

Qualifying for Leader of the Opposition

The Lok Sabha Speaker should consider the leader of the largest pre-poll alliance



After the election of the Lok Sabha Speaker, the question of a formally recognised Opposition party and Leader of the Opposition (LoP) of the Lok Sabha under the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, will arise. The Act extends to LoPs in the Lok Sabha and the Rajya Sabha the same official status, allowances and perks that are admissible to Cabinet Ministers. In the case of the Lok Sabha, however, this is subject to recognition of the leader by the Speaker. In the 16th Lok Sabha, the largest party in the Opposition, the Congress, had 44 seats. After careful consideration, it was decided not to recognise the party's leader as LoP. Now, the matter needs to be revisited in the context of the 17th Lok Sabha.

The election to the 17th Lok Sabha was the most fiercely and bitterly fought one in the history of the Republic. The decisive victory of the ruling alliance and its leadership has been widely welcomed as being in the best interests of the polity and the people. Above everything, the nation needs a stable government and a strong leader capable of taking firm decisions to ensure security, development and good governance within the rule of law. However, for the success and survival of democracy, an effective Opposition is also a categorical imperative. It is said that if no Opposition exists, one may have to be created. Also, if there is no Opposition outside, there is every danger that it may grow within.

Leaders of Opposition over time Historically, the first officially designated Opposition party in Parliament emerged from the break up of the all-dominant Congress party in power. In 1969, when Indira Gandhi was the Prime Minister, the Congress split to form the Indian National Congress (Requisitionists) and the Indian National Congress (Organisation). The Leader of INC(O), Ram Subhag Singh, became the first person to be formally recognised as LoP in the



"An effective Opposition is an imperative for the success and survival of democracy." PM Manmohan Singh with the Leader of the Opposition in the Lok Sabha, Sushma Swaraj, during the golden jubilee celebrations of the Central Vigilance Commission in New Delhi in February 2014. **✦ PTI**

Lok Sabha.

In the 6th Lok Sabha, the Congress sat in the Opposition. Following splits in the Congress as well as the Janata Party, Yashwantrao B. Chavan, C.M. Stephen and Jagjivan Ram were successive LoPs.

Until 1977, there were no emoluments and perks attached to the position of LoP. There is no provision in the Constitution or even in the Lok Sabha Rules of Procedure in regard to the recognition of the LoP. Right from the first Lok Sabha, the practice has been to recognise the leader of the largest party in Opposition as the LoP provided that party has a strength that is enough to constitute the quorum for a sitting of the House, or one-tenth of the total membership of the House – at present that comes to 55 members. From the 9th to the 15th Lok Sabhas, since the requirement of having a minimum strength of 55 members was fulfilled, the Lok Sabha had duly recognised Opposition parties and LoPs, including Rajiv Gandhi, L.K. Advani, Atal Bihari Vaj-

payee, P.V. Narasimha Rao, Sharad Pawar, Sonia Gandhi and Sushma Swaraj.

The 1977 Act defines LoP as that member of the House who is the "Leader in that House of the party in opposition to the Government having the greatest numerical strength and recognised as such by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be." The Speaker's decisions in this regard have so far been determined by Direction 121(c) which laid down one of the conditions for recognition of party or group as having "at least a strength equal to the quorum fixed to constitute a sitting of the House, that is one-tenth of the total number of members of the House". The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 also refers to a recognised party in the Lok Sabha as a party that has not less than 55 members.

In the recently concluded election

to the Lok Sabha, the Opposition was decimated, but thankfully not obliterated. In fact, the largest party in Opposition, the Congress, has improved its position from 44 in 2014 to 52 now. It is short of only three members to reach the magical number of 55. Given the level at which ground-level politics has been operating in recent decades, it should not be difficult for the Congress leadership to augment its party strength by three members. At the same time, the ruling dispensation is expected to show magnanimity at this hour of its splendid victory, and the new occupant of the office of Speaker, realising the importance of an effective and respected Opposition in a democracy, may reconsider the content of Direction 121(c) suitably.

The Speaker's discretion

Since there is no constitutional provision, the 1977 law does not provide for the requirement of 55 members as an essential pre-requisite. As it all depends on the Speaker's directions and discretion, it may be hoped that rightful action will be taken. The simple way out is to substitute 'pre-poll alliance' for 'party' or say 'party or pre-poll alliance'. In any case, pre-poll alliances are a fact of our political life and are already being extended credibility and legitimacy in the matter of the President and Governors deciding on who to call first for forming the government in cases where no party secures a clear majority support in the House.

Incidentally, what is decided in the matter of recognition of the LoP, and in treating pre-poll alliances at par with parties, may hold tremendous potential for the growth of a sound two- or three-party (or alliance) system. It could end the present system, a preposterous one, of more than 2,000 parties being registered with the Election Commission. If and when the much-awaited law for political parties is enacted, it may provide for candidates of an alliance contesting on a common symbol and an agreed common minimum programme with only national alliances or parties contesting for the Lok Sabha. These aspects, however, call for separate in-depth analysis, consideration and debate.

Subhash Kashyap is a former Secretary General of the Lok Sabha

FROM THE READERS' EDITOR

Ethics cannot be outsourced

Why having an external news ombudsman may not work



A.S. PANNEERSELVAN

How effective is the office of the news ombudsman in this age of polarisation? Are news ombudsmen inherently liberal? Are they fair to conservative views? Some readers saw a liberal bias in my handling of complaints relating to a report in this newspaper on the food served by The Akshaya Patra Foundation. The Organization of News Ombudsmen and Standards Editors and the Columbia Journalism Review (CJR) in New York discussed these contentious issues at length recently.

Growing distance

It was a distinguished panel. Todd Gitlin, Professor and Chair of the Ph.D. programme at the Columbia Journalism School, articulated the liberal view. John Carney from *Breitbart News*, a right-wing news and opinion website, sought more space for conservative voices. Mr. Gitlin argued that workers today spend all their time in soul-crushing conditions and therefore need stimulation. Their need for sensation is fulfilled by various media, which have fostered a society of disposable emotions and short attention spans. Such a society, he said, threatens to make democracy a sideshow. Mr. Carney said that liberals due to their biases refuse to grant a fair space for conservative viewpoints on a range of issues. Kelly McBride, the Craig Newmark Journalism Ethics Chair at The Poynter Institute, was brought in as a neutral voice. The issue was not resolved, but the discussion helped in realising the growing distance between the two strands of thought and the strain of this on the information ecology.

Is there a takeaway for Readers' Editor from such an interminable debate? How do we look at publications that are removing the position of Readers' Editor? Is it possible to externalise this role? In the eyes of CJR, Public Editors and ombudsmen have historically stood as critical advocates for consumers of news, identifying blind spots that outlets can't see themselves and operating as collectors of critical opinion when decisions go awry. CJR argued that the flameout of Public Editors in the U.S., which reached a point of despair in 2017 when *The New York Times* sent its last Public Editor packing, is the most visible sign of the growing distance between news organisations and the people they

serve. To restore a sense of fairness, and to handle difficulties in journalism in an election cycle when issues are going to be contentious, and voices partisan and vicious, the journalism magazine has appointed four new public editors, for *The New York Times*, *The Washington Post*, CNN, and MSNBC.

A delicate balance

While I understand the reasons that prompted CJR to have four public editors for these major U.S. media outlets, I am not sure whether it will be effective. A news ombudsman is given unbridled access to the process of news-gathering. Post-publication of a story, he or she discusses with the Editor the thought process behind the decision to publish that story. Ombudsmen, editors and reporters share the ethical framework of journalism. I am not sure what the level of access the CJR-nominated Public Editors will have to the reporting and the editing teams of

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their respective news organisations. Further, to have a Public Editor is to have a self-regulation mechanism; hence, it would be better for publications to nominate a designated person with clearly formulated terms of reference, rather than have an external body. The relationship between the news ombudsman and the Editor is rather nuanced and I am not sure whether an external ombudsman can maintain that delicate balance.

As a journalist, I was not only inspired but also shaped by George Orwell's writings. Some of the phrases he used helped me understand the misuse of language in our political landscape: Newspeak, Big Brother, the Thought Police, the Two Minutes Hate, doublethink, unperson, memory hole, and the Ministry of Truth. However, as a Readers' Editor, I realise that my job should exhibit a certain level of restraint. It should not hamper the free flow of information and the blooming of diverse and contrarian ideas. A good copy editor helps the text gain its full glow without drawing any attention to the act of editing. A news ombudsman performs a similar task for journalistic ethics.

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SINGLE FILE

Self-serving nations

National interests are taking precedence over international issues such as terrorism

RADHIKA CHHABRA



Last month, China lifted its 'technical hold' on the designation of Jaish-e-Mohammad chief Masood Azhar, paving the way for him to be labelled as a global terrorist under the 1267 Sanctions Committee of the UN Security Council (UNSC). This marked a high point in India's diplomatic endeavours. However, there is a need to analyse the decision-making process leading to the adoption of the resolution.

Both China and Pakistan have questionable track records when it comes to condemning terrorist attacks around the world. China, on the behest of Pakistan, repeatedly refused to list Azhar, despite receiving proof from Indian diplomatic missions regarding his role in many terrorist attacks. Additionally, China labels anyone with a dissenting opinion as a terrorist, giving Beijing a free hand to suppress any kind of dissent, as can be seen through the accusations levelled against the Dalai Lama and Dolkun Isa, leaders of the minority Tibetan and Muslim Uyghur communities, respectively. The accusation against the Dalai Lama as engaging in "terrorism under disguise" was met with strong international condemnation, a fact that China chooses to ignore as it suits its domestic policy objectives regarding control over Tibet.

Pakistan has been successfully evading responsibility for the JeM's actions despite Azhar's designation. India has been unable to attribute JeM's actions to Pakistan under the Articles on Responsibility of States for Internationally Wrongful Acts and subsequently hold the country responsible for the breach of its international obligation to comply with the sanction requirements. This is largely due to the systematic loopholes inherent in the Articles on Responsibility relating to the ascription of acts of a non-state actor.

Placing Azhar on the list without formally associating him with either the Pathankot or Pulwama terror attack reduces the possibility of Pakistan being on the receiving end of strong sanctions from the international community. The UN's actions are telling of the diplomatic clout China wields in the international arena where the Chinese foreign spokesperson claims a victory for Chinese and Pakistani diplomacy, while ensuring that India's demands are not fully met.

Blacklisting terrorist organisations in the past has proven to be futile as evidenced by Hafiz Saeed's active involvement in terrorist activities despite being designated as a terrorist under the same sanctions committee.

Global challenges like terrorism require global cooperation. However, countries continue to think and act in terms of self-interest. In a bid to become powerhouses in a multipolar world, countries like China will keep dictating terms, which is bound to make the forging of any global agreement against terrorism difficult.

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DATA POINT

Peace position

The world has been more peaceful in 2019 compared to 2018, according to the Global Peace Index. This is the first time the peace score has improved in the last five years. Afghanistan replaced Syria as the least peaceful nation following the defeat of the Islamic State. India dropped five ranks. **By Varun B. Krishnan**

Region split

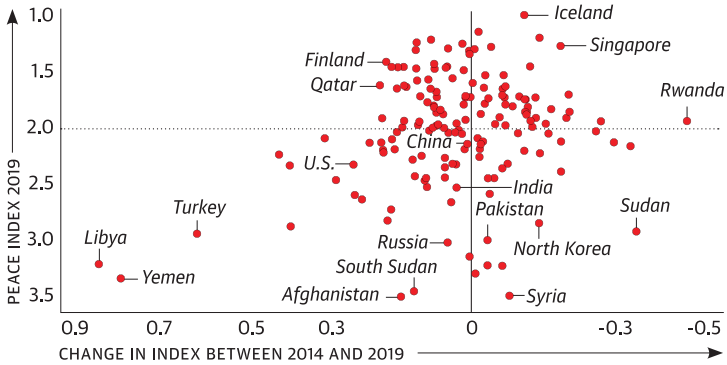
After WANA*, South Asia is the least peaceful region in the world. Central America and the Caribbean experienced the largest fall in the peace index due to civil unrest. A negative change indicates that the region became more peaceful

Region	Score in 2019	Change in score since 2018	Change since 2014
WANA*	2.511	-0.016	0.151
South Asia	2.411	0.009	0.01
Russia & Eurasia	2.301	-0.038	0.008
Sub-Saharan Africa	2.252	0.009	-0.017
CAC*	2.132	0.03	0.022
South America	2.101	0.018	0.062
Asia Pacific	1.897	-0.015	-0.026
North America	1.864	0.029	0.142
Europe	1.666	-0.01	0.057

*CAC: Central America and the Caribbean; WANA: West Asia and North Africa

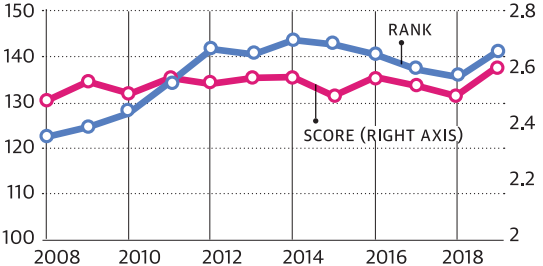
Conflict theatres

The graph plots the peace index score in 2019 against the change in score from 2014. The lower the score, the higher the peace in a nation. Countries to the left of the vertical zero line became less peaceful in this period



India slips

India's ranking and scores have deteriorated largely due to "internal conflicts", the country's relation with Pakistan, and border tensions with China. In 2018, the report noted that India's score was high on the "Political Terror Scale"



The Global Peace Index ranks 163 countries according to three broad themes: extent of conflict, safety & security, and level of militarisation. It is based on an assessment of 23 qualitative and quantitative indicators

Source: Institute for Economics & Peace

FROM The Hindu. ARCHIVES

FIFTY YEARS AGO JUNE 17, 1969

Opposed to separate Telengana

A two-hour discussion on the Telengana issue at the Executive Committee of the Congress Parliamentary Party here this morning [New Delhi, June 16] revealed a consensus in the party against the demand for a separate Telengana State, imposition of President's rule and resignation of the Andhra Pradesh Chief Minister, Mr. K. Brahmananda Reddi. Most of the participants not only opposed the demands of the pro-Telengana leaders but also urged the Central leaders to strengthen the hands of Mr. Brahmananda Reddi and give him all assistance to deal with the agitation firmly.

A HUNDRED YEARS AGO JUNE 17, 1919.

Presidency Association Protest.

The Bombay Presidency Association met on the 10th and 13th instant [of June in Bombay] to consider what steps should be taken in connection with the deportation of Mr. B.G. Horniman and placing of the 'Bombay Chronicle' under an order of precensorship, and resolutions were passed by majority (1) strongly condemning the action of the Government of Bombay in deporting without trial Mr. B.G. Horniman, a leading member of the Association and also of its Council and an English journalist held in highest esteem by a large body of public opinion for his fearless advocacy of Indian aspirations and for his love of liberty and fair play and asking the Government in the interest of justice that the said order be immediately cancelled; (2) Strongly protesting against the unusual and drastic order of precensorship passed against the 'Bombay Chronicle' and expressing the opinion that the same is entirely unwarranted and oppressive and respectfully urging the Governor of Bombay in Council to cancel the order immediately in order to allay public feeling.

CONCEPTUAL Crown shyness

BIOLOGY

This refers to the natural phenomenon wherein certain trees located near each other grow in such a way that their branches do not touch each other. This causes clear spaces or gaps to form between the branches of adjacent trees, thus creating different natural patterns. Scientists have proposed various hypotheses to explain this phenomenon. Some speculate that crown shyness may be a mutually beneficial arrangement that can help prevent destructive competition between trees that are located near each other. Others believe it is the result of the damage caused to the branches when trees are close to each other.

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