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## ANALYSIS

## POLITICS

# The BJP's Hegemony and What it Teaches Us on Authoritarianism



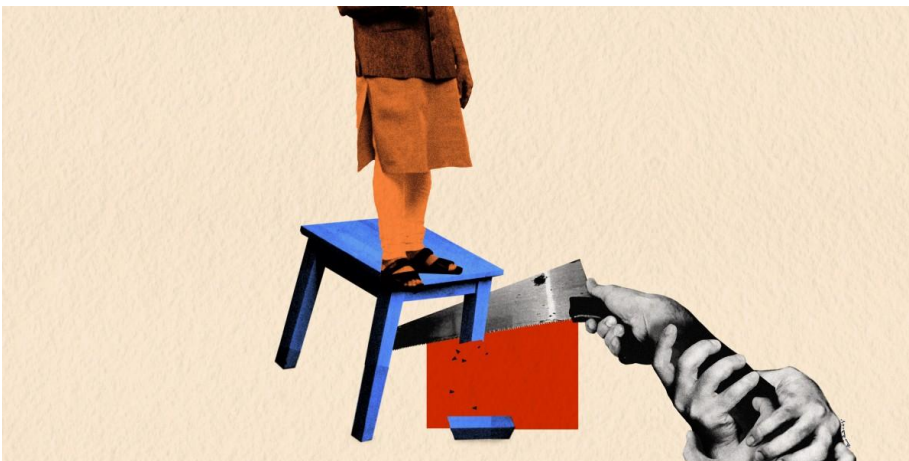
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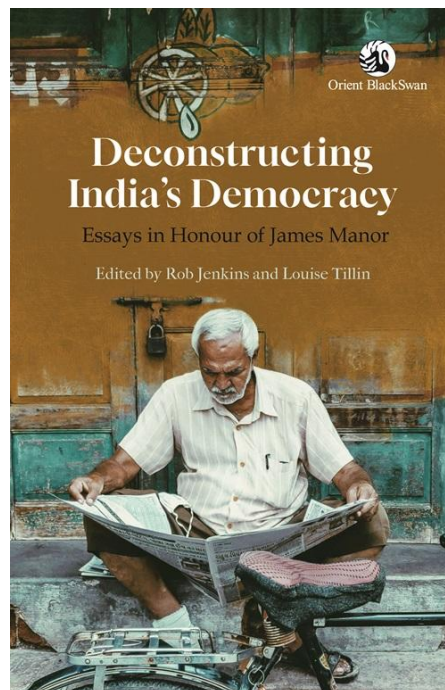


The following is an excerpt from the chapter 'The BJP's Hegemony and Its Limitations' of the volume *Deconstructing India's Democracy: Essays in Honour of James Manor*, edited by Rob Jenkins and Louise Tillin, and published by Orient BlackSwan.

Paragraph breaks have been introduced in certain places for ease of reading.

The authoritarian dimension of Modi's politics is obvious if authoritarianism is defined in terms of a limitation of pluralism, as Juan Linz suggested many years ago. 'The limitation of pluralism,' Linz wrote, 'may be legal or de facto, implemented more or less effectively, confined to strictly political groups or extended to interest groups'.

In India, the decline of checks and balances has resulted from successful attempts to weaken all the institutions that were in a position to balance government power. The bureaucrats in charge of potential alternative power centres – the Election Commission of India (ECI), the Lokpal, the Central Information Commission (CIC), the Central Bureau of Investigation (CBI), the National Investigation Agency (NIA), the Central Vigilance Commission (CVC), the Reserve Bank of India (RBI), etc. – have all been selected meticulously. Those who took a stand against the rulers have been transferred.



*Deconstructing India's Democracy: Essays in Honour of James Manor*  
Rob Jenkins and Louise Tillin (Eds.)

The control that the executive now exerts on bureaucrats has been made possible by the complacent attitude of the judiciary, which is the second symptom of the decline of the rule of law. Since 2017, the Supreme Court of India has issued very few decisions against the government – in some cases, like the abolition of Article 370 or the Citizenship Amendment Act, it has not taken any decision at all. This attitude – unprecedented since the Emergency – can be explained in different ways. One may speculate that it results from fear, ideological affinities (partly due to infiltration of the highest court by lawyers and judges related to the Rashtriya Swayamsevak Sangh [RSS]) or the attractiveness of post-retirement jobs.

Thirdly, the Parliament – where the BJP has refused to engage in debates with the Opposition – has declined in relevance. The number of bills that have been referred to parliamentary committees – the deliberative core of parliamentary work – has shrunk dramatically; several key pieces of legislation have been passed as money bills, even though they did not remotely fit this category; bills are not discussed much, either because the drafts are handed over to the members of Parliament (MPs) at the last minute or because there is no time for debate.

When they are discussed, amendments proposed by the Opposition are usually rejected. If debate exists, it is primarily for show, as a formality. Among the bills passed soon after being introduced was the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill, 2020, that was vehemently opposed by Congress MPs and

others. The Rajya Sabha Speaker did not even accede to the demand for a vote, whereas he is obliged, on paper, to grant one even at the request of a single MP.

Interestingly, the decline of the Parliament does not seem to be a cause for concern. For instance, the Supreme Court ratified the money bill status of the Aadhaar Act after waiting for months to examine it. Nor has there been much expression of concern within public opinion, as if anti-parliamentarism had become all-pervasive.

A fourth actor – the so-called ‘fourth estate’ – is also losing its capacity to contain political authoritarianism. The media’s independence has been seriously curbed by restrictions on freedom of expression that also affect internet access. In contrast, TV channels and newspapers that support the government have flourished. Why has ‘journalism become the new propaganda’, to quote Ravish Kumar (2017), the former NDTV anchor?

First, the government used advertisements as a tool. In June 2019, just after the Lok Sabha elections, it decided to cut off advertisements to three major newspaper groups: The Times of India, The Hindu and Ananda Bazar Patrika, which publishes The Telegraph. For the first and the last ones, this move represented a drop of 15% in their advertisements. It has been attributed, in each case, as retaliation for unfavourable reports.

Second, like politicians, media outlets have been intimidated by ‘raids’. The CBI raid at the residence of Prannoy Roy, co-founder and executive chairperson of NDTV, was a case in point. At a press conference organised by Roy at the Press Club of India after the raid, eminent lawyer Fali S. Nariman described it as ‘an unjustified attack on press and media’.

Third, TV channels have been banned temporarily. In 2020, two Malayalam channels were banned for 48 hours by the Ministry of Information and Broadcasting because of their coverage of the Delhi riots in 2020. They were accused, among other things, of being ‘critical towards Delhi Police and RSS’, a new red line.

Fourth, the government occasionally puts pressure on the owners of media outlets to get rid of committed journalists. While many journalists who were critical of the Modi government have resigned, including Faye D’Souza, who used to be the star anchor of Mirror Now, there is evidence of such pressure in only a few cases. Punya Prasun Bajpai is one of them. While his show, Masterstroke, was increasingly popular and critical of Modi, he was asked by the proprietor of ABP News to ‘refrain from mentioning the name of Prime Minister Modi’ and not to show his image on his programme. But Bajpai remained critical of the government’s policies and of some of Modi’s cronies, including Gautam Adani. The moment Bajpai resigned at the proprietor’s suggestion, the satellite glitches ceased and advertising returned.

Fifth, dissenting voices in the media have been harassed more and more systematically. Many journalists have been accused of sedition. According to the NGO Rights and Risks Analysis Group, across India, ‘at least 55 journalists faced arrest, registration of FIRs, summons or show cause notices, physical assaults, alleged destruction of properties and threats for reportage on COVID-19 or exercising freedom of opinion and expression during the national lockdown from March 25 to May 31 2020’.

In this context, all political opponents and dissenters are at the receiving end. In *How Democracies Die*, Steven Levitsky and Daniel Ziblatt argue that in any phase of authoritarian politics, the weakening of ‘democratic norms is rooted in extreme partisan polarisation – one that extends beyond policy differences into an existential conflict over race and culture’. For them, ‘denial of the legitimacy of political opponents’ is a clear indicator of authoritarian behaviour. Modi’s BJP did not recognise the Congress as a legitimate opponent: not only did it want a ‘Congress-free India’, it repeatedly tried to dislodge the party from power when it had won state elections – and succeeded in Karnataka and Madhya Pradesh by engineering defections. Besides political opponents, intellectuals and NGO activists have been targeted. Universities – be they public or private – have lost their academic freedom to a great extent; social workers and intellectuals have been jailed as ‘urban naxals’; and more than 50% of the 30,000 NGOs that were still active in 2014 have been forced to cease their activities after their Foreign Contributions Regulation Act (FCRA) licenses were not renewed.

If Modi’s BJP has badly damaged democracy, India’s brand of authoritarianism needs to be qualified.

Competitive authoritarianism is an apt characterisation, but I prefer one of its variants – the notion of ‘electoral authoritarianism’ introduced by Andreas Schedler. Schedler explains that, while electoral authoritarian regimes

formally hold multiparty elections, 'they deprive them of their democratic substance' because they 'distort...the formation of popular preference as well as the expression of popular preferences'. How? Not only by interfering with institutions in charge of organising elections like the ECI, but also by making competition unequal in terms of financial resources and by restricting freedom of expression, including media independence.

In terms of the money spent, India's 17th general election was the costliest ever in the history of any democracy, with parties spending 7.2 billion dollars – more than double what had been spent 10 years earlier, according to the Centre for Media Studies. [The BJP spent between 45-55% of this total – or approximately 3.6 billion dollars, as compared to 15-20% for Congress.](#) The BJP was able to amass some of this money due to businesses and individuals to make contributions to political parties through electoral bonds that were undisclosed to the public. The BJP reaped 95% of the contributions paid through this instrument. Between 20-25% of the Rs. 7.2 billion were handed out directly to voters in small bills or in kind, while 30-35% went into campaign expenses, particularly for communications.

Petitions challenging provisions of the Finance Act 2017 which made these electoral bonds possible were filed by the Communist Party of India-Marxist (CPI-M), and the NGOs Common Cause and the Association for Democratic Reforms. But the Supreme Court sat on this highly sensitive issue until March 2019, by which time most of the electoral bonds had been purchased – in favour of the BJP. The only thing the three-judge bench headed by Chief Justice Ranjan Gogoi did was to direct political parties to submit details of donations received to the ECI in sealed envelopes by May 30, 2019, that is, after the elections.

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