

National Seminar on
THE VIABILITY OF THE NATION STATE: ISSUES AND CHALLENGES
(Under Scheduled Caste Sub-Plan Grant from Indian Council of Social Science Research, New Delhi)
November 13-14, 2017

As a nation, we need to have the periodic assessment of the functioning of the nation state. After detailed deliberations, we dedicated ourselves to the Constitution as the foundation of the nation state on the 26th day of November 1949, and made it operational on the 26th day of January 1950. Since then, we have been living *as SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC* which is hitherto unparalleled in the third world countries. The freedom movement against the imperial powers had had impacts on the making of the Constitution as well as its working and evolving as living organism (Granville Austin).

The nation state has gone through several changes over decades. The institutional foundation of the Constitution has not only helped us overcome the predicaments of the past but also held the promises of the future in making India the world's largest democracy. The institutional foundation helped us achieve certain socio-economic goals embodied in the Constitution. *The state has made tremendous progress in being self-reliant in key areas like agriculture, industry, technology, human resources, world politics, and so on.*

It is incumbent upon the stakeholders to make sure that the working of the Constitution takes place in accordance with the spirit and philosophy embodied in the *Preamble to the Constitution*. *However, the governments across party lines remain confined to the procedure established by law rather than the due process.* The mismatch is glaring when it comes to the institutional overreach.

India is a welfare country; it can't have farewell policy as the remedy. The fact we forget that in the making of the Constitution, *we all are the co-authors in the phrase "WE, THE PEOPLE OF INDIA"*. Time has come to take a stock of the working of Constitution and the role of its stake holders. There is no other source except the Preamble from which the Constitution derives its legitimacy. Jefferson arguably accepted the right of each generation to draw up for itself its own constitution, and along with it, its own form of government, whatever form it may take. Moreover, the passage of time will bring changes in society, which a constitution must accommodate if it is to remain suitable for the nation (Jefferson).

Over years, there have been paradigm shifts in unleashing India's socio-economic potentials in globalization and creating opportunities for a viable and versatile nation state.

Democratic decentralization has empowered people with the right to self-determination at every level of governance. The “basic structure” which is immune from amendment (Art. 368) provides additional safeguard to fundamental rights, judicial review, judicial activism, right to privacy, and so on. The expansion of judicial activism and PIL has been a welcome move in upholding the supremacy of the Constitution. *Article 32 and 226 are the bridges between the people and the judiciary. However, the delay and judgment are serious challenges.* When law falls apart and fails to protect its own subjects from being victims, what sense does it make for itself to take its own course so callously to prolong injustice by delaying justice? The jurisprudence of law doesn’t match with the contentions the society has been confronting. In India, judiciary is unitary, but there can be multiple judgments on the same.

The major challenge before the nation state is the growing disparity between the government and the governed, especially the common people. The caste-class discrimination has been the major divide. Nearly fifty percent of Dalit and tribal women are still illiterate. The people living below the poverty line face utter difficulty in accessing to resources. This again questions the practice of welfare state.

Over the years, there has been a growing hegemony of the ruling ideology. The party apparatus serves as the de facto state. The Anti-Defection Law has failed to control the horse trading both in Assembly as well as in Parliament (*Andhra Pradesh; Arunachal Pradesh; Uttarakhand; Suresh Prabhu of Shiva Sena to Present NDA govt.*). The anomalies inherent in the Constitution need to be reconciled for a vibrant nation state.

The neo-liberalism has created opportunities for the lopsided growth, not inclusive development. The model of making wealth constitutes the text and texture of any given society. The next step forward is the making of the social capital towards equitable empowerment.

The making of the Uniform Civil Code may bring justice to certain groups alienated from the mainstream. Let’s create an atmosphere for those groups whose rights and duties are denied. This can make an ideal nation state. Let’s work for it. Let’s dedicate ourselves to the man making and nation building.

The institutional reforms are necessary to make the Constitution relevant to the people at large. Way back in February 2000, the BJP-led National Democratic Alliance set up the *Venkatachaliah Commission* to review the working of the Constitution. *The commission* argued that a constitution, however lofty its exhortations and sentiments are, is not a self-executing

document; it requires the aid of a human agency to implement its provisions. “The political traditions of the people and the spirit of constitutionalism are what make a Constitution work. Its essence is its practice,” the commission said.

OBJECTIVES OF THE SEMINAR

The objectives behind this seminar are as under:

- The seminar will look back and reiterate our pledge made in making the Constitution and to take a stock of the present situation with reference to where we are, the opportunities lost, and the prospects we can make;
- To study politics and policies which subvert the working of the Constitution;
- To assess the viability of the Constitution in view of the fast changing socio-economic conditions and political compulsions.
- To come out with the much needed remedial measures.

SUB-THEMES OF THE SEMINAR

- The institutional reforms like administrative, judicial, etc.;
- Challenges before the Constitution as the foundation of the nation state;
- Neo-Liberalism vs. the constitutional scheme of welfare state
- The pathological growth posing threat to the constitutional scheme;
- The balancing of rights and duties;
- The equitable distribution of social justice;
- The Constitution, government, and the deprived sections;
- Politics, political parties, practice of democracy and the Constitution;
- The way forward—prospective and perspective thoughts.

SIGNIFICANCE OF THE SEMINAR

- The seminar aims at bringing various stakeholders like academicians, subject experts and research scholars to have intense deliberations on the key issues at the panel discussion.
- The seminar will enrich the research scholars who can have direct interactions with the constitutional experts, law makers, social scientists, etc.
- The deliberations will be helpful to policy makers, NGOs, and civil society members to subscribe to a discourse that will regain faith to our system and promote democracy.

OUTCOME OF THE SEMINAR

The seminar proceedings will be published in a book form by a reputed publisher, and it can be used by the scholars, academicians, and policy makers as a source of information. The seminar outcome will also be submitted to the agencies concerned especially —both to the Govt. of India as recommendations for further consideration and subsequent action.

ABOUT CENTRE FOR MULTI-DISCIPLINARY DEVELOPMENT RESEARCH

Centre for Multi-disciplinary Development Research (CMDR) is one of the Indian Council of Social Science Research (ICSSR), Government of India, New Delhi, funded research organisation at Dharwad. The aims and objectives of the Centre is to conduct research on *Dalits, Tribals and other sections of the society*. It also conduct research on *issues of health and education, environmental and tobacco related issues, water resources, regional disparities, etc.* It do conduct capacity building programmes/research methodology courses for research scholars and faculty members in social science.

The Government of Karnataka has instituted two Chair in our institute. They are **Dr. D. M. Nanjundappa chair** to undertake studies on regional imbalances. The govt. has also given financial assistance to establishing **Shri Abdul Nazir Chair** for Panchayat Raj at our institute. CMDR has been one of the pioneering institutes among ICSSR institutes in highlighting the importance of action research in social science. With its focus on studies in regional imbalances, decentralized governance and capacity building programmes CMDR is trying to emerge as an active Think Tank on North Karnataka.

The last date to submit the abstract is 5th October, 2017. Those abstracts/ papers have considered for presentation will be intimated by email on or before 10th October, 2017. The papers that have been accepted for presentation must submit their full papers before 3rd Nov., 2017. All selected paper contributors will be provided with travel assistance according to their eligibility i.e 3A.C & 2A.C. Needless to mention that local hospitality would also be extended to the participants.

Contact Detail:

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