# PANDEMIC, PEOPLE AND POLITICAL PROCESSES:
# A HABERMASIAN RESPONSE TO THE CRISIS OF CITIZENSHIP

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## Abstract

The COVID-19 pandemic caused a fundamental rupture in the global economy and impacted governance across the world. The spread of the infection brought about a national lockdown leading to suspension of businesses and employment in the informal sector, triggering massive migrations and impact on incomes. Importantly, the period following the lockdown also witnessed socio-economic disempowerment and a fundamental loss of political 'voice' and agency. These radical developments are alarming for two reasons: firstly, it indicates that contrary to making political processes accountable, moments of crises—such as the COVID-19 pandemic—generally result in a weakening of democratic processes and secondly, it belied the idea of cities being economically and culturally integrated with the global market, as equal and inclusive spaces. Together, the two arguments portray a rather 'thin' spread of democracy and presents—what this paper refers to—as a crisis of citizenship. This paper argues that a crisis of citizenship is a state where ordinary people through associations or civil society organisations cannot affect or alter public policy through democratic deliberation.

In borrowing from Jürgen Habermas, the paper thrusts upon the importance of institutions and mechanisms which build consensus and a political culture of democratic deliberation. Such institutions are hoped to articulate interests which can be protected through legal means, safeguarding unarguably one of the most cherished ideals of democracy.

**Keywords:** COVID-19, citizenship, participatory democracy, civil society, consensus

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## Introduction

The spread of the novel Coronavirus in India, after being first detected in Wuhan in China prompted the government to announce a three-week national lockdown on 25 March 2020. The announcement was followed by a shutdown of all non-essential public services and commercial activities across the public and private sectors, revealing faultlines along economic, political and social levels highlighting concerns for democracy. Economically, the loss of jobs and mass unemployment created a rupture at global and national levels. While the global economy underwent a recession, it also revealed the fragile nature of the unorganised workforce, especially among the daily wage earners. The national lockdown coupled with the economic shutdown left millions without jobs and security, causing more than 10 million migrant workers to leave cities and head home to their villages (Ghosh et al. 2020; Mukhra et al. 2020). Thousands of migrants resorted to walking on foot to their villages—some of which were as far as 500 kilometres—due to travel restrictions. What followed in the next few weeks were tragic and horrific episodes of deaths due to accidents, fatigue, and hunger.

Cities, in particular, saw a breakdown of primary welfare services such as healthcare, shelter homes, food and water. This was a significant concern as India was probably the first, large developing country to brace the effects of COVID-19. The subsequent weeks revealed a weak public health infrastructure. With only 50000 ventilators, India had just 0.7 hospital beds per thousand persons, compared with Italy's 3.4 and the United States' 2.9 (Chandrashekhar 2020; Thiagarajan 2021).

The shelter homes in Delhi played an important role in accommodating the migrant workers who were also found to be homeless along with the city's already homeless population (The Lancet 2020). According to the Housing and Land Rights Network (HLRN), a Non-Governmental Organisation (NGO) in Delhi, the Government of Delhi runs 195 permanent shelter homes to house the homeless population which is estimated to be around 170,000 to 200,000 people. An additional ten shelter homes were set up in response to the growing pandemic. However, like most of the amnesties for the marginalised, shelter homes faced the double burden of overcrowding coupled with safety for minors in such homes. Such homes did not or rather could not maintain norms of social distancing and therefore remained hotspots for the growing infection (Parulkar 2020). In a survey titled 'Impacts of the Second Wave of the Pandemic on Delhi's Homeless Population' by the HLRN, it notes that:

> The sudden cessation of daily earnings and the lack of savings to fall back on, resulted in homeless people—especially those living on the streets—being unable to buy food during the lockdown. Moreover, strict restrictions on movement and the closure of shops and street vendors' stalls presented additional challenges for homeless persons in purchasing food and cooking their own meals. (HLRN 2021: 4)

The report further adds that the overcrowded nature of such shelter homes and the limited capacity of the infrastructure, even before the pandemic, had forced many families to move out on the streets. The restricted movement during the second wave of the pandemic in April 2021 was followed by the total lockdown in May, resulting in a severe shortage of food and essential supplies. Those who had moved out on the streets could not avail of the free meals distributed by the Delhi Government to residents in shelter homes since 2020.

Figure 1: Access to Food for People living on the Streets
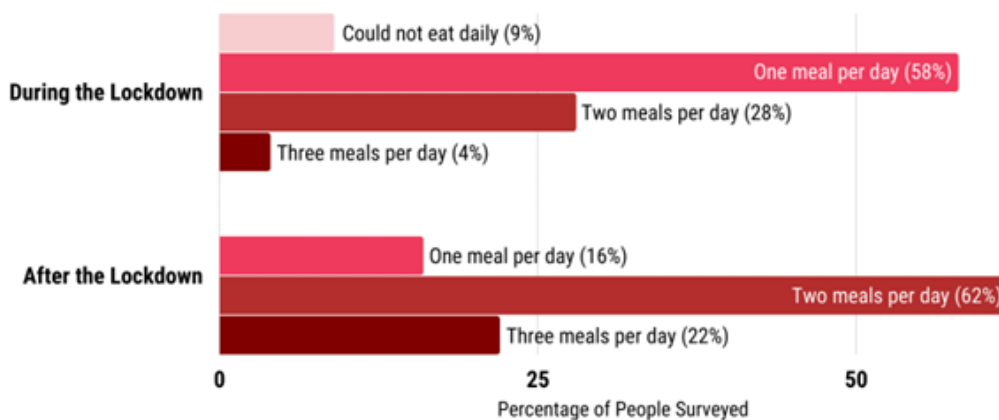


Source: HLRN

In the case of water access, the recent 'Drinking Water, Sanitation, Hygiene and Housing Condition' (2018) survey by the Government of India in its National Sample Survey (NSS) 76th round in July–December 2018, found that water access continued to have glaring gaps in urban and rural India even before the pandemic. An important section of workers in the informal sector that the survey ignored—and unsurprisingly one of the first to be affected by the spread of COVID-19—were migrant workers. For example, 'floating populations' – used to categorise "persons without any normal residence" in the respective state – such as migrant workers, are not considered in the sample data (2018: 7). Surveys assess access mostly at a household level to indicate more 'reliable' estimates. However, the limitation of such an exercise was seen most clearly during the pandemic crisis. The NSS survey missed out the

means of access for thousands of people as according to the survey itself, in-house piped water supply is the most used form of access in urban India. There was no information on the migrants' access to water.

Migrants may have found three possible ways to address this gap. In the first one, they would rely more on public modes of access such as hand pumps and public taps or standpipes which are connected to a municipal connection. However, these sources are generally unreliable as hand pumps and municipal pipes are subject to frequent infiltration, leakages in the form of non-revenue water and poor quality. As a second option, employers/ contractors employing migrant workers may voluntarily buy and provide water through jerry cans, tanker trucks which supply water weekly. However, as such practices remain voluntary and are not strictly enforced by law. Lastly, water boards in the city may have had a role. However, their responsibilities towards providing a minimum per capita of 200 litres daily is catered mostly to the residents of the city and not 'floating populations', thereby leaving migrant workers out of standard institutional mechanisms. Preventive mechanisms such as the mandatory washing of hands for a minimum of twenty seconds to prevent infection was out of the question. The impact of the pandemic led to a massive loss of jobs in the informal economy. Workers were severed from any financial income; businesses shut down disrupting the flow of goods and services, and the global economy underwent a recession. In the Indian context, such changes at a macro level spelt disaster for the poor. The largely informal nature of contract employment of migrant labourers exacerbated the crisis during the various phases of the national lockdown.

In many ways, the problem goes deeper. It is concerning that there is a huge gap in migrant data. There is no information about the number of migrants that enter and leave various states and cities. Though The Unorganized Workers Social Security Act, 2008 laid some responsibility with the urban local bodies in cities to register migrants, disseminate information regarding schemes and benefits and disburse 'smart cards' for identification, it was apparent that these measures remained more directive and not obligatory. This was clear from the data gap which the union labour ministry and various state governments provided— in the wake of the pandemic—to the Supreme Court on the number of migrants who have left or arrived in their respective states. Offline and online modes have equally failed in gathering this data.

The economy presents a mixed picture. Research suggests that even before the pandemic, not only was India's economy seeing a setback but that during the pandemic India saw significant disparities in wealth inequality (Ferreira 2021). Furthermore, Ghatak (2021) argues that:

> If we take wealth inequality, the share of the top 1 percent of total wealth was fairly constant around 12 percent from 1961, the earliest year for which we have numbers, to 1981. Since 1991, the year of liberalisation, it has steadily increased and reached 42.5 percent in 2020. The share of total wealth of the bottom 50 percent fell marginally from 12 percent to 11 percent between 1961 and 1981, but then it started declining sharply and stood at a mere 2.8 percent in 2020. Even the share of the middle 40 percent shows a similar pattern, hovering around 45 percent till 1981 and then falling steadily down to 23 percent in 2020.

From a governance perspective, the pandemic saw very little exchange and democratic deliberation, planning and communication between the government, opposition members and civil society (The Lancet 2020). There was also a lack of accountability in the governance mechanism as there was little information between government departments regarding relief and vaccines. This was a violation of Article 11, Section 2 of the Disaster Management Act, under which the lockdown was implemented (Agrawal 2020). In stressing the need for a 'national plan' which would be implemented for the entire country, the Act states that:

> The National Plan shall be prepared by the National Executive Committee having regard to the National Policy and in consultation with the State Governments and expert bodies or organisations in the field of disaster management to be approved by the National Authority.

The lack of communication and management between the central and state governments was coupled with missing coordination and communication between states. Various state governments had sealed their borders, leaving migrants stranded, unable to reach their homes. On the Haryana–Uttar Pradesh border, migrants attempted to cross the Yamuna using rubber tubes (Purushothaman and Moolakkattu 2021). In the absence of such coordination, the pandemic became largely an exercise which was handled by the experts, and bureaucratic elites. For the poor, however, this resulted in a 'loss of voice'. The months leading to the outbreak of the pandemic also witnessed significant political agitation in the national capital over the Citizenshi Amendment Act (CAA). The agitation had been enduring for months and showed no signs of weakening. The imposition of the national shutdown to prevent the spread of the virus seemed to justify the heavy-handedness of the administration in clamping down the agitation.

Finally, the pandemic revealed the deep socio-economic disparities in India. The lockdown, following mass unemployment, revealed that though migrants were fundamental to the urban economy, public welfare services in cities were practically inaccessible. Cities, which held the promise of economic upliftment, belied the truth of being inclusive spaces. Therefore, this chapter raises the particular concern over the state of democracy in such moments of crisis. Indeed, the crisis referred in this paper in the context of citizenship, is that such extraordinary measures in the name of 'public interest' inevitably limit the role of the public, thereby reducing citizens to mere subjects. The danger is that such measures which seemed justified for the period of their imposition, reinforce institutional practices which may perpetuate them.

### The Contribution of Jürgen Habermas

The theoretical framework in this chapter links the work of Jürgen Habermas with the impact of the pandemic across the economic, political and social dimensions in India. Jürgen Habermas (1929- ) is one of the leading social theorists and political philosophers in the world. He is an interdisciplinary theorist who has written widely on various subjects ranging from sociology, philosophy, politics, legal theory and cultural studies. In the English-speaking world, Habermas is best known for his works such as 'The Structural Transformation of the Public Sphere: An Investigation of a Category of Bourgeois Society' (1962), 'The Theory of Communicative Action' (1985), 'Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy' (1996), and essays on discourse ethics where his moral, social and political theory is developed (Finlayson 2005). In addition to these works, his essays such as 'Citizenship and National Identity: Some Reflections on the Future of Europe' (1995) and 'The Public Sphere' (1989) will be considered to outline his views on democracy, political systems and public sphere.

Habermas is considered as one of the second-generation theorists of the critical theory tradition, popularised by the 'Frankfurt School'. Habermas through his writings is thought to have responded to, extended, and transformed the work of the first generation of the Frankfurt School theorists, such as Max Horkheimer (1895–1973) and Theodor W. Adorno (1903–1969). According to Horkheimer, while 'traditional theory' comprised of independent disciplines such as mathematics, logic and natural science, critical theory was inter-disciplinary, reflective, dialectical and critical. It was inherently 'self-aware' and 'reflected

on the social context that gave rise to it' (Finlayson 2005). For Habermas, critical theory, while noting the challenges of modern society, also contains the capacity to transform society. In particular, his work, 'The Structural Transformation of the Public Sphere: An Investigation of a Category of Bourgeois Society' (1962), outlines his response to Horkheimer and Adorno who had grown pessimistic towards the capacity of critical theory to bring about social change.

Habermas argued that while economic integration of the global economy has occurred seamlessly, social integration has lagged behind. He considers political integration as a part of this integration vis-à-vis citizenship (Habermas 1995: 265). In the context of democratic institutions becoming dwarfed by economic considerations and capitalism; democracy is 'fraught with tension' (ibid.). The reasoning was that global capitalism has a significant overreach over multiple areas of civilian life. While economies obey their own logic, politics, in general, have become an administrative matter or rather, how best to determine economic life and the functioning of the market. In the context of the great social, political and economic upheaval caused by the COVID-19 pandemic, a Habermasian critique aims to revive public discourse and strengthen political culture.

## A Crisis of Citizenship

Using the Habermasian perspective, the paper understands a crisis of citizenship as a state where ordinary people cannot influence public policy through democratic deliberation or when public institutions such as the legislature fail to accommodate the opinions of civil society and other voluntary organisations. Such a crisis of citizenship was exacerbated specifically due to a contagious pandemic. As argued earlier, restrictive spaces that limited public deliberation was enforced with broad support even though various sections of the population underwent different challenges concerning hospitalisation (Karabulut et al. 2021), education (Kundu and Sonawane 2020; Suresh 2021) and the work-from-home norm implemented by the government (Srinivasan 2020). As argued earlier, the concern is that such practices and measures which seemed justified for the period of their imposition, tend to be reinforced, thereby entrenching such procedures. The first sub-section that follows looks at the Habermasian perspective of the two spheres of social life which share an interdependent relationship and rely on successful coordination and communication between the two. This is

followed by the second sub-section which looks at the conceptualisation of citizenship which informs and binds the political structure.

### I. Two spheres of Social Life: The Lifeworld and the System

In 'The Theory of Communicative Action' (1985), Habermas traces the differences between the lifeworld and the system representing different aspects of social life. 'Lifeworld' represents the informal domains of social life such as family and culture. Lifeworld thrives on communicative action where actors make validity claims or truth claims; 'systems' on the other hand, are driven by money and power which in turn are driven by the capitalist economy and state administration. The lifeworld is dynamic and possesses 'communicative action', as opposed to systems which have purely 'instrumental action'. While the former aims at the symbolic and the cultural reproduction of society, the latter aim at the material reproduction of society through goods and services. While both aim at the integration of society, Habermas argued that the former aims at bringing about a 'social integration' as opposed to 'system integration' by the latter. Finally, systems can be crude and instrumental and may lack accountability especially because they are embedded in the lifeworld. The lifeworld can be independent on its own but not the systems. The worry for Habermas is that though systems are situated in the larger context of the lifeworld, they may be too powerful for the lifeworld and can create instabilities and crises in it. In contrast to Horkheimer and Adorno, the answer for Habermas in not to be dejected at the onslaught of the economic system and abolish administration or markets but to contain them to protect the lifeworld. Finlayson argues that:

> The state, insofar as it is not simply hidebound by the economy, is part of the system, and hence is one of the sources of the problem, not the answer to it. Habermas places what hopes he has of reform in a democratic welfare-state system, insofar as it can be influenced by the moral beliefs of individuals and by politically motivated, non-violent protest groups. (2005: 59)

The idea of a crisis of citizenship as a consequence of the COVID-19 pandemic is understood as a larger conflict between the lifeworld embodying social and non-commercial relations, and the system as composed of economic interests. The role of the state as a mediating force which can accommodate, bargain conflicting interests is bleak, for Habermas. Social movements, trade union movements and citizens' protests, in general, are weak in their

capacity to challenge the power of the state. This was seen in the heavy clampdown on the Shaheen Bagh protesters in the national capital over the implementation of the CAA in 2020 and hostile actions towards dissenters and jailing journalists (Perrigo 2021; Raj 2021). The government had also failed to listen to experts such as Nobel Laureate Abhijit Banerjee, who argued that India entered and exited the lockdown too soon (Prasad 2020).

The pandemic is unique in this context in that it was not a crisis which erupted in the system and spilled into the lifeworld. Rather, it affected both simultaneously, with each of the two spheres affecting the other. However, the challenges and the administrative response across various sectors as pointed out in the earlier sections, indicate the negligence towards the lifeworld. According to the Economic Survey of India 2021–22, the expenditure on health as a ratio of the Gross Domestic Product (GDP) was 1.3% or 2.73 lakh crore in 2019–2020. This negligence has come at the cost of the lifeworld because even though the pandemic affected the lifeworld and the system simultaneously, the path to recovery was not simultaneous. Economic recovery, despite global recession, had outpaced the recovery in the lifeworld. How else do we explain the extraordinary growth of wealth among the global billionaires during the pandemic? In a shocking Oxfam report, it states that:

> The world's ten richest men more than doubled their fortunes from $700 billion to $1.5 trillion —at a rate of $15,000 per second or $1.3 billion a day— during the first two years of a pandemic that has seen the incomes of 99 percent of humanity fall and over 160 million more people forced into poverty… Billionaires have had a terrific pandemic. Central banks pumped trillions of dollars into financial markets to save the economy, yet much of that has ended up lining the pockets of billionaires riding a stock market boom. Vaccines were meant to end this pandemic, yet rich governments allowed pharma billionaires and monopolies to cut off the supply to billions of people. (Oxfam 2022)

Yet, Habermas' critique in this sense is not moral as it is functional. His understanding of the lifeworld and the system are to help us understand the significance of such consequences for society and economy. The system has the power to 'colonize', the lifeworld and may indeed act as a parasite. The worry for Habermas was that corrupt malfunctions in the system may produce 'morally flawed individuals' (Finlayson 2005).

## II. The Idea of Citizenship

In his essay 'Citizenship and National Identity: Some Reflections on the Future of Europe' (1995), Habermas argues that historically, citizenship emerged conceptually not so much from national identity but rather the idea of limiting public sovereignty. Referring to Kant and Rousseau, Habermas argues that popular sovereignty was not about the transference of power from the sovereign to below or something which was divided to two or more parties, rather sovereignty itself was transformed from autocratic rule to 'self-legislated' power. The idea of popular sovereignty itself is rooted in collective will and consensus building between free and equal citizens and is not dependent upon the homogeneity of the members. For Habermas, the constitution serves as the document of formal consensus in society. Citizenship itself of course has gone beyond the traditional meanings of political membership. Today, most democracies recognise the aspect of civil rights which are a significant part of citizenship discourse.

T.H Marshall in his influential essay 'Citizenship and the Social Class and Other Essays' (1950), provided a historical progression of citizenship. Taking the particular case of Britain, Marshall argued that civil rights were exercised in the 18th century, political rights in the 19th century and social rights in the 20th century. Citizenship for Marshall also included membership in a political community. Habermas would not necessarily mind Marshall's evolutionary framework toward the development of citizenship. However, he did question whether a 'linear progress' (Habermas 1995: 268) tells us anything about autonomy or the use of such changes by individuals as citizens. Such changes or evolution of rights can exist even in non-democratic societies. In this sense, 'rights' or law can be quite independent of a democracy where people politically participate. Tracing the historical developments of citizenship and identity to the nation-state, Habermas argues that the '…nation-state and democracy are twins born out of the French Revolution' (ibid.: 257). Furthermore, as members of a polity, Habermas argues that everyone should be in a position where their integrity is respected. For him, the crucial driver of citizenship is the daily *praxis* of citizens who exercise their civil rights and yet this activity cannot be forced or legally mandated.

From a liberal framework, being legally obligated to perform one's civic, political or social duties can be totalitarian (Habermas 1995). The challenge to encouraging public participation and essentially bringing about common action is the requirement for a 'forthcomingness of a

kindred background of motives and beliefs of citizenship geared towards the commonwealth…' (ibid.: 263). In a liberal framework there would have to be other alternatives for the public to form a consensus as citizens. The answer for Habermas is to bring forth a larger political culture that is 'imbued' with the concept of freedom. What would strengthen this political culture are the institutions which a citizen must patriotically identify with. Such institutions are thought to serve their utility only as much as the population uses them. The basis of such patriotism (particularly one that is espoused by the republican tradition) is the consciousness which arises from the identification of one's cultural and ethical community. Habermas further argues that in multicultural countries where there can be no patriotism on an ethnic or cultural basis for entrenched constitutional principles, political culture must be rooted in a patriotism towards the constitution—or develop 'constitutional patriotism'.

The liberal framework of citizenship which in many ways allows individuals to participate in the markets also allows individuals to exercise their rights. However, while liberties can be considered as a basis for exercising rights, they are also a basis for not doing anything. Individuals may have liberties and may choose to 'retreat from citizenship and a particular clientelization of the citizen's role' may occur (ibid.: 269). Habermas' concern was that such occurrences may happen all too frequently when politics becomes a matter of administration. The modern economy and administration possess the capacity of developing their own functioning autonomy thereby outgrowing 'a self-determining community of citizens' (Habermas 1995). Habermas does not assume that a modern people can collectively form a consensus or participate as they did in Aristotle's *polis*. There can be no modern polis in that regard. However, a modern society has modern systems of communication. Modern systems of communication differ in an important way from archaic communication systems in that the former represents a wider public opinion, while the latter the opinion of the elites and rulers such as in an Aristotlean polis. Such public opinion and communication in the modern era operates through various networks and discourses which bind the administration. Such binding is thought to bring about social discipline upon the cold logic of the economic system. As Habermas argues:

> Citizenship can today only be enacted in the paradoxical sense of compliance with the procedural rationality
> of a political will formation, the more or less discursive character of which depends on the vitality of the

informal circuit of public communication.  An inclusive public sphere cannot be organised as a whole; it depends rather on the stabilizing context of a liberal and egalitarian political culture. At the same time, such a communicative pluralism would still be enough ineffective unless further conditions could be met. (1995: 269)

For Habermas, such 'further conditions' meant the ability of decision-making bodies to be sensitive to discourse and opinions emanating from informal networks such as neighbourhood associations, universities, schools and voluntary organisations. For Habermas, such sensitivity and binding of the administration occurs only when the public authority is subordinated to democratic public opinion. When matters of general interest and collective interest are articulated, this political public sphere can influence the government through the legislature. Public opinion in this sense is the organised control of the state through informal and formal processes such as elections.

The two sub-sections together tell us how citizenship and political consensus can be achieved in the public sphere. The public sphere which is the domain of such public opinion is significant in this regard. This is looked in detail in the next section.

## The Public Sphere

A particular concern for Habermas was the weakening of political institutions and democratic spaces which had the capacity for reining in political excesses. In his work, 'The Structural Transformation of the Public Sphere: An Investigation of a Category of Bourgeois Society' (1962), Habermas responds that the 'bourgeois society' is a contradiction in itself. Writing in response to the pessimism of Horkheimer and Adorno towards social transformation, Habermas argues that while bourgeois society promises basic rights in principle to all people—'the basic rights of man'—in actuality it limits these rights to the upper class. The public sphere in this regard, represents an arena where organisations negotiate with one another while excluding the public from such proceedings. Furthermore, the media serves as technologies which manage consensus and promote consumer culture rather than provide public information and spaces for debate (McCarthy 1962).

The role of social media was significant during the pandemic. However, media technologies functioning unchecked augurs alarming consequences. While it served as a means of spreading important information, users were also overwhelmed with fake news (Karabulut et

al. 2021) and fan anti-Muslim sentiment against a religious gathering named Tablighi Jamaat for allegedly spreading the COVID-19 infection (The Lancet 2020). Leidig (2020) argues that from 28 March to 3 April, '300,000 tweets using the hashtag #CoronaJihad (a play on the concept of "love jihad", or when a Muslim man seduces a Hindu woman to convert her to Islam)', were reported. These developments were even more concerning as it occurred weeks after the riots in north-eastern Delhi in 2020, which left fifty-three people dead—thirty-eight Muslims and fifteen Hindus, and hundreds injured, driving a deep wedge between the two communities (Khan and Taksin 2021).

Social media platforms such as Twitter have also served as an analysis in arguing in favour and acceptance of the lockdown (Barkur et al. 2020). However, a demographic analysis of such studies indicates that such views were confined to the middle classes or upper-middle classes and are not broadly representative. According to a 2022 Statista report, there are only 23.6 million Twitter users in India. Twitter usage is also skewed along gender, with 84 per cent of the audience identifying as male and dominated by users falling between the age groups of eighteen and thirty-four, who make up for 56 per cent of all users. Similarly, online surveys finding participants favouring or supporting lockdown measures, notwithstanding concerns and anxiety due to COVID-19 (Nilima et al. 2020) are not helpful due to having a small sample and are not a fair representation of public opinion.

Habermas argued that historically, public opinion in terms of its very idea is formed only when a public that engages in rational discussion exists. Public discussions that are institutionally protected and that take with critical intent the exercise of political authority as their theme, have not existed since time immemorial—they developed only in a specific phase of bourgeois society, and only by virtue of a specific constellation of interests could they be incorporated into the order of the constitutional state. Habermas' conception of the public domain springs from the Enlightenment. The Enlightenment followed by the Glorious Revolution in England, the French Revolution and the American Revolution essentially set up a bourgeois public space. This space initially was a space where information was compiled for public knowledge. Only later did it become a space that the bourgeoisie could use to limit state authority and influence. Curating information and providing opinions in the form of the editorial function could now provide specific views of any party or association. The same period saw a growth in the number of newspapers, pamphlets and journals.

While the historical model of the public sphere institutionalised norms and laid the foundations of a liberal state, the rise of the welfare state brought its decline as a result of expanding education and rights to society beyond the bourgeoisie. Conflicts once confined to the private required the active mediation of the government. It is in this welfare state, that state and society's interests intertwine and where organisations—political parties, pressure groups and non-governmental organisations—competed with one another. Habermas argued that such processes eventually exclude the public because such negotiations usually occurred behind closed doors. This is not to say that public approval was missing entirely. Rather, Habermas argues that choice and revising public decisions have been curtailed and limited by interest groups. While organisations compete with one another, the public sphere in mass welfare democracies requires such organisations to acquire 'publicness'. By publicness, Habermas means '…publicity *[Publizitat]* in its original meaning of state-related activities, as, for instance, the public accessibility required of legal proceedings… connected with this function…' (Habermas 1989: 231). He also argues that under such changes, a 'public of private persons acting as individuals would be replaced by a public of organized private persons' (ibid.: 236). Only a public of organised private persons could effectively participate in public communication via intra-party and intra-organisational means. Furthermore, Habermas added that it is imperative for such institutions to be committed to democracy and publicness. The public sphere like the lifeworld can be reproduced through communicative action. It comprises of the everyday communicative practices. It is in this sense that Habermas spoke about the importance of public discourse. As Rehg (1996) argues:

> As a formation of opinion and will, public discourse is not merely a cognitive exercise but mobilizes reasons and arguments that draw on citizens' interests, values, and identities. Political discourse thus brings in the citizens' actual sources of motivation and volition. It thereby generates a "communicative power" that has a real impact on the formal decision making and action that represent the final institutional expression of political "will." (1996: xxviii)

Habermas is critical of the prevailing sociological theories which gave a diminished importance to the role of politics. The role of the state was reduced to an administrative and a managerial role and left non-existent spaces for public discourse and opinion. The following sub section briefly sketches this critique followed by the second sub-section which argues for the constitution of a representative public sphere.

## I. Conceptualisation of political systems

In his work, 'Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy' (1996), Habermas is concerned with the normative aspect amiss in the working of the political systems and how power is conceptualised. Habermas saw a clear link between these theories and political developments in much of the 20th century in western Europe. Prevailing sociological theories considered the 'political public sphere' and the legislative process as segregated. Administrative systems were perceived by such theories to be challenged by various social subsystems as they tried to adopt to rules implemented by the former.

These tensions while not hijacking the working of the administrative system, tended to make the administrative system autonomous. As a result, administrative systems may forego their functions and responsibilities towards the people and democratic processes in general. As administrative systems become more autonomous, the balance of power grows to tip in favour of an 'unofficial circuit' of power which is not accountable to people. Under systems theory, state processes are diversified under capitalism, are confined largely to a steering role between different or competing interests, and citizens are looked upon as rational, self-interested actors, consumers and clients.

Habermas' contention was that systems theory did not see a way out of this conundrum. Pluralist theories focusing on organised social interests capable of bargaining with the state were falsified because empirically, actors as part of interest groups were not influential enough to determine change. More importantly, Habermas argued that systems theory and economic theory of democracy lost the normative component of the political system. While systems theory limited the state to steering role, economic theory fashioned the individual to be a rational actor participating in the democratic process. Such theories failed to acknowledge the constitutional and normative limitations on the 'circulation of power' because they divided law and politics into separate, closed systems. Habermas argues that these conceptions and manifestations of power ignore what power owes specifically to its formal constitution in legal terms. He argues that 'both approaches operate with concepts of power that are insensitive to the empirical relevance of the constitution of power under the rule of law, because they screen out the internal relation between law and political power'

(Habermas 1996: 336). The concern for Habermas was that such conceptualisations removed all aspects of deliberative politics.

It is possible that political systems are not considered as primary in bringing about an integration of the society as a whole, and are only considered as a sub-system among other systems. Habermas is not of the opinion of the impossibility of such systems. However, he is concerned here with the influence of such political theories have on political systems and democracy. He argues that 'subsystems no longer command a shared language in which the unity of society could be represented for all of them in the same way' (ibid.: 343). Habermas argues that a division of society in this fashion has reduced the state to a supervisory role overlooking concerns of administrative functioning, management and coordination, and no longer expressive of public interests.

Adherents of the systems approach ague that complex systems grow and develop without hampering citizens' constitutional rights. Yet, Habermas argues that the two developments are not necessarily complimentary. Indeed, there are clear instances when economic concerns and systems have a clear priority over citizens' interests. For Habermas, problems of functional coordination are important. However, these are problems which are best addressed politically. Addressing problems politically is 'intertwined with the moral and ethical dimensions of social integration' (ibid.: 351).

## II. Constituting the Public Sphere

So how does Habermas imagine the public sphere? Habermas first attempts to build a constitutionally regulated circulation of power between a core comprising of government/ administrative systems and a periphery which includes public agencies and private organisations, business associations, labour unions, interest groups, cultural establishments (academies, writers' associations), public-interest groups (having public concerns), churches and charitable organisations. For decisions to be binding and legitimate, Habermas argues that communication flows must be steered from the periphery and 'pass through the sluices of democratic and constitutional procedures situated at the entrance to the parliamentary complex or the courts' (ibid.: 356). H calls this model the 'Outside Initiative Model'.

For Habermas, the public sphere is the arena where problems are solved which cannot be solved anywhere. The parliament is the primary mechanism through which such problems are

identified and solved and the role of the media becomes important in bringing such problems to public knowledge and is responsible for the following functions:

> 1. Surveillance of the sociopolitical environment, reporting developments likely to impinge, positively or negatively, on the welfare of citizens; 2. Meaningful agenda-setting, identifying the key issues of the day, including the forces that have formed and may resolve them; 3. Platforms for an intelligible and illuminating advocacy by politicians and spokespersons of other causes and interest groups; 4. Dialogue across a diverse range of views, as well as between powerholders (actual and prospective) and mass publics; 5. Mechanisms for holding officials to account for how they have exercised power; 6. Incentives for citizens to learn, choose, and become involved, rather than merely to follow and kibitz over the political process; 7. A principled resistance to the efforts of forces outside the media to subvert their independence, integrity and ability to serve the audience; 8. A sense of respect for the audience member, as potentially concerned and able to make sense of his or her political environment. (Gurevitch and Bluler 1990 quoted in Habermas 1996: 378)

Habermas argues that the role of the media vis-à-vis the periphery is crucial in the development of the public agenda. Issues of social, political significance are given attention and brought to the fore by civil society organisations, citizen initiatives, academies and universities, and rarely by central, government bodies. These issues emanating from the periphery can grow into demands and social movements. Only then are such initiatives captured by the media and given a place on the 'public agenda'. Habermas argues that though there are other means of noting issues from the periphery to the centre, a 'crisis consciousness' at the periphery can effectively bring focus on the relevant social problems. In this regard, civil disobedience movements such as the Shaheen Bagh protests over the CAA, or dissenting opinions and findings by journalists over the handling of the COVID-19 pandemic are to be understood as an attempt to not make the organised political system independent of the periphery. As Habermas argues, dissents and civil disobedience movements are an 'appeal to connect organized political will formation with the communicative processes of the public sphere' (Habermas 1996: 383).

## Conclusion

India, like other countries was significantly affected by the COVID-19 crisis which ruptured its economy, society and politics. The crucial question this chapter asks is if India's democratic structures have had any bearing in managing the COVID-19 pandemic. The

sudden imposition of the national lockdown in March 2020, considered one of the most far-reaching in the world, left millions unemployed, causing more than 10 million migrant workers to leave cities and head home to their villages. Prior to the pandemic, the national capital witnessed a clampdown on the Shaheen Bagh protestors against the CAA. Therefore, the argument this paper makes is that India's democratic credentials (as the world's largest democracy) have not influenced its handling of the COVID-19 pandemic. Ironically, the heavy-handed approach has found broad support among sections supporting the government's approach.

In noting these worrying signs for democracy, the chapter deploys the works of Jürgen Habermas in building a theoretical framework to conceptualise the role of political systems, media and rights which people may claim as citizens. The Habermasian perspective presented in this chapter argues for an integrative idea of a society—lifeworld and system, which is interdependent on each other. For Habermas, citizenship is understood as 'consensus building' through both formal and informal means to which formal political institutions respond and can even be bound. In this regard, the media technologies play a crucial role in bringing public opinion and citizens interests in the public agenda. The development of the public agenda itself like other institutions is a continuing exercise, an unfinished project '…whose purpose is to realize the system of rights anew in changing circumstances' (ibid.: 384).

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