society? Individual freedom also can make a man voluntarily surrender himself completely to the service of society. If it is wrested from him, he becomes automation and society is ruined. No society can possibly be built on denial of individual freedom..."*** [Kumar, Gandhi and Gandhism, page 19]

Similarly, it is justice that along with freedom proves adaptability, significance and success of a democracy. To quote the Mahatma, ***"The spirit of democracy is not a mechanical thing to be adjusted by abolition of forms. It requires change of heart."***

Particularly, in a democratic country like India the importance and inevitability of social justice cannot be undervalued. It is especially for the reason that social justice is one of the main problems of India. Hundreds of thousands of people are still in want of social justice. Consequently, they suffer in political, economic and intellectual spheres. Hence, Mahatma Gandhi laid a great stress on decentralization of power so that participation of each and everyone in political and economic fields could ascertain. Moreover, on the strength of this participation common men could also enjoy a standard of living, and along with intellectual growth they could find a way to achieve equality in society. To quote Mahatma Gandhi himself, ***"Democracy is an impossible thing until the power is shared by all...Even a pariah, a labourer, who makes it possible for you to earn your living, will have his share in self-government –Swarajya or democracy."*** [Young India, December 1, 1927]

Not only is this, Gandhi's theory of Trusteeship is also a firm step towards establishing social justice. Through it, he wished for healthy social relations among men and on the basis of them desired ending differences between owners and servants. He wished bringing wealth and properties within the scope of Trusteeship with the sole purpose of self-sufficiency of each and everyone by ascertaining supply of essential commodities. For social justice, self-sufficiency plays a vital role; for, it is inevitable. In this regard, going beyond the territorial limits of India, Mahatma Gandhi went to the extent of saying, ***"According to me the economic constitution of India, and for that matter of the world, should be such that no one under it should suffer from want of food and clothing. In other words everybody should be able to get sufficient work to enable him to make two ends meet. And this ideal can be universally realized only if the means of production of the elementary necessities of life remain in the control of the masses. They should be freely available to all as God's air and water are or ought to be. Their monopolization by any country, nation or group of persons would be unjust. The neglect of this simple principle is the cause of the destitution that we witness today not only in this happy land [India], but in other parts of the world too."*** [Kumar, Theory and Practice of Gandhian Non-Violence, page 100]

Fundamental Rights

Along with freedom and justice, the third most important thing, which requires special mention in context of Gandhi's views on democracy, relates to fundamental rights of citizens. As known to us, Mahatma Gandhi always by laying great stress on morality and ethics in individual and social life –both, and calling on people to make *Ahimsa* the centre of their day-to-day activities, spoke of duties time and again. Undoubtedly, he accorded preference to duties over the rights. For example he said, ***“In Swarajya based on Ahimsa people need not know their rights, but it is necessary for them to know their duties.”*** [Harijan, March 25, 1939]

He also wrote, ***“Rights accrue automatically to him who duly performs his duties. In fact the right to perform one's duties is the only right that is worth living...It covers all legitimate rights...”*** [Harijan, May 27, 1939]

Not only this, just a few months before his passing away Gandhi went to the extent of saying, ***“Today capitalist and zamindar talk of their rights, the labourer on the other hand of his, the prince of his divine right to rule, the ryot of his to resist it. If all simply insist on rights and no duties, there will be utter confusion and chaos.”***

Therefore, he said further, ***“If instead of insisting on rights everyone does his duty, there will immediately be the rule of order established among mankind. There is no such thing as the divine right of kings to rule and the humble duty of the ryots to pay respectful obedience to their masters.”*** [Harijan, July 6, 1947]

From the above statements of Mahatma Gandhi it generally seems that in comparison to fundamental rights he prefers for duties of people. It also becomes apparent that perhaps he is indifferent towards human rights. But, it is only a momentary perplexity. There is not the slightest want of truth in it. Gandhi was a great defender of equal liberty for all. Till his last breath he fought for social, religious, rational, political, and economic freedom of all. How was then it possible that he could ignore the question of fundamental rights of people? Moreover, when Gandhi refused to accept the authority of princes as their being divine ruler and advised people not to pay respectful obedience to them as their masters, how could he shut his eyes from people's rights?

Similarly, Gandhi was committed to justice for all. For the establishment of justice he not only called on people time and again, but launched non-violent actions and some of them remained exemplary from the success viewpoint. Through them he introduced an adaptable and effective way to the world. How could he then minimize the importance of people's rights? He categorically spoke of social, political and economic growth and prosperity of all. He led the way to *Sarvodaya* through his worth mentioning ideas of decentralization of power and Trusteeship. Hence, for us it is beyond imagination that a person like Gandhi could overlook the question of fundamental rights of the people?

Undoubtedly, along with freedom and justice, Gandhi wished equal rights for all. As it is known to us, Gandhi not only accepted the importance of fundamental rights of citizens, but made the issue of people's rights indispensable in all of his non-violent actions he carried out for the freedom of India. Prior to it in his actions in South Africa equality of rights of the people was a vital issue. Therefore, those who are of the opinion that Gandhi ever overlooked human rights, or he preferred duties over rights, are not correct.

In fact Mahatma Gandhi has his own refined, exemplary and adaptable view about people's rights. His views regarding rights of citizens, besides proving their merit as per the standards set through various contemporary and modern concepts related to them, are connected with morality. As democracy of Gandhi's imagination is not possible without high morality, therefore, morality occupies the central place in it. Moreover, morality develops a sense of

responsibility in human beings on the strength of which they go forward to protect, respect and honour the rights of one-another.

Even in a democracy many times we observe great lack in protecting and honouring the rights of citizens. More care for rights of self and less for others is noticed. Consequently, state of violation of human rights emerges time and again. For, undoubtedly, democracy suffers; its way gets obstructed. Therefore, Gandhi's view of connecting rights with duties cannot be undervalued. Rather, his ideas are important and worth consideration. They seem essential for the prosperity and success of people's government. In this regards his statement, "*...if leaving duties unperformed we run after rights, they escape us like a will-o'-the-wisp*" [Yong India, January 1, 1925] is extraordinary. Instead of overlooking, it makes the state of fundamental rights precious. Moreover, if Gandhi could overlook rights of citizens, he would have never said, "*[True] fruit [in life] is the [achievement of] right.*"

Hence, without a doubt, in democracy of Gandhi's imagination fundamental rights are as important as freedom and justice. Along with this, his views regarding rights of citizens in democracy are worthy of consideration for subject specialist and those in the government. In their refined form they are also more or less capable in guiding those who are concerned of human rights.

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