

One Cheer for Indian Democracy: Taking Institutions Seriously

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Indians are democracy-proud, and rightly so. Indicators of the success of India's democracy such as the sense of political efficacy on the part of ordinary citizens, widely spread sense of legitimacy and trust garnered from meticulous survey-based evidence, are the very stuff of political debate in India (Kohli 2001, CSDS 2008, Mitra and Singh 2009). The scale, regularity, and effectiveness of India's electoral democracy question the dire predictions of a doomed democracy. India's success in achieving electoral democracy has proved the celebrated pessimists of the early post-independence years to have been baseless.¹ As India prepares for the next general election, despite continued insurgency in Jammu and Kashmir and in the North-East, sporadic terrorist attacks and well armed and financed Maoist rebels against the authority of the state, no one seriously questions the continuity of the twin-foundations of Indian democracy: electoral victory as the only basis of political power, and electoral competition as the only guaranteed path to office.

While India's democratic achievements are undoubtedly magnificent, they deserve only one cheer and not the conventional three because electoral democracy in post-colonial states, is no longer the novelty it once was. With Sharif's magnificent mandate, even Pakistan, long derided for its failure to match the democratic achievements of India, is a serious candidate for admission to the elite club of poor democracies. What matters much more in global ranking today is the ability of democratic regimes to sustain good life. In the age of global flow of culture, the very definition of good life itself has changed. More than merely the '*roti, kapda aur makan*'—food, clothing and shelter seen as the measurement of basic material needs, dignity of the individual, sanctity of the sacred, and cultural freedoms in addition to the basic minimum material needs. India's

record on these criteria is abysmal, bypassed by even by small Latin American and African countries, not to talk of East Asian 'tigers'. (Dreze and Sen 2013).

How might one transform a flawed democracy to one which lives up to the promise of democracy without transgressing the norms of electoral democracy, particularly when, as I argue below, electoral democracy is also a putative cause of the political malaise that India is up against? More specifically, if the Indian 'model' has yielded such good results for transition to democracy, why does it appear to have run out of steam?

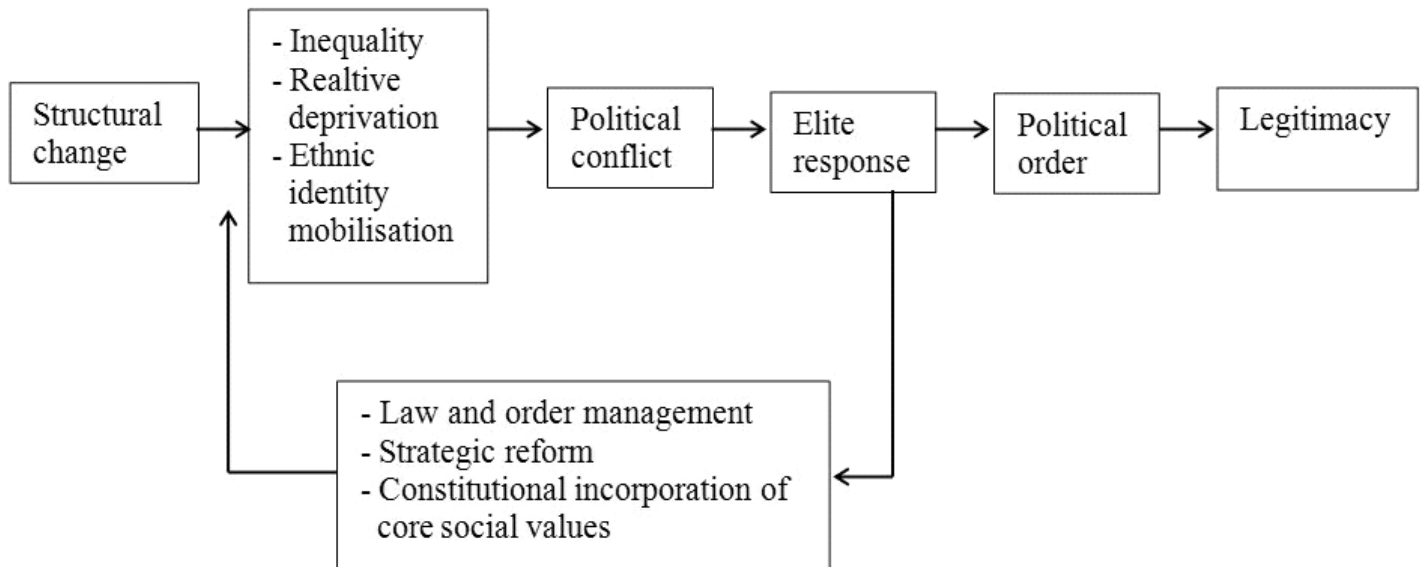
A Neo-institutional, Rational Choice Model of Transition to Democracy in India

The resilience of Indian democracy is puzzling in comparison to India's South Asian neighbours which also emerged from British colonial rule at the same time as India. To explain India's successful transition from colonial rule to electoral democracy I offer a *dynamic neo-institutional* model of economy-society-state interaction (Mitra 2005, 2011, 2013). In this model, the new social elites, themselves the outcome of a process of fair and efficient political recruitment through democratic elections, play a two-track strategy and institute processes of law and order management, social and economic reform and accommodation of identity as an operationally testable model. The key function of this model is to help establish an agenda for empirical research into the policy process by focusing on the key decision-making elite.

The model seeks to explain why structural changes - from colonial, semi-colonial or communist rule to popular democracy, socialism to capitalism or upper caste hegemony to multi-caste competition - do not always result in political anarchy. The presence of a decision-making elite firmly ensconced at the core of the

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Figure 1
A dynamic neo-institutional model of state-society-economy interaction



institutional arrangement of the state, with firm links to society and an eye for governance, can make the difference. What makes Indian democracy work, and why does it fail, sometimes? What significance does India's counter-factual democracy hold for general theories of democracy transition and consolidation?

Making Democracy Work: India's *Political Capital*

Making democracy work, Robert Putnam (1993) argues, entails social attributes such as high inter-personal trust, voluntary social networks, and norms that are shared across social group. A caste-bound, hierarchy-ridden traditional society hardly meets these requirements. Electoral democracy in India has succeeded despite the absence of these and other classic pre-conditions such as mass literacy, egalitarian society and social cohesion that marked western democracies at their formative stages (Lipset 1955). India's anomalous democratic transition can be explained by the country's *political capital*. India's political system and process rather than its social structure have become the main agent of change. Political capital is the outcome of a level playing field, strategic social and economic reform, accountability and India's multi-layered citizenship. These institutions and processes are briefly described in the arguments that follow.

I. ELECTORAL MOBILIZATION AND UNFETTERED PARTICIPATION

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 to explain the success of India's electoral democracy. India's powerful and independent Election Commission, ably supported by the Supreme Court and a watchful and litigious civil society ensures that elections remain largely free and fair. Elections have helped induct new social elites in 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 600 million men and women, of whom, roughly sixty percent take part in the polls. The fact that terrorist attacks and insurgency have not been able to thwart competitive elections speaks to the strength of India's electoral processes.

While the constitutional structure of India's elections has remained more or less constant over the past six 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 mobilization, where dominant castes dictated

lower social groups. 'Differential' mobilization of voters, which refers to the coming together of people from different status groups, and 'horizontal' mobilization, 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.

Differential and horizontal electoral mobilization of socially marginal 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 relations and social empowerment. Over the past two decades, broad-based political coalitions have forced more extreme forms of Indian politics, such as the champions of Hindu, Sikh, Muslim, or for that matter, linguistic and regional interests, to moderate their stance.

Inclusive electoral campaigns by catch-all parties rather than exclusive mobilisation along caste, class or religion has become the norm, so much so that attempts to violate this by charismatic and compelling personalities have generated deep fissures among otherwise disciplined cadre as one has recently witnessed in the case of the emergence of Mr Narendra Modi to high office within the BJP. The political constraints on mobilisation vs accommodation as electoral strategies are generated by the very high level of empowerment and networking of previously powerless groups such a religious minorities and dalits – a fact consistently pointed out by public opinion analysis.

II. ELECTION REINFORCING INSTITUTIONAL

ARRANGEMENTS 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, speak positively of the validity of the country's institutional arrangements which effectively protect India's electoral democracy. 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 choice within India's federal political system. Since the major amendment of the constitution in 1993 that created an intricate quota system, India's six hundred thousand villages have become the lowest tier of the

federal system, bringing direct democracy to the doorstep of ordinary villagers and guaranteeing the representation of women, dalits, backward castes and tribals.

The juxtaposition of the division and separation of powers, the fiercely independent media and alert civil rights groups, and a pro-active judiciary, have produced a level playing field to facilitate democratic politics. Many of these are colonial transplants that have been adapted by repeated use and re-use to local custom and need (Mitra 2011). 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, parties such as the Communist Party, Hindu-nationalist parties like the Shiv Sena, the Bharatiya Janata Party, all share the norms of democracy. Not even parties that draw their strength from mobilizing religious cleavages or class conflict issues object to democracy. Therefore the right to democratic participation is no longer considered an exotic idea.

III. ASYMMETRIC BUT COOPERATIVE FEDERALISM:

REGIONALISATION AS AN ELECTION-ENHANCING MECHANISM

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. Cooperation among units widely different in size rather than the dominance of large regions or indeed, of an almighty central government is a striking feature of the Indian federation. The boundaries of the federal States have been re-drawn on the lines of mother tongue, making regions coherent cultural and political units. The fears of 'balkanization' (Harrison 1965) that marked the rise of language movements in the 1950s have not borne out. Meanwhile the regional arena has emerged as the most crucial unit of India's electoral arena and has endowed regional parties with an extra measure of power.

The Indian state has devised an ingenious system of enhancing stability of the political system through an indigenous scheme of federalisation. By creating new regional and sub-regional governments, federal units can be rearranged. Short term, constitutionally permitted central or even army rule can substitute representative government when the regional political system is unable to sustain orderly rule. Such emergency rule at the regional level is usually withdrawn when the need for the suspension of the normal functioning of parliamentary politics is no longer tenable. The legal

responsibility for law and order rests primarily with the regional government, but is 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 Delhi when they fail to maintain lawful governance.

In brief, the successful transformation of a colonized population into citizens of a secular, democratic republic, has contributed to the sustainability of electoral democracy. The main strategy has consisted in the encouraging of 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 as a partisan supporting vulnerable social groups 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) judicialization which safeguards individual and group rights.

Such is the power of electoral dynamics in India and so deep-rooted the process is that even when democracy fails as in the case of violent riots, insurgency or governmental instability, these remain localised and soon enough, electoral democracy bounces back. In response to such cases three points deserve our attention. First, so far, India has been generally successful in containing, if not solving such protracted issues as the secessionist movements in many of India's regions, including Jammu and Kashmir, within the structure of the democratic constitution. Secondly, the cleavages and conflicts tend to be local and regional rather than national. They also tend to be cross-cutting where those who are opposed to one another on one cleavage might find themselves in alliance on a different issue, rather than cumulative where advantages as well as disadvantages cumulate in specific social groups. Finally, the rhetoric of the leaders of such movements, even when radical and strident, is deeply ensconced within the conceptual framework of electoral democracy. Rather than leaning towards religious fundamentalism, they point more towards power-sharing, in sharp contrast to millenarian-totalitarian movements such as Afghanistan's Taliban or Sri Lanka's LTTE.

Survival as Politics: The Dark Side of Electoral Democracy

So far, we have seen the strength of electoral democracy, the rationale behind its dynamism and embedding within

Indian political culture which is well and good. A brief perusal of the state of India's politics in the run up to the next general elections, however, reveal the pathologies that affect the process of articulation and aggregation of interests, the making of appropriate policies and their effective implementation, rampant corruption and lack of accountability. Never before has one seen India's electoral democracy in such dire state where small, local incidents – a gang rape in the capital, the killing of an Indian prisoner in a Pakistani jail, an anti-corruption movement, or any small altercations between the forces of law and order and the public in Kashmir - are routinely blown up into national proportions. The state of continuous crisis is best described by an image used by Sir Charles Napier (1782-1853) to describe the Indian peasant. 'He stands in neck deep water with his feet firmly shackled to the ground; the tiniest ripple can drown him'. The daily struggle for survival has made UPA II resilient. In each of these crises, like the peasant, the government has been a survivor, ducking and holding its breath for the immediate crises to blow over. All the while, the government brazenly carries on, as if this were business as usual. How does the government succeed in generating and maintaining parliamentary support, and what is the price to pay for survival as the paramount goal of politics?

Regarding the first question, the government manages the numbers through an adroit canniness in drafting in support to balance the new '*aya rams and gaya rams*' of Indian politics, reminiscent of the unstable politics of the 1960s, trading off a Mamata for a Mulayam, or a Jayalalitha for either of the two. And those hyper critical of unprincipled politics of the UPA are the first ones to put the logic of survival over principle, and are loath to let go of the opportunity to extract the maximum price for their support from a beleaguered government. In this merry go round of political promiscuity, everyone keeps a straight face, taking comfort from avoiding the fall of the government which could usher in the instability of the mid 1960s or mid 1990s. The sub-text to all this of course is to keep the BJP from gaining any electoral advantage, whose chosen strategy of retaliation has been to disrupt the parliament, drowning out any possible scope for serious exploration of alternatives in a din of opportunity theatricals and seriously undermining the most important institution for public debate and accountability. If survival is the art of politics, then the UPA II would be remembered as the leader of the pack. India's regional satraps have replicated precisely the same strategies, and all of this has been accepted in the name of TINA - that quintessential, all conquering logic of Indian politics – there is no alternative!

UPA II has mastered the art of managing numbers and the nimble-footed shedding of excess weight in order to

survive; what it lacks is legitimacy. This produces a deficit of trust and transforms tiny issues to major crises. If they do not add up to the Indian equivalent of the Arab Spring, it is because India's countervailing forces discussed below in detail are much more numerous; and the safety valve of the next election holds back the deluge. The consequence of governmental stability combined with non-functioning governance is a form of contained volatility of the public. Anger builds up, the lid is pushed open for a quick release and the lid falls back – thus demonstrating the power of conservative dynamism of the Indian system. It is a system caught in a low level equilibrium trap. And for the country as a whole and, particularly for those without power, money or connections, who are not players but playthings of the players, the price in terms of opportunity costs – of major legislations denied, delayed or improperly passed, and missed opportunities in the international market, is enormous.

In the run up to the next general election, Indian politics exudes a sense of dangerous and damaging *immobilism*. Watching the UPA II and the NDA locked in daily scuffle one gets the impression of two gladiators engaged in a defensive battle where each waits for the other to make a mistake. Neither dares take a public stance on its core ideological arguments, nor risk a position on the main issues facing India's security, growth, South Asian regional integration, governance, citizenship or for that matter, the definition of the country's collective identity. Policy paralysis combined with office-seeking is perhaps the price of the Indian way, but that does not impress Standard and Poor which is holding the prospect of downgrading it to the status of junk bonds. The daily jousts of Singh vs. Modi is a convenient ploy for the main political parties to avoid serious debate on alternatives that could generate new ideas, explore deeper layers of Indian politics and contain serious long term damage to public institutions. Under the shadow of the moribund parliament are the deprived masses, toiling away with antiquated tools and poor infrastructure, their anger swelling at the publicly funded UPA II version of NDA's 'India Shining'. The opportunity cost of this till the next elections is a cause of grave concern.

To the Rescue of Electoral Democracy: Bringing Institutions Back in Again

The challenge for India today is two-fold. In the first place, how does one go from the ailing 'largest democracy in the world' to one which can give a fighting chance to ordinary people to earn an honest living without having

to bribe the high and low, to live without the constant fear of murder, rape, extortion, encroachment, disease, and to expect reasonable succour in the case of natural disaster? It is not expecting heaven on earth: people in middle income democracies that have neither the bomb nor Bangalore, enjoy some of these eminently achievable goals. Secondly, how does one reach these goals without renegeing on the very premises of electoral democracy? This bears introspection for democratic empowerment is also part of the cause of the decline of democracy. The rights to disrupt parliament, encroach on public space by hawkers and builders of instant temples are seen by these law-breakers as an integral right of Indian citizens.

By the way of solutions, first, the panic that one finds in some circles about the unsuitability of parliamentary democracy to meet India's problems, is totally uncalled for. There is no need to scramble to get out of the 'sinking ship of parliamentary democracy' and head for the life-boats of the fundamentalist, Maoist or social activist varieties. The ship of electoral democracy is not ready for the scrap yard yet: but it needs fixing. The crises that have marked the last days of UPA II are caused by the growing gap between trust in government and legitimacy, and the sense of empowerment that has come to individuals and groups over the past decades thanks to the horizontal spread of electoral democracy. Secondly, one needs to critically examine the pseudo-liberal attitudes that mark civil society activism in India and abroad with regard to the role of army in Kashmir and the North-east. Nurturing balanced with hard pruning is the essence of good gardening; and so is law and order management, enhanced by strategic social economic reform which, like drip irrigation, can bring succour exactly where it is needed and in the right amount.

A further armoury in the repertoire of the state is the discovery of what people in their localities consider sacred, and weave that into the larger structure of the modern state. The tactical use of an essentialised 'secularism' by the 'left-democratic-secular' parties cannot take the sacred on board, just as the fundamentalists of all hues who promote their specific understanding of the sacred to a compulsory national norm. (Shirshendu, this paragraph might need to be expanded.)

Finally, in the third place, India needs the proper use of institutions as they have been designed in the constitution and their strategic evolution, assisted by the knowledge that the police, army, civil servants and judges generate in the process of governance. The current crises could be an opportunity to do some radical, 'within the box' thinking. Three simple ideas can make this point. First, when lawful governance becomes unsustainable in

a State, the centre steps in by the way of President's rule. There is no equivalent for this at the centre. A national emergency still retains the same set of politicians who are the cause of the crisis in the first place. Here, India can benefit from devising a form of caretaker government which can draw on the experience of competent and non-partisan persons like the President and the Chief Justice, who have shown considerable administrative acumen and loyalty to the constitution. Secondly, India's foreign policy needs to be made in Delhi, and not in Kolkata, nor Chennai. The antidote to the out of proportion power of small parties in the era of coalitions which is the main cause of this anomaly is to extend the anti-defection law to protect commitments to existing coalitional arrangements. Governmental stability can be further bolstered through an equivalent of the German 'constructive vote of no-confidence' which makes it obligatory for the initiators of no-confidence to propose an alternative majority, short of which the motion falls through. These measures will enhance the power of key players to get more space to generate coherent and stable programmes. Finally, ministers should look after policy and the executive responsibility should be in the hands of the civil service. After all, why should individual ministers be in charge of technical decisions like allocation of coal blocks, land or subsidy?

Appropriate institutions, seamlessly connecting the modern state and traditional society, conflating time tested wisdom with new, global knowledge are the only solution for a flawed democracy. More than western management gurus, building on the achievements and mistakes of the decades after Independence, is the best way forward.

Conclusion: Institutional Re-arrangement to Protect Electoral Democracy

Electoral democracy is necessary but not sufficient to deliver the prizes that one can legitimately expect from political life in the era of global cultural flow. The crisis of electoral democracy that I have analysed in this essay could be an opportunity to engage in some serious institutional re-designing that would help protect the gains of democratisation while moving democracy to the next step towards major social and economic reform without in any way reneging on consent as the basis of all authority which is the canon of electoral democracy. If this were to be achieved, then the Indian experiment with democracy can contribute vital insights to the making of a general theory of democratisation. With its continental dimensions, massive elections, its social context of ethnic and conflict-ridden diversity, deeply

embedded inequalities based on caste, gender, religion and tribe, India has nevertheless succeeded in achieving the status of an embedded democracy. This has been brought about through a political process ensconced in a hybrid political culture that dovetails modernity and tradition. At the heart of the political process are hinge institutions like the Supreme Court, the Election Commission, the Parliament and a few others that seek to generate a level playing field where power can be shared by a constantly increasing body of stakeholders who constitute India's political community.

The success of India's democracy, properly understood, has important significance for democracy in South Asia, as well as for broader democracy theory. It shows that strategic reform, accountability, and social policies that balance efficiency with justice, can sustain the progress in democracy and development in a post-colonial context. India's successful conflict-resolution, compared to other new democracies has been immensely helped, by the fact that social groups tend to overlap, and that key intermediaries for conflict-resolution such as the judicial system and party politics have been available for a considerable length of time prior to Independence. India's social and economic cleavages sometimes manifest themselves in complex combinations of ethnic conflict, secessionist movements, inter-community violence and terrorist attacks. Students of comparative politics, equipped with the knowledge that competition over scarce resources usually underlies social conflict, might look askance at India where such potential conflicts are articulated in a form and an idiom that are deeply embedded in traditional culture.

Indian democracy has made great strides in terms of the expansion of participation from the core groups to whom the British had transferred power and generated an inclusive community where region, gender, caste, class, religion and language have increasingly become irrelevant as a necessary and sufficient factor for the exercise of power. Consent, more than social origin has become the basis of authority. This is an indisputable fact which deserves to be highlighted. However, India's struggles are not yet over. As one can see in the ongoing insurgency in Kashmir and the North East, Maoist violence in Central and Eastern India, and sporadic Hindu-Muslim conflict, India still faces the challenge of how to reconcile democracy, governance and collective identity. To attribute such democracy failures to merely the 'misguided youth', or to assume that 'things will somehow work themselves out', instead of focusing on the structural problems and institutional shortcomings that lead to them, would be, as Barrington Moore warned in his magisterial *Social Origins of Dictatorship and*

Democracy (Boston: Beacon Press; 1967) the “acme of intellectual and moral irresponsibility” (p. 410). Elections are necessary but not sufficient to make democracy work; one needs a continuous adaption of institutions to the changing environment so as to make them relevant and appropriate and sustain the level playing field that democracy needs to be. This is the general lesson to be learnt from the Indian experiment.

BIBLIOGRAPHY

- Centre for the Study of Developing Societies, *State of Democracy in South Asia: A Report*, Oxford University Press, Delhi, 2008
- Harrison, Selig, S. *India: The Most Dangerous Decades*, Princeton University Press, 1960
- Huntington, Samuel. 1968. *Political Order in Changing Societies*. Harvard University Press. Kohli, Atul, ed., *The Success of India's Democracy*, Cambridge University Press, 2001
- Kothari, Rajni. *Politics in India*, Boston: Little, Brown, 1970
- Mitra, Subrata. *The Puzzle India's Governance: Culture, Context and Comparative Theory*, Routledge, London, 2005
- Mitra, Subrata and Singh, V B. *When Rebels become Stakeholders*, Sage, Delhi, 2009

- Mitra, Subrata. *Politics in India: Structure, Process and Policy*, Routledge, London, 2011
- Mitra, Subrata. “Democracy's Resilience: Tradition, Modernity and Hybridity in India” in the *Harvard International Review*, Winter 2011, vol XXXII, No. 4, pp. 46-52
- Moore, Barrington, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*, Beacon Press, Boston, 1967. See chapter 6, “Democracy in Asia: India and the Price of Peaceful Change”
- Puhle, Hans-Juergen. “Democratic Consolidation and ‘Defective Democracies’”, working paper 47/2005 (Madrid) www.uam.es/centros/derechol/cpolitical/papers.htm

NOTES

1. Most prominent among them are Selig Harrison (1965) who predicted the end of parliamentary democracy in a miasma of ethnic strife and balkanisation, Barrington Moore (1967) who anticipated peaceful paralysis or worse, and Ayesha Jalal (1995) who saw dangerous common trends of authoritarianism, based either on personal rule or party ideology, in both India and Pakistan.

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