

Principles of Parliamentary Behaviour

Future generations will have cause to remember Mr. Rajnarain Singh as the greatest parliamentarian of free India's first few years. Mr. J. Nehru will probably be remembered as the other notable

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parliamentarian, a crafty strategist, who knew how to shift blame, to quieten opposition through praise or threat or a commingling of both, and that in the larger parliamentary histories, Rajnarain's name is assured in the briefest parliamentary history, a champion of the people, a warrior of parliamentary rights and, above all, a foe of violence and a crusader of civil disobedience as much within the parliament as outside. He would be remembered as the man, who made his body a witness to his creed, who taught the weak, helpless and lonesome man more through example than through words, how not bend to tyranny.

The facts of the Rajnarain affair are not in dispute. What is in dispute are the fundamental principles and assumptions of parliamentary behaviour. What is a parliament? It is the place where three categories of persons, elected representatives, government and a presiding officer meet in order to debate and resolve. Each of these categories should be bound by rules and, what is more, everyone of them must put himself under voluntary and appropriate restraints in order that parliament may truly reflect the people and that parliamentary business may be properly transacted. None should be free from these restraints, in particular, must the presiding officer bind himself to rules, possess an unruffled tranquillity, hold the scales even between the government and dissenting representatives and, above all, obliterate his own individuality in order to regulate parliament as an orderly reflection of the people's will.

Every one of these categories may indeed have made mistakes. That is the first direction in which the current controversy must be put straight. The assumption is grievous that the speaker can do no wrong. In fact, the speakers and governments of parliaments, which have only recently won their freedom and statehood, are prone to act outside the bounds of parliamentary rules and etiquette. The government is likely to think and act in the fashion of people who bigotedly believe themselves to be right. The speaker is likely to share that feeling. He has no living tradition behind him, no internal light to guide him, unless he is a very brilliant or a deeply liberal person. He is guided by books of parliamentary practice and rules from abroad. All zealous copyists are, in essence, monkeys, particularly so when they

have to assert a new-found authority. They kill the spirit of freedom and copy the more rigid kind of rules.

We shall make a sample list of questions on which speakers in India have made decisions: (1) What words and usages are unparliamentary; (2) Which questions may be disallowed; (3) Which adjournment motions may be disallowed; (4) Which deputies may be seen and called upon to speak oftener than the others; (5) What should be the procedure for entertaining motions of no-confidence; (6) If, and to what extent, should the police, armed or otherwise, be called upon to restore order within the legislature.

On all these six issues, speakers have made a habit of making mistakes, primarily because they are officious and zealous to maintain a decorum that belongs to a finishing school for uppish middle-class girls, who they are in essence, rather than to a parliament.

It is true that the exercise of all authority, no matter how bound by rules, must always remain discretionary in certain measure. Even discretion should be bound by certain broad principles, though not by rules. The authority of speakers of parliaments, therefore, should be bound by rules, whenever possible, and by principles, within whose ambit they may exercise their discretion. Parliamentary life in the country has suffered from the lack of such rules and principles, and, above all, from the stupid belief that the speaker must possess the authority to evoke unquestioned obedience from members of parliament. The speaker must undoubtedly possess the power, more morally than legally, to evoke obedience from parliament's members, but the obedience should also be principled and not unquestioned.

Rajnarain has been known for his normal obedience to the speaker. But speakers in India are yet quite often unprincipled and unruly. What is one to do in such a situation? Parliaments would never grow up to adulthood, if members did not devise some means to keep their members within the bounds of principles and rules. Alone in the latest Rajnarain affair, three speakers, two of parliaments in Delhi and one in Lucknow, have not been adults. The Lucknow speaker erred on several counts. He should not have disallowed

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the debate on the arrest of hundreds of people, that had taken place a day before the debate was demanded, which was occasioned by the near-starvation of millions of people in his state. Even after he had illegally and officiously denied debate, he should not have denied expression to a dissenting member who would have walked out after his dissent. After the speaker had got into a brawl with the dissenting member, he should have adjourned the House, as indeed he did, but not to invite the police to restore order. He should have adjourned the House in order to talk to the dissenting member and to the leaders of all other parties, if necessary. He should have adjourned the House for a whole day if necessary in order that the dissenting members and the government could understand each other's viewpoint, adjust or accept. A parliament is not a battle-field. An operation is sometimes held back even on battle field. But speakers of Indian parliaments, essentially because they have never or rarely been face to face with personal danger, are a little too prone to threaten their members with police men who dangle their revolvers and use their fists and boots.

The two speakers of the Indian parliament, of the People's House and of the Senate, have grievously erred. After disallowing the debate on the plea that the Lucknow parliament and its proceedings could not be a fit matter for debate in the Indian parliament, the two speakers violated their own ruling and expressed voluble, intemperate, rhetorical and emotionally surcharged opinions on the proceedings of the Lucknow parliament. The speaker of the Lok Sabha went so far as to say that the Lucknow speaker and police did what was right. The Delhi speaker said this in face of the Lucknow speaker's declaration, made the previous day and when the adjourned House had met in the afternoon, that he had asked the police not to use excessive force and complaints should be made to him in writing if the police had done so. Nobody has denied that one member, Ramsingh Chauhan, was kicked unconscious. The speaker of the Lok Sabha has charged like a mad bull into this situation. He has violated his own ruling. He has commended an action of brutal force with the backdrop of weapons in the innermost sanctum of peoples' sovereignty. He has done so when the Lucknow speaker was himself in doubt about the propriety of the police action and

its extent. We do not know if the speaker of the Lok Sabha can be prosecuted in a court of law on charges of contempt or breach of privilege of the Uttar Pradesh legislature or similar jurisdistic issue. We do know, however, that he should put himself under a rigorous course of self-control, and strive to achieve a certain dullness of spirit if he cannot achieve tranquillity, in case he does not wish to be a continuing disgrace to his chair.

The speaker of the Rajya Sabha, Dr. Radhakrishnan, has the additional reputation of being a philosopher. A speaker should never indulge in cheap gibes particularly when he happens to be a philosopher. On a walk-out by members of his parliament on serious and solemn occasions, he should not gibe that the business of the house would be transacted easily and smoothly.

Dr. Radhakrishnan was so hit up that he described the scenes in Uttar Pradesh parliament as ugly and defined democracy as a consideration for others. Unless the philosopher was equivocating, which would be worse than lying, these remarks were obviously meant against Rajnarain and his comrades and not against the Uttar Pradesh speaker and the police. The serene philosopher has outsize feet of clay and, when his self-interest is aroused, the serenity of his spirit vanishes. Philosophers have not been unconsciously advised to keep within their cloisters. But the Vice-President of India has always yearned to adorn the top places of safe politics and he may recall how he used to beseech Rajnarain, who was then only a student leader, to put in a good word for his vice-chancellor with the Congress leadership.

The problem of the speaker's behaviour must be viewed in greater perspectives. The speaker must indeed ration the time of the legislator with justice as well as protect the debate from a greater irrelevant or disorderly derailment. But, then, this matter of time must be more fundamentally examined. Indian parliaments, even of such populous states as Uttar Pradesh, which is larger than the largest West European state, West Germany, sit for four or five months in the year. They should sit for ten months in a year. What after all is a parliament? It is the most sensitive mirror that man's dexterity has yet devised, to people's wrongs and sorrow. When men die by the

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million through smallpox or hunger, when they starve by tens of millions and when they are arrested in their hundreds for protests, the mirror must gleam with the red light of danger and must be in operation as long as possible. If the mirror is kept out of commission for the greatest part of the year, democracy is bound to be curtailed, almost fatally. Rajnarain's or the speakers' behaviour must be viewed against this background of unreasonably short parliamentary time. The speaker has to crowd together or disallow much that should be allowed. Parliaments in India must sit for the greater part of the year.

Rajnarain's action of civil disobedience within the legislature deserves a searching but comprehensive examination. He might indeed have hurled a shoe at the chief minister or given a whacking slap to the food minister. This would have passed off as an expression of temporary passion, for which the offender would have received the light punishment. Large numbers of unthinking people would have admired the act for its surfacial courage or passion. However, the act would have been totally devoid of value. In fact, such acts promote the spirit of disorderly conduct and breed situations of insult to man's dignity. They are of no use to the weak and lonesome man, and all men are

that when faced with overwhelmingly superior might. They depress the general run of men into the habit of surrender. Rajnarain's act is a symbol of what the totally unarmed or powerless man can do in the face of armed might. He need not bend his knee. He need not hit back at the tyrant. All that he does is to refuse to obey, propelled as he is by the almost religious force of civil disobedience. Reason has hitherto always collapsed against weapons. When reason summons the aid of weapons in its fight against armed unreason, it collapses just as much as when it is suppressed because of its refusal to resort to arms. Reason acquires its appropriate weapons through civil disobedience. Humanity knows of no other way to arm reason; civil disobedience is armed reason. Rajnarain's act within the Uttar Pradesh parliament will indeed be long remembered for its two-fold meaning. It will live long as a symbol of what all men might do in their hour of distress, in the moment that a weak spirit invites them to submit to tyranny and exploitation. It has also been a powerful blow struck at parliamentary fraud, or, better, a most strenuous exercise in suffering in order that the mirror of parliament may be kept without spot or blemish. However much sycophants and frauds are condemning it today, it will have acted as a great cause for the correction of parliamentary procedures.

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