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DEMOCRACY AND DEEP DIVIDES

Nathan Glazer

Nathan Glazer is professor of education and sociology emeritus at Harvard University, where he moved in 1969 from the University of California–Berkeley. Earlier in his career he served on the staff of Commentary magazine, as an editorial adviser to Anchor Books, and as an official with the Housing and Home Finance Agency during the Kennedy administration. His books include American Judaism (1957), Beyond the Melting Pot (1963), Affirmative Discrimination (1975), Ethnic Dilemmas, 1964–1982 (1983), The Limits of Social Policy (1988), and We Are All Multiculturalists Now (1997).

I am pleased and honored to give the 2009 Seymour Martin Lipset Lecture. Marty Lipset and I became friends during my first year at the City College of New York, and I recall our taking the New York City subway together to school and talking about the latest twists and turns within the anti-Stalinist left. Interesting refugee intellectuals who had escaped from Hitler's expanding empire in Europe were arriving in New York, and each of them had something new to say about the fate of democracy and socialism in a period of rising fascism. It was an exciting time.

In this lecture, I will consider one of the major threats to any democracy: the problems created by the deep social divisions within many nations. I refer not primarily to the central divide that exists almost everywhere—the division between the rich and the poor, the more prosperous and the less so—but rather to divisions that are essentially formed by birth and are, for the most part and for most persons, ineradicable: race, ethnicity, religion, and native language. The distinction between these two types of deep division is not absolute or clearly drawn. Poverty and prosperity are largely inherited, while those distinctions that I have labeled as ineradicable can change over a lifetime. Religious identification is commonly gained by birth into a family of a certain faith; but recently, in some parts of the world, religion has to some degree become a matter of choice.

THE SEYMOUR MARTIN LIPSET LECTURE ON DEMOCRACY IN THE WORLD

Nathan Glazer delivered the sixth annual Seymour Martin Lipset Lecture on Democracy in the World on 4 November 2009 at the Canadian Embassy in Washington, D.C., and on September 24 at the Munk Centre for International Studies at the University of Toronto. The Lipset Lecture is cosponsored by the National Endowment for Democracy and the Munk Centre, with financial support this year from the Canadian Donner Foundation, the Canadian Embassy in Washington, the American Federation of Teachers, the Albert Shanker Institute, and the George Mason University School of Public Policy.

Seymour Martin Lipset, who passed away at the end of 2006, was one of the most influential social scientists and scholars of democracy of the past half-century. A frequent contributor to the *Journal of Democracy* and a founding member of its Editorial Board, Lipset taught at Columbia, the University of California–Berkeley, Harvard, Stanford, and George Mason University. He was the author of numerous important books including *Political Man*, *The First New Nation*, *The Politics of Unreason*, and *American Exceptionalism: A Double-Edged Sword*. He was the only person ever to have served as president of both the American Political Science Association (1979–80) and the American Sociological Association (1992–93).

Lipset's work covered a wide range of topics: the social conditions of democracy, including economic development and political culture; the origins of socialism, fascism, revolution, protest, prejudice, and extremism; class conflict, structure, and mobility; social cleavages, party systems, and voter alignments; and public opinion and public confidence in institutions. Lipset was a pioneer in the study of comparative politics, and no comparison featured as prominently in his work as that between the two great democracies of North America. Thanks to his insightful analysis of Canada in comparison with the United States, most fully elaborated in *Continental Divide*, he has been dubbed the "Tocqueville of Canada."

These divisions by birth within nations are near universal. Walker Connor some years ago calculated that, out of all the countries in the world, only seven did not have significant minorities or divisions based on ethnicity, race, religion, or language. With increasing immigration, large refugee flows, and expanded international business and commerce, even Connor's few homogeneous countries are more heterogeneous today. The only major exceptions to this trend toward greater heterogeneity are some Muslim countries from which long-established minorities have fled.

In an ideal liberal-democratic world, such divisions should not matter: Liberalism calls for all persons to be treated equally without regard to race, ethnicity, religion, or language; if they are so treated, what more is needed? But even democratic liberalism has its problems with these divisions, particularly when those bearing a distinctive identity make claims for their group or demand protections for their religion or culture that in some way violate the equality of persons or individual rights that liberalism entails. Equal treatment for individuals (applying the same tests to everyone, for example) may result in an unequal condition for any given group. The debate in the United States over affirmative action centers around this tension between individual and group equality, and the classic arguments for liberal democracy do not give an immediate or obvious solution.

So how do democracies manage these divisions? Does democracy have advantages over nondemocratic forms of government in dealing with such issues? Or, on the contrary, does it have distinctive liabilities in managing plural societies, as every group in a democracy is free to make demands?

If we were to approach this question in the positivistic and statistical-minded spirit dominant in contemporary social science, we might line up the countries of the world according to their degree of democracy and according to their success in dealing with deep divisions to see how well democracy handles this problem. Such a comparison would, of course, be no simple matter. We could use Freedom House scores for determining the degree of democracy, but how would we determine the degree of success in dealing with divisions? Is the United States successful in handling the deep divide between blacks and whites, for example? And if so, by what measures?

Marks of complete failure are clear, such as civil war or the abject subjection of a minority group. But what is the measure of success? Equality in economic condition? Contentment with living in a state where a different group is the majority? Absence of separatist and independence movements? Not only are the markers of success less clear-cut, sometimes they are contradictory: The Basque and Catalan areas of Spain are more prosperous than the rest of the country, yet they are dissatisfied with their place within the Spanish state, and strong separatist and autonomist movements are present in both regions.

Despite such conceptual difficulties, excellent statistical studies have been done on these kinds of questions, and some have yielded some generally accepted conclusions. Lipset himself wrote a seminal article that used this approach to establish a relationship between democracy and economic development. As Fareed Zakaria recounts, "In 1959, Seymour Martin Lipset made a simple, powerful point: 'The more well-to-do a nation, the greater its chances to sustain democracy.' . . . Lipset's thesis has spawned schools and counter-schools, gathering data, running re-

gressions, and checking assumptions. After forty years of research, with some caveats and qualifications, his fundamental point still holds.”¹

While a statistical analysis of a large range of countries has its virtues, it also has limitations. It seems problematic to bring into the same universe of explanations large countries and small ones, new countries and old ones, well-established democracies and those that barely deserve the name. Moreover, as Lipset himself noted, “Comparative generalizations dealing with complex social systems must deal rather summarily with particular historical features of any one society.”² That is why experts on a particular country are so often puzzled by the way it is rated in international comparisons.

Thus there are problems in trying to deal with the question that I am addressing here with an approach in which all or most of the countries of the world serve as a sample from which a large generalization is to emerge. To understand how well democracies manage to deal with deep divisions, we need more than a correlation between roughly determined measures in a sample of countries. In order to gain deeper insight, we must go further into the dynamics of these relationships and how they operate in particular countries. So rather than try to rate a large range of countries by how they have dealt with their deep divisions, I will focus here on only three: Canada, India, and the United States, and my references to the United States will be only tangential.

Why these? First, they are distinctively marked by deep divisions: the United States by the racial divide that has been so central to its history; Canada by the founding division between Francophone and Anglophone; and India by grave divisions in caste, religion, and language. Second, India and the United States are the two largest democracies in the world. Finally, since this lecture is sponsored by both a Canadian and a U.S. institution and is to be delivered in both countries, and the man after whom it is named and whom it honors studied Canada throughout his career, it is natural to consider how Canada has dealt with its deep divide.

There is another key reason why I must include India: It is the great exception to that major generalization about the relationship between wealth and democracy that Lipset first identified in 1959. India, despite its recent economic progress, is a poor country, and yet it is a well-established democracy with hotly contested elections that have major consequences for how it is governed and that have recurred at regular intervals for the sixty years since independence. Indian democracy was interrupted once for two years by a state of emergency imposed by Prime Minister Indira Gandhi, but this was itself overcome by a free election that Gandhi called for and decisively lost. For much of the time since its independence, India’s population has comprised a good part of all the people in the world living under democracy. India’s example may transcend in significance any generalization that would emerge from

a statistical test of the relationship between democracy and success in dealing with diversity.

Canada and the United States

I begin with Canada, along the way noting some contrasts with the United States. While few Americans considering what is distinctive about their country would think of Canada as a major contrast, almost any Canadian would, for obvious reasons: The United States, with the same language as the majority of Canadians and a population and economy ten times as large, exerts an enormous influence on its northern neighbor.

These comparisons have become stereotypical. Yet at the root of almost any stereotype there exists a kernel of reality. Recently, and exceptionally, Americans have begun to consider Canada and to contrast it with the United States in regard to one particular issue, health policy, but this new attention to Canada only emphasizes the existing stereotypes. Liberals in the United States present the Canadian health-care system as a possible model and as a basis for criticizing the U.S. nonsystem; alternatively, conservatives (who often raise the specter of socialism) decry it as a warning of potential disaster.

The contrast between Canada and the United States in health policy typifies how people in each country see themselves and the people of the neighboring land. Canada is, in its own mind and the minds of Americans, the nicer, quieter, more orderly, more sensible, and more internationally minded country. In the words of a *New York Times* television critic writing recently about a rare phenomenon, a Canadian crime serial that is to air on U.S. television, Canada is thought of as a “milder, blander version of the United States.”³

The differences between the two countries go back almost to their founding. In contrast to the promise of “life, liberty, and the pursuit of happiness” in the U.S. Declaration of Independence, the 1867 Constitution of the new Dominion of Canada pledged “peace, order, and good government.” I could multiply such references *ad infinitum*, but must note that they apply overwhelmingly to Anglophone Canada. Yet Canada, in its origins and today, is two nations joined together—one French-speaking and the other English-speaking. This is the deep divide that Canada has had to contend with throughout most of its history, and most intensely during the past forty years. This is Canada’s equivalent of the deep racial divide in the United State between blacks and whites. There are, of course, enormous differences between the two divides. There is no comparison between the position of U.S. blacks and the much better-off French-speaking Canadians, concentrated in the province of Quebec, in terms of economic standing, social position, or political power. Nevertheless, to many Quebec intellectuals and political leaders, the sense

of being a dominated, exploited, and disrespected minority is similar, even if the facts justifying this feeling have been far less egregious than in the case of African Americans.

Yet in one respect, the two issues are similar: They have posed the defining question for the two nations as democracies. How would this divide be managed? How would the most serious consequences of discord be avoided or overcome? In the United States, the division between slave states and free states could not be managed peacefully under the procedures of a presumably democratic government, and a terrible Civil War resulted—the deepest trauma in U.S. history. Even then, and after three crucial constitutional amendments, the matter was not settled. A hundred years after the Civil War, the United States underwent a civil-rights revolution, not without a good deal of violence, that finally achieved institutionalized legal equality for African Americans, an equality that is still far from realized in terms of their economic position.

To what should we attribute this belated achievement: Was it white recognition at last of the need to overcome the “American Dilemma”? Was it the legal and extralegal and sometimes violent resistance of blacks—insurrections, some activists called them—that scarred every major U.S. city in the 1960s and 1970s? Or was it the institutions of democracy, in particular the legal system and the Supreme Court? If it was U.S. democracy that finally produced the degree of equality that we have today, which was certainly a long time coming, it is no great testimonial to the effectiveness of democracy in dealing with such a divide.

Just as the U.S. civil-rights revolution was erupting in violence, the Quebec independence movement reached a crescendo of rare violence for Canada: A Quebec terrorist group planted bombs and kidnapped an English official and a minister of the Quebec government (whom they killed), leading to a crisis in which hundreds of activists were arrested under emergency provisions declared by the federal government, then headed by Pierre Trudeau. At the time, Quebecers and Francophones held many seats in Parliament, made up a third of the Supreme Court, and occupied a large number of government positions—and Canada’s prime minister was a Francophone Quebecer. Yet the sense of resentment in Quebec over the province’s position in the Canadian economy and political system was all too real, difficult as it may have been for other Canadians to understand.

As Anglophone Canada grew in the nineteenth and twentieth centuries with immigration from the British Isles and, later, other parts of Europe, the position of Francophone Quebec declined demographically. In the 1950s and 1960s, Quebec underwent a striking change known as the Quiet Revolution. The Church-dominated, rural, traditional society rapidly modernized to the point where the Church lost its dominance in education and culture, industry and commerce grew, and family size dropped precipitously, dashing the hopes of Quebecers for a “revenge of

the cradle.” Quebec’s rapid secularization was accompanied by a rising nationalist movement that questioned Anglophone dominance of Montreal’s economy and feared for the future of French language and culture in an English-speaking continent.

The first federal responses to this rising sentiment already indicated a moderate, distinctly Canadian approach. In 1963, the government established the Royal Commission on Biculturalism and Bilingualism, co-chaired by an Anglophone and a Francophone, to deal with the Quebec issue. It eventually resulted in the 1969 Official Languages Act, which emphasized the equal place of French and English speakers in public life. All laws and public documents were to appear in both languages, and civil servants were to be competent in both. A frenzy of French language-learning by English-speaking civil servants ensued.

During the course of its multiyear hearings, the commission realized that Anglophone and Francophone Canada had been joined by yet another Canada—one composed of immigrants of various European tongues who seemed to retain stronger attachments to their native culture and language in Canada than did their fellow immigrants in the United States. The commission proposed official recognition for the cultures of these groups, and the government created a department of multiculturalism, which awarded grants to assist their linguistic and cultural expression. Canada subsequently proclaimed itself officially multicultural, and this was rapidly accepted in the popular imagination. Unlike in the United States—where in 1995 the U.S. Senate would vote 99 to 1 against a report proposing a more “multicultural” and “multiracial” treatment of American history—in Canada, multiculturalism became part of the national identity: Canada was a “mosaic,” not a “melting pot.”

Rising Nationalism

The new acceptance of multiculturalism did nothing to calm Quebec. Quite the contrary, Quebecers felt that it lowered the province’s special status as one of the two founding nations of Canada. Prime Minister Trudeau hoped that Quebec could be mollified by the Official Languages Act, but that was hardly enough for rising Quebec nationalism. In 1976, the new pro-independence Parti Québécois gained power in the province. It passed its own Official Languages Act in defense of the French language and offered Quebecers the opportunity to vote in a referendum on whether they wanted “sovereignty”—in effect, independence for Quebec with some unspecified relationship to Canada remaining. The 1980 referendum was contested passionately and lost.

The Quebec language legislation required the use of French in large companies’ labor relations and official communications and also called for French to be the language of instruction, not only for the Francophone population (which of course it was) but also for the children of

immigrants and Canadian migrants settling in Quebec. The law further demanded the removal of English from public signs and notices. It was enforced with all seriousness by the Quebec Commission for the Protection of the French Language, with the support of volunteers.

But then what of the rights of Quebec's large English-speaking minority and the rights of non-native residents of Quebec to educate their

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children in English? French speakers had equal rights throughout Canada, but speakers of English and other languages did not have the same rights in Quebec.

While Quebec nationalists were fighting for a "yes" vote in the 1980 referendum, Prime Minister Trudeau, a French-speaking Quebecer but a *Canadian* nationalist, was engaged in a vigorous effort to "Canadianize" the constitution, which until then remained an 1867 act of the British Parliament. He fought

for a "no" vote in the referendum, reassuring Quebecers that the new constitution would satisfy them.

When the new constitution, with its Charter of Rights and Freedoms, was presented to Canada, however, Quebec was terribly disappointed, and the Quebec nationalists felt betrayed. The new document had no provisions recognizing Quebec's special position in Canada, and the language provisions insisted on equal rights for non-French speakers in Quebec. The constitution became the law of the land without the assent of Quebec, which has to this day refused to accept it.

The Charter of Rights and Freedoms, like the U.S. Bill of Rights, is the heart of Canada's constitution and is locked in what seems to be permanent conflict with Quebec's language laws. The Charter emphasizes equal and universal rights in the spirit of classic liberalism, but allows special rights for distinct groups. After the key passage—"Every individual is equal before the law and has the right to the equal protection of the law without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability"—we find language that provides for exceptions: "[This provision] does not preclude any law, program, or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups." Reflecting a new liberal sensibility, Canada's constitution, unlike the eighteenth-century U.S. charter, makes affirmative action constitutional. In the United States, by contrast, it has required all the acrobatics of the Supreme Court to make legal the degree of affirmative action that now exists.

In the late 1980s and early 1990s, there were lengthy negotiations to gain Quebec's acceptance. They failed, and Quebec went on to hold a second hotly contested referendum on sovereignty in 1995. It was narrowly

defeated, undoubtedly because of a strong “no” vote among the large minority of Anglophone Quebecers. And so matters stand. Although it did not sign the constitution, the Quebec government lives with it. When the Supreme Court declared Quebec’s language law unconstitutional, the province made use of a clause in the latitudinarian constitution that permits provinces to declare that an act shall operate “notwithstanding” its violation of the Charter’s provisions for equal rights.

Most Canadians have now wearied of the conflict and claim not to mind Quebec’s leaving if Quebec so chooses. Quebec is quiescent also, and the rest of Canada seems willing to let the province maintain its refusal to accept the constitution. Whatever Quebec decides, there will be no forceful or armed effort to keep it within Canada—that would go against everything Canadian. While Quebec is often governed by a party that calls for sovereignty, and on occasion a majority of public opinion supports it, the Quebec government never goes all the way, perhaps because of the incredible complexity and economic costs of fully divorcing itself from the rest of Canada.

Today the issue of Quebec’s place in Canada has become mainly symbolic: Practically speaking, Quebec manages to do almost anything that it wishes. Canadian provinces are more powerful than U.S. states, and Quebec is more powerful in insisting on its differences than are other provinces. Quebec demands to be recognized as a “distinct” society, not just another province like Alberta, Prince Edward Island, and the others.

Symbols matter with regard to nationalism, however, and they can influence democratic politics, as a recent vote in the House of Commons illustrates. Three years ago, the lower house overwhelmingly passed a motion recognizing the Quebecers as a nation within Canada. Michael Ignatieff—the distinguished writer and intellectual who, after making his career in Britain and the United States, returned to Canada to become the leader of the Liberal Party—raised the issue. According to a CBC reporter, “Apparently seeking to firm up his support in Quebec, Ignatieff backed a resolution from the Liberals’ Quebec wing demanding the official recognition (whatever that means) that Quebec is a nation within Canada.”⁴ Ignatieff is no separatist, but the demands of a democratic polity and system are such that Canadian national parties must acknowledge the role of Quebec and must sympathize with at least its symbolic demands while also acknowledging the role and rights of Quebec’s Anglophone minority.

So how does democratic Canada rate in dealing with its great divide? All in all, it must at this moment be considered a success. Violence has been and will be avoided. The position of Quebec’s French-speaking population has improved, both economically and socially, and it has attained a greater degree of equality, though not enough to satisfy the nationalists. At the same time, Anglophone Quebec seems at ease with the restrictions of the Quebec language legislation.

This success is due to democratic politics. The national parties must pay attention to Quebec's demands, because it elects a substantial portion of the House of Commons, which forms the ruling government. The parties must engage in a balancing act between Quebec and the rest of Canada, which often wearies of Quebec's demands. The judicial system also plays an important role, reining in Quebec's aggressive defense of its interests and, in so doing, assuring the rest of Canada that there will be limitations on Quebec's pursuit of its special position. But to democratic party politics and the Supreme Court we must add that unique Canadianism—that spirit of good sense and inherent moderation—to our understanding of what has made possible the relative success of Canada's efforts in dealing with its deep divide.

In the course of this conflict, Canadian political scientists and philosophers have explored the limits of classic liberal thought, as they have had to consider whether rights phrased in universal terms must in certain circumstances be modified to accommodate the rights and demands of a certain community. Adam Gopnik (who was raised in Montreal) recently wrote in the *New Yorker* that “the belief that the right of the community can trump the rights of the individual—and that this is not incompatible with liberalism but exactly what humanizes it—really is a distinctively Canadian insight.”⁵

The overall judgment that democracy has worked does seem justified in this case. Canada remains successful and well regarded by its own citizens as well as many others who hope to become Canadians, and meanwhile the French language and culture of Quebec flourish. Did it need the legal palisades that have been erected to defend it? I wonder. Nevertheless, this is the way that democracy has worked in Quebec and in Canada.

The Case of India

Despite its complexities, the Canadian situation is gratifyingly simple compared to the Indian one. India has many problems as a democracy, beginning with unsettled frontiers—with Pakistan to the West and China to the North—that require the presence of large armed forces along the disputed borders; long-term internal insurrections that have been difficult to end or suppress; widespread deficiencies in police behavior; and a legal system that operates slowly and inefficiently. But the key characteristics of democracy are maintained: Lipset, in *Political Man*, described democracy as “a political system which supplies regular constitutional opportunities for changing the governing officials, and a social mechanism which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office.”⁶ This definition is generally accepted, and in those terms India is a democracy.

India began its independent life with a monumental and tragic division into two nations. Its independence movement, in the form of the Indian National Congress, could not overcome the fears of the minority Muslims—a quarter of the population of undivided India—of domination by the majority Hindus. Perhaps Muslim fears were stoked by colonial Britain's "divide and rule" policies (Britain reserved places for India's religious minorities, particularly Muslims, in governors' councils and provincial legislatures), as many Indian nationalists claim, or perhaps they were stirred by ambitious Muslim leaders. But in the end, these fears could not be assuaged by the leaders of the Indian independence movement. Thus as India won freedom, Pakistan—a Muslim nation composed of areas of British India with large Muslim populations—also came into being.

This initial division was accompanied by terrible scenes of massacre and murder, as Hindus and Sikhs fled the new Pakistan into the new India and Muslims fled in reverse. In the end, Pakistan included very few non-Muslims. But a huge Muslim population, now 12 percent or so of the population, remained in India and was spread throughout the country.

That is one of the key divisions within India, but we must not exaggerate its scale or intensity, despite the occasional explosion into deadly conflict: Hindus and Muslims have lived and worked together for centuries, and still do. Muslims have served independent India as president, Supreme Court justices, high ministers, and ambassadors. The relationship between Hindus and Muslims is nothing like the division between whites and blacks in U.S. history or even today. Yet despite long historical and cultural ties, the economic and political position of Muslims poses a permanent problem for India: Compared to their proportion of the population, they are underrepresented in parliament, government service, the army, and institutions of higher education.

In its first years, India also had to deal with divisions of language. India is home to innumerable independent languages, some belonging to populations and territories as large as major European nations. India's nascent democracy succeeded in finding compromises to prevent the country's break-up into separate language-based nations, as some at the time feared would happen.

Another major divide separates those once called untouchables from the rest of the majority Hindu population. Traditional Hindu society was divided into castes, arranged hierarchically. Below all other castes were the so-called untouchables, who served the higher castes by handling those aspects of life considered to be polluting—primarily the removal of human and other wastes. They were not allowed to enter temples, to draw water from village wells, to eat with other Hindus, or to attend schools. Many reform movements, including Gandhi's heroic efforts, tried to overcome caste discrimination. "Untouchability" was banned in

the new constitution of India. But this great division, despite much official policy aimed at amelioration and social change, remains.

In the time of British rule, the untouchables were labeled by the neutral term “scheduled castes.” Just as Muslims were given protected and reserved places in the political institutions of British India, lower castes

Not every democracy will succeed in dealing with its deep divides. But democracy has institutional features which offer the hope that every part of the population will feel part of the whole.

in parts of India were given some preference in state jobs and in educational institutions. Both forms of reservations posed a dilemma for independent India. The new country aimed at liberal democracy, with equal rights for all. The colonial protections for Muslims and other minority religions were anathema to the secular liberal and socialist leaders of the new India and were therefore not included in the new constitution.

The plight of the untouchables was a different matter. A dominant figure in shaping the constitution was B.R.

Ambedkar, a scheduled-caste person himself, who had attended graduate school in England and the United States under the patronage of the liberal ruler of a princely state. So while reservations for religious minorities were eliminated, one basis for reservations in the national parliament, government jobs, and university admissions survived and was entrenched in the new constitution: “Scheduled castes” and “scheduled tribes,” categories created by the British, remained as groups deserving preference in the new India.

Key provisions in India’s constitution proclaim equality before the law and ban discrimination on grounds “of religion, race, caste, sex, place of birth, or any of these.” But right after the requirement of equality of opportunity in state employment is a key qualification: “Nothing in this article shall prevent the state from making any provision for the reservation of appointments or posts in favour of any backward class of citizens.” Affirmative action was thus built into the new constitution from its adoption in 1949. But it was to be only for the scheduled castes, scheduled tribes, and “other backward classes,” not for any group defined by religion. “Backward classes” could have been defined simply as the poor and disadvantaged. Instead, only those belonging to specific castes or subcastes and specific tribes have been granted the right to reservations. Quotas and preferences in state jobs and in educational institutions went unchallenged and became entrenched in the Indian polity.

Alongside the scheduled castes and tribes, there are now the “other backward classes,” castes above the former untouchables, who also receive reservations in civil-service jobs and postsecondary education. Their power has grown as they have become politically literate, and par-

ties compete for their votes, generally with the promise of reservations. They have also organized their own parties and have increasingly come to share power in state government and, indeed, nationally.

After the ratification of the constitution, India's Supreme Court was called on almost immediately to resolve the contradiction between equal rights and preferences. Since then, the Court has had to hear the issue repeatedly, as it is the only institution that can limit the spread of preferences, given that political parties now use reservations to attract votes. The Court has attempted to limit preferences to less than 50 percent of available government posts or university admissions. Recently the Court has tried to prevent reservations for admission into India's elite educational institutions—the Institutes of Technology and Administration. Unlike other universities, these highly regarded, highly selective schools have so far not been subject to reservations. It is questionable whether they could preserve their distinction if they had to accept large numbers of students on the basis of reservations.

The original preferences (15 percent for scheduled castes and 7 percent for scheduled tribes) were intended to last for only ten years, but they have instead been steadily extended and expanded. Recently, there have been proposals to extend reservations to include private-sector jobs and in some degree to cover Muslims. Indeed, quotas for Muslims have already been instituted in some states.

How well has Indian democracy managed its deep divides? It has to some extent improved the condition of the scheduled castes and tribes. But the path chosen has not effectively reached those who live in villages (the vast majority). With limited access to good elementary education, villagers have little chance at getting the government jobs or university slots that are reserved for them. Thus some scholars contend that the amelioration would have been faster had India put as much energy into providing universal elementary education and health care as it did into the extension of reservations. Moreover, despite the constitutional ban on untouchability, age-old caste restrictions prevail in many aspects of village life. In some parts of India, when the lowest castes try to improve themselves, they become victims of arson or murder, and the police cannot be depended upon to prevent these outrages.

How do the Muslims, without benefit of reservations, fare? Research shows that Muslims regularly trail Hindus in education, income, and government posts. Just as serious a concern for Muslims is the possibility of mass assaults on their communities, which have occurred a number of times, most recently in the state of Gujarat. Gujarat is ruled by the Bharatiya Janata Party (BJP), which advocates Hindutva, an ideology holding that India should be defined by Hindu culture. While Hindutva considers Jains, Buddhists, and Sikhs to be adherents of indigenous Indian religions, it excludes Muslims and Christians. The BJP does appeal for Muslim votes in some states and may put up an occasional Mus-

lim candidate—electoral necessity will moderate even deep prejudices. Overall, however, it views Muslims as not sufficiently Indian, and its appeal to anti-Muslim sentiments helped it to become the dominant party in the coalition that governed India from 1999 to 2004.

The BJP rose to national prominence in the 1990s with a campaign to demolish a Muslim mosque that it claimed had been erected on the site of a Hindu temple. This campaign led to the demolition of the mosque and mass anti-Muslim violence. Anti-Muslim riots again erupted in the state of Gujarat in 2002. A thousand or more Muslims perished, and a hundred thousand or more fled. The police did not stop these assaults, and the state took no action against the perpetrators, despite interventions by the Supreme Court.

Security is as important for a minority as its economic or political position. The widespread lynching of blacks in the U.S. South became a rallying cause for the civil-rights movement. Events like the Gujarat riots are rare, but have enormous influence on how Muslims see their place in India. India's unresolved conflict with Pakistan also threatens Muslims' position in India. Fortunately, however, the loyalty of Indian Muslims has not been generally questioned, and no issue has been made of possible Muslim sympathy for Pakistan. Rather, the key problem in the eyes of the BJP is that Muslims cannot be good Indians because theirs is an outsider religion and culture.

Yet even in this difficult situation, we see the moderating power of a democratic political system. The BJP was indeed returned to power in Gujarat after the 2002 massacre, but it lost power nationally in the next election. It is now in serious decline, perhaps permanently. In some states, the BJP has even tried to redefine itself and by putting up Muslim candidates. Elsewhere, reservations for Muslims have been instituted. Again, these are the result of democratic party politics, in which governing parties try to attract Muslim voters.

So how do we sum up India's efforts to deal with its deep divides? It has taken the route of reservations and quotas in dealing with lower castes, and may do the same with regard to Muslims. This is not ideal according to those who desire a society blind to group differences that gives equal rights to all, but it is the path that India—operating through free political competition—has chosen. The lower castes have been full participants along the way; they vote in higher percentages than do the higher castes. Quotas and reservations in India are preeminently a democratic choice. Experts may decry this choice, but they do not have the votes.

In much smaller measure, this is the route that the United States has taken in the form of affirmative action, now being restricted by the Supreme Court. It is also to some degree the route that Canada has chosen in relation to Quebec, allowing its distinctness and tolerating its efforts to preserve the primacy of French.

How do democracies deal with deep divides? One generalization that emerges from our consideration of two great nations, with side observations on a third, is that free political parties competing for votes, including the votes of minorities, are a key factor in moderating these divides and in bringing forth the measures that produce a degree of stability—firm in Canada, shakier in India. Another is the role of high courts, more active in the United States than in Canada and India, but accepted in all three as ultimate arbiters not to be irresponsibly challenged. Courts can take unpopular positions that elected representative bodies cannot or do not, and in so doing they sustain the liberal objectives of the three democracies. A third is the role of exceptions to a universal equal-rights liberalism that may be necessary to placate or to improve the situation of a disadvantaged or dissatisfied ethnic group. Such exceptions are enshrined in the twentieth-century constitutions of India and Canada, and have been inserted to some degree into constitutional law by the U.S. Supreme Court, operating under an eighteenth- and nineteenth-century constitution.

Not every democracy will succeed in dealing with its deep divides. But democracy has institutional features which offer the hope that every part of the population will feel part of the whole—its concerns addressed, its prosperity enabled, its security protected. Thanks to free political parties, a free press, contested elections, and an accepted supreme arbiter in the courts, democracy promises to address deep divisions more successfully than any alternative.

NOTES

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3. Alessandra Stanley, "You Think Life Is Mild North of the Border?" *New York Times*, 7 September 2009.

4. Robert Sheppard, "Quebec Nationalism, a Long History," CBC News, 23 November 2006, available at www.cbc.ca/news/background/parliament39/quebecnation-history.html.

5. Adam Gopnik, "Letter from Canada: The Return of the Native," *New Yorker*, 7 September 2009, 30–32.

6. Seymour Martin Lipset, *Political Man: The Social Bases of Politics*, exp. ed. (Baltimore: Johns Hopkins University Press, 1981), 27.