

# The Incidence of Corruption in India: Is the Neglect of Governance Endangering Human Security in South Asia?

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**The Incidence of Corruption in India:  
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Human Security in South Asia?**

**Shabnam Mallick and Rajarshi Sen**

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*With Compliments*

**Institute of Defence and Strategic  
Studies  
Singapore**

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## ABSTRACT

In the context of the president's rule in India in 1975 we look at the intersection of political corruption and human security through the lens of the theory of securitization-desecuritization. We study the 'deeper politics' — i.e., the frame of reference of actors — behind the distortions in the civic and political institutions of India. We argue that the securitization of development, in order to extricate the national developmental enterprise from the deadweight of corruption, led to de-politicization of the developmental enterprise, which in turn negatively impacted human security. In doing so, we arrive at some moral, social-psychological, and cognitive understanding of how not to securitize. The policy implications are towards employing securitization only as a last resort.

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# **The Incidence of Corruption in India: Is the Neglect of Governance Endangering Human Security in South Asia?**

## **I**

### **Introduction**

In the context of the president's rule dramatically imposed in India in the wee hours of June 26, 1975, this paper looks at the intersection of political corruption and human security through the lens of the theory of securitization-desecuritization<sup>1</sup>. Referred to as the 'national emergency,' this episode of crisis management by then prime minister Indira Nehru Gandhi was the most ambitious of attempts at governance by decree. It affected not just one or a few states in India, as had hitherto been the case, but the entire country and the fates of many hundreds of millions of people.

A few introductory words here on the 'securitization approach' of the Copenhagen School. This approach refuses to treat security simply as an objective condition and declines to endow the realm of security with any Archimedean character. Instead, the focus is on understanding the construction of existential threats. The character of security, in this sense, is rendered more fluid, subsuming a broader and deeper realm. The act of securitization, by securitizing actors, focuses on 'referent objects.' Securitizing actors frequently employ the 'speech act' to describe a referent object's claim to security. Such speech acts urgently compel audiences. The constraints of normal rules and procedures then no longer apply. This approach takes a functionalist view of security issues by placing a premium on its interpretive, contextual and historicist qualities. However, the theory of securitization is not illuminating in exploring the key question for our purposes here: 'why securitize?'

In light of the above, we study the 'deeper politics'—i.e., the frame of reference of actors—behind the distortions in the civic and political institutions of India leading to the declaration of emergency. These distortions, in combination with the problem of

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<sup>1</sup> As proposed in Barry Buzan, Ole Waever, and Jaap de Wilde, *Security: A New Framework for Analysis*, Boulder: Lynne Rienner, 1998; and in Ole Waever, "Securitization and Desecuritization" in Ronnie Lipschutz (ed.), *On Security*, New York: Columbia Univ. Press, 1995. (For working definitions of theoretical concepts used in this paper, please see appendix).

corruption<sup>2</sup>, are alleged to have been symptomatic of competitive political discourses about the very meaning and purpose of the Indian nation-state.<sup>3</sup> We argue that the securitization of development, in order to extricate it from the unproductive grasp of a corrupt polity, led to its de-politicization, which in turn negatively impacted human security.<sup>4</sup>

This paper is organized as follows: section two deals with methodological issues and the research design adopted; three, with the political history of the period; section four, with some moral issues behind the declaration of national emergency; five, explains the perceptions of threat that precipitated the emergency; section six, considers the evidence of securitization, speech acts, corruption, impact on human security, etc.; section seven, gives a psychological overview of Gandhi's actions; and eight, concludes. There is an appendix at the end referencing technical/definitional details.

## II

### **What are the methodological issues in doing a study on political decisions?**

There could be significant heterogeneity in the different ways crises are managed. Consider this: "Since Mrs. Gandhi became Prime Minister 7 1/2 years ago, the Center has invoked President's Rule 22 times to take over the administration of States. In the previous 16 years, after the Constitution took effect, these emergency powers were used 10 times."<sup>5</sup> Moreover, there are at least two other explanatory variables in answering why the 21 months of emergency rule in India came to pass: Indira Gandhi's personality (to be sure, also the personalities of her contemporary political actors of significance); and the absence of organized resistance to her resolve (save for the small minority that were avowedly in opposition to her).<sup>6</sup> Thus, we find that

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<sup>2</sup> Corruption is a selective, informal political system used to exert political influence: please see appendix for this and other working definitions.

<sup>3</sup> See, Paul Brass, "India, Myron Weiner and the Political Science of Development," Special Article, *Economic and Political Weekly*, July 20, 2002.

<sup>4</sup> For a working statement on human security (and other terms used in this paper) please see the appendix.

<sup>5</sup> Ajit Bhattacharya, "Misuse of President's Rule," *Times of India*, July 16, 1973.

<sup>6</sup> See, Aaron Klieman, "Indira's India: Democracy and Crisis Government," *Political Science Quarterly*, Summer 1981, 96, 2: 241-59 (particularly, p. 244).

political decisions are informed by intentions and motivations of actors, which, in turn, are a function of social-structural as well as social-cognitive influences on those actors.<sup>7</sup>

Therefore, merely studying the processual character of events that lead to securitization may be found lacking in generalizability and predictive validity. This is because all actors don't always mimic each other in similar circumstances, and since their subjective expected utility of 'speech acts' differs<sup>8</sup>, understandably so will their securitizing/desecuritizing responses. Again, if we simply assume that the actor in question is a rational, utility maximizing person, we may run into the problem of unreliability of revealed preferences. A person's revealed preference may not be her most preferred choice.<sup>9</sup>

The following, therefore, are the methodological difficulties: *Is empirical evidence of a securitizing or desecuritizing process indicative of an underlying institutional-structural typology that uniquely enables securitization/desecuritization? Or, is a structure of political interests that elicits a securitizing dynamic guaranteed to obtain a like response from all actors?*

In order to escape this double-bind, we combine structure and function. We study the structural enablers of securitization with respect to certain actors uniquely attuned to such dynamic. We explore 'frames of reference' of referent actors. A frame of reference is a structure that is intersubjectively constituted. Writes Jeff Coulter on the ontological dependence of structure on process:

The parameters of social organizations themselves are reproduced only in and through the orientations and practices of members engaged in social interactions over time...Social configurations are not 'objective' like mountains and forests, but neither

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<sup>7</sup> On cognitive psychology for studying political decision-making, see Herbert Simon, "Human Nature in Politics: The Dialogue of Psychology with Political Science," *The American Political Science Review*, Jun 1985, 79, 2: 293-304.

<sup>8</sup> See, Herbert Simon, "Human Nature in Politics."

<sup>9</sup> See, particularly, Amartya Sen, "Rational Fools: A Critique of the Behavioral Foundations of Economic Theory," *Philosophy and Public Affairs*, Summer 1977, 6, 4: 317-344.

are they 'subjective' like dreams and flights of speculative fantasy. They are, as most social scientists concede at the theoretical level, intersubjective constructions.<sup>10</sup>

We, hence, hope to capture the impact of social-structural factors (e.g., economic or social variables) as well as social-cognitive factors (like interpersonal interactions) in political decision-making. We hope such an approach will isolate the following: (i) *When* is an actor likely to securitize; and, (ii) *how* to decipher such a securitizing dynamic? Finally, by wrestling with the 'when' and 'how' questions may we arrive at the (iii) why?

### III

#### **What was the political background to the emergency?**

The most immediate incidents leading to the climactic proclamation of the emergency on June 26, 1975 had unfolded only a fortnight earlier, in the morning of June 12. Perhaps the biggest blow to Indira Gandhi's moral authority to continue in the position of prime minister was struck on that day, not by any opposition politician, but by Justice Jagmohan Lal Sinha of the Allahabad high court. On a petition filed against Gandhi four years earlier, the Justice found her guilty of electoral corruption and set aside her election to the lower house (Lok Sabha) of the Indian parliament from Allahabad.<sup>11</sup> She was, moreover, to be barred from contesting another election for a non-trivial period of time. Later that same day, results for elections to the politically sensitive state of Gujarat in western India were declared. This was an election in which Gandhi was personally vested, having led her party's campaign; but her Congress party lost.

Even as a diminished Gandhi and a resurgent opposition marshaled their resources for what was being touted as an ultimate showdown, there was yet another legal setback. The Allahabad high court order of June 12 had contained a proviso staying its operation for 20 days to allow for an appeal. On appeal, the Supreme Court of India

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<sup>10</sup> Jeff Coulter, "Remarks on the Conceptualization of Social Structure," *Philosophy of the Social Sciences*, Mar, 1982, 12: 42-3. (Cited in, Alexander Wendt, "Anarchy is what States Make of it: The Social Construction of Power Politics," *International Organization*, Spring 1992, 46, 2: 406.)

<sup>11</sup> See, "Gandhi Found Guilty of Corruption," *BBC News*, June 12, 1975.

declined an absolute stay on the order. It allowed Gandhi to continue as prime minister but not to function as a full voting member of parliament.<sup>12</sup> This further assailed the prime minister's moral claim to continue in office. The next night, a national emergency was declared by the president of India, F. A. Ahmed, on advice from the prime minister. The standard text of the declaration read, "In exercise of the powers conferred by clause (1) of Article 352 of the Constitution, I, Fakhruddin Ali Ahmed, President of India, by this Proclamation declare that a grave emergency exists whereby the security of India is threatened by internal disturbances."<sup>13</sup>

*But what was the political background to the emergency, the nature of issues, the distribution of power and interests? Why did a political culture operating under the so-called Nehruvian consensus<sup>14</sup> through the 40s, 50s and 60s move away from consensual politics to assume near internecine proportions?*

The answers largely lie in political change and institutional decay. Independent India's first generation politicians were stalwarts of the anti-colonial independence struggle. With almost legendary moral and intellectual claim to govern, born out of a national movement that delivered the independence, these leaders' persona and rule were imbued with a benevolent romanticism.<sup>15</sup> Because of this aura surrounding these early leaders, it on the one hand absolved them from being muddied in quotidian politics, and on the other permitted them a degree of latitude in controlling political dissent and compelling agreement for the sake of certain putatively accepted ends. The most sacrosanct of those ends was a vision of India's 'development' to which all and sundry were expected to acquiesce.

But before long, uncontrolled turn of events tested the leadership's capacity to co-opt disagreement and subdue dissent. The discursive formation of the Nehruvian

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<sup>12</sup> For an insider's account of these events, see P. N. Dhar, *Indira Gandhi, the 'Emergency', and Indian Democracy*, New Delhi: Oxford Univ. Press, 2000 (especially, pp. 223-69).

<sup>13</sup> Published in *The Gazette Of India* (Extraordinary), Part II - Section 3 - Sub-Section (I) No. II/16013/1/75-S&P (D.II) Government Of India, Ministry Of Home Affairs, New Delhi 110001, 26th June, 1975.

<sup>14</sup> See, B. D. Dua, *Presidential Rule in India, 1950-74: A Study in Crisis*, Delhi: S. Chan & Company, 1979, pp. 3-6.

<sup>15</sup> For a cogent account of this, see Sunil Khilnani, *The Idea of India*, New York: FSG, 1998. Also, for a brief account of the political style of the Nehru years held in stark contrast to post- Nehru years, see Nayantara Sahgal, *Indira Gandhi: Her Road to Power*, New York: Federick Ungar Publishing, p 48.

consensus was compromised to a historical lacuna in Indian political culture: the disdain for corruption-free political bargaining.

Myron Weiner argues that the view of governance in India has always been essentially conservative:

Ancient texts tell us that government's main function was to maintain the existing social order. "The primary duty of a king," according to the ninth-century *Sukra Niti*, "consists of the protection of his subjects and the constant keeping under control of evil elements." ... The reconciliation of conflicts was not conceived of as part of the function of the king, for Hindu political theory did not conceive of conflict as being part of the traditional order.<sup>16</sup>

Instead of bargaining with integrity to arrive at politically negotiated positions, a rambunctious Indian democracy coercively contested the prevailing developmentalist discourse.<sup>17</sup> There was already a growing 'gap' in the restive Indian political culture between means and ends, effort and effect, that threatened to agonize the developmentalist imagination of the Indian elite and further hardened their stance. Knowledge of this gap was also evident in Indira Gandhi's thoughts. In her first broadcast as prime minister on January 26 1966, she had spoken of "the disconcerting gap between intention and action."<sup>18</sup> But the skill and legitimacy needed to close this gap was somehow lacking.

Just around the years 1969-70, some forceful and populist policy measures like the nationalization of large private banks, abolition of the so-called 'privy purses' (state financial pensions to the erstwhile princely rulers in India), and a rhetoric of abolition of poverty, were implemented by Gandhi's government. Their immediate political impact was that national elections in 1970 returned Gandhi's party with an impressive victory. In 1971, an insurgency in neighbouring East Pakistan forced a massive displacement of refugees into India's borders. This volatile situation rapidly escalated into a short, decisive war against Pakistan. The war resulted in the severance of the East from West Pakistan, a victory for India, and Gandhi's Congress's widespread

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<sup>16</sup> Myron Weiner, *The Politics of Scarcity: Public Pressure and Political Response in India*, Chicago: Univ. of Chicago Press, 1962 (footnote 1, p 13-14).

<sup>17</sup> David Bayley, "The Pedagogy of Democracy: Coercive Public Protest in India," *American Political Science Review*, Sep., 1962, 56, 3: 663-72.

<sup>18</sup> Cited in Nayantara Sahgal, *Indira Gandhi*, pp. 36-7.

wins in state elections in 1972. But the economy foundered. But the mounting cost of refugee rehabilitation, a punitive suspension of U.S. aid triggered by the Bangladesh war, drought-like conditions for successive years, and the OPEC oil price shock of 1973 created a dismal economic scenario that began to disquiet domestic politics.

Thus, for Gandhi, what had been gained through populism and foreign policy was compromised by a decline in the economic health of the country.<sup>19</sup> The opposition began to coalesce, with strikingly insurgent demands and a cascade of violent agitations. These were clearly turbulent times and the government responded with force. Serial imposition of emergency president's rule on individual 'problem' states had become the central government's modus operandi.

#### IV

**What were the most important moral considerations informing Indira Gandhi and other Indian decision makers? What were the natures of those considerations?**

After independence in 1947, the primary focus for the Indian rulers was national integration and economic development. But the correct choices for so serendipitous an enterprise as economic development are contested issues. For example, the celebrated administrator of Singapore Lee Kuan Yew has argued that "development is more important than freedom." Given the limitation of resources, certain near-term compromises in individual rights are necessary for long-term growth and development. Others, such as Nobel laureate Amartya Sen, have contradicted with the "development as freedom" thesis, which eschews an either-or approach of the previous 'bread versus freedom' model, and has brought the development *with* freedom paradigm in recent vogue.<sup>20</sup>

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<sup>19</sup> See Nayantara Sahgal, *Indira Gandhi*; and Dhar, *Indira Gandhi, the 'Emergency', and Indian Democracy*, p. 114.

<sup>20</sup> See, Amartya K. Sen, *Development As Freedom*, New York: First Anchor, 2000.

An embattled Indira Gandhi declared a national emergency and suspended many fundamental rights and civic liberties to remove that which threatened to impede India's trajectory toward growth and prosperity. There was some truth to that threat...even though securing her personal political fortune and that of her son's and family's were no less prominent factors in her decision calculus. But what does this tell us about Indira Gandhi's moral imperatives and proclivities?

"Arguments in moral philosophy," writes T. M. Scanlon, "frequently turn on appeals to some standard on the basis of which the benefits and sacrifices of different people can be compared."<sup>21</sup> We know that Indira Gandhi had come to favor a socialistic redistributive political-economy. But equitable redistribution of resources for all could not be achieved in India because it was beyond the immediate productive capabilities of the Indian economy. Thus: *what distributive share could Indians claim from the state and to what were they permitted?* This, of course, is a moral question, not merely an economic one.<sup>22</sup>

In pondering the above, we have found no evidence to the contrary that Indira Gandhi, and indeed nearly the entire national development establishment, was ready to accept distributive inequalities in the so-called larger interests of economic growth. The result was preference for an "end-state justice" (in Nozick's words). The most typical argument justifying the choice of such "end-state" policies was that economic growth would improve the lot of those negatively affected by initial inequalities. But end-state justice is susceptible to imposing severe deprivations on people found at the receiving end of inequality enhancing policies.<sup>23</sup> Indeed, that exactly was the case in India too, as Paul Brass suggests:

Despite the rhetoric of socialism that accompanied that framework under Nehru, both the practice in India and the development theory that justified it were fundamentally conservative. The conservative elements in the

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<sup>21</sup> T. M. Scanlon, "Preference and Urgency," *The Journal of Philosophy* (Seventy-Second Annual Meeting, American Philosophical Association, Eastern Division, Nov 6 1975) 72, 19: 655.

<sup>22</sup> For these and other points of normative political theory and economic distribution, see Charles R. Beitz, "Economic Rights and Distributive Justice in Developing Societies," *World Politics*, Apr 1981, 33, 3: 321-46.

<sup>23</sup> See, Robert Nozick, "Distributive Justice," *Philosophy and Public Affairs*, Autumn 1973, 3, 1: 45-126.

developmentalist framework comprised an ideology of state-exaltation arising out of a 'fear of disorder' or an orientation towards the elimination of 'the cause of unrest' ... it has become more and more obvious that those goals have failed to transform India into the modern, industrial state of its elite's imaginings.<sup>24</sup>

Especially striking are the haste with which the injustices of public policy were rationalized, and the disregard for alternative and more egalitarian policies. Indeed, Gandhi's non-negotiable position on development is evident in the following parliamentary speech:

I would like to emphasize that many of these difficulties are due to the fact that we in India are trying to develop at a very rapid pace. We are trying to achieve within a decade or so what many countries have achieved over a longer period. This is not mere idealism. It is a necessity for a country placed as India is. It may be easy to slow down our development, but that will be a confession of defeat.<sup>25</sup>

From the memoirs of Indira Gandhi's closest advisors we learn of a near absence of deliberations or democratic debate on the merits and advisability of the instrument of emergency. The emphasis before and during the emergency has always been on depoliticizing substantive issues, removing these from the domain of political negotiations and judicial review. Major policy decisions were implemented through executive fiat, skirting parliament. Indeed, indicative of trends is the following term coined by Sanjay Gandhi: "kaam ziyaada, baatein kum!" or "work more, talk less!"<sup>26</sup> The implicit message in that motto was elevated to the level of a national creed, and contained the following components: it prioritized developmental work by depoliticizing the developmentalist project, muzzled contrary political expressions, and reduced the desirability and necessity for political debate to irrelevancy.

"Anxiety to survive at any cost formed the key-note of approach to the problems that came before many of them," the government-appointed Shah Commission report

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<sup>24</sup> Paul Brass, "India, Myron Weiner, and the Political Science of Development," *Economic and Political Weekly*, XXXVII, no. 29, July 20-26, 2002: 3026-40.

<sup>25</sup> From, "Problems of Growth," Reply to debate in Lok Sabha on President's Address, Mar 1, 1966.

<sup>26</sup> Khushwant Singh, "Why I Supported the Emergency," *Outlook India*.

noted in its investigations of the excesses committed during the Emergency. “The ethical considerations inherent in public behaviour became generally dim and in many cases beyond the mental grasp of many of the public functionaries<sup>27</sup>...acts of impropriety and immorality were not regarded as improper or immoral by the authorities. (Rather, they) came to be accepted as a new concept of propriety and a new morality.”<sup>28</sup> Where is the virtue in such a governance style? Is not this a corruption of morals? Indeed, some scholars have commented that even to this day, the precursors, the triggers, and the conditions that led to the declaration of and acquiescence in the emergency exist.<sup>29</sup>

## V

**For an issue to constitute as threat, the Copenhagen school contends, the society must perceive that issue as a threat to its identity. Was there a threat in “identity” terms, that led to its subsequent securitization?**

An understanding of the workings of the Congress party and the constraints it faced during the late 60s and early 70s might help to better situate Indira Gandhi’s role, threat perceptions of relevant actors, and the issue of corruption and its securitization. This is because what happened in India in the two decades since Independence profoundly altered the Indian polity in what was arguably a paradigmatic shift.

There was democratization in large numbers of a new electorate (by some accounts, as much as 45 per cent new voters were added in as little as a decade), and a rise of political and social aspirations of the hitherto disenfranchised, but a lag in the performance of the economy and governance. For the first time, the gap between ‘formal democratization’ and ‘effective democratization’ and attendant economic discontents threatened the social hegemonies that stabilized the Indian way of life.

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<sup>27</sup> From, Kuldip Nayar, “Yes, Prime Minister,” Emergency Special, *The Indian Express*, June 25, 2000.

<sup>28</sup> From, Sukumar Muralidharan, “The Legacy of the Emergency: On the Occasion of the 25th Anniversary of the Emergency, a Look at its Impact on the Indian Democracy,” *Frontline* V. 17, I. 14, July 08-21, 2000.

<sup>29</sup> See, Aaron Klieman, “Indira’s India: Democracy and Crisis Government,” *Political Science Quarterly*, Summer 1981, 96, 2: 241-59.

The changes came about this way. The Congress was the first national political party in India, anointed with the credit of having led the national Independence movement. All other parties were either regionally based or ideologically circumscribed. The Congress, holding governing power for a lengthy period of time, was centrist in ideology and embraced within its folds the diversity of India. It had an in-built correction mechanism for resolving conflicts—through conciliation, co-option, and the occasional condemnation or worse. The preferred tools for all of the above were patronage and power. “The Congress party in India enjoyed the benefits of a “virtuous cycle,” in which its electoral success gave it access to economic and political resources that enabled the party to attract new supporters.”<sup>30</sup> No less a person than M. K. Gandhi, the father of India and moral voice of the Congress party, said as far back as in the 1930s, “I would go to the length of giving the whole Congress a decent burial, rather than put up with the corruption that is rampant.”<sup>31</sup>

The smaller opposition parties more accurately played the role of political pressure groups, pressing their demands on the national party. The opposition leaders “developed cozy relationships with factional leaders within the dominant party.”<sup>32</sup> Here too, political patronage and negotiations, even across party lines, played the important role of ‘pressure valves,’ mitigating regional social cleavages and ensuring the continuity of the political status quo. Hence, a form of corruption and patronage were always a way of life in the Congress and Indian politics in general.

But the critical stabilizing point was that the Congress retained the consensual authority of the dominant party and provided the identifying reference around which the politics of India transpired. The leaders of the Congress party, in their own eyes and apparently of the electorate, were the natural leaders of India. The government was still viewed as legitimate and responsible for providing developmental impetus and direction to the country.

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<sup>30</sup> From, *Data Library of Congress. 1995.* Congress Party Archives, New Delhi, India.

<sup>31</sup> M. K. Gandhi, May 1939 R. Upadhyay, “Political Corruption in India: An Analysis,” paper no 219, *South Asia Analysis Group*, Mar 3, 2001.

<sup>32</sup> Daniel R. Graves, “Political Mobilization in India: The First Party System,” *Asian Survey*, Sep 1976, 16, 9: 867.

It was becoming clear from the 1960s that the state had not delivered on its promises of education, health, livelihood, and other critical needs for the majority. The unsuccessful implementation of land reform legislations had given rise to a situation where large plots of land were still owned by a small section of the peasantry. About 40 per cent of the land was in the hands of the top five per cent of rural household. Food scarcity and poverty in the countryside resulted from these big peasants' manipulation of laws preventing hoarding of food grains and speculative price increases. Agricultural wages were low and declining. Credit was expensive and led to economic enslavement and social oppression of the indebted. Surplus agricultural laborers migrated to overcrowded urban areas, to be further exploited on an industrial scale. Failure of two successive monsoons, shortage of food grains, a listless economic growth rate (parodied as the 'Hindu rate of growth'), war with China and Pakistan, punitive oil import bills, growing energy demands, shortage of foreign exchange, inflation as high as 30 per cent, and currency devaluation—all intensified the misery of the poor and the growing middle classes.

It is important to note here the pivotal role of the middle classes in India in the decades of the 60s and 70s. Unlike today, when the middle classes are far more entrenched and resilient, in the 70s India was just in the formative stages of a major social-demographic change. This change from the traditional 'peasantry' to 'embourgeoisment' was not changing purchasing powers so much as it was social institutions. Most importantly, it was rapidly affecting the more than 70 per cent of Indian families living in 600,000 villages and rural areas—bringing them increasingly within reach of lower middle class status. A semblance of secular class consciousness was being introduced in the traditionally religious caste dominance in Indian society. The resulting growth of a civil society in rural areas was transforming state politics into “seats of vibrant, bare-knuckle, grassroots democracies.”<sup>33</sup>

The growing gap between the rich and the rest, however, engendered still more corrupt practices. The extensive role of the Indian state in providing scarce public services created the opportunity for using public office for private benefit. In 1960, the government extended its regulation of private businesses and in 1969 corporate

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<sup>33</sup> Robert Stern, *Changing India: Bourgeois Revolution on the Subcontinent*, Cambridge, UK: Cambridge University Press, 2003 (2<sup>nd</sup> edition), p. 3.

donations to political parties was banned. This further encouraged the exchange of governmental regulatory favors for clandestine pay-offs to political parties.<sup>34</sup> Black-marketeering of essential goods and commodities (after the government had imposed artificial price ceilings) and hidden unaccounted wealth (or, “black money”) became widespread.

In Indian society, corruption in day-to-day life is so pervasive it is seemingly invisible. At the grassroots level, corruption is practiced in the millions of exchanges that ordinary people have with lower level bureaucrats of the government. At the municipality, for instance, one has to grease palms to obtain a small business license; on the road, pay a cut to the traffic police to transport goods; in public dispensaries and ration shops, pay extra to get unadulterated food, heating and cooking oil, and even medicines and baby food. These extras may not be much on a case to case basis, but cumulatively such things impose a punitive cost on the poor and lower middle classes. In contrast, instances of corruption in regional and national politics, though distant from the trivia of everyday life, have a shock and awe effect and provide a rationalization for lower-level corruption. The paradoxical common sense following such big cases becomes: if the state at its highest echelons is so corrupt, then what surprise if at its bases too there are some petty instances of corruption!

The problem of corruption is complex, with not always transparent linkages between local instances of corruption (the type that most affected everyday people) and the distant cases in national politics that were perhaps remarkable for their sensational value.<sup>35</sup> But that did not prevent the Indian state, the institution most associated with corruption in the eyes of common people, from being implicated massively in the discursive cultural practices of quotidian life. This implication grew manifold as socio-economic changes made life more difficult for the masses and as the sensationalism of high-level political corruption and nepotism increased in intensity. The iconic charge against Indira Gandhi came when her elder son and heir apparent, Sanjay, was issued a license to manufacture new-generation passenger cars of the brand-name Maruti. Unfortunately, the popular impression had been that Sanjay

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<sup>34</sup> “India: Hindu Muslim Tensions,” based on *Country Studies Series* by Federal Research Division of the Library of Congress, Washington DC.

<sup>35</sup> Akhil Gupta, “Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State,” *American Ethnologist*, May 1995, 22, 2: 375-402.

Gandhi was clearly not the most technically qualified in terms of deserving this coveted government contract and would not have been awarded it were he not the son of the prime minister.<sup>36</sup>

Along with the growing crises of corruption in public life, Gandhi contributed to neutralizing the conflict resolution mechanism of the Congress party.<sup>37</sup> The instrumental reason for the unusual electoral successes of the Congress party lay very much in the diversity of its grassroots organizations but unity at the national level. In India as in most places, all politics is local. At the local level, the Congress depended on disparate local elites who, despite their own differences, leveraged their traditional patron-client allegiances with the non-elite as votes en masse for the Congress. At the national level, the Congress was able to mask the differences at the sources of its local support through political patronage. Nonetheless, local satraps carried not insignificant weight in the overall political calculus and were often known to subvert the system for private gains. Indira Gandhi, rightly, realized this as a double-edged sword.

But her lessons from her father's sometimes sorry plight at the hands of these secondary leaders; these leaders' continuing machinations to maintain control over her; and her own individualistic temperament—fatefully veered Indira Gandhi away from any path towards political conciliation. Instead, she decided to assert herself and centralize all power even more, shoring up her popularity through reckless populism, reflected in inflationary policies sold on such slogans as “Garibi hatao!” or “banish poverty!” The result was a polarized Congress, divided between its right-leaning (i.e., fiscally conservative) and left-leaning (fiscally liberal) factions, ending in its formal split in 1969.

Gandhi continued to intensify her hold on her share of the Congress. She appointed loyal supporters as heads of all state level Congress party and government offices, thereby replacing more independent leaders who enjoyed local political bases. Her appointees did not, however, inherit the local support of those they replaced and became dependent entirely on New Delhi for their power. This state-center

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<sup>36</sup> *History of India: Towards Emergency*, [indiansasa.info](http://indiansasa.info), 2000.

<sup>37</sup> *India: Commanding Heights*, Heights Productions/Public Broadcasting Service (PBS), USA, 2002.

disaggregation of the Congress machinery alienated the party's political support base and impaired its ability to subdue dissent, resolve conflicts, and manage crises.<sup>38</sup>

The consensus-conciliation system of the Congress party and the Nehruvian consensus on the decline meant that Congress was no longer the natural political choice. Indira Gandhi was confronted with a classic 'statesman's dilemma' of rising demands and insufficient resources. As a result, politics became more pork-barrel and the Congress even more corrupt.

For long, Indians had voted the Congress party to power in every single election since Independence. As long as there was a closeness of identification, the political system could get away with a lot. But no longer. Suddenly, the corruptions and discontents in politics that would probably have otherwise been overlooked, no longer were. Most notably from the 70s, Indians' outgrowing of the first party and its leadership threatened the very foundations of longstanding beliefs, deeply held both by the political elite and the general public, that the Congress and its leaders had the monopoly to articulate public affairs in India. The instability of identification and of mutual expectations between the 'political' and the 'public' thus became securitized. Indira Gandhi said as much:

We want to establish democracy in this country. There is mudslinging from every side about authoritarian ways, but I doubt whether anywhere else in the world you will find a party with such a great majority putting up with so much from an extremely divided opposition. The opposition has an important role to play in a democracy. But I submit that sometimes they take advantage of it...<sup>39</sup>

Indeed, Indira Gandhi's morning-after speech on national radio declaring the emergency betrays a harking for the old system of stable identification and expectations and hints that what had been done was done largely because of a perceived breach therein: "The President has proclaimed emergency. There is nothing to worry about. All manner of false allegations have been hurled at me." She

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<sup>38</sup> Pradeep Chhibber and John Petrocik, "The Puzzle of Indian Politics: Social Cleavages and the Indian Party System," *British Journal of Political Science*, Apr 1989, 19, 2: 191-210.

<sup>39</sup> From, "Reply to a debate in Lok Sabha on no-confidence motion," Nov 7, 1966, *Indira Gandhi Selected Speeches*, Parliamentary Proceedings, New Delhi, Government of India.

continued, “*The Indian people have known me since my childhood. All my life has been the service of our people. This is not a personal matter. It is not important whether I remain Prime Minister or not. However, the institution of Prime Minister is important and the political attempt to denigrate it is not in the interest of democracy or of the nation.*”<sup>40</sup>

With the Congress ineffective and corrupt and the state unable or unwilling to meet the basic demands of the people, popular resentment searched out new avenues for organizing and expression, in the form of civil society activism and new social movements. “The forces of democratization...*helped shape the perception of the lower castes in a significant way even when there has not been any remarkable change in their structural position.*”<sup>41</sup> The new social movements in the 70s differed significantly from even a decade earlier. These movements were not influenced by political parties and largely operated outside the orbit of party-politics. In this context, the movement led by JayPrakash Narayan (“JP”) was timely and compelling. The movement combined the problems of rural poverty, unemployment, political corruption, social exploitation, and other issues together. JP provided a new spin to the many problems affecting the common people by linking them to the inefficiency of the state and corruption of the polity. By his slogan “Sampoorna kranti!” (literally, “total revolution”), he securitized the problematic issues facing the commoner. His was a nebulous call for collective uprising for establishing a true people’s government, but it was good enough to rally all and sundry. Soon, of course, there was a human face that was put on the ills of the state: that of Indira Gandhi.

Gandhi’s kitchen-cabinet nepotistic style of governance and dictatorial temperament made a now united political opposition’s job of transforming her into a symbol of all that’s wrong easy. This personification soon found its way in speeches and slogans in the form of “Indira hatao!” (literally, banish Indira), in parody to Indira Gandhi’s own populist call “Garibi hatao!” or “banish poverty!” The duel in speech acts was now out of the precincts of parliamentary proceedings and in the open. The movement fueled by such speech acts spread violently to students, peasants, workers, and tribal groups, among other folk, in states like Bihar, Gujarat and Uttar Pradesh. Hundreds

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<sup>40</sup> Text from *All India Radio* (AIR), New Delhi, June 26, 1975, (emphasis mine).

<sup>41</sup> Rajesh Tandon and Ranjita Mohanty, *Civil Society and Governance: A Research Study in India*, Institute of Development Studies, Sussex, UK, June 2000, non-paginated, (emphasis mine).

were killed in police shootouts during agitations. There was a full-scale police mutiny in Uttar Pradesh.<sup>42</sup> A railway strike in 1974 practically crippled the wheels of commerce in India. The assassination of India's minister of railways and an attempt on the life of the chief justice of India in 1975 rattled the political climate of the country.

Gandhi, clearly, began securitizing what she was doing in the name of development and national integrity by inflating the importance of her agenda and the impotence of her detractors. Her detractors were only too happy to return the compliments. Like many other impartial commentators, Bipan Chandra, in his memoirs of the period, concludes that both the 'JP movement' and Indira Gandhi's emergency threatened Indian democracy.<sup>43</sup>

## VI

### **Evidence of a securitizing dynamic that constructed the national emergency in India in the speech acts, rhetorical devices, political discourses, legal instruments, and other non-/ institutionalized responses of the time**

There were at least two discernible trends in then contemporary India. First, the normative trait, harboring the belief that a 'soft state' was unsuitable for rapid development<sup>44</sup>. This prompted increasing calls, usually from the ruling camp, for greater centralization and power. Second, the disappearing Nehruvian consensus hindered any need for accountability or persuasion in the prevailing exchange of political views. Politics became progressively more polarized.

In an atmosphere of increasingly contested political legitimacy plaguing all actors, their speeches were marked by deliberate vagueness, obfuscation and emotions. Political discussion skirted simple, concrete issues and harped on the normative,

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<sup>42</sup> See, for instance, V. P. Dutt, "The Emergency in India: Background and Rationale," *Asian Survey*, Dec., 1976, 16, 12: 1124-38.

<sup>43</sup> Bipan Chandra, *In the Name of Democracy: JP Movement and the Emergency*, New Delhi, India: Penguin Books, 2003.

<sup>44</sup> For an account of the notion of soft state, see Gunnar Myrdal, *The Challenge of World Poverty*, New York: Vintage Books, 1970.

metaphorical and ideational (and, thus, non-negotiable positions) to avoid being challenged or having to yield on the more susceptible empirical grounds.

In her insightful work on Indira Gandhi and Indian politics, Nayantara Sahgal, Gandhi's cousin, describes the type and effects of language use by Gandhi:

Her forceful, insistent, and repetitious language when analyzed seemed puzzlingly remote from actual data. What did Mrs. Gandhi mean? What she meant was further complicated by the pervasive personal element in her statements. Her letter to Congressmen had said there was an opposition to her personally, bent on keeping her out of power... the dislike and distrust her former colleagues had of her – dull, inadequate material for drama – was converted by her intensely imaginative faculty to the grander stuff of hate and fear of a more-than-leader, a national symbol. Her own utterances invented the beleaguered heroine, fighting the shadowy forces of evil...

...The confusion arising at times out of official statements blurred issues and debate. A haze descended on argument and was, it seemed, deliberately held there.<sup>45</sup>

Let us isolate here specific strands of the aggregate speech/language effect along theoretically salient lines. A theory relevant to speech acts provides grounding for the pervasive vagueness, emotions and ideology. The theory goes that the continuum between specificity and vagueness in political speech is a function of the power relation the speaker shares with her audience. Greater usage of vagueness, normative/ideology, and metaphorical/emotive language is generally considered a sign that the speaker is not confident of her authority and legitimacy with the audience.<sup>46</sup> Gandhi's repeated references to "shadowy", "destabilizing evil forces", or the nefarious "foreign hand" in her speeches is striking in this regard.

On control and centralization of power in the name of progress — Jyotirindra Dasgupta is informative. In a comparative study of constitutional democracies in Asia

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<sup>45</sup> Nayantara Sahgal, *Indira Gandhi*, p. 57.

<sup>46</sup> For an account testing this hypothesis, see Bengt-Erik Borgstrom, "Power Structure and Political Speech," *Man*, New Series, Jun., 1982, 17, 2: 313-327.

that at some stage of their recent political history experienced imposition of emergency rules, Dasgupta finds a striking resemblance. Different leaders justified their recourse to emergency powers based on the following common proclaimed threats: national security, public order, and rapid economic development. In all cases, leaders seemed to arrive at a diagnostic interpretation of the problem, confidently prescribed remedial measures, and sought a ‘free hand’ (i.e., free from regulatory and oversight constraints) to administer. But the immediate overriding factor, the ‘trigger’ contributing to the declaration, was a more complex interest to transfer a perceived personal insecurity to the public domain: “The problem of personal security to rule, of course, clearly emerges as the immediate overriding concern of these...leaders. Each of them was convinced that they had popular support to allow them to continue to rule...”<sup>47</sup>

Even before her landslide electoral victories in the early seventies, and buoyed by populist developmental slogans like ‘banish poverty!’ Indira Gandhi preferred centralized control of the national development enterprise. In a speech in November 1967, she offered her opinion of the solution: “we should boldly adopt whatever far-reaching changes in administration (that) may be found necessary.”<sup>48</sup>

Again, in March 1970, Mrs. Gandhi told the Rajya Sabha (the upper house of the India parliament): “At any moment if any privately owned industry is operating against the national interest or is impeding social progress, *we should not hesitate to take it over.*”<sup>49</sup> Gandhi’s faith in the use of force as a tool of public policy was resolute, as was her determination to enfeeble any potential source for criticism to the employment of that force. During the national emergency, despite apprehensions that her blatant decision to selectively censor the media might be untenable, she maintained, “There cannot be any Emergency without censorship on the press.”<sup>50</sup>

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<sup>47</sup> Jyotirindra Dasgupta, “A Season of Caesars: Emergency Regimes and Development Politics in Asia,” *Asian Survey*, Apr., 1978, 18, 4: 315-349 (p 323).

<sup>48</sup> Cited in Nayantara Sahgal, *Indira Gandhi*, pp. 36-7.

<sup>49</sup> Cited in Nayantara Sahgal, *Indira Gandhi*, p. 60 (emphasis added).

<sup>50</sup> Khushwant Singh, “Why I Supported the Emergency,” *Outlook India*.

Gandhi's awareness and use of the vital levers of power was evidenced early. But at the price of an irretrievable slide into corruption and employment of extra-legal means:

...on June 26, 1970, in a major cabinet reshuffle, she took the Home portfolio herself. This gave her control of the intelligence network and the police, and supervision of the Election Commission. The Research and Analysis Wing (RAW), as the intelligence network was named, operated, in part, under Mrs. Gandhi's direct command, though in name it was made accountable to the cabinet secretariat. RAW did not remain an anonymous, behind-the-scenes agency, but became an actor on the political stage, with the press commenting on its activities, including the bugging of telephones of government's political opponents, censorship of their mail, and the impressive growth within a few years of its five-crore (50 million) rupee budget to 100 crores (1000 million). RAW was also reported to provide Mrs. Gandhi with dossiers on Union and state ministers and officers of the rank equivalent to brigadier and above of the armed forces.<sup>51</sup>

To be sure, the opposition did not help alleviate Gandhi's sense of personal insecurity. On opposition leader Jayprakash Narayan's call for a "total revolution" or civil disobedience to bring down the government, Indira Gandhi was convinced it was a movement "aimed (at) the Central government and *me*." Conflating the personal and the political, Gandhi felt, "Jayprakash has always resented me being prime minister," to which Narayan had remarked, "Does she think she can ignore me? I have seen her in frocks."<sup>52</sup>

On disregard for accountability reflected in political speech—W. Lance Bennett's theory on 'political accounts' is relevant. Political accounts serve the purpose of clearing mutually held ambiguities in communication among political parties. Effective accounting allows for maturity of political communication. "Defining accounts as *excuses or justifications that are offered in response to contested or*

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<sup>51</sup> Nayantara Sahgal, *Indira Gandhi*, pp. 61-2.

<sup>52</sup> Bipan Chandra, *In the Name of Democracy*, New Delhi: Penguin India, (cited in Ashok Jaitly, "Frayed Midnight Knots," *Outlook India*, emphasis added).

*questionable behaviors* distinguish them from other kinds of language constructs.”<sup>53</sup> However, when political parties are in open conflict over fundamental goals and they understand perfectly the nature of that conflict (a characteristic usually of well-defined, deeply-held or non-negotiable conflicts), the need to provide accounts or justifications becomes nonexistent. Political communication reflects that absence.<sup>54</sup> Gandhi’s speeches reflected a contemptuous disregard for political disapproval, regardless of the merits of such concerns.

This tendency weakened even legitimate political dialogue. In a parliamentary statement in July 1970, responding to charges from opposition parliamentarians against her and her party of electoral malpractices and subversion of governmental authority, Gandhi replied: “It is obvious that the entire motion is designed as a personal attack on me, on the supposed concentration of power in my hands...I have been compared, not for the first time, to Hitler, Stalin and Mussolini. *I think the people will laugh at the preposterousness of these comparisons.*”<sup>55</sup>

Still on the point of polarization of political culture and contempt for legitimate political exchange, we consider another mechanism also in play known in the behavioral sciences as the “devil shift.” The basic argument of this is, “at least in relatively high conflict situations, political elites tend to see their opponents as ‘devils’ i.e., as being more powerful and more ‘evil’ than they actually are.”<sup>56</sup> Our evidence bears this out. Gandhi referred to “Fanatic and parochial forces are much in evidence. Some of them have been fomented by parties or individuals. I am deeply conscious of the danger they posed to our democracy.”<sup>57</sup> The opposition, too, demonized the intelligence department (Research and Analysis Wing or the dreaded ‘RAW’), and by implication, Gandhi: “The Research and Analysis Wing is being organized purely on the lines of the Hitlerite forces, and its sole job is to destroy democracy in the country.”<sup>58</sup>

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<sup>53</sup> W. Lance Bennett, “The Paradox of Public Discourse: A Framework for the Analysis of Political Accounts,” *The Journal of Politics*, Aug., 1980, 42, 3: 793, emphasis original.

<sup>54</sup> *Ibid*: 804-805.

<sup>55</sup> Nayantara Sahgal, *Indira Gandhi*, pp. 62-3 (emphasis added).

<sup>56</sup> See, Paul Sabatier, Susan Hunter and Susan McLaughlin, “The Devil Shift: Perceptions and Misperceptions of Opponents,” *The Western Political Quarterly*, Sep., 1987, 40, 3: 451.

<sup>57</sup> Reported in *Asia Magazine*, Hong Kong (cited in Nayantara Sahgal, *Indira Gandhi*, pp. 37-8).

<sup>58</sup> Extracted from Jyotirmoy Basu’s speech in the Indian Parliament to the Home Ministry’s Consultative Committee (cited in Nayantara Sahgal, *Indira Gandhi*, pp. 61-2).

Also telling was the extent to which the political vocabulary of the time had the immense symbolic merit of sharply posing Indira Gandhi as the referent object of security. Gandhi became the medium, the symbol, through which the political debate of the day transpired. By repeated references to the personal (she was wont to reduce any political dissent to a personal attack on herself<sup>59</sup>) and by equating herself with India (a popular, infamous slogan those days was: “India is Indira and Indira is India!”<sup>60</sup>), she tried leveraging the political with the personal. But conflating the personal and the political dangerously blurred their boundary, as an existential instinct privileged the “self” in crisis.

### *Corruption and Human Security*

It is in the fitness of things here that we examine a sampling of corrupt practices that emerged during those turbulent years, followed by an account of the state of human security. We will look at those that are linked to the “speech act” (if there is such a thing as “corrupting speech” in a political context), either in the form of actual speeches or as being relevant to their conduct:

The idea of socialism-inspired “nationalization” of private property was in vogue during Gandhi’s tenure. Its implementation as policy became mired in corruption and in practices clearly outside the bounds of legitimate political practice; mentions Dua,

Whether nationalization per se was good or bad for the economy may be an irrelevant question in the present context, but the depressing aspect... was that it was used to whittle down political dissent originating with the private sector... At times...ministers deliberately talked publicly about nonexistent government plans to nationalize or regulate a particular industry or trade with the intention of creating nervousness among the people concerned.<sup>61</sup>

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<sup>59</sup> Her persistent reduction of all criticism to “a personal attack on me” had the effect of slamming a door, much as tears or an emotional outburst put an end to argument. Mrs. Gandhi’s public speeches through the year had a strong defensive flavor. See Nayantara Sahgal, *Indira Gandhi*, pp. 62-3).

<sup>60</sup> Those inimitably ingratiating words were by Dev Kant Baruah, Congress president (cited in Arun Jaitley, “Nazi Priestess,” *Outlook India*.

<sup>61</sup> B. D. Dua, *Presidential Rule in India, 1950-1974: A Study in Crisis Politics*, p. 337.

Calls for a ‘committed’ bureaucracy, judiciary and press, although such allegations were denied by Gandhi herself, were defended by other members of her cabinet. Executive and judicial appointments were subject to corrupt criteria like loyalty and ideology, and candidates were appraised along those lines. In defense of such practices, Mohan Kumaramangalam, one of Gandhi’s colleagues remarked in parliament: “...we (have) to take into account what a Judge’s basic outlook is in life.”<sup>62</sup>

This premium on loyalty and commitment was forcibly institutionalized and perpetuated with the help of emergency powers. Emergency rendered the normal checks and balances of a democratic political process into complete submission to the whims of a small elite. For example, amendments were attempted to the Indian constitution to grant sweeping judicial immunities against past or future criminal offences to the president, vice president, speaker of the parliament, and prime minister. Moreover, these positions were made virtually unimpeachable. More centrally, an act banned the publication of ‘objectionable matter,’ making criticism against the political leadership a penal offense.<sup>63</sup>

The independence of government functionaries was undermined by an extra-constitutional personality cult that bred corruption, solipsism and obsequiousness. This is particularly evident from the content of this correspondence below, written by an official government contracts administrator to Indira Gandhi’s son and heir apparent, Sanjay. In this particular transaction, Sanjay Gandhi is in the role of a private bidder for a government contract to build the controversial Maruti cars, and from the text of the letter we can understand that his product has perhaps failed the required test. However, note the repeated expressions of gratitude:

I shall be very grateful if you would kindly arrange to send the Chief Designer along with a team of engineers...immediately in order that they can properly investigate into the defect and put the car [prototype] back on the road after necessary rectification. I shall be grateful if you would advise me that the Chief Designer and a team of engineers have, in fact, left...to remove the defects. I shall also be grateful if I could be kept

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<sup>62</sup> Ibid, p. 347.

<sup>63</sup> Referring to the 38<sup>th</sup>, 39<sup>th</sup>, and (proposed) 40<sup>th</sup> amendments of the constitution. See Nayantara Sahgal, *Indira Gandhi*, p. 156.

apprised of the progress made in putting the car back on the road for resuming the tests.<sup>64</sup>

Whereas, corruption is a sign of political instability and institutional decay, and since “the society which has a high capacity for corruption also has a high capacity for violence,”<sup>65</sup> there is a strong correlation between corruption and violence. In light of that, we now turn to the Gandhi administration’s record of human security (by which we mean the freedom from threats against man-made personal violence).

Significantly, violent political retaliation utilizing the coercive instruments of state was not sacrilege for the Indira Gandhi administration even before June 1975. In the early seventies, a campaign of organized police terror was unleashed to restrain the Leftists (the Maoist *Naxal* left-extremist movement, but also the more moderate Communist Party of India - Marxists) in West Bengal. “The campaign ... represented Mrs. Gandhi’s violent answer to political violence. It also effectively crippled the legitimate functioning of this political adversary. In 1974, a campaign as thorough was also mounted against a nonviolent movement in defense of parliamentary democracy that threatened Congress rule in Bihar, and ultimately in India.”<sup>66</sup>

A series of draconian, censorious and coercive laws were implemented. These laws, among other things, banned public displays of political discontent, publications of any politically controversial matter, even activities that may be deemed as rumor mongering. The jewel in the crown of these so-called ‘emergency laws’ was the Maintenance of Internal Security Act (MISA), 1971. Although predating the emergency, this act was used to the hilt by the law enforcement administration to round up, imprison and terrorize literally hundreds of thousands of political activists and their friends and families. Below is an extract from the text of the law that indicates its notorious potential:

8. Grounds of detention to be disclosed to persons affected by the order.

(1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in

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<sup>64</sup> Ibid, p. 222.

<sup>65</sup> See Samuel P. Huntington, “Modernization and Corruption,” *Political Order in Changing Societies*, New Haven, CT: Yale Univ. Press, 1968.

<sup>66</sup> Nayantara Sahgal, *Indira Gandhi*, pp. 88-9.

exceptional circumstances and for reasons to be recorded in writing, not later than fifteen days, from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

16. Protection of action taken in good faith. - No suit or other legal proceeding shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Act.<sup>67</sup>

As we find above, Sub-section 2 of Clause 8 of MISA pretty much rules out informing the prisoner the grounds of her arrest. This clause was much abused during the emergency period. Clause 16 grants sweeping immunity against accountability and judicial oversight. This clause, too, was wantonly abused by officials during the emergency.

Prisoners were tortured, in contravention of accepted human rights principles. An Amnesty International report details methods of torture that were graphic and included severe beating to fracture major bones, hanging prisoners upside down and inserting pins in or administering electric shocks to sensitive and private parts of the body, extinguishing cigarette stubs on prisoners' faces, and denying medical aid to prisoners, even to those found to be in critical health condition.<sup>68</sup> The head of a government-appointed commission to investigate a 1975 jailhouse firing resulting in the deaths of five *Naxalite* inmates concluded that, "the firing...(had) violated the jail code, the penal code and the human code." Writing recently on this 26<sup>th</sup> anniversary of the end of the emergency, Arun Jaitley takes stock of human security:

What happened to the institutions during the Emergency? The judiciary which had already been made pliable by the supercessions in 1973 was the main victim. The Supreme Court by a majority of four to one held that a person could be arrested or detained without legitimate grounds and there

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<sup>67</sup> *Maintenance of Internal Security Act, 1971*, New Delhi: Government of India.

<sup>68</sup> Amnesty International Report, published in the *Economic and Political Weekly*, Sep 24, 1974, IX, 38.

was no remedy in the law courts since all Fundamental Rights were suspended. The attorney-general of India argued for the government that a citizen could be killed illegally and no remedy was available since there were no Fundamental Rights of the citizen any more... It was a case of anarchy in governance - to wreak personal vengeance any police officer could have anybody arrested.<sup>69</sup>

## VII

### **What determined Indira Gandhi's responses, reactions, and proclivities?**

What exacerbated the above systemic and accidental difficulties was the degree of personal opposition to Indira Gandhi. Her political legitimacy and accession were not only contested by outsiders, but most certainly by insiders in her party. This, in turn, reduced her level of tolerance for political opposition. "In his last years my father was greatly concerned that there were people inside the Congress who were offering resistance to change. My own experience even before the general election was that the forces of status quo, with close links with powerful economic interests, were ranged against me," she lamented.<sup>70</sup> Indira Gandhi was also particularly sensitive to criticisms against her elder son and heir apparent (the late) Sanjay Gandhi's alleged highhandedness, corruption, and subversion of the law.

In a pioneering study on situational- and activity-based trends in political tolerance, Virginia Chanley argues: "Attitudinal tolerance tends to be less when the activity in question may affect a respondent's loved ones or home community, particularly in situations where there is relatively little consensus on whether an activity should be allowed. ...attitudinal tolerance is (also) less in situations where greater threat is associated with the consequences of the activity in question."<sup>71</sup> In this light, we can further understand why the internal political challenges to Indira Gandhi and the external criticisms of her son were both exceedingly intolerable for her.

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<sup>69</sup> Arun Jaitley, "Nazi Priestess."

<sup>70</sup> Nayaranta Sahgal, *Indira Gandhi*, p. 51.

<sup>71</sup> Virginia Chanley, "Commitment to Political Tolerance: Situational and Activity-Based Differences," *Political Behavior*, Sep., 1994, 16, 3:343.

In a gendered analysis of Gandhi's personality, rise to power, and foreign policy decisions, Mary Carras writes of the roots of Gandhi's almost instinctive traits of political and personal intolerance:

Gandhi's involvement in the national struggle for independence also contributed to her mistrust of others. It was a struggle deeply etched in consciousness, so much so that it must have been difficult at times for her to distinguish between challenges to India's independence and threats to her own autonomy. The nationalist movement had identified as the enemies those who sought to impose their will on India. And Gandhi responded as an Indian *and* as Indira. Whether as a child an adolescent, a young adult or a prime minister, whenever she was challenged, she became more obstinate.<sup>72</sup>

Indira Gandhi perhaps realized that the forces ranged against her were not all unprincipled or opportunistic. She admitted there were fundamental tensions in the extant political culture: "What we witness today is not a mere clash of personalities...It is not as simple as a conflict between the parliamentary and organizational wings. It is a conflict between two outlooks and attitudes in regard to the objectives of the Congress and the methods in which the Congress itself should function."<sup>73</sup> Her instinctive solution was to transform herself into politics personified.

Political culture is, essentially, one's subjective perception of objective political realities, mediated by political symbols.<sup>74</sup> Symbols are also potent instruments for influencing political choice; struck at the right chord, symbolic or symbol-mediated choices have strong emotional appeal.<sup>75</sup> Thus, in an atmosphere of contested political culture, Gandhi put herself front and square of political tensions.

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<sup>72</sup> Mary Carras, "Indira Gandhi: Gender and Foreign Policy," in Francine D'Amico and Peter Beckman (ed.), *Women in World Politics: An Introduction*, Westport, CT: Bergin & Garvey, 1995, p. 50.

<sup>73</sup> Extracted from Indira Gandhi, "Letter to Congressmen," Nov., 8, 1969 (cited in Nayantara Sahgal, *Indira Gandhi*, pp. 50-51).

<sup>74</sup> See Lowell Dittmer, "Political Culture and Political Symbolism: Toward a Theoretical Synthesis," *World Politics*, July, 1977, 29, 4: 552-83.

<sup>75</sup> For an innovative work in this field, see Stuart Kaufman, "Ethnic Violence, Symbolic Politics, and the Security Dilemma," Paper prepared for delivery at the 2001 Annual Meeting of the American Political Science Association (APSA), Aug-Sep, 2001 (copyright, APSA).

Already, Gandhi's penchant for daring fashioned her conviction in the currency of force. Of her exploits, the following accounts are informative:

Spontaneity was not, in general, her style. Daring was. In 1962 Mrs. Gandhi had gone to Jabalpur in Madhya Pradesh to investigate Hindu-Muslim riots, though she was not at the government at the time. She could show a refreshing disregard for own safety. During the Chinese attack that year, she had flown to Tezpur, headquarters of the sector commander, to meet soldiers and officers. She had gone to the frontline at Haji Pir in Kashmir during the Indo-Pakistan war of 1965, inspiring the comment that she was the only man in the cabinet. Two years later, during an election meeting in Bhubaneswar, Orissa, she faced stone-throwers coolly, not losing her nerve when a stone struck her, cutting her lip and displacing a bone in her nose.<sup>76</sup>

Writes Dhar of her days and leadership during the "Bangladesh war" in 1971: "To strengthen public morale, Mrs. Gandhi addressed a mammoth open-air meeting on 12<sup>th</sup> December in the Ramlila grounds of Delhi. To choose to address a million countrymen in open space when she could easily have broadcast to the nation on radio was an act of courage since the congregation could have been a tempting air-raid target..."<sup>77</sup>

An unchecked concentration of power located in a national symbol ensconced in a contested developmentalist discourse is a forceful recipe by any measure. Its effects, of course, were not long in waiting.

## VIII

### Conclusion

If the emergency in India is a case of 'securitization gone badly,' it may be inferred from the above account how *not* to securitize. Securitization should never be used as a first resort but reserved only for last; securitization must be open to deliberations, if only in the interests of catching pitfalls and "getting it right"; securitization to break free from constraining regulations as a way to enforcing morally ambiguous economic development policies is best avoided, no matter what the short-term attractions; and

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<sup>76</sup> Nayantara Sahgal, *Indira Gandhi*, pp. 28-9.

<sup>77</sup> P.N. Dhar, *Indira Gandhi, the 'Emergency', and Indian Democracy*, p. 183.

finally, certain political personalities can more easily concede to power and its foibles than others.

In conclusion, we have argued that simultaneous attention needs to be paid to the processes that securitize as well as to the structures that are securitizing or are securitized. This approach was based on the insight that process and structure are mutually constitutive. Accordingly, we have looked at the unique political situation of India in and around 1975 with special attention to the broader cultural-political dynamics that impinged on Indira Gandhi's years in office. We have also looked at the formative highlights of her personality, the general population's reaction (or, more correctly, acquiescence) to her overtures, its causes, as well as examined the "speech acts" that are suggestive of a securitizing dynamic. We have discovered significant deductive correlation of cognitive, symbolist and psychological social theories to historically-placed speeches, facts, markers, indicators, etc. We find that just as the theory of securitization and desecuritization deepens and broadens security studies, adopting an eclectic analytic approach deepens and broadens securitization-desecuritization theories. In brief, our research has been able to advance the theory of securitization and desecuritization by drawing on moral, symbolist, cognitive, and social-psychological theories to suggest fertile grounds for new research.

## APPENDIX

### **Key Concepts, Definitions and Explanations**

*What is human security?*

Human security is an emerging paradigm, being thought of as a precondition for and precursor to human development.<sup>78</sup> Contingent, broadly, on the presence of the twin freedoms: from *fear* and from *want*,<sup>79</sup> and famously elaborated in the UNDP's Human Development Report<sup>80</sup>, human security, thus, reexamines the relationship between the state and the citizen by shifting the 'referent object' of security (i.e., the object that is insecure and has to be secured) away from the state to the individual. At the very least, then, the concept of human security is a harbinger of expanding and deepening of concerns with respect to the individual human being. For current purposes, we will understand human security in terms of general threats of man-made physical violence.<sup>81</sup>

Notwithstanding an expansion of state sponsored security activism corresponding to the emerging reality that grave human misery caused by factors like economic or cultural deprivation and/or environmental degradation almost anywhere in the world may pose serious challenges even to the apparently least vulnerable state<sup>82</sup>, the radical implications of human security are pushing beyond simply a resultant "securitization"<sup>83</sup> of certain existential hazards to the human condition. Critical perspectives in human security warn

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<sup>78</sup> See, for instance, Jennifer Leaning and Sam Arie, "Human Security in Crisis and Transition: A Background Document of Definition and Application" (Working Draft), USAID/Tulane CERTI, Sep 2000.

<sup>79</sup> See Amartya Sen, *Development as Freedom*, London: Oxford Univ. Press, 1999; Refer also to UN Secretary General Kofi Annan's speech at the *UN Millennium Summit, 2000*.

<sup>80</sup> United Nations Development Program, *1994 Human Development Report*, New York: Oxford Univ. Press, 1994.

<sup>81</sup> As formulated, for instance, by Sverre Lodgaard, "Human Security: Concept and Operationalization," Expert Seminar on Human Rights and Peace, United Nations University for Peace, Geneva, Dec 2000.

<sup>82</sup> Initial U.S. neglect in post-Soviet Afghanistan, followed by Afghanistan's implosion and *Talibanization*, September 11<sup>th</sup>, and the eventual turnaround in U.S. reluctance to accepting nation-building responsibilities there is a current example of such reality.

<sup>83</sup> For explanation of the terms securitization and desecuritization, see Ole Waever, "Securitization and Desecuritization." Also see Bjorn Moller, "National, Societal and Human Security: A General Discussion with a Case Study from the Balkans" (Nov 2000).

against unreflectively challenging the primarily realist claim that only a state can be the sole custodian of its peoples' lives and worth (as would be the position many liberals and neoliberals are wont to arrive at), by merely implicating the anarchic character of the nation-state system.<sup>84</sup> The constructivist core of human security suspects that the problem in liberals' argument in their debate against realists on the deleterious effect that an assumed systemic anarchy has on human security and development—given that the sovereign nation-state system privileges survival of the state to the survival of individuals—is rooted in the liberals' *ontological reliance on the state*. This tendency, thus, retains an “embedded realism” in even liberal security discourse, obscures the familiar framework in which it remains trapped, reaffirms its foundational commitment to realist presuppositions (i.e., to the rationalist, behaviorist mode of analysis in which the interests and egoistic beliefs of agents are exogenous and given), and, paradoxically, ends up replicating that which it set out to contest.

Most relevant to our paper is the argument that an ontological reliance on the state tends to produce among the conservative establishment elite “an ideology of state-exaltation arising out of a ‘fear of disorder’ or an orientation towards the elimination of ‘the cause of unrest’.”<sup>85</sup> Especially occupied with such ideology would be the liberal-progressive's developmental agenda (of the type advocates of Nehruvian socialism tried to replicate, particularly after Nehru's demise), whereby they “de-politicized” legitimate disagreements related to the putative course of human development and security. This transformed many otherwise admirable objectives into “less about...humans per se than a *practice of statecraft*.”<sup>86</sup> (Efficiency versus democracy, as in the terms Indira Gandhi had framed the debate for governing India when she decided to assume constitutionally-sanctioned dictatorial powers in 1975; or, security versus freedom, which is the recurring, overarching theme of the current debate informing curtailment of many civic liberties, in the name of counterterrorism, in the aftermath of September 11, 2001 in the US are two

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<sup>84</sup> For an excellent post-modern analysis of the realist-liberal debate, see Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” *International Organization*, Spring 1992, 46, 2: 391-425.

<sup>85</sup> Paul Brass, “India, Myron Weiner and the Political science of”: 1.

<sup>86</sup> Tan See Seng, *Human Security: Discourse, Statecraft, Emancipation*, Institute of Defense and Strategic Studies, Singapore (Working Paper series), No. 11, May 2001.

such cases of practice of statecraft.) Hence, human security purposefully encourages us to unwaveringly incorporate the greater political voice that all individuals ought to have in matters of their own security.

Of course, notwithstanding its normative predilections, the concept of human security is notoriously ill defined. “There is consensus among its proponents that the ‘referent object’ of security should be the individual rather than the state, but no consensus with respect to the threats to individuals that should be included under the human security rubric.”<sup>87</sup> There is, also, tension among advocates of human security over the narrowing or broadening of its scope—the former arguing in favor of the technical “do-ability” of limited objectives, the latter succumbing to the political attractions of an all-embracing, normative agenda.<sup>88</sup>

### *What is corruption?*

Definitions of political corruption, reflecting the complexity of the issue, are varied and contested.<sup>89</sup> For our purposes, we will accept that corruption is a selective, informal political system used to exert political influence.<sup>90</sup>

### *Is corruption a threat to human security?*

Whether or not functional (as in a “structural-functional” perspective) in the short or long haul, corruption is a sign of political instability and institutional decay challenging in the

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<sup>87</sup> Introductory extract in “Bibliography on Human Security: Prepared by the Harvard Program on Humanitarian Policy and Conflict Research,” Aug 2001.

<sup>88</sup> See, particularly, Roland Paris, “Human Security: Paradigm Shift or Hot Air?” *International Security*, 26.2 (2001): 87-102.

<sup>89</sup> See Arnold Heidenheimer and Michael Johnston (eds), *Political Corruption: Concepts and Contexts*, New Jersey: Transaction Publishers, 2002.

<sup>90</sup> See James C. Scott, *Comparative Political Corruption*, New Jersey: Prentice Hall, 1972.

most serious magnitude functions and principles of governance. Moreover, as corruption and violence are both symptomatic of weaknesses in political institutions (particularly in societies in transition), the “society which has a high capacity for corruption also has a high capacity for violence.”<sup>91</sup> Since, for our purposes, infraction of human security is indicated by significant threats of man-made personal violence, we can at least find a strong impressionistic correlation between corruption and human security.

*Is misgovernance of civic institutions a cause for corruption? Is misgovernance of civic institutions a threat to human security?*

Lapses of governance dampen the developmental momentum of societies, threaten human security<sup>92</sup>, and—given their intractability—are as much issues to be resolved by local initiative as by international aid and intervention.<sup>93</sup> Most prevalent in countries of the developing world, the victims of this less sensational yet quite insidious form of lacunae in governance remain severely deprived in terms of their potential for human development and security not because of sudden economic penury or significant educational inadequacy, but chronic neglect of social and economic institutions (like schools, hospitals, civic amenities, etc.). Access to these vital resources is limited or otherwise regulated to provide preferential treatment to some at the expense of many, bringing into play corrupt practices for undemocratic and unfair entrée.

*Why South Asia?*

The nature of corruption in South Asia is particularly interesting for the following: Although corruption is often a contributory cause of political instability and developmental retardation in the region, there is a certain rationalization of corruption leading to a taboo in any systematic research and scholarship on the subject. This

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<sup>91</sup> See Samuel P. Huntington, “Modernization and Corruption,” *Political Order in Changing Societies*, New Haven, CT: Yale Univ. Press, 1968.

<sup>92</sup> New York Times columnist Thomas Friedman, for instance, has noted anecdotal evidence where riots in the Pakistani port city of Karachi are preceded by prolonged periods of disruption of residential power supply in affected areas.

<sup>93</sup> See, for instance, Amartya Sen, “Why Human Security?” *International Symposium on Human Security*, Tokyo, 28 July 2002.

reticence, marked by a distinct bias and hypocrisy euphemistically termed: diplomacy in research, surprisingly, coexists with copious anecdotal evidence of corruption. Such “folklore of corruption,” perhaps, reflects even a grudging acceptance of corruption.<sup>94</sup> The interesting question in this connection is, who, (i.e., what kind of people? with what interests?) might be implicated in such acceptance of corruption?

*How does corruption affect human security? (Does the fight against corruption securitize and hence de-politicize issues?)*

Corruption in the context of South Asia, particularly India, is unique in many ways. While endemic in all levels of society, corrupt practice is a residue of asociality evolved over centuries, and legitimized through pre-independence anti-colonial struggle. Indian society, although plural, is stratified in terms of “caste” constructs, that traditionally discouraged inclusive, universalistic loyalties and promoted primarily less-inclusive (i.e., based on family, kinship, ethnicity, linguistic, etc.) localized, consociational allegiances. This, combined with a society that downplayed materialistic proclivities, engendered a culture where nepotism was accepted. Colonial era freedom struggles legitimated a culture of subversion of rule of law, where popular political strategies (for instance, the strategy of *Swaraj* or “self-rule”), paradoxically, bred disrespect for institutions of governance.

Thereafter, decades of rambunctious “plebian” democracy led to fragmentation of traditional loyalties, escalated provincial demands, and exacerbated centrifugal tendencies that had to be appeased by ad hoc subsidies.<sup>95</sup> This became an unsustainable recipe to appease internecine interest-blocs and led to illimitable and mimetic corrupt practices. Attempts to counter corruption, unfortunately, relied on discouraging open debate (from the days of Nehru) about such issues, in the (vain?) hope that avoidance would not legitimize or popularize pathologies such as political corruption. The effects of such approach as well as of selective attempts at anti-corruption enforcement by citing

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<sup>94</sup> See, Gunnar Myrdal, “Corruption—Its Causes and Effects,” *Asian Drama: An Enquiry into the Poverty of Nations*, Vol. 2, New York: Twentieth Century Press, 1968.

<sup>95</sup> See Sunil Khilnani, *The Idea of India*.

national interest and hence securitizing issues at hand (most prominently during the 70s Emergency), was the reverse: it de-politicized the problem, precluding public participation.

*The problem, analytically, is not only corruption per se, but also the role of interests that precipitated corrupt practices.* This is reflected in the not purely economic pay-offs sought from corruption but also a disproportionate emphasis on mobilizing dependants and political allegiance alongside capital, and is symptomatic of the structure of interests in the body politic more than it is the cause (although there is a degree of circular causality between interests and causation).

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