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Institute of South Asian Studies
National University of Singapore
29 Heng Mui Keng Terrace
#08-06 (Block B)
Singapore 119620
Tel: (65) 6516 4239 Fax: (65) 6776 7505
www.isas.nus.edu.sg
<http://southasiandiaspora.org>



Indian Democracy at 70: Some General Lessons¹

Subrata Kumar Mitra²

Is democracy a moveable feast? Can all societies reach the twin ideals of popular rule and an accountable government, mindful of minorities, given appropriate institutions? Independent India's democratic experience, though fraying at the peripheries but still solid at the core, gives rise to these salient questions which have deep significance for transition to democracy and its consolidation in transitional societies emerging from colonial rule, foreign occupation or dictatorship. This paper analyses the Indian experience in the light of six general propositions about institutions and processes that pave the way for transition to democracy and its consolidation. The assumptions on which they are based are general, and not culture- and context-specific. Alone, or in combination, popular elections, institutionalised countervailing powers endogenous to the political system, power-sharing, the accommodation of diversity based on region and community, inclusive citizenship and a previous experience of limited franchise on which to build the post-transition regime can help pave the way towards democratic rule in transitional societies.

¹ The Institute of South Asian Studies (ISAS), an autonomous research institute at the National University of Singapore, is dedicated to research on contemporary South Asia. It seeks to promote understanding of this vital region of the world, and to communicate knowledge and insights about it to policy makers, the business community, academia and civil society, in Singapore and beyond. As part of this ongoing process, ISAS has launched a series of commemorative essays on each of the eight South Asian countries to coincide with their respective national days. The objective is to present a snapshot of the successes and challenges of the countries in South Asia, a sub-optimally integrated region with a globalising aspiration. This second essay focuses on India, which celebrates its 70th birth anniversary on its Independence Day today – 15 August 2017.

² Professor Subrata Kumar Mitra is Director and Visiting Research Professor at ISAS. He can be contacted at isasmkr@nus.edu.sg. The author bears full responsibility for the facts cited and opinions expressed in this paper.

Introduction: The Dilemma of Democracy and Development

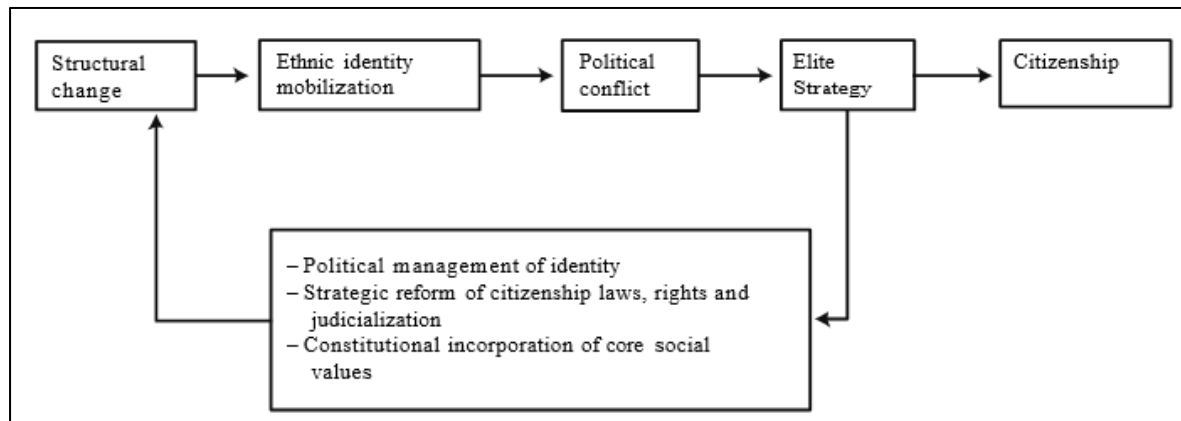
India emerged as an independent democratic country in 1947 after long years of British colonial rule. With new, unsettled boundaries, a society recovering from an acrimonious Partition with huge mass movements and memories of violent inter-community conflict, a failed communist uprising in Telangana in the south, and a war with Pakistan over Kashmir, India looked like an improbable aspirant to join the exclusive club of liberal democracies. However, this was the goal set by the newly-designed constitution of the nascent republic that formally came into being in 1950. Seven decades on, the country continues to be democratic, ruled under the original constitution. Economic growth, after a long period of lacklustre performance, has picked up, and the percentage of people living below the poverty line has declined significantly. Despite the disturbing reports of cow vigilantes and the commanding presence of the Hindu nationalist Bharatiya Janata Party (BJP) comfortably ensconced in the Union government and in some important states of India, the secular character of the political system is still intact. This is puzzling, in view of the fact that most transitional societies fail to sustain democratic rule beyond the life-time of the founding generation that constituted the core of the post-colonial regime.

Democracy and development have rarely reinforced each other, particularly in the context of transitional societies. Sections of the populations of these societies who have long endured alien rule or oppressive domestic tyrants, once free, have risen in force to give vent to their pent-up desires. The fragile institutions of nascent democracies have rarely been able to contain the angry crowds, nor meet their demands that have invariably exceeded the limited capacity of new states. The hiatus between state capacity and the expectations of citizens, both in terms of values and resources, has often cut at the root of legitimacy of the governing system. In the ensuing disorder, collapse of the state and disintegration of social order in rapid succession have become a standard episode in the story of the sad fate of democracy in developing societies. To this 'rule' – a law-like formulation by Samuel Huntington in his celebrated *Political Order in Changing Societies* – India is an exception.

The co-existence of mass poverty and democracy is at the core of the Indian puzzle. Equally puzzling is how India got out of the trap of the low level of 'Hindu rate of growth' and managed to sustain a high degree of economic growth and low inflation. The article pins the Indian 'miracle' – the simultaneous achievement of democracy and development in a post-colonial

context – on strategic reforms and a policy process based on democratic governance, elite agency combined with accountability, viable state-society linkage, the juxtaposition of individual rationality and institutional arrangements in a manner that helps prevent legitimacy deficit (see Figure 1).

Figure 1: Turning subjects into citizens: a dynamic neo-institutional model



Source: Author's own. *Politics in India*, (London: Routledge; 2011)

The flow diagram depicted in Figure 1 (described in greater detail in the author's *Politics in India*, (London: Routledge; 2011, second edition forthcoming in 2017) shows the dynamic process that helped transform rebels – actual and potential – into stakeholders of the political system. Violent movements and mass mobilisation on the basis of ethnic identities, particularly that of the official language, a totem of identity and a stepping stone to jobs in the governmental sector, had stymied the proper functioning of modern institutions in Pakistan, Sri Lanka and India during the 1950s. However, whereas Pakistan and Sri Lanka paid dearly for the obduracy of dominant ethnic groups, India could manage the issue, thanks to the three-language formula that struck a balance between the insistence on the mother tongue, and the continued availability of Hindi and English as the link languages for all. An elected and accountable elite, a cooperative federal system and strategic decision-making that built on appropriate policies for order, welfare and identity, produced a political process that has sustained democratic governance and legitimacy.

A system of expanding electorates in India has contributed to the steady deepening of enfranchisement, entitlement and empowerment, and the induction of new social elites into the political arena. This has transformed subjects into citizens and rebels into stakeholders. This has been facilitated by the Indian context where the post-colonial democracy has benefitted

from the pre-colonial evolution in power-sharing. The inspiring leadership of Mahatma Gandhi facilitated a remarkable blending of rational protest and strategic participation. The growth of India's federal system has acted as the national equaliser of opportunities through the strategic transfer of resources from the Centre to the states, under the vigil of the independent Finance Commission. In addition, the constellation of forces converging in the regional context, melding classical heritage and modern politics, and political path dependency, continue to play a residual role in making democracy and development possible. And finally, leadership – *the* quintessential wild card of politics anywhere – also played a significant role. Such was the calibre of leadership of Mahatma Gandhi and Jawaharlal Nehru – their unique blend of tradition and modernity played a decisive role at the critical junctures that marked the evolution of Indian politics under colonial rule. However, the vision and power that marked their influence need to be understood in the context in which they played their roles. The context itself was autonomous of the leaders, so also was the combination of many structural factors which we shall analyse below.

Democracy and Development: Balancing the Twin Imperatives

A leading strand in the academic literature on the theory of transition to democracy and its consolidation has held that democratic regimes in transitional societies have little chance of success. Some reduction of democratic rights, it has been argued, might be necessary for the growth of the developmental economy and, eventually, of democratic institutions. A similar argument from the advocates of the 'developmental' state suggests that the agenda of development needs to be raised above the fray of everyday politics. The rough and tumble of political contention, the same school argues, needs to be firmly held in leash within the parameters of a political system wedded to a developmental design, which itself remains supra-political. India presents a counterfactual example to both schools. Right from the outset, development and democracy have been fostered in tandem. In fact, the complementary roles of both have been seen as a necessary condition for their simultaneous success. In order to understand the comparative significance of Indian democracy, one needs to consider six distinctive features based on the norms, modalities and idiom of India's everyday life. The themes explained below correspond to specific aspects of the Indian model of blending democracy with development.

Electoral Mobilisation and Appropriate Public Policy

Regular and effective elections, based on universal adult franchise, to all important offices and institutions at the central, regional and local levels of the political system are one of the most significant factors that explain the success of India's democracy. An independent Election Commission oversees elections in India. It is ably supported by an independent judicial system, proactive in the defence of human rights and marginal social groups. Elections have helped to induct new social elites into positions of power and replace hereditary social notables. The electoral process, from its early beginnings about six decades *before* independence, has grown enormously, involving a massive electorate of about 815 million men and women, of whom, roughly 60 per cent take part in the polls. The fact that, in spite of terrorist attacks and insurgency, regular elections are held even in the state of Jammu and Kashmir speaks of the strength of India's democratic electoral processes.

While the constitutional structure of India's elections has remained more or less constant over the past seven decades, the electoral process – evidence of the dynamism of social empowerment – has undergone significant changes. The general elections of the 1950s were dominated by traditional leaders of high castes. However, as the logic of competitive elections sank in, cross-caste coalitions replaced 'vote banks' that were based on vertical mobilisation, where dominant castes dictated to the lower social groups. 'Differential' mobilisation of voters, which refers to the coming together of people from different status groups, and 'horizontal' mobilisation, where people of the same status group coalesce around a collective political objective, have knocked vertical social linkages out of the electoral arena. Today, sophisticated electoral choices, based on calculations that yield the best results for individuals and groups, are the rule. Electoral empowerment has brought tribes and religions in all social strata into the electoral fray. The political coalition put together by Mayawati, who leads the Bahujan Samaj Party, has skilfully drawn support from *dalits* (former untouchables), the upper Hindu castes and Muslims.

Differential and horizontal electoral mobilisation of socially marginalised groups has resulted in policy changes that further demonstrate the deepening of democracy in India. Successive governments have introduced laws to promote social integration, welfare, agrarian reforms and social empowerment. Over the past two decades, broad-based political coalitions have forced the more-extreme ideological movements such as the champions of Hindu, Sikh and Muslim,

or for that matter, linguistic and regional interests, to moderate their stance. The percentage of people under the 'poverty line' has decreased from nearly half of the population in the 1960s to a little over a quarter during the past decade. Though the rapid growth that India achieved in the decades following the liberalisation of the economy in the 1990s has decelerated, the gains have not been entirely lost, and India, one of the fastest-growing economies today, is poised to be a major economic force in the international arena. In domestic politics, despite governmental changes, India has managed to maintain policy continuity, the pace of the liberalisation of the economy, globalisation, and nuclear deterrence.

Institutional Arrangement and Countervailing Forces

India's record at successful state formation and, more recently, the progressive retreat of the state from controlling the economy but without the ensuing chaos seen in many transitional societies caught in similar situations, speaks positively of the effectiveness of her institutional arrangement and political processes. These institutional mechanisms are based on constitutional rules that allow for elections at all possible levels and areas of governance, and, therefore, promote, articulate and aggregate individual choices within India's federal political system. Since the major amendment of the Constitution in 1993 that created an intricate quota system, India's 600,000 villages have become the lowest tier of the federal system, bringing direct democracy to the door-step of ordinary villagers and guaranteeing the representation of women, *dalits* and forest-dwelling tribal communities.

The juxtaposition of the division and separation of powers, the fiercely independent media and alert civil rights groups, and a proactive judiciary, have produced a level-playing field to facilitate democratic politics. Countervailing forces that provide checks and balances, despite the myth of the fusion of powers on which parliamentary governments are based, constitute the basis of the empowerment of competing social forces. As the BJP, with the massive mandate that it won in the parliamentary elections of 2014 quickly discovered, the Rajya Sabha (Upper House), with half the strength of the Lok Sabha (Lower House) and no right to initiate money bills, was not a paper tiger after all. The Congress party, despite failing to win enough seats in order to gain the status of the official opposition in the Lok Sabha, succeeded in rallying support in the Rajya Sabha and successfully reined in the innovative zeal of the National Democratic Alliance by stalling legislation. The Supreme Court remains ever vigilant to check the powers of the government. Equipped with the Basic Structure Doctrine, the court holds the Constitution

as interpreted by it, as the last word with regard to legitimacy. A whole series of statutory commissions like the Finance Commission, the Minorities Commission, the Public Accounts Committee and the Estimates Committee have constitutionally guaranteed independent powers that set limits to executive authority of the government. A hyperactive press, the electronic media, the pro-active judiciary and any number of non-governmental organisations act as watch dogs to protect human rights and give voice to forces of opposition.

Many of these are transplants from the colonial era, adapted by repeated use and re-use to the local customs and needs. It is significant to note that India's main political parties do not question the legitimacy of India's modern institutions. Although they differ radically in their ideological viewpoints, all parties such as the Communist Party, perceivably Hindu-nationalist parties like the Shiv Sena and the BJP, share the norms of democracy, in contrast to the rest of South Asia where even the governing parties want to change institutions and constitutions. In India, even parties that draw their strength from mobilising religious cleavages or class conflicts justify their radical politics in the name of the right to democratic participation!

Asymmetric *but* Cooperative Federalism: Balancing 'Unity and Diversity'

India's federation has simultaneously succeeded in differentiating the political and administrative landscape of India, whilst holding on tightly to the unity and integrity of the state as a whole. Within India, state boundaries have been re-drawn on the lines of mother tongue and regional identity. Under this framework of reorganisation, a 'three-language-formula' has emerged, with the bulk of regional governance being done in the local language but Hindi and English being retained as the link languages. This helps to generate support for the national principle of 'unity in diversity'. Meanwhile, the economy and the development of political coalitions that strive to accommodate small political groups have also helped to promote national unity.

Elections at the central, regional and local levels, and to governing bodies all over India that draw public funds, and the imperative of building coalitions in order to win, have transformed most rebels in Indian politics into stakeholders. Elections as a method of generating legitimate and democratic governance have been less successful in Jammu and Kashmir and in parts of the Naxalite- (that is, Maoist) and insurgency-affected areas of India, but even there, elected

governments soldier on, acting in tandem with the army to keep order, and generate development.

The legal responsibility for law and order rests primarily with the regional governments but is borne under the watchful eye of the Centre. While the state governments control the regional police, the Constitution of India provides for their superseding by direct rule from New Delhi, the national capital, when they fail to maintain law and order. The President of India is the ceremonial head of the state and real power lies in the hands of the Prime Minister. The constitutional provision (Article 356) that, “If the President, on receipt of report from the Governor of the State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution” he can, by proclamation, dismiss an elected state government and replace it with direct rule from the centre is therefore open to misuse by a power-hungry central government. In fact, that used to be the case in the past. However, the combination of coalition politics, vigilant judges and strong public opinion has acted as a safeguard against this kind of abuse of power. In reality, the maintenance of law and order has become more of a joint venture of New Delhi and the federal states. Since the 1960s, the federal states have increasingly acquired autonomy and an authentic political voice in conjunction with New Delhi. Successive elections have consolidated India’s transition to a multi-party democracy, national unity and political stability.

In brief, the successful transformation of a colonised population into citizens of a secular, democratic republic, has contributed to the sustainability of democracy. The main strategy has consisted of encouraging the rebels, the alienated and the indifferent to become national stakeholders. The strategy’s components are (a) India’s institutional arrangement (the Constitution); (b) laws meant to implement the egalitarian social visions underlying the Constitution; (c) the double role of the state as a neutral enforcer and a partisan supporting the vulnerable social groups through affirmative action in producing a level playing field; (d) the empowerment of minorities through law and political practice, including India’s personal law which guarantees freedom to religious minorities to follow their own laws in the areas of marriage, divorce, adoption and succession; and finally (e) judicial intervention which safeguards individual and group rights.

Balancing National Unity and Regional Diversity

The analysis of India's federal arrangements has shown how the state has succeeded in the simultaneous differentiation of the political and administrative landscape through the creation of new units while holding on tightly to the unity and integrity of the state as a whole. The fears of 'Balkanisation' that marked the rise of language movements in the 1950s have not materialised. Instead, thanks to the redrawing of the boundaries of the federal states on the lines of mother tongue and/or regional identity, regions have become coherent cultural and political units. Consequently, regions have gained in power. The liberalisation of the economy has transformed the whole of India increasingly into one economic unit, producing the kind of economic collaboration across regional frontiers that would not have been possible earlier. Simultaneously, regions have also emerged as a site of governance in their own right, thanks to the transformation of regional movements into parties in power, and the politics of coalitions that has made them partners in the national government, or for that matter, the national opposition, giving legitimacy to their regional bases as political units in their own right.

Regional governments are crucial cogs in the wheel of national governance. Under the Constitution, and by convention, whereas the Union (that is, the Centre) is indestructible, regions or states are creatures of the national government. The Indian state has devised an ingenious method to enhance the stability of the political system by rearranging the units below through the creation of new regional and sub-regional governments, substituting representative government with Central rule (that is President's Rule) or even the deployment of army when the regional political system is unable to sustain orderly governance. Such emergency rule at the regional level is usually withdrawn when the need for the suspension of normal functioning of parliamentary politics is no longer tenable.

In practical terms, however, following the end of the 'one-dominant-party system' (1947-67), in which the Indian National Congress ruled both at the Centre and in the states, the states have increasingly acquired autonomy and an authentic political voice. In consequence, the maintenance of law and order has become more of a joint venture between New Delhi and the federal states. Still, regional diversity rules at the heart of the legal uniformity of India's regions, as the regions, in view of their social and political evolution, historical context, specific relations with the Centre and institutional arrangement, experience the challenge of governance in different ways. The regional government, more than the central authority or the local

administration, is the repository of the primary constitutional responsibility for the maintenance of law and order. Regions are important springboards for upwardly mobile politicians and civil servants.

Ethnicity and Territoriality as Competing Norms of Citizenship

Despite these significant achievements in democracy and development, the incomplete project of nation-building, fuelled by the search for collective identity, has emerged as one of the core problems of the 21st century. Deep underneath the external symbols of democracy and governance, India is haunted by the unresolved issue of national identity. The nexus between foreign-sponsored terrorist attacks and the complicity of sections of the local populations raises the issue of disaffection. The presence of local networks, improvised explosives and intelligence about the state agencies demonstrates significant local support for terrorism in India. In addition to the threat to the security of the state, the implication of the disenchantment of the terror-complicit sections of the Indian population casts some doubt on the success of India's inclusive democracy and the capacity of the state to protect public order.

The legal right to citizenship or, more precisely, nationality is accorded by the state. Identity, and following from it, the moral right to belong, sustains the individuals' claims to citizenship. When both the legal right to citizenship and the obligations that are germane to it converge in the same group of individuals, the result is a sense of legitimate citizenship where the individual feels both legally entitled and morally engaged. If not, the consequences are either legal citizenship devoid of a sense of identification with the soil, or a primordial identification with the land but no legal sanction of this. These situations can lead to violent disorder, inter-community riots and civil war. The Indian strategy of turning subjects into citizens is based on an institutional arrangement containing several important parameters. First of these are the legal sources of citizenship as formulated in the Constitution of India (Articles 5-11), the Constituent Assembly debates (which provide insights into the controversy surrounding specific articles), and legislation undertaken by the national parliament to enable and amend, depending on the case, the original provisions of the Constitution. The 'judicialisation' of citizenship is yet another method of synchronising the provisions of the law and the new demands from society. The assertion of identity and linkage to India has emerged as a supplementary basis of Indian citizenship, in addition to birth and residence. Property and citizenship have constantly been interwoven; who can own property and how much have had

fluid answers. In the case of Kashmir, the laws have always had a slightly different tinge due to the special agreement that the Indian legislations would not normally be applicable to Kashmir. The typical strategy makes a three-pronged attack on conflict issuing out of the hiatus between general legal norms of the state and the assertion of political identity contesting the state. India makes stakeholders out of rebels by adroitly combining reform, repression and selective recruitment of rebels into the privileged circle of new political elites.

Historical Contingency and Path Dependency

Context matters. It is in a given context that strategic leaders engage in the social construction of time, casting the pre-modern past in a new cultural space and devising the strategic room to manoeuvre. The conditions in which they make their fateful decisions are themselves the results of similar contingencies in a previous historical period. Independence came to India not as a result of a revolutionary war but through protracted negotiation between the colonial ruler and the main actors in the Freedom Movement. The process of negotiation was complex because the discussions between the coloniser and the colonised intersected with conflicts among the colonised themselves. This had one major consequence. The post-independence model of government in India was based on power-sharing among adversaries, who in the process learned to use democratic institutions to constrain the struggle for power. As such, negotiation has become an essential part of India's politics, and indeed, an integral part of everyday life. In fact, the constant presence of conflict in the local arena is also indicative of the growing propensity of people from all walks of life to assert their rights to dignity, basic needs and security.

Conclusion

India at independence in 1947, emerging out of British colonial rule, was a poor, socially and spatially fragmented country with low literacy, still recovering from memories of vicious Hindu-Muslim riots that marked Partition. An overwhelmingly large percentage of its population – illiterate, poor and steeped in subsistence agriculture – was suddenly catapulted to the world of modern competitive politics. Still, the country made a successful transition to democracy, and went on to consolidate it, despite the absence of the requisite social and economic conditions at the outset. This makes India stand out as an exception to the rule.

The seamless connectivity between democracy and development, however, is not the first image that comes across when one looks at India. A visit to the country, actual or virtual, can be a chastening experience for the enthusiasts of democracy and development. A perusal of India's print media – in English, but even more so in the native languages and the lively political debates on India's multi-channel television networks – might give the impression of a chaotic political process, a fragmented polity and a political system whose capacity is constantly overtaken by the expectations it gives rise to.

India's internal conflicts and cleavages often manifest themselves in complex combinations such as ethnic conflict, secessionist movements, inter-community violence and terrorist attacks. Students of comparative politics, equipped with the competition over scarce resources as an all-purpose key to social conflict, might look askance at India, because so often these demands and potential conflicts are articulated in a form and an idiom that are deeply embedded in culture. From their standpoints in villages, urban localities and peripheral regions, India's national, regional and local elites, leaders of ethnic groups and social activists have mastered the art of political manipulation through a deft combination of protest and participation. They draw on political strategies that encompass the symbolic and the material, collective identity and memory and pre-modern values in order to promote goals that are essentially modern.

Deeper analysis, as the author has argued in this article, reveals a more satisfying picture. Despite the stubborn images of 'mystical India' and a country steeped in poverty, India has made a breakthrough into sustained growth, and low inflation. A whole generation of Indians belonging to the middle class – estimated to be between 200 million to 350 million people – has had access to credit, housing, education, health care and travel on a scale that is radically different from that of the immediate post-independence generation. Indian tourists, professionals and Indian companies on the main street in foreign countries are no longer the novelty they once were. With relatively secure borders, free and fair elections, orderly governance and global connectivity, India today is a significant player in the global arena. India's voice – no longer equivocal or ringing with shrill 'third-world' rhetoric of a bygone era – is listened to with respect by global stakeholders. This is the message that India today, under the intrepid Prime Minister Narendra Modi, seeks to communicate to audiences and investors abroad, tapping particularly the talent of the vast Indian diaspora, spread across the world.

Indians are justly proud of their simultaneous achievement of democracy and development, a rare accomplishment for a transitional society. As the country celebrates its 70th birth anniversary as an independent country since Jawaharlal Nehru, the first Prime Minister, launched its career as a parliamentary democracy with a fateful speech that has entered history as ‘Freedom at Midnight’ and ‘Tryst with Destiny’, it is important for the country to set four key targets for the next decade. To join the Asian century as one of Asia’s leading powers, the country needs to: (a) solve the slow-burning conflicts with Pakistan and China, and engage politically with disaffected groups and insurgencies; (b) balance growth with justice; (c) bolster trust between the majority community and religious minorities; and (d) pay serious attention to public service delivery. It is unconscionable that, in India, an economic giant with nuclear capacity, open defecation should still be the case for over half of rural households compared to only five percent in Bangladesh.

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