

(Chapter-15) CRISIS OF DEMOCRATIC ORDER

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"The congress party led by Indira Gandhi restored and recovered the dominant position after 1971 election but not the same kind of party that dominated the first three general elections. The difference appeared in a series of events between 1973 and 1975 that brought challenge to democratic politics and the Institutional balance provided by constitution of India. These development led to imposition of emergency in June 1975. The emergency ended as dramatically as it had began, resulting in a defeat of the congress in Lok Saba election 1977"

After studying this lesson you must be able to understand

1. Why emergency was imposed?
2. Bihar and Gujrat movement in India that led emergency?
3. Consequences of emergency?
4. Understand how Janta Party emerged as strong ruling party in 1977 elections.
5. Lessons learnt from emergency?

REASONS BEHIND EMERGENCY IN 1975

In India the emergency refers to an 18 month period from 1975 to 1977 when Prime Minister Indira Gandhi had a state of Emergency declared across the country officially issued by the president Fakhruddin Ali Ahmad under Article 352 of the constitution because of prevailing internal disturbances. The Emergency was in effect from 26 June 1975 until its withdrawal in January 1977. Following things emerged before the proclamation of emergency.

1. **Economic Conditions:-** After 1971-72 economic conditions did not improve, the Bangladesh war had put heavy strain on India's economy. The inflation caused by economic stagnation caused much hardships to people. Industrial growth was low and unemployment was high. The employees were not satisfied with the policies and programmes of ruling party. Due to drought and famine conditions, there was decline in agricultural productivity. Food grain output declined 8%. So, war with Pakistan and China led together burden on India's economy. More over food scarcity had dissatisfied the common people. In such context Non-congress parties organized popular protests against government. The government considered these popular protests as law and order problem not as aspiration and needs of people. Thus on the ground of internal disturbance, imposition of emergency emerged.
2. **Bihar Movement:-** The Bihar movement was political movement initiated by students in 1974. It was led by Gandhian Socialist Jay Prakash Narayan known as JP Movement against misrule and corruption in the state government. It later on attacked the policies and programmes of Central Government led by Indira Gandhi. It was also called Sampoorna Kranti (Total Revolution and J.P Movement).
In March 1974 students came together in Bihar to protest against rising prices, food Scarcity, unemployment and corruption. A series of Bandhs, Gheros and strikes were organized in protest against the Bihar Govt. The government however refused to resign.
3. **Gujrat Movement:-** Narnariman Andolan (Reconstruction Movement) was a Socio-political movement in 1974 in Gujrat led by students and middle class people against economic crises and corruption in public life. In January 1974 students in Gujrat started an agitation against corruption, rising prices of food grains, cooking oil and other essential commodities. The protest was joined by major opposition parties and become wide spread leading to the imposition of presidential rule in the state. Under internal pressure from

students supported by opposition parties, assembly election were held in Gujrat in June 1975. The Congress was defeated in this election.

Thus both Bihar and Gujrat movement led the conditions for emergence of emergency. Both movements/ agitations were the leadership of Indira Gandhi. She believed that such movements were motivated by personal opposition to her.

4. **Conflict with Judiciary:** - In the Democratic history of India, there was a period of tension between the government (parliamentary legislature , executive and Judiciary). The Judiciary found many initiatives of government to be violation of constitution. Three constitutional issues had emerged. Can the parliament abridge fundamental rights, secondly can the parliament curtail the right to property by making an amendment , thirdly the parliament amended the saying constitution saying that it can bridge fundamental rights. But the Judiciary said in all three cases "NO" so, conflict emerged when congress party took the position that this stand of Judiciary was against principles of Democracy and parliamentary supremacy.

Two developments further created conditions that led tension between executive and judiciary. In the appointment of Chief Justice of Supreme Court, the govt. set aside the seniority of the judges and appointed Justice A. Roy as Chief Justice of India. The end of the confrontation was of course the ruling of high court declaring Indira Gandhi election in valid.

Thus to conclude, it is now evident that conflict between executive and judiciary led the conditions for the emergence of imposition of emergency.

HOW AND WHY EMERGENCY WAS IMPOSED BY CONGRESS LED BY INDIRA GANDHI OR

WRITE A SHORT NOTE ON DECLARATION OF EMERGENCY IN INDIA

From the wording of the provision of constitution it is clear that an emergency is seen as an extra ordinary condition in which normal democratic politics cannot function, therefore special powers are given to govt. once an emergency is imposed, the federation distribution of powers remain practically suspended and all powers are concentrated in the hands of union govt. moreover fundamental rights are also suspended during Emergency.

After 1971 elections, Indira Gandhi led congress was in power after obtaining majority of seats for making government. The opposition parties led by Jay Prakash Narayan pressed for Indira Gandhi's resignation and organized a massive demonstration in Delhi's Ram Lela ground on 25 June 1975. The political mood of country had gone against the congress more than ever before, more over the election of Indira Gandhi was challenged in the Judiciary on 12th June 1975.

The response of the govt was to declare a state of emergency on June 25, 1975 the government declared that there was a threat of internal disturbance article 352 was imposed on the ground of internal threat, government decided the proclamation of state of emergency necessary. On the night of 25th June 1975, the Prime minister recommended the imposition of emergency to President Fakhruddin Ali Ahmad. He issued the proclamation immediately. Thus emergency was imposed on 25th June 1975.

WHAT WERE THE CONSEQUENCES OF EMERGENCY IMPOSED ON 25TH June 1975.

After proclamation of Emergency, the leaders of opposition parties were put behind bars. The protests and agitations were stopped, the political situation become very quiet. The government suspended the freedom of press. Press censorship was imposed by ruling party. Most importantly

the fundamental rights of citizens were also suspended. The govt. made excessive use of preventive detention, thus during emergency we have witnessed the suspension of Democracy. The parliament of India brought new changes in the constitution of India. By making amendment it was made clear that election of prime minister, president and vice president cannot be challenged in the law court. The 42 amendment was also passed by parliament of India the tenure of legislature was extended for six years.

To conclude, it is now evident that ruling party has declared emergency on the ground of internal disturbance created by opposition parties and other democratic institutions in India. Thus on 25th June 1975, Democracy was suspended. The critics say that Indira Gandhi misused a constitutional provision meant for saving the country to save her personal power.

WHAT WERE THE LESSONS OF EMERGENCY

The first lesson of Emergency is that it is extremely difficult to do away with democracy in India. Although during emergency India ceased to be democratic but it is not worthy that democratic functioning resumed very soon after emergency. Democracy was unsuspended by restored after emergency.

The second lesson of emergency is that many doubts were raised against proclamation of emergency. In order to remove such doubts many provisions of Indian constitution were rectified internal emergency can be imposed only on the ground of armed rebellion. For proclamation of emergency Union Cabinet must advise the president for proclamation of emergency through writing.

The third lesson that we learnt is that importance of civil liberties in democracy was felt by citizens of India. In this connection civil liberties organizations came up after emergency. The Judiciary also played important role in protecting civil liberties in India.

The fourth lesson is that during emergency Bureaucracy was committed to ruling party. After emergency it was felt that Bureaucracy must be neutral and impartial. Government must run the administration according to the provision of constitution. Independence of Bureaucracy and Judiciary must be in Democratic state so that ruling party will not abuse of the power.

The fifth lesson that we learnt during emergency is that there is need of supremacy of constitution. Different organs of government must follow the constitution. No organ of the govt. must misuse the power provided by the constitution.

The last lesson of emergency was learnt as soon as emergency was over. The 1977 elections turned into a referendum on the experience of the emergency. The opposition parties fought election on the slogan of save Democracy. The lesson was clear that the governments that are perceived to be anti-democratic are punished by the voters. In this sense the experience of emergency ended up strengthening the foundation of democracy in India.

Thus the experience of 1977-79 taught another lesson in democratic policies. Governments that are seen to be unstable and quarrelsome are punished by the voters.

LOK SASHA ELECTION 1977 AND EMERGENCE OF JANTA PARTY IN INDIAN ELECTORAL AND POLITICAL SYSTEM

The janta party (People's party) was an amalgam of Indian political parties (Barati Janasang Baratia Lokdal, Congress for Democracy, Socialist party and Congress (O)) Opposite to emergency that was imposed between 1975 to 1977. The major opposition parties have already coming closer in pre-emergency period. Now they come together on the eve of election 1977 and formed a new party on 23rd January 1977 popularly Janta Party. New party accepted new leadership of Jay prakash Narayan.

The Janta party made this election in to a referendum on the emergency. Its campaign was focused on the non democratic character of the rule and on the various excesses that took place during this period. In the back drop of emergency, Jay Prakash Narayan became the symbol of restoration of Democracy. The opposition party or parties particularly Janta Party fought 1977 election on the slogan of "Save Democracy". The formation of Janta Party also ensured that non congress votes would not be divided. Thus election of 1977 was fought between congress (R) led by Indira Gandhi and Janta Party formed after emergency.

After declaration of results of election of 1977. The Janta Party won LOK Saba election. The congress was strongly defeated. The congress could win only 154 seats in the Lok Saba. It's Share of popular vote fell less than 35%. The Janta Party and its allies 330 seats out of 542 in the Lok Saba. Janta Party itself 295 seats and enjoyed a clear majority. Election 1977 was thus massive electoral verdict against congress.

Thus Janta Party Government that came to power in 1977 elections was far from cohesion. After the election there was competition among three leaders for the post of PM. Eventually Moraji Desai became the first non congress PM of India. The Janta Party then split and the govt which was led by Moraji Desai lost its majority in less than 18 months. Another Government headed by charan singh was formed by support by the congress party but later congress withdraw its support with the result Janta government remained in power for just about 4 months under the prime ministership of Charan Singh. Fresh Lok Saba election were held in 1980 the Janta Party that emerged as a strong party 1977 elections was thus defeated by Congress led by Indira Gandhi in 1980.

Learning outcome:-

1. What were the conditions that led to imposition of emergency in India?
2. How Janta Party emerged as strong party 1977 election?
3. Write a short note on declaration of emergency in India?
4. What lesson we learnt from emergency?
5. Write a short note on Bihar and Gujrat Movements?