

Post-Emergency: Restoration and Resurgence (1977-1980) , Course-203(II- SEM ,Category I)

1 INTRODUCTION

The 1977 was the historic year in the life of the Indian democracy: an attempt to legitimize authoritarian tendencies and personalization of state power through democratic elections was out rightly rejected by the voters; Indian National Congress's monopoly to rule at the centre was ended; a non-Congress political formation for the first time came to power as Union government; fundamental rights and civil liberties of citizens and freedom of the print media suspended during the emergency were restored; endangered independence of higher judiciary was protected; and finally, democracy was saved and brought back to the proper political track. Additional to that, a demand for autonomy to the broadcast and telecast media got a boost.

An attempt has been made to critically examine the role that the mass media played in the immediate post-Emergency democratic process of India, and also to analyze the contributions of the short lived Janata Government's corrective as well as preventive constitutional and political measures in restoring, securing, and consolidating the democratic institutions and processes. A surprising as well as pleasant development were the pro-active role that the print media played in digging out the truth and in exposing the government machinery, party in power, and individuals with extra-constitutional authority who were responsible for either of abusing or of misusing of state power in the name of security of the state, preservation of social order and peace, and promotion of economic prosperity among the rural and urban poor and weaker sections of society. Hence, a comparison of the two phases of the print media brought a series of contrasts on the fore. The first among the many was the submissive print media during the emergency and the rebellious print media of immediate post-Emergency. Another contrast was the government determined to disowning democratic institutions and values during emergency, and the newly elected government determined to restoring democratic institutions and values in the post-Emergency period. Therefore, in general it was a well considered view that as if the nineteen months of emergency was for waiving off democracy, the two and half years of post-Emergency were all for restoring of democracy.

2 BREAKING THE ICE

If the declaration of emergency was one of the most surprising as well as shocking political incidents in independent India, the declaration of elections to the Lok Sabha in the month of January of 1977 was equally surprising though at the same time, one of the most pleasant political moments in independent India. Imposition of emergency in 1975 had surprised not only to the political opposition leaders who were arrested at that fateful midnight or before the dawn and unwillingly passing time in Jails under MISA or DIR but also to the media, political analysts, and that too to the leaders of the ruling Congress Party including, of course to a great surprise, many of the senior cabinet ministers of the union government. The reason was that the Cabinet was not called by the then Prime Minister Mrs. India Gandhi to discuss emergency as a constitutional remedy to the existing political turmoil. Therefore, neither the governmental forum nor

any party forum ever met and discussed the provision of emergency as a possible constitutional remedy in response to the political challenges posed by JP and other opposition leaders. Justice Shah Commission also in its report accepted that there was no cabinet meeting held to discuss imposition of emergency (Shah, 1978:4). The prime minister of India along with her close associates having no constitutional authority took the most unfortunate political decision to impose national emergency at the mid night of 25th June 1975. Though contrary to previous one, the relaxation in emergency and declaration of elections of the 6th Lok Sabha were equally surprising because when everybody was thinking that emergency would stay for long, and consequently election for the Lower House of the Parliament was a distant possibility, the surprise came. One of the most interesting questions that everyone started asking was: what made Mrs. Gandhi and her kitchen cabinet to rethink their own position and to declare election?

3 DECLARATION OF GENERAL ELECTION

The Prime Minister Mrs. Indira Gandhi announced the election to a surprised Indian public on 18th January 1977, although Parliament's extension of its term the previous November made elections legally unnecessary. She had met the President twice that day, the second time, according to press reports, after an emergency meeting of the cabinet had approved dissolution of the Lok Sabha which, President Fakhruddin Ali Ahmed ordered the next day (Austin, 1999:393). Though periodic elections for political positions and institutions are the necessary conditions for liberal constitutional democratic political system to get itself legitimized, however, firstly delaying periodic elections and then denying elections for political positions by the ruling political parties were very common political practices in newly formed liberal democracies in Asian and African countries which ultimately lead to end of democracy and emergence of authoritarian system. In India declaration of emergency was also seen in the above mentioned direction. Later on through a constitutional amendment the emergency regime extended the tenure of the Lok Sabha from five years to six years. In the light of above mentioned political developments a general feeling was that the ruling party was intended to continue with the emergency and was firmly intending to delay the periodic elections of the popular house of the parliament. However, Mrs. Gandhi and her Government took a sudden U-turn and dissolved the House of the People. Emphasizing the importance of periodic legitimization of the government through people's mandate, Mrs. Gandhi said, parliamentary government 'must report to the people' and seek sanction for its programmes and policies (AR, 19-25 February, 1977: 13597). Welcoming the decision, one of the pro government national dailies, The Hindustan Times's editorial said the announcement 'vindicates, as nothing else could, her unswerving commitment to democratic principles' (The Hindustan Times, 19th January 1977). Regarding the sudden declaration of general elections number of opinions were expressed. Austin has very interesting observation about the declaration. He said: "Mrs. Gandhi called the elections because she expected to win them. Yet it is doubtful that this was her only motivation and the whole truth continues hidden in the mystery that was the lady" (Austin, 1999:394). She acted from a compound of motives and reasons, according to individuals associated with her and observers Indian and foreign. As to expecting to win, the Intelligence Bureau (I. B.) assured Mrs. Gandhi that she would, and her courtiers, even had they had doubts, were unlikely to have been

discouraging. Many may have believed in victory, because they were not fully aware of the degree of popular alienation. 'Censorship defeated us, we did not know what was going on', recalled Ambika Soni, a sentiment also shared by another Congress leader, A.R. Antulay (Austin, 1999:394). These small statements speak a lot about the role and importance of free media in a democracy.

4 HISTORIC RESULT: A POLITICAL EARTHQUAKE

The imposition of the Emergency in 1975 and the general elections to the Lok Sabha in March, 1977, brought about a revolutionary change in the political complexion of the country. The election results were announced on 22 March 1977. They recorded massive Janta victory. Indira Gandhi revoked the emergency the following day. Emma Tarlo observed that her march into the future had been abruptly halted. She described the victory as 'democracy's finest hour'. She further observed: "At the time this event was projected as a historic victory, a genuine 'people's struggle' on a par with the attainment of independence" (Tarlo, 2003:22).

The Janata Party, a conglomerate of Congress (O), Bhartiya Lok Dal, Jan Sangh and Socialists, secured absolute majority in the Lok Sabha and Mr Morarji Desai, a very senior and prominent leader of the merged Congress (O), was sworn in by the acting President Mr B.D. Jatti as the Prime Minister on March 24, 1977.

The 1977 elections, which held between March 16 to March 18 in 1977, drew a turnout of 60% from an electorate of more than 320 million. On March 22, it was announced that the Janata party had won a sweeping victory, securing 43.2% of the popular vote and 271 seats in the house of 543. With the support of the Akali Dal, a regional political party from Punjab, and the newly formed political party by the defection group of Congress party named the Congress for Democracy, it had amassed a two-thirds majority of 345 seats. Although the Congress for Democracy won 28 seats, Mr Jagjiwan Ram's standing as a national Dalit leader and moving a significant share of the Dalit votes to the Janata party and its allies won him considerable influence.

In contrast to the rest of the country, the Janata party, could not repeat the same magical performance as it did in the main Hindi land and somehow won only six seats from India's southern states – none from the state of Kerala where the Emergency had not caused political unrest. The Congress Party of then Prime Minister Mrs Indira Gandhi won a total of 153 seats, mainly from India's south. However, Janata candidates resoundingly defeated Congress candidates in the northern "Hindi belt", especially in Uttar Pradesh, Bihar, Madhya Pradesh, Rajasthan, Haryana, Delhi, and other states. One of the most shocking outcomes of the election was the defeat of Indira Gandhi in her bid to seek re-election from her constituency of Rae Bareilly, which she lost to her 1971 opponent Raj Narain by a margin of 55,200 votes. The emergency boy and younger son of Mrs Gandhi, Sanjay Gandhi who was contesting election for the first time also lost in Amethi constituency in UP with huge margin. The Congress Party did not win any seats in Uttar Pradesh from where all the PMs of India were so far being elected, and was wiped out in 10 states and union territories by Janata candidates. Therefore, the result

was historic and no less than a political earthquake in the political history of democratic India. Referring to this result, one British Journalist even went so far as to state, “22 March 1977 may be recorded by future historians as one of the most significant dates in the second half of the twentieth century” (Henderson, 1977: Preface).

5 POLITICAL CHALLENGES BEFORE THE NEW REGIME

The Janata Party since came to power because of the 19 months of misrule, blatant misuses and abuses of state power and constitutional authority, betrayal of people’s faith, destruction of press freedom, misuse of electronic media as personal propaganda instrument, consistent attacks on judiciary’s independence and disturbing the fine balance of powers between the organs of government, therefore, it was the immediate obligation of the new regime to address all these challenges as early as possible and fulfill the promises made before the masses during the election campaign. Hence it set its political agenda and started searching the appropriate means and legal mechanism. The first one was to let the people of this country to know everything, therefore, it decided to bring all the wrong doings of the emergency regime to the notice of people through inquiry commissions; second, as it voted to power because democratic institutions were thoroughly and systematically weaken and constitutional provisions were misused, therefore, it decided to remove all the institutional weaknesses and constitutional flaws which were responsible for introduction of illiberal democracy. For that matter, number of constitutional amendments were proposed, and third was the restoration of media’s freedom and ensuring the autonomy to the government controlled broadcast and telecast media because all these state controlled media were highly misused during the emergency by the party in power.

6. FREEDOM OF PRESS

- A seven-point Declaration on ‘Press Freedom in India and Democracy’ has been evolved by a group of Indian newspapermen. The declaration followed the discussions held under the auspices of the international press institute and the Friedrich Naumann Stigung (26 November 1977) (Mehta, 1979:224).
- Freedom of the press is at the heart of all liberty. Where there is no free exchange of information and thought, no other liberty is secure. Freedom of the press is one of the pillars of a free society and a means of extending the frontiers of liberty.
- In a democracy, a free press has an inalienable right to an adversary role. It should be free to criticize authority at all levels in the general public interest, and to function as watch-dog over the government’s handling of the problems of the people and the country. The press should always be responsive to society as a whole, and act as a channel of communication to survey facts and give fair and considered information on all issues. A free press should always be conscious of its responsibility to present to the public news without fear or favour or distortion, suppression of censorship.
- Citizens should be able to publish and read newspapers and journals of their choice. The relationship between the management and the editor should be one of

cooperation. Within a newspaper's broad policy framework, the editor should be left free to function without interference.

- It is essential to have more than one news agency. News agencies should be competitive and free of government control.
- A free press can be strangled through economic pressures. For instance, the government has no right to fix advertisement rates for individual newspapers or to use government advertising as a form of patronage or to canalize newsprint supplies through a state monopoly.

7. **THE SIGNIFICANCE OF THE JANTA PARTY**

Two and half years of Janata party's rule had many credits in its name. The Janta government since came to power because of emergency misdeeds, therefore, it, first, wanted to bring all the wrong doings of the emergency regime to the notice of people. The second, the Janata government was voted to power because democratic institutions were thoroughly and systematically weakened and constitutional provisions were misused, therefore, removing all the institutional weaknesses and constitutional flaws were the duty of the newly formed government. For that constitutional amendments were proposed, and third was the restoration of media's freedom and ensuring the autonomy to the government controlled broadcast and telecast media because all these state controlled media were highly misused during the emergency by the party in power.

The success of the Janata party established a Non-Congress government at the Centre for the first time, and, given that support for the Congress (I) had held up in the south and west, it seemed to some commentators that India had at last established a competitive two party system. The leaders of the new government were a geronotatic triumvirate: Morarji Desai, Charan Singh and Jagjivan Ram. The Janata Party was indeed an unlikely combination of political forces, brought together in a single party only in their hostility to Indira Gandhi and the Janata wave was clearly more a defeat for Indira Gandhi than a victory for a new leadership and a new ideology.

Janata party government tried to woo the many minority and peripheral groups into their all- embracing folds. In terms of the Lipset-Rokkan model discussed above, therefore, the party system in India works in the opposite direction from that predicted by the model. The conflict is not between centralizing, nation- building parties, on the one hand, and others catering to centrifugal, peripheral groups on the other.

By 1979, the Janata government was clearly adrift and rudderless, lacking a programme, weltanschauung or grand design informing its actions. Bereft of a frame, the government failed to shape events and instead lurched from near disasters to eventual collapse. In some respects the Janata government died a victim of its prime minister. Morarji Desai proved too rigid and self-righteous to lead a heterogeneous team.

Rather remarkably, perhaps, the Janata government was able to agree on policy direction described as the path of Gandhian socialism based on political and economic decentralization ` and it has been argued that its policy performance was quite satisfactory, even though it was not in power long enough to go far with implementation. Charan Singh`s maneuvers against Morarji Desai were instrumental in the break up of

the party in 1979 (Corbridge and Harriss, 2001:341). Charan Singh with his middle peasants, Jagjivan Ram with his old-fashioned Congress secularism and interest aggregation represented competition for the same scarce rewards of office. Defections from the Dasai government began in earnest after 7 July 1979, and on 17 July Charan Singh resigned as deputy prime minister.

CONCLUSION

The study has examined the role of the short lived Janata Government in restoring the democratic institutions, fundamental rights to the citizens, freedom to the press and independence to the Judiciary. It found that after the relaxation in emergency, the mass media, especially the print media played a very crucial role in exposing the abuses and misuses of state power by the government machinery, party leaders, and even individuals loyal to prime minister, Mrs. Indira Gandhi and her politically ambitious younger son, Mr. Sanjay Gandhi. The pro-active role of the mass media had a critical value which informed the people about the truth of emergency regime and allowed them to critically evaluate the relevance of emergency and formed their opinion about it. With the declaration of emergency, the myth that was created by the regime was that it had improved the functioning of the government machinery, brought punctuality in offices, public institutions, railways services, and government hospitals. The slogans seen everywhere like Work more, talk less, Discipline makes a nation great, We are heading towards a golden tomorrow.... so on and so forth were the inspiring and motivational forces in moral justification of the emergency. However, even Congressmen in private accepted that after a brief effectiveness of all these governments' direction, these remained nothing more than lip services. Therefore, myths that were surrounded around the emergency got exploded very soon in practical life of the people and it was the press which got the credit for this eye opener.

How far the role of the Janata Government was concerned, it succeeded to a great extent in restoring the democratic institutions and brought back the democracy on proper track. The constitutional amendments passed during the period have long term implications for the working of the Indian democracy. It brought number of constitutional safeguards for preventing in future the repetition of the past. Though the government could not sustain and collapsed because of internal conflict in two and half years otherwise some of promises that were left unfulfilled would have been translated into reality.

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