Broken polities BY A . G . N O O R A N I | 3/7/2020

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| AT a meeting of the BJP`s Parliamentary Party on Dec 11, 2019, Prime Minister Narendra Modi accused opposition leaders in the Rajya Sabha of `speaking Pakistan`s language` on the bill to amend the Citizenship Amendment Act. Two days earlier, the Lok Sabha had passed the CAA; the Rajya Sabha followed suit that day. Just hours later, his confidante and hatchet man, Union Home Minister Amit Shah, made a similar accusation about the Congress leaders.  A government is perfectly entitled to accuse the opposition of partisanship, indifference to the public interest or sheer wrong-handedness; in short, of error. But when it accuses the opposition of treachery or of obeisance to a foreign power, it challenges its legitimacy, its very right to exist.  But this has been the burden of the song sung by Modi & Co ever since they came to office in 2014. Power did not mellow them.  After re-election in May 2019, the cry of treason became shriller still.  Modi explained that his government had been fulfilling the dreams of the BJP`s founding fathers and that the legislative measures it had taken, including scrapping Article 370 and passing the CAA, would be `written in golden letters`. `The last fiveand-a-half year period has created history...  This period... will be written in golden letters in history. It is a remarkable achievement and you all are stakeholders in it.  Two months later, the dreams were shattered by the massive protests against the CAA all over the country. By common consent, the gruesome riots in Delhi were triggered off by the BJP`s sustained hate campaign; especially during the recent Delhi election in which it suffered a shattering defeat.  It would be sheer folly to ignore all this as an expression of political fervour. The BJP is the political arm of the RSS, which seeks to establish a de facto Hindu state. The constitution need not be amended. Administrative actions will suffice. The opposition is fragmented; the bulk of the electronic media is supinely supportive; and the supreme court shows no sign of judicial assertion even when sorely needed, eg the crackdown in Kashmir.  With regard to the illegal imprisonment of political leaders Farooq and Omar Abdullah, and Mehbooba Mufti, all three served as chief minister. All were unionists; none had any time for separatists. All were opposed to the Hurriyat, which reciprocated the feelings. If all this is a bid to wipe out Kashmir`s political landscape, the poisonous rhetoric is designed to build up an atmosphere in which a Hindu state can be established with little effort.  The RSS is frantically at work on this hei-nous project. To cite one revealing pronouncement, the RSS supremo Mohan Bhagwat said on Oct 8, 2019, `The vision and proclamation of Sangh regarding the identity of the nation, social identity of all of us, and the identity of the country`s nature, are clear, well thought of and firm that Bharat is Hindustan, a Hindu rashtra.  This is the RSS line. India is already a Hindu society. The RSS will make it a Hindu state as well. The BJP-ruled states vie with one another to shower favours on the RSS.  The former chief minister of Maharashtra, Devendra Fadnavis, who hails from Nagpur, the HQ of the RSS and belongs to it, granted a waiver of stamp duty and registration of property charges to the Nagpur-based and RSS-affiliated Research for Resurgence Foundation. It was cancelled after the last elections by a coalition opposed to the BJP and the RSS.  Take a deeper view; such a divide is a threat to democracy. Every democratic state rests and works with the consent of the people based on a consensus on the fundam-entals between them.  If that consensus is wrecked, democracy cannot survive. Constitutional mechanisms will eventually fail. In the event such a divide erupts, a change of government would in fact be `a revolution disguised under a con-stitutional procedure`. That would be sufficient to damage a democracy.  The entire working of the parliamentary system depends on mutual respect and accommodation between the government and opposition. Once each regards the other as an enemy, the system collapses.  There is continuous consultation between the whips of both sides. As Ivor Jennings pointed out `the absurdity of a system in which the government postpones its own business in order to let the opposition threaten death and damnation is only apparent. The opposition is not just a nuisance to be tolerated, but a definite and essential part of the constitution. Once it is accepted that opposition is not only legitimate but essential to the maintenance of democratic government, the need for arrangements behind the speaker`s chair follows naturally. Standing orders and the practice of the house enable each side to exercise its properfunctions.Ifeitherpresseditsrights to the uttermost, the parliamentary system would come to an end`. The writer is an author and a lawyer based in Mumbai. |