During the so-called “Third Wave of Democratization” that swept Asia beginning in the 1980s, there was widespread optimism that democracy was developing deep roots in the region. But with growing rivalry between China and the US, and changing political dynamics in many countries in Asia, there are now growing fears of democratic backsliding throughout the region.

ESSAYS BY
Introduction:
Aurel Croissant & Larry Diamond 8
Marlene Mauk 14
Brian C.H. Fong 22
Aurel Croissant & Kim Jung-eun 28
Subrata K. Mitra 36
Neil deVotta 42
James Chin 48
Pavin Chachavalpongpun 54
Mark R. Thompson 60
M. Faishal Aminuddin 66
For India, ‘Middle’ Democracy Works
By Subrata K. Mitra

Few democracies in the world face the same challenges as India. Its remarkable ethnic, religious and cultural diversity is often susceptible to political manipulation aimed at sowing division and discord. Prime Minister Narendra Modi has received his share of criticism for pursuing policies that deepen social and political divisions. But the reality behind Modi’s initiatives are easily misunderstood in the context of India’s evolution as a democracy and a modern, territorial state, writes Subrata K. Mitra.

FRENZIED CROWDS protest against an amendment to citizenship laws that are exclusionary on religious grounds. Legislation is passed to create a National Register of Citizens. Global condemnation rises over the revocation of the special status of the Jammu and Kashmir enshrined in Article 370 of the Indian Constitution. Isolated “lynch mobs” appear to target Muslims for the consumption and sale of beef. Allegations arise of “regulatory capture” being used against minorities. These scenes have deepened concern about the state of Indian democracy. Is India’s democracy regressing?

India is perceived by many to be a weaker democracy today than it was a year ago. For example, the country’s score in the Economist Intelligence Unit’s Democracy Index 2019 fell to 6.9 (from 7.23 in 2018), on a scale of 1 to 10, the country’s lowest score on record since the Economist began publishing its annual global democracy barometer in 2006. Other democracy barometers such as Freedom House, and the Varieties of Democracy (V-Dem) project show a similar finding.

I argue that the perception of democratic reversals in India has come about through a combination of protests against specific policies of the Narendra Modi government and the downturn of India’s economy. In India, where partisanship is based not on long-term party identification but short-term opportunity, these factors, thanks to a combination of low trust and high citizen efficacy, get easily transformed into mass protest. This explains the paradoxical resilience of India’s flawed democracy that neither rises to the Scandinavian heights of full democracy, nor goes down to a hybrid democracy or worse. I call it India’s “middle democracy” trap.

THE RECIPROCAL RELATION OF DEMOCRACY AND GOVERNANCE
India’s transition to democracy came about through a fortuitous combination of circumstances, including incremental devolution of self-rule under British colonialism; the orderly transfer of power to the Indian National Congress, the leading voice of the anti-colonial movement, which was well-schooled in the art and craft of power-sharing; the presence of two-track leaders who knew how to combine rational protest and institutional participation at critical junctures; a civil service well-honed in part-partnership with elected leaders; and a professional, politically neutral army and police (Mitra 2017).

A dynamic, neo-institutional model of governance, which underpins India’s political system, has been instrumental in the accommodation of radical movements into the fabric of the country’s resilient democracy. By drawing on the logic of human ingenuity driven by self-interest, the innovation of appropriate rules and procedures, and most of all the network of elite decision-makers at the Union, region and local levels, India turned rebels into stakeholders and institutionalized mass participation in free and fair elections, in order to promote a culture of enfranchisement, empowerment and entitlement. This has promoted the recruitment of local elites into leadership at all levels of the system, and enhanced both democracy and governance. More than in many post-colonial societies, democratic governance in India has been sensitive to law and order, strategic social and economic reform and constitutional incorporation of social values (Mitra 2005). The Indian model builds on appropriate legislative and administrative responses to relative deprivation, innovative policies of orderly rule, and the enhancement of the welfare of ordinary people (see Figure 1).

INDIA, SEEN THROUGH ROUTES TO DEMOCRATIC BACKSLIDING
Building on lessons derived from the model in Figure 1 and recent theorizing on democratic backsliding by scholars such as Bermeo (2016), Waldner and Lust (2018) and Croissant and Hellmann (2020), my assessment of India’s current democratic development focuses on four key factors.

1) Leadership. The Indian model earned early credibility through leaders such Gandhi, Nehru and Patel who acted as a bridge between the modern state and traditional society during India’s
first post-war “foundational decade.” The Modi government, however, is more than a military junta or a constitutional coup d’état but the same system of elite recruitment as the ruling parties and coalitions before it. It continues to be part of the same political system, subject to legal accountability like its predecessors, and to coercion by the Indian and global media. What we find in its electoral manifesto is a program for social and economic reform—not religious fundamentalism or racial cleansing. The policy of inclusive citizenship was replicated in the 2019 elections, which are not compulsory, is at a level comparable to Western liberal democracies and has remained since the coming of Modi.

3) **Vertical and horizontal accountability.** Institutions of vertical and horizontal accountability function as countervailing forces to sustain democracy. Vertical accountability takes place through elections, regulated by an independent Election Commission and the Supreme Court. This electoral success has transformed rebels into stakeholders. Horizontal accountability works through the separation of powers among the executive, legislative and judiciary, and division of powers at three levels of the federal system, the Union, States and village councils (panchayats). 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 for contenders seeking power. The success of parties opposed to the BJP in the past six regional elections has reinforced India’s plurality and countervailing forces.

The Indian state has successfully incorporated sub-national movements through a combination of force and persuasion and a malleable federalism that permits the creation of new states and sub-states to accommodate ethnic identities. This strategy has not worked for Jammu and Kashmir. The bifurcation of Jammu and Kashmir into two Union Territories of Jammu and Kashmir and Ladakh, which enjoys huge popular support in India, but also elicited vocal opposition from civil rights groups in India, is designed to strengthen the hand of the Union government, which will have direct control over policing.

The huge majority the Modi government enjoys in the powerful lower house of parliament (Lok Sabha), and the functional support of a majority in the upper house (Rajya Sabha) have helped the government pass legislation swiftly. Government opponents say this has forestalled adequate parliamentary scrutiny and hindered important efforts to build a national consensus on key legislative measures. Articulate opposition to the amendment to the citizenship law in regions such as West Bengal and the North East, and even from governments ruled by the BJP, are the consequences of a sense of insecurity among India’s Muslim minority and deeply held resentment against the government.

Regulatory institutions such as the Supreme Court continue to function effectively. The fact that restrictions on communication in Jammu and Kashmir have eased somewhat can be attributed to instructions from the Supreme Court to the government in response to public petitions for judicial intervention. The global media perceived the Ayodhya judgment by the Indian Supreme Court delivered on Nov. 9, 2019 as yet another victory for Modi and another example of democracy backsliding. However, the judgment allocating the site of the demolished mosque in the city of Ayodhya for the building of a temple, and instruction to the government to allocate an alternative site to the defenders of the mosque has been widely popular because it ends a source of political conflict dating back to centuries. It can thus be seen as evidence of India’s political process, which can self-correct and move toward democratic deepening by drawing on the transcultural heritage of orderly rule and social harmony.

4) **Nested anti-democratic elites.** Anti-democratic elites, nested in crucial decision-making...
niches of the state, can cause democratic reversals or even demise. India’s sub-systems have retained their relative autonomy. India’s decision to withdraw from the Regional Comprehensive Economic Partnership (RCEP), despite the lobby in favor of RCEP among Modi’s corporate allies, is a case in point. The same applies to electoral politics. Modi wins hearts and minds nationally, but his charisma is not “nested” in the electoral calculus of voters in regional elections, as the most recent defeat of the party in the Delhi assembly elections demonstrates. Six consecutive defeats in regional elections and the mobilization around the Citizenship Amendment Act (CAA) have already shown the capacity of India’s population to mobilize opposition to policies of the Union government.

THE ‘MIDDLE DEMOCRACY’ TRAP

A brief dissection of the present discontent and violent protest in India shows the unresolved problem of “national identity,” compounded by the apparent insouciance of the Modi government in the face of rising inflation and falling growth. This has led to vociferous discontent. The main trigger is the decline of trust among India’s Muslims because of government policies they perceive as divisive, and opposition from India’s articulate civil society groups who make common cause with minorities. Trust in political parties and legislatures — the work horses of democracy — remains low in India relative to the judiciary and the independent Election Commission. Trust in political parties and the police has declined compared to 2006. (Figure 2). Trust in institutions such as the army and religious organizations exceeds that in elected bodies. Organizations such as the police and the civil service, with which people are in daily contact, are crucial to the functioning of democratic governance. Low trust in these institutions, and in people of other nationalities (such as Pakistan), explains why political entrepreneurs make capital out of cultural nationalism.

Public discontent in India today is a robust sign of citizens’ empowerment and civil courage — assets that denote the deep foundations of democracy in India. The combination of personal efficacy and legitimacy of the political system, on the one hand, and low trust in political institutions, on the other, takes the shape of street protests (see Figure 2).

CONCLUSION

Modi’s strategy of bringing into the electoral arena dormant issues of stateness, such as codifying national identity, completing the territorial integration of Jammu and Kashmir with the Indian mainland and documenting Indian citizenship, has mobilized protests by potential losers from these policies. The resistance to the Modi government’s social policies — resulting from either a miscalculation or a shrewd strategic move — is compounded by failure on the part of the government to communicate these policies credibly.

Underneath this spate of policy-related protests are the deeper reserves of opposition to structural reform of the economy, land and labor relations — a price that any democratically elected government of India will need to pay if it aims to integrate the country into the global political economy, as the Modi government has attempted to do. There is a pendulum quality to Indian democracy. Time and again, it has bounced back from attempts to derail it, as happened during the Emergency regime of Indira Gandhi (1975-77). The incremental restoration of communication facilities in Jammu and Kashmir is the direct result of the intervention of India’s Supreme Court. The countervailing powers of regions ruled by non-BJP parties and sensitivity of the Indian government to global media contribute to the sustainability of India’s electoral democracy.

Indian democracy is based on an incessant quest for elected power. Ideological opponents in India can easily bury the hatchet, tone down fiery electoral rhetoric and forge power-sharing deals. In consequence, India’s democratic caravans are destined to roll on and sustain its flawed democracy, and keep the country in a “middle democracy trap” for the near future.


BIBLIOGRAPHY


Hallmann, Olli and Aurel Croissant, Statelessness and Democracy in East Asia (Routledge, 2020).


