

On rights, the Congress manifesto scores over the BJP

Author - Ashish Kothari, Published on - 17.4.2019

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The right-based approach requires recognising that in a democracy power lies with the people. But governments have been reluctant to devolve political, financial, legal, and administrative powers to the grassroots institutions. (Hindustan Times)

The 2019 election manifestos of the Bharatiya Janata Party (BJP) and the Congress reveal different approaches to governance. In a way, they reflect the respective records of the two parties when in power. While the United Progressive Alliance (UPA) 1 saw the promulgation or drafting of several rights-based legislations in different sectors — information, employment, education, forest-dwellers, hawkers, and people with disability — in its second term, the Congress lost its way, and, with it, the 2014 elections. The BJP-led government's tenure has seen attempts to dilute rights-based laws. In fact, there has been no new rights-based legislation.

While the 2019 BJP manifesto is less than lukewarm on rights of citizens, the Congress's manifesto is replete with promises to strengthen people's rights. The BJP commits to protect the rights of women and forest dwellers, and the voting rights of citizens. Refreshingly, the party proposes a right to service to ensure time-bound delivery of government services. But this is where its vision of rights ends. The phrase "human rights" is missing altogether. There is nothing on protecting democratic freedoms, especially against the impunity with which many corporations and various arms of the State use their power to harass, intimidate, arrest, and kill citizens who have dared to dissent or mobilise for their rights. This is unsurprising for a party that has systematically targeted dissenters and done little to quell crimes by the right wing against religious minorities, Dalits, academics and others.

The Congress's promises on rights extend to forest dwellers, women, persons with disability, the LGBTQIA+ community (the BJP has only charity measures for transgenders), students, children, women farmers, prisoners, religious and language minorities. It also commits to ensure citizens' rights to water and digital access. The BJP is silent on such measures. It only has some welfare measures, consistent with its patron-client approach to governance. Unfortunately, both parties ignore the rights of fishers, and pastoralists, including the nomadic communities.



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In sharp contrast to the BJP, the Congress commits to repeal or amend anti-democratic laws, and ensure that police and armed forces do not violate democratic freedoms. Its boldest promise is to repeal the colonial-era sedition law. This promise has been criticised by the BJP on the grounds that it is an open pardon for terrorists.

But the mere mention of rights could end up being a formality, especially if people are not empowered to defend their rights. This is also true of a welfare approach. But there are crucial ethical and practical differences between the approaches. A rights-based approach acknowledges every person's human rights, the State's duty to uphold these, and the right of citizens to hold it accountable. A welfare approach makes the citizen dependent on the goodwill of whoever is in power. This is the reason why people's movements across the world have focused on securing rights, nationally and globally through the United Nations.

The rights-based approach requires recognising that, in a democracy, power lies with the people. But governments have been reluctant to devolve political, financial, legal, and administrative powers to the grassroots institutions. The BJP's manifesto shows no inclination towards this. Its version of "gram swaraj",

despite citing it as “one of the pillars of Mahatma Gandhi’s vision of India”, is restricted to charity offerings such as piped drinking water, housing and roads. The Congress is clearer since it “promises to enhance the role and authority of the gram sabhas in matters concerning the villages and panchayats” and in relation to several laws.

Both parties, however, remain myopic on one crucial issue. Political democratic rights are severely hobbled if people do not also control the economy. India’s model of development, with its blind adherence to GDP growth, the growing stranglehold of mega corporations, the tendency to treat people as exploitable labour and the environment as raw material, violate fundamental rights by displacing communities and grabbing their resources.

India needs to shift towards an alternative approach to well being, with people’s basic needs and the environment as its starting points. Such steps would democratise the economy, promote healthy living rather than insane consumerism, and respect the rights of nature too. Sadly, no political party manifesto in the last few decades has moved towards this.

Ashish Kothari is with Kalpavriksh, Pune

First published by [Hindustan Times](#) on 17 Apr. 2019