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Crumbling Pillars: Understanding Institutional Decay in Indian Democracy

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ABSTRACT

This study is designed to unveil problems in systemic functioning, constitutional lacunas and governance issues in Indian democracy. Due to these problems Indian democratic structure especially institutions are in decline. Key threats include crony capitalism, media manipulation, fascism, electoral malpractices, and human rights violations. International agencies have criticized the ruling regime's anti-democratic actions, with Freedom House declaring India "Partially Free" and V-Dem labeling it as "Electoral Autocracy." To explore the causes of Institutional decay in India's democracy, the world's largest democracy. It uses comparative politics, democratic theory, and institutional theory to identify key threats. To highlight the problems and to propose viable solutions qualitative methodology is accompanied with interpretive method to grasp subjective issues. To address the underlying causes of institutional decline and increase democratic resilience, proposes institutional changes and policies and improve democratic governance. By understanding and resolving the root causes of institutional deterioration, the academic conversation on democratic governance by shedding light on the difficulties India's democratic institutions face and outlining potential paths for Improvement and revitalization.

| **KEYWORDS** | Crony Capitalism, Democratic Dissent, Media Malpractices, Flawed Democracy, constitutional lacunas |

Introduction

Concerns regarding the collapse of institutions that support democratic processes and values have led to an abundance of scholarly attention being focused on the idea of institutional decay within democratic configurations. The stability and functioning of a democracy are severely jeopardized by this phenomenon, which is frequently characterized by a gradual decline in the efficacy, legitimacy, and efficiency of democratic institutions. Given the distinctive political, social, and economic landscape of India, research on institutional decay in the context of Indian democracy is especially relevant. Since achieving independence in 1947, India, the largest democracy in the world, has received praise for having a strong institutional structure. On the other hand, current patterns point to an unsettling direction for these institutions' decline. The focus here is to examine the causes and effects of institutional deterioration in Indian democracy, offering a nuanced understanding of the factors driving this decline.

Any democratic system is based on its institutions, which provide the essential checks and balances to guarantee accountability and prevent the consolidation of power. Institutions, according to (North 1990), are the "rules of the game" in a society that structure social, political, and economic interaction as well as interactions between individuals. The impacts of these institutions collapsing are severe, impacting public trust, governance, and the general well-being of democracy (Huntington 1968). The term "Institutional decay" describes the gradual decline of an organization's legitimacy, efficacy, and efficiency.This deterioration can take many different forms, such as incompetence, corruption, loss of independence, and deterioration of public confidence. (Huntington 1968) argues that

institutional decay occurs when the structures and processes that sustain political order fail to adapt to social changes, leading to instability.

Several democracies have gone through phases of institutional collapse throughout history. The decline of once stable institutions can be attributed to both internal and external factors, as demonstrated by the fall of the Roman Republic and the European democracies during the interwar period.(Fukuyam,2014) explores how ineffective institutions that do not respond to evolving social, economic, and political circumstances result in state dysfunction and decay.

Institutional decay is a global problem that is not specific to any one area or form of government. (Levitsky and Ziblatt 2018) explore how gradual actions, as opposed to abrupt coups or revolutions, might weaken democratic norms and institutions. They present cases from an array of nations, such as Venezuela, Turkey, and Hungary, where the gradual erosion of institutional checks and balances has been a feature of democratic backsliding. With its intricate and varied sociopolitical terrain, India offers a singular case study for researching institutional deterioration in a democratic setting. India has developed a robust institutional framework to support its democratic government since gaining statehood in 1947. However, a number of circumstances increase these institutions' susceptibility to possible collapse

Institutional disintegration in India is a result of the intricate interaction of historical, sociopolitical, and financial factors.Scholars like (Kohli 2004) contend in "StateDirected Development: Political Power and Industrialization in the Global Periphery" that India's political culture and the kind of state intervention it has received have shaped its institutions for a long time.Furthermore, (Chhibber & Kollman 2004) address the methods in which competitive politics and party system fragmentation impact institutional decay and stability.

There are various indications of institutional disintegration in India, according to recent empirical analyses.These include the bureaucracy becoming more politicised, the judiciary being less independent, press freedom being diminished and public confidence in election procedures decreasing, (Zoya Hasan's 2012)emphasises how socioeconomic disparities amplify institutional vulnerabilities, and (Gupta's 2017) focuses on the difficulties caused by nepotism and corruption.

Literature Review

Using a variety of academic publications and literary works that discuss the deterio ration of democratic institutions, civil freedoms, and political processes, this literature stud y investigates the demise of democracy in India.The paper provides an indepth account of t he current status of Indian democracy by synthesising important arguments and supportin g data.

To examine the relationship between Modi's administration and Indian media, arguing that the liberal media concept is no longer relevant in the current political climate *(Sharma and Pegu, 2023)*. They argue that media independence in India has significantly decreased under Modi's administration, with journalists becoming more self-censorious and media outlets reluctance to publish criticisms of the administration. This erosion of media independence is evidence of both direct and indirect government manipulation. They talk about how the government uses resources it gets from advertisements to control media outlets, giving preference to publications that shares its opinions. The writers also discuss instances of legal Difficulties and regulatory pressure that important media entities have to deal with.

To analyze a national policy framework used by Modi, and its impact on Indian democracy and socioeconomic growth it is eminent to understand the Gujarat Mode

(Sud, 2020). The model is characterized by an authoritarian government, characterized by centralized decision-making, repression of opposition, and strict control over institutions. This authoritarian approach enabled rapid policy implementation but also posed democratic weaknesses. The article also discusses the Gujarat Model's pro-business stance, focusing on privatization, deregulation, and fostering a conducive environment for big corporations. Sud argues that the Gujarat Model, a policy promoting Hindu nationalism, led to economic growth and investment but also exacerbated social inequality and marginalized populations. This communal approach polarized society, aided political mobilization, and consolidated power. The model was characterized by populist discourse, charismatic leadership, and the presentation of economic gains as patriotic triumphs, resulting in sociopolitical marginalization of minority communities, particularly Muslims. This populism helped cultivate a loyal voter base and deflected criticism of the government's authoritarian and exclusionary practices.

To examine India's economic trajectory under the BJP it is necessary to get understanding of crony capitalism and populist policies of government (Chandra and Walton, 2020). It examines the Modi government's economic reforms, including the Insolvency and Bankruptcy Code, Goods and Services Tax, and corporate transaction facilitation programs. The authors argue that these changes could lead to a more efficient economy, attracting both foreign and domestic investment. The study warns that the Modi government's populist policies, including protectionist measures and nationalist rhetoric, could erode investor confidence and disrupt market stability. They also highlight the BJP's crony capitalism, with preferential treatment for corporate groups with political connections, which could worsen income inequality, cause inefficiencies, and stifle market competition.

The growing link between South Asian religious dynamics and authoritarian regimes in countries like India, Pakistan, Bangladesh, Sri Lanka, and Nepal. It highlights the increasing entwinement of authoritarianism and religion, with religious identities often used by governments to secure power *(Mostofa, Subedi and Brasted, 2024)*. The relationship is influenced by historical and cultural factors, including colonialism, post-colonial states, and the influence of religious movements on political environments. The authors examine the impact of authoritarianism and religious politics on South Asian democratic institutions, arguing that *religious manipulation damages them, weakens democratic values, and widens social divides. They highlight the importance of social movements, independent media, and civil society organizations in upholding democratic principles and promoting religious diversity.*

The sociopolitical foundations of Hindu nationalism in India, highlighting its systematic marginalization and exclusion of religious minorities, particularly Muslims *(Varshney and Staggs, 2024)*. It compares Hindu nationalism to the American Jim Crow era, highlighting methods such as lynching, boycotts, and legal actions like the Citizenship Amendment Act (CAA) that perpetuate bias. The authors argue that these practices create systemic barriers for minorities, similar to Jim Crow laws, highlighting the need for a more inclusive and just society. Hindu nationalism undermines secularism, pluralism, and equality, threatening democratic institutions. Varshney and Staggs argue that media, courts, and law enforcement have been coerced or intimidated to advance Hindu nationalist causes, undermining checks and balances for a healthy democracy. The socioeconomic effects of Hindu nationalism include systematically disadvantaged access to social services, work opportunities, and education for religious minorities, mirroring racial inequities in the US under the Jim Crow system. Varshney and Staggs examine various campaigns and opposition to Hindu nationalism, focusing on human rights advocates, civil society organizations, and political parties. They argue that persistent resistance is crucial for defending democratic principles and minority rights in India.

The Indian secularism dilemma has an adverse but definite relation with religious nationalism, political opportunism, and communal violence. The development of secularism in India is rooted in colonial times to the Indian Constitution's institutionalization (Ganguly, 2003). He highlights the idea of secularism as a control mechanism to prevent sectarian strife, particularly the Bharatiya Janata Party (BJP) and its affiliated groups like the Rashtriya Swayamsevak Sangh (RSS). The rise of Hindu nationalism is discussed in relation to this political activism. Ganguly argues that Hindu nationalism undermines the secular framework by promoting a Hindu-centric view of Indian identity. He highlights how political opportunism has weakened secularism, as political parties like the Indian National Congress sometimes resort to communal politics to win elections, leading to increased tensions within the community. The article discusses communal violence incidents, such as the Gujarat riots in 2002 and the anti-Sikh riots in 1984, which not only cause immediate loss of life and property but also destroy social cohesion and public trust in the secular state. Ganguly evaluates state institutions' responses to secularism, highlighting that initiatives to support secular ideals have often been insufficient and inconsistent, worsening the issue.

The weakened constitutionalism in India is focusing on the erosion of democratic standards, suppression of dissent, and use of state infrastructure to suppress opposition (Narayana, 2023) examines. The essay highlights resistance against authoritarian tendencies and the current government's undermining of constitutional norms and ideals, including erosion of judicial independence, restrictions on journalistic freedom, and manipulation of the electoral process. The paper highlights the growing resistance against authoritarian inclinations. The article discusses the use of laws like the Unlawful Activities (Prevention) Act (UAPA) to target activists and dissenters, highlighting how government machinery keeps authoritarianism alive. It discusses how law enforcement, intelligence, and regulatory institutions have been used to intimidate and silence political opponents, including opposition parties, activists, and journalists. The article also explores resistance against the current regime, emphasizing the importance of social media, grassroots movements, and civil society organizations, and the challenges they face, such as budget constraints and official repression.

There is a relationship between business and politics in India and crony capitalism influences both political and economic environments (Khatri & Ojha , 2016). They argue that intimate relationships between political figures and powerful businessmen lead to policy errors, corruption, and socioeconomic disparities. This economic system favors personal connections with government officials, leading to favorable policy decisions, regulatory exemptions, and preferential resource allocation. The book describes various ways crony capitalism functions in India, including manipulating regulatory systems, nepotism, and corruption. The writers discuss how companies use political donations, bribery, and personal relationships to achieve their goals, highlighting the negative effects of crony capitalism on social and economic outcomes, including income inequality, inhibited competition, wasteful resource allocation, and erosion of democratic government and public trust in institutions.

There is a severe hike in the rise of Hindu nationalism and its impact on India's democratic fabric (Jaffrelot, C., 2022). Jaffrelot contends that the promotion of a majoritarian agenda has marginalized minority communities and eroded secular principles enshrined in the constitution.

Material and Methods

The study investigates stakeholders' perceptions and experiences of India's democracy using a qualitative methodology. The interpretivist method is used to capture subjective experiences, while a case study design is employed to analyze phenomena in real-

world contexts. This transparent, methodical approach provides a comprehensive understanding of the elements influencing the perceived deterioration of democratic values in India. The study aims to provide a comprehensive understanding of the nation's democracy. By detailing the research design, sampling strategy, data collection, analysis methods, and measures to ensure trustworthiness, this study aims to provide valuable insights into the factors contributing to the perceived erosion of democratic principles in India. There are two variable in this study where Crumbling Institutions are independent variable while democracy in India is dependent variable.

Results and Discussion

Democratic institutions are thought to be declining and how Indian democracy is regressing. The results show that a number of intricately intertwined causes, including as institutional flaws, political meddling, and the restriction of civil freedoms, are causing democratic governance to erode. The report underlines how urgently changes are needed in India in order to support democratic principles and fortify democratic institutions. India is home to the largest democracy in the world, which has long been praised for its strong institutions and active civil society. But worries about these institutions' deterioration and the erosion of democratic norms have grown in recent years. By looking at important stakeholders' opinions and experiences of India's democracy, this research seeks to address these worries. The urgent need for changes to support democratic principles and fortify democratic institutions in India is highlighted by this study. It demands increased measures to safeguard civil freedoms, advance inclusive government, and guarantee the independence and transparency of important institutions. In order to maintain the durability of India's democracy and rebuild public confidence, these issues must be resolved. There are some factors that play role in institutional decay in Indian Democracy.

Institutional Weakness

Highlights the decline of democratic institutions like media, court, and electoral commission, political meddling, lack of transparency, and decline in independence as critical issues.

Political Interference and Centralization of Power

Voiced worries about the executive branch's growing authority and the breakdown of checks and balances.They observed that the capacity of institutions to operate efficiently and impartially has been weakened by interference from politicians.

Erosion of Civil Liberties

According to the research, civil freedoms being restricted, such as the freedom of t he press, of speech, and of assembly.Increased surveillance, censorship, and suppression of dissident

Rise of Majoritarian Politics

Agrowing prevalence of majoritarian politics and the marginalisation of minority gr oups as noteworthy challenges to democratic values.

Impact on Governance and Public Trust

Governance and public confidence have been significantly impacted by the apparent collapse of democratic institutions. Citizens' sense of helplessness and disenchantment with the political system was rising.

Institutional Decay

Institutional decay refers to the gradual weakening of established institutions, which can undermine democratic governance and the rule of law. In the context of India, several key institutions have experienced significant challenges that have raised concerns about their integrity and effectiveness.

Judicial Independence and Integrity

The judiciary in India has historically been seen as a bulwark against executive overreach and a protector of constitutional rights. However, in recent years, there have been concerns about its independence and integrity. Instances of delayed judicial appointments, allegations of political interference, and controversial judgments have contributed to perceptions of a weakened judiciary. The process of appointing judges has been fraught with delays and political tussles. The government's refusal to act on the recommendations of the Supreme Court Collegium has led to a backlog of cases and a shortage of judges. Allegations of political influence over judicial decisions have surfaced, raising questions about the impartiality of the judiciary. (Kumar and Singh, 2023) High-profile cases involving political leaders have often been criticized for their perceived leniency or harshness. Certain high-profile judgments have raised questions about the impartiality of the judiciary. Critics argue that decisions in cases involving political leaders or issues have often appeared to favor the ruling party, suggesting possible political pressure or bias. The Supreme Court Collegium system, which was created to protect appointees from political interference and guarantee judicial independence, has come under fire for lacking accountability and openness. Reforms to improve the Collegium's accountability and openness have been demanded due to the opaque nature of its decision-making process (Soni, 2023). The relationship between the judiciary and the administration has been further strained by instances of executive overreach, in which the government has either rejected or delayed the Collegium's recommendations without providing any justification. This has sparked worries about the executive branch's excessive control over judge nominations (Chandrachud, 2020). The transfer of judges involved in politically sensitive cases has also drawn public scrutiny. Such transfers are often viewed as punitive measures against judges who have ruled against the interests of powerful political figures. (Sengupta, 2019)

The balance between judicial activism and judicial restraint is another area of debate. While judicial activism is sometimes necessary to protect rights and ensure justice, excessive activism can lead to accusations of overreach. Conversely, excessive judicial restraint can lead to a failure to check executive and legislative excesses (Krishnaswamy and Swaminathan, 2019).

Concentration of Constitutional Power

Indian democracy is a complex system influenced by various factors, resulting in a mix of authoritarianism and a strong sense of democracy. The country's history has often been overlooked in current condemnation, but the author maintains that India remains a democracy. The author argues that India's political and constitutional framework is inherently authoritarian, drawing comparisons with the West is pointless, and the coalition era of 1989-2014 is a significant factor in the country's democracy. The Indian constitution is not primarily designed to restrict governmental authority or protect individual liberties, but rather to form and enable political power for socioeconomic transformation. (Choudhry, Khosla and Mehta, 2016).India's constitution, influenced by its historical circumstances, political sovereignty demands, and a population largely illiterate and impoverished, was shaped by its colonial predecessors' aspirations for unity, socialism, and transformative justice. The constitution maintained the bureaucratic authoritarianism of its colonial predecessor, promoting state authority, centralization, and executive dominance. This was partly due to the bloodshed and turmoil of partition, the demands for political sovereignty,

and the ingrained social divisions and hierarchies (Jalal, 1995).The constitution granted the central government more power over states, allowing it to enforce its will through president's rule and construct and dissolve provinces at will. It also granted the administration additional authority over the legislature, allowing it to regularly usurp powers through ordinances and decide whether to call or adjourn the legislature, provided more than six months did not pass between sessions. The constitution aimed to promote social progress and state security by modifying and limiting fundamental rights in Part III, granting the state more power. It required land reform and redistribution to compromise private property rights, positive discrimination to restrict freedom from discrimination, and state security to protect free expression.

The 1985 Constitution's Tenth Schedule, a statute that prevents legislators from defection and requires them to vote according to party directives, solidified political party leadership's control over parliamentary parties and reduced individual lawmakers' authority.3 India's institutional structure and constitutional order are designed to facilitate power concentration and executive use. The loosely defined social aims and ambiguous "security of the state" criteria are meaningless and can be arbitrary due to the prevailing cultural environment. The focus should be on facilitating executive authority, establishing legitimacy, and using it effectively. The Bharatiya Janata Party's (BJP) rule demonstrates how these questions can change quickly. The constitutional foundation ensures the "interests of the security of the state" are always available.

Decline of Civil Liberties

India's political rights score, including elections, competition, and autonomy, remained consistent for the nine years before Modi's presidency, with the country's democracy never being particularly high-quality. While the country has a mass poverty alleviation program and the world's largest affirmative action program, it also has a built-in autocorrect feature allowing incumbents to be removed from office. However, the Modi government has significantly undermined executive restrictions and civil liberties, making incumbent turnover theoretically feasible but unlikely. India's democratic deterioration is attributed to a decline in civil rights, with outspoken criticism almost non-perpetuated. However, the legal right to dissent remains in effect. Before Modi's BJP administration, India's media was occasionally controlled. Modern media practices have led to high self-censorship among journalists and citizens due to widespread persecution of independent journalism and concentrated ownership structures. While checks on executive authority are still in place technically, they are being removed quickly. India has experienced significant restrictions on civil liberty since 2016, with CIVICUS rating the country as "repressed" on a decreasing scale. This downgrade from "obstructed" in 2019[2] .Risks civil society members facing surveillance, harassment, intimidation, imprisonment, injury, and death. India is now rated lower than Nepal and Sri Lanka, and in the same group as Bangladesh and Pakistan among its neighbors. The Modi administration has been using the Unlawful Activities Prevention Act (UAPA) and sedition laws from the colonial era to intimidate its opponents. Sedition charges have increased by 28% between 2010 and 2021, with 96% of charges brought after Modi took office in 2014.Ten thousand tribal activists in one district were accused of sedition for asserting land rights in less than a year.[3] In 2019, an amendment to the Unlawful Activities Prevention Act (UAPA) allowed the government to label people terrorists without a clear connection to a terrorist group. There is no legal recourse system to contest this classification, and arrests under the UAPA increased by 72% between 2015 and 2019, with 98% of those arrested being kept behind bars without the possibility of release.[4]The use of reinforced rules by the government has significantly reduced opposition by labeling criticisms as "antinational" and enlisting volunteers to uncover online dissent. This has been done by BJP leaders, who use the term "antinational" to disparage specific groups and causes.[5]cademics and university administrators in India faced penalties, investigations, or resignations due to alleged political beliefs. However, these strategies were later extended to prominent opponents. Despite the large number of news

organizations in India, a close examination of the functional ownership structure suggests a trend towards concentration and control of content and public opinion, according to the independent Media Ownership Monitor. At least 800 million Indians rely on media channels controlled by Mukesh Ambani, a close ally of Prime Minister Modi. In December 2022, Gautam Adani purchased NDTV, the last significant independent television network in India.Adani's acquisition of NDTV signifies the end of independent media in India, transferring the country's largest television news networks to billionaires with close government ties.[6]Since 2013, independent news outlets in India have faced litigation and tax raids for repoting, with the government often targeting foreign news agencies for criticism. In February 2023, the British Broadcasting Corporation's Indian headquarters were raided after a documentary critical of the Modi administration. Recently, Emergency laws were triggered to prevent the BBC program and its excerpts from being distributed throughout India. BJP spokesman Gaurav Bhatia referred to the BBC as the "most corrupt organization in the world" during the searches.[7]

Conclusion

India's democracy is not being destroyed by military takeovers or mass arrests, but by autocrats who act in an authoritarian manner, preserving a semblance of democracy behind legal walls while persecuting opponents and reducing dissent. India's official democratic institutions are under strain, and the country has become a hybrid state due to the general public's inability to read critical analyses of government policies, speak and gather without fear of retaliation, and lack of checks on the executive branch. The democratic trend in India is true, but not unstoppable. Elections are still valid for accountability in hybrid regimes, as long as they are conducted properly and privately. However, autocratic control can hinder understanding of citizens' concerns, making even fully autocratic governments vulnerable to successful protests. Recent demonstrations against India's agriculture policies, China's zero-covid policy, and Iran's morality police highlight the lasting potential of mass opposition. India's best chance of reviving democracy is for a legitimate opposition party with strong organizational foundations.The Indian National Congress was a party until 1969 when Indira Gandhi broke it to consolidate power. The BJP's electoral weakness is evident in recent state assembly elections in Karnataka, India, where the Congress won, possibly due to Rahul Gandhi's grassroots Bharat Jodo Yatra campaign. The Aam Aadmi Party, a promising political force, has expanded beyond its Delhi base. However, both parties face challenges in developing beyond their charismatic leaders and achieving effective power organization. The BJP, with its long-standing organizational roots, faces a tall order to overcome, but it is not impossible.

Recommendations

India's democracy can be restored and strengthened through various steps, including ensuring the judiciary remains independent, protecting press freedom, and ensuring the Election Commission remains impartial. Measures to reduce money's influence in politics, including transparency in political donations, are recommended. Anti-corruption laws should be strengthened, and local governments should be devolved to bring decision-making closer to the people. Non-governmental organizations should be supported for human rights, social justice, and democratic reforms. Civil education should be increased to inform citizens about their rights and responsibilities in a democracy. Public participation in governance should be encouraged through consultations, town hall meetings, and referenda. The judicial process should be simplified and expedited, and reforms like proportional representation should be considered. The Right to Information Act should be strengthened for transparency. Minority rights should be protected, and policies of inclusion and equality should be promoted. Measures should be taken to reduce social and economic disparities and combat discrimination. Transparency in government operations and decision-making processes should be increased, and laws should be strengthened to protect whistleblowers. Public audit and oversight mechanisms should be implemented, and

technology should be used to improve transparency and efficiency. Engaging youth in democratic processes and fostering community building initiatives can further strengthen India's democratic institutions.

The government, civic society, and people must work together to put these proposals into practice.India can ensure a more resilient and inclusive democracy by tackling these issues and fortifying its democratic structures and procedures.

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