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Background to Emergency

Political Background:

Since 1967, Indian politics became increasingly polarised with Indira Gandhi emerging as a popular and powerful leader. Tensions grew between the government and the judiciary, as the Supreme Court challenged government policies. The Congress party argued that the judiciary was blocking democratic and pro-poor reforms, intensifying divisions between Indira Gandhi and her opponents.

Economic Context:

The Garibi Hatao campaign had limited success in improving social and economic conditions. The Bangladesh crisis and the war with Pakistan strained India's economy, leading to inflation and cuts in U.S. aid. The oil price surge caused severe inflation, with prices rising by 23% in 1973 and 30% in 1974. Industrial stagnation, high unemployment, salary freezes, and failed monsoons created widespread dissatisfaction.

Social Unrest:

Non-Congress opposition mobilised protests, student unrest grew, and armed Naxalite (Maoist) activities increased, especially in West Bengal. The government responded with strict measures to control these movements.

Gujarat Movement (1974):

Student protests erupted over rising prices of essential goods and corruption in Gujarat, a Congress-ruled state. The protests spread rapidly, with major opposition parties joining, leading to the imposition of President's Rule. Opposition leaders, including Congress (O) leader Morarji Desai, demanded new elections. Desai went on an indefinite hunger strike,

intensifying pressure on the government. Elections held in June 1975 resulted in a Congress defeat.

Bihar Movement (1974):

Students in Bihar agitated against inflation, food shortages, high unemployment, and government corruption. They invited Jayaprakash Narayan (JP) to lead the movement, who accepted under the condition of non-violence and broadened the movement's goals beyond Bihar. JP called for a "total revolution" aimed at social, economic, and political reforms to build a truly democratic India. The movement expanded, drawing support from labour unions and citizens across sectors, leading to strikes, rallies, and a major march to Parliament in 1975.

National Impact:

The movements in Gujarat and Bihar gained national attention and became symbols of opposition to Indira Gandhi's leadership, transcending local grievances. Non-Congress opposition parties, including Bharatiya Jana Sangh, Congress (O), Bharatiya Lok Dal, and the Socialist Party, supported JP and projected him as an alternative to Indira Gandhi. JP's influence and the widespread rallies challenged Indira Gandhi's authority, which she perceived as a personal attack rather than state-level grievances, interpreting them as anti-Congress and politically motivated.

Government vs. Judiciary Conflicts:

During this period, intense disagreements arose between the government and the judiciary over constitutional authority. Three major issues were central:

- **Limiting Fundamental Rights:** The Supreme Court ruled that Parliament could not limit or take away Fundamental Rights.
- **Right to Property:** The Court decided Parliament could not amend the Constitution to restrict property rights.

- Directive Principles vs. Fundamental Rights: Parliament attempted to amend the Constitution to prioritise Directive Principles over Fundamental Rights, but the Court rejected this.

These tensions culminated in the Kesavananda Bharati Case (1973), where the Supreme Court established the “basic structure” doctrine, ruling that certain foundational elements of the Constitution could not be altered by Parliament. After the Kesavananda ruling, the government appointed Justice A. N. Ray as Chief Justice, bypassing three senior judges who had opposed government positions, raising concerns about political pressure on the judiciary. The tensions peaked when the High Court declared Indira Gandhi’s 1971 election invalid, intensifying the standoff and highlighting the deepening rift between the government and judiciary.

Exam Questions

Q1. What were the main causes of social unrest leading up to the Emergency?

Answer: Economic problems like inflation, unemployment, failed monsoons, and political dissatisfaction due to corruption and governance issues led to social unrest. Movements in Gujarat and Bihar, student protests, and Naxalite activities reflected widespread discontent.

Q2. Explain the conflict between the government and judiciary before the Emergency.

Answer: The judiciary challenged government policies by protecting Fundamental Rights and property rights, rejecting attempts by Parliament to amend the Constitution to prioritise Directive Principles. This led to tensions culminating in the Kesavananda Bharati Case and political interference in judicial appointments.

Declaration of Emergency

Allahabad High Court Ruling (June 12, 1975):

Justice Jagmohan Lal Sinha declared Indira Gandhi's 1971 election to the Lok Sabha invalid, ruling that she had used government employees in her election campaign, violating election laws. This meant she was no longer legally an MP and could not remain Prime Minister unless re-elected within six months. The Supreme Court granted a partial stay allowing her to remain an MP but barred her from Lok Sabha proceedings.

Political Crisis and Public Response:

Opposition leaders, led by Jayaprakash Narayan, demanded her resignation and organised a massive rally at Ramlila Grounds in Delhi on June 25, 1975. Narayan called for a nationwide satyagraha urging government workers, the army, and police to resist illegal orders, heightening political tensions and anti-Congress sentiment.

Emergency Proclamation (June 25, 1975):

The government invoked Article 352 of the Constitution, declaring a state of Emergency citing internal disturbances. This granted exceptional powers to the government.

Under Emergency:

- Federal powers were centralised with the Union government, bypassing the federal structure.
- Fundamental Rights were suspended or limited to maintain order.

Immediate Actions:

On the night of June 25, Prime Minister Indira Gandhi recommended Emergency to President Fakhruddin Ali Ahmed, who signed the proclamation. Electricity to major newspaper offices was cut off, opposition leaders were detained, and the Cabinet was informed only after these actions.

Consequences of the Emergency (1975–77):

Suppression of Dissent: Protests, strikes, and opposition activities were banned; many opposition leaders were jailed. Press censorship was imposed requiring prior approval for publications. Organisations like RSS and Jamait-e-Islami were banned.

Suspension of Fundamental Rights: Citizens' rights, including access to courts, were suspended. Large-scale preventive detentions occurred with limited legal recourse. The Supreme Court upheld the government's power to suspend rights during Emergency.

Resistance and Defiance: Some political workers protested underground. Censored newspapers left blank spaces in place of censored content. Writers returned national awards in protest.

Constitutional Changes: The 42nd Amendment increased legislature terms, restricted election challenges, and extended government powers during emergencies. Elections were postponed from 1976 to 1978.

Exam Questions

Q1. What were the immediate political consequences of the Allahabad High Court ruling against Indira Gandhi?

Answer: The ruling invalidated her election, barring her from Lok Sabha proceedings and triggering demands for her resignation, leading to political crisis and opposition rallies.

Q2. Describe the key features and consequences of the Emergency declared in 1975.

Answer: The Emergency centralized federal powers, suspended Fundamental Rights, imposed press censorship, banned opposition activities, and led to preventive detentions. It also resulted in constitutional amendments and postponed elections.

Politics After Emergency

1977 Elections as a Referendum on Emergency:

The 1977 elections, held after 18 months of Emergency, became a crucial referendum on the government's actions. In northern India, the opposition's slogan "Save Democracy" resonated strongly. Major opposition parties united to form the Janata Party, led by Jayaprakash Narayan, consolidating anti-Congress votes. Some Congress leaders opposing Emergency joined Janata Party, while others formed Congress for Democracy, later merging with Janata Party.

Election Campaign and Outcome:

The Janata Party campaigned against authoritarianism, censorship, and repression during Emergency. Jayaprakash Narayan became a symbol of democratic resistance. Congress suffered a historic defeat, winning only 154 Lok Sabha seats with vote share below 35%. Janata Party and allies won 330 seats, with Janata Party alone securing 295. Congress retained support in Maharashtra, Gujarat, and southern states but lost ground in northern India, where forced sterilizations and relocations caused outrage. Middle castes shifted support to Janata Party, reflecting deeper political realignments.

Janata Government and Its Challenges:

Post-election, Janata Party leaders competed for Prime Ministership; Morarji Desai became Prime Minister but internal struggles persisted. The party lacked a common program or leadership, leading to disillusionment. Morarji Desai's government lost majority within 28 months; Charan Singh briefly led but failed to maintain support. Congress returned to power in 1980 under Indira Gandhi, winning 353 seats, showing voters' rejection of unstable governments.

Legacy:

- Congress shifted from a broad umbrella to a more ideologically defined party aligned with Indira Gandhi.
- Opposition parties adopted a non-Congress platform to avoid vote splitting.
- Backward caste politics gained prominence, leading to the Mandal Commission appointment.
- The Emergency highlighted constitutional and political crises, raising questions about balance of power and democratic norms.
- Tensions between institutional democracy and mass protests revealed challenges in addressing popular grievances.

Exam Questions

Q1. How did the 1977 elections reflect public opinion on the Emergency?

Answer: The elections served as a referendum rejecting the Emergency's authoritarianism, with the Janata Party winning a decisive victory and Congress suffering a major defeat.

Q2. What challenges did the Janata Party face after coming to power?

Answer: The Janata Party struggled with leadership conflicts, lack of a common program, and internal divisions, leading to unstable governments and eventual return of Congress.

Solved Examples

Example 1: Explain the significance of the Kesavananda Bharati Case in the context of the Emergency.

Solution: The Kesavananda Bharati Case established the basic structure doctrine, limiting Parliament's power to amend the Constitution. This ruling challenged the government's attempts to override Fundamental Rights, contributing to tensions that led to the Emergency.

Example 2: Describe the impact of the Emergency on press freedom in India.

Solution: During the Emergency, press freedom was severely curtailed through censorship requiring prior approval of publications. Newspapers faced electricity cuts, and many journalists were arrested, stifling free expression and information flow.

Practice Set

Easy

- What was the main reason for declaring Emergency in 1975?
- Who led the Bihar Movement?

Moderate

- Explain the role of the judiciary in the political crisis leading to the Emergency.
- What were the key features of the 42nd Amendment during the Emergency?

Challenging

- Analyse the political consequences of the Emergency on Indian democracy.
- Discuss the legacy of the Janata Party government after the 1977 elections.

Answer Key

- **Easy:**
 - Threats to national security and internal disturbances.
 - Jayaprakash Narayan.
- **Moderate:**

- The judiciary challenged government policies by protecting Fundamental Rights, leading to conflict with the government.
- The 42nd Amendment extended legislature terms, restricted election challenges, and increased government powers during emergencies.
- **Challenging:**
 - The Emergency led to suspension of democratic processes, but democracy resumed with strengthened safeguards and civil liberties awareness.
 - The Janata Party government faced internal conflicts and instability, leading to Congress's return and highlighting challenges in coalition politics.

Quick Reference

- **Emergency:** Special powers granted to the government during crisis.
- **Fundamental Rights:** Basic human freedoms guaranteed by the Constitution.
- **Press Censorship:** Government control over media publications.
- **Preventive Detention:** Detaining individuals without trial to prevent threats.
- **Kesavananda Bharati Case:** Supreme Court ruling limiting Parliament's power to amend Constitution.

Glossary

Emergency

A constitutional provision allowing the government to take special powers during crises.

Fundamental Rights

Basic rights guaranteed to all citizens by the Constitution.

Press Censorship

Restrictions imposed on the media to control information.

Preventive Detention

Law allowing detention without trial to prevent potential threats.

Janata Party

A political coalition formed in 1977 opposing the Congress party and Emergency.

Kesavananda Bharati Case

A landmark Supreme Court case establishing the basic structure doctrine.