

Working Paper No. 143

**Well-being of institutions: Problematic justice
and the challenge of transformation**

by
Ananta K. Giri

Madras Institute of Development Studies

79, Second Main Road, Gandhi Nagar
Adyar, Chennai 600 020

February 1997

Well-Being of Institutions: Problematic Justice and the Challenge of Transformation

Ananta Kumar Giri

ABSTRACT

At present, there seems to be an animated concern with institutions—their well-being as well as transformation—on the part of both critical theory and critical movements. This concern has manifested itself in different forms and radically different stances in the contemporary discourse. For instance, while some contemporary interlocutors urge us to guard the dignity and well-being of institutions from the corrosive impact of anti-elitist egalitarianism, pursuit of distributive justice, and the populist rhetoric of “empowerment,” others urge us to interrogate the foundations of existing institutions and understand the logic of their practiced and needed moral criticism, reiterating the need for creating transformative institutions through the work of transformative vision and movements. The present article takes part in this debate through a close examination of the arguments offered by André Betelle, a distinguished public intellectual of contemporary India, that the pursuit of distributive justice leads to the erosion of institutional well-being. The article shows how Betelle does not problematize the foundations of existing institutions and does not interrogate whether they are just or unjust, not only from the point of view of equality but also from a more basic criterion such as human dignity. Then the article goes beyond Betelle and discusses the issues of institutional well-being on their own terms. It also discusses the need for bringing transformative vision and practice to addressing the challenge of justice and institutional transformation at the contemporary juncture.

WELL-BEING OF INSTITUTIONS: PROBLEMATIC JUSTICE AND THE CHALLENGE OF TRANSFORMATION

Ananta Kumar Giri

We think what is required is only a high level of competence, of expertise, of professionalism, not the moral wisdom that should be at the basis of any good institution

Robert Bellah et al. (1991),
The Good Society.

Above all, the ethics or aesthetics of self-development would seem to be tailor-made for the specific dilemma of the executive in modern organization. By himself he is nobody and indeed anonymous. Yet collectively these anonymous executives are the leaders in a modern society. Their function demands the self-discipline and the self-respect of the superior man.

Peter F. Drucker (1993),
The Ecological Vision.

Justice is the first virtue of social institutions, as truth is of systems of thought.

John Rawls (1972),
A Theory of Justice.

The Problem

At present, there seems to be an animated concern with institutions—their well-being as well as transformation—on the part of both critical theory and critical movements. This concern has manifested itself in different forms and radically different stances in the contemporary discourse. For instance, while some contemporary interlocutors urge us to guard the dignity and well-being of institutions from the corrosive impact of anti-elitist egalitarianism, pursuit of distributive justice, and the populist rhetoric of “empowerment,” others urge us to interrogate the foundations of existing institutions and understand the logic of their practiced and needed moral criticism, reiterating the need for creating transformative institutions through the work of transformative vision and movements. While the former view is put forward by Andre Beteille, those who contribute to the later set of issues include, among others, scholars such as Robert Bellah, Roberto M. Unger, Fred Block, Jurgen Habermas, John Rawls, Ulrich Beck, Elisabeth Beck-Gernsheim, Anthony Giddens, and Claus Offe. In this paper, I deal with some of these issues related to questions of justice, institutions, and transformation.

One of the primary objectives of my paper is a close examination of the argument offered by scholars such as Beteille (1991a) that the pursuit of distributive justice leads to the erosion of institutional well-being. Speaking of the recent Indian exercise in providing reservation in education and job to the members of the educationally and socially backward classes, Beteille argues: “... It is useful to remind ourselves that institutions can not be squeezed and stretched at will without serious risk to their continued existence” (Beteille 1991a: 591). Beteille points to the “incompatibility between the requirements of institutional well-being and the claims made by or on behalf of disadvantaged groups in the name of distributive justice” (ibid) and writes: “once the uneven distribution of castes in public institutions comes to be perceived and represented as a problem in distributive justice, institutional well-being takes a back seat” (Beteille 1991a: 597). For him, even though institutions are not “consciously or willfully harmed” by such moves but “their requirements will be ignored and the cost to them from ambitious but ill-conceived policies to attain equality and justice will receive little or no attention.”

Beteille's arguments on distributive justice and institutional well-being have taken many nuanced turns in the last five years in his several rich and provocative papers. In this paper, I am engaged in a close reading of these to show some of the gaps in his arguments, their ideological contours, and their rhetorical constitution. For instance, when Beteille (1991b) talks about the increasing significance of family as a more important agent of reproduction of inequality than caste in contemporary Indian society and challenges the egalitarians also to have the abolition of family on their agenda, my purpose is to critically examine and widen this universe of discourse by pointing to the transformational challenges

that Beteille's uncritically valorized units and institutions currently face. If in his concern for institutional well-being, Beteille finds fault with what he calls the representational models and populist conceptions of democracy, I wish to argue how now there is a need to widen the meaning of democracy to the vision and practice of "dialogic democracy" (cf. Giddens 1994; Giri 1994a) which is better suited for the needed democratization of institutions such as family and marriage.

My fundamental problem with Beteille's thesis about distributive justice and institutional well-being is that it does not problematize the foundations of existing institutions and does not interrogate whether they are just or unjust, not only from the point of view of equality but also from a more basic criterion such as human dignity. His first essay on the subject (Beteille 1991a) does not confront the question of institutions independently of his concern for the danger of distributive justice though his later writings have engaged himself with the issues of institutions per se (Beteille 1995). Beteille also does not confront squarely the challenge of well-being in case of individuals and institutions — its ontology, cosmology and processual creativity. Moreover, the question of well-being vis- a-vis individuals and institutions raises both external and internal issues. The populist pressure for distributive justice might be an external cause of our current institutional degeneration, but what is the internal quality of these institutions and to what extent their very foundations and ongoing dynamics are responsible for their decay and obsolescence? This raises the questions of the moral criticism of existing institutions and their transformation -- questions which are conspicuous by their absence in Beteille's agenda.

In this essay, I also wish to point to the "failures of larger institutions on which our common life depends" (Bellah et al 1991: 4) — failures which simply do not emerge because of the external pressure on them from the politics of distributive justice — and the challenge of transformation that these face. To illustrate the transformational challenges that existing institutions are confronted with, I take the instance of family --an institution which occupies a valorized position in Beteille's scheme of things. I also bring to the fore the transformational challenges in thinking about institutions and justice at present through a dialogue with the work of Bellah (1991), Unger (1987), Offe (Offe & Heinze 1992; Offe & Preuss 1991), Giddens (1994), Beck (Beck 1992; Beck & Beck-Gernsheim 1995), Habermas (1990, 1995), and Rawls (1972, 1993). For instance, when Bellah et al. (1991: 49) argue that "our institutions today —from the family to the schools to the corporation to the public arena—do not challenge us to use all our capacities so that we have a sense of enjoyable achievement and of contributing to the welfare of others," they provide us a different vantage point to look at the contemporary predicament of institutions than offered by Beteille. I bring such critical and transformational perspectives on institutions for carrying out a dialogue with Beteille with a hope that it helps us widen our universe of discourse on institutions, justice, and transformation.

Distributive Justice, Institutional Well-Being, and the Persistence of Inequality: The Arguments of Andre Beteille

Beteille (1995) assigns a central place to the rise of new institutions, founded on the modern values of impersonality, professionalism and achievement and different from traditional institutions such as caste, in his understanding of social change in modern India. Beteille urges us to pay attention to the dignity and well-being of these modern institutions because for him, "many of our hopes and aspirations—whether we are for or against reservation—turn on their survival and success" (Beteille 1995: 563). For Beteille, "so long as only a few places are kept aside in order to create special opportunities for members of severely disadvantaged groups such as the Harijans and the Adivasis, considerations of caste and community can be kept under control and not allowed to vitiate the functioning of institutions" (Beteille 1991a: 596). It is the fiduciary component or trust which is at the very core of the institutions and, for Beteille, this fiduciary component is "put seriously in question when people claim that caste biases cannot be corrected without the representation of all major castes or groups of castes in hospitals, laboratories, universities, banks and bureaus" (Beteille 1991a: 597).

Beteille's critique of distributive justice and concern for institutional well-being draws its immediate inspiration from the politics of reservation played around the recommendations of Mandal Commission for reservation in jobs and education for the members of the other backward castes known as the OBCs. Beteille argues that reservation for the OBCs gives rise to the introduction of massive caste quotas in the body of institutions which lead to the erosion of their well-being and distracts them from efficient functioning and the pursuit of excellence. Beteille (1991a) also argues that reservation for disadvantaged groups such as the Other Backward Classes ought to be viewed as a matter of policy rather than right.¹

In his critique of distributive justice and plea for institutional well-being, Beteille makes the distinction between power and authority to argue that institutions are bearers of authority, authority which is considered legitimate. For Beteille, the regulatory mechanism in an institution "requires some inequality in the distribution of authority" (Beteille 1995: 566). Moreover, though the "exercise of authority in institutions will be governed to some extent by the distribution of power

between groups, classes, and categories in the wider society," Beteille considers it a "mistake to believe that the structure of authority in an institution ever reflects exactly the distribution of power in the wider society" (Beteille 1993b).

Beteille's critique of distributive justice on the ground of its corrosive impact on the well-being of institutions is part of his broader critique of egalitarianism. Beteille makes clear that he is not swayed away by the claims of egalitarianism and the agenda of justice. Though in the introductory part of his essay on "Distributive Justice and Institutional Well-Being" he states that "he would like to leave open, at least, for the time being, the question as to where any preconceived pattern of justice is a matter of justice and where it is a matter of utility" (Beteille 1991a: 592), by the end of the essay it is not difficult to discern that for Beteille all problems of distribution are by and large problems of utility. An inquiry which begins with concern for both justice and utility ends up with concern for utility only.

Beteille argues that when in the name of egalitarianism, we seek to remove all inequalities and distinctions we are in the traps of populism which will erode our institutions.² Beteille urges us to understand the "social evaluation of distinctions within institutions" and the intractable problem of "inequality of power" in the constitution of "the inherent properties of social arrangements, particularly institutions and organizations" (Beteille 1993c: 755). What Beteille would like the proponents of equality and justice to realize is that social inequality and institutional hierarchy are not matters of "operational asymmetry" and are not "matters merely of fact" (ibid). If equality has a normative foundation then, for Beteille, so does inequality. Hierarchical distinctions are grounded in the "normative structure" of institutions and dispensing with the pursuit of distinctions for the sake of distributive justice sounds the death-knell of institutional well-being. Beteille wants us to understand his point of view:

What I wish to stress is that the hierarchical distinctions that are a part of every university as a social arrangement are not matters merely of facts in the narrow sense of the term. They are grounded in the normative structure of the university as an institution. xxx A university that is unable or unwilling to sort out the better from the worse, the brilliant from the dull among its teachers or its students, and esteem the one more than the other hardly deserves to be acknowledged as one (Beteille 1993c: 755).

Drawing our attention to the persistence of inequality in the modern world, Beteille argues that "some forms of inequality are constitutive of certain arrangements in all modern societies, and that inequalities of income, esteem and authority have to find accommodation within the prevalent ideal of equality" (Beteille 1991b: 5). He wonders whether "it is possible or even desirable to have a social order in which all doctors—or all engineers, or scientists—will be treated as equal" (Beteille 1991b: 7). He thinks that "apart from its effect on efficiency, such a state of affairs will speak complete indifference to all distinctions of knowledge, skill, experience and ability." He doubts "whether a society that is indifferent to the quality of what it professes to value can be regarded as a good society, leave alone the question of its being an efficient one" (ibid). Pointing to the supposed acceptance of some measure of inequality in theory and practice in contemporary western societies, Beteille (1991b: 5) skillfully engages the proponents of distributive justice in India in a reflective combat: "*But how can we expect to eradicate inequality root and branch when countries that started on the road to equality long before us and have advanced much further along it are prepared to live with it in some measure?*"

The obstacle to the further advancement of equality in contemporary India, for Beteille, lies not in the "group-disadvantaging principle" (1985b) but in the work of an institution that is much more intractable, namely the institution of family. Despite political valorization, for Beteille, caste has lost its moral meaning as an institution in contemporary India and its role as an agent of reproduction of inequality is being replaced by the institution of family (Beteille 1992, 1996). Beteille here draws our attention to the middle class family's investment in education and its quest for social mobility, making use of the social and cultural capital at its command. But Beteille would not like to leave unutilized the larger significance of such a sociological trend for his critique of the discourse of distributive justice:

A dispassionate and critical examination of the middle-class family and its role in the reproduction of inequality may turn out to be more disturbing than one might expect. For, if the result of such an examination shows, as I believe it must, that the family is indeed the main obstacle to the advance of equality, what conclusions for policy can we then draw? Nothing is easier than to get Government and Opposition together in Parliament to denounce caste system and ask for its abolition. Who will denounce the Indian family and ask for that to be abolished? (Beteille 1991b: 26)

Towards a Critical Interrogation of Beteille: On Institutions and Well-Being

While for Beteille, "an institution is a social arrangement that has not only a certain form and function but also a certain legitimacy and meaning by its individual members" (Beteille 1995: 563), he does not have any clear conception of what he means by institutional well-being. He just refers to the "intuitive sense of well-being of individual" (Beteille 1991a: 59) as a probable guide for thinking about the problem of the "well-being of institutions" but he just leaves at that. Though his essay, "Distributive Justice and Institutional Well-Being," has a section on "groups and individuals" no where does he discuss what constitutes well-being for individuals and how it is a subject of ontological freedom and social commitment.

Speaking of well-being, it is probably worthwhile here to invoke Amartya Sen's arguments on the subject. Sen (1992) argues that it is the functioning and capability of individuals which constitute their well-being.³ Individuals have a "well-being" aspect as well as an "agency aspect" and these two aspects do not always go together. Individuals as agents work as transformative actors seeking both what Sen calls "agency achievement" and "agency freedom." But what is to be noted is that seeking for both "agency achievement" and "agency freedom" brings the question of responsibility, value, and commitment of individuals concerned to the center of their practice. The well-being of individuals is exhausted neither by the search for happiness, nor for primary goods, nor even for more material resources; it is also characterized by a quest for freedom--a quest which has as its objective the transformation of existing institutions and "states of affairs." As Sen argues: "The question relates to the way the states of the affairs are to be seen—an issue of some importance in analyzing the limits of consequentialism" (Sen 1992: 58).

But Sen discusses the above point about perspectival criticism only in a footnote and he himself says that his agenda has only taken a "formal" route.⁴ But if the issue of institutional well-being is related to the question of individual well-being, then there is a need to talk about the practical and substantive route from "well-being" aspects of persons to their "agency aspects" and from instrumentalities of various kinds to technologies of self-realization. The outline of such a practical, as contrasted with Sen's admitted mere formalism, is available in Habermas's agenda of practical discourse. Habermas (1990) tells us how individuals in societies are continuously engaged in a moral debate and a critical reflection on the foundation of their society and its institutional order. If such an engagement, they analyze the supposed ethical claims of existing institutions from the points of view of justice and human dignity. Habermas calls this engagement "discourse ethics" and tells us that for the participants in discourse "the normativity of existing institutions seems just as open to question as the objectivity of things and events" (Habermas 1990: 108).⁵ Thus talking about the normative foundation of institutional hierarchy in the way Beteille does, it is important to realize that "participants can distance themselves from norms and normative" and "assume a hypothetical attitude to them" (Habermas 1990: 107). As Habermas argues, "For the hypothesis-testing participant in a discourse, the relevance of the experiential context of the life world tends to pale" (Habermas 1990: 107). Further, "under the unrelenting moralizing gaze of the participants in discourse, familiar institutions can be transformed into so many instances of problematic justice" (Habermas 1990: 108).

Elsewhere Beteille (1983d; 1985) has noted that his current preoccupation with institutions suggests a departure from his earlier structural functional approach and reflects his concern with the meaning of actors and institutions. But a close reading of Beteille's work and his unarticulated theory of institutions suggests that an uncritical functionalism⁶ still characterizes his approach and this needs a closer look. In this critical dialogue, we are enriched by a scholar such as Castoriadis. In his *Imaginary Institutions of Society*, Castoriadis tells us that "whether one says that people, having understood the necessity for a particular function to be filled, consciously created an adequate institution; or whether institutions, springing up haphazardly but turning out to be functional, survived and allowed the society-concerned to survive" "in all these cases, the emphasis is placed on the one and the same thing: functionality—the strict correspondence between the features belonging to the institution and the 'real' needs of society..." (Castoriadis 1987: 116). On the other hand, argues Castoriadis, what characterizes institutions is a dynamic imaginary or ideal, an imaginary which is not just an "image of" but an "unceasing and essentially undeterministic creation of figures / forms / images on the basis of which alone there can ever be a question of 'something'" (Castoriadis 1987: 3). For Castoriadis, "what we call 'reality' and 'rationality' are its works" (ibid).

It is not that Beteille is unaware of the dimension of the "imaginary" in the functioning of institutions but he does not consider it significant and decisive. What is significant for Beteille is the embodiment of the imaginary in the real world, an embodiment which is significantly affected by the work of power (see, Beteille 1980). It is probably for this reason that Beteille (1993c: 754) writes in his critical dialogue with Sen:

It is true that the philosopher has to concern himself with possible and not just actual social arrangements and perhaps even more with the former than the latter. Philosophers would be unfaithful to their vocation if they failed to dwell upon ideals and to construct ideal social arrangements in their minds, for it is undeniable that no society can exist without an ideal that is in some ways different from the actual. Those who dwell upon ideals tend to be a little impatient about the little constraints of the actual world, and it is the obligation of the sociologist to bring those constraints to their attention.

But Beteille's sociological obligation still leaves unclear the purpose for which the constraints of the real world would be brought to the fore. Is it for preserving the existing structures or for devising more effective instruments of collective action for transforming these? Beteille (1980) states that for him sociology is the study of the dialectic of value and power but what is the process and logic of this dialectic? In fact, when Beteille states that society is the field of the dialectic of the value and power, he means that it is power which determines the embodiment of values in society. Therefore he uses a dialectical perspective only nominally and by dialectics he only means determination. This confusion of the dialectic with determination provides a poor language to think about individuals and institutions. As Roop Rekha Verma (1991: 533) argues, "the dialectic by itself does not explain the possibility of cultural change or a critique of culture — what is important to add in this dialectic is that internalization can be reflective and unreflective."

Thus the process of dialectic of the value and power where value and power mutually and dialectically constitute each other through the practice of critical self-reflection and where value is not simply a mirror of power has to inform our theory of institutions. It is the practice of "self-reflection" which makes institutions subject of ongoing moral debates. Such moral debates emerge from the fact that neither the claims of institutions about their morality nor the sociological theory of the essentially moral nature of institutions does not "itself legitimate their existing forms; rather it opens them to serious moral debate" (Bellah et al 1991: 288). As Bellah et al. argue:

existing institutions can and frequently are challenged on two kinds of moral ground. One is that they do not live up to the moral purposes claimed for them. The other challenge calls into question some of the basic value assumptions that lie behind our institutions. If the central value system is flawed, then it is more than likely that many of its institutional specifications will be problematic as well.

This problematic nature of the foundational values of existing institutions and the normative debates about it is missing from Beteille.

Institutions mediate the relationship between the self and the world and provide us a rich language to think about self, other, and society than available in the "media-steered" (cf. Habermas 1987a) subsystems of society, systems which are governed by the hegemonic language of money and power. As Bellah et al. (1991: 290) note, "Some institutions educate us to see ourselves as extensive and our truest interests as long-term and dependent on widespread social cooperations; others make us concentrate on immediate interests." In this context, a transformational challenge in front of us is to create institutions which will educate our desire and give it a normative direction. We can think of institutions as providing a helping hand to us in the making of our "reflective preference" where the conflict is not only between different social groups but between different kind of desires — the "inner conflict between what the individuals themselves experience as their more desirable and less desirable desire" (Offe and Preuss 1991: 166).

With these remarks on Beteille's approach to institutions and their well-being, now I wish to draw attention to some specific gaps in his arguments. Beteille argues that institutions must make distinctions but is this an end in itself or a means to a transformative end? Does the excellence which emerges out of the process of distinction in institutions have any transformative moral function? The elites which emerge out of the process of distinctions can be creative as well as uncreative. The uncreative elites are those who think that they are the chosen people but the creative elites are those who think that they are the chosen people because they have the responsibility to take the herd around to further heights (cf. Gasset; Toynbee 1951; also Morgan). While Beteille draws our attention to the dangers in the populist attack on elitism in the name of distributive justice, he does not draw our attention to the moral and transformative function of elites, a lack of attention which gives the unfortunate impression of his support for elitism per se.

Professionals play an important role in Beteille's agenda of institutional well-being. In fact, one cannot miss the increasing significance of professionals in our institutional order today but this is the starting point for a critical inquiry rather than end up with the view, as Beteille does, that professionals enjoy higher esteem because of "impersonal factors such as qualification, skill and experience" (Beteille 1991b: 6). Professionals have expert knowledge but do they use this to further their own end i.e. their desire for power and accumulation of wealth or serve the goals of institutions? The

increasing systemic significance of professionals in the contemporary world has not been accompanied by any effort to arouse moral consciousness within them not to use their expert knowledge and power for exploiting the ordinary people who do not have such power and knowledge. In fact, in leaving unexamined the relationship between knowledge and power and in failing to provide a transformative end to professional knowledge, Beteille fails to draw our attention to the distortion that professionalism itself introduces to the well-being of institutions, a scenario which is best articulated in the following lines of Dahl: "I am inclined to think that the long-run prospects for democracy are more seriously endangered by inequalities in resources, strategic positions, and bargaining strength that are derived not from wealth or economic position but from special knowledge" (Dahl 1989: 333).

The use of special knowledge for the acquisition of power that we see in the working of modern professionalism points to the perennial challenge of power in the working of institutions. The larger problem of which it is a part urges us to see that "power is not misused by those who wield it, particularly for their own ends" (cf. Krishna 1996: 1). "The exercise of public authority for private ends is the perennial perversion" (cf. Krishna 1996) that quest for institutional well-being confronts, a perversion which is not simply a function of populist politics or the pursuit of distributive justice. But addressing this perennial problem requires an agenda of criticism of power, an agenda which is designed to fail if we consider power as the end all and be all of life. In thinking about institutional well-being there must be a dimension of "beyond power" within our engagement of power so that power is capable of self-criticism and renunciation.

In fact, we can appreciate the significance of Beteille's emphasis on institutional autonomy in terms of the resistance to the "misuse of power" (cf. Krishna 1996) that it offers in a democratic polity which manifests itself as the tyranny of the majority. At the same time, it has to be realized that in a democracy institutional autonomy is not a given thing; there is a dialectic between autonomy and solidarity / accountability and if institutional autonomy is not related to a present exercise of criticism and transformation on the one hand and "democratic self-legislation" on the other then a preoccupation with it can degenerate into a mere "preservation of political stability" (Habermas 1995: 128).⁸

In his essay on "Distributive Justice and Institutional Well-Being," Beteille writes that excellence "in that sense is not the first consideration in institutional well-being" (Beteille 1991a: 597). He himself notes: "There are other more important considerations such as those of probity, integrity and trust." *It is important to stress for the purpose of our critique here that these more basic conditions of institutional well-being do not get eroded because of the politics of distributive justice.* Consider, for instance, the institution of Indian Civil Service. Until recently this institution did not have reservation for the OBCs. But it is a widely held common perception—a perception which has a lot of authenticity—that those who manned these institutions did and do not embody these more basic considerations of institutional well-being. In fact, Beteille himself admits "the misuse of authority in public institutions by members of some castes and communities"⁹ but does not address the task of transforming these existing institutions. It needs to be noted that Beteille (ibid) himself writes: "Moreover, the need for a radical redistribution of power in the wider society should not become an alibi for not doing anything to set right the pervasive abuse of authority within institutions.."

Beteille uses his concern for institutional well-being as a tool to make a critique of the agenda of distributive justice. But, as we have seen, there is neither any systematic treatment of nor reflection on the issue of institutional well-being per se in his work. His is also not a systematic treatment of the problem of distributive justice; his primary concern is with the corrosive impact of the pursuit of distributive justice. But if this were really a significant determinant of institutional well-being then how is that his essay on "Universities as Institutions" (Beteille 1995) where he does address the question of institutions autonomously does not raise this question at all?¹⁰

One final point here about empirical evidence. Beteille's argument is mainly of a normative nature. It is certainly enriched by Beteille's unique anthropological insight into the working of the ordinary but he does not have any single empirical study to back him in his argument about the corrosive impact of the pursuit of distributive justice on institutional well-being. In fact, Beteille seems to be evading the question of evidence, which is strikingly evident in his following lines:

We can, of course, compare general administration in a south Indian state with its counter part in a north Indian state and the comparison will in many cases, though not in all, be probably to the advantage of the former. But we cannot from that conclude directly that, say, Tamilnadu is better administered than Bihar because caste quotas have been in force there for a longer time. All that we can say perhaps is that there are many ways to ruin the administration and not just through caste quotas (Beteille 1990b; also see, Guhan et al. 1990; and Radhakrishnan 1990).

Towards a Critique of Approaches to Justice and Equality

The above points to some of the problems in Beteille's theory of institution and now we must explore similar questions in his approach to the challenge of equality and justice in the human condition. The fundamental question here is how human beings consider, make sense, and evaluate whether the institutions which have nurtured, formed and framed them are just or unjust. The actors themselves can perceive familiar institutions as islands of problematic justice. In such a case the question of justice is central to the very "continued existence of institution" rather than just an attribute of the populist politics of state and its welfare policies. This integral link between institution and justice—institution as guarantor / guardian of justice and as the house of problematic justice is missing from Beteille's engagement. In fact, a close reading of Beteille makes one wonder whether Beteille is concerned with the question of problematic justice¹¹ at all. True, he is concerned with the problems of distributive justice and institutional well-being but existing inequalities in society such as concentration of wealth also raise the question of justice. While it might be true that all inequalities cannot and need not be removed, but all of them do not have the same functional significance or irrelevance. Inequalities differ in the way they raise questions of justice. There are inequalities in societies which raise the question of justice—of justice as fairness—and others which are neutral about it. Inequalities which raise the question of justice should not be tolerated in institutions¹² and must be subjected not only to "affirmative remedies" but also "transformative remedies" (Fraser 1995: 82).¹³ But Beteille uses his critique of distributive justice as a convenient ploy to dispense with the whole project of justice.

How does this happen? Here let us go back to Beteille's reflection on justice and the distinction between equality as a right and a policy. As we have seen, though Beteille leaves open the question whether a prevalent pattern of distribution and inequality raises questions of justice or utility, he soon makes up his mind in favour of utility. Thus all matters of justice become matters of utility, subject of benevolent policies of state, but should not be part of the language of right and object of moral ire on the part of concerned actors in society. Beteille further argues that representation of the disadvantaged groups in public institutions is desirable because it adds "variety and richness" to them but is not a "matter of justice or rights." Beteille says that it is a matter of "institutional well-being" (Beteille 1991a: 596). But in the very next line, he writes: "But an institution cannot enhance its well-being by compromising the ends and means specific to it for the sake of greater variety." But Beteille himself argues in the previous line that variety is central to the project of institutional well-being but in the next line he makes it something dispensable and not central to the very constitution of well-being of institutions. Thus reading the lines closely in Beteille's writings makes us discover the gaps between them. At the same time, the rhetorical moves through which questions of justice are turned into matters of variety and taste akin to the variety of items in the liberalized cafeteria of "freedom of choice" raises questions about Beteille's project, namely the ideology behind his sociology.

It also needs to be noted that such moves do not address the problem of perspectival positioning and the problem of "emic and etic" (cf. Headland et al. 1990). For Beteille, the question of justice in case of institutions is a question of variety but who considers this as such? Is this the perspective of the participants in the quest for justice or of the observer? If what Beteille calls variety is indeed a problem of justice for the participants then can Beteille privilege his "etic" view over and above the "emic" view of the participants? Moreover, even in Beteille's argument there is a problem of the confusion of "is" and "ought". Beteille's argument does not establish clearly that the question of justice for institutions is invariably a question of variety of representations from diverse—disadvantageous—backgrounds in society. This is what ought to be or best what Beteille would like to see.

Beteille begins his reflection on justice with the argument of Rawls that the objective of justice is to "redress the bias of contingencies in the direction of equality" (Beteille 1991a: 59). Though Beteille moves around this problem through his argument that social policies should aim at removal of disabilities rather than equalization of life chances, he never confronts this problem, i.e. problem of "redressing the bias of contingencies in the direction of equality," squarely and analyses the implication of it for redesigning existing institutions. In this context, it is worth entering inside this problematic field through the perspective of Rawls. For Rawls, "the primary subject of justice is the basic structure of society, which has the fundamental task of establishing background justice" (Rawls 1993: 286). Urging us to realize that the basic structure of society is the first subject of justice, Rawls argues that "when conditions for free and fair arguments no longer hold," "the role of the institutions that belong to the basic structure is to secure just background conditions against which the actions of individuals and associations take place" (Rawls 1993: 266). What Rawls writes below suggests a critique of Beteille's argument about the priority of institutional autonomy over the pursuit of distributive justice:

The first principles of justice as fairness are plainly not suitable for a general theory. These principles require that the basic structure establish certain equal basic liberties for all and make sure that social and economic inequalities work for the greatest benefit of the least advantaged against a background of fair opportunity.

In many if not most cases these principles give unreasonable directions. To illustrate: for churches and universities different principles are plainly more suitable. Their members usually affirm certain shared aims and purposes as essential guidelines to the most appropriate form of organization. The most we can say is this: because churches and universities are associations within the basic structures they must adjust to the requirements that this structure imposes in order to establish background justice (Rawls 1993: 267).

The adjustment that Rawls talks about in the above lines is not necessarily an adjustment in levelling, mediocrity, and dispensing with principles of excellence, efficiency, and well being. Like Beteille, Rawls is aware of the differential need of institutions.¹⁴ But unlike Beteille, Rawls sensitizes us to the distortion that concentration of wealth introduces to the working of institutions and in the establishment of background justice, a problem about which Beteille is totally silent.¹⁵

But the role of existing concentration of wealth in the reproduction of inequality and in the destruction of institutions as agents of self-enrichment and social mobility cannot be totally ignored. In this context, it is worth looking into the phenomenon of privatization of professional education in contemporary India to illustrate the problems of justice that a particular configuration of the concentration of capital gives rise to. In her study of the professional colleges which admit students on the basis of the capitation fee that they pay, Rekha Kaul (1993: 247) notes that "the capitation fee phenomenon has only enabled the wealthier and propertied classes to further expand their options and opportunities" (Kaul 1993: 247). For Kaul (1993: 238), "when governmental allotment stopped at 85% a student with 85% was not given admission, but one with 50% and who could pay capitation fee get a seat" (Kaul 1993: 238). Therefore in such situations, accumulated wealth works as a principle of reservation in entry into institutions of distinction and this raises the same problem of threat to meritocracy that caste-based reservation raises. But Beteille does not discuss this problem at all nor does he realize that such reservation through wealth raises the problem of institutional well-being partly because the professionals who come out of such institutions are not properly trained. Kaul tells us that 63.75% of the faculty members of such institutions in Karnataka whose views she had solicited argued that capitation fee "led to a deterioration of the standards of professional education and degrees could be purchased" (ibid). In the educational institutions themselves, the carry-over system of examination to benefit the capitation fee students and their demands for postponements of examination "adversely affected the more sincere and dedicated students," the ones who by and large were admitted on the basis of their merit alone. Kaul further notes:

A student whose parents had sent him to a private medical college stated that she would have no qualms in receiving the money spent on him and that he had no intention of going into a rural area to serve the rural poor. He only wished to gain some experience working in a hospital and then set up his own private practice (Kaul 1993: 192).

While Beteille (1990) talks about "moral outrage" which extension of caste-based reservation creates in the affected and sympathetic individuals the work of wealth-based reservation does not occasion any such moral anguish in him.

Beteille talks about the differential endowment of social and cultural capital that families have and use it in their quest for occupational positioning and social mobility but does not analyze the problems of justice and the distortions in institutional well-being that such a differential endowment gives rise to. When Beteille argues that families today play a significant role than caste in the reproduction of inequality it does not tell us much because it does not analyze the differential social and cultural capital different families possess. Here the examples of two different family backgrounds that the Mandal commission report provides are worth considering:

Mohan comes from a fairly well-off middle class family and both his parents are well educated. He attends one of the good public schools in the city which provides a wide range of extra curricular activities. At home, he has a separate room to himself and he is assisted in his studies by both the parents. There is a television and a radio set in the house and his father also subscribes to a number of magazines. Most of his friends are of similar background and he is fully aware of the nature of the highly competitive world in which he will have to carve a suitable place for himself. Some of his relations are fairly influential people and he can bank on the right sort of recommendation or push at the right moment.

On the other hand, Laloo is a village boy and his backward class parents occupy a low social position in the village caste hierarchy. His father owns a 4 acre plot of agricultural land. Whereas a primary school is located in his village, for his high school he had to walk a distance of nearly three kilometers both ways (Government of India 1980: 23)

The above two examples raise the problem of problematic justice and provide the challenge of establishing what Rawls calls "Background Institutions for Distributive Justice." They also help us go beyond the naturalized¹⁶ and immunized view of social capital provided by Beteille and help us realize that "social and cultural capital are toponomical, that is dependent on physical and social location" (Fernandez-Kelly 1994: 3). As Fernandez-Kelly argues in her study of similar problems in contemporary American society: "Because people derive their knowledge from the physical spaces where they live, they also expect that which is probable in their nearby environment and they recognize as reality that which is defined as such by members of their interpersonal network occupying proximate spheres of intimacy" (*ibid*; emphasis in the original).

Now I wish to point out the transformational challenges that Beteille's critique of justice and equality faces. Beteille argues that inequality is integral to modern professions and occupations. Of modern bureaucracy Beteille writes: "clearly there is much scope for streamlining in the interest of both equity and efficiency, but it is difficult to see how administration can work in a modern society without some super- and subordination among officials" (Beteille 1991b: 9). Here the whole challenge of institutional transformation gets a short shrift in the name of perennial significance of the structure of super-ordination and sub-ordination. Beteille does not problematize this structure. Moreover, it could well be that as it is in fact true in most contemporary societies, a particular configuration of subordination and superordination just does not embody functional necessity but also authoritarian control.

Beteille argues that when countries that started on the road to equality long before India are prepared to live with it in some measure how can India expect to eradicate inequality "root and branch" (Beteille 1991b: 4). Apart from erasing the distinction between justice-neutral inequalities and unjust inequalities, such a confident poser of Beteille lacks an intimation with the transformational trajectory of the discourse of equality and justice in the contemporary West. A case in point here is Anthony Giddens' discussion of the agenda of what he calls "generative equality" at the contemporary juncture. For Giddens, today as existing inequalities between the poor and the rich become further entrenched and when both state socialism and welfare state have failed in effecting transfer of wealth and eradicating poverty as a cause of human degradation and social death, there is a need to think about the problem of inequality anew if we are not going to be resigned to a social order "in which all hopes of further equality has gone by the board" (Giddens 1994: 194). This he seeks to do through a generative model of equality. A generative model of equality is concerned with the pursuit of happiness on the part of both the affluent and the poor, a pursuit which is influenced by factors of wealth and poverty but is not solely determined by these. A generative model of equality emphasizes upon the mutual collaboration between the affluent and the poor in building the collective foundations of a good life and in overcoming "collective bads" (Giddens 1994: 191). Equalization here is primarily understood in terms of equalization of a quest for a meaningful life and relationship. In a generative model of equality, inequality in life-chances is tackled through changes in life-style—a pursuit in which both the affluent and the poor take part. Giddens provides us a glimpse of the ideals of generative equality:

A generative model of equality, or equalization, could provide the basis for a new pact between the affluent and the poor. Such a pact would be an "effort bargain" founded on life-style change. Its motivating forces would be the acceptance of mutual responsibility for tackling the "bads" which development has brought in its train; the desirability of lifestyle change on the part of both the privileged and the less privileged; and a wide notion of welfare, taking the concept away from economic provision for the deprived towards the fostering of the autotelic self (Giddens 1994: 194).

At the contemporary juncture, a generative model of equality can provide new resources to what Partha Dasgupta (1993) calls "political morality of State." It can encourage State to be engaged in schemes of positive welfare—schemes which create self-esteem and transformative capacity within individuals.

Thus confronting the problem of justice arising from the inequality of life-chances requires change in the life-style of actors. Tackling inequality then is not just a matter of right and policy; it is also a matter of unconditional ethical obligation of the self to the other (cf. Bauman 1993; Giri 1996; Drucker 1993).¹⁷ This aspect of the task of tackling inequality never figures in Beteille's sociological agenda. The transformational trajectory of the discourse of justice in contemporary western societies also points to the need for an "anthropological revolution"¹⁸ in the context of the limits of the socio-political programmes of justice in modernity (Heller 1987: 103). For instance, Agnes Heller argues that "the crisis of modern consciousness cries for a new ethico-political concept of justice" (Heller 1987: 150). It calls for self-capacity to come to the rescue of the "unjustly persecuted person" (Heller 1987: 325). As Heller argues, "A person who does not turn his back upon the unjustly persecuted person who seeks shelter, but risks freedom, risks life, to help this person goes beyond justice" (*ibid*). In such a case, the exercise of goodness and going "beyond justice is not simply a matter of single acts or choices," it becomes a "character" (Heller 1987: 326)

But it must be noted here that Heller's discourse of "beyond justice" not only challenges Beteille to widen his universe of discourse but also ardent proponents of equality such as Rawls and Sen as well. Both Rawls and Sen have a narrow view of human beings as rational agents¹⁹ and do not realize that "Beyond" refers not only to what is called different but also to "higher" (Heller 1987: 326). True, Rawls (1972) speaks of the capacity for justice but does not discuss the conditions of self-preparedness and "technologies of self" (cf. Martin et al 1988; Habermas 1987b; Giri 1994c; and Sri Aurobindo 1950) which enable its manifestation in the life of individuals and institutions. Rawls does not explore the spiritual sources of the self of his rationally argumentative actors. This hinders the ability of the Rawlsian actors of justice to make use of and be inspired by the ideal dimensions of Rawls' "original position" (Rawls 1993: 26).²⁰ Therefore, it is little wonder that Rawls writes: "But our conceptions of the good may and often change overtime, usually slowly but sometimes rather suddenly. On the road to Damascus Saul of Tarsus becomes Paul the Apostle, yet such a conversion implies no change in our public and institutional identity, nor in our personal identity" (Rawls 1993: 32).

But the challenge of justice today requires precisely such a conversion in the life, orientation, and commitments of actors by which goodness becomes "a matter of character." Its implications for both Beteille and Rawls is that without emphasizing self-transformation we cannot adequately address either the problem of distributive justice or institutional well-being.

There is another aspect of the transformational trajectory of the discourse of justice in the contemporary western societies which also provides a critical poser to Beteille's self-confident critique of the project of justice. This relates to the argument that "justice today requires both redistribution and recognition" (Fraser 1995: 69) Justice as recognition raises the question of basic human dignity. Critique of justice as distributive justice still has to contend with the unsolved problems of human dignity raised by the existing patterns of recognition and misrecognition in societies. The problem of justice as recognition "could involve the wholesale transformation of societal patterns of representation, interpretation and communication in ways that would change everybody's sense of self" (Fraser 1995: 73; emphasis in the original).

The Existing Institutions and the Challenge of Transformation

One of the primary problems in Beteille's treatment of institutions is that it does not address the transformational challenges that these face. In this section, I wish to draw attention to some of these issues of transformation taking the institution of family as an illustrative example. In his reflection on family, Beteille primarily bases upon the Indian condition and is sanguine about its stability and significance. He writes: "Changes in gender roles will no doubt have an impact on the family but there is as yet little evidence to suggest that the family as such is likely to disappear or even to lose its vitality in the foreseeable future" (Beteille 1991b: 143 also see Beteille 1994). But changes in gender roles and "transformation of intimacy" (cf. Giddens 1992) characterized by the rise of unrestricted and unbound female sexuality is creating pressure for the democratization of intimate relationships and transformation of family as an institution (Giddens 1992; also Giri 1994b). We can understand this by looking at the predicament of family as an institution in contemporary advanced societies—a predicament whose significance for understanding the middle-class family formation in contemporary India cannot be totally discounted.

In their study of love, family, and marriage in contemporary advanced industrial societies, Ulrich Beck and Elisabeth Beck - Gernsheim tell us: "The nuclear family, built around gender status, is falling apart on the issues of emancipation and equal rights, which no longer conveniently call to a halt outside our private lives" (Beck and Beck Gernsheim 1995: 1-2). They identify two sources of this breakdown: the subjective "individualism" of individual and the structural change in the economy which has put both husbands and wives in the labor market. Regarding the former, they tell us: "Marrying some one no longer means setting up a family, maternal security, parenthood and so on but discovering and being oneself in all one's facets, having the best of both worlds by venturing even further along one's personal path but still trusting the constant support and companionship of one's partner" (Beck and Beck-Gernsheim 1995: 17). Love and marriage have now become explorative grounds for the search and realization of authentic experience--experiences which have become the "starting point for a new ethic based on one's duty to oneself" (Beck and Beck-Gernsheim 1995: 43). The transformational significance of this subjective turn for individuals and institutions should not be missed: this new ethic manifests not merely a "solipsistic misunderstanding" but "an effort to integrate the individual with the social in a way which takes account of altering, projective social identities" (ibid). As Beck & Beck-Gernsheim argue: "Instead of the old fixed images there is a new picture of mankind which specifically includes the possibility of metamorphosis, of personal developments and growth," a picture which challenges our self-definition in terms of "social roles," including that of family roles (ibid).

There is a structural side to the transformational push on family as an institution. If the splitting of work and housework along gender lines was an integral part of industrialism, this is not so in the current post-industrial phase (see, Wallerstein 1991). This structural change also points to the "failure of a family model which can mesh *one* labour market biography with a lifelong housework biography, but not two labour market biographies, since their logic demands that both partners have to put themselves first" (Beck and Beck-Gernshelm 1995: 6; emphasis in the original). Beteille's valorization of family as an institution in contemporary India does not realize that "interlinking two such centrifugal biographies is a feat, a perilous balancing act, which was never expected so widely of previous generations but will be demanded of all coming one's as more and more women strive to emancipate themselves" (ibid).

In this context, preservation of family as an institution is not possible without simultaneously attending to its needed transformation. There are both subjective and structural sides to this transformation. Subjective transformation refers to the "radical form of personal responsibility" on the part of partners who constitute and belong to family as an institution (Beck and Beck-Gernshelm 1995: 194). It has been previously argued that preserving institutional autonomy is not possible without democratic self-legislation. Preserving family as an institution and nurturing it as a ground for the celebration of life is also no longer possible without a "radical form of self-government" (ibid). On the structural side, labor market has to proactively and affirmatively respond to the needs of the family. Without adequate public support from both the State and the market such as day care, flexible working hours, proper insurance cover "the private battles are aggravated, and conversely adequate outside help alleviates the tensions at home" (Beck and Beck-Gernshelm 1995: 26).

There are also some other sides to Beteille's arguments about the institution of family. For Beteille, though religious reformers in the Hindu traditions have attacked the institution of caste "it will be difficult to find any who have attacked the family as an institution" (Beteille 1991b: 22). But though religious reformers might not have attacked wholesale family as an institutions, many of them have been singularly occupied with its reforms and some of them have certainly striven to widen its universe of discourse in order to realize that the whole humanity is also one's family, *Vasudheiva Kutumbakam*. In contemporary India there is a multi-dimensional socio-spiritual movement named Swadhyaya which carries forward this task. While Swadhyaya strives for strengthening and enhancing the nurturant capacity of families, it also forges multi-dimensionally creative and transformative links with the world, links which mellow one's selfishness, egoism, and the pathologies of family-centeredness (Giri 1995c; Roy 1993; & Sheth 1994). Through participation in several spiritual technologies of self, a Swadhyayee cultivates the capacity to consider other children as one's own and strives to create the same condition for enrichment for others as one does for oneself. One such is the programme of *bhakti-pheri* or devotional travel in which a Swadhyayee, either alone or in the company of his / her whole family, goes out to a distant habitation and spends one or two nights with other families (see, Giri 1995b). This helps one realize the pangs and joys of another family and be reflexive towards one's own. Here the following perspective of a Swadhyayee helps us understand the transformational challenge of widening and "fusion of horizons" that I wish to stress here. Bhaskar Bhai Shah is an industrialist of Bombay. During my meeting with him in a Swadhyayee village in Junagarh district of Gujarat, he told me that his periodic *bhakti-pheris* have enabled him to realize that there are also other human beings outside his family. At the same time, it has deepened the nature of intimacy between himself and the members of his family from both sides.

Bhaskar Bhai's comments point to the transformational need for detachment and distantiation in one's engagement with one's family. Without this detachment and fusion with a wider horizon of imagination and relationship, it is difficult to overcome the family-centeredness²¹ of the contemporary world and withstand the pressure for corruption that is justified by many mobility- aspiring individuals in the name of the well-being of their families. Striving for mobility and achievement orientation in case of the institution of family has an other--a dark-- side too and how it develops the moral resource to withstand the pressure to subvert existing institutions for the well-being of its children and negotiates their failure are issues which cannot be left aside if we seek to make the move from functional analysis to transformational dialogue.

The transformational challenges that confront existing institutions that we notice vis-a-vis the institution of family also knock at the door of any existing institution that we take up for our critical scrutiny--whether it is the market, state, or the university. But a detailed pursuit of the examples of other contemporary institutions such as market²² and university (cf. Bok 1990; Giri 1995c) is not possible within the space of this paper. However, it is essential to make two additional points at this juncture. First, the challenge of transformation at the contemporary juncture points to the need for creating new institutions which respond to the contemporary challenges such as the postindustrial restructuring of the economy and the globalization of the polity and the life-world (Block 1987; Giri 1993; Robertson 1992, 1996).²³ The second point relates to the question of *transformative practice*. Transforming existing institutions which are irrelevant and problematic and creating new transformative institutions which embody effective and proactive response to the challenges of change are objects of conscious striving. They call for new initiatives in vision and collective action.

This aspect of thinking about institutions which brings to the center the problem of *transformative practice* is missing from Beteille's discourse. Alternative institutions are inspired by alternative languages of self, culture, and society and are grounded in alternative inter-subjective relationships among individuals (Bellah et al 1991; Das 1989; Giri 1996b, 1996c; and Unger 1987). They are works of what Pantham (1995), following Gandhi, calls "experimental subjectivity." In this context, Roberto M. Unger (1987: 39) notes that "...the enterprise of institutional reconstruction calls for a vision of the transformed personal relations that the new institutional arrangements are meant to sustain. It even demands anticipatory examples of the realization of this vision." Unger (1987: 400) also argues: "The abilities to see institutional transformation as part of an attempt to change the character of our most elementary personal interactions pushes conflict over the form of society beyond the instrumental struggle over material advantage. It extends strategic prudence into visionary ardor, thereby offering the incitement to sacrifice and self-restraint that cold calculation is rarely enough to ensure."

By the Way of Conclusion: The Travails of Differential Criticism and Widening Our Universe of Discourse

Beteille's critique of the pursuit of distributive raises some important questions such as the "the in-built tendency for the benefits of reservations, quotas, and goals to go to the least disadvantaged individuals" and their significance cannot be understood by applying the judgmental yardsticks of pro or anti-reservation. At the same time, Beteille's wider arguments about the persistence of inequality and critique of distributive justice (on the ground of erosion of institutional well-being) are problematic and in this engagement I have sought to bring some of these to the fore. My criticism is primarily foundational, raising some questions about the foundations of institutions and the logic of their criticism, and the foundational problems in Beteille's sociology, though I have striven to take issue with Beteille's sociology of contemporary processes by presenting a different configuration of the social and cultural capital at work in the contemporary order. My engagement here has been primarily in the nature of a critique; constructing an alternative theory of institution has not been my objective in this paper though there are elements of an alternative theory in the making in it which I hope to elaborate in a subsequent engagement. At the same time, it must have been clear to the readers by now that both of us have two different vantage points or frames of privileging: while Beteille's critique is more sociological and specific to the Indian predicament, mine is more philosophical and global. My different frame of reference raises the question of fairness in my critique. But I think the questions I have asked also follow from the nature of the discursive field constructed by Beteille. In pursuing this differential criticism, I also believe that the task of criticism is to widen our universe of discourse and for this a critic's frame of reference has to be radically interrogated as well.

[This is a revised version of the paper presented in the Silver Jubilee Seminar of The Madras Institute of Development Studies, April 2-4, 1996. My thanks are due to Professor Padmini Swaminathan for asking me to contribute a paper. In preparing this paper, I have been enriched by the help of Professors Andre Beteille, Thomas Pantham, Daya Krishna, and P. Radhakrishnan. Professors Beteille, Daya Krishna, and Radhakrishnan so generously made available to me some of their unpublished and published papers and Professor Pantham drew my attention to Habermas's seminal critique of Rawls. My grateful thanks are due to them. The paper has subsequently been presented at University of Jammu, Indian Institute of Advanced Study, Shimla and Zamorin's Gunuvayurappan College, Calicut and I am grateful to the organizers and participants of my presentations in these places. I am particularly grateful to Dr. Ashutosh Kumar, Professors Mrinal Miri, D.D. Nampoothiri, Rajan Gurukkal, A. Vaidyanathan, K. Raghavendra Rao, David Ludden, Chittaranjan Das, Nancy W. Hanrahan, Fillipo & Caroline Osella for their comments and criticism but they are not in any way responsible for the views expressed here]

Endnotes

- 1 Building upon Roland Dworkin's distinction between equality as a right and policy, Beteille argues that groups do not have the same right to equality as do individuals. This has to be particularly kept in mind in the Indian case, he stresses, where the individual does not have the same significance as the group in its history, tradition and social structure. In India, for Beteille, "equality as an individual right must be protected from the excesses of equality as a social policy" (Beteille 1985: 37). Beteille argues that it is "the citizen as an individual, rather than any caste or community, who has the right to equal opportunity" (Beteille 1991a: 53). "While it is true that the right is not absolute or unqualified since it has to accommodate social provisions," Beteille argues that "accommodation cannot be so extensive as to render the right fictitious" (ibid).
- 2 For example, Beteille argues, "If a college cannot remove or reduce the inequalities in the relations between men and women that its members bring into it from the wider society, it fails as an academic institution to that extent. But that does not mean that all forms of inequality can or should be removed from the college" (Beteille 1995: 566). Beteille believes that certain forms of it are "constitutive of an institution as a stable arrangement of persons engaged in a set of co-ordinated activities" (ibid).
- 3 At this point, it must be made clear that even such a perspective provides a critical valuative criterion to consider the question of institutional well-being: well-being of institutions depend on the extent to which these facilitate the capacity and functioning of individuals.
- 4 In the words of Sen, "Indeed, by specifying the objectives more fully, e.g. by distinguishing between 'the occurrence of A' and 'the occurrence of A through our own efforts,' it is formally possible to embed the particular feature of 'instrumentally agency success' within the general format of 'realized agency success'" (Sen 1992: 57)
- 5 Habermas argues that though we cannot essentialize the human ability to problematize the foundations of their life and institutions, such problematization is as much part of the routine life of individuals and institutions as it is part of their transformative moments of criticism and creativity. Habermas (1990: 109) notes that

within the horizon of the life world, practical judgments derive both their concreteness and power to motivate action from their inner connection to unquestioningly accepted ideas of the good life, in short, from the connection to ethical life and its institutions. Under these conditions, problematization can never be so profound as to risk all the assets of the existing ethical life. But the abstractive achievements required by the moral point of view do precisely that.
- 6 This is for instance, clear in Beteille's sustained preoccupation with the "continued existence of institutions" but without asking why institutions should exist if they have lost their functional efficiency and moral relevance.
- 7 In this context, the distinction between organizational excellence and organizational greatness that the noted organization-theorist Pradip Khandwalla makes deserves our careful consideration. Khandwalla (personal communication) argues that organizational excellence is a limited concept because it is preoccupied with organization-centered goals and concerns. But for greatness it is also necessary that the organization makes an exalted social contribution which can be in the form of striking positive externalities, an unusual degree of altruism, idealism, contribution to human efflorescence, contribution to positive human transformation, etc.
- 8 I draw this critique of Beteille's stress on institutional autonomy from Habermas's following criticism of Rawl's stress on political autonomy:

The form of political autonomy granted virtual existence in the original position, and thus on the first level of theory formation, does not fully unfold in the heart of the justly constituted society xx Because the citizens cannot conceive of the constitution as a *project*, the public use of reason does not actually have the significance of a present exercise of political autonomy but merely promises the nonviolent *preservation* of political stability (Habermas 1995: 128; emphases in the original).

The only thing that I would like to add to this, though, is that this preservation is not only non-violent but also — perhaps primarily—violent in most contemporary societies.
- 9 However, Beteille (1993b) makes clear that "it would be a folly to maintain that [this] can be corrected by extending the opportunities for such misuse equally to members of all castes and communities."

- 10 In his autobiographical essay, "Career in a Declining Profession," Beville does talk about the dangers of the politics of "democratization" on institutional well-being but not about the politics of distributive justice (see, Beville 1990a).
- 11 In order to understand what it means to make existing institutions problematic, we can take the help of Veena Das (1995). In the following lines, Das speaks of bringing law to the service of justice. But her following critique is applicable to any other social institution as well which takes seriously the task of transformation:
- ..intuitively we think about the possibility of justice only when some attempt is made to see that the objects of justice share certain common values and are in agreement about the procedures through which disputes should be articulated. Yet on closer examination we find that it may very well be the function of law to make the practices of certain sections of society problematic by bringing a different set of norms to bear on them. For instance, infanticide, the suffering imposed on animals in order to gain knowledge, and marital rape are all contemporary examples of practices that may be held as unproblematic by some sections of society but which may be problematized by judicial recognition and disputation (Das 1995: 207).
- 12 In this context, what Charles Taylor (1985: 310) writes deserves our careful consideration:
- If we think of public institutions as just existing to protect liberty, they can coexist with almost any degree of inequality...But if we think of these institutions as nourishing the sense of liberty, and in particular through interchange and common deliberation, then great inequalities are unacceptable.
- 13 Nancy Fraser's distinction between "affirmative" and "transformative" remedies is significant for the purpose of our critique here:
- By affirmative remedies I mean remedies aimed at correcting inequitable outcomes of social arrangements without disturbing the underlying framework that generates them. By transformative remedies, in contrast, I mean remedies aimed at correcting inequitable outcomes precisely by restructuring the underlying generative framework (Fraser 1995: 82).
- 14 As Rawls (1993: 262) writes: "Indeed, it seems natural to suppose that the distinctive character and autonomy of the various elements of society requires that, within some sphere, they act their own principles designed to their peculiar nature."
- 15 According to Rawls (1972: 278),
- ..fair equality of opportunity means a certain set of institutions that assures similar chances of education and culture for persons similarly motivated and keeps positions and offices open to all on the basis of qualities and efforts reasonably related to the relevant duties and tasks. It is these institutions that are put in jeopardy when inequalities of wealth exceed a certain limit; and political liberty likewise tends to lose its value, and representative government to become such in appearance only.
- 16 For Beville (1991b: 19), "In a society in which family commitments are of such strength, it would be remarkable if the children did not benefit from the social contacts of their parents."
- 17 Beville finds the language of right problematic and inflexible and prefers the language of policy. But in his preferred language or policy, who is the speaker? It is primarily the state. Here the language of obligation can provide a rich supplement to the language of right. It must be made clear that to use the language of obligation does not mean carrying the burden of altruism all the time, an apprehension put forward succinctly in the following lines of Dasgupta: "Citizens have general obligations towards each other — paying their taxes, not intentionally harming others and so forth. They are not obliged to bear the world's problems on their shoulders at all times" (Dasgupta 1993: 74). But there is a naturally transformative link between the obligation to the self and obligation to the other as well so that both are mutually implicated. Obligation to the other and the world is not a burden but is and can be a natural part of the work of the self.
- 18 I owe this phrase and perspective to Heller (1987). In thinking about it I have also been enriched by my recent reading of Metz (1980) and Zohar & Marshall (1994). For Metz (1980: 42), an anthropological revolution at the contemporary juncture is characterized by the cultivation of "nondominating virtues" and the formation of a "new subjectivity." Zohar & Marshall (1994) apply the perspectives of quantum physics to the understanding of the problem of justice and argue that the making of an anthropological revolution lies in the realization on the part of

the self: "I am more than my brother's keeper: I am my brother." As they argue, "The moral shift required by a quantum relation to the deprived outsiders is a radical one. If I view the other mechanically, as an other, the closed moral bond that I have with him or her is that I am my brother's keeper. But in a quantum society I am more than my brother's keeper: I am my brother."

- 19 This is despite Sen's critique of utilitarianism and rationalism (see, Nussbaum and Sen 1987; Giri 1994a; Giri 1995).
- 20 Rawls tells us that "as a device of representation the idea of the original position serves as a means of public reflection and self-clarification" (Rawls 1993: 26). But is the overwhelming rationality of actors enough / adequate for such an engagement? They too require a spiritual enlightenment, an enlightenment which reiterates the unconditional ethical obligation of the self to the other (see, Giri 1996a; Taylor 1989; Pande 1989, Pande 1991).
- 21 Dr. Markarand Paranjape (personal communication) argues that being a *sannyasi* has always represented a way out of the pathologies of family-centeredness in the Indian tradition.
- 22 Market today is accorded a pre-eminent significance as a guarantor of freedom, equality, and justice. But the unfinished task of making market an institution, and providing it an alternative design in our current phase of market-led "demobilization" (cf. Unger 1987) of labor still looks for our critical striving. In this context, what Unger (1987: 483) writes deserves our careful consideration: "Our current versions of market institutions jeopardize freedom on both a large and a small scale. On a large scale, it leaves a restricted number of people with a disproportionate influence over the basic flows of investment decisions... [on a small scale] it does so, diffusely by generating and permitting inequalities of wealth that reduce some people to effective dependence on others" Speaking of market as an institution, we also have to understand the foundation of the current market regime on the subordination of time and labor to its logic of money without whose mediation time and labor have no autonomous significance and capacity for wealth-creation and production of goods, services, and well-being. What the poor abundantly have such as free time and free labour have no place in the discourse and practice of the market (Giri 1995c; Seshadri 1982). Because of "lack of suitable institutional provisions and aids for lack of organizing capabilities on their own, households in modern societies are largely prevented from enjoying the advantage that nearly all the other economic agents draw from non-monetary transaction media" (Offe and Heinze 1992: 184): In this context, there is a need for developing "social technologies", that is to say for socio-economic institutions that will exploit the activity potentials at present lying unused" (Offe and Heinze 1992: 51).
- 23 The globalization of our economy, polity, and everyday life has been accompanied by the crisis of existing global institutions—institutions, which are primarily based on state-centric principles—to cope with the challenge of global contingencies (Connolly 1991; Held 1991; Featherstone et al 1995). The task of creation of new global institutions which promote justice, freedom, and dignity also calls for creative initiative in this field

References

- Bauman, Zygmunt
 1993 *Postmodern Ethics*. Oxford: Basil Blackwell.
- Beck, Ulrich
 1992 *The Risk Society: Towards a New Modernity*. London: Sage Publications.
- Beck, Ulrich & Elisabeth Beck-Gernsheim
 1995 *The Normal Chaos of Love*. Cambridge: Polity Press.
- Bellah, Robert et al.
 1991 *The Good Society*. New York: Alfred A. Knof.
- Beteille, Andre
 1980 *Ideologies and Intellectuals*. Delhi: Oxford University Press.
 1985a "The Social Situation of the Backward Classes." Lecture 1: The Smuts Lectures, 1984-1985, University of Cambridge.
 1985b "Positive Discrimination in Comparative Perspective." Lecture IV: The Smuts Lectures, 1984-1985, University of Cambridge.
 1990a "Career in a Declining Profession." *Minerva*: 1-20.
 1990b "Lessons of South Indian Experience: Caste and Reservations." *The Hindu*. October 20.
 1991a "Distributive Justice and Institutional Well-Being." *Economic and Political Weekly* Annual Number: 591-600, March 1991
 1991b "The Reproduction of Inequality: Occupation, Caste and Family." *Contributions to Indian Sociology* (n.s.) 25 (1): 3-28.
 1992 "Family and Caste in the Representation of Indian Society." *Anthropology Today*
 1993a "Theory of Empowerment: Clearing the Ground for Populism." Delhi: *The Times of India*, March 12.
 1993b "Power and Authority: Courts and the Political Process." Delhi: *Times of India*, April 20.
 1993c "Amartya Sen's Utopia." *Economic and Political Weekly*: 753-756, April 17.
 1993d "Sociology and Anthropology: Their Relationship in One Person's Career." *Contributions to Indian Sociology* 27 (2): 291-304.
 1994 "Feminism in the Academia: Changes in Theory and Practice." Delhi: *Times of India*, December 29.
 1995 "Universities as Institutions." *Economic and Political Weekly*: 563-568, March 18.
 1996 "Caste in Contemporary India." In Chris J. Fuller, (ed.), *Caste Today*. Delhi: Oxford University Press.
- Block, Fred
 1987 *Revising State Theory: Essays on Politics and Postindustrialism*. Philadelphia: Temple University Press.
- Bok, Derek
 1990 *Universities and the Future of America*. Durham, NC: Duke University Press.
- Castoriadis, Cornelius
 1987 *The Imaginary Institutions of Society*. Cambridge: Polity Press.
- Connolly, William E.
 1991 *Identity / Difference: Democratic Negotiations of Political Paradox*. Ithaca: Cornell University Press.
- Das, Veena
 1995 *Critical Events: Anthropological Perspectives on Contemporary India*. Delhi: Oxford University Press.
- Dahl, Robert
 1989 *Democracy and Its Critics*. New Haven: Yale University Press.

- Dasgupta, Partha
1993 *An Inquiry into Well-Being and Destitution*. Oxford: Clarendon Press.
- Drucker, Peter
1993 *The Ecological Vision: Reflections on the American Condition*. New Brunswick, N.J: Transaction Books.
- Featherstone, Mike et al. (eds.)
1995 *Global Modernities*. London: Sage Publications.
- Fernandez-Kelly, Patricia
1994 *Towanda's Triumph: Social and Cultural Capital in the Urban Ghetto*. Institute for Policy Studies, Johns Hopkins University, Baltimore: Working Paper.
- Fraser, Nancy
1995 "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age." *New Left Review* No. 212: 68-
- Gasset, Ortega
The Revolt of the Masses.
- Giddens, Anthony
1984 *The Constitution of Society*. Cambridge: Polity Press.
1991 *Modernity and Self-Identity: Self and Society in the Late Modern Age*. Cambridge: Polity Press.
1992 *The Transformation of Intimacy. Sexuality, Love and Eroticism in Modern Societies*, Cambridge: Polity Press.
1994 *Beyond Left and Right: The Future of Radical Politics*. Cambridge: Polity Press.
- Giri, Ananta
1993 "Social Policy and the Challenge of Post-industrial Transformation." *The Indian Journal of Social Science* 6(4):317-393
1994a "Democratic Transition and the Challenge of Transformation." Indian Institute of Management, Ahmedabad: Working Paper.
1994b "The Conquest of Self? Intimacy and the Overcoming of Boundaries." *Economic and Political Weekly*. July 2.
1994c "The Quest for a Universal Morality: Jurgen Habermas and Sri Aurobindo." *The Indian Journal of Social Science*.
1995a "Connected Criticism and the Womb of Tradition." *The Indian Journal of Social Science* 8(2):139-146.
1995b "Universities and the Horizons of the Future." *University News*. 1-7, Nov. 13.
1995c "Exclusion and Integration: The Moral Struggles." Paper presented in the Workshop on Social Exclusion, Mahatma Gandhi University, Kottayam, Aug 2-5.
1996a "Self, Other, and the Challenge of Culture." Madras Institute of Development Studies: Working Paper.
1996b "Socrates and the Pig." *University News*. Feb. 6.
- Guhan, S. et al.
1990 "South India and Reservations: A Reply to Andre Beteille." *The Hindu*.
- Government of India
1980 *The Report of the Backward Classes Commission*. New Delhi: Publications Division.
- Habermas, Jurgen
1987a *A Theory of Communicative Action. Volume 2: Life World and System: A Critique of Functionalist Reasoning*. Cambridge: Polity Press.
1987b *The Philosophical Discourse of Modernity*. Cambridge: Polity Press.
1990 *Moral Consciousness and Communicative Action*. Cambridge: Polity Press.

- 1995 "Reconciliation Through the Public Use of Reason: Remarks on John Rawl's Political Liberalism." *The Journal of Philosophy* XC11 (3): 109-31.
- Headland, Thomas et al.
1990 *Emics and Etics: The Insider / Outsider Debate*. Newbury Park, CA: Sage Publications.
- Heller, Agnes
1987 *Beyond Justice*. Oxford: Basil Blackwell.
- Kaul, Rekha
1993 *Caste, Class and Education: Politics of the Capitation Fee Phenomenon in Karnataka*. Delhi: Sage Publications.
- Krishna, Daya
1996 "Democracy and Justice, Presuppositions and Implications: Some Philosophical Reflections from a Non-Western Perspective." Manuscript.
- Martin, L.H. et al.
1988 *Technologies of the Self: Seminar with Michael Foucault*. Amherst: University of Massachusetts Press.
- Metz, Johannes B.
1980 *The Emergent Church: The Future of Christianity in a Post-Bourgeoisie World*. New York: Crossroad.
- Morgan, Arthur
Search for Purpose.
- Nussbaum, Martha & Amartya Sen
1987 "Internal Criticism and the Indian Rationalist Traditions." World Institute of Development Economics Research: Working Paper.
- Offe, Claus & Rolf G. Heinze
1992 *Beyond Employment: Time, Work, and the Informal Economy*. Cambridge: Polity Press.
- Offe, Claus & Ulrich K. Preuss
1991 "Democratic Institutions and Moral Resources." In David Held, (ed.), *Political Theory Today*. Cambridge: Polity Press.
- Pande, G.C.
1989 *The Meaning and Process of Culture as Philosophy of History*. Allahabad: Raka Prakashan.
1991 "Two Dimensions of Religion: Reflections Based on Indian Spiritual Experience and Philosophical Traditions." In Elliot Deutch, (ed.), *Culture and Modernity*. Honolulu: University of Hawaii Press.
- Pantham, Thomas
1995 *Political Theories and Social Reconstruction*. Delhi: Sage Publications.
- Radhakrishnan, P.
1990 "Some Issues Overlooked." *The Hindu*
- Rawls, John
1972 *A Theory of Justice*. London: Oxford University Press.
1993 *Political Liberalism*. New York: Columbia University Press.
- Robertson, Roland
1992 *Globalization: Social Theory and the Global Culture*. London: Sage Publications.
1996 "Values and Globalization: Communitarianism and Globality." *International Journal of Sociology and Social Policy*

Roy, Ramashray

- 1993 "Swadhyaya: Values and Message." In Ponna Wignaraja, (ed.), *New Social Movements in the South: Empowering the People*. New Delhi: Vistaar Publications.

Sen, Amartya

- 1992 *Inequality Reexamined*. Oxford.

Seshadri, C.V.

- 1982 *Development and Thermodynamics*. Madras: Murugappa Chettiar Research Center.

Sheth, N.R.

- 1994 "Children of the Same God." Gujarat Institute of Development Research: Working Paper.

Sri Aurobindo

- 1950 *The Synthesis of Yoga*. Pondicherry: Sri Aurobindo Ashram.

Taylor, Charles

- 1985 "The Nature and Scope of Distributive Justice." In *Philosophy and the Human Science: Philosophical Papers. Vol.2*. Cambridge: University Press.
- 1989 *Sources of the Self*. Cambridge, MA: Harvard University Press.

Toynbee, Arnold J.

- 1951 *A Study of History*. Oxford.

Unger, Roberto M.

- 1987 *False Necessity: Anti-Necessitarian Social Theory in the Service of Radical Democracy*. Cambridge: University Press.

Verma, Roop Rekha

- 1991 "The Concept of Progress and Cultural Identity." In Elliot Deutch, (ed.), *Culture and Modernity*. Honolulu: University of Hawaii Press.

Wallerstein, Immanuel

- 1991 *Geopolitics and Geoculture: Essays on the Changing World-System*. Cambridge: University Press.

Zohar, Donah & Ian Marshall

- 1994 *The Quantum Society: Mind, Physics and a New Social Vision*. London: Flemingo.