

[ADRN Issue Briefing]

Democratic Backsliding in India: From Short Recovery to Authoritarian Resilience

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Introduction

Following a decade of continuous deterioration, India's democratic system demonstrated unmistakable indications of fortitude in 2024. The 2024 General Election yielded an unexpected outcome for the Bharatiya Janata Party (BJP), under the leadership of Prime Minister Narendra Modi. Despite the predictions of numerous prominent pollsters that indicated another landslide victory for the BJP, a right-wing political party in India, the party failed to secure a majority in the country's lower house in the 2024. It may be noted that the ruling party under Modi had won two previous elections in 2014 and 2019 with landslides. The ruling party secured a mere 240 seats in the 543-member lower house, a figure that necessitated the formation of a coalition government with two regional allies. The 2024 electoral results, which indicated a decline in Modi's electoral support, were met with analysis and commentary from political observers and analysts. These observers and analysts characterized the event as a manifestation of "resilience" and a "re-democratization of Indian democracy" (Mehta 2024; Jaffrelot 2024). Political analysts posit that a weakened Modi, whose aura of invincibility has been compromised, will revitalize the opposition, create the necessary space in parliament, and embolden independent institutions and civil society (Mehta 2024).

However, this hope has been significantly diminished by the ruling party's resurgence, marked by its recent electoral success in a series of state elections (Bhattacharya 2024). Notably, the implementation of a coalition government has not hindered the centralizing tendencies and authoritarian influence of the state over democratic institutions and civil society. Notwithstanding the diminished presence of the ruling party in the lower house and the opposition's accrual of significant influence, the governing coalition under Modi has identified methods to circumvent the opposition and expeditiously enact pivotal legislation (Verma 2025). In summary, with the exception of a brief period of optimism in 2024, India has demonstrated a consistent resilience in its authoritarian tendencies. This phenomenon has been observed by numerous democracy scholars and experts. For instance, recent reports from the V-Dem Institute and Freedom House clearly indicate India's ongoing democratic regression on key parameters, even under the coalition regime (V-Dem 2025). In summary, India's democratic system is undergoing a gradual and systematic deterioration in its structural and procedural aspects across all critical parameters.

What factors have contributed to India's democratic system reaching its current state? India is not an isolated case in terms of democratic erosion. The nation endured the most severe democratic regression during the 21-month-long National Emergency (1975–77), which was imposed by Prime Minister Indira Gandhi. The contemporary democratic erosion may be traced back to 2014, when Prime Minister Modi secured a resounding electoral victory. The period of emergency, which was characterized by the abrupt cessation of democratic processes and the imposition of restrictions on personal liberties and fundamental democratic institutions, contrasts with the administrations led by Modi. His tenures have been distinguished by a gradual erosion of democratic institutions and a concomitant shift towards autocratization through less formal means. Although the fundamental democratic institutions have remained in place in theory, the norms and practices that serve as the foundation for a democratic system have undergone significant deterioration over time. This deterioration is particularly evident in the aftermath of the party's second electoral landslide victory in 2019. The aforementioned authoritarian regressions, although legally permissible, have prompted analysts to designate them as an "undeclared emergency" (Narain 2022; Ganguly 2023).

Dynamics of Democratic Backsliding

What factors have contributed to the emergence of the world's largest and most successful postcolonial democracy in its current state? The objective of this study is to examine the factors that have contributed to the reversal of the democratic gains made during the post-emergency period by the current right-wing regime. The following six factors have contributed to the accelerated erosion of India's democratic institutions under the current administration. These factors have contributed to the resilience of Modi's authoritarian regime in the face of concurrent democratic challenges.

1. Rise of 'Super Executive' and Weakening of Checks and Balances

The most significant factor contributing to India's worrisome democratic deterioration is the remarkable consolidation of political authority in the hands of the executive branch. This phenomenon is accompanied by a distressing decline in horizontal institutions, particularly the parliament and the judiciary. Although the government has been able to pass significant bills with minimal debate due to the absence of robust opposition in the lower house, the key parliamentary committees, which serve as a crucial check on the executive, have largely been circumvented (Mukherji 2024). Despite the BJP's participation in a coalition government since 2024, there has been no discernible improvement in the situation.

Although the exercise of executive control over the legislature is a rational occurrence within a parliamentary system, the conspicuous failure of the judiciary to impose limitations on executive overreach is a matter of significant concern. The Indian Supreme Court, widely regarded as "the most powerful court in the world," has historically served as a significant restraint against executive overreach since the period following the imposition of the emergency provisions. However, with the return of "super executive" under Modi, the judiciary, despite significant constitutional freedom and power—given its final power over the appointment of judges to the higher judiciary through the collegium system—has succumbed to executive pressure tactics (Khaitan 2020). Numerous analysts contend that the formerly preeminent judicial system has morphed into an "executive court," thereby

expediting India's autocratization through various means (Bhatia 2021). The Supreme Court has consistently demonstrated its support for state interests in its rulings on major political issues. This inclination is evident in cases such as the Babri Mosque demolition, the Habeas Corpus in Kashmir, and the Article 370 cases, as well as in its rulings on electoral bonds and the Prevention of Money Laundering Act (Vishwanath 2020; Tudor 2023).

The failure of these institutions to serve as a critical check on executive power has emboldened the Modi government, leading it to expand the federal ambit into the state spheres. Apart from the utilization of a brute majority in Parliament to pass a series of legislations in recent years that have been interpreted as a diminution or abrogation of state powers (The Wire 2024), there have been multiple instances where constitutional offices, such as the office of the Governor (a central appointee who serves as the nominal executive head of the state), have been employed to interfere and derail state legislations in opposition-ruled states. Notwithstanding the Supreme Court's issuance of a pivotal ruling that sought to curtail the authority of the governor with respect to bills enacted by states, the BJP government has devised alternative methods to harass and pressure opposition governments (Mohanty 2025).

2. Backsliding through Clever Legal Interpretations

In a manner consistent with the actions of other authoritarian nations, the BJP government is employing legal mechanisms (through the ingenious interpretation or weakening of existing constitutional and legal provisions) to restrict freedom and opposition. For instance, the government has employed provisions of the sedition law and the Unlawful Activities (Prevention) Act (UAPA), two remnants of the colonial era (Economic and Political Weekly 2024), in a manner that suggests a strategicization of these legal instruments for political purposes. In 2019, the UAPA was amended, thereby significantly increasing the difficulty of obtaining bail. Law enforcement agencies have employed this legislation to target those who voice criticism or opposition to the government (Human Rights Watch 2023). It has been documented that several distinguished human rights defenders, including Stan Swamy (an 84-year-old Jesuit priest who passed away in prison in July 2021), were imprisoned under the provisions of this particularly severe legislation (Mukherji 2024).

In a similar vein, the government has utilized the Foreign Contributions Regulation Act (FCRA 1976) to regulate the activities of NGOs that voice criticism of its policies. The BJP government has enacted legislation that restricts the operations of progressive NGOs by denying them access to foreign funding. This policy has had a significant impact, as evidenced by the fact that approximately 20,000 NGOs have lost their licenses to access foreign funds between 2015 and 2024. As Chowdhury (2024) points out, numerous international NGOs and democracy watchdog organizations, including Amnesty International and Greenpeace, have also been subject to similar criticism.

Weaponization of State Agencies

The use of legal mechanisms to pursue political objectives has been further reinforced by the systematic utilization of state institutions, such as the Enforcement Directorate (ED), the Income Tax (IT) department, and the Central Bureau of Investigation (CBI), for the purpose of targeting political

adversaries. Despite the fact that all political administrations in India, irrespective of whether at the provincial or federal level, engage in the targeting and delegitimization of opposition leaders, the present administration has demonstrated a significantly more pronounced tendency towards such actions (Mukherji 2024). The considerable number of raids initiated by central agencies against opposition leaders in recent years is indicative of a specific pattern. According to a media report, since 2014, the Enforcement Directorate (ED) has conducted 121 probe operations, resulting in the arrest, questioning, or raiding of 121 political leaders (Mehra 2023).

The efficacy of the ED as a governmental instrument is largely attributable to the Prevention of Money Laundering Act (PMLA), a legislative instrument that has been in effect since 2002. Nonetheless, in 2019, the BJP government amended the legislation to incorporate "politically exposed persons." This modification was implemented to empower state agencies, particularly the Enforcement Directorate (ED), to pursue political opponents (Venkataramai 2022). These instruments have been utilized extensively to marginalize opposition parties. Consequently, the aforementioned parties have been denied the opportunity to engage in the democratic process from a position of equity and fairness.

Decline of 'Referee' Institutions

The decline of institutions that serve as arbiters, such as the Election Commission of India (ECI), has significantly contributed to the erosion of public trust in democratic processes. The Election Commission of India (ECI) has accumulated extensive experience in the role of a neutral arbiter. However, the ruling dispensation has increasingly sought to politicize the ECI, with the objective of influencing the electoral outcome. The most evident indication of this phenomenon is the government's endeavors to exert control over the appointment process of the electoral body. In 2023, a Constitution Bench of the Supreme Court advocated for a new appointment process (Anoop Baranwal v. Union of India 2023) that would have the Chief Justice and the leader of the main opposition serve on the selection committee, in addition to the Prime Minister. However, the Modi government countered this proposal by hastily enacting legislation that granted primacy to the government (Bhatia 2023).

The most salient threats to the integrity of India's electoral system have emerged from the controversial role of the ECI in determining electoral rolls and its opaque conduct with regard to the organization of state-level elections in recent times. Accusations have been made against the ECI by members of the opposition and civil society, citing concerns of "turnout manipulation" and "voter registration manipulation." The Special Intensive Revision (SIR) drive, a contentious electoral reform initiative, has been met with criticism from various opposition parties. This drive, which was implemented during the recent Bihar elections and is currently being expanded to encompass all India, has been denounced as a measure aimed at disenfranchising electorates, particularly those belonging to minority communities and those who align with the opposition (Shastri and Yadav 2025). Consequently, the electoral process and the Election Commission, which had previously enjoyed public trust and global recognition, are now subject to a cloud of suspicion.

Clampdown on Media Freedom

The centralization of power in the executive branch, as observed under the prevailing political dispensation, has not only served to weaken the system of checks and balances but also to subvert the voices of opposition and civil society. Moreover, the executive branch has employed a variety of tactics to "manage" the Indian press, which, by and large, has remained both vigilant and vocal. Since attaining power in 2014, the current political administration has successfully coerced and subjugated prominent media entities, encompassing both print and broadcast outlets, through the strategic implementation of coercion and state incentives. The government has utilized existing legal frameworks pertaining to defamation, sedition, and threats to national security to impose more stringent penalties on individuals who adopt a constitutionally aligned secular position. A screening ban was imposed on a BBC documentary that had been critical of Prime Minister Modi, and the corporation's offices were raided due to allegations of tax evasion (Mukherjee 2024). In a similar vein, the social media accounts of The Wire and Caravan and The Wire, two critical media portals, have been suspended. Conversely, the government has utilized its substantial advertising expenditures and various incentives to exert influence over prominent media outlets, which critics have designated as "Godi Media" or "Lapdog Media," with the objective of disseminating government propaganda (Withnall 2019). The precarious position of the media under the current administration is evident from its global ranking. According to the World Press Freedom Index (2025), India occupies the 151st position out of 180 countries in terms of press freedom. The net outcome of a weak and biased media is that there is hardly any credible voice that can question the government, its acts of omission and commission, or impose a certain degree of check on state power.

Majoritarian Turn of the Republic

In addition to the instrumental factors previously analyzed, the most significant challenge to India's democratic future is the unprecedented rise of majoritarianism and the rapid transformation of the republic. It is imperative to acknowledge that the ruling BJP is at the vanguard of a network comprising thirty Hindu nationalist organizations, with the Rashtriya Swayamsevak Sangh (RSS) at its core. This coalition has dedicated itself to a protracted endeavor spanning a century, with the objective of transforming India into a Hindu Rashtra (Hindu nation) and reestablishing the cultural and religious pride of Hindus (Jaffrelot 2021). The ideology under scrutiny is one that is founded on Hindutva, a doctrine that asserts the preeminence of Hindus over other religious groups, most notably Muslims. This assertion is largely rooted in the historical and political implications of the 1947 partition of the Indian subcontinent, which was predominantly driven by religious lines. The ideology in question explicitly promotes the notion of Hindus as the primary among equals. To this end, the Hindu Right has employed polarizing tactics to create a constant societal, religious, and political divide, leveraging street power to achieve its objectives. The rise in polarizing rhetoric and street power since the BJP assumed a full majority in 2014 has been precipitous.

For over a decade, the Bharatiya Janata Party (BJP) and its affiliated cultural organizations have utilized state authority and a combination of assertive vigilante actions to target religious minorities, particularly Muslims. It has been observed that majoritarian mobs, with the complicity of active state actors, have been engaging in acts of violent street vigilantism and hate crimes with

impunity. According to an authoritative account by IndiaSpend, 97 percent of cow vigilante violent attacks between 2010 and 2017 have occurred since the BJP government assumed power in May 2014. In 2017 alone, as many as 11 Muslims were killed in incidents of cow vigilantism across the country, the highest toll on record in recent years (IndiaSpend 2017). The influence of right-wing vigilante mobs and their leaders, with the complicity of state authorities, has grown significantly. These groups have become increasingly involved in determining what individuals can consume, wear, and drink (Sahoo 2023). To summarize, there is a pervasive securitization of minority groups, particularly Muslims, accompanied by an implicit endorsement of violence against them. The phenomenon of alarming vigilantism represents grave concern, as it is indicative of state-sponsored efforts to marginalize minority groups with regard to their constitutional rights and protection. For instance, in 2019, the BJP government passed the Citizenship Amendment Act, which has been widely criticized for its apparent discrimination against individuals of the Muslim faith (Vaishnav 2021).

A particularly salient concern pertains to the enactment of legislation aimed at regulating inter-religious marriages in a number of BJP-ruled states. This legislative initiative is often promulgated under the banner of "Love Jihad" (Vaishnav 2021). The phenomenon of "love jihad," which is predominantly directed towards Muslim men, has resulted in a notable escalation in arrests and harassment by state officials, thereby engendering a pervasive atmosphere of fear and intimidation among minority communities. Contrary to the expectation of accountability for extrajudicial violence, the ruling BJP politicians, including numerous high-ranking leaders, have instead offered felicitations and protection to the perpetrators of violence. A salient consequence of majoritarianism is the disconcerting political marginalization of minority groups, most notably Muslims. To illustrate, among the 800 members of Parliament who were elected on the BJP ticket in the previous three general elections, there is not a single Muslim representative. According to Guha (2026), Muslims have historically occupied prominent positions within various branches of the government, including the presidency, the vice presidency, key cabinet positions, and leadership roles in major government departments. They have also served as Supreme Court Justices and have led the Indian Air Force, among other notable positions.

Additionally, prominent state institutions, including the judiciary and the police, have exhibited a conspicuous lack of determination in their efforts to forestall majoritarian violence. While the Supreme Court intervened in 2018 to address rising hate crimes and established guidelines for law enforcement, these measures have had negligible impact in practice (Singh 2022). Judicial and police enforcement have become increasingly challenging due to the rising number of judges, civil servants, senior police personnel, and, most recently, senior officers of the armed forces who are overtly normalizing or endorsing majoritarian Hindutva world views (Halarnkar 2026). The adoption of majoritarian Hindutva ideology by independent institutions represents a grave threat to India's secular and plural democratic tradition. In the long term, the political and ideological transformation experienced by India is likely to result in the emergence of an ethnic democracy.

In summary, the erosion of democracy in India has not occurred through a military coup or a coordinated mass arrest of opponents, as was witnessed during the period of emergency. Instead, the authoritarian regime has mastered the art of democratic rhetoric while perpetuating autocratic practices. It has erected a legal facade of democracy, yet simultaneously engages in the harassment of opposition and the constricting of spaces for dissent and free expression.

Resisting Democratic Backsliding: Signs of Resilience

Notwithstanding the disconcerting erosion of democracy and the accelerated autocratization occurring under a regime that overtly endorses majoritarianism and demonstrates animosity toward religious minorities, India's democratic system is endowed with intrinsic capacities and built-in correcting mechanisms that enable resistance and recuperation. According to scholars, India demonstrated a resilient recovery following the period of complete subversion of democracy by Prime Minister Indira Gandhi from 1975 to 1977. According to these scholars, the damage to institutions and norms was significantly more severe during the period under discussion than during the period of the Modi regime. Political opponents formed a coalition, the press began to reassert itself, and the judiciary responded with activist interpretations of statutes and constitutional principles. Indeed, Yogendra Yadav (2000) attributes the rise of regional and identity-based parties to two primary factors: Gandhi's emergency excesses and centralizing tendencies. These actions not only terminated the Congress party's hegemonic dominance but also precipitated a democratic upsurge.

There are at least three areas from which India's democratic recovery may be possible. The aforementioned elements comprise a resilient civil society, an expanding unification of opposition, and the principle of multi-party federalism.

1. Resilient Civil Society

The most significant opposition to the escalating authoritarianism has emanated from civil society groups, including farmers, students, and minorities, among others. Despite facing a range of repressive actions and organized state onslaughts, including the choking of foreign donations, vilification campaigns, arrests, and physical intimidation, among others, these groups have vociferously resisted the Modi government and its autocratic styles of governance. In 2020, a series of protests were initiated by farmers' organizations from the northern states. These protests were in opposition to the government's proposed farm legislation (Schmail 2021). The passage of the three contested farm laws by the Modi government during the midst of the pandemic, without adequate consultation with farmers, incited discontent among farmers' associations in Punjab, Haryana, and Uttar Pradesh. Despite the government's deployment of substantial police forces, the obstruction of their entry into the national capital, and the utilization of various coercive measures and vilification campaigns against them, the thousands of farmers who protested on the highway and in the midst of the pandemic for over a year compelled the Modi government, a government of considerable power, to repeal the farm laws (Conversation 2021). Another illustration of effective opposition to Modi's authoritarian tendencies was evident during the widespread protests against the Citizen Amendment Act (CAA) in 2019 (Salam 2021).

2. United Opposition

A glimmer of hope in the face of the BJP-led autocratization movement is seen in the growing unity of the opposition. However, the BJP's actions have had a profound impact on the opposition, to the point where its very survival is now at stake. Consequently, a coalition of 26 opposition parties, inclusive of the Congress Party, has coalesced to establish a unified bloc (designated as INDIA) in

opposition to the BJP in the 2024 polls (Munkhal 2023). Despite the ruling party's attempts to undermine the alliance, the united opposition demonstrated notable electoral success in the 2024 national elections, inflicting significant losses on the BJP in its traditional strongholds and preventing the party from achieving a third consecutive electoral victory. Moreover, opposition parties have persistently challenged the ruling party on significant issues, highlighting perceived discrepancies and advocating for more effective governance. The BJP's absence of a parliamentary majority and its reliance on coalition partners has contributed to the amplification of opposition voices within both the parliamentary chamber and the broader public sphere (Biswas 2024).

3. Multi-Party Federalism and Regional Resistance

The most robust instruments in the face of the Modi government's authoritarian shift have emanated from the principles of federalism and regionalism, embodied by sub-national governments. The Modi government's policy of centralization, characterized by its aggressive approach and its undermining of federalism and states' rights, has encountered significant opposition from regional political parties in opposition-ruled states. The most prominent opposition to the government's initiatives to mandate the use of the Hindi language and promote uniformity has emanated from the affluent southern states. The southern states of India, including Tamil Nadu, Kerala, Karnataka, and Telangana, have a long-standing history of resisting the cultural homogeneity agenda promoted by the Hindu right, which is supported by the northern states. This resistance has been particularly strong in the face of the imposition of the Hindi language and culture. Despite the fact that the right-wing BJP has won successive national elections since 2014, it continues to face challenges at the state levels, particularly in the southern region (Madhav 2025). In a federal system that grants states considerable autonomy, this has served as a moderating force against the authoritarian project.

Conclusion

In summary, the democratic regression experienced by India is largely consistent with global trends. In these instances, populist and authoritarian leaders have undermined democratic norms not through the use of military coups, martial law, or the suspension of the constitution, but rather through the strategic manipulation of legislation, the exploitation of democratic institutions, the subversion of independent media, and the manipulation of the electoral process to their advantage. The 2024 national elections signaled a recovery for the opposition, as the ruling BJP under Modi failed to secure a majority in the lower house. However, the party and the ruling coalition have since regained lost ground, demonstrating strong performances in a series of state elections. Moreover, despite the opposition's gains in the lower house and their consequent presence in parliamentary debates, the ruling government has found methods to pass legislation autonomously. Nevertheless, the opposition, particularly the regional parties, multi-party federalism, and a resilient civil society, continue to exhibit resistance to autocratization and democratic recovery. This opposition has been demonstrated previously, for example, in the successful farmers' protest of 2021. Nevertheless, the outcomes of the most recent elections indicate that authoritarian resilience remains robust. ■

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