

## Our Democratic Future?

*K. Balagopal*

It is a ritual of the modern Indian intellect that any discussion of any thing Indian invariably starts with a solemn reference to the country's uncommon diversity. It springs simultaneously from a perverse sense of pride that this land is such an impossible thing, and from a baser desire to have an excuse in advance in case little sense emerges from the discussion. But an opinion is not necessarily wrong because it serves base purposes, and India's diversity, for all the pleasure it gives to people who are either afraid to understand reality or have no wish to do so, is nevertheless a fact of our life. And nowhere does it exhibit itself with such thoroughness as in politics, by which I mean the constant contention of various classes and 'fractions' of classes for state power, for the whole of it or for a share in it, for maintaining their share or for obtaining it.

37

This aspect of 'diversity' has become a source of serious concern to those who are worried about the emerging 'situation of declining commitment to constitutional norms', or the increasing lawlessness of the Indian state, to put it more simply. The more the state becomes an arena of contending interests the more lawless it becomes, not towards the participants in the contention but towards the working people who are outside the arena of conflict. Part of the reason for this is that the conflict

between sharers or aspiring sharers of state power takes place against the backdrop of increasing dissatisfaction, disaffection and rebelliousness of the toiling people. Not just the backdrop, the increasing disaffection of the exploited is a major cause of the conflict among the holders of power, the other major cause being the squabble for the resources controlled by the state.

The modern Indian state (one hesitates to call it the post-independence state) started its regime with a two-point ideology : concentration in the hands of the state of the power of generation, collection, and allocation of a major part of the nation's investible resources, the better to employ them in the interests of the people and development; and provision for the welfare of the toiling people through egalitarian legislation like land reforms acts, the setting up of credit societies and cooperatives for their advancement etc. Both these factors, the one in its mixed success and the other in its failure, result in a conflict among sharers of state power. And both of them contribute to a general increase in the state's lawlessness. When the conflict over the sharing of the state's resources gets out of hand the ruling classes start cutting constitutional corners, to begin with apparently only among themselves; but soon the lawlessness extends to the common people and settles down there. Indira Gandhi's career of lawlessness began in 1969, when she split the Congress party in what was essentially a conflict among the holders of power over the best way of handling the current social and political crisis, but it soon turned against the people, culminating in the Emergency. The demand for Khalistan, which is the quarrel of a section of the smallholders of the Indian state against the major shareholders, has created the Ribeiro syndrome, a disease of the polity whose symptoms are : setting up one kind of gun as a symbol of sanity against the insanity of the other kind of gun; projecting the rule by the 'tough cop' as a legitimate substitute to elected government when the latter is caught in a crisis; and surrendering to the tough cop not only the responsibility of governance but also the job of political and ideological education of the people. The polity will no doubt get over the Bhindranwales sooner or later, but will it ever get over this disease?

It is the same with the state in its 'welfare' aspect. Since it rarely succeeds in ensuring the welfare, it is the failures that count. And whenever it fails, it gives rise to unrest among the concerned section of the people, organised or unorganised, successful or not. This unrest is usually put down violently by

the state and in the process two seemingly opposite things happen : one is the enactment of new laws and the other is the institutionalising of lawlessness. But they are only seemingly opposite since the new laws are invariably undemocratic and authoritarian, and merely provide some kind of a respectable cover for the state's lawlessness. On the other hand, the unrest of the masses is used by the various sections of the ruling classes to discredit and defeat each other and climb a little higher along the power ladder. And in the process the commitment to constitutionality, very fragile to begin with, takes a further beating. Those who are in power are goaded by the challenges and ridicule of their opponents to become even more lawless in putting down the unrest. A significant part of the violence being used by the Telugu Desam government in putting down the Naxalite movement is in response to the interminable sniping of the Congressman, especially the present Union Industries Minister and the State's Congress(I) President, Jalagam Vengal Rao, who prides himself on his record of ruthlessness—first, as Home Minister and then as Chief Minister of A.P. in the seventies.

But it is not just a matter of Vengal Rao vs. N.T. Rama Rao, Rajiv Gandhi vs. V.P. Singh or even Goenka vs. Ambani. There are much deeper conflicts among the ruling classes and a much deeper incapacity to conciliate the masses. And there are sound structural reasons why the Indian state—rather than 'civil society'—should become the arena of the conflict among the propertied classes, and why it should be directly affected by the failure of social welfare. It is doubtful that even a deep quarrel between two sections of the U.S. capitalist class—let us say between those whose interests lie inside the country and those whose interests lie elsewhere—would affect the U.S. state as an institution, its credibility, legitimacy and lawful behaviour, as much as a similar conflict would do with the Indian state; and it is equally doubtful that even an uncommon rate of unemployment in the U.S. would drag the state into the centre of social conflict as it does in India. The reason for this peculiarity of the Indian situation which makes social conflict a serious matter for those who are concerned with the constitutionality of the Indian state, lies in the objective role assumed by the Indian state—a role whose ideological reflex we have already referred to. This role is more than that of a protector and guarantor of the propertied classes and a controller of the masses. Going beyond that, it actually provides the propertied classes (which category includes the

imperialists, their corporations and their henchmen) with much of their wealth, which it collects directly from the people through taxation, or indirectly through deficit financing and external borrowing for which the people again pay through higher prices. It provides the propertied classes with this wealth through loans, concessions, subsidies and public sector investment in infrastructure and basic goods, not to mention an attitude of benevolent tolerance towards tax evasion and the black market. It is this heavy duty that lies on the Indian state—which is justified ideologically in the name of a 'socialist pattern of society'—that carries the conflicts among the propertied classes into the frontyard of the state. And that is why questions that are purely a matter of sharing of resources between one section of the propertied classes and another very quickly become political questions, not just in the Marxist sense in which they are inherently political questions, but also in the empirical-liberal sense. And thus issues like Centre-State relations, Federalism vs. Unitarism and the Nationality Question are thrown up in what is 'merely' a matter of rich farmers wanting greater subsidy for their inputs and higher support price for their output. And this civil conflict converted into a political conflict is then fought out with grenades and automatic weapons.

Just as the state goes beyond its role of being the guarantor and protector of the propertied classes, so also it goes beyond the task of just controlling the masses. It has actually taken upon itself the burden of being answerable for their problems and their poverty. It is the self-appointed *ma-baap* of the Indian people. The reason is perhaps to be sought in a combination of circumstances : the Indian ruling class, lacking the independence and progressive character that could generate self-assurance in it and faith in the masses, is forced to depend upon the people's feudal faith in the state; the economic system, lacking the capacity to provide food and employment to even a sizeable section of the poor, is forced to depend upon the state to give a little 'welfare' to the masses and create the illusion of giving much more. This extra burden has certain consequences. Poverty, unemployment, deprivation and destitution are seen as failures of the state, not of the economic system. The people's anger is directed at the state. And the different sections of the propertied classes (we once again emphasise that this includes the imperialists and their henchmen) which manage the state, quarrel among themselves in apportioning the blame for the failure, leading to further conflict and tension. The State

governments blame the Centre, the ideologues of the regional propertied classes blame the 'concentration' of the economy in the interests of the monopolists and the imperialists, the monopolists and imperialists in turn blame the over-subsidised agriculture and the parasitical middle classes in the tertiary sector, and everybody blames everybody else for not putting down the unrest efficiently and effectively. Thus is the poverty of the people converted into a conflict among the propertied classes, even as the state is already busy forcefully putting down the destitute masses.

It is easy to write the history of the Indian state, post-1947, from this perspective. Its commitment to constitutional norms, always rather dubious, had a relatively better reputation until the mid-sixties. Though there was much suppression of rebellion in this period, the state itself had not yet become a field of conflict. There was a 'national consensus' of sorts behind the Nehru-Mahalanobis formula for running the economy, though in retrospect it seems that the non-monopoly sections of the propertied classes accepted it more on faith than understanding. In this period, extensive use was made of the Preventive Detention Act, the Armed Forces (Special Powers) Act and the Defence of India Rules; over wide areas the army was employed and the promulgation of 'Disturbed Areas' was effected. But all these were mainly against the tribal nationalities of the north-east and the communist-led peasants and workers in the rest of the country. This did not spoil the state's reputation for constitutionality very much.

The period after the mid-sixties presents a different story. It began with severe drought and food shortage, and went on to face war externally and militant rebellions internally. Naxalbari, Srikakulam, Bhojpur, the Nav Nirman Samiti's Gujarat, and J. P.'s Bihar will remain etched for ever in the nation's memory. The methods that Indira Gandhi chose to employ in suppressing these rebellions and combating the problem, generally speaking had two consequences. One was the direct introduction of lawless laws like the Maintenance of Internal Security Act (MISA) brought into play in tandem with the infamous 'encounter' killings; and the other was the beginning of a long drawn out process of upsetting the national consensus of the propertied classes. Bank nationalisation, the MRTP Act, FERA and a second bout of land reforms are external symbols of apparent radicalism whose real meaning is a little bit of populism plus a lot of tightening of the reins of the state to force a new consensus down the

throats of recalcitrant sections of the well-to-do. The consensus is yet to take shape, as is evidenced by the way the annual budgets blow hot and cold in alternation over socialism, modernisation and the import of technology, and perhaps each step taken towards it has only created more problem, like the Green Revolution that was inaugurated with imperialist aid and advice, but the search has been on long since. The consequence is an unleashing of unprincipled political manipulation, and a general ('radical') contempt for constitutionality, which began with a diatribe against the Courts and Fundamental Rights and culminated in Indira Gandhi's refusal to resign after the Allahabad High Court's judgement and the resulting imposition of Internal Emergency.

The lifting of the Emergency has seen a further sharpening of the clash of propertied interests. And inevitably they are clashing over (i) the sharing of resources controlled by the state, and (ii) the efficacy of the state in putting down rebellious masses. In this period, the Armed Forces (Special Powers) Act was used in Assam, the National Security Act was put on the statute and then amended twice to make it even more draconian, a Terrorist Affected Areas (Special Courts) Act and a Terrorist and Disruptive Activities (Prevention) Act were enacted and employed widely all the way from Punjab to Andhra Pradesh. And there are a host of lesser enactments like the 'Postal Bill', the amendment to the Commissions of Inquiry Act, etc. All these legislations—whether they are upheld by the Courts or not—are contrary to the spirit of liberty proclaimed ostentatiously in the Indian Constitution even if they are validated by the 'reasonable restrictions' clauses that clutter up the Fundamental Rights chapter. In addition, there has been an even more blatant attempt at legitimising the rule of brute force as against the rule of Law, as witness the Ribeiro syndrome mentioned earlier, which is catching on elsewhere in the country.

This is the situation we are living in right now. There is no new 'national consensus' in sight to replace the much battered 'Nehru model'. The different sections of the propertied classes are pulling in their various directions with a total lack of what they themselves would call 'responsibility', if lesser creatures had been amiss; N.T. Rama Rao, Devi Lal, Sharad Pawar and the umpteen Generals and Brigadiers of Khalistan are the external symbols of one kind of pull; on the other hand you have the recently discredited 'computer boys' representing another kind of pressure; the ancient Congressmen like Kamalapati Tripathi

around whom a strange nostalgia is already gathering represent a third pressure. These are pressures acting on one plane. On another plane there are the guardians of the heritage of Rama and Babur, whose labours result in apparently spontaneous 'communal riots' whose spontaneity is however belied by their eruption precisely at times of political crisis; for instance, the most recent riots in Meerut and Delhi, which erupted just when all these rumours about the Bofors affair were leaking out. On yet another plane we have the startlingly ruthless inquisition Rajiv Gandhi is being subjected to by a section of the Press and 'men of affairs'. One is led to think that he is the first incompetent leader or his government the first corrupt government this country has seen. If the propertied classes had not been so conflict-ridden and if lesser creatures had said half those things about the Prime Minister, what sermons they would have been read on the nation's honour, integrity and unity!

Whether the Bofors scandal will pension off Rajiv Gandhi to Italy, whether we will go into the 21st century with imported robot technology, whether a grand coalition of the provincial propertied interests—'Bharata Desam' for short—will come to power at Delhi, whether Gorbachev and Namboodripad will succeed in saving the nation's unity and integrity, are all no doubt important questions. But what is more pertinent is what will happen to the basic canons of civilisation in the meanwhile. Electoral violence is already reaching extraordinary proportions. Even relatively inconsequential elections like those to the Panchayat bodies and farmers' cooperative witnessed considerable bloodshed in Andhra recently, in Congress (I)—Telugu Desam party clashes. If this is one consequence of the incapacity to resolve the political crisis amicably, the other is the excessive dependence on the police and the armed forces in ruling the country, resulting in the increasingly frequent incidence of 'police atrocities'. The Provincial Armed Constabulary's deliberate killing of muslims near Meerut is the most recent and most gory example. It may be added that in the ongoing conflict among the propertied classes over state power, whenever a hitherto sidelined class gets into the seat of power, its inexperience in administration and the natural ruthlessness of the new-rich and the newly-powerful combine to make the police a central instrument of administration and thereby exacerbate the phenomenon. The most evident example is N.T. Rama Rao's government in A.P. And to supplement this ruthlessness, the Press and Press people are increasingly under

attack, the judicial process is being regularly subverted, and fresh laws are being enacted cavalierly depriving the people of what few rights they have left. The latest—and among the most obnoxious—is an enactment to make confessions made by an accused to a police officer admissible as evidence in a criminal case. Given the fact that in India—unlike the oft-quoted Western-countries in which such provisions exist, physical torture to extract information and confessions is about the only method of investigation employed, this enactment, if it goes through, will hit the final nail in the coffin of Indian democracy.

As we stand at this conjuncture and look ahead, the most obvious as well as the most frightening prospect that looms in front is that of another Emergency. There is no external aggression in sight—unless it is to be of our doing—and after the 44th amendment the proclamation of Internal Emergency requires an 'armed rebellion' in the country. But perhaps Punjab can be made, if required, to answer that description?