

**Parliaments in India:
Is There Order Midst the Chaos?**

By

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Abstract

Indian parliaments, both at the center and in the states, are characterized by repeated disruptions that appear to interfere with their ability to serve as forums for the translation of public sentiment into public policy. The question asked is “How can India be considered ‘the world’s largest democracy’ when parliamentary institutions appear dysfunctional?” Both the parliamentary chaos and the democratic attribution are described. Then, the “chaos” is assessed. What we find is that much of the disruption actually has some democratic content—apparently enough to off-set the negative consequences it engenders.

The implications of this finding are several: Disruptive activities may have both functional and dysfunctional impacts. The critical factors determining the nature of their impacts on democracy appear related to both the nature of the activities and the context within which they take place. Contextual factors like the culture, history, and demography of the country appear to be significant determinants of the effect of disruptive activities on democracy in India.

I. The Problem

The puzzle addressed in this paper is the contradiction between what many scholars consider a requisite of democracy and the practical experiences of India. The requisite is the presence of a legislature where thoughtful debate among elected representatives produces public policy. That requisite (premise #1) and a widely made observation (premise #2) lead logically to the conclusion that India is not a democracy:

1. If the legislatures of a country do not function properly, then that country is not a democracy.

2. India’s legislatures do not function properly.

Therefore, India is not a democracy.

This conclusion, though, contradicts the widely held belief that India is the world’s largest democracy. The objective of this paper is to describe and resolve this puzzle.

In order to accomplish this task, we will: (1) Present evidence to show that the non-disruption of parliament is widely viewed as a requisite of democracy; (2) describe the disruption of India’s parliaments to show its forms and prevalence; (3) describe the scholarly studies that indicate India practices democracy; (4) describe the concerns of India that parliamentary disruptions may be undermining Indian democracy; (5) assess the forms of disruption to determine whether they have democratic content; and, (6)

consider the implications of these findings both in resolving the puzzle and in the development of a more nuanced understanding of the relationship between parliamentary disruption and democracy.

This study is based upon reports contained in hundreds of articles dealing with parliamentary disruptions from a variety of Indian newspapers, Indian government reports on the extent of such disruptions and efforts to promote “discipline and decorum in parliament and state legislatures,” the limited scholarly writings in journals and books on the subject, and discussions with scholars in India.

II. The “Theory” and Expectations of Parliamentary Democracy

The broad outline of parliamentary democracy is widely known. People elect representatives to parliament. These members of parliament debate the appropriateness of legislation to accomplish societal goals. For that debate to lead to useful legislation that has popular support, sets of procedures have been adopted to assure fair and thorough discussion by all. In theory, parliaments translate popular wishes into public laws. Anything which interferes with that translation, interferes with democracy.

In the words of professor Shaileja Upmanyu,

In the Indian political system the parliament is the supreme representative body of the people and the legal repository of their ultimate authority. It is the highest organ of democracy and the custodian of the liberty and well being of the society. Parliament is the heart of the constitutional government and administration of the country. It is a sensitive radar of national sentiment....¹

At the center, the Lok Sabha, formally the House of the People, is the most important parliament in India, though it shares power with the Rajya Sabha, formally the House of the States. Each state has its own parliament, the Vidhan Sabha, and a few states have two houses of parliament. Although the problem of disruption recurs in the many legislatures below the center and the state level, we limit the scope of this study to the central and state parliaments alone. For the parliaments to perform their critical function in the maintenance of democracy, rules of parliamentary decorum have been clearly specified at the center and in the state parliaments—indicating the behavior expected of members.

A. Behavior Expected in the Lok Sabha and Rajya Sabha

There are long and detailed lists of what are appropriate and inappropriate behaviors in the Lok Sabha contained in the *Rules of Procedure and Conduct of Business in the Lok Sabha*.² In addition, extensive procedures are outlined for the expunction of “unparliamentary expressions” from the proceedings of the House, indicative of the formal concern for decorum and etiquette in parliament.³

Perhaps, the foremost scholar on the Lok Sabha, Subhash C. Kashyap, has described the essence of the etiquette expected of members of parliament in the following words: “For the orderly, smooth and efficient dispatch of business and for the accommodation of all shades of opinion in the House, the atmosphere in the nation’s supreme deliberative forum must be solemn and dignified.”⁴ The conduct of its members should “be characterized by a high standard of dignity, grace, mutual respect and courtesy...”⁵

The commitment of parliament to the orderly conduct of business in the Lok Sabha was reiterated at the time of the 50th anniversary of independence in a resolution adopted unanimously. According to Kalpana Rajaram, the resolution said:

We, the members of the Lok Sabha...Having remembered with gratitude the great sacrifices made and the salutary services rendered by our freedom fighters...Do now solemnly affirm our joint and unanimous commitment’ that ‘the prestige of Parliament be preserved and enhanced.’⁶

He noted that they also affirmed their commitment to “‘dignified conformity’ to the rules of procedure...maintaining the inviolability of the question hour, refraining from transgressing into the official areas of the House or from any shouting of slogans.”⁷

B. Behavior Expected in the Vidhan Sabha

Similarly, adherence to orderly procedures is deemed critical to the functioning of the Vidhan Sabha, as the case of Andhra Pradesh illustrates. The *Rules of Procedure and Conduct of Business in the Andhra Pradesh Legislative Assembly*, Schedule IV, titled “Supplementary Norms of Etiquette,” includes such strictures as:⁸

Members should not talk amongst themselves when the House is at work, but, if indispensably necessary, they may do so only in very low voice so as not to disturb the proceedings.

Every Member should resume his seat as soon as the Speaker rises to speak, or calls out ‘Order’ and also when any other Member is in possession of the Floor (i.e., speaking with the permission of the Chair) or has interposed in the course of the debate to raise a point of order, or to offer a personal explanation.

Members wishing to address the House or ask a question should raise their hands until they succeed in catching the eye of the Speaker. No member should speak unless he or she has caught the eye of the Speaker, and has been called upon by him by name or by a sign to address the Chair or to put the question.

Words containing insinuations, and offensive and unparliamentary expressions should be carefully avoided by all when addressing the chair.

No member is to argue with another Member or oppose him directly when the latter is speaking....⁹

Thus, the importance to democracy of orderly procedures for the conduct of business in parliaments both at the center and at the state levels has been affirmed in rules and resolutions.

In the thinking of many scholars, disruptions violate rules put in place for the orderly functioning of parliaments in India. And, the orderly functioning of parliaments they view as a requisite for democracy. This view was affirmed by Satbir Singh Kadian, the Speaker of the Haryana Legislative Assembly in 2001:

The first pre-requisite for the practical and successful democracy is to ensure unobstructed, smooth and efficient functioning of parliamentary institutions. If these institutions are perpetually assailed by disorders and disturbances, they will not be able to function smoothly.¹⁰

Yet, parliaments appear to be “perpetually assailed by disorders and disturbances.”

III. Disruptive Behavior in Indian Parliaments

The seriousness of the problem of disruptive behavior in India’s parliaments, is reflected in the commentaries of many observers. Khushwant Singh, a well-known columnist, mixed his expressions of frustration with humor when he wrote in August 2006:

The more I see of the way our two Houses of Parliament conduct their ‘business’, the more I feel that our Parliamentary system of governance is on the verge of collapsing. Most of my friends agree with me. The Monsoon Session clearly showed that it has been dismal failure. It was one adjournment after another on issues of trivial importance. Several mornings just about all the members were on their feet shouting at each other.

You could not make out what they were saying. Some are known shouters. A Sardarji who has a most impressive personage used to be the loudest shouter when he was with the Congress. He is today the champion shouters for the BJP. In all the years he has been an MP, I haven’t heard him make a single coherent speech. There are quite a few others like him.¹¹

A Senior Advocate of the Madras High Court, Arvind P. Datar, observed that “The hallmark of an effective parliamentarian now seems to be the ability to shout and disrupt proceedings, preferably from the well of the House.”¹² And, he added, “Paralysing House proceedings does not solve any problem. In the long run, it will only affect the credibility of Parliament as an institution”¹³

A similar point of view was expressed by the former editor of the *Times of India*, Inder Malhotra, a month later:

Even those of us who had despaired of the unspeakable and apparently unstoppable plummeting of parliamentary standards – daily barracking, abusive exchanges, and, above all, the lemming-like rush to the well of the House – had never anticipated that things would descend to such low depths as they have.¹⁴

He observed,

In most countries where democracy has been smothered, only military dictators have dissolved and locked up Parliaments. Is the world's largest democracy going to have the ignominy of its Parliament being shut down by veteran parliamentarians themselves?¹⁵

In the midst of the Tehelka scandal in 2001 involving corruption in defense deals, Rajeev Dhavan wrote:

It is a disservice to democratic governance to bring Parliament to a grinding halt, paralyse its working and hold it to ransom unless demands, however justified, are met. If the institutions of democracy fail, democracy itself will fail. It is not enough to hold periodic elections. The institutions for which elections take place must work effectively.¹⁶

Pran Chopra, a political analyst and former chief editor of the *Statesman*, wrote that year that parliamentary behavior was different in the 1950s and 1960s.

The guilty were few in those days, and so the rest were able to shake heads tolerantly on what they saw only as untrained exuberance on the part of newly elected members who had yet to digest the unfamiliar sense of power which the vote had given them. But today the guilty are many, in all parts of the House and they are drawn from all sections of society. So the contagion spreads. What those in one legislature do today they are able to do because others in other legislatures had done it yesterday.¹⁷

He continued,

There is neither need nor justification now for parties to flout the rules of parliamentary democracy. Yet they continue to do so, and thus make themselves and their leaders contemptible in the public eye. One doubts whether there has ever been a time when public esteem for Legislatures and legislators, and for politics and politicians, has sunk as low as it has today, with obvious consequences for the future of democracy. They may have come closer than they realize to dragging India also into the graveyard where many countries have buried the democracy they had once boasted of. That is a sad footnote to add so soon to the recent celebrations of India's democracy- the '50 years' and the millennium celebrations, and the soul searching session of the Lok Sabha at which members pledged themselves to better behaviour.¹⁸

He argued that the cause seemed to be a change of thought. "If public respect for Parliament is diminishing by the day it is because its members, including some upon whom it has conferred the title of Parliamentarian of the Year, now believe that public causes are best served by public display of high visibility disorder."¹⁹

Two years later, he observed the same phenomenon: "When Parliament is stifled by disorder democracy is muzzled. Parliament is the highest forum the people have chosen for voicing their views, and if they are silenced there democracy is silenced as much as it may be by a dictator."²⁰ He warned that "the virus of the discord which breaks out in that 'well' so often is spreading throughout the polity. It is depriving Indian democracy of its life-saving quality, that it has hitherto been consensual by nature."²¹

Similarly, the Speaker of the 13th Lok Sabha, G.M.C. Balayogi, has contended that the problem is getting worse and worse.

The problem of indiscipline in our Legislatures has been a matter of concern for a long time. Over the years, though several guidelines and conventions have been developed to regulate the conduct of legislators, the situation has only worsened with each passing year.²²

All this suggests the disruption of parliaments in India appear to be growing and to constitute a threat to India's democracy. To explore these disruptions, we will look at the techniques used to disrupt, the duration of the interruptions, and some descriptions of cases of disruptions at both the center and the states.

A. Forms of Parliamentary Disruption

Parliamentary disruption refers to acts which interrupt or impede the normal working of parliament. Such interruptions may be divided into two categories. The first entails actions which, primarily, affect the working of parliament directly. They range from acts which completely stop parliamentary action, e.g., those which lead to adjournments, to acts which merely interfere with the conduct of business without leading to the adjournment of parliament, e.g., a moderate level of shouting or interrupting speakers. Clearly, the latter may or may not escalate to produce the former. Whether it does or does not depends in part on the actions and judgment of the Speaker, the leaders of the political parties in parliament, as well as the members themselves. The second entails actions which primarily affect the working of the parliament indirectly. They involve actions such as the members' absence or departure from parliament. Of course, the departure of members from the parliamentary chamber may have an immediate and direct impact on the functioning of that legislative body. What is common to all forms of disruptive behavior is the fact that they interfere, in some manner, with the way parliament is supposed to function as defined by its rules and procedures.

1. Primarily Direct Impact

The extent and impact of various forms of direct disruption vary greatly from widely employed noise to threatening movement toward the podium to symbolic protests through dress.

a. Creating a din: Shouting and yelling when not recognized to speak is the most common form of disruptive activity. Generally, it is initiated by the Opposition, but a response by members of the ruling coalition may be provoked. It can range from heckling by an individual to a chorus of complaints the aim of which is to either express disagreement or to make it impossible for a recognized speaker to communicate. Thumping the desk is normally a sign of approval rather than noise meant to disrupt, though the added din may make the conduct of business more difficult.

b. Rushing the well: MPs (members of the Lok Sabha or Rajya Sabha) or MLAs (members of the Vidhan Sabha/Legislative Assembly) will often rush into the well, the area in front of the Speaker's podium, in an effort to more forcefully voice their complaints. Conducting business from the podium becomes more difficult as a consequence. While in the well, they may perform a dharna and/or a sit-in and/or create noise and/or wave placards.

c. Rushing the podium: They may rush to surround the podium or simply to be close to the podium. Their physical presence may threaten whoever occupies the podium and the noise they create may make it even more difficult to continue operations.

d. The use of sit-ins: Associated with rushing the well and, less frequently, the podium, may be a sit-in or dharna that creates a dysfunctional atmosphere in the parliamentary chamber.

e. The use of placards: Sometimes when the MPs or MLAs are making noise, rushing the well or the podium, they will be waving placards with a protest message on them. Clearly, such protests are planned beforehand.

f. The use of distinctive dress: As part of other forms of disruption, unusual dress may be worn to emphasize a reason for the protest or the solidarity of protesters. The degree of disruption caused is minor, but it fosters an understanding of the motivations for disruptive behavior. For example, in the Tamil Nadu Assembly in 2003, CPI(M) men entered in black shirts and women in a black saris. Their dress elicited a question from the Chief Minister about why they were dressed that way. They were protesting the withdrawal of free power supply from farmers.²³

2. Primarily Indirect Impact

The absence of members of parliament may be disruptive, too. One of the roles parliaments are supposed to play in a democracy is to allow debate between proponents

and opponents of possible legislation. That is unlikely with the absence of the Opposition. In addition, the absent parliamentarians may be engaging in a variety of protest activities that indirectly distract the remaining MPs or MLAs from their work.

a. The use of walkouts: At numerous times, the Opposition, or parts of the opposition, will walk out of the Assembly or House in protest against an action or the absence of an action. Some observers argue that a walkout, rather than disrupting parliament, reduces the level of disruption. It rids the chamber of the disrupters. Yet, as noted above, direct disruption occurs when the members are departing, the members may engage in activities outside the parliamentary chambers that distract the remaining MPs or MLAs, and their absence may eliminate an opposition deemed necessary for democracy.

b. The use of boycotts: Members may refuse to attend parliament, parliamentary committee meetings, meetings of the Business Advisory Committee or meetings with the Speaker as a protest over something. The boycott may be selective and target a particular individual, i.e., the members will refuse to come to parliament or other gatherings when that individual is likely to be present. The disruptive affects are similar to those of a walkout.

c. The use of suspension by those suspended: When disruption goes to such an extent that business can no longer be conducted, a motion may be moved to suspend the disruptors. Strictly speaking, it is not a form of protest because it is meant to suppress disruptions. Nevertheless, those suspended may use their suspensions in a manner similar to the use of walkouts and boycotts. The extent to which suspension is used to overcome disruption seems to vary considerably from parliament to parliament. In some parliaments, it is virtually never used while in others it is frequently used. Suspension itself may stimulate further disruption for the marshals must come in and sometimes they must carry the parliamentarians out of the parliament when they refuse to leave.

d. The use of external demonstrations: When members are expelled from, walk out of, or boycott the parliament, they may engage in a sit-in or demonstration in front of the Speaker's office or parliament building. Like the parallel assembly, such a protest action is not directly disruptive, though it fosters an atmosphere of chaos around the legislative body.

e. The use of a parallel assembly: After a walkout or a suspension, further protest may take place. Sometimes this takes the form of a kind of theater in which those who walked out or were suspended play the role of both the Government and Opposition in a make-believe parliament or assembly. Like other forms, this is not directly disruptive, though it detracts from the attention the press may give to the real law-making body

These are the more common means of disrupting parliaments, though there are many others. Among the other forms are tearing up of proposed legislation or, less frequently, the physical destruction of equipment and furnishings in the legislative chamber.

B. Duration of Disruptions

Most observers have argued that disruptions were rare in the early years of India's independence, but have become increasingly significant. This observation seems to be substantiated by the available evidence. The most complete records of the number of hours lost due to disruptions is that compiled by the Lok Sabha for the Lok Sabha. Nevertheless, it should be viewed as a conservative measure. The records do not include the period when MPs were trying to block the continuation of business but were unsuccessful or the period of time occupied by walkouts, boycotts or suspensions.

Disruptions became a serious matter during the 9th Lok Sabha (December 2, 1989-March 13, 1991). Beginning with the 10th Lok Sabha records were kept of the time lost during the actual disruption and the period of adjournment forced by the disruptions. The summary figures for the 10th through the 8th session of the 14th Lok Sabha are given in Table I:

Table I

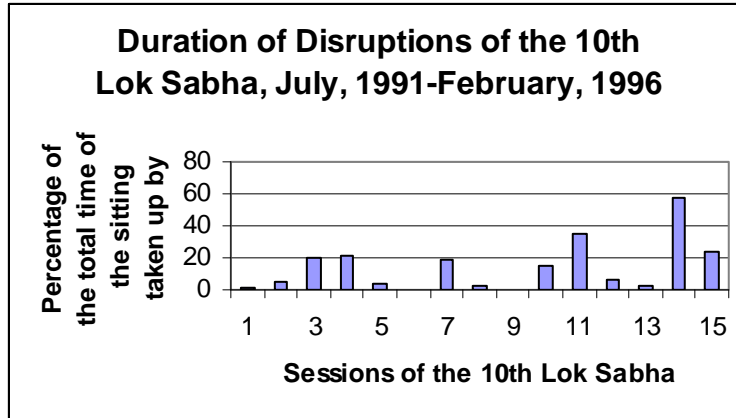
Summary of the Proportion of the Sitting Time of the Lok Sabha Lost to Disruptions, 10th through the 8th Session of the 14th Lok Sabha

Lok Sabha Number and Duration	Percent of Sitting Time Lost to Disruptions
10th (July, 1991-February, 1996)	9.95
11th (May, 1996-December, 1997)	5.26
12th (March, 1998-April, 1999)	10.66
13th (October, 1999-January 2004)	22.40
14th (First 8 Sessions, June, 2004-August, 2006)	38.00

Source: For the 10th Lok Sabha, Subhash C. Kashyap, *History of the Parliament of India, Vol. VI* (Delhi: Shipra Publications for the Centre for Policy Research, New Delhi, 2000), p. 208. For the 11th, 12th, 13th and 14th Lok Sabha, "Frayed tempers cost Parliament dear: Report," *Deccan Herald*, January 20, 2006. URL: <http://www.deccanherald.com/deccanherald/jan202006/update1027442006120.asp> Accessed February 5, 2007.

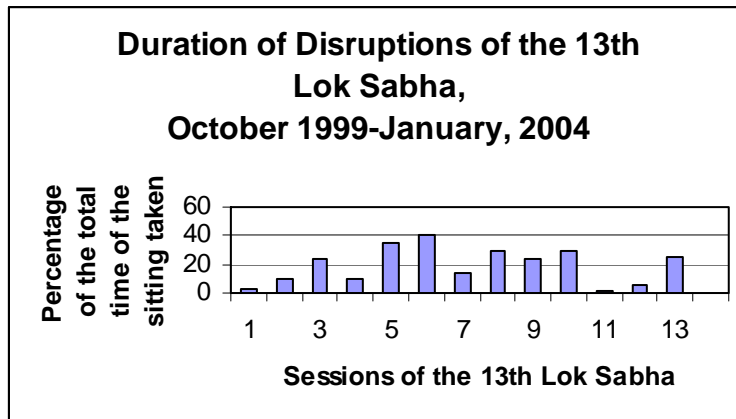
The breakdown of disruptions by sessions for the 10th, 13th and the first 8 sessions of the 14th Lok Sabha are in Tables II, III, and IV, respectively.

Table II



Source: Subhash C. Kashyap, *History of the Parliament of India, Vol. VI* (Delhi: Shipra Publications for the Centre for Policy Research, New Delhi, 2000), p. 208.

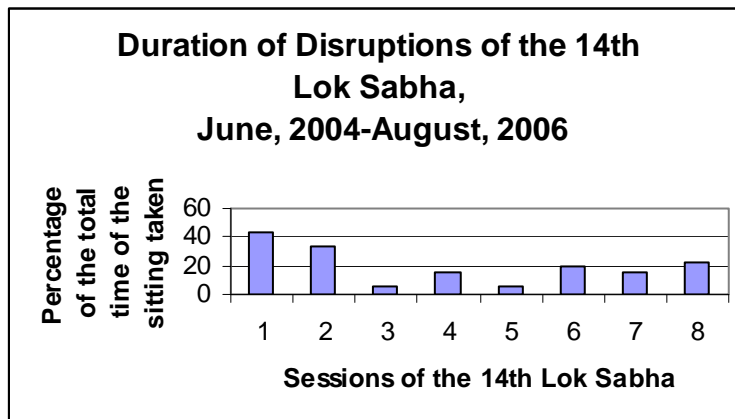
Table III



Source: Lok Sabha, “Resume of Work Done by Lok Sabha (Thirteenth Lok Sabha),” Sessions I (20-29 October, 1999) to XIV (2-23 December, 2003 & 2-29 January, 2004).

<http://164.100.24.208/ls/row/row13.htm> Accessed February 1, 2007.

Table IV



Source: Lok Sabha, “Resume of Work Done by Lok Sabha (Fourteenth Lok Sabha),” Sessions I (2-10 June, 2004) to VIII (24 July-25 August, 2006).

<http://164.100.24.208/ls/row/row.htm> Accessed February 1, 2007.

Disruptions have affected the Rajya Sabha, too, although neither summary nor sessional data are available to indicate their duration. Nevertheless, some reported information gives one a sense of the similarity of the problem in the two houses of parliament at the center. According to Social Watch India’s “Citizens Report on Governance and Development—2006,” during the 201 and 202 sessions (December 2, 2003-June 10, 2004) of the Rajya Sabha, 46% of the time was wasted.²⁴ Similarly, there are no summary or sessional data for the Vidhan Sabha, although newspaper reports suggest that the time lost is similarly substantial.

Clearly, none of the efforts to solve the disruption problem have succeeded with any permanency. Indeed, the summary figures suggest the disruptions are taking up a larger and larger proportion of the sitting of the Lok Sabha.

C. The Nature of the Disruptions

There are media reports on hundreds of parliamentary disruptions. In order to get a sense of these disruptions, a set of descriptions of a variety of cases that illustrate many of their characteristics is presented. The format of disruptions appears relatively similar at all levels.

1. Illustrations of disruptions at the “national” level

In late 2000, the Congress party sought through a censure motion to force the resignations of three Cabinet ministers charged in the Babri Masjid demolition case, but the Speaker, C.M. Balayogi, contended that the rules did not permit him to accept the motion because the matter was sub judice.

The result was that as soon as the Houses met, Congressmen rushed into the well of the House, both in the Rajya Sabha and in the Lok Sabha....

With agitated members of several Opposition parties shouting simultaneously, nothing could be heard. The Rajya Sabha was adjourned within a minute after the Congress and BJP leaders used their lung power. In the Lok Sabha, pandemonium prevailed for several minutes while Mr. Balayogi read out his ruling, but everybody seemed to be shouting and nothing could be heard. While Congress and SP MPs rushed into the well of the House, MPs of the RJD, the AIADMK, the Left, the BSP were on their feet speaking simultaneously.²⁵

In late 2005, a scandal developed over the possible involvement of Natwar Singh, the Minister of External Affairs, in taking advantage for his family's benefit of the Oil for Food exchange with Iraq. The Opposition used the issue in the Lok Sabha to attack the Government.

Opposition members stormed the well of the House shouting anti-Sonia slogans. The treasury benches countered with slogans against Advani and NDA convener George Fernandes. The Speaker then adjourned the House till 3.30 p.m. and for the day when it reassembled only to face more fury of the Opposition.²⁶

The same day, the issue disrupted the Rajya Sabha.

In the Rajya Sabha, a vociferous Opposition did not allow any business to be conducted as they demanded the arrest of Mr Natwar Singh....As soon as the House assembled for the day, BJP Members, led by Leader of the Opposition in the House, Mr Jaswant Singh, and Ms Sushma Swaraj demanded that a FIR be registered against Mr Natwar Singh immediately....²⁷

In August of 2006, in the Lok Sabha,

The plight of farmers across the country led to the adjournment of the Lok Sabha for the day on Tuesday when the Opposition, led by the Shiromani Akali Dal (SAD), sought the suspension of question hour to discuss the issue....

The matter led to adjournment twice before the House was adjourned for the day as Speaker Somnath Chatterjee's requests to allow the issue to be taken up after question hour—since it was already scheduled in the day's proceedings—was not heeded. Some of the slogan-shouting Opposition MPs trooped into the well of the House in support of their demand. The Treasury Bench countered with slogans against the NDA.

At one stage Mr. Chatterjee described the Opposition as 'anti-labour and anti-farmers' which did not want the issue to be discussed. 'It is very unfortunate and you are not doing any justice to your cause,' he said. This led to further pandemonium and subsequent adjournment. When the House re-assembled, the

Speaker withdrew his remarks and said that he had commented ‘out of exasperation’ at the disruption of business.²⁸

The same month the Rajya Sabha was disrupted on another issue:

In a rare show of solidarity, the entire Opposition, along with United Progressive Alliance (UPA) allies—the Left and the Samajwadi Party—on Thursday forced two adjournments in the Rajya Sabha on its demand for a unanimous parliamentary resolution or a statement on the India-U.S. nuclear declaration.²⁹

The Rajya Sabha was abruptly adjourned on Wednesday as slogan-shouting members of the Samajwadi Party, the Telugu Desam Party and the All-India Anna Dravida Munnetra Kazhagam trooped into the well, demanding the resignation of Finance Minister P. Chidambaram over certain references made to him in a book on stocks scam.³⁰

Rajya Sabha was adjourned on Monday for 45 minutes during zero hour after slogan-shouting Samajwadi Party and BJP members stormed into the well demanding a discussion on BJP leader Jaswant Singh’s letter to Prime Minister Manmohan Singh on the presence of a ‘mole’ in the Prime Minister’s Office during P.V. Narasimha Rao’s rule.³¹

These examples are sufficient to provide a sense of what is involved in the disruptions in the Lok Sabha and Rajya Sabha.

2. Illustrations of disruptions at the state level

To illustrate the character of disruption in Vidhan Sabha, a brief description of a Gujarat incident, a longer one of an Andhra Pradesh case, and an exceptional case from West Bengal provide a sense of state-level disruptions.

a. Gujarat Assembly: In September 2005, when the leader of the opposition demanded a debate on corruption charges, the Speaker disallowed it midst shouting of slogans by the opposition. Then,

The Speaker adjourned the House for 30 minutes but when it re-assembled, the disturbances continued and he was forced to adjourn the House for the second time till recess.

When the House met after recess, the Congress members resumed their demand for discussion and some of the members came to the well of the House and sat on a dharna chanting slogans. The Speaker summoned the House sentinels [marshals] and ordered them to evict the slogan-shouting Opposition members. Some of them who resisted were physically lifted out of the House.

The Opposition members went round the corridors of Assembly precincts carrying placards against the “corrupt” Modi Government and held a parallel “mock” Assembly session in front of the Chief Minister’s cabin [office] mocking at even at the Speaker for conducting the House “as per the wishes” of Mr. Modi.³²

b. Andhra Pradesh Assembly: The Telangana Rashtra Samiti (TRS) seeks to create a new state by splitting the Telangana portion of Andhra Pradesh from the rest of the state. In the 2004 Lok Sabha and Vidhan Saba elections, it joined with Congress in an electoral alliance. The Congress victory in the state and at the center resulted in the party taking ministerial positions both at the center and in the state. But, Congress did not move forward toward the creation of the state of Telangana, so TRS resigned its ministries first in Andhra Pradesh and then at the center. In August 2006, it disrupted the Vidhan Sabha for several days in pursuit of a resolution of support for, or opposition to, the Telangana state. At the same time, the issue was raised in the Lok Sabha and a fast was initiated by the party leader, K. Chandrasekhar Rao (KCR), who was a member of the Lok Sabha.

The second day of the disruption was much like the first:

In a repeat of what happened on Wednesday, the TRS members gathered at the Speaker’s podium, held placards and raised pro-Telangana slogans as soon as the proceedings began. When his repeated appeals to the members to resume their seats failed, Speaker K. R. Suresh Reddy adjourned the House for an hour.

When the House reassembled, the TRS members showed no signs of relenting. They continued with their noisy demonstration forcing the Speaker to adjourn the House, this time for the day.

To add colour to their protest, TRS MLAs wore white T-shirts with maps of Telangana in pink drawn on them. They held placards accusing the Congress of betrayal and photographs of AICC president Sonia Gandhi campaigning in Nizamabad wearing a pink scarf....

Like yesterday, the TRS gave an adjournment notice demanding that the House take up a resolution on Telangana, but the Speaker disallowed their adjournment motion. As his appeals for order went unheeded, Mr. Suresh Reddy adjourned the House for the day.³³

The mellow reaction of Congress to the TRS actions led to charges of complicity.

...Opposition parties slammed the TRS for stalling the proceedings and criticized the Congress for maintaining a stoic silence.

Accusing the two parties of enacting a ‘political drama’, TDP deputy leader N. Janardhan Reddy said the Congress seemed happy at the repeated adjournments as it prevented controversial issues from being raised in the House.³⁴

After the adjournment, the TRS members “stormed out” and blocked the road in the front of the Assembly in a rasta roko [a road blockade]. They raised slogans against the Congress high command and squatted on the road. Seventeen TRS legislators were “bundled into a police van and taken to Nampally police station.”³⁵

TRS stalled the Assembly for a third day on Friday. The Chief Minister “explained that the issue at stake was ‘basically sensitive’ and the Opposition parties too had counseled restraint and asked the Government not to act in a hurry.” A TDP representative said that was not true. “...CPI(M) leaders said their party was ready for a debate on Telangana and asked the Congress to spell out its stand on the issue. ‘Congress wants to use our shoulder to shoot at TRS by saying that though it was ready for granting the State, the CPI(M) was opposing’. They dared Congress to bring a bill in Parliament with the help of the Bharatiya Janata Party.”³⁶

As soon as the session began on the third day of the TRS disruption, there was slogan shouting.

Waving placards, they rushed to the podium soon after Speaker K. R. Suresh Reddy disallowed an adjournment motion tabled by them demanding that a resolution for statehood be taken up for debate.

TRS members raised full-throated ‘Jai Telangana’ slogans, and indulged in heated arguments with the Chair.

The Speaker appealed to them to relent as also his assurance to allow debate on all Telangana-related issues like GO No. 610 were futile....

Later, TRS members trooped out and staged a noisy sit-in outside the Speaker’s chamber.³⁷

In an editorial on the matter, the *Deccan Chronicle* observed:

The TRS has been insisting on a debate on its adjournment motion on Telangana issue, followed by adoption of a resolution urging the Central government to form separate State. The TRS members claim that debate and voting on the resolution will expose the ‘true colours’ of all other parties—the Congress, Telugu Desam, CPI(M), CPI and the MIM – which are against separate Telangana—and this is the reason why all these parties are shying away from the issue.

Speaker K.R. Suresh Reddy has repeatedly pleaded with the TRS to raise the issue under different forms—such as calling attention notice under rule 74 or notice under rule 304—but this precludes voting on the issue. None of the parties has taken the initiative to break the impasse....The Congress and the TD are obviously wary of issues like acquisition of lands and implementation of GO Ms 610 coming up for short discussion because they have gathered a lot of

‘explosive’ material to blast each other for acts of omission and commission during their respective rule.³⁸

But, when they again tried to block business on Monday, 18 were suspended for the day. “Marshals physically removed some of the suspended members when they refused to leave....Thereafter, the TRS members staged a brief sit-in at the entrance to the lobbies and later held a mock Assembly on the premises. They re-enacted some of the scenes witnessed in the House. Naini Narasimha Reddy donned the role of Chief Minister, Kasipeta Lingaiah took the position of Leader of the Opposition and A. Govind Naik was the Speaker.³⁹

But, the next day, Tuesday, the TRS was back at it again as soon as the Assembly met: 15 were suspended.⁴⁰ Then the Telugu Desam took up the disruptions on a different issue as soon as the House started the Question Hour. “But soon the House plunged into pandemonium with Telugu Desam legislators raising slogans and rushing to the Speaker’s podium demanding that the State government drop the idea of handing over 37 acres of land belonging to Lidcap to a Singapore firm.”⁴¹

The TRS members repeated their activities of previous days and moved an adjournment motion demanding a resolution on Telangana. It was rejected along with 5 others on different subjects. The TRS members disrupted the session and “formed a ring around the podium.” Speaker K.R. Suresh Reddy suspended 18 of them for the 4th consecutive day. “For a change, TRS MLAs led by Floor Leader G. Vijayarama Rao wearing black T-shirts embossed with ‘We demand Telangana resolution’ did not put up any tantrums while leaving the House. They walkout out raising ‘Jai Telangana’ slogans.”⁴²

According to the *Deccan Chronicle*, the reason for the persistent disruption by TRS members was that “TRS members wanted to prove their loyalty to party founder K. Chandrasekhar Rao by obstructing the Assembly proceedings almost every day.”⁴³ It was the view of the Editors that, “Given the ‘sensitive’ nature of the Telangana issue, the ruling Congress exercised restraint....”⁴⁴ TRS did not get the resolution it sought and KCR backed off his fast.

c. West Bengal Assembly: In late 2006, the Vidhan Sabha was trashed. *The Hindu* described the incident as follows: “Trinamool Congress members damaged property, shred business papers and official documents, upturned desks and benches, yanked microphones off their holders and hurled broken furniture and sound-boxes at the Treasury benches....Six MLAs belonging to the Left Front, two staff of the Assembly and two journalists were injured when members of both sides of the House came to blows even as the violence spread to the lobbies.”⁴⁵

The Telegraph reporter, under the heading “What They Came Armed With,” listed “eggs and chicken legs;” and under the heading “What They Did With Bare Hands,” listed “Arjun Singh, Broke a giant table single-handedly and twisted microphones; Dulal Bar, Jumped on tables and benches and banged chairs on desks of officials making notes of proceedings; Aroop Biswas, Jumped into the well, took the mace and rushed towards the

door with the marshals running after him; Jyotipriya Mallick, Kept kicking the Congress benches, though his target was CPM...Flying microphones hit the front's Jiban Saha, Kartick Bag and Biplab Majumdar. In retaliation, front MLAs threw hurled boxes."⁴⁶

The West Bengal government opened the trashed Assembly for public viewing for six hours on the next three days. The Hindu estimated that over 100,000 people came to see it while the Speaker estimated that 130,000 came. Speaker Hashim Abdul Halim said "democracy inside the House has been murdered and raped by no other than the legislators themselves."⁴⁷

Yet, that was not the end of the destruction. Reports indicated that outside parliament, "Party supporters damaged State buses, set ablaze a police motorcycle and blocked roads in parts of the city..."⁴⁸ And, the party called a 12 hour bandh for the next day.

What was it that set off the disruption of parliament and set such violence? The Trinamool Congress MLAs alleged that the police harassed party leader Mamata Banerjee when she attempted to visit Singur where a dispute raged over the acquisition of land for a Tata Motors car manufacturing plant. Actually, she was turned back by the police. Two months later, party leaders said they would do it again if Mamata Banerjee was harassed again.⁴⁹

D. Summary: Characteristics of Disruptions

These cases suggest several observations:

1. Objectives of disruption: The disruptions seem to have two objectives. The first is to attract public attention to something the Government is doing, or has done, that those who disrupt dislike. In a sense, the disruption allows the party or parties to highlight what it deems a fault of the Government and/or its "better" position. In such a case, the stance is not a pretext for there is an "honest" connection between the stimulus and the response. The second is to demonstrate power, i.e., the ability to act forcefully. It seems to be an attempt to use the issue for a purpose other than its advancement. In this case, the stimulus is a pretext for the demonstration of power.

2. Spontaneity of disruption: Very few of the disruptions seem spontaneous, though some cases are more obviously carefully planned than others.

3. Connection between disruption inside and outside parliament: That the objective of disruption is more than stopping parliamentary work is indicated by the frequent extension of activity outside the parliamentary chamber to the halls of parliament and outside the parliamentary building.

4. Geographical focus of disruption: Disruptions in the Lok Sabha and Vidhan Sabha may be over state as well as national issues. Indeed, there may be coordination so that disruptions occur in both over the same issue.

5. Timing of disruptions: Under what parliamentary motion issues are brought up is important for it may lead to a vote or may not depending on when it is raised. For example, adjournment motions contain “an element of censure for the Government’s acts of omission and commission.”⁵⁰

6. Concession and stopping disruption: Often, demands are met by the Speaker, but the concessions do not halt disruption for two different reasons: First, where the issue is a pretext, concessions do not meet the demands underlying it. Second, the timing may be wrong for the implications for the issue over which disruption occurs varies depending on when it is brought up.

7. Counter-protests and disruption: Reactions to efforts to disrupt may exacerbate the vehemence of the disruption.

In conclusion, the disruption of legislative bodies in India has changed the status of legislators and the popular view of legislative bodies. In 2001, the Vice-President of India and Chairman of the Rajya Sabha observed, “Today, Parliament and Legislatures create a new breed of heroes—the Well-rushing heroes, who hope to be elevated to instant national fame, straight from the Well of the House.”⁵¹ And, that same year Sonia Gandhi opined that today “The image which Parliament and the State Legislatures have projected on the public mind is one of disruption, indecorum, and shouting matches.”⁵²

IV. Democracy in India

Despite the problems of perception and disruption, most observers—whether they use qualitative or quantitative assessments—rate India as democratic.

A. Qualitative Assessments of Democracy

Although Sonia Gandhi may decry the popular image of parliament, she seems to feel that the reality belies the disrepute of parliaments engendered by disruptions. She has written that

Democracy is the single most important achievement of independent India, a political miracle. We are among the few countries who have translated independence for our country into freedom for our people. Parliament is the symbol of that miracle. Parliament is the ultimate guarantor of the continuation and strengthening of our democracy.⁵³

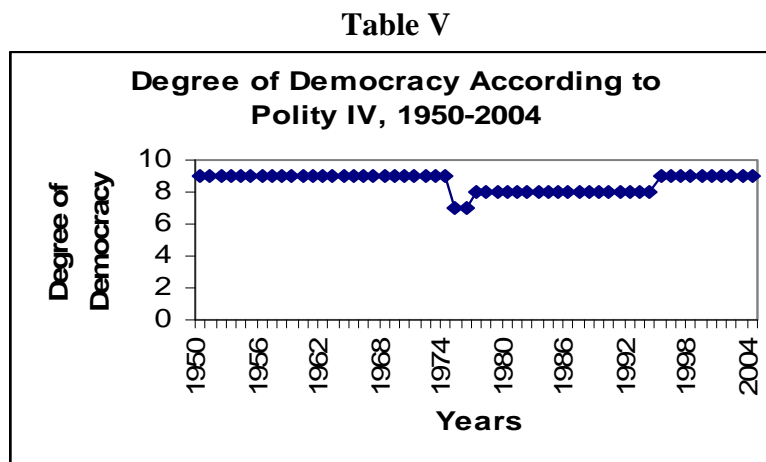
Others have joined her in proclaiming India democratic.

- Javeed Alam contends “Contrary to the general perception among the educated strata, it is possible to show that democracy in India has acquired deeper roots over the last 50 years. People are more favourably disposed towards it today...than they were in the post-Nehru era....”⁵⁴

- Manjoranjnan Mohanty contends that “The 50 years of post-independence politics in India can justly be celebrated as a struggle for democratic transformation. The greatest gain in the struggle has been the rise of democratic consciousness among the people and a comprehensive understanding of the meaning of democratic revolution.”⁵⁵
- Suhas Palshikar says “Ever since India became independent, there has been a general acceptance of democracy and a contestation on its meaning.”⁵⁶
- Ramashray Roy says: “It is true that democratic institutions have taken a strong and firm root.”⁵⁷
- Atul Kohli wrote “for more than five decades India’s democracy has succeeded against considerable odds.”⁵⁸ He suggests that the success has been less with regard to substantive accomplishments and more with regard to institutionalization.⁵⁹ And, he argues, “India is the most significant example of democratic consolidation in a postcolonial setting....”⁶⁰
- Ramesh Thakur says “The persistence of India’s democracy refutes a number of conjectures about the prerequisites and preconditions of democracy: per capita income thresholds, a dominant middle class, adult literacy, political institutionalization before mobilization, absence of deep and abiding social cleavages and so on.”⁶¹

B. Quantitative Assessments of Democracy

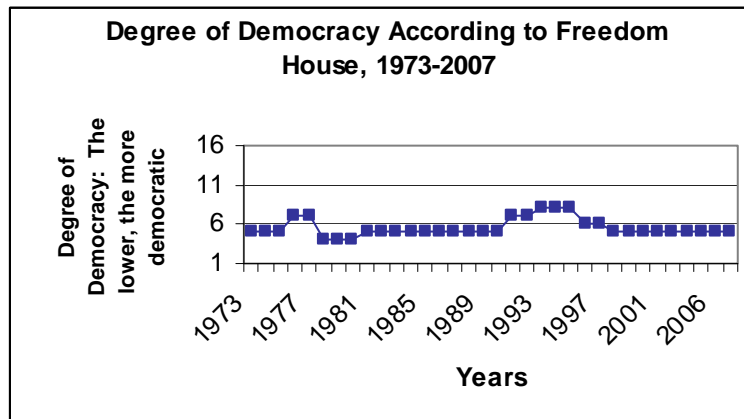
In addition, the major quantitative indices suggest that India is a democracy. According to the Polity IV measure, India has a democratic score of 9 on a scale of 10 as shown in Table V:



Source: Polity IV Project, “Political Regime Characteristics and Transitions, 1800 to 2004,” URL: <http://www.cidcm.umd.edu/polity/> Accessed February 15, 2007.

Similarly, for most of the last nearly 35 years, Freedom House has rated India as “free.” The combined political liberties and civil rights scores of “5,” on a scale of 16, place it in the bottom third of possible scores *where the lower the score the more democratic a country is.*⁶²

Table VI



Source: Freedom House, “Freedom in the World Country Ratings, 1972-2006,” URL: <http://www.freedomhouse.org/template.cfm?page=5>

C. Cautions Regarding Indian Democracy

Despite the categorization of India as a democracy by scholars and quantitative indices, there are qualifications to this attribution. That is, some scholars say that it has imperfections. For example, Freedom House contends that “India is a mature democracy....” Yet, it states that “Despite the vibrancy of the Indian political system, effective and accountable rule continues to be undermined by political in-fighting, pervasive criminality in politics, decrepit state institutions, and widespread corruption.”⁶³

Kohli in an early work wrote that “The breakdown of political order in contemporary India puts into question the future capacity of the Indian state to govern.”⁶⁴ He contended that “One unsettling conclusion of this study is that India’s democracy has itself contributed to overpoliticization of the Indian polity.”⁶⁵ And, he argued that “The spread of democracy has mobilized a diversity of new groups. As a result, power conflicts aimed at gaining access to the state’s resources have proliferated.”⁶⁶

Javeed Alam suggests that “In comparison to the western experience, Indian democracy presents us with paradoxes, though in relation to its own history, there are no anomalies. It has been successful, following a path of its own.”⁶⁷ He argues that the masses are “severely disadvantaged in the purely institutional arena, in terms of both capabilities and assets. Therefore, the process gains in importance for them, where even the capacity to create a din can be converted into an asset. The process thus provides a possibility, though shifting and fragile, of correcting this disproportion”⁶⁸ More positively, he argues that “Indian democracy is not just the largest in the world, it is also becoming one of the

most vibrant. It has become the site for the display of power exercised by ordinary people.”⁶⁹

Rajendra Vora and Suhas Palshikar, in their introduction to an edited work assessing democracy in India, wrote that:

India does not have one authorized meaning of democracy, nor does it have any single set of practices that constitute ‘democracy’. Instead, democracy in India involves numerous claims and counterclaims, a bewildering web of contestations.⁷⁰

What these “cautions” seem to be arguing is two-fold: On the one hand, they seem to be saying that in terms of democracy as defined in the West, India has imperfections. On the other hand, they seem to be saying that the democracy that is evolving in India is unique. The latter may be an avenue to the resolution of the paradox between chaotic parliaments co-existing with substantial democracy.

V. Disruption as a Threat to Democracy

There is a chorus of Indian observers and practitioners, some of whom we have mentioned in previous sections, which views the disruptions of parliament, not as contributing to a unique Indian form of democracy, but as seriously undermining democracy in India. In other words, members of the chorus say that what has been happening in India’s parliaments is adversely affecting Indian democracy.

- Najma Heptulla, the Deputy Chairperson of the Rajya Sabha in 2001, noted that the lack of decorum and discipline in Parliament “is almost endangering our democratic institutions....”⁷¹
- According to G.M.C. Balayogi, Speaker of the 13th Lok Sabha,

The orderly conduct of Legislatures is conducive to the growth of democracy. To serve and survive, Legislatures must function effectively so as to instill faith and confidence among the people. This is possible only if they function smoothly and meaningfully in the larger interest of the people. The growing incidents of indiscipline being witnessed in recent times in our Legislatures do not augur well for democracy.⁷²
- Former Prime Minister, Atal Bihari Vajpayee, has argued similarly. He observed, “If the proceedings of the Parliament and the State Legislatures are not conducted in a disciplined and dignified manner, a bad example is set before the country. A sense of disregard is created for the parliamentary democracy.”⁷³
- Krishan Kant, the Vice President of India and Chairman of the Rajya Sabha, observed in 2001 that “Each time the Parliament and the legislatures are plunged in anarchic chaos, the edifice of democracy is a little weakened.”⁷⁴

- The political analyst and former editor of *The Statesman*, Pran Chopra, whom we have previously quoted, wrote in dismay about the disruptions in parliament that “What we are seeing...is the biggest crime against democracy since Indira Gandhi imposed the Emergency in 1975.”⁷⁵ He went on to say that parliament “is the lifeline of the whole system. Snap it, and the entire system will collapse, and that will hurt no one more than it will hurt the very people who need the system most. For them this is the only place where they can plead their case, lacking as they do the many other levers which others can use to bend Governments to their wishes.”⁷⁶
- An editorial in *The Hindu* in mid-August, 2006, observed:
In the last week, the Bharatiya Janata Party’s parliamentary conduct has plumbed new depths. The party has been behaving like a bad loser, disrupting Parliament with a gusto unbefitting the main Opposition party. It might have been possible to be good-humoured about the BJP’s zest for disorder had the party not been persistently offensive to the Speaker of the Lok Sabha. That the party’s big two did not participate in the unedifying spectacle has turned out to be illusory relief. Lal Krishna Advani thought nothing of joining those who sat on a dharna with gags—to protest the Speaker’s alleged intolerance of the Opposition. There is little of Mr. Vajpayee’s famed civility and exemplary parliamentary manner in his August 8 letter to Somnath Chatterjee...⁷⁷
- The same month, Suhel Seth, in “An Open Letter to the Speaker” published in the *Deccan Chronicle*, expressed widespread frustration:
People outside the Houses of Parliament actually ridicule the institution that it has become today. Is this the legacy that this current House wishes to leave behind? A legacy of indecency, of indecision and of inexcusable behaviour. One in which the focus is more on exchanging angry words rather than debating legislation? The general public at one time looked up to Parliament. It had what one would term social sanction. Today it suffers from social ostracisation. And that is something that will destroy this institution as time goes by, and this is what perhaps you need to stem.⁷⁸
- Finally, in an editorial in *The Statesman* at the end of 2005 titled “House-train them, Time for debate, not disruption,” the editor noted: “In India, what happens in Parliament also acts as a role model, good or bad, for what happens in more than two-dozen State legislatures around the country—affecting a vast number of people facing myriad public problems that need political/legislative solutions.”⁷⁹

A variety of specific problems that adversely affect democracy are said to arise out of the disruptions.

A. It prevents action on important legislation

At the end of most sessions where serious disruption has taken place, there are many bills upon which no action was taken. An example is the session of the Andhra Pradesh Vidhan Sabha in August 2006 which TRS frequently disrupted. According to reports, “The government could complete just a part of listed agenda....”⁸⁰ A similar outcome characterized most disrupted sessions.

B. It forces the adoption of critical legislation without debate

The most critical legislation, such as the budgets, gets passed, but often without debate. For example, a report on the 2001 Lok Sabha noted and opined that “The continued stand-off between the government and the opposition benches led to the travesty of parliamentary practice—the railway budget was passed by a hurried voice vote—which was seen by many as a mockery of the Parliament, its main aims and procedures.... Then was passed the finance bill in the same way as the railway budget.”⁸¹ Similarly the 2004-2005 Finance Bill was passed without any discussion.⁸² In addition, one observer noted that “In August 2004, Railway Budget for 41,417 crores and Demands on Grants under General Budget amounting to nearly Rs 4,77,829 crores were approved without discussion.”⁸³ These are simply examples of a trend.

C. It has empowered parliamentarians who lack appropriate skills

As noted previously, the skills required in a parliament where the ability to disrupt is highly valued are not the same as the skills required in a parliament where such an ability is not highly valued. T.J.S. George has opined, “...our legislatures have ceased to be forums of the best and the brightest in the land. Instead, they have become the first refuge of scoundrels.”⁸⁴ He cynically contended that “Before Independence we had great parliamentarians, but no Parliament. Today we have a grand Parliament House with grand allowances, but no parliamentarians. There is the story of Independence in two sentences.”⁸⁵

D. It undermines the credibility of party leaders

When Congress was in the opposition and the BJP was in the government, the latter criticized the former for disrupting parliament. Yet, when the roles reversed, the criticism was reversed. Disrupting or not disrupting parliament had nothing to do with principle, but rather with power. As an editorial in the Hindu put it in April 2005, “The BJP’s parliamentary conduct has been in marked contrast to its leadership’s oft-stated commitment to maintaining decorum in the House. Both Atal Bihari Vajpayee and Lal Krishna Advani have publicly expressed themselves against holding Parliament to ransom. A huge credibility gap has emerged for India’s principal Opposition party.”⁸⁶ The consequence has been that the leaders have lost credibility.

E. It undermines respect for the MPs and MLAs

One type of bill the Lok Sabha seems able to pass in periods of disruption is that increasing the salary and/or benefits of parliamentarians. As one observer put it, “The question being asked is who benefited from all this?....The bickering and fighting parties achieved nothing but in the whole process the national exchequer incurred a heavy loss. Each hour of the parliamentary session costs RS 9.95 lakh and if this is multiplied by the number of hours wasted by the parties, the amount runs into crores.”⁸⁷

The view of many observers is that the disruptions undermine democracy in a variety of ways.

VI. Is there “Order Midst the Chaos?”

How might the contradiction between the apparently undemocratic behavior in parliament and the widespread view that India is democratic be resolved?

One possible answer is that the critics are right and India is mis-classified as a democracy. That would mean that the undemocratic behavior of parliamentarians matched an undemocratic polity and the apparent contradiction was resolved. Although critics find many flaws when they compare their conception of democracy with the situation in India, there are many aspects of the polity that appear to be consistent with a democracy and a preponderance of observers continue to categorize India as democratic.

Another possible answer is that the apparently undemocratic behavior embodied in the disruptive acts is not so undemocratic. That is, it contributes sufficiently to democracy that the apparent contradiction might be resolved and the mis-classification was of the disruptions rather than the democratic character of the polity. In order to assert the latter, we must show that that the disruptions make contributions to democracy that off-set the damage critics identify. That would suggest that there is “order midst the chaos.”

The five foci of our assessment of disruptions are: the effect of cultural mitigation on the impact of the disruption, the values conveyed by the formal reasons for the disruptions, the effect of the disruptions on procedures and institutions of democracy, the effect of media distortion, and the contribution of other agents to the image of politicians and legislative bodies.

A. Cultural Mitigation on the Impact of Disruption on Democracy

Parliamentary democracy was adopted by India from the U.K. It would be unreasonable to suppose that the disruption of parliament as occurs in India has the same impact on democracy in the U.K. as in India. Protest and disruption on the scale that occurs in India would be culturally unacceptable in the U.K. In India, the struggle for democracy by Mahatma Gandhi is a valued part of the culture from the perspective of a significant part of the population.

The link between Gandhi's disruptive actions against those who ruled India at the time and the actions of those who disrupt parliaments is made symbolically. Walkouts, boycotts and suspensions often lead to further demonstrations at the site of a statue of Gandhi. Illustrating this association are two cases a decade apart: In 1995, Mamata Banerjee, a Lok Sabha member from West Bengal who was often engaged in protest actions, "conducted a highly visible demonstration against TADA [The Terrorist and Disruptive Activities (Prevention) Act, 1987]— parking herself at the foot of a statue of Mahatma Gandhi in the precincts of Parliament."⁸⁸ In 2006, members of the National Democratic Alliance "boycotted the Lok Sabha for the entire day....saying Speaker Somnath Chatterjee did not allow Opposition members their say....Outside the House, NDA members—with their mouths gagged—staged a dharna in front of Mahatma Gandhi's statue around the time their leaders normally attended a routine meeting in the Speaker's chamber before the start of the day's proceedings."⁸⁹ Although the symbolism of the site of such protests appears important, one must recognize that the linkage is a matter of interpretation. The area around the statue is usually a convenient spot for any type of protest.⁹⁰

As we have seen, there are many Indians who would not justify disruption of parliament because Gandhi is associated with a variety of disruptive tactics. Nevertheless, one might argue that for significant segments of the population, disruption is not viewed in India as negatively as it would be in many Western countries.

B. Impact of Disruption on Democratic Values

Disruptions are always justified by the disrupters in terms of goals that a segment of the Indian population want to achieve. As such, they are means of representation. The values underlying those goals are ones that usually resonate with a wide section of the population. For example, consider the reasons given for walkouts from four parliaments in August 2006:

- In Andhra Pradesh, "The Opposition walked out over two issues in the Assembly on Tuesday charging the Government with failing to meet the flood situation and inordinate delay in payment of scholarships to BC, SC, ST and minority students."⁹¹
- In Uttar Pradesh, "The Bharatiya Janata Party staged a walkout in the Uttar Pradesh Vidhan Sabha on Tuesday in protest against the State Government's refusal to institute a CBI inquiry into the marks-sheet scandal of Chaudhary Charan Singh University in Meerut."⁹² "The Congress also staged a walkout, this time on the issue of drought, which according to the party members was spreading its tentacles."⁹³
- In Bihar, "Every Opposition member in the Assembly today had his own agenda, but united, they succeeded in stalling the functioning of the House—undeterred by even a live telecast of the House proceedings...."⁹⁴

- In the Lok Sabha in August 2006: “The Lok Sabha witnessed unprecedented scenes of disorder on Thursday following a remark by Janata Dal (U) leader Prabhunath Singh...against Railway Minister Lalu Prasad... The emotions ran high, hot words were exchanged, missiles thrown and members charged towards one another menacingly. Speaker Somnath Chatterjee’s caution and words of wisdom were not heeded. The watch and ward staff arrived in strength and cordoned off the well of the House.”⁹⁵

The Bihar issues included such matters as the police lathicharge on para-teachers the day before and a report on a former superintendent of police, while the Lok Sabha issue concerned a minister who had criminal charges raised against him. What the walkout did was to highlight the issues and “tell” concerned constituents that they were representing them.

C. Impact of Disruption on the Procedures and Institutions of Democracy

If the messages conveyed by the myriad of actions involved in the many forms of disruption do serve a legitimate democratic function, most critics suggest that the problem lies in the destructive impact of how the message is generated. Lists of the negative consequences of disruption on democracy are long. Quality debate does not take place, bills are not dealt with, a model of inter-personal discourtesy is created, expenses are incurred without anything to show for them.... In articulating support for programs, people and values and articulating opposition to corrupt ministers, governmental inaction or improprieties—all actions supportive of democracy, the mechanisms for developing new policies and addressing the problems are undermined—actions that work against democracy. If the former beneficial impacts are granted, one might argue that the latter is sufficiently off-set that the apparent contradiction between India’s chaotic parliaments and India’s characterization as a democracy is removed. Yet, more might be said about the “how” to contribute to this end.

1. Democracy and time: Table I showed the increasing time lost to disruptions since the 10th Lok Sabha, yet the time not lost remains considerable. This amounts to 90.05%, 94.74%, 89.34%, 77.60% and 62%, respectively. As noted above, media tend to cover the disruptions more than the sessions that are not disrupted, thereby creating an image that does not accord with the reality.

2. Democracy and debate: The frequent cries about the decline in the caliber and the length of debate in parliaments suggest that they are effective mechanisms for bringing about changes in proposed legislation. Pramod Mahajan, the Union Minister of Parliamentary Affairs, Information Technology and Communications in the last NDA government, has contended that during Question Hour “Nobody has come here to teach others and nobody cares to learn. Here one’s opinion or the views are not changed. However, views are expressed here only because they are published.”⁹⁶ In the same vein, he said

We do not make speeches in the Lok Sabha, Rajya Sabha, Legislative Assembly and Legislative Council to influence another's opinion. We make the speeches so that the same could reach the public through the media. If the media also suggests anything good while discharging its responsibility in reaching to the masses, then it would be good.⁹⁷

His view is not that implied by theorists of parliamentary democracy, but it appears to be a realistic assessment of the situation in India.

3. Democracy and political parties: The centralized nature of political parties in India and their role in the determination of policy outcomes does not seem to be changed as a consequence of the disruptions. Parties continue to play an important role. Indeed, they seem to be the instigators of much of the chaos parliaments experience. As far as voting is concerned, Shibani Kinkar Chaube has written, “when voting takes place in the House the Members are issued ‘whips’. Violation of the ‘whips’ will usually attract the Tenth Schedule to the Constitution and result in the loss of membership of the House by the recalcitrant individuals.”⁹⁸ So, members tend to act in accord with the wishes of party leaders. J.C. Johari suggests that the leaders are so effective that “the members of the Parliament have been reduced to the level of the ‘robots’.”⁹⁹ This may be a bit of an exaggeration, but political parties do not appear to have been weakened by parliamentary disruptions.

4. Democracy and majority rule: Critical legislation continues to be passed in legislative bodies faced with considerable disruption. For example, in the chaotic meetings of the Andhra Pradesh Vidhan Sabha in August 2006, 15 Bills were passed.¹⁰⁰ Often, agreements will be worked out between the government and the opposition to allow this to happen. It is true, though, that some legislation is postponed. On the other hand, the majority's failure to deal with important matters prompts disruption. Sonia Gandhi has observed “that a great deal of disruption arises from the reluctance and procrastination of the Treasury Benches to face the House on controversial matters.”¹⁰¹

5: Democracy and participation: The wider the participation of MPs and MLAs, the more democratic a legislative body would be—other things being equal. An argument has been raised that disruptions allow legislators who have been excluded from participation to participate. In the words of Sonia Gandhi, “Much of the disruption comes from members having to jostle to secure a share of the limited time available to bring up issues which are in danger of not getting a hearing without agitation on the floor of the House.”¹⁰²

Thus, the use of disruption in India's parliaments does not appear to have been destructive of Indian democracy as many observers have claimed.

D. The Media as an Accomplice of Disruption and Distorter of its Impact on Democracy

In all these cases, the principal communicator of MLA and MP actions is the media. Without the media, critics argue, the level of disruption would drop. Indeed the role of the media has been addressed by many scholars and practitioners. The Congress leader, Mani Shankar Aiyar, put the argument concerning the media's role in the following words:

The root cause for the collapse of parliamentary activity in the life of our democracy is the press. A gallery has been provided for them above the speaker's chair to give them a grandstand view of the proceedings. It is mostly empty. The only way to induce parliamentary reporters to stop their idle gossip in the corridors and actually enter the house is to tip them off about an impending disruption of proceedings. Then they swarm into the gallery, signalling with ill-disguised gestures their friends on the floor, "Yoo-hoo, here I am, so get as outrageous as you can and I assure you a box on the front page tomorrow."

Let the house get down to any serious business and the press gallery promptly empties. The trivialization of our Parliament is the handiwork of the media.¹⁰³

Sonia Gandhi makes a similar point, though with less blame: "Selection is the essence of determining newsworthiness; and as the disruption of order is the basis of news worthiness, it is inevitable that when the House is thrown into disarray it receives more media attention than when it is going about its usual business in the usual way."¹⁰⁴

Dr. Farooq Abdullah, the Chief Minister of Jammu and Kashmir, has expressed his agreement with the view "that we behave in such manner as to catch the attention of the print media... whenever there is a time to listen to others with patience, one or the other member would try to interrupt and disturb because no good news will be printed in the newspaper. What will be printed in the newspaper is the bad thing that you do. And today, we, the politicians, when we look at the newspapers, we find that it is only the bad things that find mention in print."¹⁰⁵

P.M. Sayeed, the Deputy Speaker of the Lok Sabha during the last NDA government, has argue that the key is the MP or MLA's desire to indicate to his/her constituents that he/she is performing a representational function.

No doubt, time is the basic constraint. Members not merely want to perform in the Houses but also want to be seen as performing, especially as the constituents of the members do watch the proceedings of the Houses on the television in real time or otherwise. In their efforts at competitively trying to perform, they end up creating pandemonium.¹⁰⁶

Blaming the press obfuscates the democratic functions being performed—linking members of the legislature with people and showing that they are acting to achieve the

interests of the constituent. If disruption has a democratic function, then an accomplice is abetting that function.

E. The Contribution of Other Factors to Images of Parliament and Parliamentarians

The widespread blame which disruptions and chaos in parliaments have received for the perception of dysfunction may be misplaced—at least in part. There are many other factors in play. The observer, Ruchi Tyagi, has summarized many of these:

Growing criminalization of politics, corruption all levels, absence of inner party democracy, the declining status and stature of members in public life, the growing cost of the electoral process, the ascendancy of party leaders are some other factors that have contributed to the decline of Parliament.¹⁰⁷

J.C. Johari contends that “All political parties prefer candidates who have prospects of victory at the polls regardless of the fact that most of them are history-sheeters, murderers, rapists, extortionists, abductors, and the like....Former Chief Election Commissioner M.S. Gill publicly said that seats of about 40 MPs and 200 MLAs were occupied by such criminal elements.”¹⁰⁸ He observes, bitterly: “The old saying stands discredited that crime never pays. Instead, the present reality is that the shining record of crimes alone is the best qualification for securing party tickets and grabbing ministerial berths after winning elections by all possible means.”¹⁰⁹

The “Citizens Report on Governance and Development 2006” found that 518 of the 3182 candidates running in the elections for the 14th Lok Sabha had criminal records and almost 100 of those elected did. “The report claims that over 50 per cent of serious criminal cases registered against MPs were mostly from UP, Bihar, Jharkhand and MP.”¹¹⁰

Clearly, there are numerous problems other than the disruptions that may cause the democratic deficiencies observers find in the various parliaments of India.

VII. Conclusion

The issue addressed in this paper is the apparent contradiction between the claim that India’s parliaments are dysfunctional and the claim that India is a democracy. The ideas of parliamentary democracy suggest that a properly functioning parliament is a requisite for such a polity to be democratic. India’s parliaments are often disrupted and turned into chaotic bodies. What we have argued is that the disruptions are not simply anti-democratic. They entail the promotion of democratic values and provide representation that might not otherwise exist. They do not appear to be lethal to democracy. Indeed, despite persistent claims that disruptions of legislative bodies presage the imminent collapse of democracy in India, that collapse has not occurred.

Part of the explanation for the persistence of both disruption and democracy appears to lie in a culture tolerant of diverse forms of protest. Although the disruptions in parliaments appear deadly to the proper functioning of parliament in the eyes of those used to Western cultures, they seem to be more accepted in Indian cultures. Perhaps, India's experience will show that the Westminster model of democracy may metamorphose into another form that is able to persist in providing a means for translating some of the popular aspirations into governmental policy. Whether increases in the intensity and scope of disruptions will destroy even the metamorphosed model of India's democracy is a matter yet to be decided.

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