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## Why India Remains a Stable Democracy

By: K. N. Hari Kumar

*India's democratic stability rests on a bureaucracy-judiciary complex that has preserved the nationalist agenda across governments of rival ideologies. But this democracy has reduced citizens to petitioners, while unemployment and inequality remain the gravest threats to the country.*

The suddenness and swiftness with which the Gen Z protests in Nepal last September took an extremely violent turn, blowing the lid off the political regime, surprised everyone. Recent similar upheavals in our neighbourhood include the overthrow of the Sheikh Hasina government in Bangladesh in 2024 and the meltdown of the regime in Sri Lanka in 2022. In 2021, a coup d'état replaced the democratically elected government with a military junta in Myanmar, and an insurgency and civil war ensued.

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Two decades earlier, a Maoist-led insurgency and civil war lasting a decade led to the overthrow of the monarchy and the establishment of a republican constitutional democracy in Nepal. Even earlier, in 1971, a civil war led to the secession of Bangladesh from Pakistan.

On the other side of the globe, a different kind of radical transformation is being attempted in the United States by Donald Trump after his re-election. From Day One, as he had promised, he has effected draconian changes across a wide range of domestic and foreign policy areas.

It is important to note that Trump returned to power after being indicted for the 6 January 2020 attempt to overturn the result of the presidential election, which he had lost. This was surprising not merely because it occurred in what was considered a stable democracy whose last major crisis was more than 150 years ago, but also because it was generally believed that in the post- World War II period, the Western nations were immune to the kind of instability and ruptures that have characterised the Global South and the less developed countries of Eastern Europe.

The radical changes in non-Western countries in recent decades include the revolts of the "Arab Spring" in the early 2010s, which brought down some dictatorial regimes, and the attempts-mostly unsuccessful-at setting up stable democratic governments in the aftermath.

There has also been the slow but progressive authoritarian Islamisation of Kemal Atatürk's secular, modernist Turkey, and President Recep Tayyip Erdoğan's breaking of the back of its traditional guardians, the military. Going back further, there have been the disintegration of communist regimes in Eastern Europe from 1989 and the dissolution of the Soviet Union in 1991, the violent overthrow of the Shah, and the establishment of an Islamic theocracy in Iran through a mass upheaval led by Ayatollah Khomeini in 1979, as well as the many political instabilities and military dictatorships in Latin America and the newly liberated nations of Africa and Asia.

These developments have once again focused analysts' attention on the remarkable stability and continuity of Indian constitutional democracy. Despite being extremely contentious, unruly, and at times violent, Indian politics and public life have been contained-barring the interregnum of the 21-month Emergency-within the overarching constitutional democratic framework established after Independence. In contrast with what Trump attempted, Indira Gandhi relinquished power after losing the general elections held under the Emergency. In this article, I aim to explore what explains this phenomenon and identify its contributing factors.

There are doubtless critics who will question this characterisation, especially with reference to the rise to dominance of the Narendra Modi-led Bharatiya Janata Party (BJP). They argue that the Modi government has transformed India into a majoritarian or illiberal democracy, or an electoral autocracy, that the BJP and the Rashtriya Swayamsevak Sangh (RSS) have captured the Indian state, and that there has been "democratic backsliding", or even an undeclared Emergency.

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There is little doubt that certain charges are justified, even if sometimes exaggerated. The most important concerns the treatment of religious minorities, most importantly Muslims. The list of grievances is long and includes lynchings, illegal punitive demolitions, detentions without bail, reduced representation in legislatures and ministries, and many other harassments and oppressive actions.

A series of actions has given rise to fears that there is an attempt to deprive Muslims of voting rights and citizenship. These include the passing of the Citizenship Amendment Act, talk of extending the National Register of Citizens countrywide, recent rounds of Special Intensive Revisions of electoral rolls with revised norms, the delay in the National Census without explanation, and the Prime Minister's launch of a High-Powered Demography Mission in his Independence Day speech last year, to address what he called the national security risk arising from "democratic imbalance due to infiltration and illegal migration in border areas".

The other side of this coin is the glorification of the Hindu heritage and the Hindu colouring being given to diverse areas of public life, widely interpreted as part of a "Hindus First" policy.

In the public arena more generally, the National Democratic Alliance (NDA) government stands accused of attempting to suppress and bulldoze opposition parties and critics in Parliament and outside. Other charges include the use of central investigative agencies against opposition leaders, especially in states where they are in power, to discredit and subdue them, cut off their sources of political funds, or bring them into the BJP or NDA fold, as well as the charging and detention of leftist **and Muslim** activist-intellectuals for long periods.

A recent example of partisanship by constitutional institutions is the failure of the Election Commission and the Bihar High Court, despite opposition complaints, to halt cash disbursements under the Mukhyamantri Mahila Rojgar Yojana scheme during the 2025 Bihar Assembly polls, with more promised after the results, in violation of the model code of conduct.

Many of these actions, however, are enabled by weaknesses in the Constitution itself, or by practices of earlier governments that have paved the way for subsequent governments to exploit them. Encounter killings of leftist **and other ethnic groups'** extremists and insurgents, the hollowing out of Article 370 from Jawaharlal Nehru's time onwards, the use of central investigative and intelligence agencies against opposition leaders—a practice Mrs. Gandhi had begun—and partisanship in the allotment of central and international funds to states are all examples. As a matter of fact, Modi has a better record than some predecessors on the misuse of Article 356, the supersession of judges, and the subjugation of the judiciary.

Conversely, where founders and their successors established democratic norms and institutions, those precedents became entrenched and proved much harder to violate. Despite three successive electoral victories, constitutional democracy—in its electoral and party-political aspects at least—continues not merely to survive but to thrive. Elections are held on time, opposition parties remain vociferous, results are honoured, and transitions of power are smooth.

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The question arises: what accounts for this? How can a democracy be thriving even though an authoritarian leader and party have been in power for more than a decade? What stops them, having won three consecutive general elections and repeatedly in many states, from amending the Constitution or convening a new Constituent Assembly to transform the state into a majoritarian, theocratic one?

To answer that question, we need to examine the origins of democracy in the forging of the Indian nation—its identity, its unity, its agenda—in the crucible of the struggle for independence against British imperial rule. In the 19th and early 20th centuries, the early nationalists argued that British rule was responsible for the poverty of India, the drain of wealth to Britain, the deindustrialisation of India to favour British industry, and overall economic backwardness.

They debated, represented, and agitated for participation in governance through democratic representative institutions, initially within the framework of British rule. From the 1920s onwards, the movement acquired mass support and a radical agenda of complete independence. As national unity was seen as essential, the movement sought from the start to include all social groups—castes, classes, religions, tribes, and so on.

With the achievement of independence, the nationalist leaders, their ideology, practices, and agenda rose to hegemony in society, forming the basis of public opinion and civil society. This ideology became the mainstream, the common sense of society-self-evident, natural, and without an alternative-with tremendous popular support and legitimacy. The leaders realised their nationalist, liberal, social-democratic vision in the Constitution, its institutions and procedures, and the policies of the governments they led.

Modi's spectacular victory in the 2014 Lok Sabha elections was based on the adoption of that vision of inclusive development as his main campaign platform-*vikas* or development, "Sabka Saath Sabka Vikas", for *achche din* or prosperity. In other words, he donned the mantle of the nationalist leaders of the anti-imperialist struggle. To get the BJP to adopt his new agenda, he had to fight the old guard and put the three main pillars of the party's agenda till then-building the Ram temple in Ayodhya, abrogation of Article 370, and a Uniform Civil Code-on the back burner.

To this day, BJP governments at the centre and in the states have fought elections under the overarching promise of good governance and development, with RSS cadre reportedly campaigning for the NDA in the recent Bihar Assembly elections under those very slogans.

In power, Modi has continued to advance the agenda of earlier governments. On the economic front, despite his reputation as the most business-friendly of prime ministers, the Nehruvian model of the dominant role of the state in the economy and the emphasis on social welfare, as modified by the 1991 reforms, continues. Over the last five years, there has been an even greater shift towards public investment, self-reliance, and social welfare.

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The realities of electoral competition have also forced Modi to do a U-turn on what he disparaged as *revdi* or "freebies", and BJP governments have joined the race to outbid their political opponents for votes. Unlike the Vajpayee government, what is being attempted instead of disinvestment is raising funds through public-private partnerships and from the financial markets.

The neglect of agriculture continues, even as farmers' movements and voting power have led to the abandonment of farm laws that aimed to corporatise agriculture. What has been decisively off the agenda since 1991 is reducing inequality by taxing the rich, and the ideal of socialism.

On the social front, electoral considerations have led Modi to champion the cause of Other Backward Classes (OBCs) and the Scheduled Castes (SCs) and the Scheduled Tribes (STs), caste- and tribe-based reservations, and leaders such as Dr B.R. Ambedkar. He has recently done U-turns on the caste census in the states and the enumeration of caste in the national census. On some issues, however, such as introducing purely economic criteria for certain reservations, he has been seen as advancing the BJP-RSS agenda of undermining caste-based criteria.

The emergence of women as a distinct electoral constituency has led Modi to pass the long-pending constitutional amendment for women's reservation in legislatures, although its implementation was initially postponed by some years.

In foreign policy, Nehru's policy of refusing to join any alliances or blocs remains in place. However, in line with the 1991 reforms, not only has his championing of a more just international order and solidarity with the Global South been abandoned, but the country has moved more emphatically towards the West, not merely for economic gain but also for a place at the international high table.

Some shift back towards an earlier stance can be seen after the freezing of Russian assets by Western countries following the invasion of Ukraine, and more emphatically after Trump's return to power. Not much is heard of the RSS agenda of Akhand Bharat in foreign policy, except perhaps in the recent statement by Defence Minister Rajnath Singh that Sindh could one day be part of India. There is one major discontinuity, however: the revanchist rhetoric against Pakistan, which mirrors the rhetoric against Muslims domestically.

On the domestic political and constitutional front, it was probably the hope of closing an extremely contentious and violent issue that led all parties to accept what was patently an unjust settlement on Ayodhya, imposed by the Supreme Court, with some gestures towards the Muslim side to appear even-handed. Article 370 had been hollowed out by successive governments from Nehru's time, so the Modi government merely removed the empty shell. The further intensification of centralisation and partisanship in centre-state relations, with the support of the courts, continues a trend that dates back to the adoption of a centralised Constitution.

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As far as the nationalist heritage is concerned, Modi has gone far beyond earlier BJP-RSS leaders in treating the Constitution, nationalist freedom fighters-most importantly M.K. Gandhi-major past OBC, SC, and ST leaders, and the national anthem, song, and flag, as sacrosanct.

There is no mention even of reviving an idea such as the Atal Bihari Vajpayee government's National Commission to Review the Working of the Constitution, which had an open-ended mandate to suggest amendments. Modi has claimed that he is recognising the contribution of those ignored by the Nehru dynasty-led Congress party, and recently, on the birth anniversary of his *bête noire* Nehru, even acknowledged his contribution as a freedom fighter and the first prime minister.

All this is a far cry from the extremist Hindutva comments and actions by some Sangh Parivar leaders and BJP ministers and legislators, many of which were quickly retracted following public criticism. Recent examples include a BJP minister in Madhya Pradesh calling social reformer Raja Ram Mohan Roy a "British agent", and the Rajasthan government's decision to observe the anniversary of the 1992 Babri Masjid demolition on 6 December as "Shaurya Diwas" or Day of Valour in schools. Whether these were the actions of hotheads or attempts to test the waters remains an open question.

What accounts for this continuity over many decades and across many governments led by rival parties with different ideologies and agendas? Who maintains and changes the national agenda in line with rapidly evolving situations, and who constrains those who want to challenge or disrupt the national consensus?

It is my argument that it is the bureaucracy, together with the judiciary, that plays this role. From independence, the national leadership-including Nehru and Sardar Patel-relied on the bureaucrats and judges inherited from the British Raj, whom they refashioned to serve the nation's interests. From drafting the Constitution to building a unified nation from the princely states, the bureaucracy's skills proved indispensable.

Nehru as Prime Minister was more inclined to depend on select individuals from the bureaucracy than on his party leaders for governance. Subsequently, especially under Mrs. Gandhi, the Prime Minister's Office (PMO) gained prominence as the centre of power for political and administrative decision-making. She relied on key bureaucrats, most importantly P.N. Haksar, to formulate and execute her political strategy. Additionally, several retired bureaucrats, along with retired senior judges and armed forces personnel, were appointed as state governors and in other key positions.

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Even more than his predecessors, Modi relies on the bureaucracy rather than his party leaders for governance, both at the centre and in the states. Under him, the power of the bureaucracy has reached new heights, starting with the PMO's greater size and importance, and extending to an unprecedented number of retired bureaucrats appointed to key Cabinet positions.

Modi's own signal contribution has been to forcefully drive the implementation of his government's good governance, development, and welfare programmes. The key role of the bureaucracy extends to state governments of all parties, a prominent example being V.K. Pandian under Chief Minister Naveen Patnaik in Odisha. It must be emphasised, however, that most of the bureaucracy's influence operates beneath the surface.

With the increasing failures of politicians in governance, the courts have, through public interest litigations, become involved in almost all areas of governance and issues affecting the common person. The high courts and the Supreme Court have increasingly intervened even in day-to-day administration. When bureaucrats cannot get something done, or politicians hesitate to take on a thorny problem, they turn to the courts, which have mostly obliged.

In their activism, the courts have on occasion set aside traditional judicial considerations such as the mandates of laws passed by legislatures, legal precedent, and constitutional provisions, and have strayed into the content of policymaking rather than restricting themselves to form and procedure. They have directed governments to pass certain legislation and interpreted the Constitution in ways that have almost introduced new rights, powers, and provisions.

It is almost as if the courts are on the verge of taking over not only the powers of the executive but also of the legislature. They have tried to determine the content of political party election manifestos (for example, on freebies), limited the physical spaces where the public can protest, told protesters which issues they cannot take up, and suggested which issues they should instead pursue.

In addition to their in-service roles, retired senior officials and judges have been appointed to key posts in constitutional, policymaking, and regulatory institutions—the Election Commission, NITI Aayog, the Reserve Bank, national security bodies, the Right to Information Commission, the Comptroller and Auditor General's office, commissions of inquiry, top diplomatic positions, financial regulators, and the like. The bureaucracy-judiciary complex can thus be said to control all the commanding heights of the polity, serving as the guardians and executors of the nationalist agenda and ideology, similar to the role the military played in post-Atatürk Turkey until recently.

A brief comparison with the US after Trump's return to office illuminates this argument. Unlike in India, career officials in the US change with the party in power, particularly at higher levels.

The supreme court, with its conservative Republican majority, has in an overwhelming majority of cases been an active enabler of Trump's arbitrary, self-aggrandising, and unconstitutional actions. It has stayed restraining orders issued by liberal judges in the lower courts, often through cryptic emergency rulings without giving reasons or even examining whether the Trump administration's claims of emergency were justified. The majority has based its decisions on the unitary executive theory, which broadly holds that the constitution vests the president with sole, untrammelled authority over the executive branch.

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The first important exception to this trend, at the time of writing, is the supreme court's 20 February 2026 judgment striking down the Trump tariffs, which has set a limit on presidential power. American liberals have also argued that the supreme court facilitated Trump's return and, over the last quarter century, enabled the rise of the Republican Party and its conservative ideology to power and wealth. The contrast with the nationalist, liberal-democratic, social welfare worldview that underpins the Indian system could not be starker.

Compared to Trump, Modi comes across as one who preserves continuity and stability. Whereas Trump, on the first day of his second presidency, granted blanket clemency to all those convicted or charged in the 6 January 2020 attack on the US Capitol, there have been very few releases of those convicted or charged in the 2002 post-Godhra communal riots. In one case, public uproar led the Supreme Court of India to send back to prison those released before completing their sentences by the BJP government in Gujarat.

Through his slogans and policies on development, prosperity, good governance, and ease of living, Modi has increased support for and the legitimacy of the BJP-RSS, even among sections that are not fully aware of, or do not accept, its ideology and ultimate aims. He has tried to discourage his partymen and followers from making extreme statements or indulging in violence that could cause unnecessary controversy.

Aware that the RSS does not have the legitimacy of the nationalist freedom fighters, especially in the wake of the public backlash after Gandhi's assassination, he has been more respectful of democratic and constitutional norms and institutions than his predecessors, and has flaunted his democratic credentials.

Rather than a radical rupture, what he is attempting is a gradual change towards a Hindu Rashtra from within, sometimes even by stealth. In all this, there is a tacit understanding: he gets the support of the bureaucracy-judiciary complex, which needs him to mobilise public support for their agenda. In return, they have been willing to acquiesce in, and even support, at least some of his party's Hindutva agenda, to the extent that it does not break with what they consider the essentials of the Constitution.

It is against this background that senior BJP leader Subramanian Swamy's advice to the party, after Modi's 2014 victory, not to proceed with the draft Hindu Rashtra Constitution prepared by the party's student wing, should be seen. [As Swamy put it](#), "For one, I told them that the existing Constitution has enough elements of a Hindu Rashtra. I told them that we already are a *de facto* Hindu Rashtra and there is no need to become a *de jure* one. *In my opinion, adopting a new Constitution is not possible unless there is a revolution.*" (Emphasis added.) He told the correspondent that "that document was discarded for now".

If nothing less than a mass upheaval is needed to adopt a Hindu Rashtra Constitution, it is because its vision is radically different from, if not diametrically opposed to, the modern idea of India as it has developed from Ram Mohan Roy to Rabindranath Tagore, Gandhi, and Nehru. It is also because of the legitimacy and strength of the Indian state and democracy based on that idea, which has mainstreamed many disruptive forces.

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Swamy's advice implies that the BJP-RSS and Modi are not strong enough at present to attempt such a revolution. In his conclusion that the draft "has been discarded for now", there is the implication that they might try again at a more opportune time. Only time will tell whether they will succeed in moving from pretending that India is already a Hindu Rashtra to transforming it into the theocracy of their dreams.

There are positives and negatives in the bureaucracy-ascendant Indian system. From the common person's perspective, the courts are providing at least some minimal governance where much else has failed. More generally, to the extent that the courts base themselves on reasoning, precedent, and the laws, there could be movement towards what sociologist Max Weber called rational-legal authority-a society based on rules.

On the negative side, rule by administrative-judicial diktat carries serious dangers. It reduces citizens to mere petitioners before the courts rather than active participants in governance, as modern democracy promises. Given the structure of the courts, it is considered unacceptable to try to influence them through normal democratic processes such as public debate or peaceful demonstrations. Their decisions are not supposed to be based on public opinion but on judicial principles, and can only be changed by appeal to the courts themselves.

There is also the possibility that this could gradually, almost imperceptibly, slip into a civilian dictatorship or an Emergency in another guise. Further, due to their background, training, and institutional position, bureaucrats and judges are not suited to mobilising popular consent for their policies, which could undermine the legitimacy of their rule.

If the strengths of Indian democracy far outweigh its serious weaknesses, it is also because of the sustained implementation of the nation's agenda-economic growth with social justice, land reforms, reservations for OBCs and SCs and STs, upward mobility through education, an independent foreign and defence policy, constitutional democracy, accommodation of diverse linguistic, religious, tribal, caste, and other social groups, an independent judiciary, a strong civil service, and a welfare state.

None of these is without serious inadequacies, but together they contribute positively to the stability and legitimacy of the state. In addition to the treatment of religious minorities, two major threats could be the undoing of even a strong state: unemployment and increasing economic inequality.

For those who want to strengthen Indian democracy, the task is not merely to enable citizens to take back control, but to ensure that democracy works for all, not just a tiny elite. But for citizens to participate actively and autonomously, they first have to take politics back from corrupt and criminal politicians. And that is a big ask.

*An earlier, longer version of this article was published in the 'Deccan Herald' and can be read [here](#).*

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