

India After the Coup

Stephen Oren

Thousands of predawn arrests of opposition political figures and journalists, the suspension of civil liberties by presidential decree, the imposition of a rigid press censorship—thus in June, 1975, was signaled the end of Indian democracy. Prime Minister Indira Gandhi's actions mean that the number of people in the world living under democratic regimes has been more than halved. Perhaps India's masses prefer bread to liberty, but they are likely to have neither. Having obtained absolute power, Mrs. Gandhi and her ruling Indian National Congress seem to have little idea of what it is to be used for.

Apologists for the emergency say it was necessary to ward off a right-wing conspiracy against Mrs. Gandhi because of her efforts at reform. They note that most of those arrested since the emergency began are hoarders of food, manipulators of prices, and holders of money from secret deals. Indeed, after years of 25 to 30 per cent inflation the annual inflation rate has dropped to 9 per cent (about the same as that of the U.S.), and many prices have actually fallen since the emergency. More skeptical observers note that India's first good monsoon in five years probably has more to do with the economic revival than any action of the government. While the post-emergency government has been free in promising reform, the promises made to different groups have not always been consistent.

Mrs. Gandhi talks of economic change as the object of the emergency, but such talk passes over the rather sordid political causes of her June coup. Actually she was in deep political trouble. The Allahabad High Court had ruled that Mrs. Gandhi was guilty of corrupt practices in the election of 1971 and thus must forfeit her seat in the Lok Sabha (Parliament) and, quite likely, her political career. At the same time, Indian opposition parties, ranging from the Hindu Nationalist Jan Sangh to the Socialists, were aroused by what they regarded as Congress corruption, Mrs. Gandhi's dependence on the USSR and the pro-Soviet Indian Communist Party, her

increasingly arbitrary ways, and her mismanagement of the Indian economy. The opposition was united in the Janata Front under the leadership of the veteran political figure Jayaprakash Narayan (J.P. for short). In the Western state of Gujarat Janata Front demonstrations had unseated the Congress government. And when, after a period of eighteen months in which the state was ruled by the central government, elections were held, the Janata Front narrowly won. Its victory was announced on the same day as the Allahabad Court's decision.

Meanwhile the Janata Front launched similar demonstrations in the north-central state of Bihar. This time Mrs. Gandhi insisted that the Congress government of Bihar not resign. The Janata Front in turn demanded that Mrs. Gandhi resign as demonstrations and counter-demonstrations rocked all of India's major cities. Now India's independent (neither pro-Soviet nor pro-Chinese) Marxist Communist Party, as well as a number of parties confined to single states, joined the right and center parties of the Janata Front. It seemed that all these groups had come to the unprecedented decision that their main enemy was Mrs. Gandhi, not each other. The past electoral triumphs of the Indian National Congress depended on a divided opposition. If a Congress-Communist front had to face a motley alliance of everyone from the Jan Sangh to the Marxist Communists in the 1976 elections, who knew what would happen?

Far from being part of a long-term plan for India's regeneration, the declaration of emergency was an immediate reaction dictated by Mrs. Gandhi's need for political survival. The real threat came from the Indian opposition, not from the courts. Even if the Indian Supreme Court upheld the Allahabad decision, Congress, with its solid majority in the Indian Parliament, could easily have evaded the consequences. Nor would it have hesitated to do so. Previous Supreme Court decisions on Mrs. Gandhi's nationalization of banks and stoppage of the Indian Princes' pensions had been overturned by constitutional amendment. An earlier court decision on Congress violation of election laws brought a midnight ordinance changing the law. In 1973

STEPHEN OREN is a political scientist who closely follows events in South Asia.

Mrs. Gandhi managed to rid the Indian Supreme Court of some of its elderly conservative judges by refusing to follow unwritten constitutional precedent. (Yet it was the "progressive" Justice V.R. Krishna Iyer who refused to give her an absolute stay of the Allahabad order.)

In any case, the suddenness with which Mrs. Gandhi assumed absolute power helps explain the paradoxes of India today. The government's legitimacy is still based on its role as the choice of the Indian masses in the free all-India election of 1971 and the state elections of 1972. But Congress received only a plurality in those elections. One feature of India's new order is that all-India elections, scheduled for early 1976, have been postponed—officially for one year. In the southern state of Kerala, a center of Marxist Communist Party strength, a coalition of Congress and pro-Soviet Communists continues to rule, although new elections should normally have been held in September, 1975.

Senior government ministers offer assurances that there is no intention to create a one-party regime. Yet reports of activities by others than the Congress and pro-Soviet Communists (CPI) are strictly censored. Though the censorship has abated somewhat since last June, the opposition parties have been decapitated despite Jayaprakash Narayan's recent release by the arrests of their leaders. By virtue of its victory in the June election the Janata Front continues to govern Gujarat, and recent municipal elections there were held as if there were no emergency. Similarly, in the southern state of Tamil Nadu the regionalistic Dravida Munnetra Kazhagam (DMK), whose leaders were not arrested, continues to rule over local Congress opposition.

Since the emergency was proclaimed the Lok Sabha, from which those opposition members who were not arrested have withdrawn, has passed a spate of laws and constitutional amendments. It has declared Mrs. Gandhi's original election offense to have been no offense and has deprived the courts of any right to judge a case involving a prime minister or to judge the validity of any proclamation of emergency. Through October, however, the Supreme Court continued to hear arguments in Mrs. Gandhi's case. In the Victorian manner of India's legal and public life learned counsel debate the Indian Parliament's right to amend "fundamental" parts of the Indian constitution, especially under the circumstances of the summer session. And when in November the Court upheld Mrs. Gandhi's election, it also threw out the absolute immunity from lawsuit the Indian Parliament had tried to give Mrs. Gandhi by constitutional amendment.

All these paradoxes reflect the Indian Government's central dilemma. Is the aim to restore the constitutional system against the chaos allegedly threatened by the actions of the opposition? Or is the purpose a fundamental transformation of the Indian policy? On the one hand, Mrs. Gandhi and other Congress leaders were determined to emphasize the legality of their moves. Under the Indian Constitution states of emergency can be declared by the President, who is at the moment Fakhruddin Ali Ahmed, an undistinguished

Muslim politician from the eastern state of Assam. The President is to act on the advice of the Prime Minister, and the declaration must subsequently be ratified by Parliament. This procedure was followed to the letter. And, after all, such emergencies have been declared before, although both times were when India was at war.

Today, however, the constitutional structure is being attacked as "not serving the needs of the masses" or being a "cloak for privilege." Information and Broadcasting Minister Shukla says that censorship will disappear when the emergency does, but he also stresses the need to restructure the press so as to avoid future confrontations between the press and a popularly elected government.

Similar thoughts are officially voiced about restructuring the judiciary. Yet the government insists it is only "studying" the question of what additional amendments, if any, are needed in the Indian Constitution. Six months after the declaration new ordinances gravely restricted newspapers' rights to criticize the government, or even to report such criticism. The government has in effect taken over much of the English-language press.

The present situation reflects continuing disagreements among senior ministers, notably Foreign Minister Chavan, Agriculture Minister Jagjivan Ram, and Finance Minister Subramanian. Also many more junior officials have caste or family ties to Mrs. Gandhi. It is believed they have more of a stake in her political survival than in the survival of Indian democracy.

In this contest the junior advisors and ministers seem to be winning out. The decision to postpone elections (despite earlier reports that they would be held on schedule), the attempt to take over the press, and the December dismissal of Defense Minister Swaran Singh are tokens of Mrs. Gandhi's hardening will. A further indication of widening control by Mrs. Gandhi came in December as Chief Minister Bahaguna of Uttar Pradesh, India's largest state—and, incidentally, Mrs. Gandhi's home—with a population of some ninety million, was dismissed and central government rule instituted. Though Bahaguna was a member of the Congress Party, its leadership considered him ineffective.

The Indian Government did not lack political excuses for the emergency. Had it failed to act, the government claims, India might have suffered a right-wing coup. The evidence for this is based on the seizure of a few U.S. arms found in the offices of extreme right-wing organizations (not part of the Janata Front), such as the Hindu extremist Rashtriya Sevam Sayak Sangh (RSSS). The RSSS, which a generation ago was involved in Mahatma Gandhi's murder, is now a banned organization. Further evidence is a speech by J.P., a lifelong believer in nonviolence, made just before Mrs. Gandhi's decrees. Warning of the possibility that Mrs. Gandhi might defy the Indian Supreme Court in order to remain in office, J.P. urged the Indian Army and Police to disobey "illegal" or "unconstitutional" orders that the government might issue.

In August the Congress position received *post facto* support when the regime of Sheikh Mujibur Rahman of Bangladesh was overthrown. That regime had been

installed in former East Pakistan by Indian arms in 1971 and proclaimed its support of the same ideals of "democracy, secularism, and socialism" that Mrs. Gandhi proffered in New Delhi. It was overthrown by army officers wishing a more Islamic Bangladesh. Mrs. Gandhi's critics, however, were more impressed with the links between the August coup in Dacca and Sheikh Mujib's decision, some eight months earlier, to abolish the fragile system of democracy in Bangladesh and create a one-party state with himself as ruler. Sheikh Mujib's autocracy in Bangladesh did not solve his problems, but merely opened the way for military intervention. Critics suggest that Mrs. Gandhi's autocratic rule in India may be no more successful.

Through all this Mrs. Gandhi has raised Indian expectations of economic change. This is nothing new, of course. Her successful election campaign in 1971, after she had broken with the Congress bosses who made her Prime Minister in 1966, was based on the slogan *Garibai Hatao* (Out with Poverty). Now the landless have been promised land, the untouchables an end to discriminatory treatment, the workers better living conditions, and the middle class lower taxes and prices. Some of these promises are self-contradictory. Land reform under Indian conditions means dividing the land into plots so tiny (fractions of an acre are common) that the modern seeds, power equipment, and machinery of the "Green Revolution" are rendered useless. This obviously affects hopes for bigger grain harvests and lower prices. Nor can Mrs. Gandhi count on a good monsoon every year. With the population growing by fifteen million a year, increased agricultural production is obviously a necessity for any Indian government. But government investment in agriculture has actually declined during Mrs. Gandhi's years in office. At the same time, the Indian Army and various paramilitary forces have had their budgets doubled since 1969. Under present conditions it is difficult to imagine military budgets declining.

Despite Mrs. Gandhi's rhetoric, it is doubtful that India will move to the left economically. Most of her recent emphasis has been on the need to stop civil service corruption and inefficiency, hardly radical themes. Even this goal is unlikely to be reached, since the state of emergency and its press censorship give control of communications media precisely to the bureaucracy that is to be reformed.

Of all the promises made by the Indian Government, the first to be implemented was income tax relief for those with an annual salary of Rs. 6000 to Rs. 8000—hardly the income level of the poor. The government's stress on the need to avoid strikes and other forms of industrial indiscipline says a good deal about the emergency's economic direction. Strikes, lockouts, and "go-slows" in Kerala are to be made illegal on a permanent basis, according to recent news reports. For that matter, despite all the government's assertions that the opposition to Mrs. Gandhi is led by the propertied, one of the few opposition leaders who evaded arrest and attempted to organize an underground was George Fernandes, the socialist head of the Railway Workers Union. Indira Gandhi attacks the propertied and is



eloquent about changing institutions to make them serve the needs of the masses, but in conferences between Mrs. Gandhi and leading industrialists (most of whom, despite Congress's socialist rhetoric, have financially supported it) the industrialists have usually emerged smiling. Mrs. Gandhi's emphasis on seizing "black" money (often involved in illegal import deals) and her insistence that production be increased are very welcome to the industrialists.

In addition, land reform has been left under state jurisdiction, even though state governments have in many cases been hampered by ties between local landlords and state political leaders. Many of the landless are untouchables, and it seems unlikely they will be protected in India's villages if there is no extragovernmental way of exposing local injustice.

Mrs. Gandhi's more favorable disposition toward the private sector antedates the emergency. In the six months prior to the emergency Industry Minister Pai was talking of the need for government enterprises to earn their keep and of the private sector's uses. Finance Minister Subramanian is also known as a partisan of the private sector. Negotiations had started with a number of U.S. oil firms for offshore exploration of the Indian Coast. The State Planning Commission, whose optimistic forecasts consistently turned out wrong, was shaken up, and its former head was made Ambassador to Moscow.

This shift in economic views largely reflects India's experiences over the past five years. In addition to poor harvests and heavy inflation rates, such crucial state-controlled industries as coal and steel have come up with serious production shortfalls. The already faltering Indian economy was dealt another blow by the post-October, 1973, quadrupling of oil prices. In a single year India's import bill tripled. The *Garibai Hatao* of 1971 became a sick joke.

Economic pragmatism may make sense, but it is not without its problems. On the one hand, Mrs. Gandhi preaches egalitarianism and limiting the rights of private property. On the other, she espouses an economic structure with unions suppressed and private business and private farming given a freer hand. One suspects that the Indian economy will continue in the "permit-license-quota" system under which India has achieved neither economic growth nor economic equality.

The uncertainty that dominates India's political and economic life also affects foreign policy. For four years the mainstay of India's foreign policy has been the 1971 Indo-Soviet Friendship Treaty. It was the USSR that protected India when, against the opposition of the U.S. and China, Mrs. Gandhi sent her armies into East Pakistan to establish Bangladesh. The Soviet Union is India's main supplier of arms, and the New Delhi government has been firmly anti-Western in its rhetoric. For example, when asked before the emergency to explain why curbs on constitutional freedom were needed, Mrs. Gandhi implied that the U.S. base on Diego Garcia, an Indian Ocean island over a thousand miles from the nearest Indian territory, was a threat to Indian independence. The CIA was darkly accused of mysterious subversion within India, including links to the Janata Front opposition.

The proclamation of emergency seemed to reinforce this political style. After all, the USSR and its allies, such as North Vietnam, welcomed Mrs. Gandhi's actions. The Chinese, joined by Western news media, angrily denounced India's new order. President Ford's remark in an October news conference that he deplored the situation created in India by the emergency was not appreciated in New Delhi. At times semiofficial Indian statements seemed to be arguing that India's problems were chiefly the fault of the BBC or the *New York Times*.

Nevertheless, both the U.S. and India are interested in better relations. The Soviet Government is in no position to supply India with needed food. Although the 800,000 tons of grain the U.S. will supply at concessional rates this year is less than 1 per cent of the total Indian harvest (and about a quarter of the grain India will buy on the world market), it is needed to keep grain prices down in the cities, thus strengthening Indira Gandhi's urban support. Other U.S. aid has been suspended since 1971, except for rescheduling Indian debt payments, and the Indians are most interested in having it resumed. Despite India's praise for Indo-Soviet trade agreements, which allow for Indian payment in rupees rather than hard

currency, it is no secret that the agreements have resulted in a net transfer of capital out of India.

New Delhi has more than economic reasons for wanting better relations with the U.S. The Indo-Pakistan rivalry is still very much a factor. Because of Pakistan's Muslim population and strategic location, it receives extensive economic aid from the Persian Gulf oil-exporting states, especially Iran, as well as U.S. arms. India's gains from the 1971 war were nullified by the 1975 coup in Bangladesh. However much the new military rulers of Bangladesh may affirm Bangladesh's continued ties to India, New Delhi is well aware that they are in fact anti-Indian and is eager to improve ties with the Islamic world, China, and the U.S. China, which never recognized Sheikh Mujib, has recognized the new Bangladesh Government. Indian defense planners, quoted in the official press, are for the first time since 1971 worried about Bangladesh as a hostile area in the event of an Indo-Pakistani or Sino-Indian conflict. Slight in military strength as it may be, Bangladesh borders a number of important and traditionally restless areas of India. As for other states of South Asia, recent changes in both Nepal and Sri Lanka have increased tensions with India. With three times the population of the rest of South Asia combined, India need not worry about these states. Yet it does not want the Superpowers trying to find other clients in the area.

A separate article would be needed to discuss U.S. interests in India. Despite indications that U.S.-Indian ties complicate Sino-U.S. relations, the U.S. does want better relations. With the U.S. Congress in its present mood, the best way to reduce Soviet influence in the Indian Ocean area is to keep a low profile and improve relations with regional powers, notably with India. Besides agreements on food and other aid (quite an Indian change from 1971 when New Delhi proclaimed self-sufficiency), the Indians have urged that a U.S.-Indian business council be established to stimulate trade between the two countries. Meanwhile, the U.S. has resumed selling nuclear fuel to India, on no better guarantee than Mrs. Gandhi's word that it will not be used to make nuclear weapons.

But whatever foreign help Mrs. Gandhi obtains, the real problems are domestic. So far there has been little overt opposition. Censorship and police power can be marvelously effective. But Mrs. Gandhi has also aroused many expectations, which, on the basis of past performance and present actions, will probably not be fulfilled. Finally, a generation of Indians has been raised under democracy; Mrs. Gandhi may be underestimating the potential opposition to its demise.