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## **REPUBLIC DAY REFLECTIONS : EMPTY RITUAL ?**

By C Uday Bhaskar

The Republic Day parade this year is more special than the others that preceded it for Tuesday , Jan 26<sup>th</sup> this year marks 60 years of the Indian Republic. A broad review and candid reflection of where India is poised and where it is headed is called for to place the splendid parade on Delhi's Rajpath in appropriate context.

The fact that India could give itself such a visionary document – the Constitution – is in itself a matter of great pride. Few constitutions in the world can match the depth and scope of the Indian document and the commitment to the democratic principle on the basis of which the citizen would be assured of justice, equality and liberty was very inspiring to a people coming out of colonial subjugation. It is even more gratifying that the idea of India as a united entity – despite all the diversities – has not only prevailed but become politically and economically more robust. This steady consolidation has served to prove Churchill wrong - though the challenges to Indian integrity and sovereignty are complex and persistent. Mumbai of November 2008 was the most recent example.

India's democratic experience – barring the brief interregnum of the emergency imposed by PM Indira Gandhi in the mid 1970's – is in sharp contrast to the experience of many other post-colonial nations in Asia and Africa and the comparison with Pakistan is stark. Here it merits recall that much of the Indian democratic experience was enabled by the apolitical Indian military and the manner in which it has internalized the essence of the Constitution and the supremacy of the elected representative. The professionalism and the courage of the Indian fauji has been the bulwark that has thwarted the many threats to sovereignty and the Republic Day parade is occasion to acknowledge the bravery of these soldiers.

But can the military parade and the pageantry hide the many ugly aspects of the Indian experience over the last few decades ? If India was anguished over Mumbai in 2008, the nation was shamed by the enormity of the DGP Rathore case that was brought to light by the media. For a nation that ostensibly reveres Mahatma Gandhi and the upholding of truth and courage in the face of oppression – the collective silence of the Indian state and civil society that allowed a young girl to be molested, intimidated and driven to suicide must compel deep reflection and sincere redress. But it is not evident that this is likely to happen. Very soon the Rathore case will join the list of scandals and scams that remain on the nation's conscience and in the news for a few weeks – and then disappear.

The symbolism of the Rathore case is important on the occasion of Republic Day. Here was a case of the guardian of the law – a senior police official responsible for the safety of the citizen – becoming a vicious predator and using the entire machinery of the state at his disposal for pursuing personal vendetta. Justice as enshrined in the Constitution was not only denied to the victim and her family – but no one raised their voice to protest

or lifted a finger to help for almost two decades. But as those who have been following the decay in public life know all too well, the Rathore case is only the tip of the iceberg as far as such transgressions are concerned.

Democracy is predicated upon the rule of law and justice must be delivered in a fair and speedy manner to the citizen. The irony is that despite the claims of being the world's largest democracy, India's adherence to law is shameful. The equality enshrined in the Constitution remains on paper only and a different set of laws apply to the rich and the powerful while the common citizen sees the venal side of the law enforcement machinery. The judiciary is hobbled by an antiquated set of laws that were framed in colonial India by the British Raj and the entire legal system has become trapped in backlog, delays and corruption of unimaginable proportion. Almost 30 million cases are pending in different courts and there can be no greater travesty of justice.

All the major pillars of a functioning and healthy democracy that is responsive to the citizen have become dysfunctional, corrupt and focused on self-interest. Parliament, which is the highest body in a democracy is unable or unwilling to pass effective and appropriate laws that will benefit the common man and ironically, India is still governed by laws passed in the 19<sup>th</sup> century. But the same Parliament is quick to pass laws that benefit the parliamentarian – whether it is pay increase or some other aspect of personal benefit. The bureaucracy has slowly spread its tentacles to engage in and nurture corruption and the fact that some states like UP not only publicly identify the most corrupt IAS officer but see them being elevated to the highest office is a reflection of the manner in which the basic principles and values of the Constitution have been trampled upon.

Perhaps the most tragic development of how far India is moving from the vision of its founding fathers and the drafters of the Constitution is the fall-out of the brutal murder of an activist in Pune earlier this month. Satish Shetty who used the RTI provision to expose the building mafia in his city was brazenly killed and here again, the guardian has become predator. Like the Rathore case, this will also soon be forgotten but here the message is even more depressing. The upright and honest citizen who raises his voice against malpractice and the law-breaker is now a 'threat' to the money-power/muscle-power mafia like system that runs the Indian Republic.

60 years later, all that remains is the empty ritual of a grand parade where symbolism becomes a substitute for substance. If truth must prevail in keeping with the spirit of Gandhi, then this Republic Day extravaganza should be the last such parade – and the nation must engage in deep introspection and return to the principles enshrined in the Constitution.

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