

Economic Take-off's Looming Questions: Democracy, Human Rights, and Civil Society in the "New India"

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In the last two decades, India has come into its own as its economic trajectory has "taken off" and entered new heights. Much of the world is taking notice of its new-found success and confidence. In many parts of the developed world, India is now looked upon as an economic rival rather than a charity case, a country with the brain and human-power to become the strategic and economic powerhouse that might someday soon be a potent, competitive force.¹

Much has been written about the "new India" and the majority of the writing is celebratory, praising the economy's growth and the country's potential, while cautioning about hurdles only as a second thought. A glance at the world's leading newspapers confirms the almost-giddy interest in India's growth. Regular articles that address some aspect of the new prosperity, on the development of technology, or on industrial sector innovation grace the pages of the *Financial Times* or *Economic Times*. Indians themselves seem to believe in the new self-image, with national magazines such as *India Today* and newspapers such as the venerable *Times of India* running laudatory articles continuously on some aspect of the new economic growth. Major new books herald India's place in the world, including Nandan Nilekani's *Imagining India* and Edward Luce's *In Spite of the Gods: The Strange Rise of Modern India*.

In this article, I recognize the distance that India has come. I document the real economic growth that has taken place and the real hope for continued success in upward social mobility, increased salaries and the expansion of the middle class that has occurred in its wake. However, I also sound a cautionary note about India's future that has less to do with economic indicators of success and more to do with the vital democratic "infrastructure" that I argue is critical to India's final emergence from developing to "more developed" and developed status. This infrastructure is today somewhat battered and dilapidated after sixty-two years of service and is in need of a major overhaul that includes attention to both procedural and substantive aspects of democracy.² While the procedural elements are quite strong, their endurance underlined again by a successful 2009 election conclusion, I believe that an overhaul should include a new understanding of civil society, and an embrace of all Indians as citizens rather than the class and caste-fueled view of citizenship that has largely existed in the post-Independence era. It should pay greater attention to the troubled relationship between majority Hindus and minority Muslims, roiled in the wake of increased terror attacks on Indian soil in the last fifteen years. It should nurture values of philanthropy that encompass with compassion the "losers" in the "new India," the poorest and the destitute who even today have no hope in their future, while more Indian billionaires are created every year. If India recognizes and addresses these vital areas in need of repair in its socio-political fabric, I argue, it will feed into the eventual success of the economic reform agenda and make for a stronger state and polity.

Recent Economic Growth: Cause for Optimism

As has by now been recorded in international newspapers, journals, and a spate of new books on the "new" India, real changes have been visible across the economic spectrum since the early 1990s, when the Congress party government of P. V. Narasimha Rao first embarked on a serious unfettering of the economy from the restraints posed by Nehru's mixed-economy model.³

A visit to India's major cities leaves one with the impression that a new consumer culture, fueled by increasing salaries (some of which are becoming globally competitive) across the board, but particularly in the technology, medical, and services sectors, is running amok. A dizzying array of restaurants, luxury-goods boutiques, and art galleries are filled to capacity on any given evening with Indians who have the capacity to buy. New money has fueled a new growth of the most discerning and rarified markets. Indian painting and sculpture, for instance, is finding many patrons and is entering a new phase of success.⁴ Clothing and jewelry designers are in high demand as weddings are lavish affairs. New high-rise buildings are being constructed in record numbers in some suburbs of Mumbai, threatening to wipe out the character of residential areas that have existed over centuries. Apartments in Mumbai are at their highest prices ever, many routinely in the millions of dollars range.

Economic relationships in the big cities are slowly changing. For instance, domestic servants for the first time are able to negotiate greater clout in their working hours and salaries, and are becoming better able to defend their interests. In interviews with the author, many women domestic workers mentioned that they routinely now take on two to three jobs per day, staying only a couple of hours at each one and earning much more than what would have been possible in the past through their allegiance to only one employer.⁵ This also gives them the flexibility to design their day, and increasingly this can be designed with the interests of *their* families in mind, rather than those of the families of their employers. They mentioned the high value that they place on their children's education, gaining their admission in English-medium schools at great cost so as to buy them tickets into the Indian dream.

In its new rise, the Indian economy is proving to be an innovative one. While many in the West are now familiar with the Indian "call center" phenomenon, where customer service in a wide range of industries including banking and the airlines are outsourced to Indian centers and representatives are trained to answer customer questions around the clock today. India is

innovating to address global demand in other sectors, including the health field, to answer gaps in Western economies' ability to fulfill their own consumer needs. For instance, "medical tourism" is becoming important in major cities with hospitals like Delhi's Apollo Medical Center treating scores of western patients who have come specifically to have surgeries like hip-replacement that are not only much more expensive in the West, but may also face insurance hurdles in gaining permission for the latest cutting-edge technologies.

Many more Indians than before are returning to India after their studies in the West, in a "return brain-drain" phenomenon that is testimony to the increasingly competitive salaries in the technology, management, engineering, and, most recently, legal fields. Indeed, Infosys, India's well-known technology company, is offering jobs to American graduates to work in its Bangalore offices before returning to the U.S. In another twist, increasingly competitive Indian companies, such as Tata and Wipro, are opening branches across the world to meet demands in those places, underlining in the process Indian economic actors' new clout and willingness to do whatever it takes to stay competitive in a fluid world economy (Giridharadas, 2007).

And, Indians are aware and proud of their new-found success. As Indian companies acquire prestigious global brands, such as the Tata company's recent acquisition of Corus Steel and the buyout of Jaguar and Land Rover, and Laxmi Mittal's takeover of France's Arcelor industries, Indians are savoring their new position in the world. When, in January 2008, Tata's CEO Ratan Tata unveiled the famed Tata "Nano" small car, the world's cheapest (at approximately \$2,000) small car that has all standard features, Indians were dizzy with pride, if newspaper accounts and blogs are any indication. Ratan Tata's narrative about his inspiration for the car being the lack of safety of the quintessential moped, used by Indian middle class family of modest means with the father driving, one child in front of him, and the mother sitting in the pillion with another child in her lap, resonated with all Indians. The car's unveiling was received with great fanfare.

There is also some evidence that economic growth is in fact trickling down to rural India. In the last couple of years, small towns and villages have seen a great increase in internet connectivity and usage (Yee, 1997). Credit is available to rural parts of India, allowing those families to become bigger consumers. Citibank is creating an ATM machine specifically for rural areas that will allow illiterate Indians to still be a part of the organized banking sector, and Nokia is developing the prototype for a cheap cell phone for the low-income Indian consumer.

Democratic Legacy and the State of Democracy in the “New India”

In 2007, India celebrated its sixtieth year as an independent democracy with justifiable pride. Upon independence from the British in 1947, it was not at all clear that India would survive as a country, let alone become regarded as a consolidated democracy. The institutions and structures left by the British: parliamentary system, a complex and inefficient but working bureaucracy, political parties that had roots that were decades old, but ones that had a history of fielding winning candidates, a national standardized educational system that was highly rigorous, all came together with Indians' desire for self-rule to ensure that democracy not only survived the first couple of decades, but also flourished and deepened. Although the Indian National Congress (INC), the party of Mahatma Gandhi and Jawaharlal Nehru, which won the first post-independence election in 1947, continued to be re-elected continuously until 1979, Indians from all socio-economic levels voted enthusiastically in percentages that were greater than established Western democracies, and this trend has continued into the present day.⁶

From the beginning of the post-independence period, there was also a plethora of smaller parties that ranged the ideological gamut from conservative to socialist, even communist and Marxist, a phenomenon which is still true today. Since the All India Muslim League, an independence-era political party that

formed around Muslim needs, was diminished in strength after the creation of Pakistan, the Congress party became a catch-all party, one whose independence-era associations combined with its secular roots to make it the acceptable choice for a wide swath of Indian citizens.⁷ Eventually, Indira Gandhi, Jawaharlal Nehru's daughter, and the country's third Prime Minister, and her Congress party were voted out of office in 1979, after she instituted a highly unpopular two-year period of emergency rule, where basic civil liberties were curbed and opposition was silenced.

Since that time, India has undergone many elections and changes in leadership at the center. Often, violence and corruption have accompanied these elections, but for the most part, this has been localized, and the elections have been an exercise in citizens' democratic rights and have been robustly defended. From the 1990s, the political scene has also seen the rise of a Hindu nationalist political party, the Bharatiya Janata Party (BJP), which has espoused the primacy Hindu rights and whose ascendance has contributed to deteriorating relations between Hindus and Muslims. From its dominant one-party roots, then, parliamentary democracy in India today is one that regularly results in coalition governments at the center since no one political party has been able to secure a majority of the vote in the parliament for the last few elections.

Substantive Democracy, Civil Society, and Rights: Need for Further Examination

Hence, the procedural elements of democracy appear to have weathered the many storms in India's sixty-two year-old life. They may be battered and bruised, but they do not seem to be in danger of disintegrating into any other form of government. However, other elements of civil society have not fared as well, and it is to these aspects, some of which may also be recognized as substantive aspects that democracies aspire toward, that we now turn.

Hindu-Muslim Relations

Hindus and Muslims have had a long history of uneasy co-existence, at times united in brotherhood, at other times divided by religion. The Islamic presence in India has pre-dated Muslim conquests from the 8th century, and has included both a history of conquest and shared governance. In the modern period, partition took a grave toll on the two communities and the relationship between them. Both fledgling countries were rife with stories about killings and rapes of their citizens by the other side and indeed, millions of Hindus and Muslims lost their lives during the partition.⁸ This bitter legacy continued into the post-independence era, but in India was softened through three decades of Congress rule where the secularism that the constitution enshrined was promoted as an important party platform.⁹ More recently in the last two decades or so, the BJP's overtly Hindu fundamentalist platform and the support it has received from a large percentage of Indians has exacerbated embittered relations between the two communities.

On many levels, Muslims would appear to be very well integrated into the life and fabric of India. More than one President has been a Muslim; Muslim candidates abound in the Lok Sabha (Lower house) and Rajya Sabha (Upper house), and at many levels, Muslims are respected professionals in all fields. Many of Bollywood's most popular superstars are Muslim, including the three big "Khans," Salman, Sharukh, and Aamir, as are many successful directors and industry experts.¹⁰ In big cities, the different religions that make up Indian society live, work, and play together. However, there are troubling signs that all is not well between these two largest of India's religious groups. The most obvious of these have been the spontaneous pogroms against Muslims that have taken place every time Islamic militants who express sympathies with Kashmir or Pakistan engage in terrorist activities in Indian cities.¹¹

Other signs of division are more subtle, but very troubling. Whereas religiously-defined (or, in India, "communal") neighborhoods have always existed, in all other areas, different

communities have shared buildings and housing choices freely. Recently, however, there has been a growing trend in cities like Mumbai toward buildings designated as “vegetarian,” which would effectively preclude apartments being sold to Muslims, Christians, or other minorities who typically are not vegetarian. Unfortunately, there is nothing in the Indian civil code that prohibits such housing discrimination, and the result has been to fuel resentment on the part of the religious minorities who see this as yet another ploy to restrict their space as citizens of India. I would argue that laws against discrimination in all its guises need to be strengthened if India is to supplement its economic progress with advancements in civil society. There are other worrying signs. Schools that were traditionally integrated, the country’s famed Catholic schools, for instance, can now become oriented to one religion seemingly overnight. In interviews with parents, it was noted that one Mumbai school, Sacred Heart Convent, had seen the loss of its integrated student body when other communities felt that a number of Muslim students had reached the point of “critical mass” in that school. Parents vaguely cited safety issues and repeated other stereotypes when questioned about taking their children out of the school. The stories that were heard were reminiscent of “white flight” scenarios under different conditions in the U.S.

As the scrutiny on Muslims has increased, they have expressed anguish about the questioning of their place in India. In a recent survey, a majority of respondents felt that they were under the microscope with regard to their loyalty to the country when bombs attributed to Islamic radical groups went off, and over 70% stated that they were aware of someone who had experienced job discrimination or had experienced it themselves. (Prasannan, 2007).

India has a lot to do in terms of bridging the gap between these two communities. Although there are government-sponsored and non-governmental programs and public service announcements aimed at preserving communal harmony, and although there exist forms of affirmative action that help place minorities in educational institutions, there does not seem to be

a concerted effort at wiping out a legacy of discrimination in the fashion of U.S. or western states' campaigns of this nature. There are certainly no laws, such as in Britain, against the common use of language that demeans certain religions or ethnicities in everyday life.

Class, Caste, and their Place in the New India

Rigidly defined social classes have existed from ancient through colonial times to modern India. For much of independent India, human life at the lowest end of the social spectrum simply did not count for as much as did life at the middle and highest ends. Even though India's constitution enshrines rights for each citizen regardless of her/his class or caste, India's poorest citizens have had a hard time experiencing the country's protection of their liberties.

For most of post-independence India, the justice system had been viewed as corrupt and slow. It is well-known both that court cases could take decades to be decided, and that if poor Indians were involved, justice would be harder to receive.¹² All Indians are familiar with stories of poor servants or laborers who, if arrested for the flimsiest of reasons, could well languish in jail for years without ever being charged. They are also familiar with stories of rich Indians engaged in the vehicular homicide of poorer citizens who were not charged because bribes were made to police and court officials.

India is slowly becoming more conscious of this inequity and more Indians are finding this condition unacceptable. In the last few years, famous Bollywood actors Sanjay Dutt and Salman Khan were both sentenced to rigorous jail terms for the offenses for which they had been convicted.¹³ Blogs and letters to the editor in the press during this time revealed Indians' notice of, and pride in, justice that finally seemed to have acted in a class-blind fashion. In another recent case, a wealthy Mumbai youth, Alaster Pereira, killed a number of pavement dwellers as he drove into them while driving inebriated. Indians have heard this kind of story before, and many a time the perpetrator goes free, but this time the moral outrage and mass

soul-searching appears to indicate that Indians are not willing to continue living in a two or three-tiered class-based society anymore, at least as far as fundamental rights are concerned (Pereira gets three years...2007).

If the laws are to matter in such cases, Indians also need to address their civil society on other related levels. For years, “hit-and-run” may have been the only recourse taken by drivers involved in accidents, even when serious injuries to the other party occurred. Many drivers know that to stop for assistance might mean putting their own lives in the hands of an enraged mob. Mob justice has often resulted in serious injury or death to the driver of a vehicle who is pointed to as being at fault. This kind of mob behavior cannot continue to be the norm in a country that hopes to move into the ranks of important global powers. That it happens repeatedly in the world’s largest democracy where, in theory, all citizens’ rights matter and are protected, is even more poignant.

On the other hand, conditions for the countless domestic workers who labor in middle- and upper-class families are undergoing positive change. Although there are no laws outlining a minimum wage or amenable working conditions, the economy has dictated that their services are highly sought after and that they have more negotiating clout than ever before. As previously noted, in many interviews with domestic servants, I was told that they are now able to lay down conditions of employment, and that many mothers choose to take on two or three different jobs a day that they structure around the schedules of *their* children and families, rather than merely the schedules of the employing family. They further revealed that their work now made it possible to send their children to school and college, and even the sought-after English-medium school. But working conditions continue to be unregulated and often abusive, and a legal protective structure has not grown around this kind of employment in the new India, although the need for it exists.

The stubborn Indian caste hierarchy existed prior to British colonialism, and has continued until the present day.¹⁴ Politically, the lowest castes have come into their own as lower-caste-

based parties have assumed power at the center in northeastern states, such as Bihar and Uttar Pradesh. But on other levels, caste continues to be a fault-line around which much oppression continues. In remote villages, life has not changed for the better for many in the lowest castes, and they are also among India's poorest and most destitute. In the 1990s, the film *Bandit Queen* (1994) outlined the horror-filled life of a young lower-caste girl whose humiliation at the hands of the upper-caste village men finally drove her to become an "outlaw" seeking revenge, and then finally propelled her to political office in Uttar Pradesh state. These dual realities are still the case for many in the lowest caste. While some have become rich and politically powerful, others continue to live lives of unspeakable degradation and deprivation.

It should be recognized that some of independent India's greatest efforts have been devoted to the caste question, and affirmative action policies exist in colleges and government jobs that seek to promote the integration of lower castes into Indian society and the economy. Much remains to be done, however, by individual citizens embracing their own rather than simply the government protecting those who are most vulnerable. Again, concerted public service campaigns to make Indians aware of the evils of the caste system, and to strengthen civil society, thereby could certainly be given much greater play than has been the case. As it is currently, the fruits of India's new economic success have not been diverted toward the improvement of the lowest castes in many towns and villages, and the lowest castes are often those who are struggling the most with issues of daily existence.

Struggle for Rights of HIV+ citizens

In the last 20 years, as the rate of HIV infections has risen in India, so has the response from governmental agencies and non-governmental organizations. Even a decade ago the HIV response policy was uncoordinated, haphazard, and one that dealt in denials more than responses. A government agency to

examine the crisis, the National AIDS Control Organization (NACO), along with a strategic plan to address the growing pandemic, was only set up in 1992 (Pembrey, Graham. 2005). It would appear that India's emergence on the world scene and its rapid globalization have combined to put the plight of HIV-infected citizens on the radar screens of those who are prominent in the new India (Bollywood actors, celebrities, artists, and designers) and those in NGOs who might have silently championed the cause, but did not previously have the clout to reach large audiences in India.

Certainly, the Bill and Melinda Gates Foundation's donations of millions of dollars, and Prime Minister Manmohan Singh's and Congress party president Sonia Gandhi's personal action and interest in the cause have had an impact on the plight of HIV positive individuals in India, and have resulted in a more forward-looking AIDS policy. However, I would argue that the biggest change has come about through globalization's breaking down of traditional taboos and structures so as to allow Indian society to more freely address issues of sexuality and practices of safe sex as prevention strategies. Such frank public service announcements or concerted governmental and non-governmental efforts would have been impossible two decades ago, when all public talk of issues involving sex were non-existent.

The plethora of new TV talk shows, current affairs programs, radio talk shows, celebrity endorsements, and the influence of a celebrity-obsessed culture have emboldened people to take on previously taboo subjects. NGOs who are partnering with organizations such as the Bill and Melinda Gates Foundation now have greater flexibility to target populations at the highest risk, sex workers, homosexuals, drug users, and to design hard-hitting prevention programs around them (www.gatesfoundation.org/globalhealth/pri_diseases). A recent rally for gay rights attracted over 500 people in the middle of New Delhi. Although most of the participants wore masks to cover their true identities, a reflection of how far the acceptance of alternative lifestyles still has to go, many participants were

filled with an ebullient feeling that this was the turning point in the articulation of the rights of gay Indians (TOI June 30, 2008, pg.1). In the past few years, prominent Indians, such as Manvendra Singh Gohil, the son of the Maharaja of the formerly princely state of Rajpipla, have come out of the closet and vowed to fight discrimination. For Singh, this is doubly hard, being the heir to the throne of a very conservative former princely kingdom. He was initially disowned by his parents and jeered by his "subjects." Since that time, however, Singh appears to have made his peace with his people and his family seems to have accepted him back into the fold. He spends his time working for an organization that benefits gay causes.

The changes in some of these arenas show, I believe, a maturation and liberalization of Indian democracy and civil society. Although most of the changes remain representative of cities rather than rural India, the differences from a decade or two ago is quite stark. More Indians are willing to examine the true meaning of equal rights for all citizens, including gay citizens, as promised under the constitution.¹⁵

Growth versus Compassion

In other arenas, change has been harder to come by. One of the consequences of India's rapid growth has been an increase in some post-industrial or post-materialist problems, such as drug addiction (although one could argue that such addictions are also the result of developing world poverty and despair). While addicts in the highest socio-economic bracket find easy recourse to discrete treatment facilities, those in the lowest rungs are left on the streets, literally, to die, because social services for the destitute are so few and far between. In India's big cities, it is easy to spot these addicts, lying in open gutters lining the streets, sniffing glue over an open flame, oblivious to people who walk around or across them.

In an India that was poor and developing, there might have been excuses to be made for such a shocking disregard of life. In the "new India," such excuses are harder to make. New economic success stories are aplenty in the new India. India,

along with China, shows the biggest increase in millionaires per year, and the country has its fair share of new billionaires. One of the biggest industrial houses, the Ambani family, a business house that has grown from very modest beginnings to become one of the biggest and most diversified in India, has made its heirs two of the richest men in the world. When Mukesh Ambani recently began building an \$80 million residence in Mumbai, the news was simply taken in stride. Although there has always been a wide gulf between rich and poor in post-independence India, such newly shocking displays of wealth in a country where 400 million still live below the poverty line are unseemly and seem to display a tone-deafness as to what good citizenship and inclusion mean.

Amidst this growing wealth, we have not seen a parallel growth in philanthropy or a rise of a culture of giving. Rather, those who are prospering are enjoying the fruits of their success without a thought for the poor and destitute who are all around them. I would argue that a deepening of democratic principles and a respect for civil society warrants more individuals, businesses, and organizations to become more concerned about their fellow citizens, and this can only happen when they recognize and embrace the poor as full citizens of their country, a phenomenon that has not happened yet. A country that is getting richer in the spectacular kinds of ways that India is, certainly does not need to depend only on a limited state to provide for its most hopeless; indeed it is only the non-state actors who will be able to fill this increasingly wrenching gap in contemporary Indian society

Conclusion: A Future in the Balance

There is little doubt that high growth will continue to characterize the Indian economy in the next several decades. Some analysts claim that India has the potential to embark on an as yet unprecedented growth boom that will continue for the next twenty-five years and will bring it much closer to becoming a developed world actor of global repute. The next Carnegies and Rockefellers, it is predicted, will be Indian business houses

such as the Ambanis and Tatas, and the economic growth underway will have the same transformative quality as the economic development in the west during the 19th and 20th centuries (Joe Leahy, 2008).

The real question will be what this growth means to democracy, civil society, and human rights in India? Will it strengthen the procedural democracy India already enjoys and finally enable it to explore substantive aspects such as the right to an education and protection against poverty and hunger? Will civil society be strengthened so that Indian citizenship truly represents the equal opportunity for all that the constitution guarantees? Will Indians treat their poor, sick, and HIV-infected with greater compassion and care? Will they channel their new wealth in ways that will help their most helpless in private and philanthropic acts? And will communalism, as especially viewed through the relationship between Hindus and Muslims, be rejected for a more stronger union? These are the vital questions on which India's future will turn.

Although there is no way to predict the future, we can make informed guesses based on India's post-independence history and its record on the different issue areas discussed in this article in the past few decades. I would offer that a country that has remained territorially united (for the most part) and fiercely proud of its democratic traditions, and that has further opened its society to scrutiny in the new globalized era in ways that may not always come naturally to it, will have the will to overcome the considerable challenges that it faces. In the final analysis, Indians themselves will decide their future as well as how they feel about it. Currently, indications are that they feel good about themselves. Recent surveys have shown that Indians have a great sense of optimism about what is to come and score among the highest in the world on different "happiness" indices (www.nriol.com/content/articles/article1.html). The challenge will be to ensure that all Indians will feel the same way about their country and their future.

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Endnotes

¹In fact, Mira Kamdar's premise in *Planet India* (2007) is that with its new-found economic dynamism and its established and nurtured democratic roots, India offers a new and hopeful model to other states in search of one; indeed, India, in this view, provides a model for the entire world.

²Political Scientists distinguish between procedural aspects of democracy (free and fair elections, equality before the law,

universal adult franchise, etc.), which are viewed as necessary in order to consider a country democratic, and substantive aspects (healthcare, jobs, quality of life) which are considered desirable.

³Jawaharlal Nehru, India's first post-independence Prime Minister and Fabian socialist, firmly espoused a mixed-model economy that allowed for private enterprise and industry in some sectors but placed other, key industry in public and state control only.

⁴This new enthusiasm encompasses the "old masters", such as the established Indian painters Gaitonde and M. C. Hussain, as well as young new artists such as Abhijit Bhattacharya.

⁵These were conducted during July-August 2007 in Mumbai, India.

⁶Some political scientists have argued that a country cannot be considered truly democratic if the same political party continues to be re-elected to office for a long period of time (for instance, Chalmers Johnson has written about Japan in this vein). A majority, however, emphasizes free and fair elections and if these are present among other procedural elements, have no problem with classifying the country as democratic.

⁷In 1947, when British India became independent, the country split into two along religious lines, secular India and Pakistan, which derived its identity from its Muslim population. This partition of British India came at great cost; around three to four million lives were lost in one the greatest displacements of human population the world had ever seen, and relations between Hindus, India's majority religion, and Muslims, the overwhelming majority in and *raison d'être* of independent Pakistan, plumbed the depths.

⁸There is a rich store of "partition literature" that addresses this traumatic period. One of India's foremost men of letters, Khushwant Singh's *Train to Pakistan*, is a well-known example of this genre.

⁹The legacy of partition has also included thorny relations between India and Pakistan from the time of independence.

Three major wars have been fought between the two countries, and countless other crises have been resolved short of war.

- ¹⁰India's film industry, situated in Mumbai (Bombay), is also the world's largest.
- ¹¹One of the most infamous of these riots took place in Gujrat in 2002, under the watch of a BJP-ruled state government. However, in an encouraging sign, the 2008 Mumbai blast did not see any scapegoating of Muslims.
- ¹²It should be noted that India's Supreme Court has generally been regarded as fair and upstanding, and that the taint of corruption permeates the lower courts. It should also be noted that individual lawyers have over time stood out as impartial and fair, for instance the late Nani Palkhiwala, a constitutional and tax lawyer who was regarded almost as a judicial institution unto his own.
- ¹³Sanjay Dutt was convicted under the Arms Act, and Salman Khan for a poaching incident. Both are currently out on bail, but both spent time in very austere jail cells.
- ¹⁴The rigid system of social differentiation into Brahmins, or priests; Kshatriyas, or warriors; Vaishyas, or traders; and Sudras, or "untouchables" has distinguished between communities based on their historical employment and social status. For instance, the lowest caste, the Sudras, have traditionally had to do the work of cleaning waste and working with dead animal carcasses. Each caste is further divided into dozens of sub-castes that are higher or lower on the scale. This system is thousands of years old, recognized in some of Hinduism's most ancient texts, and has led to tremendous oppression of the lowest castes by the highest.
- ¹⁵It should be noted that a colonial law punishes homosexual acts with 10 years in prison. The law, punishing "acts against the order of nature" is being debated in the Delhi high court, and is a matter of great concern for the rights community even though it has not often been enforced (www.newshopper.sulekha.com/newsitem/apnews).