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# Quest for Justice: The Gandhian Perspective

NEERA CHANDHOKE

Dialogue appears particularly appropriate for plural societies, which are marked by a variety of perspectives, beliefs, commitments and values. But plural societies tend to be stamped by deep disagreements on the basic norms that should govern the polity. For this reason alone, these societies can prove deeply divided and fractious. How do defenders of dialogue establish the preconditions for dialogue among participants? How do agents who wish to put forth a particular point of view establish their credibility: that their reflection and their proposed courses of action are in the public interest, and not in the pursuit of some selfish private gain? How can communication among agents be enabled at all insofar as these agents can be persuaded to modify or moderate their original position in and through the process of dialogue? Perhaps the Gandhian philosophy of satyagraha provides us with some answers to these vexing questions.

## 1 Identifying the Problem

That members of a given plural society are likely to disagree not only on what the precise nature of substantive justice is, but also on what the governing norms which can arbitrate between competing notions of substantive justice are, is by now well known. It is also realised that these two issues pose a rather intractable problem for political theory, simply because they defy aspirations that a political community will be able to balance diversity of conceptions of justice with allegiance to shared norms such as a master concept of justice. Now that the assumption that the public sphere is neutral towards competing notions of the good has been exposed as one of the vanities of political modernity in society after society, the carefully constructed, but the rather precarious boundary between the public and the private, has become even more unstable, even prone to collapse. Along with this debacle, the belief that people can fashion and pursue their projects according to their notions of the good, provided these projects conform to certain shared norms in the public sphere, has taken a hard knock. For these reasons, plural societies are more often than not deeply divided societies, divided not only over issues of substantive justice, but also on the moral norms that can referee competing conceptions of justice. Yet the first tension between different conceptions of justice can be resolved. The resolution might well consume time, and extract patience, energy, imagination, and political innovation, but it can be done. The second issue is considerably more inflexible, and resists resolution, simply because the status of the norm, as one that is morally binding, comes under dispute.

In India three issues that regularly bedevil public debate over what is just, might serve to illustrate the point I am trying to make. Whereas the Indian Constitution codes secularism as one of the main pillars of constitutionalism in the Preamble,<sup>1</sup> what secularism actually means has become a matter of contentious debates. Is secularism about constructing a "wall of separation" between the state and religion? Or is secularism about treating different religions equally, making religion thereby a matter of state policy? Which of these policies can possibly deliver justice in a multi-religious society? Can we combine both these interpretations, and evoke thereby a fuller concept of secularism in and for a religious society? Still, these debates over differing interpretations of secularism are not that deep or stubborn, because the moral status of secularism as an intrinsic principle of justice for a religiously plural society is uncontested. But when groups belonging to the Hindu right dismiss secularism out of hand: by rejecting the principle of equality of all religions, as well as the principle that the state should not adopt a particular religion which thereby becomes the state religion, the moral status of secularism

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is in some trouble. Also in trouble is the commitment to justice for all religious groups. The pogrom of the Muslim minority in the state of Gujarat, by cadres of the Hindu right in 2002, exemplifies the contempt with which these cadres treat secularism. Dismissing the axiom that secularism is a way of ensuring justice to all religious groups, they also write off the proposition that no one religious group has the right to stamp the country with its ethos *even if it is in a majority*, and that no religious group can be discriminated against *even if it is in a minority*.<sup>2</sup>

The second tension that continuously bedevils political debate in India is the one between universal conceptions of gender justice, and personal laws of minority religions.<sup>3</sup> This was more than evident in the famous Shah Bano case. On April 23, 1985, a Supreme Court bench under chief justice Chandrachud ruled that article 125 of the Criminal Procedure Code, which regulates the payment of maintenance to divorced women overrides all personal laws and that it is uniformly applicable to all women. The bench also called upon the government of India to enact a uniform civil code under Article 44 of the Constitution. Expectedly, patriarchal sections of the Muslim community opposed the judgment on the ground that it disregarded and downgraded the personal laws of the Muslim community, which are based on the Shariat. The argument was that the Shariat is divinely sanctioned; therefore, it can neither be tampered with, nor interpreted by the Court. The controversy snowballed into a major political problem as thousands of Muslim citizens took to the street to demonstrate against the judgment.<sup>4</sup> What norm of gender justice can we appeal to in order to resolve this dilemma? The problem is deeper. Is it possible to extract women from their constitutive attachments and construct them as universal and abstract units of justice? Conversely how do norms of justice deal with personal laws which are highly subversive of gender justice?

The third tension ridden issue in India is that of affirmative action, or protective discrimination for the dalits/scheduled castes. These castes have been throughout history doubly discriminated because they are socially discriminated against, as well as economically marginalised.<sup>5</sup> For these reasons, it is generally agreed that these groups are entitled to compensation for historical wrongs. The debate around protective discrimination is essentially one between norms of formal equality and that of egalitarianism, which takes into consideration background inequalities. In theory, both conceptions of equality are reconcilable, provided we subscribe to a substantive notion of equality. In practice, however, affirmative action policies, particularly reservation of seats in educational institutions and in public jobs for the scheduled castes (scs), as well as for the scheduled tribes (sts) has led to repeated confrontations, standoffs, the construction of demeaning imageries, and perverse stereotyping, all of which feeds into the alienation of one group from another. Students and job seekers belonging to the "upper castes" ask for how long are they expected to pay for the sins of their forbears? How long do those who have benefited from history, have to compensate the victims of history? In any case, is not protective discrimination on such a scale an infringement of Article 15 of the fundamental rights chapter in the Constitution, which codifies the right not to be discriminated against?<sup>6</sup> At stake in these angry

confrontations, is the very status of the norm of substantive equality as a component of justice.

Often acerbic disagreements over these three principles of justice: secularism, gender justice, and affirmative action, pose some of the most difficult problem for Indian democracy. Should the state treat the claims of all religious groups equally? Or should it privilege the demand of the majority group that it is entitled to monopolise political power by virtue of numbers? Should the state enact codes of gender justice according to procedures that honour universal and abstract concepts of justice? Or should procedures for delivering justice to women take as their referral the personal codes of minority religious groups? Should the state enact laws which recognise the claims of all groups that position themselves as historically disprivileged? Or should the state balance these demands against those of other groups? It is not surprising that disputes over the status of morally binding principle of justice, as well as over the norms and procedures that regulate conflicts between rival claims, lead to repeated deadlocks, and resultant breaks in inter-group communication.

There are possibly two ways in which these somewhat obdurate tensions can be addressed. One, the state can proceed to strictly define what the governing norms of justice are, prevent further debate and contestation, and thereby, proclaim an end to the matter. But this is neither feasible nor desirable. Attempts to reduce democratic politics to administration, constitute not only bad political judgment but worse political commonsense. For politics, as authoritarian regimes have found much to their dismay and through bitter experience, simply refuses to accept banishment. But more significantly, a foreclosure on debate and contestation contributes nothing towards the establishment of the morally binding status of the norm. It remains disputed. The other, and perhaps the only politically viable alternative, is to institutionalise procedures which enable dialogue among different groups on specific policies, as well as on the appropriate normative structures that should regulate a good society.

Dialogue on what the governing norms of a polity should be, can aid the establishment of the moral status of these norms, and, thereby, render them binding, for one main reason. The process reassures participants/aspirant participants that they have "voice" in the forging of these norms, or at least that they have the right to such "voice". And we can hardly dismiss norms as not morally binding if we have a say, or at have the right to have a say in the processes whereby these norms are forged. As Cohen puts it, the notion of a deliberative democracy is rooted in the intuitive ideal of a democratic association in which the justification of association proceeds through public argument and reasoning among equal citizens. "Citizens in such an order share a commitment to the resolution of problems of collective choice through public reasoning and regard their basic institutions as legitimate insofar as they establish the framework for free public deliberation".<sup>7</sup>

Arguably, dialogue, appears particularly appropriate for plural societies, which are marked not only by a variety of perspectives, belief systems, and values, but also stamped by deep disagreements on the basic norms of a polity. But there is a rather inflexible problem that we can locate precisely here. Theorists tend to

assume the following preconditions for dialogue: equality, freedom, openness, publicity, readiness to give and accept reasonable arguments, and an equal willingness to modify original positions through debate and deliberation. But plural societies tend to be deeply divided and fractious. For this very reason the assertion and counter-assertion of truth claims are regarded by other groups as representing partisan points of view, and as self-regarding. This closes off the very possibility of dialogue, foments the politics of distrust, leads to constructions of "otherness", fragments civil society, proclaims an end to inter-group solidarity, and gives to the state immense freedom to manoeuvre between competing claims. None of these consequences are particularly favourable for the augmentation of the status of justice as a supreme norm, which is morally and politically binding, and which can be regarded as the chief governing principle of the body politic.

The question that, therefore, confronts us at this stage of the argument is simply this: how do 'we' (those of us who are committed to dialogue) go about establishing the preconditions for debate and deliberation among participants who see each other as either the "unknown", perhaps the "unknowable", or worse as the "polluting", as the "inferior", as the "adversary"; in short as the "other" with whom there can be neither truck nor transaction? Other troubled questions follow. What are the moral perspectives which agents divided along the axis of religion, caste, and ethnicity, bring to the discursive arena? How do agents who wish to put forth a particular point of view establish their credibility: that their reflection and their proposed courses of action are in the public interest, and not in the pursuit of some selfish private gain, in such societies? How can communication among agents be enabled at all insofar as these agents can be persuaded to modify or moderate their original position in and through the process of dialogue?

I suggest that the Gandhian philosophy of satyagraha provides us with some answers to these vexing questions. Consider, for instance, that Gandhi managed to accomplish precisely the onerous task identified above – that of instituting dialogue – in India in the early years of the 20th century, against great odds. In the 1920s, Gandhi set out to forge a mass movement in the country against British imperialism, and proceeded to transform the Indian National Congress from an elitist to a popular organisation. But by the time Gandhi embarked on this venture, colonial policies of enumeration and separate electorates, and the politics of religious organisations which had appeared on the political horizon to push their own separatist agendas, had propelled and consolidated divisive tendencies among the people. If on the one hand communal riots among Hindus and Muslims had scarred the body politic with particularly vicious modes of violence, on the other caste discrimination proscribed the "coming together" of members of the Hindu, as well as those of other communities in any shared struggle. Undeterred by these somewhat formidable impediments to dialogue; Gandhi set about forging massive coalitions of religious groups, castes and classes and thereby instituting dialogue. For the foremost prerequisite of coalition politics is that constituent groups begin to speak with each other, transact with each other, deliberate with each other, and, in short, engage each other in a dialogue.

Gandhi did not succeed completely in this endeavour because the country was partitioned on religious grounds in 1947. Yet he did not fail either, because millions of people, across caste, creeds, and class did "come together" in and through the struggle against colonialism. What is significant is that in the process, Gandhi gave to us a philosophy, which can perchance help to institutionalise conditions that support dialogue in contentious and fragmented societies. The philosophy is that of satyagraha.

Satyagraha, in Gandhian thought provides the philosophical foundation for practices of civil disobedience against the state, and against undesirable practices within the community. Satyagraha also yields the epistemological foundations for a theory of non-violence which informs these practices, and which is indeed a necessary prerequisite of these practices.

In Gandhian philosophy, satyagraha combines as well as transcends two concepts: 'satya' which means truth, and 'agraha' which means to grasp, to seize, to hold, or to grapple with. Gandhi defined the concept of satyagraha as literally holding on the truth, and therefore, as "Truth-Force". "Truth is soul or spirit. It is, therefore, known as soul-force" wrote Gandhi.<sup>8</sup> Distinguishing satyagraha from passive resistance and other forms of civil disobedience, Gandhi suggested that the philosophy is not a weapon of the weak.<sup>9</sup> On the other hand, it demands tremendous moral strength and fortitude, because satyagraha involves a relentless search for truth with steadfastness, commitment, fearlessness, and willingness to accept punishment.<sup>10</sup> The philosophy of satyagraha enlightens the mind, but more importantly gives to us a theory of action. In other words, if satyagraha give us a theory of knowledge, it also guides us towards the right path. For Gandhi knowledge is action, and action should mirror knowledge.<sup>11</sup>

Admittedly the Gandhian philosophy of satyagraha is historically contextual insofar as it was forged as a political weapon against a deeply unjust colonial state. Satyagraha is also theoretically contextual inasmuch as the concept is grounded in precepts taken from the spiritual traditions of at least four major religions: Hinduism, Buddhism, Jainism and Christianity. Yet the Gandhian philosophy of satyagraha, and the overlapping theories of civil disobedience and non-violence has proved highly relevant for struggles against injustice in other parts of the world, and inspired towering figures such as Martin Luther King, Nelson Mandela and Aung San Suu Kyi. It is perhaps time we begin to explore other rich resources of the philosophy in order to negotiate problems, which are endemic to divided societies. Conceivably the philosophy of satyagraha can aid the establishment of dialogue among people who disagree violently on what the truth is, and what justice can be. If justice is the foundational norm of a society, then justice has to be grounded in some notion of the truth, which may possibly constitute a shared referral for political allegiance. Therefore, for Gandhi, the concept of justice was inseparable from that of truth.

## 2 Satyagraha as Dialogue

Take the first problem that confronts divided societies. Considering that dialogue in plural societies is more often than not hampered by the politics of mutual suspicion, how do agents go about establishing their moral credentials? How do they demonstrate



to the political public that the issue that they seek to foreground in the discursive community: as one that demands reflection and action, is in the public interest, and not in the pursuit of some private benefit? Gandhi's advice to agents who wish to initiate a dialogue on the nature of justice is the following: prepare yourself for the original struggle; that of convincing other agents that the agenda of action you want to set forth has been arrived at through processes that are indisputably moral. The launch of satyagraha accordingly demands adherence to rather stringent requirements: agents must engage in processes of moral reasoning and moral judgment that allows them to single out an issue as a moral one, assess it in the light of several competing moral considerations, and identify it as one that demands collective action. For Gandhi these processes are infinitely facilitated, if satyagrahi's subject themselves to rigorous codes of self-discipline. For instance, any satyagrahi who embarks upon civil disobedience, must practise fasting, refrain from the pursuit of material interests, and adopt celibacy.<sup>12</sup>

Agents have to undergo this rigorous training in self-discipline because both the body and the mind have to be completely at rest, and this is only possible if the agent is detached from worldly consideration. Detachment is an indispensable precondition of selfless action, inner strength, and the capacity to bear suffering. More significantly, self-discipline helps to purify the mind of negative thoughts, haste, hatred, and ill will to others. For Gandhi, these sentiments not only cloud perception, and thus thwart the making of choices that are indisputably moral, they are indicative of a tendency to violence. And violence is the greatest betrayer of dialogue, because it subverts the very possibility of a shared search for truth. After all we can hardly enter into a debate with those who we regard as not quite human, or those who we regard with distaste and animosity.

Processes of moral reasoning, moral judgment, and self-discipline might well contribute to the prospect of establishing and reproducing the conditions of dialogue. This is because these processes help to establish the credentials of the agents who invite other moral agents to a dialogue as (a) selfless beings who are committed to the search for truth, in the public interest, and in a non-violent manner, (b) that the cause for which satyagraha has been initiated is a moral one, (c) that agents have undertaken satyagraha in full consciousness of what the penalties are, and (d) that they are willing to bear the costs. And it is possible to establish this, because not only dialogue, but the preconditions of dialogue have to be both public and transparent. Gandhi, suggest the Rudolphs, transgresses what are for Habermas, "foundational dichotomies", or the division between the private and the public. Gandhi's ashrams were public places, accessible to all, because these provided the sites for training in satyagraha.<sup>13</sup> In other words, the moment the agent begins the preparation for satyagraha through moral reasoning, moral judgment, and self-discipline, these processes should be as transparent and accessible as the process of dialogue. This by itself contributes much to the moral standing of the agent. Even if we emancipate the moral agent from the somewhat rigorous codes of self-discipline, the preconditions that Gandhi lays down hold important lessons for theories of dialogue. Agents must think through carefully the

ideas which they bring to the dialogical public sphere. Or that positions that are taken in the dialogical space should reflect moral processes which are prior to the dialogue itself. This is the only way in which participants can be persuaded that the moral standing of the agent is beyond suspicion.

Secondly, the conceptual referral of satyagraha: the nature of Gandhi's truth, enables the process of dialogue immeasurably. Theorists of dialogue tell us that participants must be ready to listen to, respect, and accept other points of view as equally valid. Gandhi, I think, articulates compelling reasons why participants should be ready to respect the truth claims of others, and why they should be willing to modify their own claims to truth. Satyagrahi's cannot assert that their claims are based upon the discovery of absolute truths and are, therefore, non-negotiable, simply because, for Gandhi, no one can discover the full truth. We can only strive towards the attainment of this truth. This carries the process of dialogue further, because the conviction that we are capable of knowing but the partial truth, serves to discipline the self, teaches us to modest about our own pretensions, and compels us to be accommodative about the claims of others.

Thirdly, the nature of Gandhi's truth pre-empts the use of violence in any form in the dialogical space. Violence for Gandhi symbolises arrogance; or the conviction that since we know better than others what the truth is, our views should be given precedence in the dialogical sphere. Such a stance kills the very possibility of any meaningful exchange of arguments, because it admits of no other version of the truth but our. Further to impose our truth upon others is to do violence to their truths. But for Gandhi, since human beings are not capable of knowing the absolute truth, they do not have the competence to punish other people through violent words, deeds, or even thoughts.<sup>14</sup>

Fourthly, the nature of Gandhi's truth establishes equality in the dialogical space. The readiness to accept that our truth can be modified by the truth claims of others, and that their truth can further be mediated by yet others, and so on, does much to establish that there is no one privileged truth, which can arbitrate between other notions, and which puts the owner of this truth in a privileged position. All known truths are partial; therefore, all truths are equally valid and deserving of respect. In sum, the partial nature of known truth acts as a powerful moral imperative to regard other participants as equal.

Therefore, and this the fifth contribution of Gandhian thought to theories of dialogue, the possibility of dialogue is greatly improved, because other parties are not constructed as the adversary, as the enemy, or as the "other", but as partners in a shared search for the truth. This contributes much to validate the standing of other people, as beings who have something worthwhile to contribute to the elaboration of an idea or a worldview. In other words, when we invite others to share in the quest for truth, or justice, on the basis of equal respect, we recognise the other person as someone who matters. This institutionalises mutual respect, prohibits the construction of "otherness", and neutralises conflict which arises out of non-recognition in divided societies.

Sixthly, Gandhi's notion of satyagraha is grounded in the certainty that the quest for truth has to be a shared venture. Contrary

to popular belief in Hindu and Buddhist spiritual thought, that truth can be found only when the searcher, seeking refuge from all distractions, retreats to the forest or to the cave, as Gautam Buddha did, for Gandhi truth cannot be comprehended in and through the processes of solitary reflection or meditation. The real location of his truth is found in the plurality and the unity of life. "If I could persuade myself that I should find Him [God] in a Himalayan cave", writes Gandhi, "I would proceed there immediately. But I know I cannot find Him apart from humanity".<sup>15</sup> It is precisely this conviction that provides the philosophical underpinnings of theories of dialogue, which inspired in large part by Habermasian ideas on communicative rationality/discourse ethics, by Gadamerian hermeneutics, and by theories of new rhetoric, emphasise the interconnectedness of human beings.<sup>16</sup>

The sixth conviction of Gandhi contributes much to the reproduction of the dialogical process over time. For Gandhi, substantive rules of justice cannot be produced once and for all. Democratic politics is not a matter of reproducing that which has already been produced. There is, in Gandhian thought, as in theories of dialogue, no notion of an original Hobbesian social contract which binds citizens in perpetuity. The terms of the contract have to be constantly renegotiated, even as new insights on what justice is, and what truth is, emerge onto political horizons. Is the right to private property just, or should it be balanced by social well-being? Should a democratic system promote the rights of cultural communities to maintain and replicate their distinct practices because this is just and fair? And if so, what is the relationship between individual and group rights? How do we resolve the tension between the right of one section of society to benefit from goods such as energy and irrigation which big development projects bring in their wake, and the right of communities that are displaced, to their habitat? Should capital punishment be outlawed in civilised societies? Should a society officially sanction abortion, euthanasia, or pornography? "Satyagraha" writes Haksar, "constitutes an open and dialectical search for the truth, the resister inviting the opponents to join him in this search for the true principles of justice; while from Rawls's model the impression one gets is that the true principles have already been discovered and are in operation in near-just societies".<sup>17</sup> Because we can never know that what we have grasped through intuition, reasoning, and self-discipline is the ultimate truth, dialogue never reaches stasis; it remains processual.

Finally, for Gandhi, as for philosophers of dialogue, the quest for truth is more significant than a final arrival, or the discovery of the ultimate truth. It is more important that people continue to speak to each other, rather than proclaim a closure on dialogue because they have arrived at a definitive truth. Dialogue does not have a whit of a chance to succeed if even one participant believes that he or she should have the last word. It may sound paradoxical but truth is always subject to renegotiation. This is particularly relevant for plural societies, simply because one urgent political task that confronts these societies is the establishment of processes which at least brings agents together, encourages them to speak to each other, and keep the conversation going. And this by itself might contribute to the ironing out of senseless conflicts that arise out of the lack of communication in such societies.

These seven components of satyagraha can possibly enable the institutionalisation of and the reproduction of a discursive community, in and through a dialogical quest for what is true, and therefore just, in plural/deeply divided societies. At the centre of the philosophy is the nature of Gandhi's truth, which provides a referral for dialogue.

### 3 Gandhi's Truth

Gandhi's stipulation that the satyagrahi should engage in processes of moral reasoning and judgment *before* he or she initiates a shared quest for the truth, is not entirely unproblematic. Processes of moral reasoning and moral judgment presume the existence of certain truths that constitute pressing considerations on what we consider moral. The proposition is, however, a difficult one, simply because it begs the existence of moral truths. It also begs the question of what the procedures, which help us in arriving at the truth, are. Even if we assume there are some moral truths, what, some sceptic can legitimately ask, makes these truths so true or so moral that they constitute a critical referral when we seek to identify "this" or "that" problem as a moral one, arbitrate between competing considerations when we decide whether this problem needs to be negotiated or not, and reason out how to act? How do we give an account of our moral reasoning in light of truth conditions of moral statements which we can never be sure of?

Gandhi's answer to these troubling questions lies between moral absolutism and moral relativism or scepticism. He does not deny the existence of truth which for him is absolute and transcendental. But human beings cannot possibly know what the absolute truth is. Gandhi cites a story in the Gospel in which a judge wants to know what the truth is, but gets no answer. The question posed by that judge, suggests Gandhi, has not been answered. For the truth espoused by Harishchandra who renounced everything he possessed for the sake of the truth, is not the same as the truth of Hussain, who sacrificed his life for the truth. These two truths are equally true, but they may or may not be *our* truth. "Beyond these limited truths, however, there is one absolute truth which is total and all-embracing. But it is indescribable".<sup>18</sup>

The philosopher J N Mohanty interprets Gandhi as follows: though the existence of various philosophical theories of truth shows us that truth holds different meanings; and though these philosophies give us different accounts of the nature of truth, there exists a common *pre-philosophical and pre-reflective understanding of "truth"*. This is the explicandum for the philosopher's of truth, and to that extent there is a point of agreement between them.<sup>19</sup> Gandhi, in effect, tells us that the one ultimate truth is manifested in the shape of many truths, but each of these truths is but an incomplete version of the ultimate truth. Using the metaphor of the seven blind men and the elephant, Gandhi suggests that we are as blind as the seven in the story. "We must therefore be content with believing the truth as it appears to us".<sup>20</sup> The ultimate truth is eternal and transcendental, known truth is a fraction of what is eternal and transcendental, but it is only that latter that falls within the competence of human beings.

But where do we begin to look for this truth? Any search must lead somewhere, in some direction, towards some end; for even if we never reach the end, at least the path to that end should be clear. Gandhi, it is well known, was deeply religious, and originally he identified truth with the Supreme Being or God. Rather "say", he enjoined, "that God is Truth".<sup>21</sup> There is some logic here, because the word *satya* comes from *sat*, which means to be, or to exist through time. And only God is the same through all time.<sup>22</sup> But Gandhi was not religious in the conventional, or in the doctrinal sense. To understand this aspect of Gandhian thought, we have to understand what religion meant to him. Rather than be unthinkingly bound by religious doctrines, or worse be confined to certain scriptural understandings, Gandhi preferred that religion be viewed as a source of valuable insight into the human condition; as part of a common human heritage<sup>23</sup>. In effect, religion for Gandhi meant pretty much what culture means for the communitarians: as a set of resources which helps us make sense of the world. Therefore the belief that human beings are religiously/culturally constituted, by no means implies that they cannot make moral choices. These choices are not made in abstraction from the values bequeathed by the community, but neither are these choices completely determined by the culture. Similarly for Gandhi, religion can only give us the moral context within which we can make intelligible choices. "God" writes Gandhi, "is conscience. He is even the atheism of the atheist... He is the greatest democrat the world knows, for He leaves us unfettered to make our own choice between evil and good".<sup>24</sup>

In the Gandhian world view as in the worldview of communitarian philosophers, human beings possess the capacity to tread a careful path between historically handed down understandings, and their own judgment about what is morally right. The intersection of cultural contexts and moral judgment constitutes the context in which we make moral choices. It is because Gandhi trod this particular path that he could criticise with all the passion at his command the practice of untouchability in the Hindu caste system, and seek to turn the caste system upside down by referring to the former untouchables as the children of God-Harijan. Therefore, Gandhi refused to be swayed by any specific religious codes. Belief in the Hindu scriptures did not require him, wrote Gandhi, to accept every word and every verse as divinely inspired. "I decline to be bound by any interpretation, however learned it may be, if it is repugnant to reason or moral sense".<sup>25</sup>

If human beings do not follow the beaten track set by particular religious interpretations, if they rather concentrate on finding out what is the right path, and if they focus on fearlessly following this path when they embark upon their quest for truth, it follows that it is ethics that is more valuable than formalised codes of religion in helping us realise our objective. Despite his religiosity, Gandhi believed that it was not particularly important that we should be religious in order to discern the truth. For him, God is but a manifestation of the profound inner ethics that morally stimulates persons, even if they are not religious. It is one's duty to obey the laws of ethics whether or not one is religious wrote Gandhi,<sup>26</sup> distinguishing between a moral and spiritual life on the one hand, and a religious one, on the other.<sup>27</sup> Therefore in his

later life, Gandhi could easily replace his proposition that "God is Truth" with the reverse formulation: "Truth is God".<sup>28</sup> In his own words: 'I used to say that "God is Truth". But some men deny God. So now I say "Truth is God"...It has taken me fifty years of persevering meditation to prefer this way of putting it to the others.<sup>29</sup> The status of truth is incontrovertible, but for some people the status of God might not be so. Therefore, it is truth that forms the referral of dialogue, not religion per se.

In sum, even if persons cannot know what the ultimate truth is, they have access to cultural resources as well as their own moral judgment to figure out what is true. Correspondingly, all individuals, irrespective of the religion they belong to, or even if they do not belong to a religion and follow the path of atheism, are capable of overcoming their self-interest and approaching the truth through their moral projects. For this very reason persons should take their moral projects seriously, even if they know that the fulfilment of these projects remains elusive. Gandhi would deny that the inability to know the entire truth leads to moral relativism. All that he expects people to do is to judge and reach moral conclusions about the world they encounter.<sup>30</sup>

The proposition that human beings can but partially grasp the nature of the ultimate truth, and all that they can do is to pursue the Holy Grail with steadfast commitment yields the following political postulates. Firstly, the nature of Gandhi's truth enjoins all moral beings to seek to discover the truth along with others, in and through dialogical interaction. Dialogue is inbuilt into the philosophy of *satyagraha*, for *satyagraha* means nothing less than a shared search for the truth.

The second political postulate generated by the philosophy of *satyagraha* is that of toleration. The moment persons realise that not just their religion, but all religions yield principles of morality, they also realise that all religions are equally valid. Truth can be found in great religions because each of these religions shares the same moral core: respecting the dignity of persons, and understanding the best life as one that moves beyond hatred or necessity and aims at non-violence and morality. The rules of morality laid down in the world's greatest religions' writes Gandhi, "are largely the same...if morality is destroyed, religion which is built on it comes crashing down".<sup>31</sup> It follows that all the principal religions are equally valid and deserving of respect.<sup>32</sup> This particular recognition was to define the proposition of '*sarva dharma sambhava*' or the equality of all religions, which was the unique Gandhian contribution to the concept of secularism in India.

The argument for toleration is deceptively simple. If persons have the moral capacity to know the truth, but not the entire truth, then no one person or group can claim superiority over another on the ground that their truth is the ultimate truth, and that other truths are false or travesties of the real thing. On the contrary we should realise that just as our truth is dear to us, others truths are bound to be dear to them. There is, therefore, neither any point in comparing religions or in grading them. "If we had attained the full vision of the Truth" he was to write, "we would no longer be mere seekers, but become one with God, for Truth is God. But being only seekers, we prosecute our quest and are conscious of our imperfection. And if we are imperfect



ourselves, religion as conceived by us must also be imperfect... [and] is subject to a process of evolution and reinterpretation... And if all faiths outlined by men are imperfect, the question of comparative merit does not arise".<sup>33</sup>

This realisation leads slowly but surely towards respect for plurality of beliefs and *toleration*. In sum, Gandhi's theory of toleration is anchored in his theory of knowledge. It is of some interest to note that Gandhi's theory of knowledge provides the conceptual basis for his theory of toleration, exactly in the same way as John Locke's theory of knowledge inexorably leads to his theory of toleration. The parallel is not surprising when we recollect that Gandhi's theory of knowledge was fashioned exactly in the same context as the one in which John Locke wrote his famous essay on toleration: that of immense religious strife. Parekh suggests that Gandhi's notion of non-violence is conceptually located in a "novel epistemological argument" that violence rests on false epistemological foundations.<sup>34</sup> But before Gandhi, Locke had arrived at exactly the same conclusion, through different modes of reasoning. We do not know whether Gandhi read Locke's essay on toleration, though he was perfectly familiar with all variants of western thought: liberal, romantic, anarchic, and anti-modern, but there are certainly strong overlaps between the two theories, perhaps because the political contexts of these theories were similar.

Notably, many of the enduring and authoritative arguments for toleration in 17th century Europe arose in the middle of religious strife, the adoption of one religion by states as the state religion, suppression of minority religious groups, and forcible conversions. Conflict over religion engulfed most of the continent in rampant civil war, posed a direct threat to social cohesion and political stability, and embroiled the people in "mutually assured destruction" to take a phrase from the anti-nuclear movement. Considering that Locke outlined his theory against the background of frenzied religious clashes, theorists wonder whether his argument, reflecting as it did the ideas of his patron Earl of Shaftesbury, was not a pragmatic political response to an obdurate problem, rather than a consistent moral and principled stand. The wider question that comes up in this context is the following: do we tolerate other beliefs merely to avoid conflict and negotiate threatening political impasse's, or do we practise toleration because it is a good in its own right, irrespective of the context.

Locke's celebrated 'Letter Concerning Toleration' written in 1667, and his *Epistola de Tolerantia*, written in 1689,<sup>35</sup> satisfied both these requirements. Whereas the essay grappled with the very real problem that confronted English society in that period, his position was developed on the basis of a specific theory of knowledge. Therefore, although Locke could argue that the origins of discontent could be traced to merger of the state and the church, official disregard of other religions, and persecution of minorities, he also theorised why people had to be tolerant of other religions. All four drafts of the essay declared that all men had a right to their beliefs, or that all "speculative opinions and divine worship" had a "clear title to universal toleration", an "absolute and universal right to toleration", and a perfect and "uncontrollable liberty", because of the very nature of knowledge.

There is a vital difference, suggested Locke, between knowledge that flows from the comprehensions of propositions that relate to the experiential and the concrete, and knowledge based upon faith. The former genre of knowledge is verifiable; the latter is not since it emanates from revelation. Each human being has to, through certain justificatory procedures which involve reasoning, personal convictions, conscience and relevance, validate his or her faith. For this reason, *no one* other than the person concerned, can ever understand why people believe the way they do. And if persons have determined their own faith because they have tested it against their own understanding and reason, they must allow others to so decide their own faith. There is no Archimedean point from which we can referee another's faith and find it wanting, because faith is purely subjective, and subject to only internal reasoning of the believer. Locke's theory of knowledge moves therefore in the direction of toleration.<sup>36</sup>

Gandhi's theory of toleration and proscription of violence is based on roughly the same context: violence between religious communities that had become the norm during the second decade of the 20th century. Gandhi wished to negate this violence for three reasons: of which one reason was pragmatic, and the other two embedded in his philosophy. One, conflict between religious communities made the task of forging a mass movement impossible; a way out of this pointless violence had to be found. This he found in the precept of equality of all religions. Secondly, the employment of violence in the pursuit of goals dictated by "this" or "that" religion went against his felt conviction that no religion can ever provide a reason for, or legitimate violence. Thirdly, toleration is inbuilt into Gandhi's philosophy of satyagraha in general, and the nature of knowledge in particular.

But notably toleration in Gandhian theory is not passive; it does not amount to the proposition that you remain content with your version of the truth, and I remain content with mine. In this sense Gandhi goes further than Locke, simply because he decrees that uncertainty about knowledge of truth should propel a shared search for the truth. And it is precisely this shared quest that establishes connections in and through processes of dialogue, and through action. The final expression of Gandhi's truth is not knowledge for the sake of knowledge, but knowledge for the sake of moral action.

Satyagraha can therefore be conceptualised as a form of political dialogue in which agents seek to discover truth in and through processes of political engagement with other moral persons. It is difficult to know whose version of the truth is more valid, but it is certainly easier to know which version is more untrue than

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others. This can only be realised in and through dialogue, through giving of reasons which have been morally arrived at for our considered convictions, a willingness to accept other belief systems as valid, and an equal willingness to move forward with others in the search for truth. This is possible only when participants recognise that it is not their reputation as persons of integrity, or as possessors of truth, which is at stake. At stake is the conception of truth itself. Therefore even though we enter the discursive arena of politics with considered convictions, and acquire thereby a certain moral standing, and proceed to engage with others on the nature of these convictions and on the nature of other such convictions, we do so in full comprehension of the limits of our own knowledge. To claim a comprehensive knowledge of the truth is to enforce and apply a truth that no fragment can bestow.

Thirdly if the acceptance that our convictions cannot be completely true, introduces moral restraint on our conduct with others, teaches us the virtue of toleration, and of the need to be receptive to others' notions of the truth, this also instils in us non-violence. For, unthinking and uncritical acceptance of certain norms as being absolutely true, the belief that we are completely right and our opponent is completely wrong, and construction of the "other" with whom one can share nothing, lead to violence. But when we begin to reflect on the moral status of the norms that we espouse with such political passion in the public sphere, we realise that these norms are but partial realisations of the truth. The search for truth along with others, in concert with others, not only leads to political engagement but also results in the transformation of the self, and transformation of other agents.

#### 4 Conclusions

If I have identified the problem in and for plural societies correctly; that the very prospect of dialogue in such societies tends to dissolve in a haze of suspicion, and mistrust of each other, then Gandhi's theory of satyagraha might provide a way out of this political impasse for three reasons. One, attention to the preconditions of dialogue contributes much to the establishment of moral standing of participants. Secondly, knowledge that our grasp over the truth is but partial, inculcates self-restraint on the one hand, and provides a powerful imperative to embark on a shared search for the truth, on the other. Thirdly, commitment to non-violence dissipates feelings of alienation and otherness, and makes persons more receptive to other opinions. All three components of satyagraha encourage a spirit of dialogue. And as anyone who is familiar with the dynamics of plural and divided societies knows, getting people to speak to others, and persuading them that a readiness to compromise does not negate their moral standing, is an achievement in itself.

Gandhi has a lot to teach us when it comes to compromise, for compromise is not the opposite of truth: "all my life...the very insistence on truth has taught me to appreciate the beauty of compromise. I saw in later life that this spirit was an essential part of satyagraha".<sup>37</sup> It is this spirit of compromise, borne through attention to the ideas of others, which allows us to reach understanding on shared norms, which we consider to be morally

binding, even if our own understanding on these norms is modified somewhat in the process. To give an example of this form of negotiation: whereas Gandhi subscribed to the concept of equality of religions as the main pillar of secularism, for India's tallest leader and first prime minister, Jawaharlal Nehru, religion was anathema. Nehru, a modernist to the core, was initially committed to the idea that secularism involves the separation of the state and religion. In fact, public debate on the issue in India has been polarised between those who subscribe to the Nehruvian meaning of secularism, and those who subscribe to the meaning that Gandhi gave to the concept.

But over time Jawaharlal Nehru's understanding of secularism came much closer to the Gandhian notion of *sarva dharma sambhava*. Secularism, he stated on one occasion, did not mean "a state where religion as such is discouraged. It means freedom of religion and conscience, including freedom for those who may have no religion".<sup>38</sup> Secondly, for Nehru the word secular was not opposed to religion. "It is perhaps not very easy even to find a good word for 'secular'. Some people think that it means something opposed to religion. That obviously is not correct. What it means is that it is a state which honours all faiths equally and gives them equal opportunities; that, as a state, it does not allow itself to be attached to one faith or religion, which then becomes the state religion".<sup>39</sup> In effect, one more dimension has been added to the generic concept of secularism that the state shall not adopt a religion: not only the freedom of faith, but the equal treatment of all faiths.<sup>40</sup> It is this precise understanding that has been reiterated by the Supreme Court, which during the *Bommai* case in 1994, isolated the dominant theme in these arguments as "equal treatment of religions, often referred to in Indian tradition as *sarva dharma sambhava*".<sup>41</sup>

Yet, the one urgent task that continues to confront secularists in India is that of initiating a dialogue with the religious right, and convincing these sections that secularism is an integral component of justice in a multi-religious society. This is the challenge for theories of dialogue and the philosophy of satyagraha.

One troublesome question remains, if in divided societies, the pursuit of separatist agendas proves more profitable than the forging of a common dialogical space, or a shared search for truth and justice, why should agents opt for the latter rather than the former? Think of leaders of secessionist movements in much of south Asia, who would rather concentrate on what divides the community they seek to represent from others, than on what this community has in common with others. Whereas there are no easy answers to this question, I think that Gandhi gives us one such answer. It is the satyagrahi who has to take up the responsibility of creating and recreating a dialogical space, even if he or she has to undergo "suffering" in the pursuance of this objective. In that sense the satyagrahi is, as Bilgrami suggests in a different context, a "moral exemplar". "That is the role of the satyagrahi. To lead exemplary lives, to set examples to everyone by their actions."<sup>42</sup> The burden of establishing the preconditions, the production and the reproduction of the dialogical process rests somewhat disproportionately on the shoulders of moral giants. But perhaps this has always been the case in societies across the world.

## NOTES

- 1 It was only in 1976 that the term secularism was inserted into the Preamble, though secularism has been considered, since the 1950s, to be a core value of the Constitution.
- 2 In Gujarat members of the Hindu right violated not only secularism, but also fundamental rights granted by the Constitution.
- 3 The reasons why the minorities could retain their personal laws are complex, but in the main they had to do with the felt need to reassure minority groups that their identities were not under threat in post-independence and post-Partition India. Therefore, whereas Hindu personal law was reformed, the government did not touch the personal laws of the Muslim and the Christian minorities. Yet, despite the reform of the Hindu law, caste bodies continue to mete out punishment to both women and men if they transgress certain taboos, such as marriage outside the caste or within the clan.
- 4 Ultimately the central government bowed before the uproar. In February 1986, the government introduced a bill in Parliament which sought to exempt Muslim women from the protection provided by Section 125 of the CPC. The Muslim Women (Protection of Rights on Divorce) Bill in essence abrogated the limited right to maintenance under section 125, because it stipulated that the husband at the time of divorce should pay the amount of the mehr/dower, the properties given to his former wife by her relatives, friends, husband, and his relatives, make a one-time fair and reasonable provision for her as provided for in the Koran, and provide two years maintenance for her children as well as three months payment. The woman could ask a magistrate to direct her husband to give her these properties. In case the woman could not maintain herself, the magistrate could order her relatives to maintain her if they were to inherit her property. Alternately the state wakf board would support her. If the woman and her husband so decided they could opt to be governed by section 125-128 of CPC. That is if the man consented, the exemption from article 125 could be overruled. The Bill was passed in the Lok Sabha on May 6 and in the Rajya Sabha on May 8, 1986.
- 5 Arguably the dalits are economically marginalised because they are socially discriminated. Victimised by inhuman laws of pollution and purity, the dalits were not able to access either education or professional skills, and were condemned to performing menial tasks.
- 6 The confrontation has become even more hostile as the government has extended affirmative action to the other backward castes. The dalits or the SCs have been granted 15 per cent reservation in government and government aided educational institutions and public jobs, 7.5 per cent of seats and jobs are reserved for the STs. In 1990 the central government extended reservations to the tune of 27 per cent in the civil services to the socially and educationally backward classes/castes. In 2006 the same percentage of reservation in educational institutions has been extended to the backward classes. This measure has led to ugly altercations, and the case of reservations in educational institutions has currently been taken to the Supreme Court.
- 7 Joshua Cohen, 1997, 'Deliberation and Democratic Legitimacy' in Robert E Goodin and Philip Pettit edited *Contemporary Political Philosophy: An Anthology*, Oxford, Blackwell, 143-55, 145.
- 8 M K Gandhi, 1966, 'Satyagraha, Civil Disobedience, Passive Resistance, Non-Cooperation' in *The Collected Works of Mahatma Gandhi*, New Delhi, Government of India, Publications Division, Vol XIX, 465-67, 466. The collected works are henceforth referred to as CWMG. Gandhi's doctrine of Satyagraha was derived from many sources; from the 'Sermon of the Mount' as much as from the sacred text the Bhagavad Gita, from Tolstoy as much as from Thoreau, whose works on civil disobedience he had become familiar with when he launched the civil disobedience campaign in South Africa.
- 9 For Gandhi, passive resistance avoids violence but it does not exclude the use of violence; it is therefore a weapon of the weak. Civil disobedience is a civil breach of unmoral statutory enactments, but Thoreau who coined the phrase was perhaps not an out and out champion of non-violence, *ibid*.
- 10 *Ibid*.
- 11 Gandhian philosophy forms part of a general concept of karmakand or that the search for truth is an inescapable feature of action. Knowledge – howsoever provisional this knowledge may be – of what the agent is required to do, is the philosophy that bequeathed by the Bhagvad Gita enjoins action. This philosophy overlaps with, and yet is quite distinct from the philosophy of 'gyanakand' or the attainment of knowledge, and 'bhaktikand' or knowledge through worship. Gandhi's satyagrahi is a 'karmayogi' who acts selflessly for the sake of truth. I wish to express my gratitude to Rajesh Kumar for having pointed this out to me.
- 12 In the Hindu and the Buddhist spiritual tradition, the search for truth involves deep reflection; therefore, all factors which may conceivably distract the agent from the pursuit of truth have to be laid aside.
- 13 Lloyd I Rudolph and Susanne Hoeber Rudolph, 2006, 'The Coffee House and the Ashram Revisited: How Gandhi Democratised Habermas's Public Space' in *Postmodern Gandhi and Other Essays*, edited Lloyd I Rudolph and Susanne Hoeber Rudolph, New Delhi, Oxford University Press, 140-76, 153.
- 14 M K Gandhi, 1966, 'Satyagraha, Civil Disobedience, Passive Resistance, Non-Cooperation' in CWMG, Vol XIX, 465-467, 66.
- 15 M K Gandhi, 1976, 'A Discussion with Maurice Frydman' in CWMG, Vol LXIII, 240-241, 240.
- 16 From the point of view of new rhetoric the self is essentially symbol exchanging, because it can never be forged in abstraction from other selves which go into the making of "myself".
- 17 Vineet Hakkar, 2001, *Rights, Communities and Disobedience: Liberalism and Gandhi*, New Delhi, Oxford University Press, 112.
- 18 M K Gandhi, 1991, 'The Vow of Truth' in Raghavan Iyer edited *The Essential Writings of Mahatma Gandhi*, New Delhi, Oxford University Press, 223-26, 223-24.
- 19 J N Mohanty, 1993, *Essays on Indian Philosophy Traditional and Modern*, edited by Purshottam Bilimoria, New Delhi, Oxford University Press, 189, emphasis added.
- 20 M K Gandhi, 1969, 'Letter to Mrs R Armstrong and Mrs P R Howard' in CWMG, 111.
- 21 M K Gandhi, 1976, 'A Discussion with Maurice Frydman' in CWMG, Vol LXIII, 240-41, 24.
- 22 *Ibid*, 225.
- 23 Bhikhu Parekh, 1999, *Colonialism, Tradition, and Reform: An Analysis of Gandhi's Political Discourse*, New Delhi, Sage Publications, chapter 1.
- 24 M K Gandhi, 1967, 'God and Congress' in CWMG, Vol XXVI, 222-25, 224-25.
- 25 M K Gandhi, 1966, 'Hinduism' in CWMG, Vol XXI, 245-50, 46.
- 26 M K Gandhi, 1986, 'Ethical Religions' in Raghavan Iyer edited *The Moral and Political Writings of Mahatma Gandhi*, Oxford, Clarendon Press, Vol II, 50-69, 51.
- 27 "Let us take two men, one who believes in the existence of God, yet breaks all His Commandments; and another who, through not acknowledging God by name, worships Him through his deeds and obeys His Laws, recognising in the divine laws, their Maker. Which of these two men shall we call a man of religion and morality? Without a moment's thought, one would emphatically reply that the second man alone is to be considered religious and moral." M K Gandhi, 'Ethical Religions' in Raghavan Iyer edited *The Moral and Political Writings of Mahatma Gandhi*, Vol II, 50-69, p 62.
- 28 Iyer suggests that in 1931 Gandhi shifted his emphasis from God to truth as the ultimate object of human worship Raghavan Iyer, 1973, *The Moral and Political Thought of Mahatma Gandhi*, New Delhi, Oxford University Press, 155.
- 29 Cited in David Hardiman, 2003, *Gandhi: In His Times and Ours*, New Delhi, Permanent Black, 51.
- 30 Ronald Terchek, 1973, *Gandhi: Struggling for Autonomy*, New Delhi, Vistaar, 36. Terchek suggests that for Gandhi respecting different approaches to the truth is itself an embodiment of the truth.
- 31 M K Gandhi, 'Ethical Religions' in Raghavan Iyer edited *The Moral and Political Writings of Mahatma Gandhi*, Vol II, 50-69, 62.
- 32 M K Gandhi, 1974, 'Notes: How Do You Pray?' CWMG, Vol LVII, 353-54, 353. Gandhi further validated this position by referring to the unique nature of Hinduism as a religion in which 'there is room for the worship of all the prophets of the world. It is not a missionary religion in the ordinary sense of term. It has absorbed many tribes in its fold but this absorption has been of an evolutionary imperceptible character. Hinduism tells everyone to worship God according to his own faith or Dharma, and so it lives in peace with all the religions'. M K Gandhi, 'Hinduism' in 1966, CWMG, Vol XXI, 245-50.
- 33 M K Gandhi, 1932, *From Yeravada Mandir*, Ahmedabad Navjivan Press, 55.
- 34 Bhikhu Parekh, *Colonialism, Tradition And Reform: An Analysis of Gandhi's Political Discourse*, 173.
- 35 John Locke, 1968, *A Letter on Toleration* (Latin Text, Epistola de Tolerantia), edited by Raymond Klibansky, translated into English by J W Gough, Oxford, Clarendon Press.
- 36 On this, see Neera Chandhoke, 1999, *Beyond Secularism: The Rights of Religious Minorities*, New Delhi, Oxford University Press, 96-101.
- 37 Cited in David Hardiman, 2003, *Gandhi: In His Time And Ours*, New Delhi, Permanent Black, 52.
- 38 Jawaharlal Nehru, 1980, in S Gopal edited *Jawaharlal Nehru: An Anthology*, New Delhi, Oxford University Press, 327.
- 39 *Ibid*, 330.
- 40 See Neera Chandhoke, *Beyond Secularism: The Rights of Religious Minorities*, chapter 1.
- 41 Gary J Jacobsohn, 2003, *The Wheel Of Law: India's Secularism in Comparative Constitutional Context*, Delhi, Oxford University Press, 146-147.
- 42 Akeel Bilgrami, 2006, 'Gandhi's Integrity: The Philosophy behind the Politics' in A Raghuramraju (ed), *Debating Gandhi*, New Delhi, Oxford University Press, 248-68, 257.

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