

5624

Stalin
5/4/68

Anyone can cook up a sufficiently plausible excuse, and to distinguish it from the genuine by any objective yardstick would be impossible. The only safe course would be to make resignation a universal consequence of floor-crossing.

This requirement may need to be examined from many angles and then qualified and refined. But howsoever much it may have to be hedged in, it would still be safer and more effective than two of the suggestions put forward by the Research, Planning and Review Division of the Union Ministry of Home Affairs. For example it would be a comparatively poor safeguard, riddled with loopholes, to prevent undue expansion of ministries for the sake of accommodating defectors. By what criteria is the optimum size of ministries to be fixed, how is a distinction to be made between expansion for reasons of genuine increase in workload and for the sake of rewarding defections, how is anyone to check other kinds of enticement which may be difficult to prove or even to detect? Not much more suitable as a deterrent to floor crossing is the second suggestion by the Division that a Chief Minister confronted with downfall by defectors may be given the right to ask for dissolution of the legislature not only while he still has a majority but even when he may be suspected to have lost it. There is much to be said for and against this right and the recurrence of mid-term elections which its exercise would promote. But the case should be judged on its own merits, as that of limitation upon the size of ministries, not as a turnstile in the way of a floor-crossing group. Large majorities for one side or the other are perhaps a thing of the past now; the margins likely to be available will be open to erosion by a change of allegiance by no more than five or 10% of the members. To prevent them from changing over by exposing all the rest and the electorate as a whole to the risk and expense of mid-term elections is on the face of it a remedy so drastic as to be impracticable. Deterrence loses its meaning if it fails to discriminate and select, and this is clearly

LEAD BY CONGRESS

The Congress may have struck a hefty blow at floor-crossing by its decision on Tuesday not to give the party ticket to some of its prominent leaders in Haryana who have made themselves habitual defectors. They had left the Congress first in search of factional advantage and then returned to it for the same reason, contributing to the downfall of a Government in each movement. It would serve them well if the proverbial fate of the bat were to overtake them; to democracy's future it would do some good. Therefore it is ardently to be hoped that the Congress notwithstanding the unsavoury manoeuvres by Mr. Karewala in Punjab, will not have second thoughts on a bold decision, for which it deserves to be congratulated, and will instead apply it firmly in the case of West Bengal also and wherever else elections may have to be held in the near future and wherever floor-crossers may be gathering. The Swatantra Party too has made a useful contribution, though of a different kind and for different reasons. Mr. Masani has resigned from the National Executive and the Central Parliamentary Board of his party in protest against a covert act of floor-crossing by some Swatantra members of the Gujarat legislature; they sided with the Congress in the elections to the Rajya Sabha and thus brought about the defeat of the Swatantra candidate. Mr. Masani has not only set a good example of personal conduct and responsibility but may have also warned off many political leaders who have encouraged defections in the past, as in West Bengal for instance, for their own temporary ends, not realizing that the game they start as a clever manoeuvre against opponents may boomarang upon them.

Such precedents help, and it would be good news indeed if their numbers were swelled by other political parties and leaders in the coming mid-term elections, first in Haryana and then West Bengal. They have readymade opportunities to show that they have the wisdom to follow the good lead which the Congress has given them for once. Hope that they will respond is strengthened by the readiness of many parties to participate constructively in the conference called by Mr. Chavan for discussing how defections may be deterred. Powerful conventions can grow from a sufficient body of precedents to enforce more discipline upon wayward legislators. But the consequences of defection can be too dangerous for remedies to be left entirely to the slow evolution of conventions. Statutory prevention must be devised very quickly, and the simplest and quickest device would be to require a legislator to resign his seat if after being elected on the symbol of one recognized party he transfers his allegiance to another, however temporarily, and for whatever reasons. The suggestion sometimes made that defections should be allowed if they are prompted by political convictions is a trap.

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SWATANTRA PARTY

Resolution moved by Mr.P.K.Deo and unanimously adopted by the
General Council

The General Council of the Swatantra Party views with concern
the growing interference of the Centre in the working of State
Governments and using the institution of Governor to instal minority
Governments in the States.