

---

# **INDIRA GANDHI'S EMERGENCY & THE BIRTH OF INDIAN PRESS ACTIVISM**

---

Ninad Uddhav Gole, New Law College, BVDU, Pune

Anushkaa Naik, New Law College, BVDU, Pune

## **ABSTRACT**

Between 1975 and 1977, the National Emergency was declared in India by Indira Gandhi. During this time frame, the constitutional liberties, as well as the press censorship and state control, were curtailed to a large extent. Following *Indira Gandhi's v. Raj Narain* case, the government utilised a combination of legal methods and administrative measures to suppress dissent and control information. Even so, symbolic protests and the publication of underground pamphlets are examples of journalistic resistance. This paper argues that though the media was momentarily silenced during the Emergency, it led to a more conscious and more active culture of the press in India which continues to influence Indian journalism today.

## **I. Introduction**

2025 marks a milestone: the 50th anniversary of the 1975 Emergency, a challenging time in India's past. Fifty years ago, in June 1975, Indian democracy was brought to its knees. For 21 months, the very spirit of Indian democracy was paralysed. It was a time when Indira Gandhi then-Prime Minister, facing a serious threat to her authority, declared a state of emergency across the country.

The chain of reactions started in June 1975, when the Allahabad High Court delivered an unexpected judgment in *Indira Gandhi V. Raj Narain*.<sup>1</sup> They found Indira Gandhi guilty of electoral malpractice in the 1971 Raebareli elections, invalidating the election and barring her from holding office for the next six years. Subsequently, people across the nation demanded her resignation.

Rather than stepping down, Gandhi chose a risky alternative. Using the Art. 352, she imposed the Emergency. This was a direct hit on the democracy. It led to an alarming period where people's fundamental rights were taken away, political leaders were arrested, and the media the voice of the people, the fourth pillar of democracy was silenced. The freedom of the press, a right implicitly guaranteed by Article 19(1)(a) of our Constitution, was effectively demolished.

The Emergency remains a tragic chapter in India's history, a powerful lesson in how democratic institutions may be when someone with enormous power chooses to prioritize their personal survival over the will of the people. Fifty years on, we remember not to reopen old wounds, but to guard against new ones. Because democracy does not die only at the hands of tyrants — it dies when citizens forget to defend it.

## **II. The Emergency and Legal Instruments of Suppression**

There were numerous reasons which led to the implementation of the emergency. We can see that Indira Gandhi gained significant control between 1967 and 1971. It all begins with the tussle between the judiciary and the executive. The *Golak Nath* case barred the parliament from amending the constitution, but that decision was overruled by the 24th constitutional amendment in 1971. This was the first time Indira Gandhi intervened in the judicial process. Subsequently, in the *Keshavanand Bharati* case, the Supreme Court introduced the basic

---

<sup>1</sup> 1975 SCC (2) 159

structure Doctrine and again barred the parliament from amending the basic structure of the constitution. After this judgement Indira Gandhi elevated and appointed Justice Ray as the Chief Justice of India by superseding three seniors most judges' i.e. Justice Shelat, Justice Hegde and Justice Grover. In the Keshavanand Bharati case Justice Ray Delivered the dissenting judgement whereas the senior judges Represented the majority.

It Sparked political unrest throughout India, two of the most significant were the Nav Nirman Movement in Gujarat and the JP Narayan Movement in Bihar. In 1974 the Governor imposed president's rule to end the agitation in Gujarat. This can be said to have marked the beginning of a more crucial Era for the Indian democracy as subsequently the national emergency was imposed. Then the grand plan unfolded, the power vested by Art. 352<sup>2</sup> empowers the president to convert the federal system into a unitary one which serves as an ultimate weapon as it grants absolute power, and through numerous judgments we can see that the Fundamental Rights are also capable of being curtailed under such emergency.

With the help of this provision, Indira Gandhi declared a National Emergency on 25th June 1975. In the initial hours of the Emergency, power supply to newspaper presses in several cities was deliberately cut off, ensuring that no morning editions carrying news criticising the government could be printed or circulated. Subsequently many laws were passed, and restrictions were imposed in numerous forms to curtail and cut the limbs of media to stop them from publishing anything against the Gandhi government or the Emergency like The Defence of India Rules, 1971, especially Rule 48, allowed for Pre-censorship of news, Seizure of publications, and suspension of printing licenses. The Maintenance of Internal Security Act (MISA), 1971 used to arrest journalists without trial.

### **III. Instruments of Censorship and Propaganda**

In a democracy, the free exchange of ideas and information is essential for responsible public opinion development. However, the need to maintain public order and national security frequently takes priority under a state of emergency, which results in the restriction of fundamental rights, including journalistic freedom.

The emergency tried to control the public information by imposing various instruments of censorship, the most immediate effect was the daily censorship orders. The press was

---

<sup>2</sup> The Constitution of India, 1950, Art. 352

compelled to submit every page of their newspaper including the photographs, articles etc to the Press Information Bureau (PIB) to get the approval before printing. For example, newspapers were not allowed to report on arrests, mentioning the censorship or even using the word “emergency” itself. The government even controlled the parliamentary and judicial proceedings. Newspapers were divided into three parts that is ‘friendly’, ‘neutral’ and ‘hostile’.

Although there were many restrictions there were some who protested for example “The Indian Express” left blank spaces to represent the censorship and the forced silence imposed on the press in India. the Financial Express used “Where the Mind Is Without Fear” a poem by Rabindranath Tagore as a protest etc.

Apart from curtailing the freedom of the media, the government utilised State controlled media that is All India Radio (AIR) and Door darshan (DD) to create a narrative about the emergency<sup>3</sup>; Sanjay Gandhi’s “5 point programme” and Indira Gandhi’s “20-point programme” which aimed for economic development of India were a part of the propaganda. What we can see here is the government used a dual strategy to control, i.e suppressed the Indian media by pre-censorship, while on the other hand, manipulated the public through state-controlled media.<sup>4</sup>

#### **IV. Cracks in the Wall: Birth of a Resistance Press**

One pivotal point in Indian journalism history was the rise of the resistance press during the Emergency. Instead of totally restricting the media, the harsh censorship forced reporters to become more dedicated to their public service and ethics.

These symbolic actions highlight the press's inherent ability to both inform and inspire thought. Newspapers used silence as a rhetorical device to remind readers that when freedom is at risk, silence can speak louder than words.

Individual journalists stood up to the Emergency's coercive apparatus outside of editorial offices. The personal cost of speaking the truth was best illustrated by Kuldip Nayar's imprisonment under the Maintenance of Internal Security Act.<sup>5</sup> The inequities experienced by inmates were conveyed to the public by Gour Kishore Ghosh's who smuggled prison letters

---

<sup>3</sup> My Memories of the Emergency: The Darkest Period in Independent India's History, accessed on August 7, 2025, <https://www.fairobsver.com/history/my-memories-of-the-emergency-the-darkest-period-in-independent-indias-history/>

<sup>4</sup> The Emergency (India) - Encyclopedia.pub, accessed on August 7, 2025, <https://encyclopedia.pub/entry/34578>

<sup>5</sup> The Judgement: Inside Story of the Emergency in India - Kuldip Nayar

and conducted public head shaving.<sup>6</sup>

An underground press emerged when official avenues were closed. “Cyclostyle” bulletins and hand-duplicated booklets were secretly distributed in local bazaars and student residence halls. The success of the underground network was attributed to its simplicity. This ensured structured censoring technology by relying on grassroots distribution and low-cost reproducing techniques. A rights-oriented journalistic culture was established during this time and continues to this day. Media organizations learned from the heritage of censorship that maintaining their independence necessitates ongoing diligence, internal unity, and a willingness to adapt whenever basic liberties are in danger.<sup>7</sup>

Whether in the form of a blank editorial or a secretly printed pamphlet, the struggle press's acts of disobedience were not isolated incidents; rather, they were a testament to the persistent spirit of inquiry and truth-telling that ultimately helped restore democratic freedoms and set the stage for a more assertive, rights-conscious media environment in the years following the emergency.

## **V. International Press and External Pressure**

The reality of this emergency was not hidden on the Global stage. International attention by Human Rights Organisations and International Media and their criticism resulted in strong external pressure on Indira Gandhi's government.

Global media covered the emergency's gravity; BBC, The New York Times took regular follow up on the happenings in India. Indira Gandhi was called as the “dictator of India”. As a reply to this criticism the Indian government expelled foreign journalists and correspondents. Many foreign journalists were either dismissed from India, or they voluntarily chose to leave rather than signing the censorship agreements. International journalists relocated to neighbouring countries like Pakistan to continue to report on the emergency from afar.<sup>8</sup>

International Human Rights Organisation raised strong voice against the government the

---

<sup>6</sup> JOURNALISTS IN 53 Theobald's Road London WC1X 8SP England - Amnesty International, <https://www.amnesty.org/fr/wp-content/uploads/2021/06/act700011976en.pdf>

<sup>7</sup> 'Our secret press defied emergency censorship'; underground bulletins, 2.5-month mission & arrest in UP's Varanasi | Lucknow News - Times of India, <https://timesofindia.indiatimes.com/city/lucknow/50-years-of-emergency-our-secret-press-defied-emergency-censorship-underground-bulletins-2-5-month-mission-arrest-in-ups-varanasi/articleshow/122137898.cms>

<sup>8</sup> Emergency, From the Outside | Carnegie Endowment for International Peace, <https://carnegieendowment.org/posts/2018/07/emergency-from-the-outside?lang=en>

specifically pointed out the government for shutting down newspapers that were opposing the government.

The Global criticism played a major role to show the real nature of emergency, and it also created a counter narrative to the state's propaganda. This shows us that in the interconnected world when the authorities struggled to maintain control over the information, the external pressure actively reported the Human Rights violation and the curtailment of freedom during the Emergency.

## **VI. Legacy: A New Age of Press Consciousness**

The emergency was unexpectedly ended in March 1977, which was followed by an unexpected call by Indira Gandhi to conduct Elections. As a result of the Emergency the Congress faced a defeat, and this marked the beginning of the activism of the press. When censorship was lifted, newsrooms overflowed with stories which were unable to find their way to the public and was suppressed for 21 months, exposing human rights abuses, arbitrary detentions, and the misuse of constitutional powers.<sup>9</sup> The Shah Commission of Inquiry, established in May 1977 under former Chief Justice J.C. Shah, investigated these events, officially confirming media manipulation, financial pressure on publications, categorisation of newspapers as 'friendly', 'neutral' or 'hostile', deliberate power cuts to press offices, and censorship of parliamentary and judicial proceedings.<sup>10</sup>

In response, the Editors Guild of India was formed in 1978, co-founded by Kuldip Nayar, to protect press freedom and improve editorial leadership. Recognising that the absence of a united editorial body had enabled such repression, the Guild actively campaigned against future threats, including harsh defamation laws.

The Emergency transformed journalistic values. Passive reporting gave way to investigative and rights-driven journalism, powered by a search for truth. Figures like Arun Shourie emerged as fearless critics. This era cemented the press's role as an active guardian of democracy—

---

<sup>9</sup> Collection "The Long Emergency Collection. Media and Democracy in India" - Georg-August-Universität Göttingen, <https://www.unigoettingen.de/de/collection+%22the+long+emergency+collection.+media+and+democracy+in+india%22/600904.html>

<sup>10</sup> The Emergency in India - PIB, accessed on August 7, 2025, <https://www.pib.gov.in/FactsheetDetails.aspx?Id=149224>

resilient, united, and essential in defending civil liberties against authoritarian tendencies.

## **VII. Constitutional Reflection**

Amongst the fundamental rights enshrined under chapter III of the Indian Constitution, the freedom of press in India is the one cited in Article 19(1) (a), which deals with the freedom of speech and expression. It does not explicitly refer to the freedom of the press, though it is well established through various verdicts that the right of Freedom of Press is an essential part of the freedom of speech and expression. This right was greatly assessed in the years between 1975 and 1977 during the National Emergency.

The role of the judiciary during the period was a matter of constitutional concern. Even though some High Courts had the courage to uphold civil liberties, the Supreme Court ruling in the historic *ADM Jabalpur v. Shiv Kant Shukla*<sup>11</sup> was a big blow. The majority view was that in an emergency, an individual was not allowed to approach the High Court to enforce his or her right to life and personal liberty under Article 21 and the writ of habeas corpus was suspended. This ruling has been regarded as a low point in the history of the judiciary because it enabled the executive to hold people in custody without any legal redress.

The process of restoring civil liberties and constitutional reckoning had started by 1977 when the Emergency ended. The next government, with a view to ensuring that such a constitutional crisis does not repeat itself, passed the 44th Amendment Act of 1978. It was an effort from the legislature to address the failures of the Emergency period. It specifically made an amendment to Article 359 to provide that the basic rights enshrined under Article 20 and Article 21 cannot be suspended even in an emergency. Not only did this act reverse the precedent established by the *ADM Jabalpur* case but it also established the constitutional framework permanently, which once again reinstated the judiciary as the final safeguard of individual rights.

## **VIII. Conclusion: A Silver Lining in the Dark**

Even though the Emergency was a serious problem and a dark stain on the nation's legal and democratic framework, it ironically played an important role. The strict limits on freedom of the press pushed Indian journalism to mature. It shifted from a casual role to one that was more aware and professional. This period highlighted the weakness of democratic institutions and

---

<sup>11</sup> AIR 1976 SC 1207

showed how easily civil liberties can be lost. It taught journalists to stay alert and ready to defend the public's right to information.

The enduring spirit of resistance shown by the press during that difficult time created a legacy that still inspires today's journalists. Over the last 50 years, this experience has become a touchstone—reminding the media of its duty to speak truth to power. They draw on this experience when facing new challenges like state intimidation, legal harassment, and subtle censorship. In the end, the experience of the Emergency changed the media landscape. It established a more aware, assertive, and rights-focused approach, centered on protecting democratic values. This shift remains a crucial safeguard for India's vibrant, though often tested, democracy.