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INDIRA GANDHI'S CALL OF EMERGENCY AND PRESS CENSORSHIP IN INDIA: THE ETHICAL PARAMETERS REVISITED

by

Dr. Jhumur Ghosh

Assistant Professor
Future Institute of Engineering and Management
Sonarpur Station Road, Kolkata 700150
West Bengal, India
Website: <http://www.teamfuture.in>
Email: jhumurghosh76@gmail.com

Abstract: *One of the most important causes for the proclamation of Internal Emergency in India in 1975 was the then Prime Minister, Mrs. Indira Gandhi's belief that following the Allahabad High Court judgment against her newspapers incited the people and created an inflammatory situation. On 26th June, 1975 the government decided that a law should be passed to prevent "scurrilous" and "malicious" writings in newspapers and journals, news agencies would be restructured and Press Council of India wound up. It was felt that the government policy regarding issuing of advertisements to newspapers and magazines should be reviewed. The censorship on the Press, the only independent media in the country, was thus invoked. The reaction of the 'so-called' independent Press, however, left much to be desired and except a handful, the print media presented a reluctant and disinclined picture. The easiness with which it relinquished its independence shocked everyone. The sterility of the fourth estate in India along with the ethics of the Indira government is discussed in this paper.*

This paper discusses one of the most powerful politicians of India, her most controversial and harsh decision of imposition of Emergency and press censorship and the response of the press thereto.

Keywords: *Indira Gandhi, Freedom of the Press, Press Ethics, Emergency, Press Censorship, Reaction of Press to Press Censorship.*

Introduction

Forty years have passed since the imposition of Internal Emergency in India by the late Prime Minister Indira Gandhi. The emergency period from 25th June, 1975 to 21st March, 1977 is referred to as the “darkest period” of independent India as all civil rights were suspended and the freedom of speech and expression muzzled. The emergency was a big blow to the democratic principles that the country had cherished after independence. The government invoked Press censorship along with the imposition of Emergency as it wanted to control and manipulate the Press to suppress public opinion. The Press was the only independent mass media in India during that time as the radio and the television were controlled by the government. Before we analyze the emergency and its effects on the Press we need to understand the political situation in the country that led to the imposition of Emergency.

In post independent India the Congress party controlled the reins of the country. The single party dominance at the Centre was somewhat predictable and inevitable in the 1950s through the 1960s. From the beginning of the 70s the one-party dominance gradually became one (wo) man and later one-family supremacy. The Nehru-Gandhi family became synonymous with political power in this country for several years thereafter.

Jawaharlal Nehru was the first Prime minister of India after it gained independence from British rule in 1947. His daughter, Indira Gandhi came to power in 1966 by chance. She was a ‘compromise’¹ candidate of the Congress veterans and had little hold over the party organization when she was inducted to the post of Prime Minister. She was subject to harassment and ridicule by the opposition in the Parliament and even referred to as “goongi gudiya” (dumb doll or puppet) by Dr. Ram Mohan Lohia². In her first tenure as Prime Minister she faced troubles inside her party and in governance as her position within the Congress remained weak and insecure. She gradually matured, fought back her opponents in the party and outside and became a towering personality at the beginning of the 70s. Her political invincibility combined with several other factors led to her growing stature in the Indian political scenario post 1971.

The internal emergency declared by Mrs. Gandhi during 1975-1977 had its roots in the supreme stature she had acquired in the country. The other causes for imposing Emergency was an overdependence on her younger son, Sanjay, both in the emotional capacity as well as in case of administration and an overwhelming intention of manipulation by Sanjay Gandhi and his coterie. Her son, Sanjay Gandhi wanted India to switch to presidential form of governance and see his mother as the President of the country for life³. As political commentators have time and again pointed out he was no less responsible for the imposition of Emergency and the machinations thereafter as Mrs. Gandhi herself.

The reaction of the print media to the imposition of internal emergency and pre-censorship can be divided into two phases: the initial response was an overwhelming sense of despair for loss of freedom and a feeling of shock and disbelief that Press, along with an independent judiciary, considered the pillars of democracy was under threat. The later reaction of most of the mainstream

newspapers was acceptance of the inevitable. They bowed down to the Pressure of the government. There were few courageous and protesting voices but their numbers dwindled in the face of continuous attack of the government on their operation and economics. As L.K. Advani, a prominent opposition leader then and later minister in the Morarji Desai and Atal Behari Vajpayee governments underlined in an interview “when Mrs. Gandhi asked the media to bend, they crawled”. Much of the media reaction can be summarized by this comment.

This paper aims to discuss the internal emergency of 1975 and Press censorship thereof and the ethical questions pertaining to the act and thereafter on the part of both the Indira government and the members of the Press. While it is obvious that the imposition of Emergency on the nation for political gains was unethical there is a need to discuss the circumstances which forced such an act. Ethics is not independent of the socio-political situation and this is reverberated in the circumstances preceding and following the Emergency. The evolution of Indira Gandhi in the political process from the time she was “meek”, almost subjugated to the “Congress syndicate” to a time she asserted herself and wanted to control and manipulate her countrymen and the media is a journey that is definitely not independent of ethical parameters. If we see some of her statements we can observe the dichotomy in her ethical standpoints. If in one statement she sounds the passionate patriot (“We would rather starve than sell our national honour”) in the other the wily politician comes through. (“My father was a statesman, I am a political woman. My father was a saint. I am not”) and in the third she admits “all my games were political games.” The paper will discuss and analyze the causes of Press censorship by the Indira Gandhi during Emergency, her relation with the Press before and during the Emergency, the vivid response of the print media and its fallout on ethical and journalistic standards.

Press in the Nehru Era

There has always been a concern for the ethical standards of the Press along with its freedom the world over. The Press has been invested with freedom in India just like any other citizen of the country under Article 19 (1) (a). The Indian Press performed an important role in the Indian freedom movement serving as a mouthpiece and a channel of mobilization in the whole process. Post-independence the role of the Press underwent change. During the 1950s and 1960s the Press was conceived as an instrument of development and transformation in the developing country. This expectation was fuelled by Nehru who considered the Press as an able ally of a democratic government in the process of governance as well as development. Nehru’s liberal outlook and staunch belief in the need for freedom of the Press in a democratic set-up gave the Press sufficient flexibility. But even the pro-freedom Nehru was forced to curb the Press to check the newspaper reports with communal overtones. Thus the Press Objectionable Matters Act was passed in 1951. This was a circumstance when sections of the Press turned a blind eye to ethics and filed reports that had communal insinuations which were not only unethical but dangerous in a country torn over communal strife just after partition⁴. In one of his speeches in the Parliament (on 29/05/1951), Nehru poignantly pointed out “The Press if it wants freedom – which it ought to have, must have some balance of mind which it seldom possesses. Every freedom in this world is limited, limited not

so much by law as by circumstances.” It is really important for the Press to discriminate between right and wrong circumstances and report accordingly. This discretion is of course subjective but so are matters of ethics. The world over journalistic associations and bodies has framed professional code of conduct for members to ensure ethical standards are not sacrificed in the search of sensationalism and scoop-news. The Indian journalistic associations are no different but still a section of the Press could not be absolved of dereliction of duty and irresponsibility for momentary gains. The fact that Press was found wanting in maintaining ethical standards after independence is unfortunate as the Nehru government considered the Press as the fourth pillar of democracy.

The Rise of Indira Gandhi

When Jawaharlal Nehru was the prime minister his daughter Indira Gandhi became official hostess at events held by him. She learned the ropes of diplomacy with world leaders herein. Indira joined the Congress party in 1955 and became its president in 1959. The ascension of Indira Gandhi to the post of Prime-minister of India in 1966 on the sudden demise of Lal Bahadur Shastri was abrupt. It is commonly believed that the elders in the Congress picked Indira as a compromise candidate as they thought she could be easily moulded and was malleable. But as Kohli and Basu⁵ bluntly put “the calculation of the Congress elites behind choosing Indira Gandhi as a compromise candidate for the post of Prime minister in 1966 was accurate in a way. As Nehru’s daughter she would garner sufficient electoral support for the party to remain in power. But they were wrong in assuming she would be a weak woman who could be easily manipulated”. Her resilience and tenacity in the post of Prime Minister surprised the Congress party elites. Though she did not have much organizational base in the party she gained control over her government⁶. The elders in the Congress Working Committee realized the dangers of her escalation in power and sought to oust her from the party. Mrs. Gandhi turned the tables on the Congress “elites”. She removed Morarji Desai, an important leader of the party and one of her noted opponents from the post of Finance Minister in 1969 and took over the finance ministry herself. She overnight enacted some pro-people policies like nationalization of banks and withdrawal of special privileges from princely states. She was lauded by the common masses and her popularity soared.

In 1969 another incident pointed out her resoluteness to defeat her opponents in the party and emerge as the sole centre of power. The Congress party nominated N. Sanjeeva Reddy as the presidential candidate after the death of the then President Zakir Hussain, against the wishes of Indira Gandhi. Instead of implementing a whip in favour of Reddy, Indira Gandhi in an open letter urged Congress MPs and MLAs to “vote according to their conscience”⁷ in the forthcoming Presidential election. Nearly 1/3rd of Congress members defied the party leadership and voted for independent candidate V. V. Giri, the then vice-President who won by a narrow margin. Matters came to a standstill and the then Congress President, Nijalingappa and others expelled Mrs. Gandhi from the party. The Congress party split. Indira Gandhi set up a rival organization, the Congress (R). In the Lok Sabha floor test, of the 288 Congress MPs 220 remained loyal to Mrs. Gandhi.

In the 1971 parliamentary elections Mrs. Gandhi’s popularity ensured her a massive victory. As she rode the crescendo of power in the country trouble brewed elsewhere. There was a bloody conflict

between East and West Pakistan. Indira Gandhi played a decisive role in making the idea of Bangladesh a reality. The political and personal role of Indira Gandhi in the Bangladesh Liberation War established her as the “iron lady” of Indian politics⁸ and gave her international recognition. Her efforts to coordinate the activities of the Indian Army with the BSF and the R&AW are seen as a strategic masterstroke that won the war against Pakistan in 1971. She opened the Indian border to give refuge to 10 million Bangladeshis fleeing the atrocities of the Pakistani army and helped settle the government-in-exile of Bangladesh. Not only that, as noted journalist B.G. Verghese pointed out “she went around the world highlighting the genocide in Bangladesh and the crossover of millions of refugees to India”⁹. India’s intervention and subsequent formation of Bangladesh changed the shape of South Asia and destroyed several conventions. As Sreeradha Datta and Krishnan Srinivasan put it, “Indian foreign policy had triumphed backed by force of arms. The Americans and Chinese...had been trumped, leaving a compliant Bangladesh, grateful for the Indian sacrifice and support¹⁰.” This achievement established Indira Gandhi - the leader.

Indira Gandhi and the Pre-Emergency Period

The success in the Bangladesh Liberation War elevated Mrs. Gandhi’s clout and power in office. The power structure within the Congress party also changed. There was the rise of sycophancy, consolidation of the cult leader status for Mrs. Gandhi which was consequently followed by her intolerance to criticism. The “authoritarian streak”¹¹ in Mrs. Gandhi’s rule was also becoming apparent.

But despite her triumph in the sphere of foreign policy and her omniscient status in the Indian political scenario, she could not rein in political dissent growing within the country. In 1973 in Gujarat a mass agitation sparked off over shortage of food and rise in food prices. The Nav Nirman movement led to the dissolution of the state legislature and imposition of President’s rule in the state. When re-elections were conducted in June 1975, the Congress was defeated by an alliance of the opposition parties. In Bihar, in April 1974, Gandhian leader Jayaprakash Narayan, popularly known as JP threw his weight behind a student agitation against the Congress state government. His call for “total revolution” led to an agitated mass movement. The role and crusade of JP against the existing political and social system needs to be discussed in a little detail here to understand the situation in the country just before the imposition of Emergency.

The Congress found a real challenger in the form of Jayaprakash Narayan, popular as JP in the days after independence. JP was always critical of parliamentary democracy and advocated “party-less democracy” which according to many was a vague concept and away from the political reality. His call for “Total Revolution” or “Sampoorna Kranti” was also an unclear and “nebulous” concept. As Bipan Chandra, Aditya Mukherjee and Mridula Mukherjee¹² observed “JP at no stage was able to explain what a political system without political parties would involve or how would the popular will be expressed or implemented in it.” So though JP was an epitome of integrity, selflessness, sacrifice and champion of civil liberties and social order, his political ideals have been criticized as

vague and ill-defined. Yet, arguably, the JP movement was one of the most noteworthy moments in India's political scenario since Independence. As JP drew on the enormous discontent prevalent in the country to force a nation-wide movement against Indira Gandhi, he came to represent the voice of opposition in an era when official opposition had all but disappeared¹³. He came to represent people fed up with three decades of corruption, misrule and ineptitude of the Congress. The main justification of the JP movement was to end corruption in Indian life and politics whose fountainhead was allegedly Indira Gandhi and to defend democracy which was endangered by her dictatorial personality and her authoritarian administrative style. JP often said that Indira Gandhi's continuation in office was "incompatible with the survival of democracy in India."¹⁴ The stage was set for an electoral confrontation between Mrs. Gandhi and JP in the parliamentary elections scheduled after a few months.

But a court verdict on 12th June, 1975 changed the entire political situation. Justice Jagmohanlal Sinha of the Allahabad High Court hearing a petition of electoral malpractices convicted Mrs. Gandhi of indulging in corrupt campaigning practices in the parliamentary elections of 1971 and declared her election null and void. The conviction meant she could not hold on to the office of prime minister as well. JP and the opposition seized the occasion, accused her of "clinging to an office corruptly gained" and demanded her immediate resignation. In a rally in the national capital JP and his associates announced a nation-wide civil disobedience movement to force her resignation. In his speech JP asked people to make it impossible for the government to function and asked the armed forces, police personnel and the bureaucracy to refuse to obey orders they considered "illegal and unconstitutional". Mrs. Gandhi's lightning response was to declare a state of Internal Emergency in the whole country on 26th June, 1975. It was the darkest hour for democracy in post-independent India.

Emergency and Press Censorship: Indira's Relation with the Press

Of course Mrs. Gandhi did not choose a democratic or ethical way out following the court mandate and the increasing opposition pressure. Mrs. Gandhi justified the imposition of Emergency on three grounds. Firstly India's stability, integrity, security and democracy were endangered following the disruptive character of the JP movement. Referring to JP's speeches she accused the opposition of inciting the armed forces and the police to rebellion. Second, Mrs. Gandhi wanted to implement a program of rapid economic development for the poor and the underprivileged. And third she warned the country of foreign intervention and subversion with the aim of destabilizing and weakening India¹⁵. As we are aware along with the imposition of Emergency, censorship on the Press was also declared. The lady who once said that the power to question was the basis of human progress muzzled the right to question of the mass media who were an important institution in the democratic process.

There is a need to discuss the relationship between Press and Mrs. Gandhi in the pre-emergency period before we set out to underline the relation between emergency and Press censorship. As

pointed out earlier the Press in India before the reign of Mrs. Gandhi under her father Pandit Jawaharlal Nehru was a liberated one. Nehru not only had a high conception about the place of Press in national life but was open to self criticism at a level no political leader of his stature was¹⁶. But his daughter was of authoritarian nature and could not tolerate criticism against her government. Mrs. Gandhi sought to chain the Press from her early days. She expected the Press to blindly support her government without questioning her ability to deliver¹⁷. While Nehru encouraged the Press to voice its independent opinion, Indira believed that the Press should be the spokesperson for the government. The difference in their viewpoint was clear from their approach to Press freedom during two different wars. During the Sino-Indian war of 1962, though censorship was imposed on the Press there was no effort on the part of the Nehru administration to impose it stringently¹⁸; on the other hand, at the first announcement of the India-Pakistan war in 1971 censorship on the Press was also decreed.

As stated earlier Mrs. Gandhi's reservation about the Press stemmed from several factors including her own authoritarian streak. There were insinuations in the media about her dictatorial strains time and again. Time magazine referring to the imposition of internal emergency in 1975 headlined its report "Indira Gandhi's Dictatorship Digs in."¹⁹ Indira Gandhi did not approve of the independent, free-wheeling opinion of the Press on her government and her. A persistent attempt to curb Press freedom began way back in 1969. Mrs. Gandhi felt that the Press was too critical of her ways and went about to change its approach. In an interview with The Times of India on July 3, 1975 Indira Gandhi divulged the reason for her angst against the Press. "A campaign of hate and calumny was unleashed against me in 1969 but most of the Press did not protest." Coomi Kapoor²⁰ who was a journalist with The Indian Express stated "Mrs. Gandhi deeply resented the fact that almost all the major newspapers in their editorials had advised her to step down after the Allahabad judgment. Perhaps that was the reason for Press censorship during the entire Emergency period and the heavy cudgels on journalists."

The Press on its part was skeptical about Indira's ability to pull off as prime minister from the moment she assumed office. They referred to her as "goongi gudiya" aka Ram Mohan Lohiya and were almost dismissive of her ways of working. Perhaps, Indira was not in a position to take on the media during her initial tenure but with time as she started to control the Congress party and her government she sought to control the Press too. This became imminent when she recorded a resounding victory in 1971 parliamentary elections and helmed the Bangladesh war. She was more confident and challenged the operations and management of the print media. Various threats were held out by her Government and steps proposed to curb that section of the Press, which was thought to be the most independent²¹. Perhaps to that end she tried to limit the amount of newsprint used by the larger English medium dailies and regulate their circulation through the introduction of the Monopoly and Restrictive Trade Practices (MRTP) Act. In the Parliament, Mrs. Gandhi declared freedom of the Press did not mean going against the national policy of the country. The newspapers successfully fought the 1972 restrictions arguing that the act would "cut at the roots of democracy" since the large newspapers were "the only medium" of mass communication in India, and "the only counterbalance to the ruling party's views."²²

During the summer of 1975, as Indira Gandhi became increasingly threatened by the mounting criticisms of her government, and sensed a surging support of the Press towards JP and the opposition movement she declared a state of internal Emergency and took control of the Press, prohibiting their reporting of all domestic and international news without government consent. Her government expelled 7 foreign correspondents and banned 29 others from entering India. It withdrew accreditation from more than 46 reporters, 2 cartoonists and 6 photographers who normally covered the capital and 258 journalists were arrested during the 21 month Emergency period²³. Kuldip Nayar, an internationally prominent journalist was arrested under MISA (Maintenance of Internal Security Act). Government advertisements were withheld to 100 newspapers and periodicals to suffocate them financially. The print media understood it would be difficult to enjoy freedom during Emergency.

We know that Article 19(1) (a) of the Indian constitution guarantees Freedom of Speech and Expression to all citizens of India including the Press. The second part of Article 19 enumerates the restrictions on the Freedom of Speech and Expression. The Indira Gandhi government used the "security of the state" and "promotion of disaffection" specified in Article 19 (2) as its defense for imposing strict control on the Press. The airwaves comprising the radio and television were under state control in India during 1975; by imposing restrictions through Article 19(2) on the print media the government was successful in controlling the entire mass media.

The Print Media's Response to the Emergency

With freedom comes the responsibility to uphold that freedom under all circumstances. Sadly during Emergency, most of India's domestic dailies gave up the battle for Press freedom after the initial protest. For the first two days there was some semblance of opposition from some section of the print media. Blank editorials appeared as a gesture of protest. Official threats caused these to vanish in no time. Thereafter there was, by and large, meek submission to the drastic curtailment of Press and personal freedoms. As L K Advani famously said, "When Indira Gandhi asked the media to bend, it crawled." Their pages were "filled with fawning accounts of national events, flattering pictures of Mrs. Gandhi and her ambitious son, and not coincidentally, lucrative government advertising"²⁴.

The Hindustan Times, one of the leading English-language dailies, headed by Mr. K.K. Birla, a prominent Indian industrialist became a strong supporter of the government during. The Times of India, one third of whose directors were government nominees, soon surrendered its independence and reflected the official line. Political cartoons disappeared overnight and no one dared put out any cartoon of Mrs. Gandhi which was unflattering. The Hindu, in south India, believed discretion to be the better part of valour and acted accordingly.

There was support for Emergency from even journalists like Khushwant Singh, who at the time was the editor of "The Illustrated Weekly of India". He observed "By May 1975 public protests against Mrs. Gandhi's government had assumed nationwide dimensions and often turned violent. With my own eyes I saw slogan-chanting processions go down Bombay thoroughfares smashing cars parked

on the roadsides and breaking shop-windows as they went along. Leaders of opposition parties watched the country sliding into chaos as bemused spectators hoping that the mounting chaos would force Mrs. Gandhi to resign.²⁵”

The proprietors, owners and journalists had their own reason for supporting the Emergency. The Board of The Times of India, for example, decided that the paper would not oppose the Emergency, because whatever their opinion of the matter, the law was to be followed and this was the law at that point of time. A senior journalist of the paper Inder Malhotra stated “We cannot speak against it, it was decided, and as it was a privately owned paper, we had to follow suit. A few of us proposed that if we couldn’t speak against it, we wouldn’t support it either, and that was the final position the paper took²⁶.”

The content of the newspapers also reflected this sanitized and detached approach. “India’s Sterile Press”, referring to the sterilization drive of the Indira Gandhi government under the supervision of her son Sanjay Gandhi, was filled with ineffectual government handouts of the Ministry of Information and Broadcasting. Most of the reports were equivalent to government propaganda. L. K. Advani observed, “Following the censorship of the Press there was hardly any difference between one paper and another. They were all drab and dull, inane and insipid, mere reproductions of official handouts²⁷”. Writer Gnani Sankaran who was then a reporter in the Indian Express, Chennai edition opined there was no other option with the newspapers. He wrote, “The Censor wanted to kill newspapers by delaying approvals. Along with letting pages go blank, sometimes innocuous and frivolous stuff like how to make onion raita (salad) had to be printed since political news could not be taken without consent.”²⁸

These are certainly cases where the print media’s journalistic and ethical standards fell through but at the same time there was very little in terms of content that the newspapers could print bypassing censorship strictures. It was the first time after Independence that pre-censorship on the Press have been imposed on the Indian Press. It implied the government would decide the news and information to be disseminated by the newspapers on all policies, programs and even individuals. So instead of the editors and journalists playing their role as independent watchdogs in the democratic system, the government became the ‘gatekeeper’ of all news. The government issued Central Censorship Order and Guidelines for the Press in the Emergency period. The Central Censorship Order imposed under rule 48 of the Defense of India Rules, 1971, addressed all printers, publishers and editors and prohibited the publication of news, comments, rumours or other reports relating to actions taken by the government without their first being submitted for scrutiny to an authorized government official (the Censor). In the initial days an official from the office the Chief Censor officer was sent to each daily newspaper in the evening²⁹ though later the process was discontinued for obvious logistic reasons. The strictures on the Press sometimes bordered on the ludicrous. Quotations of Rabindranath Tagore, Mahatma Gandhi and Jawaharlal Nehru were banned as they were used against British rule and now may be used out of context against the present government³⁰. Innocuous news’ which had little to do with criticism against governmental action or measures were not allowed to be published like the black out of some unpleasant news about the criminal convictions of an actress and of some businessmen. The Censor’s scissors were applied arbitrarily and in a few cases the decisions ‘bordered on the farcical’³¹.

Of course there were some newspapers who protested tooth and nail against censorship during the Emergency besides many smaller, independent newspapers and journals like Himmat. The Indian Express and The Statesman, fought courageously against Indira Gandhi's dictum on the Indian Press³². The Indian Express Delhi edition on June 28, 1975 carried a blank first editorial and the Financial Express reproduced in large type Rabindranath Tagore's poem "where the mind is without fear and the head held high" concluding with the prayer "Into that heaven of freedom, my Father, let my country awake." A small fortnightly newsmagazine, India Today was launched in October 1975, right in the middle of the Emergency. In the two issues that came out after the declaration of Emergency, Himmat chose to leave its editorials blank. Thereafter, it decided to write until it was informed that it had violated some guidelines³³. Despite some bold fights and stubborn stands by these print media it was clear that Indira Gandhi had as strong a grip on the Indian Press as she had on Indian politics, during the emergency.

The surrendered media said the options available to newspapers and reporters during Emergency were limited owing to the coercive methods applied by government. Indu B. Singh has pointed out Mrs. Gandhi used three methods to manipulate the Press: (1) allocation of government advertising; (2) shotgun merger of the news agencies; and (3) use of fear-arousal techniques on newspaper publishers, journalists and individual shareholders³⁴.

During the 1970s the Indian newspapers depended a great deal on governmental advertising. Without revenues from this head it was difficult for many Indian newspapers to stay in business. Unfortunately, this kept them vulnerable to government manipulation for years. While this remained a latent worry for the newspapers, the Indira Gandhi government made it evident that it is going to use this against newspapers. As if to reinstate its point the government at the beginning of the imposition of Press censorship, withdrew its advertising support from The Indian Express and The Statesman when they refused to abide by the governmental censorship. As the emergency continued this kind of financial chastisement was used on other newspapers who failed to toe the government line.

The second way that the Indira administration applied to control news flow to newspapers was the merger of the four privately-owned Indian news agencies, Press Trust of India (PTI) and United News of India (UNI) in English and the Samachar Bharti and Hindusthan Samachar in Hindi. The main purpose behind this merger was to alter the management of the Indian news agencies and control much of the content of the newspapers. As Singh pointed out since these agencies had been acting as the gatekeepers of information, it was essential for Indira Gandhi to control the gatekeepers³⁵ and consequently become the gatekeeper. To effect such a merger, the government carried out several strong-arm tactics. First of all, pressure was put on the members of boards of these agencies. Then the financial squeeze was applied to the agencies themselves by withholding governmental subsidy. Thirdly, the government threatened to cut-off the tele-printer services, the lifeline of a news agency. The government-owned Post and Telegraph Department threatened to impose a suspension of services to the UNI if it resisted the merger. Chitra Kanungo³⁶ added the news agencies were threatened with non-payment of large arrears of subscription due to them by

AIR unless they agreed to merge. It goes without saying that the government gained immense power by the merger of the news agencies.

The third way in which Mrs. Gandhi's government held the Press with iron fist was direct reprisals if the Press ignored the threats and warnings of the government. There were false charges with regard to tax arrears, threats of reductions in newsprint quotas, imprisonment of publishers and their immediate families, threats of shutting down the Press, and removal of governmental housing and other facilities for Delhi-based journalists. Ramnath Goenka, the proprietor of the Indian Express described his ordeal thus, "The government, acting under the personal directions of Indira Gandhi, abused its authority and subverted lawful processes to liquidate me and my group of companies economically and made me an object of public ridicule and shame"³⁷. It is widely known that within hours of declaration of Emergency on the midnight of June 25, 1975, electric supply was cut down at Bahadurshah Zafar Road, the hub of newspapers in New Delhi to prevent the newspapers from printing the breaking news of proclamation of Emergency. Tavleen Singh,³⁸ a journalist with The Statesman then has revealed how newspapers that were submitted to the censors at Press Information Bureau, New Delhi for 'pre-censorship' were returned so late at night they could be sold before 8 am in the morning, when there were hardly any takers for them.

Marcus F. Franda³⁹ observed Indira Gandhi's justification for the repression of the Indian mass media was based on three major assumptions. (1) economic productivity and social justice are more important than civil liberties and freedom of expression: (2) the Press in India was acting in a manner that seriously hindered the state in its efforts to promote economic productivity and social justice; and (3) a drastic contraction of civil liberties and Press rights will advance the state's ability to promote those causes. Commenting on this rationale for Press censorship, Henry Hart⁴⁰ wrote: ... it is premature to pose a choice between freedom and economic justice before we know whether the immediate contraction of civil liberties and suspension of elections will further economic productivity and redistribution. This is a predictive question to which social scientists have their contributions to make. So Indira Gandhi's conclusion that suspending civil rights and press liberty will bring forth economic regeneration and growth was simply illogical.

Besides these drastic steps the Indira Gandhi government resorted to several related strictures which affected the production and circulation of the print media. On the cut off of electricity service to the Delhi newspapers soon after the declaration of Emergency, the White Paper on the Misuse of Mass Media during the Emergency⁴¹ commented "Conscious that the implementation of censorship may take time, and in the meanwhile the Delhi papers at least may come out with screaming headlines about the cataclysmic events, the government resorted to blatant illegality. Power supply to newspapers (in Delhi) was cut off. According to Delhi Electric Supply Undertaking, oral instructions were received by them from the Lieutenant Government of Delhi that this be done. Most Delhi newspapers were, therefore, unable to bring out their editions on June 26, 1975."

The ethical degradation of the Indira Gandhi government in the imposition of the emergency is obvious. But the response of the Press, the majority of it was unbecoming. Talking about the response of the print media in general to the emergency and pre censorship laws, one of the legal luminaries, Soli Sorabjee⁴² observed, "The first and most crucial round of battle for freedom of the Press and civil liberties was lost without a struggle in the first week after the emergency." The

absurdity and illegality of the Censor's action was not lost on the newspapers and their editors but barring a valiant few the others were unwilling to challenge it in the court of law. This was unfortunate as contesting in the court of laws proved effective. In the Binod Rau V/S M R Masani case the Bombay High Court on April, 1976 ruled among other things, "if there is a right to praise either an individual or the government, there is equally a right to criticize the individual or the government.....⁴³." The fact of the matter was that fear had struck the print media. Editors were more interested in saving their jobs and printers did not want to risk forfeiture of their presses. This stance of the majority of the print media was thus disapproving. The clamour for Press freedom did not translate into fight to stave off attack on Press freedom.

Ghosh⁴⁴ wrote "At a meeting on June 26, 1975 Indira Gandhi laid down the broad policy in respect of media. At this meeting, it was proposed to abolish the Press Council, fuse the four news agencies into one, review the advertisement policy by the Directorate of Advertising and Visual Publicity (DAVP) with respect to newspapers, withdraw the housing facilities given to journalists and deport the foreign correspondents not willing to fall in line." Her despotic stance against the print media was ably implemented by Vidya Charan Shukla, handpicked by Sanjay Gandhi as the Information and Broadcasting minister. As the White Paper on Misuse of Mass Media during the Internal Emergency⁴⁵ underlined, "The press and films, otherwise outside the control of government were made to dance to the tune of the rulers by a set of draconian laws which reduced press freedom to naught and there was consistent abuse of authority in the matter of disbursing advertisement, allocation of newsprint and release of raw stock for films."

The enactment of the Prevention of Publication of Objectionable Matters Act, 1976 proved to be the death knell for Indian journalists. The Act empowered the government to prohibit publications on all grounds pertaining to Article 19 (2). Thus the Act effectively banned all media publicity to anti-government criticism or protests against government policies. It also empowered competent authorities to confiscate or shut down printing presses or forfeit security deposit for printing "Objectionable matter" which of course included anything and everything. Most of the Press became apprehensive and restrained and maintained this stance throughout the Emergency period. The media was thus a fettered and dysfunctional institution DURING Emergency.

Conclusion

Durga Das⁴⁶, head of India News and Feature Alliance observed "Indira Gandhi did not accept the basic philosophy of a newspaper is that it has to convey the people's problems, not the government view, that a columnist must carry the voice of dissent in the corridors of power." Her policy and approach towards Press in India has always been this from the beginning of her reign and therefore her blatant misuse of power during the Emergency comes as no surprise.

In the aftermath of the Emergency much of the democratic principles were restored and along with press freedom. The excesses committed by Mrs. Gandhi and her administration against the print media during Emergency have been codified by the two commissions set-up by the subsequent Janata Party government to investigate the matter. The highlights of the Shah Commission's⁴⁷ findings pointed to planned and unabashed government interference to suspend media freedom.

1. The government resorted to cutting off the electricity of newspaper offices on June 26, 1975, the day after the emergency was proclaimed, in order to buy time to set-up the apparatus of the censorship. Three days later when the censorship machinery was in place, the power supply resumed.
2. The Indian Ministry of Information and Broadcasting designated newspapers as either hostile, friendly or neutral and issued instructions to withhold or reduce advertisements from hostile and neutral newspapers and to increase advertisements in friendly newspapers
3. The Ministry of Information and Broadcasting ordered a study of the newspapers over the six month period preceding the Emergency in order to determine each newspaper's attitude to government and to penalize it accordingly.
4. The government tightened its control over newsprint supply through state monopoly, i.e., State Trading Corporation.

The Indira government enacted laws curbing the right of journalists and limiting the scope of Press reports in all possible ways. The scope was further restricted by the standpoint taken by a majority of proprietors, owners and editors. After the initial resentment and protest against the Emergency and the government, the majority of media as it has been illustrated in this paper fell in line and followed the government approach. Fortunately a few took a different outlook and resorted to protest and dissent but they were a drop in the ocean. While the government's illegal and unethical stand has been severely criticized the world over and Indira Gandhi, her son, Sanjay and her sycophants who supported the Gandhis castigated, there is not much encouraging things to be said about the print media either. It was independent of government control at the time of proclamation of Emergency but did precious little to maintain its journalistic standards and preserve its moral ground.

The subsequent government of Morarji Desai had a liberal outlook towards the Press and the Indian Press regained its vigour and role. But governments and government heads cannot be entrusted with media freedom or ethics. Both of them has to be nurtured and preserved by media themselves otherwise there would be perpetual threat to its free functioning. After Indira Gandhi came back to power in 1980 she indicated more than once her dislike for the way in which the National Press operated. On January 15, the day after taking office, Mrs. Gandhi advised the Press to be more objective and exercise self-restraint⁴⁸. As Thomas Jefferson had underlined, "Eternal vigilance is the price of Liberty", the Press in India needs to ward off any attempt on its Freedom of speech and expression by being alert and aware. This will not only uphold press freedom but consequently maintain greater ethical standards as ethics and independence are interrelated. With greater independence comes greater financial autonomy and with it is easier to retain high moral ground and face Emergency-like onslaughts.

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