



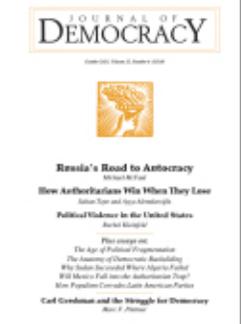
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India's Endangered Democracy

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BOOKS IN
REVIEW

INDIA'S ENDANGERED DEMOCRACY

Šumit Ganguly

To Kill a Democracy: India's Passage to Despotism. By Debasish Roy Chowdhury and John Keane. Oxford: Oxford University Press, 2021. 320 pp.

On 4 July 2021, Father Stan Swamy—a Jesuit priest and tribal-rights activist who had been incarcerated on the dubious charge of having ties with India's Maoist guerrillas—died in a Mumbai hospital due to covid-19 complications. He had contracted the virus while imprisoned for several months awaiting trial. Despite Swamy's frail health from Parkinson's disease and the pleas of his legal counsel, the Indian courts repeatedly refused to grant him bail. They did so at the behest of the National Investigation Agency (NIA), India's top antiterrorism organization. Swamy's death set off nationwide protests about the callousness of both the NIA and the judiciary.

Yet public outcry is unlikely to lead to any reform of India's courts or a repeal of the draconian legal pretext under which the NIA arrested Swamy. This law—known as the Unlawful Activities Prevention Act—grants the government virtually complete leeway to declare an individual a terrorist, among other disturbing features. Government data show that 1,948 individuals were prosecuted under the Act in 2019, an increase of 72 percent from 2015. Worse still, the Act undermines the principle that an individual is presumed innocent until proven guilty. And the judiciary, once fiercely independent, has become subservient to the vagaries of the executive branch.

Swamy's tragic death in custody exemplifies some of the many short-

comings that are now plaguing India's democracy. In *To Kill a Democracy*, Debasish Roy Chowdhury and John Keane provide a grim catalogue of how the country's democratic governance has steadily eroded over the past several decades. Worse still, the authors forcefully argue, unless current trends are either curbed or reversed India may well be caught in an inexorable spiral toward despotism with a democratic façade.

Their fears are not unfounded. The 2021 assessments of Indian democracy from several reputed sources raise profound questions about the country's political trajectory. The Economist Intelligence Unit declared India to be a "flawed democracy" and ranked the country fifty-third of the 167 countries that it rated for democratic quality. Democracy watchdog Freedom House, which since 1998 had labeled India as Free in terms of political rights and civil liberties, downgraded it to Partly Free. The Sweden-based Varieties of Democracy (V-Dem) project now calls the country an electoral autocracy.

The evidence of India's democratic slide that Roy Chowdhury and Keane amassed impresses with its sheer scope and detail, but it also demoralizes—their findings highlight the myriad flaws that now pockmark the country's political system. The authors divide the book into three segments: The first deals with "Social Emergencies"—a range of issues from healthcare to labor rights; the second section, "Democide," addresses matters from the decline of the judiciary to increasing constraints on press freedom; and a final part titled "Towards Despotism" underscores tightening restrictions on civil liberties and personal freedoms as well as the stark threats to the future of India's democracy.

Before turning to these three substantive sections, the authors make an intriguing but somewhat controversial argument. Scholars have long held that the success of Indian democracy was little short of astounding given the country's cultural and ethnic diversity as well as its many social cleavages involving caste, religion, and class. By contrast, the authors argue that India's democracy was troubled from its inception. Despite a formal commitment to democratic values, principles, and institutions, India's founders failed to forthrightly confront the deep-seated social inequities at the core of Indian society. During the adoption of the country's postindependence constitution in 1950, one of its key drafters, Bhimaro R. Ambedkar—the great Dalit ("untouchable") leader—had sounded the tocsin on this matter: He argued that India's entrenched social divisions could undermine the constitution's promise of equal outcomes. Unfortunately, Roy Chowdhury and Keane contend that his prescient warning went unheeded for the most part.

While there is likely no gainsaying this important criticism, it overlooks the Herculean tasks that the founders tackled in drafting a democratic constitution and, more importantly, in laying the foundations for India's first free elections in 1952. Introducing universal adult franchise to more than three-hundred-million Indians proved to be a vast undertaking: Most

were illiterate and many lacked fix abodes due to poverty and the displacement wrought by the partition of British India. Ornit Shani masterfully discusses these challenges in *How India Became Democratic: Citizenship and the Making of the Universal Franchise* (2017).

Voters were too astute to believe that the BJP's values were at all in accord with the profound humanism of Indian Nobel laureate Rabindranath Tagore or the philosophy of Swami Vivekananda, the great exponent of modern Hinduism.

There is probably more than an element of truth to the claim that India's founders paid inadequate heed to the structural features of Indian society, making the reification of substantive democracy difficult without sustained governmental action. That said, one of the principal drawbacks of this otherwise sound work is that the authors fail to adequately develop this tantalizing argument and explain the founders' oversight. Steps that the founders could have taken include investments

in universal primary education and basic healthcare as well as a meaningful commitment to land reform.

Instead, the authors plunge into India's postindependence public-policy inadequacies with unsparing accounts laden with telling anecdotes and a host of pertinent statistics. In one particularly disturbing incident torn from the headlines, a human-resources executive desperately sought but failed to find a hospital bed for her father in New Delhi during the covid pandemic. This episode is emblematic of a significant policy failure: the inadequacy of healthcare facilities nationwide. The authors adduce a range of statistics to paint a dire picture of the abject state of public health in the country. For example, half of the districts of India's most populous state Uttar Pradesh did not have a single bed with intensive-care facilities when the pandemic struck the country.

Policy failings are also apparent in the government's implementation of policies designed to counter the problem of food insecurity and chronic malnutrition. While catastrophic famine is no longer the lot of India's poor, chronic food shortages, hunger, and malnutrition still stalk the land. According to the most recent UN data, 20.9 percent of Indian children younger than five are too short for their age (stunted), and 17.3 percent are too thin for their height (wasted). Even though there are legal provisions that guarantee a supply of grains to the destitute, in practice significant gaps continue to dog the public distribution system. As a consequence, instances of starvation in some rural areas are not unknown. The authors do cite the insightful work of Indian Nobel laureate Amartya Sen, who has demonstrated that despite India's untold public-policy failures, its free press has been critical to ensuring that impending famines are reported and that public action follows to stave them off.

Cracks in Indian governance reach to the essence of democracy: the vote. Despite a formal commitment to free and fair elections, the country has seen growing attempts (especially since the late 1970s) to undermine the sanctity of the ballot box. While not discussed in the book, attempts on the part of political parties and politicians to resort to strongarm tactics during elections stem from an unlikely source: the growing sophistication and unpredictability of demands for political participation from the poor and marginalized. For instance, despite a supine election commission, widespread fear-mongering about illegal immigration from Bangladesh, and a highly skilled state-run social-media campaign, Prime Minister Narendra Modi's Bharatiya Janata Party (BJP) failed to dislodge the incumbent Trinamool Congress government in the 2021 West Bengal state elections. People saw through the BJP's scare tactics and its attempts to appropriate state cultural icons. Voters, even those with very little means, were too astute to believe that the BJP's values were at all in accord with the profound humanism of Indian Nobel laureate Rabindranath Tagore or the philosophy of Swami Vivekananda, the great exponent of modern Hinduism. In the end, the efforts of the BJP state machinery proved mostly futile.

Still, no single election will solve what ails India. The authors, for example, cite ample evidence of the growth of electoral violence across the country. In the 2014 national elections, sixteen people were killed and as many as two thousand were injured. And the electoral system's troubles are pervasive: Since India lacks public campaign financing and weakly implements electoral laws, the quantity of dark money in both national and state elections has surged, further eroding the integrity of the polls.

Sadly, this extraordinary catalogue of the abject failures of both public policies and institutional pathologies in India is largely accurate. The authors do not solely attribute these lapses to the 2014 rise of Modi—a right-wing authoritarian and populist. But his abuse of social media, creation of opaque electoral bonds to make campaign financing less accountable, and use of investigative agencies to target political opponents and dissidents—among other things—are bringing these decades-old pernicious phenomena in Indian democracy to what may be their nadir. Worse still, Modi has cowed the higher echelons of the judiciary, and they are often willing to bend to the proclivities of the government in their decisions.

The concluding section offers a few glimmers of hope that despite its untold failures all may not be lost for India: Civil society remains resilient; new, nationwide social movements demand reforms; and regional parties sustain opposition to the ruling party's majoritarian agenda. Whether these social and institutional forces can stem the rot that has come to blight India's democracy is an open question.

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