

Religions, Common Good and Political Justice

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Recently one of my doctoral students, Xavier Arul Raj, took public viva voce examination at the University of Madras, for his thesis entitled, "*An Inquiry into the Interplay of Human Dignity and Common Good in the Understanding of Social Justice. An Interpretative Reading of Select Apex Court Judgments and Catholic Social Teachings from the Perspective of Social Justice*". When the time came for the public to raise questions, one of them stood up and made a provocative statement. He said that the Indian judiciary far from being an instrument of justice has committed many an injustice. He cited the case of denial of equal rights to Dalit Christians, the absence of the voice of judiciary when Orissa and Gujarat were burning and Christians were violently attacked, and when Babri Masjid was pulled down. But the candidate's response is food for thought. He said, but for the judiciary, India would have been now in the abyss of injustice. It is the judiciary, he said, which ruled that the Dalits be allowed to enter the temple; it is the judiciary that has been protective of the minorities defending in season and out of season their constitutional rights; it is the same judiciary which is protecting today the environment against exploitative business interests. That offers me the starting point for this essay.

Common Good Eclipsed by Tradition

The traditional Indian society is based on the system of caste, and justice is not anything absolute but relative to the caste to which one belongs.

The nature and degree of punishment for wrongdoing, for example, depended on one's position in the caste hierarchy. The idea of *kuladharmā* dominated the human conduct and inter-human relationships.¹ The moral universe was one coloured by the caste-identity. Around this idea emerged a set of values which was by no means universal but related to one's caste and clan. There is, of course, the discourse about *lokhasangraha* – the welfare of the world; but then this welfare is supposed to result from each caste or group doing its own *dharma*. Such being the case, where is the room to speak about common good?

There is a conflict between the traditional parameters of morality and the vision and goals of public good framed by the Constitution. Similarly there is a contradiction between the notion of modern citizenship espoused by the Constitution and the personal laws in terms of religion, with their implication for morality. The Constitution provides for the attainment of common good through the cooperation of all citizens, across boundaries. The struggle India is going through is to rise up to the common good and public morality envisaged in the Constitution, pulled as it is constantly by the force of tradition which has become the culture of everyday life. Think of the young girl Roop Kanwar who was forced to the funeral pyre of her husband on September 4, 1987. When the Rajasthan state brought out a new ordinance provoked by this horrific incident, there was strong reaction from the Rajput community saying that it was an unwarranted interference of the state in their time-honoured tradition.² If a high caste girl elopes with

¹ Cf. Marc Galanter, *Law and Society in Modern India*, Oxford University Press, New Delhi, 1992; see also Roderick Hindery, *Comparative Ethics: in Hindu and Buddhist Traditions*, Motilal Banarsidass Publishers Pvt. Ltd., Delhi, 1978; see also A. Gopalan, *Hindu Social Philosophy*, John Wiley & Sons Asia Pvt. Ltd, Singapore, 1979. "Closely connected with this concept of dharma is the observance of caste rules for it is only within the caste framework that the obligations of dharma may be best observed" Benjamin Walker, *Hindu World*, vol. I, Munshiram Manoharlal Publishers, Delhi, 1983, p. 275.

² Cf. Gerald James Larson (ed.), *Religion and Personal Law in Secular India*, Indiana University Press, Indianapolis, 2001; see also Lata Mani, *Contentious Traditions. The Debate on Sati in Colonial India*, University of California Press, Berkeley, 1998.

a Dalit boy, many caste men of the girl do not hesitate to kill the boy and the girl without any qualm of conscience, because such an act, in their view, is a blatant affront to their caste and tradition. These men who perpetrate such crimes are not moral monsters or people with criminal records. They are ordinary men who live their lives as fathers, uncles, husbands and brothers. Yet, the hold of tradition on their conscience is so strong that they are not able to view any higher ideals of human rights and dignity beyond the welfare of their tradition and its preservation.

Common Good Submerged under Private Interest

The political sphere that is supposed to contribute to the welfare of the society with common good as its goal presents a dismal picture. Most political parties do not have any thing ideological dividing them. All we have are bunches of vested interests that rally around one or other personality to draw maximum power and benefits by this association. Along with caste, *family* is another core value that inhibits the pursuit of common good or practice of public morality.³ If people have the common good as the ideal and feel bad if they fall short of it tempted by their self-interest, it may be forgiven. But the sad fact is that accumulation of wealth through fraudulent means for the good of the family or for one's caste or clan does not appear in the consciousness of most of our countrymen and women as something wrong, as illustrated by the many scams and corruption scandals just now plaguing the country. When there is a clash between common good and private interests, it is almost invariably the private interest that takes priority over the public good. It is not uncommon in our country to see people destroying common resources to promote private interests as best illustrated by the environmental damage caused in order to favour private gain.

³ Cf. Pavan K Varma, *The Great Indian Middle Class*, Penguin Group, New York, 2007; cf. also Sudhir Kakar, *The Indians: Portrait of a People*, Penguin Books, New Delhi, 2007.

Religions and the Common Good

Construction of common good is a collective enterprise. All citizens and various groups and identities in the society need to participate and involve themselves in visualizing and implementing the common good.⁴ Given the general propensity to fall back on one's caste, clan and family identity, the country needs the cooperation of all forces, including religious ones, and joint efforts so that the good of all is served without any exclusion.

This way of looking at the role of religion in regard to public life is to see it from the perspective of political justice. Political justice presupposes that in a pluralistic society, people are viewed not simply as individuals but as forming part of various identities. Political justice becomes effective to the extent there is equitable participation of all the groups in a polity for the construction of common good and for the achievement of the same.⁵ It also presupposes that each group is respectful of the other and does not attempt to dominate or overpower the other for such reasons as being majority or for any other motive. Social justice is possible only on condition that there is political justice, namely equitable participation of all groups in the life of the society. This collective effort towards the welfare of all means also the readiness to challenge one's religious, caste traditions and customs.

The claim of political justice needs to go hand in hand with the objective of social justice. It is in this context a critical reflection is needed on the potential of religion to contribute to public good and social justice. Similar to

⁴ On the concept of common good, see David Hollenbach, *The Common Good & Christian Ethics*, Cambridge University Press, Cambridge, 2002; ID., *The Global Face of Public Faith-Politics, Human Rights, and Christian Ethics*, Georgetown University Press, Washington, D.C, 2003.

⁵ Cf. Eberle J. Christopher, *Religious Conviction in Liberal Politics*, Cambridge University Press, Cambridge, 2002; Hanson O. Eric, *Religion and Politics in the International System Today*, Cambridge University Press, New York, 2006; Roger Griffin, Robert Mallett and John Tortorice (eds.) *The Sacred in Twentieth – Century Politics*, Palgrave Macmillan, Hampshire, 2008.

the caste and family identity which promotes private interests, each religion in concrete praxis of everyday life tries to promote the interest of its group of believers, its institutions, etc. Here is at work so to say a collective egoism based on a narrow perception of self-identity. Hence there is a legitimate question about the potential religions have for common good.

For the religions to be able to become partakers in the promotion of the public interest, there is a need to rethink the politics of identity.⁶ The assertion of religious identities as a means for power, privileges and other gains has become suspect in the communal atmosphere in the country.⁷ Religions could play a significant role today if they overcome the temptation of defining themselves almost exclusively in terms of their specific identity and its implications.

As regards the method of promoting common good, religious traditions tend to employ primarily preaching, persuasion and doctrine. These have still certain validity. For, human fallibility requires constant reminders of noble truths and ideals. But the effectiveness of such means as preaching and doctrine is becoming ever less. And this calls for rethinking of the role of religion, beyond its teaching function of moral ideals to a “performative” function.⁸ That takes us to the consideration of another point – the issue of mediation.

⁶ Cf. Amartya Sen, *Identity and Violence*, W. W. Norton & Company, New York, 2006; Kenny Michael, *The Politics of Identity*, Polity Press, Cambridge, 2004; D.L. Sheth and Gurpreet Mahajan (eds.), *Minority Identities and the Nation-State*, Oxford University Press, New Delhi, 1992.

⁷ Cf. Bipan Chandra, *Communalism in Modern India*, HAR-NAND Publications Pvt.Ltd, New Delhi, 1984; K.N. Panikkar (ed.), *The Concerned Indian's Guide to Communalism*, Penguin Books India, New Delhi, 1999; Rafiq Zakaria, *Communal Rage in Secular India*, Popular Prakashan Pvt.Ltd, Mumbai, 2002; Gyanendra Pandey, *The Construction of Communalism in Colonial North India*, Oxford University Press, New Delhi, 1990; Steven I. Wilkinson (ed.) *Critical issues in Indian. Politics - Religious Politics and Communal Violence*, Oxford University Press, New Delhi, 2005.

⁸ Cf. Peter Beyer, *Religion and Globalisation*, Sage Publication, London, 1994.

Mediating the Common Good

There is no dearth of ideals in the religious scriptures and traditions. How could these ideals be mediated in the polity? Here we face another set of problems. If each religion were to intervene in the public realm on the basis of its conception of what is common good, there is bound to be serious conflicts. There is also the danger of one particular religious group imposing its vision of the common good on the rest of the society.⁹ That is precisely what the Hindutva is trying to do.¹⁰ Hindutva has also a vision of what is common good. Here the common good is identified with the good of the majority. No democracy or civilized society could function on the basis of a vision in which the common good overlaps with the good of the majority. I adduced Hindutva as an example. Similar views and doctrines on the part of religious groups could result in the coercion of other groups and communities to one's own vision of common good.

Wall of Separation?

In the face of this situation, the simplest way, one may imagine, is to keep religions out of the political and democratic process. Citizens are expected to participate in the political field, leaving aside their religious identity and those ideas and doctrines promoting a particular understanding of common good. The dominant conception of secularism would go precisely along these lines. It is supposed to be a wall of protection from the encroachment of religion into the public realm; hence the tendency to turn religion into a private matter. This approach, however, has many shortcomings. First of all, the potential religion has for common good as embedded in the lives of the

⁹ This is what led liberal thinkers like John Rawls to rule out any role of religion in public life, though his position was somewhat modified at a later stage of his life. See John Rawls, *Political Liberalism*, Columbia University Press, New York, 2005; see also Samuel Freeman (ed.), *The Cambridge Companion to Rawls*, Cambridge University Press, New York, 2003.

¹⁰ Cf. Christophe Jaffrelot, *The Hindu Nationalist Movement in India*, Penguin Books India, New Delhi, 1996.

believers is prevented from playing a possible constructive role and make its contribution. Second, the distinction between private and public as assumed in this position has become highly questionable. As feminist studies have incisively shown and argued, the line separating the private and the public is scarcely visible and many areas considered once private have become public issues. Added to this is the fact that there is a strong cultural determinant: What is private in a culture may not be so in another culture, and vice versa. In India we have a different tradition of private and public.¹¹ Third, even if one keeps religion at arm's length from the public realm of governance as a matter of policy, however, given the political atmosphere in which they find themselves, in practice, they intervene openly or surreptitiously causing great damage to the common good of the society. Further, in a pluralist society with wide ranging religious and ideological differences, the state has the obligation to protect the convictions of the various groups.¹² But the state cannot leave the convictions and beliefs at that point: Room needs to be created, so that these come into the open, especially when it touches upon issues of common good, equity and social justice. For a pluralistic society to move on the rails of peace and harmony, there should be a shared understanding of justice. One's religious or ideological convictions influence significantly the perception and practice of justice.

Such being the state of affairs we need to look for ways in which the competing religious traditions meet and dialogue with each other. This is a different kind of dialogue than the one in which the believers share their

¹¹ Cf. Madan T.N., *Images of the World - Essays on Religion, Secularism and Culture*, Oxford University Press, New Delhi, 2006.

¹² On the global situation of this relationship, see Jonathan Fox, *A World Survey of Religion and the State*, Cambridge University Press, New York, 2008; James D. Tracy, Marguerite Ragnow (eds.), *Religion and the Early Modern State - Views from China, Russia, and the West*, Cambridge University Press, New York, 2004; Goldsterin Natalie, *Global Issues- Religion and the State*, Facts on File, Inc., New York, 2010; as for India, see Steven I. Wilkinson (ed.) *Critical issues in Indian. Politics, Religious Politics and Communal Violence*, Oxford University Press, New Delhi, 2005.

religious and spiritual experiences with each other and create harmony of religions. We are here rather in a political process, and the encounter in the public realm of religions has a political nature.¹³ It is healthier for a democracy to allow the citizens belonging to different religious traditions and world-views to exchange among themselves their differing understanding of common good. Such a dialogue and exchange is not negatively meant, namely to prevent the damage religions could cause, but intended more positively to crystallize the various perceptions around the core of common good and facilitate its implementation. In this way, the common good gets defined concretely and in relation to particular contexts which also enables its realization in practice.

Moreover, since people need to transcend their self-interests and those of their groups – caste, class, religion, etc. – the encounter and exchange could help strengthen the motivation of believers for involvement in promoting the common good. All this goes far beyond a mere tolerance of views of others, which has no implications of mutuality in the construction of the common good.¹⁴ This could come about only through dialogue, exchange and encounter.

All Roads lead to the Human and the Secular

This kind of political encounter of religions for the cause of common good could lead to a deeper understanding of it. It will lead also to a better understanding of social equity and respect for the freedom of one and all. In this way, the secular goals envisaged in the Constitution will become the result of a genuine dialogue and exchange among religious traditions. The problem we are facing in the country is that we project the secular as the ideal, and expect that all religions rally around this principle, which is a top-

¹³ Cf. Felix Wilfred, "Inter-religious Dialogue as a Political question", in *Vidyajyoti Journal of Theological Reflection* vol. 60 (1996), pp. 361-374.

¹⁴ Cf. Felix Wilfred, *Asian Public Theology*, ISPCK, Delhi, 2010.

down approach, and, obviously, it encounters resistance. Moreover, it unleashes endless controversy and debate over the *idea* of the secular and its acceptability.¹⁵ Today it has become the eye of a political storm. When arrived at through dialogue and encounter among religious traditions, the secular assumes concreteness and attains its purpose. It creates the *reality* of freedom from any coercion by any one religious belief or ideology, and an environment for joint promotion of human dignity and rights, and for the practice of social equity. This may not be the case when we begin the discussions starting from the idea of the secular.

Strengthening the Democratic Process

The goal of common good can be achieved only through a democratic process. And this requires continuous dialogue, encounter, exchange and bringing into the process all segments of the society. Seen in this perspective, the dialogue of religions for common good is an integral part of the democratic process. Especially, since religions through the vision and ideals they project and the doctrines they profess influence profoundly the consciousness of believers and their vision of the common good, it is important that a shared understanding is created on its nature and its practical realization.¹⁶

The practice of democracy involves respect for the rights of others as well as defense of one's own. It cannot function when it is converted into a field where one constantly avails its means and institutions to secure one's own right. Here is the pitfall of fighting in the name of minority rights. There is more to the democratic functioning of the society. It involves reasonable restrictions on one's own liberty for the common good. Here again, relying simply on reason and its strength may not be the best guarantee. For what is

¹⁵ Cf. Rajeev Bhargava, *Secularism and Its Critics*, Oxford University Press, Delhi, 2005.

¹⁶ Thomas Banchoff (ed.), *Religious Pluralism, Globalization and World Politics*, Oxford University Press, New Delhi, 2008; Jamal Malik Helmut Reiffld (ed.), *Religious Pluralism in South Asia and Europe*, Oxford University Press, Delhi, 2005.

reasonable restriction on one's own liberty, to be taken in proper spirit, there needs to be a sense of renouncing, sacrifice. In other words, the functioning of democracy calls for sacrifice and self-restraint. We, then, realize the importance of religious traditions all of which have highlighted the ideal of sacrifice and renunciation. Given this core in all religions, they could be availed and brought into operation in the political field.

The Way to Political Justice

There is a close connection between social justice and political justice. Social justice deals with equitable distribution of goods and resources in any given society or nation. The practice of social justice to be structurally woven into the mode of thinking, attitude and practice of a society or nation, requires that there be political justice. By this I mean the equitable participation of all segments of the society in governance and in fostering the common good. Political justice is not meted out from above, but comes into being through the agency of all the groups and identities represented in a pluralistic polity. The role of religion concerns also the upholding of political justice. For, no group or identity could be left out because of its convictions, religious beliefs and ideologies. The dialogue and exchange among believers of different religious traditions and ideologies actually contribute to political justice in as much as no exclusion is practiced but the participation of all is envisaged.

Conclusion

The achievement of common good cannot be obviously the goal of any one particular group or institution, but the result of the cooperation of all. We have a Constitution which is rich in its fundamental vision of equality, liberty etc. The Constitution is the work of enlightened minds who framed it. But the problem we face is the *reception* of this Constitution by a society which is divided along caste and class lines. The concrete praxis tells the amount of resistance common good encounters, and it is here we spoke of the role the courts, especially the apex court, has played. But a country and a people cannot be governed by court verdicts. We are in a situation in

which the state which is supposed to promote the interests of all is hijacked by powerful vested interests. People rely on their caste-dharma as supreme morality and are insensitive and indifferent to the very idea of common good. Even more, for them, the common resources are there for the individual or family to appropriate. A Herculean effort is required to pull together all the positive forces to uphold the wellbeing of all.

Religion is one important force. It could play a more constructive role to envision the common good, transform the consciousness of the religious believers and direct them to the pursuit of public cause. The role of religion for the common good needs to be mediated which requires constant dialogue and exchange among the religious traditions. This dialogue will lead to understand better the spirit of the secular, which unfortunately has become an object of controversy. Inter-religious understanding and exchange for the cause of common good is something that will strengthen the democratic process in the country. Here lies the lasting resource for the pursuit of common good. The participation of various religious traditions in public life and common good will also be the realization of political justice in a multi-religious and pluri-cultural society.