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INDIA AT THE CROSSROADS: 75 YEARS OF THE WORLD'S MOST POPULOUS DEMOCRACY

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Independence Day

At the stroke of midnight on 15 August 1947, three-quarters of a century ago, India's independence formally began. It was solemnised the next morning when Prime Minister Jawaharlal Nehru hoisted the Indian tricolour flag; an [event celebrated continuously ever since](#). Leaving behind two centuries of British rule, Mahatma Gandhi and his followers intended to build a democratic state in which Hindus, Muslims, Sikhs, Christians and all the other religions coexisted on the subcontinent and could develop together under a democratic Constitution, something that few people believed possible in an economically backward country (cfr. M. Khosla, [India's Founding Moment: The Constitution of a Most Surprising Democracy](#)). However, unfortunately, it did not start off on the right foot because on that same day, the partition of the British Raj into two states, and Pakistan, was consummated. And not exactly in a friendly manner, as evidenced by the fact that, first, 14 million people had to change their residence (the largest mass migration in history) and then a war broke out between them over the control of Kashmir, which would have three more replicas in the 20th century. Not to mention the uncontrolled massacres between Hindus and Muslims, with an estimated 200,000 and 2,000,000 victims, including the assassination of Gandhi in early 1948, by Nathuram

Godse, a member of a Hindu extremist organisation, Rashtriya Swayamsevak Sangh. A wound so badly healed that an article drafted as a "temporary" one for the Jammu and Kashmir region, [Article 370](#), remained in force until 2019 (if it is not already in force, because the legal situation is unclear, cfr. P. Deshmukh, "[The De-Operationalization of Article 370 of the Indian Constitution](#)"). As a matter of common knowledge, I will not add that consensus was only achieved in the Constituent Assembly (1946-1950) by drafting a very long text, the longest of the sovereign states (but not the longest Constitution: the Alabama Constitution, with 388,882 words, far exceeds India's 145,000).

The first decades of self-government

The following years were not remarkably peaceful either, with the forcible incorporation of the sultanate of Hyderabad; the permanent conflict between the Sikhs and the central government in Punjab, with such violent episodes as the seizure of the Golden Temple by the army and the assassination of Indira Gandhi; the defeat in the border war with China; the minimal progress in the country's social and economic development achieved by the planning policy of the Congress Party, led by the Nehru-Gandhi family, and so on. In the 1980s, the dreams of independence were far from being fulfilled, and Indian society felt that the project was incomplete, if not failed. Salman Rushdie managed to express the distance between the ideal and the reality in his fascinating [Midnight's children](#), which concludes with the sad words of Saleem Sinai, born in the first minute of independence and a personification of the whole country: "it is the privilege and curse of midnight's children to be both masters and victims of their time".

India today

However, another thirty-odd years on, when Narendra Modi, the prime minister since 2014, hoisted the flag at the Red Fort for the 76th time and then addressed the nation in a lakeside speech in Hindi, he was able to reel off many collective achievements of the more than 1.4 billion Indians spread across its 28 federated states and 8 union territories, along with the occasional exaggeration, such as deploring that the world does not recognise India as "[the Mother of Democracy](#)". From being an

impoverished country in the days of the British Raj, it is now one of the world's fastest-growing economic powers, with a thriving middle class, a steadily declining poverty rate of no more than 13% of the population, and a soon to be residual illiteracy rate of only 12% in 2021; all of which brings it to a human development index of 0.645, at the top of the middle-developed countries. Ironically, not all the independence celebrations were over when IMF estimates of national economies indicated that India's GDP had surpassed that of the former colonial power, [making it the fifth largest economy in the world](#). A success that, in my opinion, is mainly due to the economic liberalism that the great economist Manmohan Singh managed to introduce in the 1990s, first as finance minister and then as head of the Congress Party government; a policy continued by his successors despite belonging to his arch-adversary Bharatiya Janata Party- Indian People's Party (cfr. S. Ganguly, [India since 1980](#)).

A historic democracy: at risk?

From the point of view of state organisation, it is noteworthy that India has in all these years maintained the democratic system with which it began its journey as an independent state, something that virtually no other major state emerging from decolonisation has achieved. Moreover, unless I am not mistaken, it seems that there is no other constitution in the world that defines itself as "socialist" (from the 42nd amendment, the highly controversial "[Indira's Constitution](#)") and, at the same time, supports a democracy. Not even Pakistan and Bangladesh, which share a common past, can be compared to it, their democratic lives having been punctuated by coups d'état. The reason for this democratic success cannot be that their political and social elites have been able to maintain the legacy of respect for the rule of law left by the British Empire: if that was the case, a good number of African and Asian states would also have had decades of uninterrupted democratic rule (for an accurate critique of this language of the 'empire-driven' rule of law prompting democracy, cfr. M. Tundawala, "[On India's Postcolonial Engagement With The Rule of Law](#)"). Instead, Amartya Sen, Nobel laureate in economics, has argued convincingly that the cause lies in a past of religious tolerance and cultural

pluralism that can easily be traced back to the time of Emperor Ashoka, two centuries before Christ (A. Sen, [Argumentative Indian: Writings on Indian history, culture and identity](#)). For my part, I add as proof of this tolerance and pluralism that Hinduism not only does not prohibit entry to its holy cities to non-believers (in fact, religious minorities live permanently in them) but allows them to participate in its religious celebrations, such as the very famous *Ganga Aarti*.

Precisely, if Indian democracy is currently facing any significant risk, it is the growth of an intolerant current of Hinduism, Hindutva, which wants India to stop being a secular state and declare itself a Hindu state, which would turn more than 200 million Muslims into second-class citizens. Narendra Modi and his BJP are not far from this ideology, as well as from certain authoritarian populist tendencies that have led the Varieties of Democracy Institute of the University of Gothenburg in its 2022 report to describe India as an "[electoral autocracy](#)", an opinion shared for some reputable academics (cfr. D. Roy Chowdhury and J. Keane, [To Kill A Democracy: India's Passage to Despotism](#)); but that falls far short of the one made recently by an Indian opposition leader, Uddhav Thackeray: with the BJP government, India is sliding towards "[a Hitlerian dictatorship](#)".

Obviously, such words sound exaggerated when Uddhav Thackeray's party, the Shiv Sena, has until July ruled a state as important as Maharashtra (with over 110 million inhabitants and home to Mumbai, India's financial capital). [Eleven of India's 29 states have governments opposed to the BJP](#), some as significant as Rajasthan, Punjab and Tamil Nadu. Thus, federalism once again proves its usefulness as a technique for ensuring democracy. Likewise, the Indian judiciary maintains its independence and the role of guardian of the Constitution. Although it has been criticised for avoiding trying some controversial cases (cfr. A.P. Shah, "[From Lodha to Ramana: the Chief Justices of the Modi era](#)"), the Supreme Court has been able to deliver such important judgments as [the Judgment of 16 October 2015](#) in which it annulled the 99th Constitutional Amendment for the creation of the National Judicial Appointments Commission that placed the appointment of new judges in the hands of the government. I would even go so far as to say that along with the BJP's

authoritarian impulse, there is also behaviour within the BJP that seeks to avoid becoming a radical Hindu party, as in the case of the recent [incorporation into the BJP of the Punjab Lok Congress party](#) of former Punjab chief minister, Sikh Amarinder Singh.

And above all these state institutions, there is the profound democratic culture of Indian society, with its thousands of civil associations that were already capable of putting an end to Indira Gandhi's authoritarian impulse when in the 1970s, she declared a state of emergency, imprisoned hundreds of opponents and amended the Constitution (cfr. J.P. Goyal, [Saving India from Indira: The Untold Story of Emergency](#)). In my opinion, one can be optimistic about India's democratic future because the millenary pluralist culture to which Sen referred is still alive and which was the reason why, far from choosing a warrior song, the Constituent Assembly in 1950 chose as its national anthem the poem [Jana Gana Mana](#), by Rabindranath Tagore, that praises the unity in diversity of Mother India, where a multitude of languages and religions "pray for your blessings and sing your praises".

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