

Weekly Copy Ps. 5

Annual Subscription Rs. 2

OPINION

Vol. XX

5th FEBRUARY 1980

No. 40

THE MANDATE OF THE PEOPLE

MADHAVA

FOR better or worse, Smt. Gandhi has again been elected Prime Minister of India. Whether her victory was popular or merely political is open to question. In the North, at least, where the emergency's brutalities were rampant, the majority of votes cast went against her. Indeed, one may ask: if another election were to be held immediately, would the Congress(I) gain so many seats? Power hungry party leaders have seen that splitting the vote in the interest of personal ambition guarantees failure of those ambitions. Short-memoried voters have been reminded of the possible consequences of their rash decisions. And the large number of citizens who refrained from voting, having seen the result of their non-participation, might go to the polls.

But this is mere speculation, serving only to remind us that, in so far as it is dependant on popular support, the Prime Minister's position is not as firm as the number of parliamentary seats might make it appear.

Cynical political commentators might reply that Smt. Gandhi needs no popular support. She needs only the purchased loyalty of her party members, of key members of the judiciary, and of the forces of repression. The army of sycophantic bureaucrats needs only threats to make it docile.

But this is to assume that the citizens of India are so spineless that they can be permanently subjugated by force alone. Yet, when the extremist executors of Smt. Gandhi's emergency powers assumed, on the one hand, that they could trample with impunity on the people's feelings, and, on the other hand, that the people could be manipulated by mere political rhetoric and charismatic appeal, the 1977 elections demonstrated the country's mass resentment. Those elections belied the charge that the Indian voter cares nothing for the exotic concept of constitutional rights. The voting public may care nothing for freedom as a concept but they care mightily for freedom in itself.

What puzzles observers is that the very people who discarded Smt. Gandhi in 1977 have brought her back again only three years later. A superficial view is that her massive victory represents, incredibly, a mandate for her exercise of dictatorial powers—trains running on time, combined with concentration camps. But this is far from the truth.

The majority of those who voted Smt. Gandhi to power in 1980 would be shocked at the charge that they have invited destruction of Indian parliamentary democracy. Consciously, they have done nothing of the sort. Few of them thought of more than the prices of food and clothing, and

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the availability of sugar and kerosene—all casualties to the greedy ambition of Charan Singh in the last twelve months, only, of the previous governments. Their conscious motive was to discard the rivalry-ridden and ineffective factions of the Janata and Charan Singh governments in favour of someone who, they hoped, would use her proven abilities to stabilise the economy and so alleviate their sufferings.

But to imagine that they want Smt. Gandhi to assume totalitarian powers in order to achieve this is an illusion, belied by the 1977 vote. The implication of their apparent *volte-face* is clear: to the extent that they have voted Smt. Gandhi to power, the people of India want her to exercise her abilities within the constitutional framework of Indian democracy. This is her mandate. Whatever may be her ambitions for herself and for her country, if she exceeds her mandate, she will lose even the degree of popular support she has.

MOCKERY OF FEDERALISM

A. G. NOORANI

IT is wise to seek legal advice before taking an important step. It is wiser still to listen to it, Smt. Indira Gandhi's lawyers seem to have pointed out the legal difficulties in dissolving state assemblies, especially those of Bihar and Uttar Pradesh and others where the opposition was not routed but merely lost.

So two other grounds will be added—breakdown of law and order and defiance of the centre. Neither will wash. There simply is no such breakdown of law and order in the State of UP even if one were to accept, for the purposes of the argument, Shri Sanjay Gandhi's palpably false charges made in Lucknow on January 31 and denied by the Chief Minister. The very next day Shri Gandhi even threatened an agitation for the UP Government's ouster.

There followed swiftly the Prime Minister's letter to the Chief Ministers of Madhya Pradesh, Uttar Pradesh and Rajasthan asking them, believe it or not, to look into complaints of a "massive programme" of demolition of houses and sterilisation (*The Times of India*, Feb. 2). There was not a word of such a "massive programme" even in journals supporting her. It just could not have remained secret. But Smt. Gandhi has levelled the charges and peremptorily demanded explanations which, no doubt, will be disbelieved.

These grounds will be recited in presidential proclamations imposing central rule. The courts will be told they are judges only of relevance of grounds not their adequacy in fact.

But the courts are not powerless, to prevent action based on false accusations. *Mala fides* can be proved by demonstrating the orchestration of the campaign alone. *Mala fides* will vitiate the proclamation. The courts must not be deterred from doing their duty in circumstances such as these when the Government is bent on manufacturing evidence to amass power.

REGARDING HONOURS

(30-9-1954)

(Honours, abolished in 1977, were reintroduced by the Indira Government.)

Knowledgeable foreigners are apt to question our claim to be a real democracy. They say: "You may perhaps in course of time become a democracy; at present you certainly are not one." In support of this view they point to a variety of circumstances, including the absence of a real Opposition Party, able in case of need to form a Government. They cite the complete dominance, as they see it, of the political life of the country by one individual who combines in himself the Prime Ministership and the headship of the principal political party. They say there is a lack of any real discussion within the Cabinet, none of whose members according to their information, dare to take up strongly a point of view opposed to their chief's. They point to the acquiescent attitude of the party itself, which they feel suffers sadly from want of independent thinking. The general atmosphere of adulation and 'darbari' at New Delhi, they say, reminds them rather of a despotic court than of the capital of a free democracy, where all men working together in the Government are colleagues, and the juniors can on due occasion speak their minds to those above them without fear of consequences.

The Indian student of affairs tries for his country's credit to counter these charges by recalling the marvellous success of the 1952 elections, the sagacity of the voters and the full freedom allowed to them by the Government. He points to the continuance of the rule of law and of essential civil liberties, the often animated discussions in Parliament, and the occasional criticism in the Press. But he finds his position greatly weakened by being invited to consider the recent decision of the Indian Government inaugurating new orders of Honour, the Jewel, the Lotus, Classes I, II, III, and its return to the old practice of regular Honours Lists.

To foreign critics here was indisputable proof, the outward sign that showed the spirit within, that between the Indian Government's opinions and true democracy a great gulf yawned. The Indian student was undoubtedly taken aback. Argue though he might with outsiders about mere symbols not affecting deep democratic feeling, and about the practice of other clearly democratic nations, in his heart of hearts he had to admit that this creation of Orders and issue of Honours Lists by a country which had but very recently come into its heritage of independence, and which in its Constitution had laid special emphasis on fraternity and egalitarianism, a country, moreover, in which privilege and position had been strongly entrenched for ages, and in which all the tendencies worked in favour of such entrenchment, was definitely a very retrograde step.

That Britain had Honours and an Honours List was beside the point. The British were heirs to an ancient aristocratic tradition, and no mean part of their political genius consisted in altering the thing while leaving the name unchanged. That the French had the Legion d'Honneur also

signified nothing, since the order was established long ago, and this continuation of an old practice carried little real meaning. The proper comparison for India was with the more recent democratic self-governing countries like Australia and Canada. These, in which the British tradition of honours had been firmly established, had gone out of their way to request their Sovereign not to exercise in favour of their citizens the royal privilege of granting honours.

Authoritarian countries have, of course, been extremely enthusiastic about the creation of new orders. Having executed or driven out the old aristocrats, the Communists lost little time in bringing into being their new elite, the holders of the Order of Lenin and of the many other distinctions they set up. The practice of totalitarian autocracies is no fit model for the aspirant to true democracy.

The reasons that have led the Government of India to make this innovation do not seem to have been mentioned. So far as recollection goes there has never been any discussion in Parliament, or statement outside, explaining the Government's attitude. So opposed in fact has the Prime Minister been to the use of personal distinctions that at one time he even desired the popularly-awarded, hereditary title of Pandit not to be used before his name. How then has his reluctance been overcome?

Have there been representations from our diplomats that in their simple black 'sherwanis' they feel under-clad at official receptions by the side of their colleagues from other countries whose uniforms blaze with stars, and are many-coloured with ribbons? Has the chief of the Foreign Office been so affected by this anomaly that the Prime Minister has had to give way? Or has the old tag that decorations are needed as a spur to effort, and an incentive to initiative, been swallowed wholesale by our seven-year-old Government?

If past experience in India is any guide, orders and decorations provided no spur or incentive to those who deserved to be decorated. To those who did not, they often provided a spur and an incentive to activities which no good Government would wish to encourage, to inordinate funkeyism and self-degradation.

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Posted at Central Packet Sorting Office, Bombay on 29-1-1980
Regd. No. BYW 69
Licence No. 14. Licensed to post without pre-payment

Edited and published by A. D. Gorwala at 40C Ridge Road, Bombay 400 006 and
printed by him at the Mouj Printing Bureau, Khatau Wadi, Bombay 400 004.
Proprietor: A. D. Gorwala.