

Oh, This Accursed Compulsion!

■ Dr. M.N. Buch

India has had coalition rule both under NDA and under UPA. The common factor in both governments has been that in NDA Atal Bihari Vajpayee was the Prime Minister and remained so during the entire tenure of the government and in UPA Manmohan Singh completed a full term and is three-fifth into his second term. Both coalitions were under immense pressure from junior partners to succumb to their whims and fancies. Atal Bihari Vajpayee handled the pressures quite competently but not altogether satisfactorily. Manmohan Singh in his first term faced less pressure but in his second term has emerged as a Prime Minister who is quite willing to bow before any pressure.

A coalition government has to remember two different sets of things when functioning as a government. The first is that it has a constitutional duty to govern and that governance will be in accordance with the Constitution and for the welfare of the people at large. The second factor is that it has to function in a manner in which the interests of all the partners are safeguarded so that the coalition does not break up and the government does not fall. Has the coalition government functioned in accordance with these two principles? Foreign affairs, treaties with foreign governments defence are matters within the exclusive jurisdiction of Parliament and, therefore, the Union Government. Public order and police are firmly within the jurisdiction of the State Legislature and the State Government. A controversy erupted over the National Counter Terrorism Centre which the Government of India wanted to empower under the Unlawful Activities (Prevention) Act giving it the power to search, detain and arrest. A number of State Governments took strong exception to this because they have very rightly stated that police is entirely and absolutely a State subject and that the police's power of search, seizure, detention and arrest cannot be given to a central organisation, except with the prior approval of the State Government concerned. This is precisely the position as stated in sections 5 and 6 of the Delhi Special Police Establishment Act 1946. The States are prepared to cooperate with the Centre in the matter of control over terrorism, but the arrangement should be hammered out in consultation with the State Governments. The Centre did not follow this process and, therefore, NCTC is a non-starter. Here is a compulsion of both federalism and coalition which is correct and appropriate.

India wanted to sign a treaty with Bangladesh which would have cemented Indo-Bangladesh friendship and given Sheikh Hasina a fair chance to keep the Islamic fundamentalists at bay in Bangladesh. Part of the treaty was to cover sharing of the waters of the Teesta River between India and Bangladesh. Perhaps the Government of India erred in not having high-level consultations with Mamata Banerjee and the Government of West Bengal on this issue, but Mamata Banerjee had no business to force the Government of India to abandon this part of the treaty on the grounds of being a riparian State. This will jeopardise our relation with a neighbour. Government succumbed to Mamata's pressure and thus, though the government was saved, our relations with Bangladesh came under severe threat. Emboldened by this Mamata Banerjee has forced the Government of India to accept every one of her whims. This includes putting a hold on the Lokpal Bill because of the provisions regarding Lok Ayukta, virtually scuttling the Land Acquisition Bill and then forcing the centre to dismiss a Railway Minister who had introduced a sensible budget, replace him with a nominee of Mamata Banerjee and then to reverse the entire railway budget. In every case the compulsion of coalition was given as an excuse. The latest and most disgraceful example of this weakness of government is the vote it gave in favour of a U.S. sponsored resolution in the United Nations Human Rights Commission which severely criticised the human rights record of the Sri Lankan Government vis-à-vis the Tamils and called upon the Sri

Lankan Government to take remedial measures. India has never voted for a country specific resolution, but in this case we went along with the U.S. Pakistan, China, Nepal, Malaysia and other South Asian countries voted against the resolution, thus isolating India within Asia as the only country which supported the U.S. against an Asian Government. To make matters worse the Prime Minister wrote a letter to the President of Sri Lanka saying that India had done this only to water down the resolution and that he had directed our delegation to UNHRC to reach out to the Sri Lanka delegation and give it every help. All this happened because DMK brought pressure on the Government of India to vote for the resolution and, oh, this accursed coalition, the government had no choice but to go along with the DMK partners.

I know that people in Tamil Nadu are in sympathy with the resolution. However, unlike them I have seen how Neelam Tiruchelvam, one of the finest human rights lawyers in Sri Lanka who fought till the end for the rights of the Tamils, was gunned down in cold blood by LTTE assassins because Prabhakaran could not tolerate any moderate Tamil. No doubt the Sri Lankan Army towards the end of the war committed atrocities, but it should also be remembered that the Sri Lankans were fighting against the most dreaded terrorist outfit in the world before whom Al Queda fades into insignificance and, therefore, it was a no holds barred war. India helped Sri Lanka to deal with JVP because IPKF was able to suppress LTTE so long as it was in Sri Lanka. The Indians have great good will in Sri Lanka and a very distinct say in ensuring that Sri Lanka follows a pro Indian policy. We have now completely lost our leverage because of this unfortunate vote. China and Pakistan have both operated as friends of Sri Lanka and now India will increasingly become irrelevant in that country and the influence of China and Pakistan will increase. We have virtually lost Nepal, our position in Maldives is not too happy, as Afghanistan moves towards the day when America withdraws and the government becomes increasingly fundamentalist we shall be ousted from Afghanistan. We have now also lost Sri Lanka. If this is what coalition can bring a government to, all I can say is a pox on all your houses.
