The Indian Parliament, a promise spurned

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The relative distance from the din and dust that the lamentable turn Indian Parliament took in December 2023, gives us a vantage point to review the state of this foundational institution of public life of the most populous country in the world today. It was one of the gravest security lapses the House has witnessed in its history when two young men with gas canisters jumped on to the floor of the Lok Sabha from its gallery and spread pandemonium there for reasons little known so far.

The incident led to a stand-off between the Opposition and ruling party, eventually leading to the suspension of 146 members of both Houses of Parliament, from different Opposition parties. Much of the discussion on both these unprecedented events has hitherto focused on procedural and regulatory concerns. While they are important, it is also necessary to see the bearing of these events on the conception of a parliamentary government for India.

Having a parliamentary government

In historical hindsight, it may be worth noting that while progressive expansion of representation under the colonial aegis exposed a section of Indians to legislative processes, and some of them came under the spell of the Westminster system, the choice of the parliamentary form of government was the outcome of a closely deliberated process. There was much contestation within the Constituent Assembly, as well as outside it, regarding the form of government best suited for India: There were at least four stances around which the debate raged: presidential, Indian orthodoxy, Swarajist, and parliamentary.

Those who argued for the presidential system adduced reasons of stability, unity of the nation, primacy of centralisation, and drew heavily from the American model. Some of its apologists were also tilted towards religious and social majoritarianism. Those who argued for Indian orthodoxy pointed out that one of the cardinal beliefs of Indian anti-colonial movement was to establish a regime founded on Indian classical and tested institutional wisdom, although what it all meant was never spelled out. Those who argued for the swarajist model, defended themselves by invoking Gandhi, and sought a regime resting on village panchayats enjoying maximum powers and autonomy, the higher levels being endowed with those powers lying beyond the compass of the lower rungs.

The state of Parliament today marks a decline, where a dispensation that has found endorsement from the citizen community, hardly exerts itself to ensure that the political opposition is the voice of the nation

This debate was decisively won by those who were arguing for the parliamentary model. Those who marshalled this argument pointed out that there needs to be a decisive authority which can claim itself as the voice of the citizen community at large and being guardians of its mandate. The executive must be collectively responsive to this representative authority. If the executive loses the trust of the popularly elected House, it can no longer continue in office.

While this argument is akin to the defence of parliamentary representative democracies elsewhere, there were two additional arguments the protagonists of this position drew up. They pointed out that a parliamentary system marks a better space for minorities, in the political arena, to make their case in comparison to the presidential system and does not assume what is good for the citizen community in advance as other competing models do. The good of the citizen community is an outcome of debate and discussion in the representative body as a whole. Second, it has better capacity to reach out to ethnic and cultural differences as they can effectively rally in the choice of the representatives. Both these arguments implied that India's representative model encompassed great doctrinal, ethnic, and cultural pluralisms. Some of them may coalesce into a common fold overtime, but others may not, and new ones may sprout forth under conditions of freedom. Those who defended the parliamentary model on this ground also pointed out it was the authentic representative of the true spirit of India.

Pangs of creating an opposition

From the nature of the parliamentary system, it is obvious that such a regime can endure and be effective only if it has stable support, but it has to be questioned and challenged to ensure that it remains faithful to the common good. It is a paradoxical demand: a majority that is elected regards that it has found endorsement from the citizen community, but the reason of the system says such endorsement must be constantly and critically validated by keeping the common good in view. Although the term, political party, did not find a mention in the Indian Constitution till the enactment of the Tenth Schedule, the dialectics of stable support and effective opposition could be institutionally operated only through a competitive party system.

Given the commandeering position the Congress party enjoyed in the First Lok Sabha, Jawaharlal Nehru was sensitive to the absence of an effective opposition, although when such an opposition took shape in the Parliament, he was not very comfortable with it. It is also important to point out that once the Opposition found its effective voice within the House, those radical voices which initially claimed that they took the route of franchise to wreck Parliament from within, were largely absorbed within it. Given the paradoxical challenge that a parliamentary system throws up, the ruling party at the Centre as well as in States, has not found it easy to face a sustained Opposition and employed all subterfuges to limit its space, but the logic of the system has constrained it to live with it.

The present state

Given the centrality of Parliament to India's chosen public life, its security breach is a breach inflicted on the nation as a whole. The demand of the Opposition to make this issue central in Parliament is, therefore, understandable. In this context, it was the duty of the leadership of both Houses to ensure necessary assurances and explain the lapses. It did not seem that the present leadership exerted itself in that direction.

On the contrary, they converted the insistent demand of the Opposition, however excessive it might have been, as an affront to the working of the Parliament. There are a range of parliamentary committees. The presiding officers could have taken the Opposition into confidence to form a committee on security, at the least. Was the leadership of the Houses kowtowing to the executive at the expense of their dignity?

Madhu Dandavate mentions an incident when Jawaharlal Nehru sent a note to Speaker Mavalankar which read, 'Sir, I have some urgent work with you. Will you come to my chamber?' Mavalankar wrote on the same note, 'According to the accepted conventions of parliamentary life, a Speaker does not go to the chamber of any executive, including that of the Prime Minister. However, if you have any work, you are welcome to my chamber.' Nehru apologised and obliged.

While the Opposition in the present Parliament is not a paragon of parliamentary virtue, it is the responsibility of the leadership of the House, including its presiding officers, that it becomes the voice of the nation. The suspension of almost the entire Opposition from both the Houses, can hardly meet this test. It is also important to restate the principle that it is not the truth that a ruling dispensation upholds that serves its claim to rule but its ability to defend the course that it pursues as the truth.

A Bangladesh 'one-party state' and India's options

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India has been joined by China and Russia in congratulating Bangladesh Prime Minister Sheikh Hasina on her return to power in yet another election without the participation of the principal opposition Bangladesh Nationalist Party-Jamaat-e-Islami coalition. Unlike China and Russia, India is a functional democracy and will have to live with allegations of United States-type double standards of 'democracy at home and support for autocracies abroad' to suit strategic interests.

With Ms. Hasina back in power for a record fifth time (fourth in a row), India stands assured of continuity in the excellent bilateral relationship it has with Bangladesh, as Ms. Hasina has certainly addressed India's security and connectivity concerns unlike any other foreign leader. But she cannot turn Bangladesh into a one-party state and count on Indian support as she often tends to.

Issue of irregularities

The world's most populous democracy having to back a friendly government sustained by three highly controversial elections sits uneasy on India's image as a global big player (if not big power). This also explains why anti-Indian sentiments are at an all-time high in Bangladesh – India's support for an increasingly autocratic regime sustained by rigged and non-participatory elections has not gone down well, especially with the youth (60% of the population in Bangladesh is below 25 years) who resent the massive corruption through large-scale bank defaults and extensive money laundering, the mismanagement of economy and the abnormal price rise that tainted the Hasina government in its third term after a decade of substantial economic growth.

That India's strategic partner, the United States, and its European and Asian allies are intensely critical of the Bangladesh elections makes it doubly difficult for India to defend elections where large-scale false voting under the active watch of the uniformed forces has been reported to boost voter turnout statistics or to ensure the defeat of candidates unacceptable to Ms. Hasina's close circles.

The Bangladesh Parliament now resembles an extended national Council of the ruling Awami League, with 61 independents from the party (allowed to contest to boost participation) emerging as the main 'Opposition bloc' to the League's 223 elected Member of Parliament in a 300-member House.

An adviser's long shadow

Analysts see this election as "a firm step towards a one-party police state". But Ms. Hasina's adviser, Salman F. Rahman, sought to justify the absence of Opposition by referring to the Indian situation. "The Indian parliament does not have an Opposition leader because the Congress failed to get the mandatory ten percent seats needed to get that. Should we call India a one-party state?" Mr. Rahman was quoted as saying.

Mr. Rahman is at the heart of many unseemly controversies faced by the Awami League such as stock market scams, large-scale money laundering and bank defaults, and now electoral frauds such as the use of under-age children caught on camera voting by turn several times over. His Bangladesh Export Import Company Limited (Beximco) conglomerate is synonymous with crony capitalism eating into the vitals of a vibrant economy and his political influence on Ms. Hasina has earned him the adage of being the de facto Prime Minister.

He is also spearheading the Awami League's new Islamist agenda that operates at the political and social levels – electoral understanding with Islamist groups such as the Hefazat-e-Islam and a push for the government's plans to create 560 model mosque cum islamic cultural centres which could supplant the vibrant syncretic and secular Bengali linguistic cultural space that paved the way for Independence and sustained Bangladesh's largely secular identity .

Immediately after securing her fourth consecutive term in office, Ms. Hasina described India as a "trusted friend" and recalled her seven years of personal uncertainties after the 1975 military coup that left almost her entire family dead. But most pro-Indian elements in the Awami League have been eliminated in three stages – nominations, poll process and then during the formation of the cabinet and parliament committees. So, India's only hope of having some actual influence is to push Ms. Hasina hard to induct some pro-Indian leaders in the cabinet.

Subject of New Delhi's regional influence

India battling with its western allies over Bangladesh will be at considerable diplomatic cost at a time when New Delhi needs them to keep China in check. The loss of influence, both at the decision-making and popular levels, in Bangladesh is unacceptable and a double-whammy, more so because it comes in the wake of India's loss of influence in almost the entire neighbourhood, from Nepal to the Maldives, and calls into question Prime Minister Narendra Modi's much trumpeted "Neighbourhood First" policy.

A very prominent Indian business house and its political patrons may feel happy over the lucrative power purchase agreement signed by the Hasina government, but it is poor compensation for the actual loss of influence.

It is time India stops putting all its eggs in the Awami League basket and takes a close look at genuinely secular platforms in the gender, minority, labour and youth spaces where there could be potential for a party like India's Aam Aadmi Party to emerge. This could also help India avoid a dilemma that it faced in 2001 when the A.B. Vajpayee government tried to establish good relations with the BNP-Jamaat coalition government (Ms. Hasina blamed India's Research and Analysis Wing for her defeat) only to regret the spurt in Islamist radicalism spilling over into Indian territory.

> Even as India stands assured of continuity in its good bilateral ties with Bangladesh, it cannot ignore its loss of influence in the Awami League as well as western criticism of the controversial elections