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Should Be Provision For A Plebiscite?

Kuldip Nayar

ONE key debate in the Indian Constituent Assembly was on the appointment of governors. Many argued that a state's High Court chief justice could fulfill the ornamental role when required. Equally fierce was the demand that a governor should be elected, not appointed. In a democratic polity, a head of the state should be a person who is directly returned by the people. This was the argument.

Prime Minister Jawaharlal Nehru intervened to state that an elected governor would become a parallel authority to the elected chief minister. This would hamper the normal functioning of the state. However, Nehru wanted the governor to be an eminent person, respected in his field, whether in academics, science or art. He did not favor a political appointee, a person whom the ruling party sought to give the office.

But he never imagined that even the constitutional head could be used by a political party to serve its ends. The bane was Article 356 which gave the Centre power to dismiss a government if there was a "breakdown" in the law and order machinery in a state. The normal procedure, however, was to wait for

the governor's report and then act.

Today, this practice is only on paper. Nehru's dream was shattered by his daughter Indira Gandhi when she was the Congress president in 1959. She was against the Kerala government ruled by the Communists, for having passed an education bill brought out by the E.M.S. Namboodiripad government. He appealed to Nehru against the Congress protests which Indira Gandhi had initiated. Nehru must have spoken to his daughter about the agitation although the media did not say so.

Nehru publicly and privately told Namboodiripad that he was helpless. Since it was the decision by the Congress president, the Prime Minister had to obey because he was the party's nominee. Subsequently, President's rule was imposed and a democratically elected government was ousted. This became a precedent.

Over the years, the reluctance to dismiss an elected government has got diluted. The governor now, although a constitutional head, obeys the wishes of the party ruling at the center. The only chief minister who put up any kind of resistance was Jyoti Basu in West Bengal and he

could get away with it because one, he was too tall in politics and, two, he was too popular in the state where he could organize a revolt of sorts.

Now the stature of politicians has diminished so much that the ruling party at the center gets away literally with murder. And this is undemocratic because the state has autonomy in a federal system we follow. But what can a state do when the center is determined to have its own way?

Take, for instance, the case of Uttarakhand ruled by the Congress. Nine MLAs defected reducing the Congress Party to a minority. As laid down by the Supreme Court in the S.R. Bommai case, a date was fixed for the government to prove its majority on the floor of the house. Apparently, the Narendra Modi government at the Centre was not sure whether the defected members would stay out or rejoin the party.

So, 24 hours before the floor-test was to be conducted, the government was dismissed but the assembly was not dissolved. Obviously, the BJP thought that it could form the government with the help of the defectors. Then the Congress government went to the High Court and got a verdict in its favor as the

floor test was ordered.

The lesson to be learnt from the entire episode is that the office of governor has got mixed with politics. He is no more an independent entity and follows what the center tells him to do. As Home Minister GobindVallabh Pant once put it, the governor is a civil servant and has to act upon what the Centre tells him because he is New Delhi's appointee. In fact, there are several instances in the past where a governor is not able to complete his tenure because a new government at the center wants its own trusted loyalists.

Nehru's emphasis in the Constituent Assembly that a governor should be a person of eminence is now a pipedream. A political party wants a trustworthy person in states, particularly where it is not ruling, and it makes no secret about it by crowding out the serving governor. The Congress Party, which had laid down high norms during the time of Nehru, is as guilty as the other parties are.

Probably, it is difficult to force a ruling party to appoint a non-political, independent person to the office of governor. Therefore, the country should seriously consider abolishing Article 356 which is undemocratic since a democratically-

elected government in a state should only be dismissed by the people who have returned it.

Even otherwise, in a federal system like the one we have the states enjoy independence in their own sphere. The constitution framers could have opted for a presidential form of government if they did not want to give autonomy to the states. Instead, they preferred a parliamentary system which allows interplay of different political parties and states. When a party loses majority in the lower house at any time, it has no option except to quit.

A new election is too expensive and too cumbersome. How many times can fresh polls be held? Had there been a constitutional provision for a plebiscite, the lacuna found could have been overcome. When Justice Hidaytullah was Vice-President and chairman of the Rajya Sabha, he complained that the constitution framers have not provided any method to associate the people's wishes on an amendment to the constitution.

He, in fact, suggested a plebiscite. But this was turned down by the political parties. So the nation was back to square one. And there it stands even today.

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Back to Patna for a bold new start

The Socialists from all over India will be converging on Patna on 17th May this year in commemoration of the conference of the Socialists held in Anjuman-e-Islamia Hall in Patna on 17th May 1934 where a decision was taken to organize a Congress Socialist Party which heralded the dawn of the Socialist movement in India. 'We the Socialist Organizations' a Platform of Socialist Organizations created at Yusuf Meherally Centre, MadhuPrAMILA Dandawate Sankul, Tara (Karnala), Post: Barapada, Maharashtra in a meeting of Socialist Organizations held on 18th and 19th of September 2015 is taking the initiative to organize the meeting. The platform now consists of 27 Socialist organizations. The Platform requests all Democratic Socialists to attend the meeting. The objective of the meeting is to remember the past glory of the Democratic Socialist movement in India and to revive the spirit to forge ahead.

'Janata' weekly will also be bringing out a special issue on 17th May 2016 containing article on the theme 'India's March towards Socialism'.

Reflections On A Seminar

A seminar which focused on Kutch fifteen years after the earthquake, threw up quite a few challenges that this biggest district of Gujarat will face in the near future. Kutch was calm even when Gujarat was burning, post Godhra. Communal harmony was the defining feature of Kutch, a Hindu girl, when she got married, would get a plot of land as gift from her Muslim brother. That was Kutch in past, it is partly so even now. Will it remain? Kutch was known for out migration. 75% Kutchis were outside Kutch before the earthquake. That proportion perhaps remains, but there is an unprecedented immigration. In 2009, a speaker at the seminar pointed out that a survey conducted of just one taluka, Mundra, revealed that there were one lakh migrants who spoke Hindi and a quarter of their children were out of school. Kutch was and, perhaps still is, sparsely populated, but now there are areas where the population density is higher than many slums of metropolitan cities.

And Kutch has become grey, the landscape is changing fast. There are many settlements that came up in the aftermath of the earthquake, with cement blocs replacing bricks. Houses have been built on a massive scale to resettle those who had lost homes. But surprisingly many have remained unoccupied and housing surplus has emerged. Kutch had few industries, now Kutch is awash with them. If industries solve all problems is true, as many Vikas pundits tell us, Kutch can claim that most of its problems have been solved, but paradoxically the industries are the problem.

For decades, many knowledgeable people had warned that water was

scarce, and its quality poor, and any development of Kutch planned by the state and development economists that does not take into account this reality would invite disaster. This warning is likely to come true. But this challenge can be met, if not eliminated, by undertaking roof water harvesting on a massive scale and afforestation on even a bigger scale. The local bodies and the state should make roof water harvesting compulsory for all new housing, for all new and existing industries, for all Jain derasars, Hindu temples and mosques and for all government buildings and railway stations and ports and there should be recharge bores. This coupled with watershed development will postpone the disaster, if not eliminate.

A number of new power plants have come up in the wake of the earthquake to meet the energy needs of the industries. They are mostly coal-based, coal imported or otherwise. They will pollute the atmosphere and create new problems. But what was needed is harvesting solar energy. Like roof water harvesting, this too should be omnipresent. Both roof water harvesting and solar panels will generate jobs, jobs on a large scale and lay the foundation of a green economy.

The influx from outside the district will of course grow, but Kutch long known for its generosity as well as harmony, will learn how to handle the largescale influx. When a single communal incident took place, post Godhra, both communities sat together and said 'No more' and ensured it. Similar action will be needed. The local and the migrant

communities will have to sit together and work out solutions which will reduce the 'we' 'they' feeling that is likely to emerge sooner than later. Kutch, not the state, has taken the lead to provide education to the children of migrants. It has an important potential. These children can be so socialized that they identify themselves with the locals as much as they remain attached to their village or town. And at some stage, the migrants and the locals will have to be in the same educational institutions, if Kutch is to be spared local senas. And yet a problem will remain. If the jobs are insufficient, the locals will feel some day that they are deprived of jobs because of the migrants and that will cause a cleavage. The only solution will be promoting an economy in Kutch which generates more jobs, than there are job aspirants. The famous handicrafts of Kutch, the hordes of Jain pilgrims, the proverbial attraction of the Kutchis to their land, can all be pressed together and the jobs will be aplenty. If this happens, the disaster will become a boon.

—GGP

(The seminar was organized by Yusuf Meherally Centre.)

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<http://lohiatoday.com>

The Missing Centre In JNU

D. K. Giri

As an ex-student of JNU, I am not surprised at the nature of reactions from within JNU and outside, to the 9th February event. But what intrigues me the most is the absolute absence of a rational, objective, and a balanced approach to an incident, what we usually call the middle-path, centre-left, or even centre-right perspective. The debate following the 9 February anti-India sloganeering is hopelessly split between the 'left' and 'right' rather ultra-left and the far right, and the 'centre' is missing. In their bid to score points over each other, both sides are glossing over the facts, harping more on interpretation and being judgemental. To be sure, in occurrence of any incident, there are facts, interpretations and judgments. The interpretations and judgments can vary, but the facts can be established, verified and acted upon especially when the incident is a couple of months old.

What are the facts? Some students or youths, whom JNU students claim were outsiders, were seen and heard raising anti-India slogans, which is an offence; whether it was sedition or not, it is for the courts to decide. The Law has taken its own course, arrested those found *prima facie* guilty, and later released on bail. The process should continue to its logical end. It is another matter, as I have argued elsewhere, the students even if found guilty could be let off with a reprimand or so, unless they have questionable legal antecedents, as the students are young, can easily get agitated, excited or carried away, although it is upto the judiciary

to take the call. The normal course of reaction would have been to see that there is no misuse of the law enforcement machinery. But party politics being what it is in India, both the 'left' and the 'right' jumped into the fray, deeply politicised the issue, drowning in the din the voice of sagacity and sanity.

The media also played its part in sensationalising the JNU incident, keeping with its current trend of TV journalism that is full of breaking news, dramatic exposures, and sensational stories. Understandably, they do so to increase their so-called TRP. The mainstream media carries only the news of the popular and the powerful, as if "power only legitimises wisdom". There is no denying the stellar role of media in exposing wrong-doing in public life, and it has not spared the high and mighty. In fact, the role of media as a watchdog in our democracy is absolutely indispensable as it is praise-worthy. But the competitive populism seen in politics also overwhelms the media more often than not. How is media now accused, of showing doctored videos on JNU? How is that media has turned Kanhaiya Kumar, the JNUSU president into a media figure, and a love-hate character, making him vulnerable to political machinations. If he is not interested in politics, as he says, and wants to be a teacher, whether such publicity will do him harm or good, is a matter of speculation. So much on the media, at the cost of diversion from our main concern which is, the nature of the debate, the polarisation

between the left and right, and the conspicuous absence of the centre.

Let us recall some of the reactions. Rahul Gandhi said "the voice of dissent is being suppressed". Rahul Gandhi is now known for making such intellectual *faux-pas*. Among the communists, CPI said, Kanaihya did not raise anti-India slogans. The CPM was of the view that BJP and their student-wing ABVP were manipulating issues to enhance their political base. They linked Hyderabad Central University and JNU as a part of ABVP's game plan to capture student politics in universities etc. ABVP, on the other hand, came out with so-called evidence, got their local party MPMahesh Giri to file the FIR against the 9 February incident. BJP's trump card, nationalism became the big issue; ABVP contended that it was an act of sedition by some JNU students. Consequently, a premier University like JNU stands tarnished as a hub of anti-India spirit and activities.

JNU, though dominated by communists and now by ultra-left; spearheaded the campaign for a progressive political culture based on debate, discussion and consultation etc. The teacher-association in JNU, again led by a CPI card holding professor kicked a row over the manner of enquiry conducted by the university administration and held that the students were not guilty of anything. Some parents lamented that their wards were spoilt by JNU teachers by infusing anti-India spirit in them and so on. What is more,

JNU students and teachers organised a series of lectures on “what is nationalism”, delivered mostly by communist-minded intellectuals. The JNU administration responded by hoisting the national flag in the campus. Communists then reacted by saying “nationalism cannot be maintained only by symbolism”. And so this ideological mud-stinging goes on and on.

But the consequences are good neither for our politics, nor for the JNU students who suffer from loss of classes in protest demonstrations, picketing, boycotts, etc., and now from a bad image. Under the communist strategy of “study and struggle”, the students are drawn into agitations, and strikes on flimsy grounds. As a former-student of JNU, I was a witness to such a tactic, and would like to share it with the readers. The mess-bill in JNU hostels was fixed and was quite reasonable in our time, 1979-89. In one particular month, the mess-bill went up by some 20 rupees or so. Then the president of JNUSU who was from SFI, the student wing of CPM in JNU called for a sudden strike; we were made to boycott our classes and go in a huge demonstration to the Vice-Chancellor’s office. The slogans raised then were “HoHo, Hocht Minh, we shall fight we shall win”, “*Jo Hitler kachalchalega, wohHilterkamautmarega*”, which meant. “Anybody imitating Hitler will die like Hitler”. I did not know then as a fresh MA student, who these slogans were meant against on a simple hike of the mess-bill. When we reached the VC’s office, a few students followed the SFI leaders to meet the VC. Out of curiosity, I sneaked in to the delegation and what I heard from the VC stunned me. He said to the JNUSU President, “hey,Mr.

president, why did you make the students boycott their classes, and call such a demonstration, you could have simply phoned me on the hike, I would have knocked off the rise, and have it investigated, for such small issues there is no need for demonstration, we could sort it out over phone”. The JNUSU president apologetically blushed, but as he came out, he boasted to the delegation, “This is how we must orient the students in agitationalactivities”. Unfortunately, such an agitational mode has thrown the JNU student politics into ultra-left and far-right with unpleasant repercussions. The ‘centre’ held by “Free Thinkers, then, Students for Democratic Socialism, Samajwadi Yuva Jan Sabha, the student wings of socialists is gone now from JNU, and we may say, from the country.

Interestingly, since JNU incident drew so much media attention, the discourse generated in the entire country, thanks to the media, latched on to JNU episode and attributed questions of equality, justice, pluralism and so on. The JNUSU president wants ‘freedom’, but from whom and what is not clear. His concept of freedom from a dominant class or caste (it is my assumption) got equated with freedom from the country. This ‘freedom’ or ‘azadi’ is a wrong ‘word’ to be used. We got freedom in 1947 from colonialism. What we should demand and fight for is equality. The word ‘freedom’ can be misunderstood or misconstrued as freedom from India, as it was done by students of Kashmiri origin.

The JNU issue has been blown out of proportion by both left and the right. This is divisive and adversarialpolitics at its worst. The social democrats, who are consensus-builders, inclusive, tolerant and

accommodative are missing in this debate. I can think of only a few reasons for the voice of the centre-left, the progressives (social democrats) to be indistinct and ineffective. One, social democrats abstain from political stunts, and from sensationalising issues to draw media attention. They are progressive, patriotic, not nationalistic of BJP variety, or anti-India like the communists, who often confusedly choose between “patriotism” and “workers of the world unite”. The progressives (socialists) embrace both patriotism and solidarity within and across countries. The other downside of the socialists for which their voice is not heard, is that they are less organised than both communists and the RSS/BJP. However, for a balanced, consensual, and inclusive politics, not anadversarial, belligerent, and violent one, the ‘left of the centre’ must be retrieved and re-established.

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Combating Educational Inequalities And The Judgment Of Allahabad High Court

Vikas Gupta

This paper underlines the significance of a historic judgment of Allahabad High Court on Primary Education to combat prevalent inequalities in the sphere of Elementary Education. Whilst the first half of this essay would describe and analyze key features of this judgment, the second half would critically examine the strength of various counter arguments.

On 18th August 2015, Justice Sudhir Agarwal of Allahabad High Court directed the Uttar Pradesh (UP) Government to ensure that the Government servants, semi-Government servants, local bodies, representatives of people, judiciary and all such persons who receive any perk, benefit or salary etc., from State exchequer or public fund, send their children in age of receiving primary education to Primary Schools run by the Board of Basic Education alone. Here the term 'primary education' implies 'elementary education' from classes I to VIII, which is called in UP as Lower Primary and Upper Primary. The category of parents, covered under this judgment includes a vast majority of society, not merely Government servants and public representatives. For, the judgment targets 'semi-Government employees', which may imply contractual workers and contractors, and those who receive any 'perk or 'benefit' can include a lot of other persons. The court realized

that after more than 65 years of independence, ordinary Government Schools, what it calls 'Common Man's Schools) are still struggling to have basic amenities for children, because the decision makers send their children to elite or semi-elite private schools and therefore do not have any direct interest in Government schools. We have in our country a multilayered system of differently endowed institutions ranging from Government schools for elite categories to ordinary village schools maintained by Gram Panchayats; from high-fee charging schools to low-budget schools run and managed by religious trusts, corporate houses, and other NGOs; exclusive institutions called special schools; and home-based education for particular categories of students; and non-formal or alternative education for those still left out of this ladder. Contrary to the contemporary trend of inclusion within this hierarchical structure, where children are accommodated at different levels in accordance with their socio-economic status and paying capacity, this judgment tries to achieve 'social equation' within the framework provided by the doctrine of equality: it seeks to place a vast majority within an equitable educational order through the instrument of 'Common-Man's Schools' and that too by the intervention of state.

For such a mammoth change, the Government is directed to submit compliance report within a time-bound period of six months and make penal provisions for those who violate the directive of 'common-Man's school'. The Court asked the Chief Secretary to make penal provisions for those who violate this condition. For example, if a child is sent to a Primary School not maintained by Board, the amount of fee etc., paid in such privately managed Primary School, an equal amount shall be deposited in the Government funds, every month, so long as such education in other kind of Primary School is continued. This amount collected can be utilized for betterment of schools of Board. Besides, such person, if in service, should also be made to suffer other benefits like increment, promotional avenues for certain period, as the case may be. This is only illustrative. The appropriate provisions can be made by Government so as to ensure that ward(s)/child/children of persons, as detailed above, are compelled necessarily to receive primary education in the Primary Schools run by the Board.

Justice Agarwal thus unequivocally invoked the framework of compulsion on part of the state representing an approach sterner than the RTE Act. In the RTE Act, none of the sections makes it clear unequivocally that who will be

1. This is an updated and extended version of my Hindi essay Vikas Gupta, 'yah haisamaveshikaranka', Hastkshp, Weekly Supplement of Hindi Daily Rashtriya Sahara, (Saturday), 29th August, 2015.
2. Allahabad High Court Judgment on a bunch of petitions clubbed together, first amongst them being the WRIT No. 57476 of 2013 Shiv Kumar Pathak and 11 Others Versus State of UP and three others. The date of pronouncement 18/08/2015.

penalized, by whom, when and how much, for the failure of a Government or local body maintained school to adhere to the standards and norms prescribed in the Schedule. Instead, these are explicitly excluded in section 18 (1). Entire Sections 18 and 19 are exclusively concerned with the recognition procedure to be followed for Private and Aided Schools. Section 8 (G) and 9 (H) also do not make any such provision for Government schools. The RTE Act demands for time bound compliance of the norms and standards specified in the Schedule as a mandatory condition only as part of the procedure and rules for recognition of Private and Aided schools, which thereby does not apply to the institutions fully under the control of Government or local bodies.

Of course, we can make an alternative and liberal interpretation of the RTE Act through the reading of silences to argue that the norms and standards prescribed in the Schedule are binding on every school, because as distinct from section 18 of the Act, the Schedule does not make any exceptions. Even the bare fact that the Schedule is annexed with the RTE Act implies—if seen in the context of the spirit of a fundamental right to education—that it is binding on every school. It can also be argued that for equitable quality education, compliance with the Schedule is essential for every school and that there should be parity amongst Government, Aided and Unaided Private Schools, otherwise it would amount to the violation of Article 14 of the Indian Constitution. Yet, the point underscored here is that such a line of reasoning would be an exceptionally liberal interpretation of the Act, otherwise a close reading of the sections cited above allows

constructing a somewhat different case, which means that the judgment of Allahabad High Court is sterner than the RTE Act.

Whilst the verdict of the Supreme Court upheld the constitutional validity of RTE Act on the question of 25 percent reservation for disadvantaged children in Private Schools, the judgment of the Allahabad High Court pronounced by Justice Agarwal attempted to restore focus on Government School System. The verdict of the Supreme Court implies that the public sector, the society and the state possess certain claims over private sector as well. Therefore, it can be regulated in the interests of the people. However, the discourse around it ultimately promoted the idea of the superiority of private schools as an oxymoron, giving a further push to the competition to admit children in these institutions under an enterprise, seemingly designed for social justice, but practically shifting attention away from the real necessity of strengthening public system of education. This quota of 25 percent for EWS children is calculated only on the maximum intake capacity in the 1st class of Private schools. Therefore, it would benefit not more than three percent children in the relevant age group for Elementary Education. In order to maximize this percentage, more and more privatization of school education would be indispensable. This has therefore shifted the focus of attention from the improvement of Government and Local Body maintained and run schools constituting more than 80 percent of the overall structure to different kinds of private schools forming less than 20 percent of it. Hence, the roadmap provided in Justice Agarwal's judgment

seems more capable of saving and improving the Government School System than the RTE Act, which has given further push to rampant privatization and has created a narrow race for admission in Private Schools. If the purpose is to ensure equitable quality education for all children, including those poorer, disadvantaged, disabled, dalit, and tribal children living in forest areas, difficult hilly tracts, border lands, scarcely populated remote villages, and densely populated urban slums, then, improvement of Government Schools is the only viable option, not the struggle for a limited quota in Private Schools.

A careful perusal of the judgment of Allahabad High Court would show that it relies upon the Constitutional framework where education has now acquired the status of a fundamental right. Therefore, even if no petitioner pleaded to grant such a direction in favor of 'Common Man's Schools', it is a valid and constitutional prerogative of the Court to take 'judicial cognizance' of prevalent situation and ensure that the fundamental rights are exercised by citizens without any hindrance. Whilst other Fundamental Rights are preventive, Right to Education is affirmative necessitating advance arrangements. The Allahabad High Court judgment found the cause of faulty procedure of the appointment of teachers and their compromised quality within the careless attitude of the state officials, as they did not have a direct stake in these schools. After all, the core issue of these petitions, appointment of teachers, is also an integral part of the fundamental right to education. The court found that the provisioning of 'Common Man's Schools' by the Government is in a shabby condition owing to the absence of 'real administrative

involvement', because the decision makers do not have any direct stake in these institutions as they send their children in the schools of 'elite' and 'semi-elite' categories. Therefore, the court felt that the situation will improve if those who are duty-bound to administer these institutions are compelled to send their children to these 'Common Man's-Schools'. It will also boost social equation. The judgment aptly remarks that 'the Government at the level of State and Central, both, are harping every time and almost very frequently on the need to improve Primary School, but their intention has not resulted in execution and reality at grass root level'. Different schemes of education have been launched by the Government, but the situation continues to be worrying. Hence, the court is compelled to provide the directive of 'Common-Man's School' in order to protect fundamental right of the majority of children from weaker economic and social background.

It is of course an irony that the biggest legal hurdle visible in the implementation of this verdict is posed by an Act of the central Government, called the RTE Act, and not by the spirit of Indian constitution as enshrined in its Preamble and its conception of fundamental rights as contained in Part III. The RTE Act has been purportedly legislated to institute elementary education as a fundamental right. However, it is the recognition of four types of schools in this Act, and thereby a shift away from the fundamental rights of equality before the law, which might create problems in the implementation of this verdict of the Allahabad High Court. It would be therefore interesting for politicians, legal experts and the people at large to explore the roadmap for doing

away with this contradiction between the Constitutional framework and a Parliamentary legislation. (We will shortly return to other challenges before this verdict of the Allahabad High Court).

Of course, the Allahabad High Court did not order for nationalization of private aided or unaided private schools, nonetheless, the judgment strikes an atypical note in today's context of privatization in terms of its demonstration of faith in public system to deliver. The Kothari Commission thought of gradual withering of private schools if the quality of Government schools could be maintained at a satisfactory level. However, number of private schools was limited those days, now they have mushroomed everywhere. Therefore, often it is argued that the idea of common school system, if at all conceivable in 1960s, is no longer feasible. Neoliberalism has brought a change in our common sense. We are made to believe in the self-evident superiority of private schools as opposed to the supposedly poor quality of education provided in Government schools. For instance, Annual Status of Education Reports (ASER) of Pratham and statistics compiled by other NGOs underline the dismal standards of learning and pathetic infrastructure prevalent in Government schools without ever exhibiting interest to decode the fundamental structural reason of this purported difference between Governmental and private institutions. Further, we do not have nationwide objective assessment of infrastructural indicators of private schools, even though the capacity of particularly the 'budget private schools' to maintain reasonably good infrastructure is likely to be constrained by financial reasons. However, the worth of an idea is

appreciated the best when it becomes far more distanced. This is generally called the creation of objective conditions. It is in these objective conditions marked by the distortion of public system of education and its replacement by various kinds of private schools catering differently to different sections of society and excluding the bulk majority of masses that the judgment of Allahabad High Court has tried to locate fundamental problem in the structural inequality.

The High Court also observed that the recruitment of thousands of posts at a time used to commence but got trapped in huge litigation due to unmindful, irregular and casual approach of the officials responsible for managing such recruitment, lack of accountability and credibility as well as sincerity. Moreover, there are many successful examples of state run institutions still functioning better IIMs (Indian Institute of Management), IITs (Indian Institute of Technology), IIITs (Indian Institute of Information and Technology), AIIMS (All-India Institute of Medical Science), Central Schools (KVS), and Navoday Vidyalayas etc. Therefore, the faith in public system exhibited by Allahabad High Court is not without foundation.

The court demonstrated a genuine but increasingly rare concern for the recruitment of quality teachers in 'Common Man's Schools' in a period when the Governments have been recruiting untrained or insufficiently trained para teachers for the education of the children of masses. It cancelled all those advertisements of UP Government, wherein it sought to recruit teachers compromising their quality—their training or scores obtained in Teacher

Eligibility Test (TET).

The Times of India (26/08/2015) and The Indian Express (27/08/2015) inform us about the welcoming attitude of the Basic Education Minister of the Government of UP presently formed by Samajwadi Party. One of these reports also tell us that the minister whilst supporting the verdict attacked BJP, the opposition party in the state and ruling at the Center that they opposed 'Equal Education Bill' in 1977, as they wanted to ensure space for RSS run schools. Hence, 'Common Man's Schools' could be one important instrument to contain the spread of communal forces in education. However, education being a concurrent subject and BJP being at the Center, consideration for RSS schools could be a major challenge now, particularly when Union Government is busy forming new education policy for the nation. Muslim Personal Law Board had opposed the RTE Act assuming that in the name of 'Common School System', it is fastening a knot against aided institutions and madrasas. The RTE Act did not establish 'Common School System', but if implemented, the verdict pronounced by Justice Agarwal might lead us in that direction. It needs to be seen after the judgment of Allahabad High Court that how does the Muslim Personal Law Board balance its cultural concerns with the horizontal class interests of its majority co-religious fellows coming mostly from weaker economic backgrounds. Bihar Chief Minister had gone to the extent of setting up a Common Education System Commission, but after its report was submitted, the government retracted from its original position. We can only hope that the history does not repeat itself in UP.

However, there are also many other challenges before the implementation of this verdict of Allahabad High Court. For instance, the Government might face or take resort to the argument of resource crunch using the proviso of 'state's economic capacity'—common to various legislations on social issues—to seek relaxation from the strict implementation framework provided by the judgment of Allahabad High Court. If pressed hard, The Government might plead for rescheduling the execution timeframe for infrastructural preparation. The Government never completed this task over last 68 years! However, when the children of power holders are made to attend Government's poorly maintained schools, the bureaucrats and politicians might become alarmed of their shabby condition and demand time for infrastructural upgradation and for arranging necessary financial resources for this work.

There is already a powerful lobby of investors, NGOs and Academicians arguing that for a poor country like India, the task of achieving universalization of education is feasible only through the 'budget private schools', 'Public Private Partnership', and 'Voucher Scheme'. In addition to being cost effective, according to these protagonists, such a framework will give choice to the children of weaker sections and poorer classes about the kind of school they want to be enrolled. The arguments of this group, even though effectively contested by other academicians, have already gained a lot of ground in the corridors of power. Therefore, the argument of individual's choice may be utilized against the verdict of Allahabad High Court. It might be further underlined that this verdict

curtails the choice of parents, (who happen to be Government servants, public representatives, or beneficiary of perquisites from the state) to admit their children in the school of their preference. Moreover, these parents are public servants/representatives, but not their children. Then, why, these children's right to study in the school of their choice is being compromised?

However, firstly, we need to understand that until children have acquired age of 18 years, parents are their custodians. They are legally entitled to take decisions on their children's behalf. Parents serving the Government also claim reimbursement of their children's Tuition Fee, medical expenses, LTC and HTC etc., from state exchequer. The process of seeking such benefits outside the salary for their work begins from the reimbursement of expenses incurred in a private hospital during childbirth. Either the children of public servants and representatives live in the houses provided by the Government, or their parents receive House Rent Allowance (HRA) for the residential quarter they live in. Bureaucrats and public representatives also get servants, who draw their salaries from state exchequer to perform household chores where children of these officials are reared. These parents do not mind traveling with their children in Air India for LTC, as travel by private airlines is prohibited. Hence, when public servants and public representatives can take so many benefits from the Government for their children, and when they can respect the limitation on their choice if it grants them some benefit, state can also impose reasonable restrictions on the freedom of these parents to select schools for their kids.

Secondly, the curtailment of choice, if at all, seems painful in most of the cases only because of the currently prevalent poor condition of ordinary Government schools. If these schools are improved by these officials, the pain will automatically go away. After all, most of the parents are happy to get their children admitted in KVS, (Central Schools) run by the Government, because they are better maintained.

Thirdly, notwithstanding flagrant violations of the provision, the freedom to select school is anyhow restricted: every state Government and Local Body have fixed catchment area of Government schools. If a parent/child lives outside this radius, school anyhow ask him/her to take admission in the school of concerned locality/catchment area, or give them lesser points for admission than those others who live within the prescribed range of distance.

Fourthly, let us also clear ourselves that the implementation of the verdict of Allahabad High Court would not be an entirely new imposition on the freedom of public servants and representatives. There are already many reasonable restrictions on the Right to Freedom of public servants and representatives. For instance, without prior permission, public servants are not allowed to exercise their Right to Expression by speaking or writing in the media. They are not allowed to do political activities. They have to seek prior permission before going on an out-station or overseas journey even on a holiday. They cannot practice a parallel profession for augmenting their family income even outside their duty hours. All of these activities are otherwise closely related to their Fundamental Right to Freedom. There is no hue

and cry on these limitations. Why the compulsion to send children of public servants and representatives appears to be unreasonable. One simple, but most important answer is that these schools are not well-maintained in terms of physical infrastructure, regular and sufficient availability of qualified teachers, and other support mechanisms. This means that the opposition is not principally maintainable, but is being articulated on practical grounds. This practical difficulty can be removed by improving the Government Schools.

Fifthly, besides these technical points, a fundamental question is also involved here. If democracy stands for 'greatest good of greatest number', then we need to ask, are we favoring the Right to Freedom of a select few, mostly from well-to-do families, over the Right to Equality of the remaining majority, mostly comprised of deprived and poorer population. If there is, at all, a clash between the right to freedom of a few and the right to equality of many, what becomes more important in a democratic country?

Sixthly, the Constitution of India does not grant Right to Choice. Of course, the Constitution of India grants Right to Freedom. However, even the six freedoms listed in Article 19 (1) do not include the freedom to choose school. The term choice is a recent arrival in educational discourse. We do not know about its precedents prior to contemporary Neoliberal discourse on education. In any case, the value of fundamental rights of citizens should be placed higher than the notion of individual choice. Of course, TMA Pai judgment also involves the fundamental rights of the managers of certain educational institutions, but it cannot counteract

the Constitutional safeguard in the proviso 'in the interest of public order'.

Yet, the notion of choice could be further deployed with reference to the option on the medium of education, particularly in the context of the desire of parents to admit their children in English Medium Schools. Here, some retrieval of history might be helpful to understand the issue. Though different institutions imparting learning in different languages was a feature of indigenous arrangements of education as well, under colonialism, the issue of language in education became more closely linked with the aspects of identity and civilization. European scholars in colonial India brought with them their own understanding of languages as discrete entities different from each other to be objectively studied to know about peoples and civilizations. It was different from the multilingual context of language use and learning that prevailed before colonialism and modernity, where learning of language was part of students' learning of specific knowledges itself. Now the study of language acquired newer approach from European discourse which believed in the historical evolution of vernaculars from some supposedly pure classical languages. Languages now became subjects to be studied separately. This changed context also provided the background to the language conflicts in modern India further crystallizing boundaries of language communities as separate entities. It provided a factor that pressed in due course of time for the division of schools along the lines of medium of education understood in terms of singular languages, rather than recognizing multilinguality of child's milieu.

Thus, since the colonial period, structure of education in India has been fragmented along the lines of language. This fragmentation has coexisted with a broad class divide. Great majority of students have been educated in vernaculars. English has been denied to most of them. Of course, the quantitative logic—how many people actually learned English—is very important to understand the degree of change (or lack of it) brought about by the colonial state. It is also important to stress that the policy of the colonial state resulted in the patronage of certain Indian languages and that the Minute of Macaulay was disapproved by the Home Government and most of the schools established by Macaulay were closed down immediately after his return to England. However, more than the quantitative, numerical or vertical spread of English education, the Minute of Macaulay, Bentinck's Resolution, Wood's Dispatch, and similar other policy pronouncements of colonial state contributed to the strengthening of the hegemonic superiority of English. Education at school level in English medium was provided only to a select few and practically denied to the majority and thereby it created both a divide as well as a feeling of superiority about English over other languages. More than the actual provision, it was the practical denial that reinforced the hegemonic superiority of English. This hegemonic superiority was further consolidated by the retention of English as the sole medium of education at higher level. Moreover, by making English as the medium of administrative work and the judiciary, the worthlessness of other languages was crystallized and demand for English was augmented.

There were people who demanded for Western scientific knowledge in English language. But there were also those who endeavored hard to assimilate and adapt this knowledge in Indian languages. Of course, some of these endeavors did receive for some time official support and acknowledgement. However, this did not force the colonial state to remove the undue hegemonic place of English. Therefore, ultimately, those endeavors of promoting modern knowledge in Indian languages also died after serving only their immediate purpose or after producing some quick temporary effect. Hence, the fruits of hard work of vernacular pedagogues like Moulvi Zaka Ullah and Raja Shivaprasad—who produced huge corpus of original, translated and abridged educational literature in Hindi and Urdu—to promote indigenous languages as the medium of school and higher education had limited success. English continued to be the medium of higher education for all and medium of school education for the elites. As a result, in due course of time, it also started eating away the option of vernacular medium at school level.

This linguistic divide coeval with class segregation continued to influence the structure of schooling in the post-independence India too. This duality has been further exacerbated under Neoliberalism as whosoever can afford sends his/her children to English medium schools. However, in contemporary India, this class divide is being questioned in two very significant ways. First, budget private schools offering English medium of education (of course in differing qualities) have rapidly emerged in every corner of the country in the recent years. Second, Municipal Corporations,

State and Central Governments are trying to introduce English as the medium of education (in the entire school or in certain sections of each class) and in many cases, the shift has already been made. However, this way of negotiating class inequality is merely illusory, because poor kids still study with their poor peers whilst richer children learn with their affluent friends. Both, rich and poor get half experience and half learning devoid of fuller exposure to reality and, therefore, it is harmful for both of them. Besides this brief sketch of the history of language in education, which shows that the preference for English is a constructed phenomenon and not an invincible fact, I would like to submit four other points with regard to the question of the medium of education.

Firstly, we need to acknowledge that learning a language, English for instance, and medium of education, mother tongue for example, are two different things. Without any doubt, effective arrangements for learning English must be made in all Government schools. Proficiency in English could be obtained without necessarily adopting it as the medium of education. However, prior to it, or as a parallel process, efforts should be made to acquire proficiency in mother tongue. It is believed that firm grasp of one language makes it much easier for the learner to acquire knowledge of any other language. This is how most of Indians learned English until quite recently when there were only few English medium schools.

Secondly, it is the official position of NCERT, as stated in the Position Paper on Language in relation to the National Curriculum Framework of 2005 that in a country like India, most children arrive in schools with

multilingual competence and begin to drop out of the school system because, in addition to several other reasons, the language of the school fails to relate to the languages of their homes and neighborhoods. It is imperative that we make provisions for education in the mother tongue(s) of the children and train teachers to maximize the utilization of the multilingual situation often obtaining in the classroom as a resource. Yet, somewhat ambiguous position of RTE Act on medium of education—‘child’s mother tongue, as far as practicable’—continues to be manufactured in favor of the choice of English medium schools overlooking that such steps would anglicize India more than what Macaulay and his descendants could achieve during the entire colonial period. However, there have been also very powerful counter movements in some states, such as Maharashtra, Karnataka, and Tamil Nadu. In fact, as a pressure of this movement, the State of Tamil Nadu has passed mother tongue education act. Education being a Concurrent Subject, and the ambiguous position of RTE Act on language issue as stated above, it is possible for state Governments to adopt mother tongues as the medium of education by passing appropriate legislations. Recent expansion of English as the medium of elementary education makes it apparent that a weak provision would be inadequate to combat Neoliberal perpetuation of the mania for this foreign language. The desire to learn English has been one of the important phenomena which has been perpetuated and utilized by the neoliberal market of private schooling in the name of choice. On the other hand, without linking the aspect of language with the need to democratize the nature of educational knowledge, even the

support for mother tongue would bolster orthodox right wing position on this issue.

Thirdly, one cause of the mania or craving for English is that some children learn in English Medium Schools and thereby others develop a sense of deprivation, denial or discrimination. They think that such a difference will cause adverse impact on their children’s future career prospects too. Due to this reason, many pressure groups of marginalized people, such as Dalits and Tribals have also started favoring English medium education. However, if an equitable policy is adopted and implemented, this social tension and conflict might be reduced.

Fourthly, parents from minority communities, or those inhabitants of UP who do not identify Hindi as their mother tongue might argue that the implementation of the said judgment would compromise their fundamental right to protect and promote language and culture. The argument will be difficult to resist if the state does not follow a roadmap to ensure that its ‘Common-Man’s Schools’ will take care of this responsibility of optimizing diversity and minimizing disparity of all kinds, including that of language.

Of course, the nature of localities in India (or in UP) is such that that fixing a particular radius as the intake area may reproduce in many cases the same social composition in school too. Moreover, since most of the officials directed to send their children live in cities, the degree of its impact in rural areas is likely to remain limited. However, these contingent issues can be addressed by defining the catchment area with appropriate sensitivity and through

the maintenance of an index of socio-cultural diversity, as recommended by Justice Sachar Committee.

It is being asked that if demolishing special provisions for elites and compelling them to join the ranks of masses can lead to qualitative improvement in education, do we want the same overhauling in every aspect of socio-political life? Should we not abolish VIP treatment everywhere? Is it feasible and desirable? For sure, a better society is the one where inequalities of any kind are minimal. A society where more people travel in public transport would be better in comparison to the one where majority uses personal vehicles. A nation where hundred percent children are provided equitable quality education will have greater prospects of all-round development than the one where disparity results in exclusion or low levels of learning for bulk of its majority.

Of course, there are innumerable treatises exposing masculine, Casteist, communal, classist, urban, and inhumane orientation of existing education system. How would the directive of sending all children to the same school create ‘social equation’ if the nature of education continues to remain prejudicial and discriminatory? Would the children having better childhood care and access to pre-schooling enjoy an edge in these schools over their less fortunate peers as the judgment is silent on preschool education? Of course, without changing the nature of education, and addressing the early childhood care related issues effectively, the real transformation cannot be achieved. Nonetheless, it could be said that if the directive is implemented, it has the potentials of facilitating the interaction of different classes,

groups, communities, and sexes within the same spatial enclosure of school, which could be the first step in the direction of democratizing the orientation of education.

In this context, it is imperative to spearhead a political campaign in favor of these directives of Allahabad High Court and to take up the demand

for 'Common School System' during the next elections in the state of UP. Besides this, there is an urgent need to build a nation-wide campaign that exposes the Neoliberal agenda of the new National Education Policy being formulated by the Central Government led by the NDA turning over the socially equalitarian principle of 'Common

School System' recommended by Kothari Commission in 1966 and accepted by the Government of India in 1968. In fact, the implementation of the judgment of Allahabad High Court should be made a core agenda item of the new National Education Policy.

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Orality, Literacy, And Political Socialization

K. K. Panda

While analyzing the parameters of India's political, economic and social framework, there is often a tendency among the contemporary social scientists to concentrate and highlight its operational parameters more as a solution to the individual and national problems of economic development and social fulfillment than in terms of a strategy of an integrated ideology and outlook that has been sometimes referred to as a culture sensitive methodology. Any perspective oriented analysis of literacy, orality and political socialization process would have to take into account political system's broad and complex character of its multi-functional political structures, its level of structural differentiation and cultural secularization. Political socialization is a process that implies transmission of propensities, attitudes, beliefs and values whereby society becomes increasingly more rational, analytical and empirical, and makes its interest articulation process more meaningful. It provides orientations to social actions and bridges the micro-gap through cognitive, affective and evaluative processes so as to remove a climate of acute sense of inequity. In fact, an integrated interlinkage between

orality, literacy and socialization is alone capable of neutralizing creation of a psyche of acquiescence, a climate of hunger and an authoritarian political structure. Multi-structural dimensions of orality-literacy linkage deeply affect political system's capability, conversion process, maintenance and adaptive functions.

What is literacy? To what extent does orality accentuate the process of sustenance, systemization and continuation and extension of political socialization?

Literacy is a phenomenon of life, and is more than a set of grammatical rules and vocabulary, and symbolizes the very life and limb of political culture. Any process of individuation is contrary to the process of integration of diversity that India stands for and symbolizes. Particularly, with a quarter of one thousand six hundred fifty two mother tongues being spoken by tribals in India, any literacy movement for having an objective of a sense of shared culture can best be achieved by reorienting it towards its orality dimensions that provide a linkage between

Sino-Tibetan, the Austro-Asiatic, the Dravidian, and the Indo-Aryan language groups. Absence of any oral orientation to the traditional cultures inadvertently results in the loss of creative styles and indeed the principal reason for living in a social-political system. Through orality alone one can bind the richness of the past with the freshness of the present. As the anthropologist Furer-Haimendorf has pointed out, "the material possessions of pre-literate tribal population can only give a partial view of the richness of their cultural life. Simplicity of household utensils, agricultural tools and wearing apparel may be matched by a wealth of artistic expressions in mythology, music and dance, and the social systems of humble cultivators may be of a complexity surpassing that of many materially far more advanced societies."

The linguistic mosaic in India is rarely conceived as an integrated ideology in policy approach of the administration. Contrary to this general tendency we have some linguists who strongly advocate that "It is not the recognition of variation in a society that leads to disintegration movements, but its suppressions".

A nation, Jawaharlal Nehru once wrote, "like an individual, has many personalities, many approaches to life. If there is a sufficiently strong organic bond between these different personalities it is well; otherwise these personalities split up and lead to disintegration and trouble". Through orality, a continuous process of adjustment and some kind of equilibrium is and could be established amidst contradictory consciousness of the masses.

Psychologists have emphasized the functional conception of language as a system of social control and mediation of social behavior. From the isolated grammatical and philological field ethnologists have moved to the "social-behavioral setting of linguistic materials." To many modern educators learning to read is viewed as the best or the only way to have an access to a most rational undertaking a typical "cognitive, and an ego achievement". "Literacy", Bruno Bettelheim said, "man's great achievement, began as sheer magic, and was not created to serve utilitarian purpose". Scripts were used for religious and magic needs. The traditional literacy system was basically religious and individualistic in nature." A psyche of inequity dominated it. The British education system, with its emphasis on what Freire calls the banking system of education was not inclined towards mass education. "What is perhaps still worse, all the qualitative elements of the system, its value system, attitude to knowledge, emphasis on verbal and linguistic skills and content were favorable to the well-to-do classes and unfavorable to the poor mass of toiling workers." It perpetuated the process of social segregation and widened economic differentiations. During the last sixtyfive years the

literacy programs have been simply conceived as returnable investments in economic development. Political, social and cultural dimensions of literacy as an issue, is rarely comprehended and complied with. The eradication of illiteracy cannot be achieved merely by opening more schools, adult education centers and implementing what is perversely referred to as "operation black board". These literacy programs have given birth to a new caste, the new-Brahmins who believe that manual work is for the uneducated. This has undesirable side-effects that are socially damaging and economically counter-productive. A change is needed to counteract the erosion of work ethics and promote an emotional integration between literacy and socialization process.

Norman K. Denzin said, "By combining multiple observers, theories, methods and data sources, sociologists can hope to overcome the intrinsic bias that comes from single-method, single-observer, single-theory studies". The oral transmission of information and values provide a fundamental base for all further schooling, training or self-education. It is central to the human resource capacity of any society. It helps in inculcating a strong sense of national identity and provides the basis for developing the capability to cope up with rapidly evolving and changing societal structures in this information age. While launching the international decade for literacy on 8 September 1990, the Prime Minister said, "A right kind of atmosphere had to be created where knowledge of word acquired by man was used for bringing a smile on the faces of the poor and the deprived." The role of orality in shaping the structures and process of systemic politics is

becoming more widely appreciated and emulated. Psychoanalytic and politico-sociological theories of Max Weber, Durkheim, Pareto and Toennies have all acknowledged this dimension of methodological experimentation in evolving a new pattern of relationship between social structure and process, personality formation, and political process of socialization.

Literacy is to provide new orientations to perceptions, analysis, and technique in a developing political system, and has a marked political dimension. It helps in forging various modes of consciousness. It is not to be entangled with a mere communication technique for the unschooled. Literacy programs have to be evolved and enunciated, although it is not possible always to link radical politics with mass educational programs as we have in socialist political systems, as an interdependent structure, a probabilistic functionalism. We need to take a major analytical step if we are to assure literacy operations among others as an alkalizer to static cross-sectional bias, not simply, as we have been often thinking, a component of economic and social development project. In a multi-structural developing society, literacy programs need to play what the leading linguist Professor D. P. Pattanayak rightly refers to, "a model of planning which will ensure egalitarian transformation" whereby new types of roles are established or new structure sub-cultures and sub-systems emerge or are created and consolidated.

The analysis of the most recent literacy experiences in the world shows that it has been, almost always, integrated into various structures of the political system,

and is not at all accepted as an end in itself but for better understanding of the surrounding world. It is not reasonable to assume close interdependence of literacy and economic growth. Historical studies have shown that other imperatives than economic have been responsible for high level of literacy among the Scandinavian countries. Some even go to the extent of saying that literacy is responsible for permeating division and inequity among language communities. Thus, to grapple with, what Dr. Adishesiah refers to, “suffocating problem of literacy” in a political system of India’s dimension with more than seventy percent of illiteracy, the development of a responsive capability could only be ensured through orality.

Any strategy for literacy will have to deal with both internal and external constraints of the system, transformation process of the institutional and management system, infrastructure and horizontal and vertical linkages, problems of access, and social relevance. Often one has seen the emphasis on the need for the de-politicization of literacy programs in the strategy documents. It is however recognized that an integrated strategy for literacy as a variable for the process of political socialization is not without any political orientation. A society with mass illiteracy, social conservatism and political localism, informal channels of social communication, orality helps in shaping individual’s basic “cognitive map”. Since orientation to orality constitutes a particularly important area of political socialization process, the way in which literacy programs get linked with orality, has a bearing on future pattern of the structural interactions in a political system. We

have to emphasize national literacy mission as a strategy that highlights men and women as conscious beings and this consciousness is directed towards the environment around them. Women and men have not to be accepted as abstract, isolated and unattached to the world. “This approach alone stimulates creative power, brings out ingenuity, resourcefulness, innovativeness of being endowed with these faculties but without having the outlet or opportunity of expressing them”.

It is not my purpose here to set out the moral case for orality but rather to consider the social and political problems which beset the pursuit of political socialization and to what extent orality as an orientation could be of any use. If we bear in mind that institutional political structures operate for and through the people and that they grow and change through actual human behavior, then we have to avoid static conceptualization in our approaches to institution. Orality as a communicatory activity helps in generating what is sometimes referred to as psychology of conscience that grows with the increasing complexities of a political system. Obviously, the usefulness and validity of the orality concept is a matter for individual to discern. Like so many terminologies in the vocabulary of political sociology, orality is yet to achieve the kind of precision that permits universal understanding.

It is widely recognized today that to understand an operating democratic polity, its structural-functional aspects have to be viewed as active agents of change. Any literacy development program is essentially an integrated process of change. It has to emphasize holistic change

undertaken through integrated, organized, and people-oriented actions. Literacy development programs have to be designed to bring about transformations in the institutions as agents of change. It has to cross through various crisis sectors. The culture and ethos of structural transformations depend on the role perceptions and performance of any literary strategy. It is very surprising that our social scientists and paradigm builders have not yet developed any scientific theory of literacy communication which is very vital for establishing linkage between literacy development programs and people’s participation. The country that prides itself to have undertaken large experiments in democratic planning still has to rely on the concepts and theories developed by the western experts.

There is need for moving away from the thinking of literacy as an autonomous sector and locating it in the larger agenda of social transformation. People’s participation, through voluntary agencies, and with a perspective oriented outlook and an analysis of orality-literacy linkage, has to be converted into a creative mass program for all round development of the political system. India’s economic, social and political future will be largely dependent upon the quality of its literacy movements. Nehru had a dream of converting India into a socially cohesive composite culture. But after a lapse of seven decades India’s political system today could be well described in the words of T. S. Eliot, “Between the intention and the act falls the shadow.”

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Is Hindu Society Changing ?

Kuldip Nayar

Something extraordinary and adorable happened to the Hindus, who number 80 percent in India. Breaking the 400-year-old tradition, widows at Vrindhavan, about 110 kilometers from Delhi, celebrated the festival of Holi and danced while throwing colors at one another. Surprisingly, the national media has not considered it newsworthy.

Widows have no status in the Hindu religion. The society looks down upon them if they wear colored clothes and sport bindis. Although the Rig Veda, older than the Bible, laid down that widow should lead their lives ordinarily, the Brahmins, the priest class, have driven them to a life worse than death.

Liberal Indian constitution has been of little help against the prejudice and practice going back to hundreds of years. Widows at Vrindhavan have dared the Brahmins, who have sheepishly accepted what happened there. And this has come as a shot in the arm to widows.

They will vigorously fight for equality as they are doing in the case of seeking entry into several temples or at least proximity to the sanctum

sanctorum. This development fits into the secular ethos of the country which is increasingly under pressure.

India has come to accept secularism of sorts. It is not ideal. Yet, it does give space to the minorities. Lately, this space is sought to be restricted when the slogan of Bharat Mata Ki Jai was raised.

Two happenings which have come to light in the last few days are disconcerting. One, the legislature in Maharashtra, a fairly progressive state, has suspended an assembly member for not chanting Bharat Mata Ki Jai. The legislature has not explained why it is necessary to raise the slogan. This is neither a national anthem, Jana Gana Mana..., nor is it a national song like Sare Jahan se achcha Hindustan hamara.

Even if one were to violate the procedure of standing up at the time of rendering of the national anthem, it is at best an expression of irreverence and distasteful. But how does it invite imprisonment or fine? The Indian constitution is a liberal document and guarantees freedom of speech and expression.

One may not like the constitution's violation. But there is no law to penalize people in a democratic society. Their opinion is the best custodian, not any penal action. The very spirit of democracy would be lost if people are told what not to say. True, it is their inherent right to support or oppose a proposition. But it cannot be thrust on them. They are their own masters.

Against this background, it is strange that the martyrdom day of Bhagat Singh, hanged by the British, has gone practically unnoticed. It is probably because he was an atheist who finds little favor with those who want people to wear the badge of religion on their sleeve. They are trying to suppress even the free thinking of people.

These so-called custodians of religion have never considered how to erase the curse of untouchability which is a part and parcel of Hinduism. Even in the 21st century the people, particularly women, practice untouchability. Even though banned by the law, the tradition has not diminished, especially in rural India.

The Hindu society should introspect why it is insensitive towards lower castes. They are treated worse than the cows, which are revered. The Hindus express more sorrow on the killing of a cow than that of a dalit. The Rashtriya Swayamsevak Sangh (RSS), which considers India a Hindu state, should be paying attention to the eradication of discrimination which has dogged the Hindu community for centuries. In contrast, Islam knows no high or low when it comes to eating. They sit together at the same daster khan.

Yet, discrimination is creeping

into Islam. The Sayyids consider themselves like the Brahmins at the top of the ladder. This is only an exception, not the rule. The Muslims complain that Hinduism has influenced Islam as practiced in India where it has acquired many traits which have cast a shadow on Islam.

In real, Muslims in most countries consider those in India inferior because of their "contamination" by Hinduism. Emperor Akbar from the Mughal dynasty which ruled for more than a hundred years floated a new religion, Din-i-Ilahi, which sought to reflect the best of both in Islam and Hinduism. The venture failed to take roots since both communities were too immersed in their centuries old practices.

Even though Hinduism is essentially a way of living and thinking, it has become a prisoner to dogmas which do not fit into the freedom they are supposed to have. The RSS has been trying its best to make Hinduism rigid but even after several decades the organization has failed in its efforts. No doubt, tolerance has lessened than what it was before.

Taslima Nasreen, a Bangladeshi writer who has taken refuge in Kolkata after the bigoted ousted her from her country, says relentlessly that if Indians had not been tolerant, there would have been riots between Hindus and Muslims all the time. There is something to ponder about in what she says.

However, she ignores the fact that both Hindus and Muslims live like two nations. There is very little social contact between the two. I recall that we, the Hindus and Muslims, lived together in Sialkot

City, my home town, and never felt that we were two different people. We visited each other's house and ate together and celebrated Eid, Diwali and Holi.

This atmosphere has changed after the demand of Pakistan came to be raised. And today when a line has been drawn on the basis of religion, the distance between the two has increased. Was partition the best solution? This question was posed to Qaid-e-Azam Mohammad Ali Jinnah when he founded Pakistan. He said he did not know. Only posterity would judge.

But one cannot run away from the fact that partition has not brought Hindus and Muslims nearer to one another. Was there another way to bridge the gulf between two communities?

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Deonar

Nothing moves the city anymore, it seems. Some say the city has gone to sleep, it is frozen in deep slumber. How did it happen? Why? A city which used to erupt in street protests even with a slight rise of oil prices, food grains or vegetables, does not move for such things. It is as if the city is filled with lead, and the soul, with iron. Remember those days when a group of young women could hold the city to ransom with innovative ways of protests and usually succeed in getting the traders behave and the state to act. The city did erupt when there was Bhivandi and Babri, but what happened then was shameful. The city however, had people who did their best to wipe out the shame. And when the iconic hotels were attacked, the youngsters were on the street, not in protest as much as in sorrow. They had candles in their hand when they were on the streets. That showed that there was some life in the city. But when Anna – Delhi fame Anna - came to the city, the city did not show even the slightest interest. It appeared as if the corruption was not the issue for the city Anna had to make a quick exit.

People do go to Azad Maidan to protest, victims of one or the other injustice collect there and sit till the evening in the hope that what they were doing will be taken note of. But only their supporters take note and the participants get the feeling that they had done something worthwhile. The powers that be are least bothered. And when Medha fasts, some interest gets aroused in the city, but it is her fast, not the issue, that gets highlighted. Issues Medha raises are non-issues for most of the Mumbaikars. That is the city which has come to be. No wonder

then that when Deonar was burning, it has not stopped still, barring the people living in that area who protested a bit, the rest of the city went about their chores as if nothing had happened. Even when fire escalated and there were billowing smoke clouds and the entire city grasped for breath, the city's slumber did not get distracted.

But if the city wishes to regain its lost vibrancy, Deonar has to become a metaphor for all the ails in the city. And the city has to invent a group that is informed, committed, alive, vibrant and knows how to respond quickly. Political parties will do little, they are busy milking the city. Bureaucracy has taken to the ways of politicians and the Judiciary which shows some life from time to time, cannot substitute a vigilant group of citizens. The city needs more Medhas or Vidyas to protect the slums. Not demolition, but improvement of slums is needed and they should be freed from the

predatory slumlords.

The city does not have to deprive the hinterland of its water. The city always gets good rains. All that is required is roof water harvesting, compulsory and subsidized, if required. And like many international cities, it needs recycling of water.

The city needs inclusive housing, ghettos are dotting in the city. The rich live in gated colonies and have little to do with common persons. They are Indians who live more abroad than here. These gates have to be battered, the rich have to be forced to house the minions who work for them in their societies. And the city should ensure that there are no separate Mohallas for Muslims, Dalits etc. Is it too much to ask for? The city cannot call itself civilized if this does not happen. The architects and town planners will have to go to a new school, if the city is to be civilized. The city needs a radical group as it had in past.

– GGP

Footprints of A Crusader (The Life Story of Mrunal Gore)

by

Rohini Gawankar

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Muslim Women's Agitation against Patriarchy

Irfan Engineer

Shayara Bano, an Indian Muslim woman was married to Rizwan Ahmad on 11th April 2002 and they have a son and a daughter from the wedlock. She was unilaterally divorced by her husband on 10th October 2015 vide *atalaqnama* (deed of divorce) wherein, before two witnesses, her husband pronounced the word "talaq" thrice in one breadth without attempting any process of reconciliation, thus ending 13 years of their marriage in a stroke. This form of divorce is called as *talaq-e-bidat* or sinful (but valid) form of divorce. Shehnaz Shaikh (and many others too) was similarly divorced by pronouncement of the word 'talaq' thrice by her husband in a fit of anger and thrown out of their matrimonial house midnight. Shaikh didn't know where to go at such an odd hour and spent the rest of the night on the staircase of the building.

Talaq-e bidat is not only valid form of divorce, but it is also irrevocable. This means that the divorced husband and wife cannot be reunited by performing fresh *nikah* (marriage) even if the husband repents, unless what is termed as *halalanikah* is performed – that is, the wife marries another man, the marriage is consummated, and the man, as agreed, divorces her by pronouncing the word 'talaq' thrice. The repentant husband can then remarry his former wife whom he had divorced by *talaq-e-bidat*.

Shayara Bano decided to invoke the writ jurisdiction of the Supreme Court of India and pray for declaring *talaq-e-bidat*, *halalanikah* and polygamy permissible under *shari'a* (Muslim family laws) as un-Constitutional and discriminatory.

Unlike challenges to the *shari'a* in previous judicial proceedings, Shayara Bano does not pray that the entire *shari'a* be declared null and void nor does she pray for a Uniform Civil Code to be enacted. Bano seeks relief only against the rough edges of Muslim family law in so far as they are discriminatory against Muslim women – *talaq-e-bidat*, *halalanikah* and polygamy – be declared un-Constitutional as they violate fundamental rights.

talaq-e-bidat is not the only form of divorce in Islam and is in fact considered sinful. It was a pre-Islamic practice which was re-validated much later. Quran prescribes a procedure for divorce which entails arbitration and reconciliation after *talaq* is pronounced by the husband. "And if you fear a separation between the two of them, appoint an arbitrator from his family and an arbitrator from her family. If they desire reconciliation, Allah will bring them into agreement. Verily Allah is Knowing, Knowledgeable." [Qur'an 4:35]. "A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness" [Qur'an 2:229]. If *talaq-e-bidat* is not in accordance with the procedure prescribed by the Quran, the issue of *halalanikah* will not be an issue.

Polygamy also is not prescribed for all Muslim men; it was permitted in certain circumstances (in order to do justice to orphans whose affairs they may be dealing with). Unless a Muslim man is marrying to do justice to orphans, the norm laid down is to marry only one. "If ye fear that ye shall not be able to deal justly with

the orphans, marry two, or three, or four; but if ye fear that ye shall not be able to deal justly with them, then only one... that will be more suitable, to prevent you from doing injustice." [Qur'an 4:3] Monogamy is the norm and polygamy is an exception with the objective of doing justice to the orphans and with the strict condition that all are treated justly. However the Qur'an [4:129] warns "Ye are never able to be fair and just as between women even if it is your ardent desire". When Bano challenges *talaq-e-bidat*, *halalanikah* and polygamy as un-Constitutional, it is not against the spirit of Islam.

Islam, Gender justice, marriage and divorce:

The normative framework of the Qur'an is gender justice. There are certain contextual verses which may be interpreted to give superior rights to men, but they are more contextual than the norm viz., that economic position of women in Arabia was weaker. Men therefore had corresponding liability to maintain and protect women. Verse 2:228 (the Qur'an) states "And women shall have rights similar to the rights against them in a just manner" This must have been a revolutionary declaration and unsettled the society which treated women as mere chattels. Qur'an for the first time refers to *rights* of women. Qur'an reveals (verse 4:1) that "Mankind! Revere your guardian Lord, who created you from a single being (*min nafsinwahidatin*), created of like nature, his mate and scattered countless men and women..." Men and women are equal in creation itself.

Qur'an gave women same rights that were before revelation, available only to men: right to divorce at will and without obtaining consent of her husband after a suitable compensation, viz., returning her dower (the Prophet permitted Jamila to free herself from the marriage as she did not like her husband even though she admitted that he loved her immensely and was very generous to her in bearing her expenditure); *talaq-e-tafwidh* or delegated right to divorce wherein the husband delegates his right to divorce to his wife at the time of *nikaah*; right to appoint arbitrator to settle a marital dispute or to divorce (verse 4:35); Qur'an commands men to keep their wives in a goodly manner or to leave them with benevolence (4:19); Women cannot be married off against their will (4:19) and even if treasures had been given in dower, not to take it back (4:20); God addresses both believing men and believing women and command them to be protectors of one another and are called to enjoin what is just, observe regular prayers, practice regular charity and obey God and His Apostle and on them will God shower his mercies (9:71).

Verse 33:35 addresses "Muslim men and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in God's praise – for them God prepared forgiveness and great reward."

Women have their financial independence, including right to work and earn (4:32). Women can serve as Qadi and fight wars. In

the battle of Uhud Umm 'Umarah, protected the Prophet from being harmed. Umm 'Umarah took sword in her hand and attacked one who tried to come near the Prophet and pierced the sword into his body. She was, therefore, popularly known as 'woman of Uhud'. We also have to instance of Ghazalah, a Kharijite woman who was known for her bravery and who challenged Yusuf bin Hajjaj in the battle, an Umayyad governor who was feared by all Arabs. Hazrat Ayesha, wife of the Prophet led an army riding a camel in the battle which later became famous as the 'Battle of Camel'. The patriarchal mindset in the society in general and of the religious jurists in particular, found a way out of these verses and explained away using hadith – genuine and not so genuine – and continued their patriarchal traditions and cultural practices.

Muslim Personal Law Board:

The All India Muslim Personal Law Board (AIMPLB) has intervened in the petition and claimed that *shari'a* is divinely ordained and cannot countenance any interference by human agencies like judiciary or legislature. They further submitted that the Muslim family law was protected by Art. 25 of the Constitution which, gives all persons in India freedom of conscience to practice their religion. By defending *talaq-e-bidat*, *halalanikah* and polygamy as a right of Muslim men, the AIMPLB is clearly defending the indefensible practices which are not in accordance with the Qur'an as is evident from the aforesaid. The AIMPLB is in fact defending the practices that were pre-Islamic and which Islam wanted reformed.

The issue for AIMPLB is not defense of *talaq-e-bidat*, *halalanikah* and polygamy, as these practices are not essential or *farz* (obligatory) or even *wajib* (recommended), not even *mustabah* (desirable act).

These practices at best may be called *mubah* (neither recommended nor prohibited for which there is neither reward nor punishment) or *makruh* (undesirable in Islamic law and discouraged) if not *haram* (totally forbidden). However, if the courts adjudicate on what the *shari'a* should or should not be and Indian legislature legislates on family laws for Muslims – whether or not according to Islamic law, the conservative religious leadership would find it difficult to be relevant except in leading the community in prayers and giving religious instructions. They would cede a major area to secular institutions and loosen their hegemony over the socio-economically most backward community in India. The AIMPLB was formed on 7th April 1973 in a convention held in Hyderabad. The convention was organized in the background of Adoption Bill being tabled in the Parliament by the then Law Minister HR Gokhale who stated that the bill was first step towards a Uniform Civil Code. As religious leadership of all *fiqhs* (jurisprudential schools of law), who otherwise do not see eye-to-eye as each one claims to be superior over other, assembled in Deoband on 27th and 28th of April as they saw a threat to their leadership and in principle decided to constitute AIMPLB.

The stated objective of AIMPLB is "To take effective steps to protect the Muslim Personal Law in India and for the retention, and implementation of the Shariat Act". Interestingly, the Shariat Act that they want to defend is not divine! It is a legislation enacted in 1937 during colonial period and *shari'a* as applied by the courts under colonial rule presided by British Judges.

The second objective of the AIMPLB is "To strive for the annulment of all such laws, passed by or on the anvil in any State

Legislature or Parliament, and such judgments by courts of Law which may directly or indirectly amount to interference in or run parallel to the Muslim Personal Law or, in the alternative, to see that the Muslims are exempted from the ambit of such legislations.” The second objective essentially means that the AIMPLB would defend status-quo and even those family laws that may not be in accordance with the spirit and values of Islam but are being applied since colonial rule and by the British Judges and as they understood what Islam was. Moreover, the colonial power adjudicated *shari'a* laws with the objective of dividing the Hindus and Muslims and ruling the country. Interpretation of every law is dynamic and evolves according to the times. Same is the case with our comprehension of meaning of verses in the Qur'an which continuously evolves as frontiers of our knowledge expand. However, the objective of the AIMPLB is to ensure that the legislatures and courts in India do not “interfere” directly or indirectly or “run parallel” to the “Muslim Personal Law”. Not one of their several objectives is to strive to evolve understanding of Qur'anic verses and its guidance to human beings in the changing context. Neither they would undertake *ijtihad* (independent reasoning) nor would they allow others to undertake it.

That is why, many Muslim majority countries, including Pakistan and Bangladesh have done away with *talaq-e-bidat*, *halalanikah* and regulated polygamy to exceptional cases if not completely abolished it. However, the AIMPLB's objective is to secure annulment of any law passed by legislature or judgments of courts which even indirectly amount to interference in the family laws applicable to Muslims, whether or not they are within the Qur'anic and Islamic framework. The AIMPLB is guarding the hegemonic interests,

turf and terrain of the Ulemas and the plea they take is that Muslim Personal Law as legislated during the colonial period and interpreted by the British Courts is divine.

Divinity of *shari'a*

The claim of AIMPLB that *shari'a* is divine is far from the truth. There are human elements in *shari'a*, particularly in comprehending and understanding the true import of the Qur'anic verses. That is the reason why there are several fiqhs or schools of jurisprudence and they all have different rules. The two major divisions among fiqh are Shi'a and Sunni. Among the Shi'as, the major fiqhs are – Ja'fari, Batini, Tayyebi-Musta'liyya, Nizar'iya, Zaydis and Isma'lis. Among the Sunnis, the major fiqhs are – Hanafi, Hanbali, Sha'afi, Maliki and Zahiri besides other minor fiqhs. *Talaq-e-bidat* and *halalanikah* is largely permissible within the Hanafi fiqh. In other fiqhs *talaq-e-bidat* and *halalanikah* is not even permissible. Similarly, *mutahnikah* (nikah or marriage for a fixed duration after which *talaq* is *ipso facto*) is permissible among Shi'a fiqhs but not in Sunni fiqhs. It is evident from the existence of diverse fiqhs following different laws that human interpretation and comprehension of divine laws is part of *shari'a* and therefore diverse.

While Qur'an is an important source of *shari'a*, it is not the only source. The other sources are *hadith* (pronouncements of the Prophet), *qiyas* (deductive analogy) and *ijma* (consensus of the Muslim community). *Qiyas*, enables the *mujtahid* (qualified Muslim jurist who interprets law) to use deductive analogy, understand the application of Qur'anic verses and hadith in a known case and compare and distinguish circumstances to create an injunction in a new situation. When a situation arises wherein there is neither any guidance from

Qur'an, nor anything in the hadith literature, and no parallel situation to deduce from, then reliance is to be placed on the general consensus among the learned of the community. This source is called as *ijma*.

For example, when the issue of permissibility of organ transplant in Islam arose, there was nothing in Qur'an or hadith literature to guide. The Muslim jurists got together and developed a consensus that under certain circumstances organ transplant was permissible on the doctrine of necessity – which permits even things that are forbidden under dire necessity. As human reasoning is involved, and even encouraged in Islam, diverse fiqhs evolved and became integral part of *shari'a*. That Prophet himself was in favour of reasoning and evolution of *shari'a* is evident from the well-known tradition of the Prophet. When the Prophet sent Mu'adh bin Jabal as governor of Yemen as well as dispenser of justice, the Prophet asked Mu'adh, ‘according to what shall you judge? Mu'adh replied, ‘According to the Qur'an’. He was further asked, ‘and if there is nothing therein?’ ‘According to the finest tradition of the Prophet’, Mu'adh replied. The Prophet then asked, ‘and if you find nothing therein?’ Mu'adh replied, ‘then I shall strive to interpret with my reason’. Hearing this, the Prophet said, ‘praise be to God who has favored the messenger (Mu'adh) of His Messenger (Prophet) with what His Messenger is willing to approve’.

In India, Islamic jurisprudence was an evolving science till the colonization of the country under British. The Warren Hastings' Plan of 1772 provided for the establishment of civil and criminal courts and protected the right of Hindus and Muslims to apply their own personal laws in inheritance, marriage etc.

In the year 1791 under directions of Hastings, Charles Hamilton translated from Arabic the *Hedaya* (The Guide) into English. With the reliance of the British courts on the written text, the evolution of *shari'a* came to a halt.

AIMPLB's plea of divinity is a ruse to ensure that *shari'a* does not evolve further and is not implemented in true Qur'anic spirit of justice and to achieve Islamic ideals of human dignity, brotherhood and sisterhood and equality. That is why they are resisting Bano's petition before the Supreme Court. What the AIMPLB is defending is not *shari'a*, which encompasses all human activities and is ever evolving. AIMPLB is defending sectarian schools of jurisprudence, in the present case Hanafi fiqh. The fiqhs require *taqlid*, i.e. unquestioningly submitting to the jurisprudential authorities and past precedents irrespective of ever changing circumstances.

Muslim women's struggle for gender justice:

It is worth visiting some of the *fatwas* (opinions of the jurists) issued by the *muftis* (those who are trained in Islamic jurisprudence and authorized to issue *fatwas*), even though they are not binding. Given the socio-economic and educational backwardness of the community, these *fatwas* cannot be ignored, particularly those against women who find themselves in a hopeless and helpless situation. In the year 2010 there was a *fatwa* of Darul-ul-Uloom Deoband opining that Muslim women working in establishments which required interaction with male colleagues, was *haram* (forbidden). An all Kashmiri girls' music band was called *haram* by another *fatwa*. There have been *fatwas* banning Muslim women from exercising their voting rights, contesting elections, viewing most channels

on TV or listening to music. In the Imrana case, *fatwa* was issued directing Imrana who was sexually assaulted by her father-in-law to be divorced as she was now *haram* to her husband. *Fatwas* have upheld divorce when given in a fit of anger, or under influence of liquor, via text messages, over telephone and in one case even in a dream.

Muslim women's organizations have agitated against such interpretations of Islam. They have engaged with the religious leadership, including the AIMPLB. Uzma Naheed from IQRA International Women's Association has been engaging with the religious leadership for quite some time and even finds some Ulema to be sympathetic. The only difference her long engagement and hard efforts to reason with the religious leadership in general and AIMPLB in particular has made is for all to see – MLPB has opposed Bano's petition in Supreme Court for a declaration that *talaq-e-bidat* is null and void. The only silver lining in the otherwise dark cloud is that a tiny minority of women have now been included as members of the AIMPLB, including Uzma Naheed.

Bhartiya Muslim Mahila Aandolan (BMMA) has been agitating for rights of Muslim women within the Islamic framework. Having membership of about one lakh Muslim women, they have come a long way. Organizing Annual conventions and flagging issues of Muslim women, they have established *Shari Adalat* wherein women Qadis try to adjudicate matrimonial disputes brought before them by Muslim women in accordance with Qur'anic principles. However, *Shari Adalats* have achieved limited success as it is difficult to get men to attend counselling and if they do, it is difficult to convince them about equal rights of women in Qur'an given

the *fatwas* of religious leadership which favor them. BMMA has also developed a model *nikaahnama* wherein marriages are solemnized on equitable terms to both and the husband delegates his right to divorce to his wife and agrees not to go in for second wife during the lifetime of their marriage.

BMMA has also approached the Government to bring in suitable legislation against *talaq-e-bidat*, *halalanikah* and polygamy. Islamic scholar Dr. Asghar Ali Engineer, Institute of Islamic Studies and BMMA collaborated to draft a legislation regarding Muslim family affairs within the Qur'anic framework taking the best provisions from various fiqhs and Muslim majority countries. Dr. Asghar Ali Engineer has consulted Muslim scholars and debated with them before evolving this draft legislation. He approached the AIMPLB to discuss the draft legislation proposed by him but they did not show any interest whatsoever.

SAHIYO, a group of Bohra (Shi'a Muslim) community women have written letters to their religious leadership to stop the practice of Female Genital Mutilation, but the religious leadership is only advising the members of SAHIYO not to interact with media as that brings a bad name to the community.

What options are the victims of patriarchal Muslim religious leadership – Muslim women – left with except to agitate before courts and secular institutions of secular democratic country which is duty bound to ensure non-discrimination on grounds of gender and religion and ensure that women are, treated with dignity and as right bearers and not as chattels.

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Schooling for School Education Policy

Sudarshan Iyengar

In a high level meeting held in March 2015, chaired by the HRD Minister, GoI and attended by the education ministers of states and the secretaries from states and the centre, challenges in reforming in the school and literacy sector were recounted. They were inclusion of public aspirations, private initiatives, educational administrators and other stakeholders, upgradation of quality in education, need for improving learning outcomes, promoting ICT enabled technologies, extending outreach to school and secondary education, searching frontiers of new knowledge by combination of subjects in multi-disciplinary way, vocationalisation of education upto class XII and its linkages to employability, focus on value education and life skills. With every new government at the centre it has become a practice. However, we seem to have ignored the basics from the beginning. Gandhiji had noted in the *Hind Swaraj* in 1909 that “we want English rule without the Englishman. You want the tiger’s nature, but not the tiger; that is to say, you would make India English”. Interestingly, the English world has long before moved on from their traditional approaches and is deftly handling education and skill development.

The present country ‘masters’ seem to have missed history. In 1937, education ministers of the then provincial states and noted educationists had met in the Marwadi School in Wardha. Gandhiji was asked to guide the gathering on the education policy for the Independent India in making. Gandhiji had said,

“It is a crime to make education merely literary... our children must from their infancy be taught dignity of such labour (manual)... It is a sad thing that our schoolboys look upon manual labour with disfavour, if not with contempt (now they look at it with contempt)... literary education should follow the education of hand... But unless the development of the mind and body goes hand in hand with a corresponding awakening of the soul, the former alone would prove to be poor lopsided affair... By education I mean an all-round drawing out of the best in the child and the man-body, mind and spirit...”

It was almost unanimously agreed in 1937 that the then prevalent British education system designed after Macaulay’s philosophy had to be discarded and education system leading to the reconstruction of the Indian society based on *Swaraj* and *Swadeshi* should be adopted. The philosophy and the pedagogy were known as *Nai Talim* or *Buniyadi Talim* or *Basic Education* - educating **Heart** by Character Building and community living, **Hand** by inculcating skill for physical production, and **Head** for intellect development and knowledge building.

Why are we confusing vocational training with skill development? Skill development is indeed an important component in education from childhood to the completion of schooling. The skills to be developed have to be from the economic and ecological systems that obtain. The wise heads in the villages have been

telling from Munshi Premchand’s times when he was the education inspector in 1901, ‘*thodu bhane e kaam chhode, jaajhu bhane e gaam chhode* (one who studies less leaves the work and the one who studies more leaves the village). It is through skilled work that literary education should happen in schools. Shouldn’t the education of children equip them with relevant skills so that they get productively engaged as adults in multi-sector economic activities in villages? Shouldn’t the stewards of the country realise that mindless and uncontrolled urbanisation is creating inhuman and unequal society promoting structural and manifest violence? Proper education is the way to arrest it. Why the mandarins of the MHRD are not seeking any consultation on this in the My Gov scheme? The arrogance of ‘we know all’ exercised by the elite working on policies and programs and unduly favouring large scale secondary and tertiary sector economic undertakings are going to finish the villages in this country. Such centralised economies also push ‘urban biases’ in education. Rural gets priority and urban gets resources *a la* Michael Lipton.

Privatisation is not a dirty word, commercialisation is. Profiteering is more so. School Education has to be in public domain with exceptions for experiments and the stinking rich as long as they exist. Generally, privatisation, when not wisely combined with commons, has a serious problem of eating up all the common space in all the spheres. In the eco-system schemes under any ecological space, commons are

non-negotiable for efficient and just survival. They also provide for goods and services to economically poor and socially disadvantage. Social institutions managed by customary rules ensure access and regulate the use of commons. In privatisation inequality is in design, and more the privatisation, the higher and deeper is the inequality. In urban areas principle of neighbourhood common school system is wise solution ensuring equity and efficiency. Unless this is understood, internalised and brought about as the policy, the issues of access, equity

and quality in school education would not get resolved.

Technology is not a fix either. The computer, the internet and the mobile phone technology aren't going to ensure equity either. At the Stanford University which is in the heart of Silicon Valley –the site of the largest and fastest creation of wealth ever recorded - the students are doubtful whether for the vast majority of society, computer access was a reality. They have noted that even in close proximity to Stanford University, East Palo Alto

community lacked the quality of teaching and resources and adequate access to computer and internet technologies! Let us be cautious in giving 'Tablets' of hope to poor for it may lead to despair.

Let us not relegate Gandhiji into the background with a broomstick in his hand as a symbol of 'Swachhh Bharat' only. It is time we bring him back to the class rooms in common schools with a spade, spinning wheel and software.

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A Different Kind of Politics

Bharat Dogra

The most common understanding of a political party these days is that it is an organization devoted predominantly to either retaining or capturing political power in elections or else winning as many seats as is possible within its existing limits. The success of any political party or its leading functionaries is judged mainly keeping, this criteria in view. This is regarded as such an obvious reality that any other view of a political party's role, work or aim is generally not even considered.

However it is possible as well as necessary for more and more people to think of the role and aim of a political party in a different way. An alternative view of a political party can be of a formation whose members are very seriously and creatively engaged all the time in the search and identification of problems and policies which are most effective in reducing distress and root causes of distress, now as well in the longer-term. The best possible and mutually consistent policies that they can

agree to on the basis of extensive research and consultation are then taken among people to get their support for these policies. All the time an effort is also made to ensure that the life pattern and conduct of the members of the political party are in keeping with the policies they are propagating.

The work of the political party continues with the same zeal all the time to take its program and policies among more and more people. At the same time constant efforts are made to have a genuine inter-action with people and scholars including critics. The mind of the political party remains open to accept whatever criticism appears relevant and whatever suggestions are made in the course of this ever continuing democratic dialogue. Some changes are made from time to time in policies and programs on the basis of the suggestions made in this dialogue but there is no compromise with core values like honesty and justice and also no

change is made just for sectional appeasement or just for getting some votes. Core groups of some leading members representing different sections of people are selected in a democratic process for different constituencies and areas. Internal democracy within the party is well established. Completely transparent systems of financial accountability are also equally well established.

When election time approaches all that this party has to do is to prepare a manifesto and a time bound program on the basis of its already well known priorities and also select candidates from its already well established core groups set up for various areas. The financial and other responsibilities for various constituencies will be handled at the level of the constituency only so that there is no need for collecting any huge centralized fund for contesting elections.

On the basis of these well-established program and priorities

this party will seek the support of people without making any compromises. If it is voted to power then it will implement its program with complete honesty trying all the time also to improve the people's support to it. If it is not voted to form a government then it will continue to play the role of a responsible opposition party while all the time also taking its program among the people with undiminished zeal.

As already pointed out the core program should be decided on the basis of what can best reduce distress and remove basic causes of distress both in the short term and the longer-term. It can be said without much controversy that this can be achieved only on the basis of the basic principles of equality, justice and democracy at all levels. There is need to incorporate the concerns of protection of environment at all levels with special emphasis on survival issues like climate change and along with this also a protective attitude towards all forms of life. This is based on a basic principle

of co-existence of all people and all forms of life on the basis of justice and compassion.

Such a political party in any nation should seek to maintain a relationship of solidarity with other political parties dedicated to similar concerns and principles in any part of the world. The overall framework of international concerns should be peace and justice at all levels, elimination of all WMDs, top priority for tackling survival environmental issues like climate change and elimination of poverty.

Personality cult and glorification of certain individuals should be completely avoided while care should be taken to provide encouragement and support to ordinary party workers who will have to learn to work in difficult conditions. Special care should be taken to ensure that those from the weakest and neglected sections are not denied opportunities while women also get adequate representation at all levels.

The organization and activation of political parties along these lines will help to mobilize a lot of creativity of ordinary people as well as those with special expertise to solve the most pressing problems of the world. The present day growing skepticism even with democratic processes will be replaced with a new enthusiasm for active participation when people see real chances of making small but significant contributions in an honest, transparent and appreciative setting. The solidarity of such political parties with each other will further ensure that democratic opportunities are not denied to them.

This will still be very difficult work but also such an enormously creative one that many people will happily confront the difficulties. In addition, special efforts should of course be made for making this creative process a very happy one by firstly improving human relationships at all levels and secondly also by adding a lot of music and drama to the effort.

Economic Ideas of Dr Ram Manohar Lohia: A Review

K.S.Chalam

Ram Manohar Lohia was one of our very few indigenous thinkers who tried to apply the contemporary discourses to understand and obtain solutions for typical Indian circumstances. Though he studied and worked for PhD in political economy in Germany under one of the most famous economic historians Sombart, he was not blind to our distinctive social institutions that inhibited socio-economic progress, despite modernization introduced by the aliens. Though he was junior to Dr. Ambedkar who studied in the

West, Lohia was very close to him in the intellectual journey and the destiny of the country could have been distinct had they met in 1956 as planned before the demise of Ambedkar. Professional economists and scholars however did not pay much attention to the academic or polemical writings on Economics of both the leaders. They were considered as leaders or thinkers in general but not as experts in the political economy of India. There has been some change in the outlook of few scholars who are trying to

reflect on the economic writings of Dr. Ambedkar after his centenary year in 1991 and in 2010 the year of Lohia centenary.

A group of scholars and teachers mostly from Bihar have brought out a volume on, "The Economic Ideas of Dr. Ram Manohar Lohia" under the editorship of A.K. Thakur and S.N Pandey. The book is an attempt to highlight the economic writings and speeches of Lohia that have contemporary relevance and has brought to life the statement of

Lohia 'people may not heed to my utterances now but definitely listen to me after my death'. There are 16 papers in the volume with different levels of quality and depth. However, all the papers put together would project a comprehensive vision of the economic ideas of Lohia.

The papers are related to his ideas on Globalization or Westernization, Agricultural development, Industrialization, Socialist ideologues, Economic development of India, Non-Marxist approaches to Socialism, Intermediate technology, poverty, Economic philosophy of Gandhiji etc.

The basic philosophy of Lohia like that of Gandhiji was to promote simple living by reducing wasteful expenditure and produce enough for everyone to endure a comfortable living. This is possible through socialization of industry and production with a ceiling on the incomes of people. He was of the opinion that the income range of rich and poor should not exceed 1:10 i.e., if an ordinary man gets Rs 100, the rich should not be allowed to get more than Rs 1000. In case it is not possible in the given conditions, better socialize property.

Lohia like several of his contemporaries who subscribed to socialism studied Marxism very seriously and his major criticism as some contemporary commentators claim, is about the assumptions of Marx that were purely European where he lived and worked. Like that of Max Muller his country man, Marx never visited India and therefore, Lohia contended that some of his ideas are not relevant to India or need modifications. Lohia was critical about his ideas on Imperialism and said that there are two kinds of circuits of imperialism, one the internal circuit of European exploitation and the other external

exploitation of labor of the World. Asia, Lohia said was reduced to half horse and half man. The situation in Russia was similar to that of Europe and pointed out that no revolution took place in Asia that was ripe as per Marxist theory of exploitation and only European nations were liberated or involved in communist revolution that might not last long. The forces of production in Asia were less developed and productivity was low compared to Europe and this should have been given primacy in the theories of Marx that was missing, leading to several problems in communism.

The concepts of Surplus Value, Use Value and Exchange Value are interpreted by Lohia differently, saying that surplus value is a historical phenomenon experienced by all colonial countries. Lohia was trying to bring in here the experience of India where the British colonialism was extracting surplus from the natives and therefore, revolution should have been originated in India and other colonies rather than in Europe making Marxian prediction lopsided. Thus, Lohia was reading too much in Marx while it was Lenin who developed the theory of Imperialism later in the early part of 20th century. This shows the desire of Lohia that India should have been liberated not only from the British but also from the system of exploitation that the British introduced in India. Lohia said that Marx was insisting on the forces of production that relate to exploitation and wanted the replacement of such forces. But, according to Lohia the communist countries relied on the same forces of production that helped capitalism to grow. Then how it is possible questioned Lohia, to do away with capitalism? Therefore, he propounded his famous concept of 'intermediate technology' in the independent nations to provide necessary economic development

with limited exploitation of labor and natural resources through socialization. As a Gandhian, he supported the Khadi Gramodyog in the village economy.

Lohia's views on Agricultural development are relevant even today. Though some of his contemporaries like Ashok Mehta and others expressed views on agriculture, Lohia was forthright in demanding abolition of Zaminadari system and distribution of land to the tiller. Like the communists, he wanted the land to be placed in the hands of the tiller and not in the hands of absentee land-lords. He wanted that the personality of the farmers should be enhanced and agricultural wages be increased. No share cropper is to be eased out and the legal share of the sharecropper be fixed at 2/3 of the produce and abolition of rent on non-economic holdings. He wanted three important measures in agriculture. He wanted: 1. Essential manufactured commodity prices should under no circumstances be more than one and half times that of its cost of production. 2. Prices of food grains should not exceed 16 per cent between two harvests, and 3. Parity between agricultural prices and industrial prices need to be maintained to give equal importance and status to the farmer. He has given the program of action in transforming the feudal economy into a socialist one in his 1965 Lok Sabha speech as follows. a) A uniform primary school for all children irrespective of the background of the child. b) there should be only one class, third class in railway compartments, c) No one should be allowed to spend more than Rs 1000 per month (at 1965 prices) d) English language should be abolished (he wanted it only as link language) e) all agricultural land should get irrigation water without any tax or cess. He thought that this would bring Socialism. He wanted an agricultural prices commission

to judge the remunerative prices with parity, was later appointed by the government, that takes care of MSP now and not to maintain parity with industrial prices as desired by Lohia. He supported cooperative farming and village communes like what Mao implemented in China. There should be "Food Army" in the villages and the purpose of the activist group is to improve food production by bringing waste land under cultivation, developing small irrigation net works, cooperative farming etc. He wanted that village and cottage industries are to be promoted to provide income to the farmers and agricultural workers during leisure time and wished that something like a village commune to be developed.

Lohia was one of the few statesmen who wanted the public sector be encouraged to strengthen the Indian economy and to reduce inequalities in society. Jawaharlal Nehru and Ambedkar were equally committed to the commanding heights of public sector in the Indian economy. It is in this context the Lohia supported the nationalization of banks along with the abolition of the Managing Agency system that promoted crony capitalism and concentration of wealth. However, he wanted a separate agency like a corporation to manage the nationalized banks. He was concerned about the efficiency in the public sector units and proposed the following criteria to evaluate their performance. 1. Public enterprises should be more subservient to and conducive to the process of industrialization. They need to make surpluses to invest for the process of industrialization. 2. Distribution in the form of wages and dividends should help enhance the principles of equality and socialism. 3. The relationship of the management and the labor in the enterprises should be based on democratic

principles. 4. Public enterprises are supposed to serve the interests of the public through reasonable and affordable prices of its products. 5. The management of the units must be entrusted to efficient and transparent managers who care for the people and the nation. Lohia opined that "industrialization is impossible so long as there is no ceiling either on consumption or on income or on expenditure. "If a question is asked of me regarding nationalization, I would have preferred nationalization as soon as possible provided the government machinery is competent and conscious of the duties entrusted to it. But at present I am of the opinion that there should be ceiling on personal consumption, big industries should be nationalized positively and restrictions and controls be lifted from small industries"

Lohia firmly believed in decentralization and his slogan of *chaoukhambha* or four pillars of village, district, state and centre to be involved in all decision making bodies is well taken by his followers. His *Saptakranti* programme is well-known and is considered to be radical for the circumstances, as he was one of the very few leaders who considered that the caste system was playing an important role in Indian politics and economic opportunities. He realized that opportunities to lower castes were not available in proportion to the population of each group and introduced reservations in the party to conquer it. He was advocating the equality of opportunity, reduction in income inequalities, reduction of poverty (his famous speech in Parliament about Nehru and Poverty) and democratic participation of people in the process of development. He was critical about the centralized planning of Nehru.

Lohia's publication, 'Marx, Gandhi and Socialism' along with

his other works have elucidated his profound understanding about the problems of Indian economy and the solutions offered by him are found to be socialistic in nature based on Indian characteristics. That is why he was a strong votary of democratic socialism where the means of production is under the control of the state. Therefore all his analytical writings in Economics directly or indirectly touch upon the principles of democratic socialism with freedom and choice, as against a totalitarian state where he alleged freedom was curtailed.

The book under review is definitely a welcome addition to the limited literature on the economic ideas of Lohia. But, there seem to be still dearth of serious reflection on the economic theories advocated by him by bringing Marx and Gandhi together in offering solutions of his own to a country like India. Did he succeed or fail need to be assessed in the present position of India? Let us hope that someone would definitely echo his thought in future in the context of changing economic scenarios both in the capitalist world and in the socialist block.

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is available at

<http://lohiatoday.com>

The Welfare State Vision: Pointing The Way For The Future Welfare Of Humanity

Professor B. Vivekanandan

I am thankful to Dr. G. Jayakumar, Editor of *India Forward*, for inviting me to deliver this year's *India Forward* Lecture, on the subject, "The Welfare State Vision : Pointing the Way for the Future Welfare of Humanity". This vision is dear to me because I am a democratic socialist, and the welfare state vision is a socialist construct. The socialists have attuned their welfare state vision to promote key principles of social democracy, like equality, freedom, democracy, justice and human solidarity, in every society, and across societies in the world. It has envisaged that a welfare state system would promote a new form of organization based on cooperation, mutual concern and mutual well-being. In such a system, mutual assistance, based on solidarity among the people, would be a permanent feature. As in the case of concern and support among family members, solidarity can be fruitfully promoted among the people, whether in a locality, country, region or the world, for attaining the highest level of well-being for all people.

What does a welfare state system connote? It connotes that a benign democratic state would assume the main responsibility of the welfare of the whole population of the state, through appropriate, public funded, institutionalized mechanisms. It means that the government would assume direct responsibility for the provision of social security, healthcare, medical care, education, social services, pensions, family allowances, child allowances, etc., for everyone in the state. And, all

these provisions would be funded substantially from the state revenues.

A welfare state system accepts the role of the state both as a regulator, and also as a provider. It accepts that a judicious and benign intervention of the state, in the economy and social life, is necessary since the system also involves a huge transfer of state funds to the local authorities, for providing the welfare state benefits to the people. Adoption of a welfare state system is, also recognition of the social rights of every person in the state, to enjoy a fair share of the fruits of growth in society. It also provides an incentive for the promotion of a mentality, among the people, to share a part of the fruits of their own labor with fellow human beings, in a spirit of solidarity. Indeed, the establishment of a welfare state system is a civilized democratic solution to the prevalent inequality and injustice in the world.

How such a welfare state system can be built up for the benefit of the whole population, I would like to illustrate by focusing on the way Sweden, and other Scandinavian countries like Denmark, Norway and Finland, have developed such a system during the last 80 years.

If I take Sweden as a case study, the turning-point was the Great Depression of late 1920s and early 1930s, which caused untold sufferings to ordinary people in the country. In order to meet the challenges of Depression, and the consequent high unemployment and people's miseries in the state, the Swedish socialists came out with a

program based on full employment and the construction of a welfare state system in the country. The focal point of this program was the common man, his needs and aspirations to lead a meaningful life based on equality, justice and solidarity.

In the General Elections held in Sweden in 1932, the Swedish Social Democratic Party was voted to power. And they remained in power for the next 44 years continuously, either alone or in coalition. It was during this period that they built up the welfare state system which we find in Sweden today. It is the result of a systematic, long-term planning, with a vision, and with people's informed support.

The bedrock of the Swedish welfare state system was laid on a full-employment policy, with a resolve to put every able bodied employable person in society to productive work. It has ensured growth and prosperity, and promoted equality in society.

The Swedish socialists have conceived the welfare state system to promote equality and distributive justice in Sweden, and to increase the State's responsibility for people's well-being. The Swedes call their system 'cradle-to-the-grave' welfare state system. This is so because the welfare state benefits begin to reach a person as soon as the person is born. The sequence of it is like this. As soon as a child is born, the mother receives a gift packet from the government, with the official seal on it, containing baby clothes

and other baby care items needed for the new born. After the child's birth, the parents begin to receive a child allowance, every month, for the healthy growth of the child. They receive this allowance till the child reaches 17 years of age. The child's education is free; the study material is free; daily school lunch is free; and the public transport for all school going children is free. After the completion of education, it is the responsibility of the government to find him/her a gainful job, failing which, till such time a job is provided, the government is duty-bound to pay a maintenance allowance for him/her. When a person becomes a wage-earner, a reverse order begins and he/she becomes a tax-payer, thereby becomes a financier of the welfare state system. On retirement, a person gets about 65% of salary as pension, which means that the person can maintain almost the same standard of living after retirement. Health care of all senior citizens is free. Social services are also provided to him free. When a person dies, the funeral/burial expenses are also met by the state. That is how the 'cradle-to-the-grave' welfare state system operates in Sweden.

Social security system in Sweden encompasses the right to work, right to education, a decent place to live, and so on. Under the system, the entire population is insured against illness. Everyone gets equal opportunity for education. The system protects all employees from work related accidents and sickness. All employees are entitled to compensation for industrial injury. Housewives are entitled to annual holidaying at any tourist spot in the country at the governmental expenditure. All mothers receive maternity grants. Under a family law, either father or mother is entitled to 7 months' leave, with full pay, after the birth of a child.

There is a highly developed pension scheme in Sweden. Under the old-age pension scheme, all old people are entitled to a pension. Similarly, all disabled people, after the age of 16, are entitled to a pension. If a person is fully disabled, he/she would get a full disability pension, which is equal to the old-age pension. Similarly, parents are entitled to childcare allowance, if they themselves nurse their disabled children. In Sweden, medical care is free, except for a nominal prescription fee.

A notable feature of the Swedish welfare state system is that it is attuned to promote egalitarianism in society. The application of the Steeply Progressive Income-tax System, and the solidarity wage-structuring have substantially reduced the income disparity between the take-home pays of the low-paid and high-paid employees.

I went to Sweden in 1985 to study the changes which the welfare state system has brought about in that country. At that time, Prime Minister Olof Palme's Economic Adviser, Dr. Klaus Eklund, showed me some charts which he had prepared for the Prime Minister. First he showed me a chart, pertaining to the gross salaries of wage-earners in Sweden, which showed a big difference between the salaries of the lowest paid and the highest paid employees in the country. Then he showed me another chart, which showed the take-home pays of all wage-earners, after applying the Steeply Progressive Income-tax. In that chart, the income ratio between the lowest-paid and the highest-paid employees came down to 1:4. Then he showed me another chart, showing the comparative position of incomes between the lowest and the highest income-receiving families. The income difference between the families was astonishingly low. The

ratio between the low-income and high-income families was only 1:2. Now, due to globalization, and due to the activities of the multi-national companies there, there are some changes in these ratios in recent years, but not any big change. However, no other country, or system, in the world has achieved such a high level of income equality at individual and family levels. This has been achieved democratically, through a parliamentary reform process. It has blurred the class distinctions in Sweden.

Similarly, the government has paid special attention to people's housing needs. This was done through the establishment of the state-owned housing banks, and also through the promotion of cooperative house-building schemes. The motto the government followed, in this context, was that: "No one should make a profit of somebody's housing need". Do we follow any such motto? Look at the real-estate business in our own state.

More or less the same is the working of the welfare state systems in other Scandinavian countries.

The key to the successful construction of the Welfare State system in Sweden, and in Scandinavia as well, is its universal application, which has made everybody a partner in the program, both as contributors and as beneficiaries. The welfare state benefits are universal and non-discriminatory. All people are entitled to social benefits as a matter of social right. The wealth of the community and the State's resources are used for the benefit of the whole population, and not of a section, nor of a few sections, of it.

What is the impact? The welfare state system in Sweden and Scandinavia has shown that it is good economics, good politics, and good sociology. It is a splendid

example of how, public spending on welfare creates general conditions for economic growth, and how preventive policies reduce potential social problems, and engenders the development of a healthy, stress-free society. It has virtually freed people from worrying about their own security, and about the future security of their children and grandchildren, as they are sure that the welfare state system will take care of all of them when time comes. Therefore people in this region are generally free from stress-based diseases, which are increasingly a phenomenon in all non-welfare state societies.

At another level, the impact is more profound. The welfare state system has brought about a remarkable change in the psyche and ethos of all Scandinavian countries. In this context, we must recall that historically, Scandinavia is known as the homeland of the legendary Vikings, who were nightmares of the then mighty powers like Russia, Prussia, France, England, etc., through their forays for plundering those countries, between 8th and 11th centuries. But, today, under the impact of social democracy and the Welfare State system, these people present the picture of the most honest, courteous, civilized and peaceful humans in the world. They now hesitate even to use an offensive language against their adversaries. That is my experience during the last three decades of active interactions with them. As there is not much disparity in income and standard of living between the people in the state, their general behavior and interactions with each other, are marked by mutual respect. They are totally free from corruption. Indeed, the people in these countries have no incentive, nor any compulsion to, to become corrupt.

I have explained the welfare state system in Sweden and Scandinavia,

and its impact, in detail to underline how important, and how practical is the construction of the welfare state as the most civilized system in the world. Equally laudable, is the fact that the welfare state system has taken all these Scandinavian countries among the top ten in the human development index in the world.

There is no doubt that, from all angles, and from among all the systems the world has tried, the welfare state system is the best one. This is because it takes care of everybody equally, irrespective of their socio-economic background and age and gender differences, with equal facilities and equal entitlements, based on distributive justice and human solidarity. This has been demonstrated in all societies where the welfare state system has been established.

Therefore, the pertinent question is: when a section of the world population enjoys the fruits of a superior, universal, welfare state system, is it fair to deny such benefits to the rest of the population in the world, by not adopting similar systems in their countries? The answer is 'No'. Therefore, I would urge that it is incumbent on the political class across the world to take the initiative and move on to establish welfare state systems in their countries.

I have no doubt that the welfare state system based on equality, justice and solidarity, provides a great vision for future reconstruction of the world on egalitarian lines. It is, indeed, the most civilized, and the most civilizing, system in the world.

We all know that our planet Earth is endowed with bountiful resources and products, much more than what is needed for everybody in the world to lead a happy and contented life. Yet, the vast majority

of people in the world live in squalor and drudgery, because resources, including knowledge resources like technology and products do not get evenly distributed among countries and continents, and their peoples. The vested interests in the world have created too many bottle necks, including patenting laws, to prevent people from unfettered enjoyment of their collective wealth, and fruits of inventions and discoveries in the world. They are also instrumental in preserving inequality in the world.

Therefore, we have to find a comprehensive solution to this inequality and mal-distribution of resources and produces. The application of equity, justice and solidarity, internationally, is the solution. We have to create conditions in which, whether a person is born in Asia, Africa, America, Australia, Europe or Latin America, he/she should have equal rights and facilities to lead a comparable, meaningful, life in the world, based on equality, justice and international solidarity. We have to think about the ways and means of how to expand the welfare state system universally across the world. Pooling of destinies and resources of the people together, by invoking principles of equality, equal justice and international solidarity, is the right way to re-structure people's lives in the world. 'The One World' concept which Wendell Wilkie envisaged in 1943 will have to be lifted up to a qualitatively higher pedestal, of a 'World Federation of Welfare States' anchored in international and intercontinental solidarity. In short, the welfare state vision is pointing the way for the future well-being of the humanity.

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Water, water everywhere, but...

Kuldip Nayar

OUR real problem is population, I told an American Nobel Prize winner. He contradicted me and said: "Your problem is going to be water." We were discussing the ordeals that India would face in the years to come. Our views did not tally even after a long discussion.

What has happened at Latur, in a better off state like Maharashtra, has renewed the American's warning. Section 144 had to be clamped down to ensure that pots and pans were in an orderly queue to receive water from a tanker and it brought back my memory to the warning.

The American had also given me an optimistic side: There is an ocean of water under Yamuna-Gangetic plan waiting to be tapped. I wonder if this is true. Had it been so, the government would have done a scientific study by this time to estimate the collected water. I have not heard of any such plan so far.

Maharashtra may be the worst hit state this year. There were some other states last year. The economy of most states or, for that matter, the country is very much dependent on the monsoon. We would continue to scan the sky for the dark clouds. Water

means so much to us for growing crops and drinking purposes.

The Bhakra Dam in Punjab-Himachal Pradesh has converted the entire area, including Haryana, into India's granary. India's first Prime Minister Jawaharlal Nehru hailed the Bhakra Dam as a temple. He said at that time that India's traditional temples would be there but new temples meaning the dams and industrial projects, have to be built for our economic development.

This Bhakra Dam alone can feed the entire population of the country. However, it is not necessary to build big dams which create problems of rehabilitating uprooted people from their hearths and homes. Small, satellite dams can probably serve the same purpose well, if not better.

This was the genesis of the agitation led by social activist Medha Patkar over the height of the dam on River Narmada. She could not succeed even though the government sponsored report by Saifuddin Soz, then Water Resources Minister, said that the gain from the dam would be far less than the loss from the ousting of people who had been living in the area for many years.

However, the dam came to be built several years later when Gujarat gave an undertaking that it would give land to compensate farmers and others who got uprooted. It is another matter that the state government could not fulfill its promise because there was not enough land to go around.

India has seven major rivers—the Ganges, Brahmaputra, Indus, Narmadha, Krishna, Godavari and Cauveri—and numerous tributaries. New Delhi has set up Central Water and Power Commission to have a systematic plan to harness not only water but also generate power. This has worked to a large extent but in certain parts of India the fallout has been a series of disputes which even after decades remain unsolved.

This situation has also led to estrangement between people of one state and the other. For example, the sharing of Cauvery water between Karnataka and Tamil Nadu has been hanging fire for several years now. This is despite the Supreme Court's verdict to release a certain cusecs of water to Tamil Nadu.

Nearer home, Punjab has refused to release water to Rajasthan. This goes contrary to the stand New Delhi had taken during the Indus Water Treaty. At that time, to claim more

water from the Indus, India argued before the World Bank, which was funding the project, that it required a large quantity of water to irrigate the sandy area of Rajasthan.

It's comical that Punjab has now refused to release water to Rajasthan which got a favorable verdict from New Delhi. The World Bank then accepted the argument that India could not give Pakistan water because it needed to retrieve the land from sand dunes in Rajasthan. What explanation do we have when Punjab goes back on its undertaking to give water to Rajasthan?

It is conceded that water reaching Rajasthan would help grow numerous crops but some land in Punjab and Haryana, already under irrigation, would have to be denied water. Such incongruities are responsible for inter-state water disputes. Even after 70 years of independence, the disputes are far from settled.

When the Congress ruled both at the Centre and in the states, the problems never assumed an ugly shape. The Bhartiya Janata Party (BJP), which then only commanded a few Lok Sabha members, did not count much. It is a different scenario today. Now that it has a majority in parliament, the party sees to it that the states run by it get the maximum

benefit, rules or no rules.

Prime Minister Narendra Modi did declare from the rampart of the Red Fort soon after taking over that India was one and there would be no discrimination against states on the basis of their affiliation to different parties. But this is not true on the ground. The Congress party, which is now in the opposition, does not allow even parliament to function.

The Rajya Sabha stayed adjourned for several sessions till the party itself realized that differences would be better highlighted if there was a discussion in the house. At present it seems that all political parties have come to an understanding that parliament should be allowed to function. One hopes that all parties will stick to the consensus they have reached and discuss the matters in right earnest as it used to happen.

If that spirit is translated into action, there would be no disturbance in parliament and the elected representatives, who have exasperated the public by their boisterous behavior, will be able to devote their attention to what ails the country. Then no dispute will stall a session, be it over water or other issues.

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Ambedkar and Nationalism

Irfan Engineer

Even those political parties that have systematically tried to undermine Dr. Babasaheb Ambedkar's agenda – of equality, social justice, fraternity and liberty – are, for political gains, celebrating his 125th birth anniversary. They are invoking Babasaheb only to appropriate him and enlist him as a supporter of their political objectives which he was in fact opposed to! Scholarship of the Hindu nationalists was never the best, but that it would be so abysmal is surprising to many. Or, is it that they are deliberately trying to use Babasaheb to say exactly what the Hindu nationalists want knowing well that Babasaheb was in fact opposed to the agenda of the Hindu nationalists?

To call Babasaheb himself as a “nationalist” or a “patriot” would be less than the truth. Babasaheb was a liberal democrat who stood for the principles of liberty, equality and fraternity along with social justice. In his book *“Pakistan or the Partition of India”* (Dr. Ambedkar, 1990), Babasaheb examines the issue of Partition dispassionately and rationally, and not from the nationalist perspective. In the said book, Babasaheb interrogates the Muslim case for Pakistan and the Hindu case against Pakistan. In the 1946 edition of the book, Babasaheb added Part V giving his views on the subject in Chapter XIII and XIV. He examines the case of Canada, South Africa, N. Ireland and Switzerland, analyzes the religion-racial-ethnic-linguistic conflicts in these countries and the ways in which they were managing these conflicts with appropriate systems and governance structures. He then

arrives at the conclusion that the interests of the minorities would be better served if they do not demand a separate state but safeguards within governance structure of the country. Note that Babasaheb is concerned with the “*interest of the minorities*” and not interest of the “nation”.

In his Address delivered at the Session of the All India Scheduled Castes Federation held in Bombay (as it was then called) on May 6, 1945 (Dr. Ambedkar, 1989) Babasaheb supports the principle of self-determination and wrote, “I am not against Pakistan, I believe it is founded on principle of self-determination, which it is now too late to question. I am prepared to give them the benefit of the principle...”. However, Babasaheb was for united India as he felt that his proposals would be accepted by the Muslims in preference to Pakistan as they would provide them with better security. A nationalist's position would be rejecting any proposal for partition of the country and the principle of self-determination would amount to a sacrilege and an “anti-national” act! Mere utterance of the word “self-determination” invites lynching from the Hindu nationalist mobs!

Babasaheb's proposals were in brief, weightage in representation of minorities in legislatures as well as in the executive. He writes, “Majority rule is untenable in theory and unjustifiable in practice. A majority community may be conceded a relative majority of representation but it can never claim an absolute majority”. Babasaheb did not want representation of the majority

community in the legislature to be so large as to enable the majority to establish its rule with the help of the small minorities. For, according to Babasaheb, the legislative majority in India was communal majority, unlike in U.K. where, by and large the people followed a common religion and spoke a common language. Forget the principle of weightage, any affirmative action to ensure that minorities do not fall behind and are not discriminated would invite opprobrium and charge of “minority appeasement” from the Hindu nationalists. If there is no weightage in representation and separate electorates for minorities in the Constitution of India, it is not because Babasaheb was in principle against it, but because Sardar Patel, chair of the Advisory Committee on Minorities and Fundamental Rights of the Constituent Assembly, successfully persuaded the minorities to give up the demand of separate electorates (and rightly so). Minorities that were left behind after the partition felt that they should invoke the good will of the majority community (Constituent Assembly Debates, Vol. V (14-8-1947 to 30-8-1947), 2003, Pp 198-200).

Babasaheb's views on Nationalism and Hindu Raj:

Rashtriya Swayamsevak Sangh (RSS) chief Mohan Bhagwat has claimed that Babasaheb believed in the ideology of the Sangh and had called its workers symbols of social unity and integrity. He also said Ambedkar wanted to adopt the saffron flag of the RSS as the national flag of India. This is far from truth. Babasaheb was strongly opposed to Hindu religion and

located untouchability and caste based hierarchies in Hindu religion. That is why he administered vow to 3 lakh followers who converted with him from Hinduism to Buddhism in which they repeated along with Babasaheb that they would not have any faith in Brahma, Vishnu, Maheshwara, Rama, Krishna and that they renounced Hinduism.

Babasaheb denounces Muslim nationalism of Jinnah, he writes that the whole world was decrying against the evils of nationalism and seeking refuge in international organization (Dr. Ambedkar, 1990, pp. 352-53). According to Babasaheb, Indians were only a people, not a nation and further opines that there was nothing to be ashamed of if they were not and would not become a nation (Dr. Ambedkar, 1990, p. 353). The RSS on the other hand believes that Hindu nation is ancient and its origin went as far back as 2000 years and even more. How could Hindu Raj or Hindu Rashtra be a nation? Hindu society according to Babasaheb was undemocratic and that millions of *shudras* and non-Brahmins and millions of untouchables were suffering worst consequences of the undemocratic character of Hindu society (Dr. Ambedkar, 1990, p. 356).

Whereas RSS wants to establish a Hindu Rashtra, Babasaheb thought it would be a greatest calamity for this country as it was a menace to liberty, equality and fraternity and it should be prevented at any cost (Dr. Ambedkar, 1990, p. 358). The lower orders in the Hindu society shared the plight of the majority of Muslims as far as social, economic and political needs were concerned and Babasaheb felt that they should all come together in a common cause to defend the human rights which the high caste had denied them for

centuries (Dr. Ambedkar, 1990, p. 359).

Lip service to Babasaheb:

Pushing the undemocratic agenda of Hindu Rashtra aggressively, the ruling dispensation is still trying to appropriate Babasaheb and their strategy in doing so is to build grand monuments and claim that they had built more monuments than the Congress. Grand monuments of Babasaheb appease a section of dalit politicians representing the aspirational neo dalit elite on one hand and mesmerize the oppressed, deprived and discriminated dalit masses but cannot address their real issues. Monuments of brick and mortar cannot speak the mind of Babasaheb and cannot conscientize the dalits to carry on the struggle for equality, social justice and dignity. The statues, busts and brick and mortar monuments blunt the conscience of dalits and rob their icons.

They build grand monuments and undermine the principle of liberty, equality, fraternity and social justice which is ingrained in the Constitution of India which Babasaheb so painstakingly drafted and then steered through the Constituent Assembly. Those who are building Grand monuments of Babasaheb are also lynching those whose views they do not approve of even in court premises under the watch of police and no action is taken against anyone. Against the principles of liberty, they are forcing certain slogans down the throat of unwilling. They are creating new hierarchies in the name of nationalism and forcing the country to accept the privileges of neo-nationalists who during freedom were with the colonial power, and excluding others from equal citizenship creating neo-untouchables. The neo-untouchables

are erstwhile un-co-opted sections of dalits, adivasis, sections of the OBCs, minorities, women, farmers and workers of the country. Extra-judicial and extra-legal networks of violence are deployed to undermine the rule of law and spout hate speeches coupled with liberal dose of violence against the neo-untouchables.

The Congress too paid only lip service to Babasaheb during their rule. Dalits were as oppressed, discriminated and faced violence in their daily lives, be it Tsundur carnage in AP, Belchi in Bihar, Bhagalpur blindings, denial of access to dalits to drinking water wells and access to government infrastructures. Congress too co-opted a section of dalit leaders with crumbs of welfare schemes even while discriminating against dalits.

We all the democratic minded citizens of India will have to come together in the struggle to democratize our culture carry on Babasaheb's mission of defending democracy and march towards equality and social justice.

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What's in store for Kashmiris if BJP is part of the Government?

Ram Puniyani

(Recirculating of my earlier article on formation of alliance with BJP Government in Kashmir; is in the context of revival of PDP-BJP alliance with Mehbooba Mufti as Chief Minister. This issue is more relevant now as the BJP raised the issue of nationalism after the masked men raised separatist slogans in JNU. BJP is aggressively using the label 'anti national' for those who questioned the death penalty for Afzal Guru. PDP has been in the similar camp as PDP holds that hanging of Afzal Guru was the travesty of justice. BJP's hypocrisy in forming this government is glaringly obvious.)

The recent (December 2015) verdict of Kashmir elections has been fractured, so to say. While PDP has emerged as the largest single party, the BJP is a close second with substantial percentage of votes. Interestingly BJP has secured most seats and major vote share from the Hindu majority Jammu region of Kashmir. Now the dilemma for the other parties, the National Conference and the Congress is in which direction to go as for the Government formation is concerned.

BJP is a part of the RSS combine which wants to achieve a Hindu Nation. It has become quite obvious during the last over six months of Modi Sarkar, that the associated organizations of BJP are actively communalizing the society along religious lines. Those making statements contrary to the values of Indian Constitution (Gita as the national book, those not sons of Ram are illegitimate, Godse was a nationalist), the aggressive *Gharvapasi* campaign (Reconversion to Hinduism), opposing the film PK, on grounds that it promotes love Jihad, have made it amply clear that under Modi's leadership, BJP patriarch, RSS, wants to make a fast transition towards Hindu Nation and in this direction the religious

minorities and Indian Constitution's values are its major target. What this agenda will give to the Kashmir as a state and Kashmiri people as citizens needs to be assessed.

One can briefly go through the troubled history of Kashmir to understand this. The Kashmir Maharaja's decision was to remain independent and the likes of Pandit Premnath Dogra (Praja Parishad, the predecessor of Bhartiya Jansangh, the previous avatar of BJP) also opposed Kashmir's merger to India on the ground that Kashmir is being ruled by a Hindu king (Raja Harisingh) so why should it merge with secular India. Later Kashmir was attacked by Pakistani tribals, and the intervention of Indian army took place after the treaty of accession to India with article 370 coming to fore, are too well known by now.

Article 370 giving to Kashmir autonomy in all the matters barring defense, communications, and currency and external affairs gave it a special status. RSS was totally opposed to it. One of the Hindu Mahasabha leaders, Shyama Prasad Mookerji raised the flag of opposition to this treaty and demanded total merger of Kashmir with India right away. During this

time India witnessed the ugly face of communalism, in the form of murder of Mahatma Gandhi by an RSS trained *pracharak* and active worker of Hindu Mahasabha, Nathuram Godse. At the same time RSS-HMS made loud and aggressive noises against Article 370. This led to a bit of rethinking in the mind of Sheikh Abdullah, who started saying whether he has committed a mistake by acceding to India, as the major premise of his decision was Secular India and these acts showed the erosion of secular values. In this phase of his thinking he was arrested on charges of sedition and put in jail, leading to great amount of alienation amongst Kashmiris. RSS stuck to its guns and gradually under its pressure the clauses of autonomy started getting diluted. The major example was re-designating Prime Minister of Kashmir to Chief Minister and Sadar-e-Riyast to Governor.

The alienation of Kashmiris was taken advantage of by the US backed Pakistan, which encouraged and supported the militancy in the area. In 1980s with the entry of *Al Qaeda* elements in Kashmir the militancy took a communal turn. The hanging of Maqbool Butt, further accentuated the violent actions. This led to the fear amongst the Kashmiri

Pandits, who were encouraged by the pro Hindutva Governor, Jag Mohan, to leave the valley. This complex fact has been constantly, harped upon by the RSS combine and presented in the communal color. The *Kashmiriyat* as such is a synthesis of Vedanta, Buddhism and Sufi Islam. Sheikh Abdullah had implemented land reforms in right earnest, changing the complexion of Kashmir society in the democratic direction.

The prolonged militancy and intervention of Indian army, has added to the sour wounds of Kashmiri people. At one time RSS had proposed the prescriptions, which demanded that Jammu be made a separate state, Ladakh be made a Union territory and a separate union territory be carved out from the valley for the Kashmiri *Pandits*. These are the lines similar to what the BJP had been demanding when not in power. This betrays their total communal ideology. Even in these elections the communal

polarization, Hindu Jammu versus Muslim valley is what has been propagated for electoral benefit by the BJP, and thus the BJP has gained the ground on divisive basis. The issue of Amarnathyatra has also been used to polarize Kashmir along religious lines. Opportunistically, during election campaign Modi and company had been talking in a clever way about article 370, while their intentions on the subject were very clear.

BJP gaining electoral ground in Kashmir is a major blow to the *Kashmiriyat* culture and is a sign of aggressive policies to abolish article 370 and to bring in the agenda of Hindu Nation. The trajectory of BJP in different states so far is that it allies in the beginning in the name of some common program and then gradually weakens its allies to come one up and grab the total power. What Kashmir needs is a representative Government, which respects the existing Constitutional provisions and upholds the Hindu Muslim

unity, in the form of *Kashmiriyat* a valuable inheritance of Kashmir's history.

Kashmir is standing on the cross roads. It has suffered a lot due to the militancy and the ways of the army in the valley. In case the BJP is in the driver's seat or is in the car, the plight of Kashmir will worsen. Surely the next Government must focus on addressing the issues of *Pandits*, issues of Kashmir youth and evolve a development model for the state where the youth can get employment, *pandits'* grievances are addressed and a surge for peace to promote tourism and development should be top most on the agenda. The rising tide of communalism has to be checked, at the same time congenial situations are to be created where separatism, dies its natural death and the peace inside and peace from outside is enhanced by inclusive politics of the state government.

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Protest against honor Killing of a Dalit Boy

Khudai Khidmatgar and Periyar Viduthalai Kazagam jointly organised a protest condemning the brutal killing of a Dalit Boy Shankar, in Tamil Nadu in front of Anna Statue, Anna Salai, Puducherry on 21st March. Khudai Khidmatgar Leader Inamul addressed the gathering of protesters and said that, casteism, communalism, and regionalism are taking new forms of violence in this country which, straight away target the life of the Dalits, Tribals and Minorities. After the killing of Dalits in Faridabad, Haryana, Mainpuri and Uttar Pradesh, Rohith Vemula, Gokul Raj episodes, now comes the

killing of Shankar. Whoever raises the voice against these forms of atrocities is being targeted every now and then. How can we say that this is a democratic country he asked? On the one hand we are speaking about social justice and equality and on the other we are promoting violence in the society. But these dual politics and policies could not sustain forever. We will not allow these forms of violations in the land of Mahatma Gandhi, Khan Abdul Gafar Khan, Dr B. R Ambedkar, Bhagat Singh and Periyar, since they fought for freedom from all sort of evils in the society, he said.

Advocate Lucia, Convener of the Association for preventing violence against women, said that the caste-card was being promoted in a violent way during the election campaigns so that the targeted groups could be more and more suppressed by the administration. These forms of violent attacks mentally and physically make women the primary targets.

Periyar Viduthalai Kazagam Puducherry Secretary Gokul Gandhi raised slogans against the rising casteism and its promoters.

Women's Rights within Patriarchal Societies

Shalini Mulackal

Women experience manifold oppression within the family. There exists discrimination in terms of work allocation, food, leisure and rest, health care, and education. Moreover, there is severe lack of freedom for women. They are secluded, often not allowed any other social contacts outside the four walls of the house. They hardly have any voice in decision-making process. They experience domestic violence, ranging from verbal abuse, mental torture, deprivation of food and money, denial of permission to meet friends and relatives, to beatings and physical torture. Often a woman has no control over her body and sexuality. Her body is considered as the 'property' of her husband.

Many women continue to be victims of violence in spite of the legislative measures adopted in favor of women in our country after independence, the spread of education and women's gradual economic independence. Violence against women takes diverse forms in our society. It could be categorized as criminal violence, domestic violence and social violence. Criminal violence includes rape, abduction, murder etc. whereas dowry-deaths, wife battering, sexual abuse, maltreatment of widows etc. come under domestic violence. Forcing a young wife/daughter-in-law to go for female foeticide, eve-teasing, forcing a young widow to commit sati etc., fall under social violence. Sexual violence forms part of the above three types of violence.

Apart from the explicit and open gender discrimination, one can also observe the hidden face of gender discrimination that exists in our society. Verbal and non-verbal gestures often belittle girls/women both at home and outside. The burdening of girl's/women's bodies with multiple roles/tasks results in irreparable damage to their health and psyche. Often the day-to-day representations and programs provide visibility and voice to men while women are kept invisible and silent. The suffering and condemnation endured by victims of rape and trafficking, unwed mothers and widows cause lifelong psychological harm. There are traditions and norms that deny women decision-making or freedom of choice in the day-to-day affairs and social mobility, and on areas of great significance in their life. All these limit the space women have to function as makers of their own destiny. The increasing incidence of mental illness, especially depression, which women suffer, is a result of overt and hidden acts of abuse they undergo.

Do women in India enjoy freedom and equality promised by our Constitution? John Desrochers identifies the following violations of Constitutional rights of women: Household work is often a form of forced labor prohibited by the Constitution (Art. 23). Many women are denied freedom, of expression and to become part of an association (or union) which is guaranteed by Art. 19A. Equality before law is

often meaningless for women (Art. 14). The existing family structure as a whole is in complete and absolute violation of the fundamental rights in the Constitution, which prohibit discrimination on the basis of sex (Art. 15). Other violations include the rights to protection of life and personal liberty (Art. 21), freedom of movement (Art. 19 d) and discrimination in respect to employment (Art. 16.2). In India most women are not allowed to live and function as independent human beings. They are born, grow up, marry and die, without knowing their rights as human beings and as citizens of this country.

The Forces behind Gender inequality

For women all over the world, patriarchy has become the most important analytical model for understanding the situation of women. Fiorenza defines patriarchy as "a pyramidal system and hierarchical structure of society and church." God as the supreme good is at the top of existence and in a descending order are the angels, Jesus, men, women, children, animals, plants, the earth, evil and chaos. It is an organization of society which is based on a false relationship, i.e., on domination. This system hampers the development of all people, especially women, of persons who are weak, of a different race, and it destructively affects the world of nature. It stands on several connected pillars; racism, sexism, classism, militarism, and ecological destruction.

In patriarchal societies, patriarchy is at the root of gender discrimination, especially the subordination of women. In spite of the progress India has made in many areas including higher rate in literacy and education, our society continues to be under the grip of patriarchy to a great extent. The culture of patriarchy consists of all those ideas, norms, traditions, beliefs and values that uphold men and downgrade women. Women are still considered to be biologically, intellectually and spiritually inferior to men in spite of the fact that a considerable number of women today have entered the public domain. The ideas and beliefs about women's inferiority and men's superiority are transmitted from one

generation to the next, from one cultural group to another through language, gestures and postures and audio visual images and symbols. Further, in a patriarchal social order all social structures or institutions are based on non-participation or peripheral participation of women in decisions and governance in the family and society which includes the public sphere of economy, polity, education, media, religion and civil society.

Through the process of gendering or socialization, boys and girls are formed to manifest the characteristics assigned to them by society. Men and women who are products or constructs

of patriarchy in turn become the vehicles of patriarchy. Modern society's mass media channels such as newspapers, magazines, films, film songs, television programs and advertisements, play a major role in transmitting stereotyped notions and beliefs about women and men. Often without understanding this process of patriarchal genderisation and internalization of patriarchy, women are blamed for sustaining patriarchy, through son-preference, gender discrimination in homes and communities. They are blamed as being the worst enemy of women. This is another game or strategy of patriarchy, the strategy of blaming the victim who has been turned into a perpetrator of gender discrimination.

Invitation to May 17, function at Patna

Dear,

You will recall that last year a number of socialist institutions met at Tara in September and decided to form a co-ordinating platform and named it 'We the Socialist Institutions'. This platform is slowly growing, and among other things, it is advocating observing of May 17, October 24 and August 9, to make the socialists revisit their early history. The Platform also wants the younger socialists to know the past and feel inspired. In compliance, it has been decided to hold a **meeting of socialists on May 17, at Patna in the same hall in which the then socialists had met and decided to form the Congress Socialist Party within the Indian National Congress.** We will be very happy if you would make it a point to be there on that day and participate in the day long proceedings. A committee has been set up in Patna to organize this event and efforts are on to form a reception committee.

We would also like to inform you that to mark the occasion, the **Janata Trust has decided to bring out a special issue** and many have been invited to write for it. Please book a copy, if you are not a subscriber.

If you are coming, please inform **Bapu Heddurshetti 099163 09346, Guddi 077380 82170, Gautam Pritam 091620 64070.**

–We the Socialist Institutions

Democracy, Socialism and the Ecological Crisis

Bharat Dogra

One of the most important questions has been whether socialism can be achieved within a framework of genuine democratic freedoms. Now this question needs to be extended to ask further whether the very serious ecological crisis assuming the dimensions of a survival crisis can be resolved within a framework of socialism and democracy.

By socialism we basically mean a system predominantly based on the values and principles of equality and justice. Certainly socialist yearnings cannot be confined to the ideas of any single person or narrow group of persons but rather these should be seen as an important impulse running through all human history. However the existence of such feelings, at times even to a widespread extent, could not generally be extended to the actual organization of human society based on such values

There were several reasons for this failure but one of the most important reasons was that persons and groups or classes who benefited from inequality and injustice based systems and could carve out dominant positions for themselves within these systems used their exceptional powers to suppress any yearnings for changing over to an equality based system. Not just actual actions but even values and ideas based on equality were suppressed, often in very cruel ways.

Similarly democratic aspirations were always there among people but one of the reasons why these could not lead to the actual organization

of democratic societies was that powerful groups realized how such aspirations will eventually challenge their dominance and hence they suppressed such aspirations and related ideas in cruel ways. However when it was no longer possible to curb democratic aspirations and ideas beyond a point then reluctantly some basic freedoms were given gradually to various sections of people but all the time care was being taken to ensure that the economic dominance of certain sections based on a highly unequal economic system was not checked.

In such conditions when some limited efforts to organize some societies based on socialist principles of justice and equality were made, inevitably powerful efforts were made to suppress these and in the resulting difficult situation some of the socialist efforts also had to take repressive steps towards their opponents. This is however only a half-truth as some important socialist leaders also had repressive tendencies which were soon unveiled with disastrous consequences. Perhaps we can also say that the difficult conditions created by powerful forces opposed to socialism resulted in a situation in which the more democratic and visionary leaders within the socialist forces could not assert themselves while the more repressive and opportunist elements moved in swiftly to occupy and consolidate dominant positions, resulting further in so much cruelty and misery that the socialist ideal has still not recovered from it.

In this context a strong impression was created that socialism is not

compatible with democracy but this is not correct as real freedoms are more possible for most people only in a situation of justice and equality. It is thus much more rational to see democracy and socialism as complementary to each other. This is now realized by significant sections of people but there is need for tremendous creative and committed efforts to work out this understanding at a practical level on a significant scale at a time when very different forces and the thinking imposed and promoted by them are dominating the world and they try to curb the emergence of alternative views in different ways.

Clearly this is one of the biggest challenges of our times that a socialist system based on justice and equality should be created within a framework of genuine and broad-based democracy. This can be the most creative endeavor of human society providing very meaningful opportunities particularly to the younger generation and to realize its full potential significant improvements in education are also necessary.

All this needs to be seen now in the context of the wider and more pressing challenge of the fast escalating ecological crisis which is increasingly assuming the dimensions of a survival crisis. The existing dominant system based on inequality and greed is being increasingly exposed regarding its inability to resolve this most serious crisis which threatens the most basic life nurturing conditions on our planet. On the otherhand it is becoming clearer that a system based on equality, justice and peace

is much more capable of finding meaningful solutions before it is too late.

I have tried to explain this in greater detail in my recent book 'One Decade To Protect Life' by working on a very preliminary exercise to link up the required reduction of emission of greenhouse gases with

the fulfillment of basic needs of all people. This makes it clear that both objectives can be realized best in a system based on equality and justice and the chances of these being realized in unequal systems are very remote.

Hence the need for shifting to a system based on equality and

justice is becoming more and more urgent with the accentuation of the ecological crisis. This realization should lead to a much wider mobilization of people at the world level to work for a world based on justice, equality, peace, democracy and environment protection which is capable of resolving the ecological crisis before it is too late.

The National Week

Mahatma Gandhi

The 6th and 13th of April must forever remain green in Indian memory. 6th April 1919 witnessed an unexpected and huge mass awakening of the nation. On 13th of April the nation we made to offer a sacrifice in which Hindu, Mussalman and Sikh blood mingled at Jallianwala Bagh. They became one in death.

Since then much water has flown under the Sabarmati bridge. The nation has passed through many vicissitudes. Today Hindu-Muslim unity seems to have been but a dream. I observe that both are preparing for a fight. Each claims that it is preparing in self-defense. Each is in a measure right. And if they must fight, let them fight bravely, disdaining the protection of the police or the law-courts. If they will do that, the lesson of 13th April will not have been lost upon them. If we will cease to be slaves, we must cease to rely for protection upon the British bayonet or the slippery justice of law-courts. Not to rely upon either, at the crucial moment, is the best training for swaraj.

The supersession of Sir Abdur Rahim, the passage of the Supplementary Ordinance², the

restoration of the salt tax, tell us in plainest language that the British rulers propose to rule in spite of our opposition. In fact, they tell us by their action as clearly as possible, that they can and will rule without our assistance. Shall we not have the negative courage of doing without their assistance? We have seen that we can, when we do not quarrel. It is possible, if we have some courage, to do without that assistance even if we quarrel. It is any day better to stand erect with a broken and bandaged head than to crawl on one's belly in order to be able to save one's head. I can see Hindu-Muslim unity issuing out of our street fights without Government intervention. I should despair of real unity if we would fight under the shadow of the British uniform and perjured evidence before British Courts. We must be men before we would rule ourselves.

But the satyagraha week is preeminently one of self-purification and self-introspection. It is my fixed conviction, daily growing on me, that we shall not make this unhappy land happy except by purity of conduct which, spelt otherwise, means truth and non-violence. Such

purity can come only by prayer and fasting. Hartal in the present state of things is out of question. I, therefore, suggest to those who believe in prayer and fasting to devote 6th and 13th to that sacred purpose. Khaddar and the wheel are, the only universal program in which young and old, rich and poor, men and women can usefully take part. Those who can spin should spin as much as they can and induce their friends to do likewise. Those who can will hawk khaddar in their places and thus the week can be used as a week of dedication to this most important national work.

Hindus have also the impurity of untouchability to remove. They can fraternize with the untouchables. They can set apart what they can spare for the relief of distress among them and in a variety of ways, make them feel that they are no longer the despised class among Hindus.

Hindu-Muslim unity, khaddar and removal of untouchability are to me the foundation for swaraj. On that firm foundation it is possible to erect a structure nobler than which the world has not seen. Anything without that foundation will be like a building built on sand.

1. The appointment of Sir John Kerr as the acting Governor of Bengal for the period Lord Lytton was to take over as Viceroy during Lord Reading's absence from India. Sir

Abdur Rahim, a senior member of the Council, should have been given the Governorship.

2. The Bengal Ordinance,

promulgated to supplement the ordinary criminal law in Bengal for the suppression of revolutionary crime.

Young India, 2-4-1925

Socialist Meet on Elections Reforms

Deepak Choudhary

A symposium on election reforms was organized from 11am to 3pm on 5/April/2016 at Ravi Bhavan, Nagpur by Samajwadi Samagam & FACTER (Fight Against Corruption Through Electoral Reforms). The program was chaired by senior socialist intellectual Anna Khandare. NAPM national convener, ex-MLA Dr. Sunilam was the principal speaker and FACTER convener and all India General Secretary of JD(U) Arun Kumar Shrivastava was the chief guest.

Koyla Shramik Sabha working president Deepak Choudhary welcomed the participants and said that Election Reforms are a vitally important necessity of our times which will be a significant milestone in the progress of our democracy. Nand Lal of Rashtra Sewa Dal sang revolutionary songs to enthuse participants.

During the discussion around 25 speakers put forth their views on Election Reforms. Views presented by participants included the following.

Veera Sathidar of Republican Panthers said that although NOTA is an option at the polling booth, it has absolutely no influence on the actual elections. This needs to be changed and needs to be given legal sanctity in the form of right to reject. Shabbir Ahmed Vidrohi of the NCP proposed that candidates' photographs should be used in lieu of election symbols

in polls. Yashwant Chitale of the JD(U) suggested that no candidate should be permitted to contest elections more than twice, regardless of whether they win or lose and elections which should be funded by the state. Girish Nandgaonkar of Swaraj Abhiyan suggested that parties should implement Primary Elections, i.e. party ticket should be given not on the basis of back-room dealings by the high command, but on the basis of open elections in which all members of the party can participate. Kisan Sangharsh Samiti vice-president Advocate Aradhana Bhargava suggested that our endeavor for Election reforms can succeed only if we can create awareness among the people about their necessity. Ashu Saxena of Samyukt Mahila Samiti suggested that the present Electoral system is full of distortions and needs a complete overhaul. Maharashtra Convener of Samajwadi Samagam Dr. Omprakash Kalme suggested that Political Parties need to consider candidates' social and moral character while distributing tickets. Mathadi Kamgar leader Dr. Harish Dhurat said that voting should be made compulsory, as voting is a duty and not merely a right or an act of charity. So we should stop calling it "mat-daan", and start calling it "mat-adhikaar". Unorganized labor leader Vilas Bhongade said that pension and other benefits to MP/MLA's after their term of office should be withdrawn. Political parties and candidates which appeal for votes

on the basis of caste or community should be made ineligible. Sunil Patil of Gandhi Smarak Nidhi suggested that election expenditure limits need to be minimized and that election expenditure should be borne by the Government.

Shri Arun Kumar Shrivastava in his keynote address said that elections at all levels, whether MP, MLA or local body should be held simultaneously in order to minimize the time Parties and Govt. machinery spends in this activity. Tickets should be given only to individuals who have been party members continuously for at least 3 years for local body, 5 years for MLA and 8-10 years for MP. The freedom given to political parties today to receive anonymous donations of up to Rs. 20,000/- should be withdrawn and they should be required to declare details of all donors whether large or small. Candidate and party election expenditure should be eliminated and the government and election commission should arrange to print posters, pamphlets and other publicity material for all candidates and to organize election meetings at a common public venue. If elected Representatives' immovable property increases during the duration their term of office, the same must be confiscated by the government and those found in violation of this provision should be prosecuted. He added that the greatest problem facing us is that no ordinary worker of any political

party can possibly contest or win elections as she/he cannot spend crores of rupees. This needs to change above all else.

Dr. Sunilam said all political parties should be immediately brought under the Right to Information Act. The present first-past-the-post voting system should be changed in favor of a proportional representation system where 50% seats of any house are allocated on the basis of percentage of popular vote obtained by the party. These seats should be allocated on the basis of a party list, the names of which are determined on the basis of a vote in which all members of the party participate. All party manifestoes should be required to provide details of how they propose to implement their promises, to end parties' tendencies of making unrealistically tall promises. There should also be a law to cancel the party's registration

if it fails to implement its manifesto after forming a government. No more than two members of any family should be permitted to contest elections at any level. Right to recall must be also implemented for all elected representatives.

In his closing address, social worker Umesh Choubey of the Andhshhreddha Nirmulan Andolan said that political parties have reduced us to being mere voters whom they use as fuel for their own purposes. The fundamental task of spreading awareness has been long pushed aside. Only when the issue of election reforms gets transformed into a people's mass movement can we hope for anything to change.

In his presidential address, Anna Khandare said that the Election Commission has failed to uphold its constitutional responsibility, which is why in a Lok Sabha of 545 members, 415 MPs have a declared

wealth in excess of 14 crores, i.e., democracy has become the slave of Capital.

Former President of Kamthi Municipality, Maya Choure gave the vote of thanks and said that Samajwadi Party, JD (U), Forward Block, Loktantrik Samajwadi Party, Swaraj Abhiyan and other People's organizations have shown heretoday that people are willing to work together for establishing a true democracy in the country.

A 5 member team consisting of Afzal Farooque, Maya Choure, Ashu Saxena, Sunil Patil and Deepak Choudhary took up the responsibility to organize more such discussions on Election Reforms in all the Districts of Vidarbha. Anna Khandare and Omprakash Kalme were given the responsibility to organize similar programs in Marathwada and western Maharashtra.

Letter to the Editor

Dear Editor,

We are writing to express our grave concern over the attempt to manhandle, kidnap and physically attack prominent social activist, anti-displacement crusader and human rights defender from the eastern State of Odisha Prafulla Samantara, President of *Lok Shakti Abhiyan* by goons supported by the Vedanta Mining Company in Koraput district of Odisha on April 6, 2016. The defender was targeted by the anti-social elements when he was returning after addressing a public meeting in village Masiput in Koraput district of Odisha. Prafulla Samantara had gone to express his support and solidarity with the ongoing struggle launched by the people of five villages who have been opposing mining at DangaDeulo hills in Koraput district

by Vedanta Aluminium Limited.

Prafulla Samantara is a well-known Odisha-based anti-displacement activist, columnist and writer. For almost over a decade he has been raising his voice against the forceful displacements of innocent tribal villagers in Odisha due to mining projects and other extractive industrial activities. Prafulla Samantara is currently president of an organisation called *Lok Shakti Abhijan (LSA)*. Under the banner of LSA, Samantara approached the Supreme Court of India against the bauxite mining by Vedanta Aluminium Limited (VAL) in Niyamgiri Hills of Kalahandi district of Odisha in 2012. He challenged the arbitrary order of the state government allowing VAL to carry out mining activities in the Niyamgiri hill ranges situated in the

districts of Kalahandi and Rayagada in Odisha without the consent of Gramsabhas (village councils) or local adivasis. Samantara has been at the forefront of the struggle for village communities mainly tribal people in Odisha fighting to save their lives and livelihood from the land mafia, multinational companies and corporate sector.

According to sources, on April 6, 2016 at about 11 am, Prafulla Samantara addressed a gathering of local villager at Masiput village, under Koraput NAC on the issue of bauxite excavation activities in Dangadeula hills which has been allotted to the mining company VAL. The organisation LSA under Samantara has been demanding conservation of bauxite reserves in Koraput and Rayagada districts of Odisha state for future use

by public sector companies like NALCO rather than letting it to be misused by private companies. After addressing the gathering he along with his two associates from Patangi area was returning on a two wheeler. They were chased by the VAL supported goons coming in a group. The group first stopped and manhandled them. They even tried to kidnap Samantara from the place. But one of Mr. Samantara's associates luckily escaped as both the groups were, engaged in heated discussion and he telephoned the other villagers. A group of villagers rushed to the spot to help them. Seeing a larger group of villagers, the assailants ran away from the spot.

After the incident, Samantara went to Koraput town and tried to organise a press briefing at the AtithiBhawan at Koraput town. By the time a group of the VAL supported group came inside the hall and threatened Samantara for organising a press briefing. Meanwhile VAL supported group started misbehaving with the media representatives present there and as a result of that Samantara was forced to leave the place and went back to Bhubaneswar.

We therefore urge you to immediately take necessary steps to ensure that the Superintendent of Police, the District Collector and District Magistrate of Koraput District:

Order an immediate, thorough, transparent, effective and impartial investigation into the above-mentioned incident of harassment and intimidation of social activist and human rights defender Prafulla Samantara;

Take immediate action on the alleged perpetrators as mentioned above by arresting them for harassing

and threatening the human rights defender, Prafulla Samantara and using all provisions of law to ensure that his physical safety is ensured and give this assurance to the NHRC of India in writing immediately and urgently;

Along with local district officials, guarantee in all circumstances the physical and psychological integrity of Prafulla Samantara, who is still under the risk of further reprisals from the perpetrators;

Ensure provision of reparation, compensation, apology to the defender for the psychological sufferings he has undergone because of his undue harassment and threat and provide a re-assurance of not engaging in such acts against HRDs such as Prafulla Samantara;

Put an end to all acts of attack and harassment against all human rights defenders like Prafulla Samantara in the State of Odisha to ensure that in all circumstances they carry out their activities as defenders of human rights without any hindrances;

Take steps to conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:

Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels;

Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto*

or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";

Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to also take necessary steps to establish a state focal point for HRDs in order to ensure that HRDs have a new protection mechanism in their own state;

Recommend urgently and speedily during the pendency of this complaint, the SHRC in Odisha to convene meetings of all state human rights institutions in the state [women, minorities, right to information, disability, children, etc.] to ensure that a coordinated strategy is developed within the State of Odisha for the protection of the rights of human rights defenders;

Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the NHRC Focal Point on HRDs and the SHRC Odisha to provide sensitization training to law enforcement and security forces on the role and activities of human rights defenders as a matter of priority, with technical advice and assistance from relevant United Nations entities, NGOs and other partners;

Recommend urgently and speedily during the pendency of this complaint, the State Government of Odisha in collaboration with the SHRC, Odisha to publicly acknowledge the importance and legitimacy of the work of human rights defenders as defined in Art.1 of the Declaration on Human Rights Defenders;

More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and that the international human rights instruments ratified by India are

strictly adhered to in the state of Odisha.

We request your readers through the columns of your weekly to send similar letters to concerned authorities a list of whom, can be

obtained from the writer of this letter.

Human Rights Defenders Alert
– India

hrda.india@gmail.com,

Bhim Yatra ..so that there are no more killings

Subhash Gatade

Rarely does Jantar-Mantar, the place in the heart of Delhi, gets 'enlivened' with people who share very similar type of tragedy - one should say man made tragedy. The culmination of 125 day BhimYatra - led by Safai Karmchari Aandolan - which had started from Dibrugarh in the North East on 10th December and had traversed around 500 districts and 30 states, proved to be one such occasion on 13th April 2016.

The big public meeting organized at Jantar Mantar, attended by hundreds of safai karmcharis from different parts of the country and many individuals, activists who are sympathetic to their cause, was just another way to celebrate Dr. Ambedkar's 125th birth anniversary, a day earlier. Special focus of the Yatra was on deaths in sewers and septic tanks and the key slogan was 'Stop Killing us in Dry Latrines, Sewers and Septic tanks'. In fact, most of the people who were sitting on the podium belonged to such families only, who had lost their near-dear ones in cleaning sewers or septic tanks

Sunayana, aged 9 years, who lives with her grandparents these days in Lucknow, had lost her father in similar 'accident' and her mother also died due to shock within a few days of her father's death. There was Rahul, aged 13 years, from Tamil Nadu who had lost his father merely a week back and was inconsolable

on the stage also. Pinki, aged 35 year, from Varanasi, a mother of two kids was one of the most articulate among those who had gathered there. She had lost her husband three years back and was emphatic that 'we are not here for compensation.' We are part of this caravan now and 'want that nobody should face similar tragedies hereafter.' Kartar from Delhi still could recount how his son was called by his contractor when a fellow worker had already died cleaning the sewer. According to him the contractor rather forced him to descend into the sewer and take out fellow worker's body and in the process his son also inhaled poisonous gases and died on the spot.

Everybody had a heartrending story to tell. Many like Santosh just could not even utter a word as it was not narrating an experience but 'reliving' the whole episode and its aftermath.

A query rather resonated in all these presentations: How long their sons/husbands will have to die cleaning other people's waste and excreta in a country which boasts of sending satellites into space. How does one explain allotment of thousands of crores of Rupees for drainage and sewerage work, so much money being spent on laying/relaying pipes and drains that are designed to kill? Is it because ours is a society where Varna-mind-set

still dominates, and that's why a human-friendly system of garbage and sewage management has still not been conceived as planners rely on 'expendable dalit labour'.

Charter of Demands - BhimYatra : Stop KILLING us

- To tender an apology to the safai karmchari community for the historical injustice and centuries of humiliation heaped on us by engaging us as manual scavengers;
- To eliminate manual scavenging immediately, without any further delay or postponement. We will not accept any more deadlines that were extended in the past, from time to time;
- Stop the deaths in sewer lines and septic tanks at all costs. Modernize and mechanize the sanitation system and do whatever it takes to stop killing people in sewer work;
- Pay Rs. 10 lakhs, as mandated by the SC order, without any hassles or hesitation, to the dependents of those who have died in sewer lines since 1993;
- Enhance the one time cash payment given as immediate relief to liberated manual scavengers from Rs. 40,000 to Rs. Three lakhs.

Interestingly it was only last month that a member of Parliament

from Upper House during zero hour session said that that ‘there are more than 22,000 deaths every year while cleaning sewers in different parts of the country ‘as per the records of National Commission of Safai Karmacharis’. One does not know how the NCSK has got these figures but it is interesting to note that the figures quoted by the honorable member of the ruling party exactly matched the details of a story in a magazine which had appeared nine years back. The said story titled “Life inside a Black Hole,” discussed how “Beneath the glitter of India are dark alleys in which are trapped poisonous gases and millions of Dalits who do our dirty job in return for disease and untouchability.” According to the author Siriyam Anand, “At least 22,327 Dalits of a sub-community die doing sanitation work every year. Safai Kamgar Vikas Sangh, a body representing sanitation workers of the Brihanmumbai Municipal Corporation (BMC), sought data under the Right to Information Act in 2006, and found that 288 workers had died in 2004–05, 316 in 2003–04, and 320 in 2002–03, in just 14 of the 24 wards of the BMC, which is about 25 deaths every month. These figures do not include civic hospital workers, gutter cleaners or sanitation workers on contract. Compare this with the 5,100 soldiers—army, police, paramilitaries—who have died between 1990 and 2007 combating militancy in Jammu and Kashmir”.

Not that there have not been legislative actions or policy interventions to stop these killings but the impact has been symbolic. It was in the year 2014 when the Supreme Court passed a historic judgement and also asked all the State Governments and the Union Territories to fully implement the 2013 act, prevent deaths in sewer holes and grant compensation of Rs

10 lakhs to families of all persons who have died in manholes. A study by Safai Karmchari Aandolan reveals that only in 3% cases families of victims received the promised compensation.

So many avoidable deaths cleaning sewers/septic tanks here can create an impression that deaths in sewers are a common phenomenon everywhere? But it is not so. An occupational health physician Ashish Mittal’s study on Sewer Workers (Hole to Hell, 2005) had in fact compared situation here with situation in most developed nations? It explained ‘manhole workers there are protected in bunny suits to avoid contact with contaminated water and sport a respiratory apparatus; the sewers are well-lit, mechanically aerated with huge fans and therefore are not so oxygen deficient. In Hong Kong, a sewer worker, after adequate training, needs at least 15 licenses and permits to enter a manhole.’

Addressing the gathering at Jantar Mantar, Bejwada Wilson, who is a leading activist of the ‘Safai Karmachari Aandolan’ narrated an experience from Ahmedabad leg of this tour. During a meeting in one of the bastis of safai karmacharis he met a young boy who told him that he wants to become a doctor. When the boy was prodded further, it was discovered that his father had died because of poisonous gases inside the sewer, and could have been saved had he received medical attention in time. The boy was emphatic ‘If I become a doctor, then I can at least ensure that such people can receive immediate medical treatment’.

It is very positive sign that there are voices of fresh rumblings within the historically despised and stigmatized ‘scavenging’ communities and a large section of the younger ones of the community are getting ready to come out of the broom and the human waste.

To conclude, the Bhim Yatra with the key slogan of ‘Stop Killing Us in Dry Latrines, Sewers and Septic Tanks’ has come at a very inopportune time so far as the trumpeting which is being witnessed around Swacch Bharat Abhiyanis concerned.

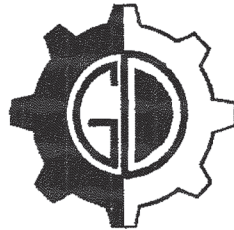
One learns that the government wants to send across a very positive image of its flagship program. Apart from directing different governments to retake the pledge which was administered to them at the launch of the campaign and imposing a Swacch Bharat cess of 0.5 % on all services liable for service tax, a proposal is also under consideration wherein the private companies and PSUs would be asked to spend around 30% of CSR funds on this initiative.

But as it is evident that all the glitters and glows would not be able to hide the penetrating questions being raised or the devastating criticism it is being subjected to. All the claims of Swacch Bharat Abhiyan notwithstanding, it will have to answer the simple query raised by Bhim Yatra that manual scavengers are still being ‘killed’ in dry latrines, sewers and septic tanks and for them how fictitious all these promises of ‘Clean India’ look.

1. (34. <http://www.thehindubusinessline.com/news/high-death-rate-among-scavengers-while-on-duty-bjp-mp/article8331909.ece>)
2. Anand, Siriyavan (2007) : “Life Inside a Black Hole,” *Tehelka*, Vol 4, No. 44, http://archive.tehelka.com/story_main36.asp?filename=Neo81207LIFE_INSIDE.asp, accessed on 18 Feb 2015.

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The Kohinoor story

Kuldip Nayar

A party which expects everyone to wear nationalism on sleeves made the most anti-national statement. The Bhartiya Janata Party said that the Kohinoor diamond was “offered” by Dalip Singh, Maharaja Ranjit Singh’s son, to Lord Dalhousie and it belongs to Britain.

The angry comments following the statement made the party realize its mistake and it changed its stand abruptly. It said that the Kohinoor belonged to India and would be brought back through talks with the British.

The question is about the facts, not how London would feel. True, there are two factions within the BJP, one for bringing back the diamond and the other believing, that the Kohinoor was the British possession. The party should know the facts and not say what one of its factions feels.

Lord Dalhousie, the Viceroy, was keen to please his masters, the East India Company and Queen Victoria. He also wanted to further his career. Dalip Singh, a minor, was under his charge because he was the Viceroy after the British had defeated the

Sikhs to annex Punjab.

Lord Dalhousie not only took Dalip Singh to Britain after converting him but also appropriated the Kohinoor as the possession of the British. He was so careful about the protection of the diamond that he did not take the usual Suez Canal route to London but went around South Africa, nearly twice the distance.

The Kohinoor was, no doubt, worth thousands of crores but it gave identity to India and with its possession the authority. Ahmed Shah Abdali, one of our rulers, forcibly exchanged the turban with Nadir Shah when he came to know that the latter had tucked the Kohinoor under his turban.

Oblivious of all these facts, the BJP first washed off its hand with the Kohinoor. But when it faced spontaneous angry comments, it went back on its original stand. Even if the Kohinoor was “offered” to the British—the BJP’s first stand—the party must realize that the “offer” by the country which was Britain’s colony, meant nothing. It was not an offer of an elected government. The slave nations have no choice of their own.

I am, however, reminded of the discussion which I had initiated in the Rajya Sabha when I was its member in the late 90s. After having vainly raised the issue with the British, when I was India's High Commissioner, I thought parliament would see the wrong done to the country.

The debate had hardly taken off when the then Foreign Minister, Jaswant Singh, requested me not to pursue the matter. I was aghast when he said that the debate on the Kohinoor could affect relations adversely between India and Great Britain. Till today, I have not been able to get answer to my question: How?

Even according to a UNESCO resolution, all the artifacts obtained by the rulers during their governance should be returned to the original owners. New Delhi, for reasons best known to it, has not raised the matter citing the UNESCO resolution. A country, which had colonies, has reasons to be reluctant. Why should India which has been a colony itself have any hesitation?

In fact, the British government had even questioned the ownership of Kohinoor. It said that after the birth of Pakistan, the ownership of Kohinoor vested not only in India but in that of the two countries: India and Pakistan. At London, one Foreign office high-up had defended its decision not to return on the ground that the Kohinoor belonged to Pakistan. I told him that let them return it to Islamabad. It would at least come back to the subcontinent and then we shall take up the matter with them.

It is clear that the British have no intention of returning the diamond

or, for that matter, tons of material which is stored in the basement of Victoria and Albert museums at London. Though there was no response from England, France complied with the UNESCO resolution and gave up the relics which it had in their possession during their rule.

When the Nehru Corner was opened at London, I asked the curator how much of material from the basement they had put on display. Her reply was: 5 percent. Even then the entire expense was borne by India. I requested her for the display of other possessions at the Indian government's expense. She curtly said no. She also rejected my proposal that we display the material in the basement in our country at our own expense and then return them to the museum. The material at the basement includes manuscripts, books, maps, posters and such other material. People of India may never see that material since the government is reluctant to take up the subject.

The British establishment must have prevailed upon Prime Minister Narendra Modi not to mention the Kohinoor during his official visit to the United Kingdom some time back. Otherwise, it is not understandable why he did not refer to the subject even once directly or indirectly.

The Modi government should reopen the question of relics with London. This may embarrass the previous Congress government for not having acted during its rule. But the country's interest demands that what is part of its history should be in India. The British establishment should appreciate

the feelings of Indians.

The UK had done well not to display the Kohinoor in the yearly exhibition of diamonds. Probably it had dawned on the Cameron government that every time the Kohinoor is put to public gaze there is a demand from India that it should be returned to it. And it once again confirmed the fact that the diamond actually belonged to India and that Lord Dalhousie had fraudulently taken it to London.

My impression is that when it comes to their empire, the British cannot be objective. There is pride, no humility, self-righteousness and no introspection. The British are proud, nostalgic but annoyingly patronizing about their connection. The new generation should have been different and given a new message instead of plugging the same old line.

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Notebook

Drought: Some lessons

One thing that is certain about the current drought in one third of the country, is that with the first few drops of monsoon rains, all the shrieking headlines in the press, all the detailed descriptions of the seriousness of the drought, and the solutions, will be forgotten. The press is full of the bad tidings, the state is being taken to task for not doing one or the other thing, the Supreme Court has rebuked the Centre for maintaining that the handling of the drought is, the State's responsibility and not its, and has added for good measure that the day to start preparing for drought is the day the country realizes that the monsoon has failed and not when the symptoms start getting revealed. Experts have given us many prescriptions, well thought and detailed, as to what should be done to prevent the occurrence of drought. However, all this will be forgotten till the next cycle starts. Why is it so? Why the state cannot learn from its experience? Why the citizens cannot force the state to do what has been prescribed by the knowledgeable people? This is something that needs to be seriously considered. States, all over the world, are used to react to matters concerning their subjects, but not proactively act. To react and not to act, is the defining feature of the States. We have not found yet ways to change this. But we have to learn what to do with this inertia, so rampant in the States.

The reality, now, in the third week of April, when the onset of monsoon is 50 days away, is that tankers are being pressed into service to supply water to quench the thirst of the victims of drought, forget the animals which are in the

market for sale but there are few buyers - and hence are fated to die. Even the Railways has been pressed into service and the latter has made big news. The press tells us that the dams in Marathawada, the area worst hit by drought, have 3% water in them. It was 11% last year. The country which holds 18% of world's population has to make do with four percent of world's water. Such statistics hit us sharply, but only for a moment. We are told boldly, do not grow sugarcane in Marathawada, it is a water guzzling crop. The state is told equally boldly, do not license new sugar co-ops or sugar factories and as a pleasant surprise the State of Maharashtra has announced that no new sugar factory will be allowed for the next five years. Why only five, why not forever, is the obvious question that has been raised.

For over five decades, the experts have been warning us about the growing scarcity of water, even of water wars. Not oil, but water, will precipitate wars, we were and are being told. Detailed reasons for the scarcity of water have been listed, and also the answers, and yet we have done little to prepare ourselves. The population is growing, forests are under axe, the water intensity of agriculture is increasing, the citizenry is getting used to wasteful ways of using the scarce resources, are the listed causes that indicate what we should do. Some of us do something sometimes, most do not. That's perhaps, the nature of mankind.

But act we will have to, the state too will have to act, and the civil society will have to learn how to

force the state to act. Left to it, the State will rarely act proactively. We will have to learn from societies that survive on little or no rains, we will have to learn from those citizens and those countries that have evolved best practices for the use of water, if we, in the foreseeable future, wish to prevent the dire warnings from becoming a reality. Many citizen groups have advocated watershed development as a way of drought proofing in water scarce areas and the States have often agreed and even acted, but for some reason this activity loses its priority in no time. Recycle water, plant trees, do not destroy forests but preserve them, we are told rightly, but when some think tanks offer pricing of water as the best solution, we, at least the State, readily accepts it. We do not wish to change man and his habits, and start seeing our Nirvan in the market.

Someone has advised us to learn to live with the reality. And as an example of how a society lives, we are asked to look at Rajasthan. Rajasthan has little rain, but the type of drought that occurs in the state with plentiful rains is never seen. There is little rain, sometimes no rain, and yet has enough water to drink, and its - ponds are full of water. And even when there is no water in them, people manage to get their daily quota from the beds of the dry rivers and ponds. And surprise of surprises is that citizens, even in such a situation, practice '*pahle aap*'.

Let's visualize an alternate scenario, where the sugar barons, the politicians who organize and run sugar co-ops, apologize for

what they have done and decide to gradually cut down their production of sugar, and hence, by extension, the need for sugarcane, and diversify their business. And we can go a little further, and visualize a scenario when the farmers, who grow sugarcane, come forward and say

no more sugarcane, we will grow some other crops which require less water. Is it too much to expect? If the country wishes to be better prepared for the crises that are getting unwrapped, this is what is required. States can legislate change, but the citizens accept them only

grudgingly. However, when the citizens expect change, the change becomes permanent. That's what the father of the nation preached, but we have all but forgotten his advice.

GGP

The Ill Winds That Blow Across Bastar

Harsh Mander

Ill winds are blowing across Bastar in southern Chhattisgarh, scorching this forested homeland of many tribal communities. Fear and carnage stalk this deeply troubled terrain.

The development has almost completely collapsed in these parts, with schools, health-centers, ration shops and pre-school centers rarely functioning. The state instead appears to be in a state of war with its own people, in its bid to suppress by all means the decades-long violent Maoist insurgency.

The settlements and forests of the region are over-run with nearly a lakh armed security personnel and police persons, making this – as observed by the Campaign for Peace and Justice in Chhattisgarh - one of the most militarized regions in the country.

Recent months have seen a huge spike in the numbers of extra-judicial killings and 'surrenders' of Maoist militants. The Campaign observes: 'The police and CRPF have been raiding villages and picking up men en-mass. They are kept in the police stations or CRPF camps for several days, before some of them are shown as arrested. Others are shown as having "surrendered" in grand ceremonies. In the police version,

these are 'spontaneous gatherings of the villagers determined to support the police and oppose the Maoists'. The Indian Express reported that of the 377 alleged Maoists who 'surrendered' in Bastar division between June and November, 2014, at least 270 are just ordinary villagers not part of any Maoist group or routine criminals.

Journalists who question the police version of events in the region are being openly harassed and dubbed unpatriotic. A fact-finding team of the Editors' Guild expressed its disquiet that journalists are being intimidated and harassed by the local police administration and feel unsafe reporting. Four journalists - Santosh Yadav, Somaru Nag, Prabhat Singh and Deepak Jaiswal – have been arrested by the police, charged with a range of crimes and alleged Maoist sympathies, meaning effectively that they are not reporting the police version exclusively.

Vigilante groups have been encouraged to harass the landlords of journalist Malini Subramaniam and human rights lawyers Shalini Gera and Isha Khandelwal from the Jagdalpur Legal Aid Collective (and vandalize Subramaniam's car), forcing them eventually to leave Jagdalpur. Social scientist and activist Bela Bhatia was similarly

harassed, but issued a courageous statement that she would not leave Bastar. She also refused the police security that she was offered, saying that it was the ordinary people of Bastar who needed security.

This was anyway one of the most dispossessed enclaves of the country. Outsider settlers savagely dispossessed local tribal communities of their lands and forest produce, trapping them in cycles of debt. Dispossession from their lands and forests continued in the hands of the 'developmental state', for roads, factories, mines and the so-called 'scientific management of forests', sometimes replacing rich natural forests with monoculture and severely limiting the tribal people's symbiotic life-support dependence on the forests.

This dispossession became even more acute with the advance of the neo-liberal state, as for-profit powerful companies became impatient to extract the forest and mineral wealth of the lands occupied by indigenous tribal communities, unencumbered by the rights of tribal communities and the imperatives of ecological sustainability.

This ferocious, sustained and multi-armed oppression and dispossession led some tribal people

to support and join far-left Maoist groups, who promised them justice and protection. The state responded primarily, not by addressing the massive injustices and exploitation that led to the alienation of some of India's most dispossessed people, but by constructing this in the public discourse as a grave security challenge to the integrity of the nation.

It unleashed what is not less than a civil war, with various arms of the state using every weapon in its arsenal. Extra-judicial killings are customary, and it is standard drill for villages to be routinely raided and for hundreds of villagers to be rounded up and detained for alleged Maoist sympathies or for harboring Maoists. Some do support the Maoists against what they see as an oppressive state, whereas many of them were only by-standers and persons coerced into support, caught in the cross-fire.

Their predicament and insecurity was aggravated further, when the state encourages armed vigilante groups of surrendered Maoists, renegades, ordinary criminals and others, to turn upon their own people with rape, arson, intimidation and killings, silently supported by the police. The Salwa Judum for four

bloody years between 2005 and 2008 undertook mass burning of villages and forced the residents into camps, as well as unleashed massive killings and rapes. Although Salwa Judum is banned by the Supreme Court, new vigilante groups in new names and guises are being openly encouraged by the police administration.

The Maoists in the meanwhile have also splintered into rival factions, and often are riddled with violent rivalries and corruption. They enjoy some real support from oppressed tribal people, especially some young people, but also are known not infrequently to resort to brutal intimidation, targeted killings of alleged 'informers', and periodic violent assaults on security forces, leading to the tragic loss of life of large numbers of usually junior members of the police and security forces.

Matters are further complicated by the upsurge of right-wing Hindu nationalism, targeting Christian converts. The Alliance Defending Freedom reports 147 incidents of attacks on Christians because of their faith in 2014, of which the highest numbers were in the state of Chhattisgarh, especially in the Bastar area. In May 2014, Christian families were denied

rations and ration cards after they refused to contribute 200 rupees per member towards Hindu festivities initiated by the Vishwa Hindu Parishad (VHP) in Sirisguda village.

When Christians reported this matter to the district authorities, activists of the VHP and the Bajrang Dal beat them up. The Gram Sabha, the village council, of Sirisguda passed a resolution outlawing non-Hindus from the village. A section of the Panchayat Raj Act (129 G) was used to adopt a resolution proscribing all religious activity in the village areas which did not adhere to the Hindu faith. Since then more than 60 villages are reported to have passed similar resolutions in the area. There have been frequent reports of Christians being beaten up in various villages of Bastar.

Caught in the unending cycles of violence of a security state, militants of the extreme left, renegades and state-supported armed vigilante groups, and an upsurge of right-wing groups, there seems no end to the suffering of the indigenous communities which have long inhabited the forested plateau and hills of the seven districts of Bastar.

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Inauguration of 'Lohia Bhawan'

at

C-3/1, Nelson Mandela Marg, Vasant Kunj, New Delhi, 110070, on 27th April, 2016

by

Shri Mulayam Singh Yadav, MP and President, Samajwadi Party

'Lohia Bhawan' has been constructed by Rammanohar Lohia Samta Nyas on a plot of land allotted in 1990-91, by the then Prime Minister Late Shri. Chandrashekhar ji. It was the cherished dream of Late Shri. Madhu Limaye, Late Shri. Badri Vishal Pittie, Late Shri Janeshwar Mishra, Late. Shri Haridev Sharma, Late. Shri Mastram Kapoor and many Socialists. It took almost twenty five years to become a reality.

Members of the Lohia trust are Shri. George Fernandes, Shri. Mulayam Singh Yadav, Shri. Dhanik Lal Mandal (Former Union Minister and Governor of Haryana) Shri. B.Sudarshan Reddy (Former Judge, Supreme Court) Shri. Bhola Prasad Singh (Former Minister Bihar), Shri. Kamal Morarka (Former MP & Union Minister), Shri. Ramgopal Yadav, MP, Shri. Akhilesh Yadav, Chief Minister, Uttar Pradesh, Shri. Vidya Sagar Gupta (Kolkata), Shri. Somayya Ravela, Shri. Keshav Rao Jadhav, Shri. Arun Garodia, Shri. Akshay Pittie, (Hyderabad) Shri. Ravinder Manchanda (New Delhi).

When Cricket Determines Our Nationalism

Sandeep Pandey

The defeat of India by West Indies in the T-20 World Cup triggered a controversy at the National Institute of Technology at Srinagar between Kashmiri and non-Kashmiri students. Some Kashmiri students have been alleged to have raised anti-India slogans and burst firecrackers upon India's defeat. The Kashmiri students allege that the violence was started by non-Kashmiri students the next day when a group waving tricolor and chanting 'Bharat Mata ki Jai' attacked a group of Kashmiri students returning from Friday prayers. Police used lathi charge to control students in which some non-Kashmiri students were hurt and subsequently Central Reserve Police Force, actually a paramilitary Force, replaced the Jammu & Kashmir police on campus. NIT has been shut down and students asked to vacate the hostels.

Since the BJP-RSS has come to power academic atmosphere of one more campus has been disturbed. It is really a pity that people associate their nationalistic ideals with cricket teams and are ready to clash over victory or loss in their matches. Board of Control for Cricket in India itself claims to be a private body in spite of its pompous name. How could a team constituted by it be considered a national team? The Supreme Court has recently reprimanded the BCCI for its arbitrary functioning and refusing to implement the Lodha Committee recommendations. That the BCCI refuses to have a representative of Comptroller and

Auditor General on its governing council shows that it doesn't want to be held accountable to the people at large, who are contributors to its funds. There are states like Gujarat and Goa which received preferential treatment by BCCI in the form of disproportionate funds while on the other hand states like Bihar don't receive any funds. It is not surprising that Bihar doesn't have a single player in the BCCI constituted Indian team. How could then BCCI claim to represent the country? Imagine if more such private bodies came into existence and fielded their separate teams. Then which team would be considered to represent India?

Students from both sides whether they raised pro- or anti-India slogans have demonstrated immaturity in asserting their nationalistic preference based on the outcome of a game of cricket. It is even astonishing that pro- or anti-Pakistan slogans were raised at NIT, Srinagar, when Pakistan was not even one of the sides in the particular match in question. It shows how people can easily get carried away when jingoistic slogans are raised. There are much more serious anti-national activities going on within the country, for example, corruption, about which we need to be worried. Similarly, there is lot of good work going on within the country about which we can feel proud. It is a pity that rather than concerning ourselves with real issues on the ground we let our emotions fire based on the results of a game of cricket and

get carried away in sloganeering to the point where it can turn into violence. Probably the intention of the government is precisely to divert people's attention from real issues, like price rise, to emotional issues like nationalism.

The Indian Premier League has to some extent done the job of dissociating feeling of nationalism from cricket teams by making players from different nationalities play as part of a team. IPL has also highlighted that these are professional players who can be bought and sold, which implies that they play for money. In IPL they can switch teams depending on who pays them more. Similarly, even when they play in national teams the prime motivating factor for the players is money. It is unthinkable that any player would play for his national team merely out of a feeling of patriotism without any payment in exchange. In fact, if players had any nationalistic feelings they would not indulge in match fixing, sometimes deliberately causing their teams to lose the match.

When the game of cricket and its management is so highly commercialized does it make any sense to associate nationalistic feelings with these teams? In fact, the commercial interests exploit our nationalistic feelings. If we agree that sports are to be played with sportsman or sportswoman spirit then we should appreciate whoever plays a better game irrespective of their nationality. When Arundhati Roy was once asked to convey

her best wishes to the Indian team before an international event she said her favorite team was Sri Lanka. Why should every Indian be expected to endorse the Indian team in a sporting event and worse why should this determine our commitment to nationalism?

Now Mumbai High Court has also reprimanded the Cricket associations for using huge volumes of water to maintain their pitches while the state of Maharashtra is suffering from drought. People and cattle are dying because of water shortage. In the context of recent debate on nationalism it may be interesting to ask what is more nationalistic - to play cricket or to save people and cattle?

BJP leader and BCCI secretary Anurag Thakur has said that Maharashtra will lose Rs. 100 crores if IPL were to be moved out of Maharashtra. He suggested that this money could be used for tackling the drought situation and for relief for affected people. It has also been emphasized by the Cricket associations and the government that potable water is not used for maintenance of pitches, which is estimated to require 60 lakh liters of water this season. What people like Thakur don't realize is that money cannot be a substitute for water or food. If you've money but there is no potable water left, how would you quench your thirst? The situation is gradually becoming worse and we cannot adopt a complacent attitude. We need to save even the non-potable water which can be used for other necessary activities like irrigation, in toilets, washing of clothes, etc.

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The Triple Talaq Or Talak-I-Bidat - An Innovation And Polygamy

Dr. Zeenat Shaukat Ali

The Supreme Court's *suo moto* decision delivered by respected Chief Justice T.S. Thakur and Justice U.U.Lalit (Monday 28th March 2016) to test the legal validity of the triple-talak in one sitting and polygamy, in the petition filed by Sharya Bano, a sociology post-graduate, a mother of two children, who appealed that these be declared unconstitutional when her husband ended her 15 year old marriage by sending her a letter with the word talak written on it thrice, has long been overdue.

The reasoning of the Muslim Personal Law Board, (AIMBPL) resisting this decision, declaring that the country's top court has no jurisdiction to undertake the exercise as the Community's Muslim Personal Law as "it is inextricably interwoven with the religion of Islam" being based on the Quran and not a law enacted by Parliament, is dubious and has little logical reasoning. It needs to be noted that the talak-i-bidat, admitted by the Muslim Personal Law Board to be "sinful" and an "innovation", finds any sanction in the Quran, nor is polygamy an integral part of Islam. On the contrary the practice of the triple talak in one sitting violates the fundamental principle of equality in Islam and is un-Quranic. It is therefore disheartening that it is defended.

At the inception it needs to be mentioned that divorce by itself is strongly disapproved by the religion of Islam and Prophet Mohammad declared that it should not be resorted to unless it becomes impossible for

the husband and the wife to live together. The popular pre-Islamic belief that the husband, holding an absolute power to divorce, could do away with the wife at the slightest provocation was denounced by the Prophet as he held divorce to be the most reprehensible of all things permitted. A famous tradition of the Prophet states: "God has not created anything on the face of the earth that he loves more than emancipation; and God has created nothing upon the face of the earth more hateful to him than divorce." (AD 13:3)

The Prophet said that divorce can be resorted to only in extreme circumstances. The Quran illustrates this point by expressing approval when the Prophet recommended that Zayd should not divorce his wife in spite of the fact that there was a long standing dissension between the husband and the wife. This is clearly seen from the Quranic injunction "Behold thou should say to one who has received the Grace of God and His favor, retain your wife in wedlock and fear God". (Q:33:37) It is amply clear that divorce is looked upon with great disfavor. Besides preventing conjugal happiness it also interferes with the upbringing of children. "Divorce without reason is as act of folly, an abuse of discretion and sheer ingratitude for a blessing."

Prophet Mohammad, if not forbidding divorce altogether, was desirous of placing restrictions on its unfettered practice. Besides restricting the husband's power of divorce, he went so far as to curb its exercise without the intervention of arbitrators or judges (*hakims*) with

the view that all possible means of re-conciliation be exhausted before one resorts to this extreme measure. "If you fear a breach between them twain, appoint two arbitrators one from his side the other from hers....." (Q:4:35)

The arbitrary, undisputed, unfettered power of divorce by the husband, putting away his wife at his caprice by the triple talak in a single sitting breaks down a marriage irretrievably and is a grave distortion of the law of divorce in Islam. The Quran does not sanction it and was deplored by the Prophet as the following Tradition illustrates: "The Messenger of Allah, was informed of a man (Rukhana) who divorced his wife three times together, his face became red and he stood up in displeasure and said: "Is the Book of Allah being sported with while I am still in your midst?" (NS 27:6) *Talak-i-bidat*, once pronounced, is considered *bain or irrevocable* where the rights of inheritance cease immediately on pronouncement though the death of the husband or the wife may occur during the period of *iddat* or period of waiting.

Such a law was a common customary practice of Pre-Islamic Arabia, where a husband would discard his wife by tossing his slipper saying "you are unto me like my slipper". The condition of women in that era was deplorable, where infanticide was a common practice women were inherited as property and were subject to social and sexual degradation. It is well known that the Prophet denounced these redundant laws and accorded to women their full, social-economic-political-spiritual-legal rights.

Further, in this form of *talak* after the pronouncement, if the parties wish to remarry, they cannot do so till the wife undergoes *halala*,

a pre-Islamic practice where the wife went through a marriage with another man which is consummated and subsequently dissolved. This custom is unfortunately practiced despite being condemned by the Prophet as the following Tradition of the Prophet shows "The Messenger of Allah, peace and blessings of Allah be on him, cursed the man who committed *halala* and the one for whom *halala* was committed. (AD.12:15)

It needs to be unequivocally stated that this mode of divorce was the common customary law practiced in pre-Islamic Arabia in the days of *Jahiliyya* or ignorance. Neither does the Quran mention this form nor was it recognized by the Prophet. As Justice Ameer Ali points out, it seems to have crept into Islamic jurisprudence at the instance of the Omayyid monarchs, "who finding that the checks imposed by the Prophet on the facility of repudiation interfered with the indulgence of their caprice, endeavored to find an escape from the strictness of the law, and found in the pliability of the jurists a loophole" Although disapproved by the classical jurists it has been accepted by most Sunni jurists "although in its commissioning the man incurs a sin".

Some scholars indicate that Caliph Omar legitimized it as an emergency measure and although his reasons for permitting this form of divorce were short term, restrictive rather than permissive. "Caliph Omar's objective in making effective three divorces pronounced on one occasion was to warn people that they would have to take the evil consequences of following an un-Islamic practice, but the result was contrary to what he intended". Henceforth, despite his desire to the contrary, (The Gazette of Pakistan

published in 1956) it became a general practice to pronounce a divorce thrice on a single occasion, thus turning a revocable divorce into as irrevocable one.

Islam holds women in high esteem and the practice of the triple talak in one sitting violates the principle of egalitarianism in Islam and is un-Quranic, but its legality is upheld in India. In India, this mode of divorce is accepted and effective if the husband were to repudiate his wife during her menstrual flow in a drunken state, in a fit of temper, in jest, at the slip of a tongue, under intoxication, when the woman is pregnant and other such means by a means of a telephone call, an sms, through Facebook, over Skype.

Innumerable jurists and theologians from early Islam to modern times hold the same view. The Shiah and Malikis do not accept the validity of this form of divorce. Some of the great jurists who strictly followed the disapprobation and the denunciation of the Prophet in connection with *talak-i-bidat* are Zubair ibn Awwam, Abdur Rahman ibn Awf, Taos, Mohammad ibn Ishaq, Dawood bin Ali, Khallas ibn Amr, Haris Aqlali, Dawood ibn Ali and most of his followers held such a divorce revocable.

It must be stated that practice of *talak-i-bidat* has devastated the lives of many women and children. Depriving the overall opportunity for reconciliation, this mode of divorce has been subject to a critical study in several Muslim countries.

Modernist interpretation advocated by scholars who introduced reform was the use reason, constantly and repeatedly upheld in the Quran, as a laudable human attribute in the quest of their welfare. Thus, it would be

offensive to human reason to accept gender inequality when God enjoins equality of all Muslims.

Regarding the concept of polygamy it is necessary to state that polygamy is a restrictive not a permissive ordinance in Islam. Prophet did not introduce polygamy in Arabia as is commonly and conveniently believed. He found himself in a system where polygamy was a common feature not only among the Arabs but others as well. Prophet Mohammad curtailed and restricted polygamous unions, insisted on perfect equality and *adl not only in the form of physical requisites and domestic comforts but also in matters of respect and affection thereby giving a completely new outlook to the tarnished status of women.*

In early Islam several sects held polygamy as not permissible. For example, the Mutazallite group of thinkers implemented monogamy on the principle of the *adl* or justice when they developed the law of the Quran. During the reign of Caliph Al-Mamun which, however, due to the monarch's bigotry, this was soon submerged by general opinion. A large influential body among the previous sects, now archaic, held polygamy unlawful since the circumstances requiring it to do not exist at present. (Ameer Ali, The Spirit of Islam)

By the principle of *adl* insisted upon by the Quran, several Muslim countries, realizing that monogamy is truly in keeping with the teachings of the Quran, have brought about statutory provisions or anti-bigamy stipulations, or exercise of judicial or social control. Yet others have expressly forbidden its practice.

The most significant result was accomplished in Tunisia Personal

Status Code of 1956 with regard to polygamy. This was achieved through the application of the legal device of *ijtehad* (creative interpretation) that resulted in the understanding that polygamy was not permissible.

To justify this measure with reference to Quran, Habib Bourguiba the main architect of the Tunisian law argued that a coordinated reading of the verse 4:4 of the Quran "And if you fear that you cannot act equitably towards orphans, then marry such women as seem good to you, two and three and four; but if you fear that you will not do justice (between them), then (marry) only one" with verse 4:129 of the Quran "You can never be equitable in dealing with more than one wife, no matter how hard you try" it can be deduced "how it is effectively impossible to support" more than one wife and treat them equally, and therefore polygamy cannot be practiced". This meets the end of not committing injustice" as "the condition of equality between spouses being impossible to assure, prohibition of polygamy became therefore legitimate".

It was further added, "We have abided by the spirit of the Holy Book... which indicates monogamy. Our decision in the matter contradicts no religious text and is found to be in agreement with mercy and justice and the equality of the sexes." Hence, the implementation of the law: "Whosoever being engaged in the bonds of matrimony shall contract another before the dissolution of the preceding shall be liable to a year's imprisonment and to a fine."

In several Muslim Countries, special texts addressing "personal status", *al-ahwàl al-shakhsiyya* have brought about reform through means of codification. For instance,

in Syria (which in 1953 was the first Arab country to promulgate a general law on Personal Status, later reformed with Bill 34/1975), Jordan (with a first codification in 1956, reform in 1976 and other legislative interventions in 2001), and to a lesser extent Libya and Algeria (both dated 1984) have all established the possibility of including in the marriage contract a clause for monogamy and other means. Countries like Turkey, Tunisia, Syria, Egypt, Morocco, Iran, Iraq, Malaysia, Indonesia, Pakistan and several other countries have either reformed the law or brought about legally preventive measures and reforms in this area.

In order to bring about reform and change, codification of the Muslim Personal law is an imperative. The necessity for the reform and codification of Muslim Personal Law in India had been articulated in pre-independence days by several contemporary modern Muslim scholars gaining impetus after 1947. Distinguished legalists and scholars like the late Asaf Ali A Fyzee (1899-1981) neatly summarized the Reform of Muslim Personal Law in a booklet written in 1971, entitled "The Reform of Muslim Personal Law in India", while Maulana Ashraf Ali Thanvi, was instrumental in bringing into existence The Muslim Women's Dissolution Act in 1939). Maulana Mumtaz Ali, Maulana, Mohammad Ali, Maulana Halli wrote extensively for the uplift and rights of Muslim women. A number of Muslim women's organizations also pushed for change in various fields.

As seen, over a period of time, modernist jurists in Muslim countries the world over have judiciously applied a number of legal devices formulated by Islamic law that vindicate the use of reason

for the welfare of Muslims. The family laws in India can undergo a similar metamorphosis with the assistance of experienced jurists well versed in the Muslim law, liberal *Ulema* and scholars or experts in

the field both men and women can contribute to bring change and reform. Efforts of both Muslim women and men's organizations need to press for change as they did in Pre-Independent India. In

the words of Justice Hidayatullah: "If the lead is coming from Muslim countries, it is hoped that in the course of time the same measures will be applied in India also."

Challenging Times For Labor Unions

Bharat Dogra

Trade unions are passing through very challenging times. On the one hand they have to face several new, difficult and complex problems because of the insistence of most governments on implementing what they call labor reforms but which are most likely to have the impact of making workers more insecure and vulnerable than even earlier times. Labor unions have reason to apprehend that some of their hard won gains may be threatened in the near future.

It is by now well known that international financial institutions and the multinational companies supported by them have been very insistent on placing various restrictions on labor rights and even rolling back some of the labor rights well established in various countries as a condition for committing funds and investment. These tendencies have increased with the entrenchment of globalization as multinational companies find it more convenient to shift resources and operations to countries where labor and other costs are lower. Of course this is not their only consideration but this can be an important factor particularly in economic activities which are more labor intensive or where labor costs constitute a significant part of the total costs. To some extent this is a very real issue but at times this

is also exaggerated deliberately so that workers and their unions may be prevented from raising too much their demands for better wages and living conditions.

It is in these conditions that the labor reforms are often propagated as something essential for economic growth and for attracting foreign investment. However a very different view which is much closer to truth should be articulated and this view tells us that the full potential of improving the productivity and skills can be realized only when workers feel assured about their long term livelihood and employment, when their needs are properly met and they with their family members have access to some basic social security.

Hence the struggle for these basic rights of workers should continue with even greater determination than before undeterred by the efforts of powerful vested interests to create more confusions and uncertainties. In addition the earlier challenges of extending the reach of unions to more and more workers particularly those in the unorganized sector still remain with us. There is also the challenge of increasing the honesty and transparency of trade unions so that the base of increasing and strengthening their role and reach can be prepared in the form of

built-in systems of transparency and integrity.

Some labor unions such as those earlier led by Shankar Guha Niyogi have shown very creative possibilities of combining union work with several social reform initiatives such as anti-liquor effort as well as linking up in important ways with the struggles of peasants and other villagers in nearby areas. Such initiatives will broaden the base of labor unions which is also the need of these difficult times.

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How Islamic is the Muslim Personal Law ?

Arif Mohammed Khan

(With the All India Muslim Personal Law Board deciding to oppose any move to scrap triple talaq and contest the Shayara Bano case that has called it unconstitutional in the Supreme Court, the stage is set for another Shah Bano-like confrontation that had turned into a hot-button issue in the 1980s. The AIMPLB in its meeting on 16th April, 2016, at Lucknow also decided to thwart any attempt at intervention by the Centre, or “any authority”, in the Muslim personal law. Last month, the SC had admitted the petition of Shayara Bano from Uttarakhand seeking triple talaq to be declared unconstitutional. The apex court had also initiated suo-motu proceedings to examine the need for protecting the rights of all Muslim women. AIMPLB is all set to become a party to the case. The SC has accepted the board as a party in the case. Now, the board will seek a similar intervention in the Shayara Bano case before the Supreme Court).

Recently the Supreme Court has expressed its intention to review the Muslim personal laws. One can presume that the honorable judges have taken cognizance of the ills and evils produced by the unrestricted right to polygamy and triple divorce and therefore have decided to scrutinize the personal laws.

It is true that the courts cannot legislate, a comprehensive common code but they certainly have the power to review and strike down such provisions, which infringe upon the basic rights of a citizen. The court has observed that for a Muslim woman “there is no safeguard against arbitrary divorce and second marriage by the husband during the currency of the first marriage, resulting in denial of dignity and security to her”.

It is difficult to challenge this observation and constitutional provisions obligate the judiciary to rectify the situation. But the protagonists of the Personal Law Board have objected and have asserted that the practice of polygamy and triple divorce is protected under article 25 that guarantees freedom of religion and its practices.

It is not merely through public statements, but in their publication titled “Compendium of Islamic Laws”, the AIMPLB has listed polygamy, triple divorce, or divorce under compulsion or in jest as legally valid. Now for any law that purports to be Muslim must be tested on the anvil of Quran and prophetic traditions, the basic sources of Muslim jurisprudence.

For instance in the case of polygamy, Islam has permitted it only to meet certain contingencies and has made it conditional on capacity of the husband to deal with his wives with justice and equity. But in the same breath Quran declares that men have no ability to do justice between wives (4.129). To be fair, unless such grounds exist, that give rise to a contingency, second marriage must be ruled out. Now who will have the authority to decide if such contingency exists? It can be only the courts, as they ought to be guardians of society to ensure that justice and equity is not violated.

It is strange that the conditional permission for more than one marriage (4.3) has been used as a license but another verse which commands: ‘marry those among you

who are single” (24.32) has been totally ignored. There is another verse which says: God has not made for any man two hearts in his body (33.4). A combined reading of these verses will show that although Islam permits polygamy under exceptional circumstances, it prescribes monogamy as a norm.

Here we may refer to two prophetic narrations listed in Sahi Bukhari. The subject matter is the second marriage of a son-in-law of the Prophet. It is reported that on hearing about the proposed marriage, the Prophet said: “Fatima is from me, and I am afraid she will be subjected to trials in her religion (because of jealousy)” (4.32). Elsewhere he said that Fatima is part of me, and I hate what she hates, and what hurts her hurts me. (7.157)

It is clear from these narrations that to live with a co-wife is hurtful and hateful and it arouses anger and jealousy. This applies to all women and can be construed as denial of dignity and security to women who are compelled to live in a polygamous relationship.

In Tafseerul Bari, an Urdu commentary on Bukhari, it is stated

that in the marriage contract of the daughters of the Holy Prophet there was a stipulation that the husband cannot contract another marriage during the lifetime of the wife.

On the question of triple divorce, less said the better. Even the votaries of this method of divorce describe it as permissible in law and sin in religion. Admittedly religion cannot make a sin permissible. In fact this method of divorce is described as TALAQ BIDAAT meaning divorce innovative. The name itself shows that it was not part of the original scheme and was incorporated into the law much later.

In fact the Quran deals with the subject of divorce in clear terms and leaves nothing to doubt. It says: "When you divorce women, divorce them at their prescribed periods, and count accurately their periods and be conscious of God, your Lord. And turn them not out of their houses, nor shall they leave, except in case they are guilty of some open lewdness. Those are limits set by God; and anyone who transgresses the limits of God, does wrong his own soul. You know not if perchance God will bring about thereafter some new situation (65.1).

Further it is stated in the Hadith books that the (pronouncement) of three divorces during the lifetime of holy Prophet and that of Abu Bakr and two years of the caliphate of Umar (was treated) as one (pronouncement) (Muslim 9.3491).

In fact divorce itself has been described as the most odious among permissible things therefore care has been taken to avert it to save the family. According to the Quranic scheme, the process of divorce is completed with the completion of

Iddat that is the cooling off period during which the option of reunion remains available. On the other hand triple divorce is completed at the beginning of Iddat with no option of reunion.

The Muslim personal law in India developed as Anglo-Mohammedan Law; it is declaratory as the British had refrained from codifying it due

to differences among various schools of Muslim jurisprudence. Since a substantive part of it lacks legislative sanction, the Supreme Court must review it at the earliest to bring it in conformity with the Constitution and its basic sources, the Quran and Hadith.

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The Plight Of Urdu And Syncretic Culture

Chandra Bhal Tripathi

Height of ignorance was demonstrated by four Central Ministers who tweeted on Good Friday (March 25, 2016): "Happy GoodFriday". The gang of four included the notorious Minister of Culture, Mahesh Sharma, and surprisingly the Minister of Minority Affairs, Najma Heptullah. After their *faux pas* was brought to their notice they hastily withdrew their tweets.

At the big two-day conference of the Society for Communal Harmony on the theme of 'Regeneration of India: Its Imperatives' held at Vigyan Bhawan, New Delhi, in September 1998 Prof. AM Khusro laid stress on the spirit of accommodation (tolerance or toleration was not enough) and advocated that Hindus should try to learn about Islam, the Holy Quran and the Prophet and likewise Muslims should learn about the religion, the deities and the customs of Hindus. Otherwise, he said in a lighter mood, some Hindu friends came to wish him 'Muharram mubarak' (Happy Muharram). The things have unfortunately not improved, rather the situation is worsening. The Chief Minister of Haryana Khattar has told the Muslims: "If you want to eat beef,

go to Pakistan." He did not give this *fatwa* to millions and millions of tribals, Dalits, many Christians and Hindus who eat beef. I have personal knowledge that many Hindus in the US and some in India eat beef. Thank God, he and other members of his ilk have not yet issued another *fatwa* that if you want to speak Urdu, the official language of Pakistan, go to Pakistan.

It is lunacy to describe Hindi as the language of Hindus and Urdu as that of Muslims. We are proud of both the languages which are a common heritage of the Ganga-Jamuni *tahzeeb*. Hindi will ever remain grateful to the great Muslim poets of Hindi like Jayasi, Rahim, Raskhan, Kutuban, Manjhan, etc., for whom Bharatendu Harishchandra remarked: *In Musalmaan Harijanaan par kotin Hindu waariye*. In modern times Muslim writers like Bashir Ahmad Mayukh, RaheeMasoom Raza and AsgharWajahat made a permanent name for themselves in Hindi literature. I am not a scholar of Urdu literature but know that one of the best books on the subject was written by Ram BabuSaksena who was a District Magistrate in Uttar Pradesh seven decades ago.

There have been a good number of Hindu scholars, writers and poets of Urdu like Munshi Premchand, Sir Tej Bahadur Sapru, Munshi Daya Narayan Nigam, Chakbast, Raghupati Sahai Firaq Gorakhpuri, Jagannath Azad, etc. We are proud of this common heritage.

Unfortunately this sonorous language Urdu, a symbol of the syncretic culture of North India, is today in a miserable plight so sensitively and with pathos expressed in the following *nazm* by poet Iqbal Ashhar:

Kyun mujhko banate ho tassub
ka nishana,
Maine to kabhi khud ko musalman
nahi mana,
Dekha tha kabhi maine bhi
khushiyon ka zamana,
Apne hi watan mein hoon
magaraajakayli,
Urdu hai mera naam, main Khusro
ki paheli,
Main Meer kihumraaz hoon
Ghalib ki saheli.
(Why do you make me the target
of bigotry,
I never considered myself a
musalman,
I had also sometime seen the days
of joy,
But today I am lonely in my own
land,
Urdu is my name, I am
Khusro's puzzle,
I am privy of Meer, I am Ghalib's
friend.)

It pains me to see that there are attempts to destroy this rich cultural heritage by trying to divide our people on the basis of religion and language, not to speak of the eternal blot of caste system and untouchability. It pains me to see that the younger generation, even among many Muslim families, is fast forgetting Urdu in the heartland of UP. One day a friend of mine from my home district Basti and holding a

responsible post in the Government of India, visited me to introduce his doctor son who was doing a house job at AIIMS. I asked him: "*Aapkaa ism-e-sharif?*" He appeared dumb and did not know that I was asking for his name. I admonished my friend for not letting his children learn Urdu at home.

Another worrying feature is that the common people, while speaking Urdu, are not mindful of polite language, for which Lucknow was so famous in the past, or correct pronunciation. I wish to record my two experiences in this regard. Once in 1952 or 1953, with two friends, Vijay Kumar and Bhawani Shankar Shukla, I was travelling in an *ekka* (the young generation today has to be explained what an *ekka* was) from Chowk to Lucknow University. Vijay Babu was a freedom fighter and a prominent colleague in the socialist youth movement. He hailed from Bihar and was fond of reciting Urdu poetry. He started reciting some verses of Ghalib without much consideration for correct pronunciation or the order of the *misras*. The *ekka* driver was an illiterate but cultured Muslim of Lucknow. He observed patience for sometime and then told Vijay Babu: "*Huzoor, khataamaaf keejieгаа. Yeh misraai se nahin aise hai.*" I was stunned that an illiterate *ekka* driver of Lucknow was so familiar with the *kalaam* of Ghalib. Then I remembered how illiterate villagers of eastern UP could remember and recite portions of the Ramacharitamanas of Goswami Tulasidas and the immortal mystical *dohas* of Sant Kabir who was one of the greatest saint-poets and social reformers of India and yet an illiterate weaver. This is the unique heritage of India.

Unfortunately many Hindi writers have stopped using the mandatory dots while transliterating Urdu into

Devanagari script. I call it murder of Urdu. They will write *jaroorat* for *zaroorat*. Then there are some who imagine that every Urdu word must have a dot and may write or speak *zanab* in place of *janab*. I claim to be a protagonist of phonetic transliteration into Devanagari. While editing *Regeneration of India: Its Imperatives*, published by the Society for Communal Harmony, I ensured that in a Hindustani speech all the words from any language must be spelt phonetically. Dr. Gopi Chand Narang, the then President of Sahitya Akademi, a former eminent Professor of Linguistics at Delhi University and a Visiting Professor at several Universities in the US, was a member of the Governing Body of our SCH. On my request he spared two hours to guide me about the exact pronunciation of Urdu words in order that every single word of Urdu was written in Devanagari script in that book with flawless phonetics. By the way, a senior Professor of Delhi University told me that the word *police* had been spelt wrongly as *pulees* in the Hindi text. I told the academic that the word is pronounced as *pulees* in English and not as *pulis*. Similarly, a question arose as to how to spell Chile in Hindi. We are used to hearing it pronounced as Chilee. But I had heard the word being pronounced as Chilay in the famous film *The Postman* in which Pablo Neruda is shown as living in exile in Sicily. In order to get the correct pronunciation of the name of that country I contacted the Cultural *Attache* of the Chilean Embassy in New Delhi who told me that it was Cheelay.

It is the duty of all nationalists, democrats and secularists to preserve and promote the use of Urdu which is a bright jewel in the garland of Indian languages.

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Letter to the Editor

Dear Sir,

BJP now-a-days, is supporting smaller states. In this connection, I would like to point out that the parent organization of BJP, i.e., the RSS did not support the idea of linguistic states in 1950s. They were also against the idea of a Federal India (or Bharat) and wanted a unitary form of government. They wanted a presidential system of government with the country divided into five zones to be ruled by the Governor appointed by the President and these Governors would report to him and would be controlled by him. Pa Poo (Parama Poojaniya), Golwalkar Guruji, the Sarsanhchhalak at that time, used to oppose the constitution framed and adopted under the chairmanship of Dr. Ambedkar and according to him, it was modeled on the constitutions of Western countries and did not reflect the sound values of India. But the irony was that, when BJS, the mother organization of BJP, found that it would be wiped out in Maharashtra if it opposed the demand for Samyukta Maharashtra (unilingual Maharashtra), it directed its Maharashtra unit to join Samyukta Maharashtra Samiti. Now after 50 years, they are supporting the demand for smaller states because smaller states will have to depend on the Central Government all the time for financial aid and hence these states can be controlled effectively by the Centre which will ultimately erode the federal character of India. Also the ministries of non-BJP parties in these states can be toppled easily by encouraging defections.

—Bhalachandra Raje

Throwing the baby with the bathwater

Dear Editor,

Cacophony of the election campaign and man-made disasters have, completely overshadowed a relatively minor news report. Yet, it is, of great social importance.

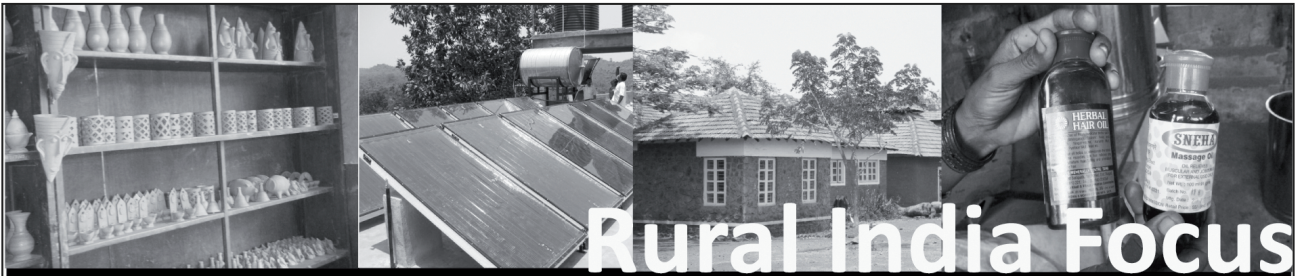
A mother killed her new-born son because she already had a male child and wanted a daughter. This strangely goes against the general trend of bias against the girls, but there are people who wish to have both son and daughter in the family.

On the other hand, sometime back, a lady, mother of four girls was pregnant and naturally was desirous of a male child. She went for sex-determination test. Finding that she was to give birth to another girl she went for an illegal abortion by the doctor couple who did the test. Unfortunately, she expired during the operation and this incident came to light. Consequently, the doctors were arrested along with the father of the girls. With the mother dead, the four girls will have a bleak future and will have to fend for themselves, either depending on the unreliable government institutions or at the mercy of reluctant relatives. Their future life will not be easy. This is surely not an exemplary advertisement for the slogan 'beti bacchao'. Ironically, the stringent laws for the protection of the girl child have become their bane!

The knee-jerk blanket ban on sex-determination test can have tragic consequences. If the law is suitably amended to permit it in special cases, it could prevent such unfortunate incidents. A couple with two children of the same sex and desiring a child of the opposite sex should be allowed to determine the sex at government appointed centers and if necessary, get an abortion done there.

This amendment will ensure redundancy of illegal clinics and prevent perfectly normal couples from performing criminal acts. Hope our law-makers will rise above empty sloganeering and populist rhetoric and review the law pragmatically.

Yours,
Anil Bagarka
apeebee@gmail.com



Rural India Focus

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RUNS THREE HIGH SCHOOLS

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Marital Rape ?
Jawaharlal Jasthi

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Dubious Chopper Deal

Kuldip Nayar

THE past seems to be catching up fast with President Pranab Mukherjee. This time his name figures in the case relating to the purchase of Augusta Westland helicopters for comfortable travelling by the then Congress government, of which he was the Finance Minister at that time.

His role has been revealed at an Italian court in Milan, not by the CBI which has been inquiring into the matter for the last three years. Apparently, the CBI, an agency which is a central government department, cannot be independent. Yet, it is expected to reveal the truth despite its handicaps.

Had the agency been reporting to parliament directly, the helicopter deal would have been a part of the public domain. That no government wants to give the agency freedom is evident from the fact that the rulers do not want even to loosen their control over it.

Therefore, it is not surprising that the Indian people come to know about bribes and corruption only when a foreign agency reports about them. The helicopter deal is just one example. Many scandals have come to light in the past only when some

foreign agency tumbles upon them. This will happen when an enterprising court like the one at Milan does it.

Why did the CBI or some other agency not disclose a letter written by James Christian Michel to Peter Hulet, then head of India sales of Augusta Westland? In his letter, he has said: “Since Signora Gandhi is the driving force behind the VIP, she will no longer fly with MI-8... Signora Gandhi and her closest advisers are the aim of the (British) High Commissioner...Manmohan Singh is PM, Ahmed Patel... Pranab Mukherjee was then finance minister...he is the current president of India. Oscar Fernandes...is a local politician...”

It is difficult to believe that the CBI was not in the know of all these. The agency has been conspicuous by its silence. In the helicopters’ deal the most shocking part is that the Defence Ministry wanted a helicopter which could achieve a particular height. A French helicopter that met the requirements was available. Yet, Augusta Westland was given preference although it could not fly that high. The government lowered the height required to favour Augusta Westland.

Whoever is responsible at the political level and in the bureaucracy should be named. Seldom has the responsibility been apportioned in the past. The practice is not in the interest of the country because they are neither named nor shamed.

Sonia Gandhi has out rightly denied any role in the choppers' deal. That Ahmed Patel, her political secretary, should have himself come in the open to protect Sonia Gandhi is something worth noticing because normally a spokesman voices the Congress president's viewpoint. It is a different matter that he used the same opportunity to defend himself because Christian Michel has named him as well.

Coming to the Augusta Westland choppers' deal, the Milan court has punished the bribe takers but was unable to do anything about the bribe-givers. This is where the Indian actors come into play. Now that the country is ruled by the BJP, the CBI can make public all the material which it had collected but was afraid to divulge during the Congress regime. At least, the names should come out.

That parliament has not been able to function because of the rumpus created by the Congress members indicate that the allegation against the party leaders has a grain of truth. This reminds me of the Bofors gun deal in which former Prime Minister Rajiv Gandhi was implicated. Even the top Congress leaders did not know the inside story because Rajiv Gandhi had opened a separate bank account which benefited the people concerned in Italy.

Veteran Congress leader Kamal Nath knows the full story but he would not divulge it because of his

loyalty to the party. The other person who was in the picture was Ottavio Quattrocchi. But he was allowed to leave the country even when it had been proved that he was the middleman in the deal. Since the Congress was ruling at the centre, no bar was imposed on his leaving the country. At that time, Sonia Gandhi's name was also brought up as is the case now.

The CBI should pick up the thread from the remarks made by former Defence Minister, A.K. Antony, that there was no doubt about the bribery in the choppers' deal. His remarks are: "... We had initiated the process to blacklist Augusta Westland, its parent company Finmeccanica and all its subsidiaries. We also initiated proceedings for encashing bank guarantees and recovered an amount of Rs. 2068 crore. Three helicopters of Augusta Westland have remained confiscated with us." But, according to Antony, the Modi government had warmed up to the company again, inviting it to participate in Make in India events and even allowing it to bid for contracts.

If I were to hark back on the days of the Jawaharlal Nehru government, Jagjivan Ram was a suspect. In fact, even when there was no concrete proof, his integrity was always in doubt. In the 1990s, the Jain hawala case divulged several names that included top politicians of the country like L.K. Avani. A diary retrieved from the possession of Jain brothers mentioned several beneficiaries. But hardly a leader, be it from the Congress or from the BJP, was convicted.

Things are different now because the media, particularly television, has become more vigilant and powerful. It is difficult to imagine

that after all the publicity which the chopper deal has got it will be allowed go into oblivion without any action. Parliament members realize that the people cannot be taken for granted because now they know the value of their vote.

Political parties can hurl charges at one another, but cannot ignore the anger which dishonest deals evoke. Therefore, however loud is the denial from the Congress, action against bribe givers and takers in the chopper deal is inevitable. This is a good development.

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The Popularity of Bernie Sanders

Sonal Shah

No one could have ever imagined at the start of the 2016 US Presidential race a few months ago, that an independent, democratic socialist candidate would ratchet up such massive countrywide support. Yet Bernie Sanders, the senator from Vermont who is vying with Hillary Clinton for a Democratic Party nomination has done just that! His rallies have seen unprecedented turnouts, he has managed to win several state primaries and there seems to be a “Feel the Bern” movement sweeping across America especially amongst the youth.

This impressive yet unexpected showing is a reflection of the growing disillusionment with the political system, and the consequent search for a viable alternative.

Analysis of the 2008 meltdown has revealed how the blatant pursuit of capital in the last few decades, with total disregard for the larger community or environment, coupled with its close nexus to power has crippled the economy, systematically shrunk the middle classes and created unimaginable levels of inequality. Big money has also been successful in coercing the government to bail them out of the financial crisis, thereby indirectly getting the common man to pay for their losses. There is a growing anti-establishment sentiment, along with the belief that the stranglehold of money has to be urgently broken.

In this disenchanted environment Bernie Sanders with his clean image and his passionate espousal of

pro-people policies appeared like the answer to a lot of prayers. And suddenly his so called “radical” democratic socialist ideas seemed to find a lot of takers amongst average citizens.

The thrust of his campaign has been: “The American people must make a fundamental decision. Do we continue the 40-year decline of our middle class and the growing gap between the very rich and everyone else, or do we fight for a progressive economic agenda that creates jobs, raises wages, protects the environment and provides health care for all? Are we prepared to take on the enormous economic and political power of the billionaire class, or do we continue to slide into economic and political oligarchy? These are the most important questions of our time, and how we answer them will determine the future of our country”.

He also garnered tremendous support from campuses. The issues that Bernie champions resonate very deeply with the student fraternity as many are central to their concerns – affordable college education, creating decent paying jobs, fair minimum wage, judicial reforms, women and LGBT rights... According to him the four pillars of freedom that Franklin Roosevelt believed American society should be built on must be pursued: Freedom of speech, Freedom of worship, Freedom from want, Freedom from fear...and so, there has to be “a government that works for all of us, not just a handful of people on top”.

He has also been agitating for “getting big money out of politics, and restoring democracy.” He believes that the tax laws that favour the rich and ensure they pay almost no tax compared to the majority of America must be changed and basic amenities like health and education must be affordable and available to all.

While Hillary Clinton also espouses these reforms, the fact that she has accepted Wall Street donations has weakened her credibility considerably with the younger voters. Bernie on the other hand has never been involved with corporates and all his campaign funds have been through small individual donations. Further as the longest serving member in the Congressional history he has a public track record of always standing by his principles even though they may not be popular and not being “buyable”. This integrity and earnestness has made him a huge draw. That he has gathered over 30,000 student volunteers just proves the point.

Bernie’s open opposition to Wall Street machinations and his stand on breaking up these gigantic banking institutions that have been propped up by the government out of the fear “they are too big to fail” also make him more attractive. According to a poll conducted recently there is a deepening distrust of the government and the banking sector. Bernie Sanders’ policy proposals suggest a way out. In addition, the fact that he has not accepted any big

money from corporates or special interest groups, means he is not beholden to anyone, and this has added to his appeal.

Despite his surging popularity, it seems unlikely that he will secure the Democratic Party nomination. Perhaps pro-establishment forces

will prevail. Several Democratic Party delegates who oppose him have continuously been arguing against the impracticalness of his policies, his lack of “concrete strategies”, and rooting for Hillary Clinton as the better choice for the White House. Perhaps, if he does not get the nomination, but instead

harnesses the political energy that he has helped awaken and launches and sustains a nation wide movement for a more democratic and equitable America he will have made a lasting change in not just American but world politics.

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Status of Muslims in West Bengal – Appeasement or Exclusion ?

Neha Dabhade

“Muslims constitute a very large proportion of the poor. The fact that Muslims in West Bengal are disproportionately poorer and more deprived in terms of living conditions is an empirical recognition that gives this report, an inescapable immediacy and practical urgency,” said Amartya Sen while releasing the report entitled “Living Reality of Muslims in West Bengal”. This Report takes stock of the conditions of Muslims in West Bengal. 27.01% of the population of West Bengal is Muslim. Sachar Committee Report portrayed a very disturbing picture of Muslims in India. It put forth a compelling narrative on exclusion and discrimination of Muslims in different fields including livelihood and education. Over a decade has lapsed since the Report was released. It is imperative that data related to socio-economic and educational status of Muslims is updated state-wise. The “Living Reality of Muslims in West Bengal” (LRMWB) Report on the conditions of Muslims in West Bengal attempts precisely this.

Context of West Bengal:-Political account:

The state of West Bengal has a rich intellectual heritage with liberal ideas and inclusive vision of Tagore and other stalwarts. The *baul-fakir* tradition is very popular in Bengal and reflects very strongly the different aspects of Bengali culture like songs, paintings and dance. This inclusive framework of cultures and ideas has been germane for flourishing of religious reforms and progressive liberal ethos. West Bengal was ruled for 34 and odd years by CPI (M), a leftist party, theoretic presumption being that it is ideologically secular and sensitive to the marginalized. Yet the Sachar Committee Report painted a rather sordid picture of the Muslims in West Bengal which stated that Muslims lived in abject poverty. The Report suggested that only 16.8% of the Muslim population lived in urban areas in West Bengal against 28% of general population in 2001. The infant mortality rate of Muslims in West Bengal was reported to be at 52 against 50 of the Hindu

community while infant mortality rate under 5 years of age reported for Muslims was 77 against 68 amongst Hindus. The literacy rates amongst Muslims in the state was 57.5% while that prevalent amongst Hindus was 72.4%.

In 2011, Trinamool Congress won a landslide victory and came to power in West Bengal after defeating the incumbent CPI (M). The CPI (M) evoked disaffection of the people of West Bengal and especially the Muslims after the Nandigram incident which created insecurity about land and livelihood. One of the factors that made TMC’s electoral victory in 2011 for state Assembly possible was the support of the Muslim community in the state which had shifted to the TMC. Though West Bengal never reported major riots during the Left rule, it didn’t imply that Muslims had equal opportunities or that the polity was secular. On the other hand, Mamata Banerjee has attended rallies of JamiatUlema-e-Hind, wore Muslim *hijab*, offered *namaz* but this mere politics of tokenism

hasn't translated into inclusion of Muslims. This isn't much different than the treatment of Muslims by the Left parties in West Bengal.

Three approaches have defined the policy of Trinamool and CPI (M) towards Muslims, namely, containment of communal violence so that it doesn't assume critical proportions in terms of number of casualties and loss in property, political opportunism and tokenism- wooing powerful Muslim religious leaders for electoral gains, and not working towards the equality and inclusion of Muslims.

The numbers can shed more light on the electoral politics and the stakes to be gained by wooing Muslim votes. In Assembly election 2011, Trinamool Congress won 184 out of 294 seats (38.9% votes), Congress won 42 seats (9.1% votes), CPM won 40 seats (30.8% votes) and BJP did not win any seat (4.1% votes). Similarly in 2014 general elections, Trinamool won 34 seats out of 42 seats (39.4% votes), Congress won four seats (9.6% votes), CPM won two seats (22.7% votes) and BJP won two seats (16.84% votes) (Ibnlive, 2016). An extensive study on the Muslims of India by late Prof. Iqbal Ansari, later taken forward in West Bengal by Sabir Ahamed of Praticchi Institute, shows that 46 Assembly constituencies of the State have a Muslim "concentration" of more than 50 per cent. The figure is 40-50 per cent in about 16 constituencies, and 30-40 per cent in 33 constituencies. The data underscores that in exactly one-third of the seats, Muslim vote is the key factor to win an election.

Moreover, in another 50 seats, the concentration is 20-30 per cent. Overlooking such data was possibly one of the reasons for the defeat of the Left Front in 2011. (The Hindu, 2016). This explains the scramble for Muslim votes by political parties in West Bengal.

The LRMWB Report is particularly insightful in the wake of increasing communalization in West Bengal. The essentialization of religious identity of Muslims and stereotyping is leading to demonization of Muslims even in West Bengal where they have a sizeable population. The recent incident in Kaliachak is a case in point. The middle class urban population popularly called the *Bhadralok* (Majority of the Muslims in West Bengal reside in rural areas) in West Bengal shape the public discourse by controlling sources of knowledge like media and education. The increasing presence of the Hindu nationalists in some pockets works to polarize the attitudes along communal lines. The communalization, essentialization and demonization of Muslims helps the RSS strengthen its presence in W. Bengal.

The LRMWB Report in the above context is discerning. The report written by Association SNAP, Guidance Guild and Praticchi Institute, is based on primary survey covering 325 villages and 75 urban wards from a sample of 81 community development blocks and 30 municipal bodies. The main findings of the Report present an undeniable yet absorbing narrative on the situation of Muslims in West Bengal. What is perhaps useful is the construction of the

Muslim community. It is not viewed as homogenous but the complexities are dealt with while studying the various aspects of the community. The Report doesn't limit the construction of Muslim identity to religion but takes into consideration other factors like region, language, occupation, educational levels amongst others which determine access to various public services. The Report goes on to dispel many myths that are encouraged by media particularly about Muslim women and how they fall prey to the "orthodoxy" of the community. While it may have some grain of truth, the Report presents an objective picture in regard to education, livelihood, health and other amenities and how they are accessed by the Muslims. The Report goes on to assert that the particular state along with its specific socio-economic features determines the accessibility of opportunities to any community and not the religious-cultural identity.

Problematizing Educational status of Muslims:

In regard to education, the Report points out to a dismal picture. However there is a silver lining to this in the form of girls' literacy rates in the state. For instance the Muslim literacy rate is 69.5 percent as per the primary survey, 7 percent lower than the average literacy rate of West Bengal as per 2011 census. The 2011 census pitched the gender gap in literacy at 11.1 percent in West Bengal; however the primary survey showed the narrowing of this gap to 7.8 percent. Also, the 2011 census stated a difference of 2.2 percent between general and Muslim women but the primary

survey found equal female literacy to general female literacy of 2011 census. This, flies in the face of the social stereotyping that Muslim orthodoxy prevented girls' education and underlines the grit and aspiration of Muslim girls. This is especially significant since majority of the Muslim population lives in rural areas in West Bengal. In terms of the rural-urban divide, the literacy rate of Muslims in urban areas is 75.4 percent while that in rural areas is 68.3 percent. The female literacy rate is better than male under the age of 17 since boys are forced to drop out of school to earn a livelihood. At the same time girls do domestic work which enables them to attend school. But this situation is reversed when gender roles force girls to start a family and boys are encouraged to opt for higher education in hope of better income.

Another stereotype that is demolished through this report is that Muslim parents prefer sending their children to Madrasas since they are anti-modern and against secular education. The Sachar Committee Report had pointed out that less than 4 percent of Muslim children go to Madrasas. This is not surprising given that there are never adequate number of schools in areas inhabited by Muslims. This is reinforced by the report which states that the number of primary schools per ten thousand population increases in blocks with a decreasing proportion of Muslims to the whole population thereby highlighting a pattern of exclusion. Further district wise distribution points out that the districts with a significant share of Muslims in their population,

such as Uttar Dinajpur (6.2), Murshidabad (7.2) and Malda (8.5) perform poorly in secondary and higher secondary schools as against 10.6 combined schools per hundred thousand population in other districts. Overall the Report alludes to the increasing aspirations of the Muslim community to get educated which is hampered by lack of higher education institutes close to Muslim majority areas in the state.

Status of Livelihood of Muslims:

Work Participation Rate (WPR) for this study is defined as percentage of population belonging to the working age group of 15-65 years who are actually working. It is reported that the Muslim WPR is 45 percent. Only 8.9 percent of Muslim women were found to be working. Though the work participation rate varies widely across districts, districts like Malda (13) and Murshidabad (21.5) women are mostly engaged in bidi rolling and embroidery work. Among Muslims in rural West Bengal, about 47 percent of all who work, work as agricultural workers or daily workers in non-agriculture. Only 1.55 percent households earn income as school teachers and 1.54 percent is employed in regular public sector jobs.

Income levels of Muslims:

The starkest finding of the report is perhaps the insights it gives into the incomes of the Muslims in West Bengal. The Report spells out the extent of poverty with the finding that about 80 percent of the Muslim households in rural West Bengal report an income of Rs. 5000 or less per month which is close to the cut off level of income for poverty line for a family of five. Further, 38.3

percent Muslim households in rural West Bengal earn Rs. 2,500 or less per month. More than three-fourths of the rural Muslim households possess no land. More than half of the poor Muslim households in rural West Bengal do not possess BPL cards or MGNREGA job cards. 23.8 percent of urban Muslim households earn Rs. 2,500 or less. This poor performance on the front of citizenship rights points to the inadequacy of the State to make democracy meaningful for such a large population.

Amenities enjoyed by Muslims:

The amenities available, such dwelling conditions also give a glimpse into the security enjoyed by a population. It's rather disappointing to note that 59.1 percent houses of Muslims in West Bengal are built with low quality materials like straw, leaves, bamboo, plastic, polythene, soil and mud bricks. On the other hand, 47.8 percent of general households are made of such material. Alternatively, 47.9 percent of the general populace lives in homes made of concrete and baked bricks, whereas only 36.6 percent of the Muslim population can afford such homes. The Muslim community's access to tap water is nearly 40 percent less than that of the overall population. The availability of drainage system in Muslim households is meager at one third of that enjoyed by the general population.

Access to healthcare:

Healthcare, one of the essential indicators of human development, accessed by the Muslim community depicts a sorry picture. The state average of the number of hospitals per lakh population is 1.8. However in Muslim dominated regions like

Uttar Dinajpur, Malda and South 24 Parganas, this number stands at 1.0, 1.4 and 1.3 respectively. Similarly, the infant mortality rate amongst the Muslim community is 23 percent higher than the infant mortality rate in the Hindu community. The data suggests that Muslims prefer institutional delivery where the hospital is within accessible distance. This poses a strong counter to the widely held belief that Muslims orthodoxy is averse to institutional delivery. A case in point is also Kerala. The Report has dedicated a separate chapter on gender which in detail, evaluates the condition of women under various parameters but which is not included here due to constraints of space.

Conclusion:

The contribution of this Report by bringing into limelight the objective truth about the Muslims backed by such forceful figures is immense. This counter narrative about the desire of Muslims for better education, livelihood and health amongst other rights makes it morally and constitutionally obligatory on the State to take notice and enable the Muslims to come at par with others. This report coming before the state assembly elections, hopefully, will create awareness about how the ruling dispensation uses vulnerable communities as mere pawns and vote banks for political power without serious intention of working for their inclusion and equality. This attempt can be duplicated by civil society organizations in other states to update the data about Muslims. Such reports will help in filling in the gaps in the data regarding vulnerable communities warped in exclusion, adverse public perception and discrimination.

Which Ambedkar ?

Ramachandra Guha

The truth is that in the crucial period when Ambedkar was the law minister and was framing the Constitution, the RSS reviled both him as well as his ideas. The most recent issue of the Organiser, the English journal of the RSS, has a picture of B.R. Ambedkar on its cover, hailing him as the “Ultimate Unifier”. The issue (dated April 17, 2016) features several articles on the great man, one saying he provided the “glue for nation building”, a second arguing that his “visions and actions resembled that of Brahmo Samaj, Prarthana Samaj, Arya Samaj etc”, a third praising his interest in workers’ rights, a fourth calling him a “timeless leader” who apparently “was not against Brahmins but against [the] Brahmanical order”.

All the essays, and the issue as a whole, are entirely celebratory. But what did the RSS and its mouthpiece think of Ambedkar and his work while he was alive? In seeking an answer, I focused on the years 1949-50, when, as law minister in the government of India, Ambedkar was both finalizing the Indian Constitution as well as advocating the reform of Hindu personal laws so as to give greater rights to women.

Notably, the RSS disapproved of both efforts. The Organizer’s issue for November 30, 1949 carried an editorial on the Constitution, whose final draft had just been presented to the Constituent Assembly by Ambedkar. “The worst [thing] about the new Constitution of Bharat,” wrote the RSS mouth-piece “is that there is nothing Bharatiya about it... [T]here is no trace of ancient Bharatiya constitutional laws, institutions, nomenclature

and phraseology in it”. There was, the Organizer complained, “no mention of the unique constitutional developments in ancient Bharat. Manu’s laws were written long before Lycurgus of Sparta or Solon of Persia. To this day his laws as enunciated in the Manusmriti excite the admiration of the world and elicit spontaneous obedience and conformity [among Hindus in India]. But to our constitutional pundits that means nothing”.

Ambedkar was not mentioned by name, but clearly, as the premier constitutional pundit, he was a major target for the RSS. The Sangh was even more critical of the personal law reforms proposed by Ambedkar. The RSS sarsanghchhalak, M.S. Golwalkar, complained in a speech in August 1949 that the reforms piloted by Ambedkar “has nothing Bharatiya about it. The questions like those of marriage and divorce cannot be settled on the American or British model in this country. Marriage, according to Hindu culture and law is a sanskar which cannot be changed even after death and not a ‘contract’ which can be broken any time”. Golwalkar continued: “Of course some lower castes in Hindu Society in some parts of the country recognize and practice divorce by custom. But their practice cannot be treated as an ideal to be followed by all”. (Organiser, September 6, 1949).

An article in the Organizer, dated November 2, 1949, characterized the Hindu Code Bill “as a direct invasion on the faith of the Hindus”, remarking that “its provisions empowering women to divorce is

revolting to the Hindu ideology". An editorial published a month later ("The Hindu Code Bill", the Organiser, December 7, 1949) led with this paragraph: "We oppose the Hindu Code Bill. We oppose it because it is a derogatory measure based on alien and immoral principles. It is not a Hindu Code Bill. It is anything but Hindu. We condemn it because it is a cruel and ignorant libel on Hindu laws, Hindu culture and Hindu dharma".

The editorial then turned to, whom the reforms were, in their opinion, being pushed by. It wrote: "Some widows and widowers, childless women and grandpa-grooms have combined to loosen our ancient laws for the levity of a few". Then it specifically targeted the two architects of the bill, whom the Organiser sarcastically referred to as "Rishi Ambedkar and Maharishi Nehru" whose reforms, it claimed, "would atomize society and infect every family with scandal, suspicion and vice".

The Organiser thought that the bill would break up families and set brother against sister (on the question of inheritance of property). In the name of defending the wisdom of ancient Hindu lawmakers and sages, the RSS was, in effect, defending patriarchy in all its

aspects. What really got its goat were the new code's provisions to allow women to choose their marriage partners, to divorce brutal husbands, and to inherit ancestral property (all rights previously denied to them).

The RSS now launched a full-fledged attack on the Hindu Code Bill. It organized hundreds of processions, dharnas and hartals to stop the bill, these addressed by sundry sadhus and sants. One speaker said "that B.N. Rau, the framer of this bill and Shri. Ambedkar its pilot in the Assembly today, both declared themselves to be 'not Hindus' and married according to non-Hindu rites. That such men should have been entrusted with the job to 'reform' Hindu Dharma was a tragedy and a monstrosity". (Organiser, December 14, 1949).

The campaign against the bill carried on for months. The Organiser carried many articles on the subject, one stating that "there is more in Hindu dharma and institutions and laws than Nehru and Ambedkar can dream of".

In its issue of January 11, 1950, the Organiser printed a long letter by one K.D.P. Shastri complaining that an essay in another journal, Free

India, had praised Ambedkar as the "Manu of Modern India". This said the angry Hindu letter-writer, "is an instance of depicting a Lilliput as a Brobdingnag. It borders on ridicule to put Dr. Ambedkar on par with the learned and god-like Manu...". "Surely Dr. Ambedkar's disservice in the recent past to the Hindu Religion is too well-known", said this letter-writer, this an allusion to Ambedkar's desire to convert out of Hinduism, and his collaboration before 1947 with the pro-Pakistan Bengali Dalit leader Jogen Mandal. Ambedkar, this RSS man insisted, "may be a good Indian now, but surely he can have no claim to be 'Manu' of any blessed age!"

Organizations, like individuals, have a right to change their minds. But any such change of view must be accompanied by a frank and open reckoning with why and how it happened. The truth is that in the crucial period when Ambedkar was law minister and was framing the Constitution, the RSS reviled both him as well as his ideas. As that Organiser article of November 1949 suggested, what the RSS wanted was "obedience and conformity" to what the Sangh defined as Hindu culture, tradition and values, definitions that a radical, egalitarian and anti-patriarchal reformer like Ambedkar would naturally never accept.

Back to Patna for a Bold New Start

The Socialists from all over India will be converging on Patna on 17th May this year in commemoration of the conference of the Socialists held in Anjuman-e-Islamia Hall in Patna on 17th May 1934 where a decision was taken to organize a Congress Socialist Party which heralded the dawn of the Socialist movement in India. 'We the Socialist Organizations' a Platform of Socialist Organizations created at Yusuf Meherally Centre, MadhuPrAMILA Dandawate Sankul, Tara (Karnala), Post: Barapada, Maharashtra in a meeting of Socialist Organizations held on 18th and 19th of September 2015 is taking the initiative to organize the meeting. The platform now consists of 27 Socialist organizations. The Platform requests all Democratic Socialists to attend the meeting. The objective of the meeting is to remember the past glory of the Democratic Socialist movement in India and to revive the spirit to forge ahead.

'Janata' weekly will also be bringing out a special issue on 17th May 2016 containing article on the theme 'India's March towards Socialism'.

Marital Rape ?

Jawaharlal Jasthi

It is very rare that parliamentarians in India come out exercising their right to introduce a private bill for consideration of the parliament. Now-a-days we are witnessing some activity in that direction. There has been initiative on many fronts but the one in the news is on "Marital Rape." It is the word rape that is more in the news and now it is directed to marital rape. It refers to rape committed by the husband on his wife. It is considered the utmost of violence that can be committed by the husband against his wife and has to be prevented at any cost.

It is somewhat pathetic to notice our leaders being apologetic to the UN authorities who came with a message that the rights of a wife must be safeguarded and India is lagging behind in that respect. The UN Committee on Elimination of Discrimination against Women said it and the UNDP Chief Helen Clark is reported to have asserted that 'rape is rape; the issue is the consent of the woman and if it is not there it is rape.' They have also been insisting on the elimination of all forms of violence against women and girls in the public and private lives. Of late the emphasis is more on the private domain and the stress naturally is laid on marital relations. The utmost form of violence that can be committed against a woman is subjecting her body for sexual gratification against her consent. If that violence is committed by the husband it is called "marital rape." Now the demand is that it should be declared as a crime so that the wife can be saved from that ignominy. It

will not stop just by branding it a crime. There must be consequences for it and the problem is what the consequences should be.

It is agreed in all spheres that sexual relation is the basis of marriage. The first oath of marriage is "*naati charaami*" which means "I will not cross the boundary". It relates only or mainly to sexual relationship more than to any other relationship. All other relationships or services are just consequential and secondary. Those services can as well be discharged by any other person, other than the spouse. But the sexual gratification must come only from the spouse and granted only to the spouse. That condition is not confined to any particular religion as it is a condition of all civilized societies. Even when promiscuity is allowed, it is only up to marriage and abhorred after marriage. It is in that context that the concept of remedies for marital rape, have to be considered.

It is a pity that our leaders were apologetic before the world leaders who try to enlighten them on their responsibilities. The minister is reported to have said in Parliament that "the concept of marital rape as understood internationally cannot be suitably applied in the Indian context due to various factors like illiteracy, poverty, myriad social customs and values, religious beliefs and the mindset of the society to treat the marriage as a sacrament." The statement is entirely false on every count except the mind-set of the society. "Marital rape as understood

internationally" is not different from what is understood in India. The only difference is in the reaction expected to the crime. In regard to marriage, there is no country which is more literate than India. Even if we look at the American society, we can find rigid attitudes in regard to marriage. The only thing is there is nothing like honor killings there. Premarital sex is not a taboo there. Contrary to the statements of the minister, India has recognized marital rape in many of its laws, but the particular word is not used. It is only the man that is considered capable of committing the crime of rape.

Section 375 of the Indian Penal Code defined rape extensively. "A man is said to commit rape, who, except in the cases hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six descriptions: against her will; without her consent; with her consent when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt; with or without her consent when she is under sixteen years of age.

The section implies that rape can be committed only by a man against a woman. It can be otherwise in developed countries, but that is beside the point. The section applies even to the husband. No exception is given to him. The only exception given is when the wife is aged above fifteen years. Obviously those who want to criminalise marital rape refer to a situation where the wife is sufficiently matured and advanced

and enlightened. The cases that we come across also are committed by men against women.

The sixth condition mentioned under section 375 shows that there is no coordination between various laws applicable in India. Under Prevention of Child Marriages Act, the girl must be of eighteen years to get married. Under the exception given under S.375 also intercourse is allowed if the wife is aged more than fifteen years. The sixth condition states that the man shall have no intercourse with a girl aged less than sixteen years even if she gives consent.

Section 497 of the Indian Penal Code defines 'Adultery' as sexual intercourse with a person who is the wife of another man without 'his' consent or connivance. The consent or refusal of the woman is of no consequence. She shall not be considered even as an abettor. How atrocious is the situation when the husband can consent or connive with such an act and the law concedes to it? The husband has the right of action against the culprit, but not the woman who is raped. That is how protection is offered to women without giving them any rights or recognition. It might be minimal or nominal, but some protection is given to the woman only in the institution of marriage. That is because it is a relationship established with mutual consent at the beginning and extends throughout life later on. That does not make it a sacrament. It is so with all systems of marriage. It arises because children are the inevitable result of marriage. It creates a responsibility on both the partners to look after the children. One may chose out of getting children (as the previous prime minister of Australia has done for which she was looked

down) and some couple may not be able to get children because of various reasons.

There must be reciprocation for everything that one spouse expects from the other. It is the only accepted relationship that involves sexual gratification without any remorse or reservation. Added to that is the sweet result in the form of children that makes life fulfilled and purposeful. It is the only context in which sexual gratification is respected and not despised. Conjugal relationship forms the cornerstone for the edifice of family. Marriage legitimately restricts and confines that relationship to the spouses. That is why the Hindu marriage and the Special Marriages Act consider the breach of it as a ground for dissolution of marriage.

Section 13(1)(i) of the Hindu Marriages Act, 1955 states that "Any marriage solemnized... may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce on the ground that the other party, after the solemnization of the marriage, had voluntary sexual intercourse with any person other than his or her spouse.

The clause is reproduced verbatim under section 27(1)(a) of the Special Marriages Act, 1954. It only proves that sexual relationship is the basis of marital relationship. Other services can be performed by any other person, whether related or employed, and not necessarily by the spouse. The relationship must be maintained as an obligation to the spouse and also while enjoying it as a right. Even while defining domestic violence, sexual act is not specifically included as a form of domestic violence. But it is

recognized as violence in a wider sense. It states that any act "that violates the dignity of the woman" is considered as a domestic violence. Subjecting the woman to sexual intercourse against her will certainly violates her dignity.

Under S.375 of IPC sexual intercourse committed by a man (husband) with a woman (wife) amounts to rape if it is against her will and without her consent. The section tries to distinguish between the two conditions: against her will (after her refusal) and without her consent (cold response). Perhaps most of the family relations run on the second gear (condition). Nevertheless, the conjugal relationship continues – calm and cool. No warmth in it.

S. 13(2)(ii) of the Hindu Marriages Act states that "A wife may also present a petition for dissolution of her marriage by a decree of divorce on the ground that the husband has, since the solemnization of marriage, been guilty of rape, sodomy or bestiality." A similar provision is also found under S.27(1A)(i) of the Special Marriages Act. The prohibition of extramarital relationships under S.13(1)(i) of the Hindu Marriages Act and under Sn.27(1)(a) of the Special Marriages Act apply equally to both the spouses. But this non-consensual sexual gratification by the husband makes him a criminal and gives the right to wife to call it a rape and demand dissolution of marriage itself. Such being the case, there appears to be no justification to bring in, another legislation specifically to bring in the concept of 'marital rape'. It is there already even if the word is not used.

It is true that this right is not invoked by women as frequently as

they suffer rape technically. Perhaps they do not consider it rape or do not know that there is such a provision in law. But the liberal gentry in the civilized world presume that it is only because of the fear of the consequences that the wife is not coming to court with allegation of rape against the husband. The suggestion to make a special law intends, perhaps, to rectify the situation by giving confidence to women and offering them the security required after divorce to which the petition necessarily leads. The hesitation may be that the society will look down upon the woman who has broken the marriage bond. Can any legislation tell the society to honor them? Is it practicable? In what way can the law give respectability when the society is like that? Most of the problems faced by women are because of fear of social attitude. But women have improved a lot and are now showing defiance and daring the society.

While some are afraid of society, all the cases of tolerance are not due to social fear. Most of the women tolerate and submit to such demands keeping in view the future of the children. She thinks she brought the children into this world by enjoying with her husband and so it is her divine responsibility to look after them and bring them up properly. They know that any dispute or separation between the parents will have tremendous psychological consequences on the children. Such effects cannot be undone by any of the welfare measures that may be offered. Even in the western countries where divorce is more frequent, the effect of separation of parents is manifest on the children. Whether it is in East or West whether you consider marriage as contract or sacrament, the divorce has a

devastating effect on the children. The Acts try to say in so many words that the welfare of children is paramount in deciding the problems arising on dissolution of marriage. Whatever provisions are made, they are not a substitute for loving parents living together. It is the same considerations that make the man tolerate the wife who refuses marital pleasures, for whatever reason. Consequently neither of them go to the extent of dissolving the marriage taking advantage of legal provisions.

The question arises whether it is necessary for the mother (or father) to sacrifice her happiness for the sake of children. It is a question that is not asked because the answer is obvious and not palatable. We refuse to face it. Moreover there is another gross anomaly in the legal system. All the provisions are made with the presumption that it is only the wife that refuses consent for conjugal relationship and she has to be protected against the husband. Religions will try to find situations where it is legitimate for the wife to refuse. The implication is that she has no right to refuse under any other circumstances. In fact the situation under which the religion permits refusal is just a matter of common sense and even uneducated husbands will honor it. The problem arises only when there is no obvious reason or the reason is purely personal for the wife. It is a question of her pride and dignity. If the husband pounces on the unwilling wife he is considered a beast and she has to be protected from him. It is no doubt a laudable purpose. But what happens if the husband abstains from conjugal life and withdraws his consent for cohabitation? Why don't we consider such a situation? When the wife refuses, you are afraid that the husband will pounce

on her and she needs protection. But when the husband refuses, you presume that the wife will suffer silently. Why don't you expect that she too will demand the right of conjugal relationship? She cannot force him physically. She has no strength required for the purpose. Why not make a law to give her the strength? The difficulty is you expect sexual desire as the domain of man and not of woman. Is it reasonable? Is she not a human being with all the natural instincts and desires? Does she not need sexual gratification? Is it not one of the purposes of marriage?

We cannot ignore the fact that there are such situations where the husband renounced the family life for no obvious reason except that he decided like that. Such cases also are not rare. Many men have abandoned family life expecting heaven by leading celibate life. Consider what Gandhi did. He discarded family life and adopted celibacy to devote all his energies and time and attention for the welfare of the people. We called it a great sacrifice and many of the leaders of the day are reputed to have followed his example. Did they obtain the consent of their spouses? Does it mean that men or women cannot serve society if they remain married? The wife cannot afford to be aggressive. So we prefer to ignore her needs.

If the husband imposes himself on the unwilling wife, she has a remedy by going to a court to get the marriage nullified. The husband can marry again if he wants. If he does not resort to violence, she will also keep quiet and gets no right to go to court and the family runs silently. But what will be the alternative for the husband if the wife does not allow conjugal pleasures and also

does not go to court? What about his natural needs? The society and the law frown if he resorts to extramarital relationships. So is the case with the woman. We come across many men who served their wives for decades when she was bedridden. What opportunity does law provide to such people to satisfy their natural needs? They served the bedridden wives thinking that it is their moral obligation. Out of their love and affection for the wife they served without murmur. But when the wife deliberately withdraws from family life for personal reasons, we want to recognize it as her right and try to protect that right. When the husband similarly discards family life we praise it as a renunciation of worldly pleasures as if it is a great sacrifice.

The problem is we never considered women equal to men. They are different. It does not mean that one is above the other. We are habituated to look at problems from a lopsided view. We refuse to acknowledge the natural desires and refuse to call a spade a spade except when it is to our convenience. By making a law on marital rape we are only trying to help her keep away from family life. It is a negative right. But we don't make any law to help her assert her conjugal right against the husband. Just preventing the husband from going to the wife is not a solution. Can we make the husband serve her interests when she needs it? Is it not a mutual relation? Can we, legislate it? If you want to bring in the concept of marital rape, you must be prepared to annihilate the institution of marriage. You cannot have both simultaneously. The institution thrives only on mutual respect and mutual responsibilities and they cannot be earned by legal compulsion.

It has to be acknowledged that there are certain things that cannot be subjected to legislation. Leave it to the concerned persons. Just ensure it will not become a problem to the society at large. The law we have is

adequate for the purpose. No need to be apologetic. But the law is of no use except to satisfy the ego of feminists and a trap for feminine votes.

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Letter to the Editor

Small is Beautiful

Dear Editor,

I read with interest the excellent article of K.S.Chalam on "Economic ideas of Dr. Ram Manohar Lohia" in the April 10 issue of Janata. In the article he says that Lohia was concerned about the efficiency in the public sector units and proposed the following criteria to evaluate their performances: Public enterprises should be more subservient to and conducive to the process of industrialization" This goes very much against Gandhi's thinking.

For 69 years India has been trying to industrialize in the manner of the West. Political parties of all hues - left or right - think that through industrialization India can achieve "Progress". Rabindranath Tagore and Gandhi understood that through industrialization and urbanization Indian people cannot be given a peaceful, harmonious, contended and an egalitarian life. Tagore gave a talk, "Swadeshi Samaj" in 1904 and Gandhi wrote "Hind Swaraj" in Gujarati in 1907 where both of them stressed on rebuilding India by rebuilding its villages. We need a new paradigm of development.

In 1924, during a tour in China, in a lecture, Tagore says, "We are for over a century being dragged by the

prosperous West behind its chariot, choked by the dust, deafened by the noise, humbled by our helplessness and overwhelmed by the speed. We agreed to acknowledge that this chariot drive was progress and that progress was civilization. If we ever ventured to ask, "progress towards what and progress for whom" - it was considered to be peculiarly and ridiculously oriental to entertain such doubts about the absoluteness of progress. Of late, a voice has come to us bidding us to take count of not only the scientific perfection of the chariot but also of the depth of ditches lying across its path". What this 'chariot' and 'ditches' symbolize? Chariot is science-and-technology driven modern industrial civilization and ditches are the collapse of Nature & Society. Famous American writer Mark Twain wrote, "Civilization is a limitless multiplication of unnecessary necessities". This "unnecessary necessities" are produced gallopingly by industries to satisfy the gluttonous consumerism of the rich few of the world. Ex-socialist USSR also tried to beat America in per capita production and collapsed after 70 years, though it had made tremendous social & economic progress that I have witnessed during my three visits to USSR.

Gandhi understood it. He writes, "God forbid India should ever, took to industrialization in the manner of the West. A tiny island kingdom is today keeping the whole world in chains. If an entire nation of 300 million took to similar kind of economic exploitation, the whole world will be bare like locust." That is what is happening in the world. Scientists are predicting that Sixth Mass Extinction is coming and humans will be the first species to exit.

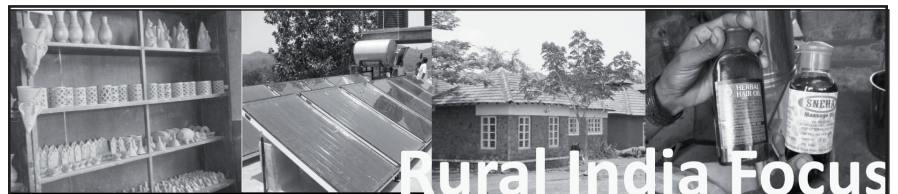
Understanding this Gandhi wrote that famous letter to Nehru on 5th Oct. 1945. I quote some portions from Gandhi's letter and Nehru's reply. Gandhi wrote, "I want to write about the difference of outlook between us. If the difference is fundamental then I feel that the public should also be made aware of it. I am convinced that if India is to attain true freedom and through India the whole world also then sooner or later the fact must be recognized that people have to live in villages, not in towns, in huts, not in palaces. Crores of people will never be able to live at peace with each other in towns and palaces. They will then have no recourse but to resort to violence and untruth." How prophetic were the words of Tagore and Gandhi. Look at the world, how violent it has become. How by an untruth Bush and Blair have brought out devastation in Iraq and the Middle East. Nehru knew that Western paradigm will bring devastation in India. And what untruth Modi and the Sangh Parivar, who never participated in the freedom struggle, are propagating here in India today to prove their Nationalism.

Nehru in his reply to Gandhi's letter replied on 9th Oct thus, "It is 38 years since Hind Swaraj was written.

The world has completely changed since then, perhaps in a wrong direction. You are right in saying that the world or a large part of it is bent on committing suicide. That may be an inevitable development of an evil seed planted in civilization." So, drinking the poison of modern industrial civilization and trying to plant that evil seed in India we have brought devastation in the life of the majority of people of India -

hungriest people of the world live here in India. Every 3 seconds a child dies out of malnutrition, more than a lakh of farmers have committed suicide during the last ten years or so and more than 6 crore adivasis, dalits, farmers and poor have been ousted from their hearth and home at the altar of "Development".

Samar Bagchi
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Homage: Two Socialists who left us on May Day

Janata pays homage to Nanasaheb Goray, former Chairman of the PSP, former member of both the houses of Parliament and former India's High Commissioner to United Kingdom and former editor of Janata and Sadhana, a Marathi weekly published from Pune and who left us on 1st May 1993, and to Munshi Ahmed Din, former member of the National Executive Committee of the PSP who left us on 1st May 1967. An article paying homage to Munshi Ahmed Din is published in this issue.

MUNSHI AHMED DIN (1906-67)

Qurban Ali

A veteran Socialist Leader and freedom fighter from Punjab, Munshi Ahmed Din was born near Jallianwala Bagh at Amritsar in 1906. His father was a meat-seller by profession. Without much of a formal education, he was proficient in Urdu and had a smattering of English. He was hardly fifteen when he saw with his own eyes the ruthless massacre in Jallianwala Bagh at the hands of General Dyer and his armed soldiers. It had a great impact on him and was responsible for his initiation into the freedom struggle. He actively participated in Khilafat Movement.

He joined the *Naujawan Bharat Sabha* early in life and attended its first conference held at Jallianwala Bagh, Amritsar on April 13 and 14, 1928, under the presidentship of Kedar Nath Sehgal. He was thrilled when the conference adopted a resolution in favor of the establishment of a Sovereign Independent Socialist Republic of Peasant and Workers by all possible means. There was no looking back for him after that day. He actively participated in the first Provincial '*Kirti Kisan Party*' Conference held at Lyallpur (now Faisalabad) in September 1928 under the Chairmanship of Principal Chhabil Dass.

He made a fiery speech on the 'Kakori Day' at Bradlaugh Hall, Lahore on December 16, 1928. He was arrested and sentenced to a brief term of imprisonment. After his release, he became a whole timer of *Naujawan Bharat Sabha* and was arrested in connection with the Saunder's Murder Case. However, since he could not be successfully implicated in the case, he was prosecuted for making a seditious speech and sentenced to two years' rigorous imprisonment.

After his release he founded Amritsar Branch of Bhagat Singh Appeal Committee and became its Secretary. He worked with great vigor to secure the commutation of death sentence of Bhagat Singh, Raj Guru and Sukh Dev to life imprisonment. He did not hesitate to warn even Mahatma Gandhi and Jawaharlal Nehru, who were at that time engaged in negotiations with the Viceroy Lord Irwin, that if they failed to make the commutation of death sentences a condition for the conclusion of the pact, he and other young leaders would add the slogans of 'Gandhi go back' 'Jawahar go back' to the slogan of 'Simon go back'.

He assisted Mubarak Saghar to organize second All India Naujawan Bharat Sabha Conference at Karachi in 1931 which was presided over by Subhash Chandra Bose. He was among those who presented black flowers to Mahatma Gandhi on his arrival at Karachi in protest against his failure to save the lives of Bhagat Singh, Raj Guru and Sukh Dev.

Munshi Ahmed Din was a born revolutionary. In 1931, he visited Mecca and met Maulana Ubaidullah Sindhi, a communist revolutionary in self-exile, who was one of the most important organizers of the communist movement in India and abroad. He met some Russians through him and made a bid to secure their help. He made two unsuccessful attempts to cross over to Russia via Kabul but was arrested at Peshawar. After his release from Attock Jail in 1934, Naujawan Bharat Sabha was banned on September 10, 1934. Now the main question before him was how to carry on the work.

He was joined by Mubarak Saghar and other prominent Naujawan Bharat Sabhaites at Lahore and they took advantage of the formation of All India Congress Socialist Party in October, 1934 and decided to

work under its cover. A meeting attended by him, Mubarak Saghar, Ram Chandra, Pandit Mangal Dass, Prof. Brij Narain, Tilak Raj Chadha and others in December, 1934 at Bradlaugh Hall, Lahore, decided to form a branch of the All India CSP in Punjab. However later the prefix Congress was dropped and Party came to be known as Punjab Socialist Party.

In 1935, he along with Professor Brij Narain and others toured the Villages of Lyallpur district and organized a historic kisan conference in Khalra, Lyallpur district, now in Pakistan. The Punjab Socialist Party later merged with the CSP, and Munshiji attended the All India Congress Socialist Party's Meerut Conference in January, 1936. He was the Chairman of the Reception Committee of the Lahore Conference of the All India Congress Socialist Party, held on April 12 and 13, 1938 and was elected member of the National Executive. He was arrested in 1937 for his activities in the Kisan movement. He was one of the first to be arrested after the start of the Second World War. He was arrested for his anti-war speeches in November, 1939. Munshi Ahmed Din was kept in various Punjab jails and then taken to Deoli Camp where he participated in the hunger strike of the Deoli prisoners, led by Jayaprakash Narayan to demand the repatriation of the detainees to their respective provinces. After thirty-two days' strike the government yielded and Deoli Camp was disband. He was in jail when the Quit India Movement was launched and was released only in February, 1946.

He was quite active in the CSP/SP in 1946-48, and took prominent part in deliberations at CSP's Fifth All India Conference held at Kanpur

under the Chairmanship of Dr Rammanohar Lohia in February, 1947. He was also elected to the National Executive of the Party.

Munshi Ahmed Din was against the partition of the country and warned the Muslims against the machinations of selfish leaders. He was a strong critic of the politics of Jinnah and the Muslim League. After freedom, he ventured to stay in Pakistan, but since his family was in Amritsar, he returned to India. J.P. put him in charge of the workers union in Jamshedpur. Bagaram Tulpule was already there. Bagaram returned to Mumbai where he worked as Joint Secretary of the PSP and General Secretary of the Mill Mazdoor Sabha. Munshi Ahmed Din stayed in Jamshedpur and worked in the trade union field. He wrote a book "Waqt Ka Taqaza" in Urdu.

It was perhaps in the fitness of things that the man, who had devoted his whole life to the cause of the down-trodden and had risen to a high position in the Indian Independence Movement, breathed his last on May Day, in 1967, in Delhi after a protracted illness. In an emotional obituary, Prem Bhasin in Janata, on May, 7th, 1967, wrote, "Munshi Ahmed Din's death was a hard blow to all who knew him as a dedicated Nationalist, fearless Socialist and a man of unbounded integrity. In Munshiji's death, a life lived for the cause of the down trodden and in the noblest traditions of democratic socialism has come to an end".

Of his (Munshiji's) multi-dimensional personality, Yusuf Meherally said long ago, "He has the head of an organizer, the heart of a poet and the tongue of an orator". (A Trip to Pakistan) The book "Unsung

Torch Bearers: Punjab Congress Socialists" edited by Prof. Tilak Raj Chadha and published in 1989 has more details about Munshi ji.

Both Prof. Tilak Raj Chadha and Prem Bhasin used to call Munshi Ahmad Din as their '**Guru**' and both were dedicated disciples of their Guru for the cause of Socialism.

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Letter to the Editor

Dear G. G.,

Thanks so much for your telephone call and your mail. And thank you very much for the invitation for the 17th May function at Patna. I sincerely regret my inability to attend the function. I take this opportunity to extend my very warm greetings to all the participants/delegates, and best wishes for the success of the function. I sincerely hope that the organizers achieve their overall objectives of holding this function. May this function trigger a revival of the "socialist" thought in the country, particularly among the youth who largely view socialism as antithetical to "modern" notions of technological development.

With best wishes and regards,

Alok Bhasin

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<http://lohiatoday.com>

U.R. Ananthamurthy on the Soul of the Nation

Ziya Us Salam

In the age of Right to Information we are denied the right to introspection. A society pledged to development has no compunctions in passing off the greed of the vast multitudes as their need. A nation drunk to the potion of growth cares little for shade-less roads, chopped trees and smog-filled sky. It is the same overweening desire to possess, to attain which collectively propelled Narendra Modi to the august office of the Prime Minister.

Indeed at a time when the nation has all but forgotten Naroda Patiya, it is futile to look for Mahatma Gandhi of Noakhali. The dead of Gujarat were just puppies that came under the wheel of the car, deserving of no rituals. Modi's politics is not about moderation, but exclusion. As Shiv Visvanathan says so succinctly in the foreword to U.R. Ananthamurthy's "Hindutva or Hind Swaraj", Modi's nationalism is about elimination of opposites, not accommodation of differences. "Modi is not the liberal mind, wondering how to deal with all the vexations: the Dalit vexation, the Muslim vexation, the cosmopolitan vexation. Like the liberal, he does not fear he might lose his morality trying to manage these tensions. Such sensitivity is unnecessary for those who manage the nation. Nationalism eliminates opposites. Like Mao. Like Stalin. Like Napoleon. Like Modi."

Throughout this wonderful book, hurriedly penned by URA in his last days, Modi comes across as an

ideological offshoot of Savarkar. And URA, one of the first to speak up for the soul of India when Modi's victory seemed inevitable, again and again warns the nation that if in today's battle stakes if Savarkar wins, Godse wins. It is important to secure victory for Gandhi, the man who thought of the nation state as evil, as opposed to Modi who sees it as god.

As Visvanathan reminds us, "URA claims that Gandhi and Godse were dealing with two separate notions of evil. For Godse, evil was external. For Gandhi, evil was encompassed in the textures within. For Gandhi and Tagore, the nation state was the unfolding of evil. For Godse and Modi, it was both God and the ultimate good."

Bit by bit, brick by brick, URA lays bare the soul of the nation. Though he had written this "manifesto" in the autumn of his life, he manages to paint it with words. And quietly, almost imperceptibly, he paints a portrait of Modi, it is a portrait Modi, just soaking in the adulation of his wax peer, won't be very proud of. URA begins with the past, not out of nostalgia but a dispassionate observation facilitated by the passage of time. "When I was growing up in the pre-war years, we complained that goods 'Made in Germany' were difficult to get, and dismissed as 'Made in Japan' all the shiny, cheap items that we actually used.... Today all that glitters is 'Made in

China'. America is incapable of manufacturing even a pin or a shirt. What it can produce are weapons of war and supercomputers."

Soon, he comes to the main subject: Hindutva and Modi. Here he first talks of Godse who "recognizing the strength of Gandhi, assassinated him while he was on his way to pray to the Almighty for the well-being of the country rather than his own. The Hindutvavadi Godse's action, committed with utmost detachment and in cold blood, was the sacrificial offering made at the yajna of nation building. And Savarkar's ideology was the text for this yajna. Only in a democratic system does this sentiment, latent in all of us, find expression in the smooth-tongued Modi raising arti to the holy Ganga."

There is more. URA touches upon the issue of Israel too, and is happy to connect it to the Modi Government's change in policy with the State. When the Western world created Israel by banishing the local people, Gandhi opposed it as he felt that the Jews should accept the land where they lived as their own. Savarkar, of course, considered him a traitor due to "his indifference to the nation state". "The Modi Government, inspired by Savarkar's idea of a Hindu state on the lines of Israel, is clearly aligned towards Israel. Modi, who was like a 'brahma' during the Gujarat yajna, differs from the stand taken by the Vajpayee government."

Having used his pen like a scalpel on the issue of Israel, he returns to the artist in him. Outlining that Mahatma Gandhi's concept of Hind Swaraj would have been a fine alternative to the much hyped Hindutva today URA writes "He who does not dream is not human. One dreams of the well-being of mankind, a green earth and a clear sky, a dream of Gandhi's ahimsa. A dream where man works for a living, uses the benefits of science wisely and makes sure the environment is not destroyed. Gandhi's Hind Swaraj envisaged such an India. Modi's victory is in direct opposition to that dream. His triumph has moved closer to Savarkar's idea of Hindutva, without actually saying so."

Pertinently, URA draws attention to Mahatma Gandhi's response to violence at the time of Partition. When Sardar Patel broke the news to him that Delhi was not the Delhi of old and thousands of Hindus had occupied mosques while Muslims had fled to Karachi, Gandhi asked him to "immediately remove the Hindus who were occupying the mosques". He urged Patel to bring back the Muslims who had fled to Karachi and reinstate them in their homes." About Gujarat 2002, he leaves the answer blowing in the wind. Ah, the joy of the unsaid.

Reason enough to read URA, among the first to speak up about the challenges that were likely to confront India post-Modi's victory. He famously pledged to leave India if Modi won, something the Hindutva elements did not tire of reminding him. A few days of Modi's rule and God took that decision out of the equation for him. Long may URA be read, longer still may he be heeded.

Government's Response to Drought is Lacking in Compassion'

Dear Mr. Prime Minister,

We wish to convey our deep collective anxiety about the enormous suffering of the rural poor in large parts of India's countryside as they are battling drought, often for the second or even third consecutive year. In areas where rains have failed, farmers who depend mainly on rainwater to irrigate their crops have no or very low crop yields. Those who rely on irrigation are also affected, with groundwater sinking and streams and reservoirs drying up. All this adds to chronic agrarian distress reflected in a massive slowdown in agricultural growth during the last few years, with no imminent signs of recovery.

The consequence of this adversity is massive distress movement of populations, causing broken childhoods, interrupted education, life in camps, city pavements or crowded shanties. Add to this the old and the infirm who, are left behind, to beg for food or just quietly die. The cattle for whom, there is no fodder, sold at distress prices or just abandoned to fend for themselves, and the drying up even of sources of water to drink.

However, the response of the central and the state administrations to looming drought is sadly listless, lacking in both urgency and compassion. The scale of MGNREGA works is way below what is required and wages often remain unpaid for months. Even more gravely, the central and the state governments are doing far too little to implement the National Food Security Act, three years after it came into force. Had the Act been in place, more than 80 per cent of

rural households in the poorer states would be able to secure about half of their monthly cereal requirements almost free of cost. In a drought situation food security entitlements should be made universal.

In addition, we find no plans in most of the drought-hit regions for feeding the destitute, especially old persons left behind when families migrate, children without care-givers, the disabled and other vulnerable groups. ICDS centers could have been upgraded to supply emergency feeding to the destitute during the drought, but this has not happened. Under Supreme Court orders, school meals should be served on all days, including holidays, in drought-affected areas, but this is rarely the case. Arrangements to augment drinking water supply, including ensuring that marginalized hamlets have functioning tube-wells and transporting water where necessary, are awfully inadequate. There are also few attempts to create fodder banks and cattle camps. Most of these measures used to be a routine part of state response to drought, and were often undertaken with a great sense of urgency, but they are barely being considered today.

The highest priority of the central government in a drought situation should be to ensure the creation of millions of additional person-days of work in all affected villages. Instead, the government has not even allocated enough funds this year to sustain the level of employment generated last year – 233 crore person-days according to official data. At current levels of expenditure per person-day, this would cost well over Rs. 50,000 crores. Yet the central government has allocated just

Resistance to Corporate Corridorization of India Intensifies

Rs. 38,500 crores to MGNREGA this year, of which more than Rs. 12,000 crores are required to clear pending liabilities. These liabilities only prove the distress crores of workers have been put through because of wages left unpaid for months at a time. Unemployment allowance and mandatory compensation for delayed wage payments are also not paid citing “insufficient funds”, resulting in a failure of the Act, and its legal safeguards. Most alarming today, is that instead of expanding, MGNREGA is all set to contract in this critical drought year, unless financial allocations are vastly expanded.

The enormous distress – of food, drinking water, work, fodder for animals, and dignity – of hundreds of millions is utterly unacceptable. We demand that the central government under your leadership acknowledges these failures and makes rapid amends, by implementing all the traditional relief measures as well as by ensuring full implementation of the National Food Security Act, 2013 and the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 in letter and spirit.

Prominent among the 170 signatories to the letter are:

Aruna Roy, Jean Dreze, Jayati Ghosh, Harsh Mander, Prof. Prabhat Patnaik, Utsa Patnaik, Arundhati Roy, Admiral Ramdas, Naseeruddin Shah, Brinda Karat, Medha Patkar, Shabana Azmi, Nandita Das, Leela Samson, Ashok Vajpeyi, Justice Rajinder Sachar, Shyam Benegal, Wajahat Habibullah, Deepak Sandhu, Shailesh Gandhi, Trilochan Shastry, TM Krishna, Anand Patwardhan, Achin Vinayak, Sharmila Tagore, Baba Adhav, Zoya Hasan, Seema Mustafa, Sagar Rabari, Prafulla Samantara, Dr. Sunilam, Sister Cella, Faisal Khan.

“ Overnight, the government declares that the home and fields of an adivasi or a farmer is now part of an industrial corridor. Even after days and months no one comes to visit her home or village and she is left to wonder who are these people deciding her fate, without ever seeking her consent.” This is the experience of so many people now living within the influence zone of the Delhi Mumbai or Amritsar Kolkata Industrial Corridors, said Medha Patkar of Narmada Bachao Andolan and National Alliance of People’s Movements (NAPM). She asked, how can the fate of people in this country be decided without ever consulting them in the name of larger public good? The planning of the growing web of industrial corridors in the country today is an undemocratic ploy to take away the sovereign rights of the people and its public institutions.

Ulka Mahajan, leader of Sarvahara Jan Andolan, Raigad, said, even though notifications for acquisition of 67000 Acres of land from 78 villages were issued for the development of the Dighi Industrial Port area, still no one had a project plan in hand to share with the communities. There was completely opaqueness over the projects proposed, investments or industries expected, still the notifications were issued. The fact remains, the ploy is to loot the land and displace a huge population without any thought given to the real issues. The reality is the DMIC or any such projects being planned are one big real estate project. Even planners have no idea but they

want the land, water, forests and everything for themselves.

It is the financialisation of economy in favour of big corporations that is being facilitated by the government with active help from the governments of Japan, Singapore, Hong Kong, UK, Germany, US or other developed countries who are exploring the possibilities for expansion of their own corporations, said, Anil Chaudhary of Jan Sangharsh Samanvay Samiti.

They were speaking at the two-day national convention, held on April 23, on growing web of industrial corridors in the country and the huge socio-economic and political fallouts of these projects. The convention was joined by the activists and experts from 15 states who are engaged in struggle or study of the corridors for more than five years now. The Convention was jointly organized by NAPM, Indian Community Activist Network, Sarvahara Jan Andolan, Jan Sangharsh Samanvay Samiti, Delhi Solidarity Group and others.

Sagar Rabari of Gujarat Khedut Mazdoor Samaj said we have forged alliances with all caste groups and cut across the traditional boundaries of the trade unions and farmers to oppose the corporate loot of the natural resources in name of development, and we have had successes in challenging the Dholera SIR or Mandala Bechara SIR or other projects. Since, they are completely undemocratic, anti-people and a real estate project which will destroy the livelihoods of the people, without

offering them anything in return. Contrary to the image that land acquisition in Gujarat is easy, we would say that it is one of the most difficult places to acquire land in the country. Likewise, as against the claims of creation of jobs, Gujarat, despite numerous SEZs in the past decade has created the fewest jobs, this exposing the fact that as against displacement of lakhs of people, the jobs created are very, very few.

Experiences of the state governments changing land laws, labour laws, environmental laws were shared by the activists and how they were in complete violations of the central laws and constitutionally untenable, most of which needs to be challenged in the courts.

The development of the corridors, as of now five, including the Vizag–Chennai, Chennai–Bangalore and Mumbai Bangalore Corridor together have an influence area covering 50 per cent of the land area. Together with the Sagarmala, Bharat Mala projects, the Industrial Corridors are a massive infrastructure plan. But does our country have the natural resources to support this massive development plan, and have we conducted an comprehensive social and environmental impact assessment? Have we even looked at the fact that what will happen to the millions of people dependent on the natural resources, farmers, adivasis, fishworkers, artisans, pastoralists? The answer we get is no!

These questions along with the accountability of our own elected governments were also discussed. The experience shared by activists from DMIC and AKIC was that even Mukhijas, Sarpanchs, MLAs and to an extent MPs also don't know about these projects. These projects

and plans are being prepared by the consultants and to be implemented by Special Purpose Vehicles and specially appointed authorities which are completely anti-democratic bodies with over-riding powers over the power of Gram Sabha, Gram Panchayat or Municipalities and Municipal Corporations. The complete governance structure is being privatized at the moment, in the name of development.

- We demand that let there be a parliamentary oversight over the loan agreements signed by the government with the Japan Bank for International Cooperation (JBIC), World Bank, Asian Development Bank and other financial institutions.
- Voluntarily all the agreements, projects, plans, feasibility studies and every document related to the Corridors must be put in front of the public voluntarily, as per Section 4 of the RTI Act.
- We demand that the Parliamentary Standing Committee studying the Industrial corridor Policy framework must meet and respond to the groups who

have approached for a personal hearing. In addition, they must go out and meet the areas demarcated as being part of the Industrial Corridors.

- We also demand that the anti democratic and completely unconstitutional changes to the labour and land laws brought in by the Rajasthan and Gujarat government be withdrawn and President must not give assent to those.

The meeting ended with the formation of a nationwide committee which will undertake the work of reaching out to other groups, conduct researches, workshops, plan actions and inform a wider population about these projects and the impacts it might have. In the next five months, a wide campaigning will be done across the nation under the banner of “ Corridor Virodhi Sangharsh Abhiyaan” and will decide about the national platform in the month of October this year. Towards the end of the year a nationwide yatra would be undertaken and this would be preceded by a series of the regional meetings.

Footprints of A Crusader (The Life Story of Mrunal Gore)

by

Rohini Gawankar

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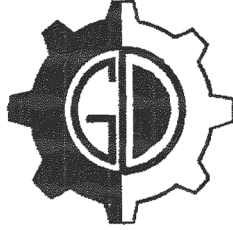
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**How Long Will We Be Able to
Evade the Inevitable?**
Ameeta Deshmukh

A Letter to Children
Bharat Dogra

**Socialism : Need for
Redefinition**
Madhu Limaye

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Acts of Commission and Omission

Kuldip Nayar

All defence deals have inbuilt commission which is paid to those who purchase armaments. The Congress party, after getting power soon after independence, used the money to fight elections. Babu Jagjivan Ram, the then Defence Minister, managed the funds, not letting the deals become a scandal.

The uproar today is over the kickbacks over and above the usual commission. Now even the defence specifications are changed if the money paid is substantial. This happened in the case of VVIP choppers' purchase. The flying altitude was lowered because the Augusta Westland gave a large sum of money as bribe.

That Sonia Gandhi has been named by an Italian court at Milan is nothing intentional. The judge found the eye of suspicion turning towards her. Accusations and counter-accusations will not serve the purpose. It is an open secret that Sonia Gandhi, a powerful person even at that time, was very much in the picture.

The best course available now is that the Supreme Court should constitute a Special Investigation Team to work under its supervision to probe the matter de novo to know the

truth, however late it is. At the same time, parliament should appoint a committee to lay down procedures to buy defence equipment. The present one has not much of deterrence.

This again depends on how earnest and serious are the political parties. At present the defence deals are the major source for ruling political party to oil its electoral machinery. What surprises one is that the CBI did not have any clue to the kickbacks and where they were coming from and going to. It is possible that the agency came to know about the truth but did not reveal because the parrot is caged, to use a description given by a political party.

This only strengthens the plea, underlined in these columns earlier, that the CBI should be made an independent agency, directly answerable to parliament alone. The fact that no major political party thinks on those lines indicates that all of them know the advantage of having the CBI as a government department.

Retired CBI directors have gone on record as saying that the pressure exerted by the ruling party is so relentless that the agency has no option except to wilt. Even when

the public outcry is against a corrupt chief minister, he chooses to appoint his wife in his place ignoring the protests.

Corruption in all the three neighbouring countries - India, Pakistan and Bangladesh - has become a way of life. A politician's standard of living is now so high that the emoluments which he gets are not adequate to meet his expenses. Ultimately, it is the money that makes the mare go.

Gone are the days when a Member of Parliament thought that his was a service to the country. A salary of Rs. 500 was the limit that Mahatma Gandhi had fixed. Even from this amount, a donation had to be given to the party. Once the generation of those who came through the fire of freedom struggle disappeared, the question of how much should be the emoluments came to the fore.

The current demand of MPs to double their emoluments has been discussed in the parliament affairs committee and the members have asked for a raise. It is understandable and it would be fair if the emoluments are linked to the cost of living. But the media, particularly the television networks, make such a hue and cry that no political party dares to suggest an increase in salary of legislators. Therefore, they look for other avenues. It is an open secret that many get a regular payback from corporate and business houses and even public sector undertakings.

When everyone is in position he tries to add to his income from here or there. The legislators cannot overcome the temptation. Top retired government officials also take the same path. For example, former Air Chief, S. P. Tyagi, has been found

to have helped his family members in the chopper deal. The local bribe-takers have already been punished by the Italian court and they are serving the sentence. But in India, the guilty are yet to be brought to book.

It is interesting that as many as 20 journalists are also among the bribe takers. Their names are also with the government. Why it has not made them public is intriguing. Has politics come in or personal equation? Whatever be the reason, the public has the right to know the names of the journalists because they preach morality all the time but are found wanting when it comes to practicing the same.

It is the duty of the Editors Guild to see that the names are made public without delay. But then I recall that at one meeting when we were talking about ethics the suggestion that editors should make their assets public, there was little response from the members. Even the Press Council has not been able to lay down any rule whereby editors, when appointed, are made to declare their assets. Sting operations may be a new way to find the truth, but they are more sensational in nature than in content. This also has become another avenue to extort money.

Statements made by Defence Minister, Manohar Parrikar, have tried to uncover certain scandals but the purpose seems to be more political in nature than anything worthwhile. The problem of commission in defence still stares at the nation. The solution can be found only when politics is pushed into the background and the real intent comes to the fore.

Even if all political parties adopt

a code of ethics, they will not be able to adhere to it both in letter and spirit. The Central Vigilance Commission is of little use because it is influenced by the government in power. Now the only way out seems to be a permanent SIT-like outfit under the supervision of the apex court. Even RBI governor Raghuram Rajan, who raised expectations, has failed to fulfill them.

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How Long Will We Be Able to Evade the Inevitable?

Ameeta Deshmukh

“No new sugar companies will be permitted in Marathwada (region)” announced Devendra Phadnavis, Maharashtra Chief Minister on 13th April 2016. Marathwada is the worst drought affected region of the state.

Welcome move which, unfortunately, does not qualify even as a respectable starting step. Mr. Chief Minister, please don't deceive yourself and keep the elephant in the room as it is start, hogging and growing!

What ought to be done is systematic closing down of most of the sugar factories from the whole state of Maharashtra.

The parasitic ballooning of sugar cane cultivation

The area under sugar cane in Maharashtra doubled in the decade of 2003 – 2013 from 4.43 lakh hectares to 9.37 lakh hectares. During the same period, the sugar cane produced increased by one and half times to 621.7 lakh tonnes.⁽¹⁾

The 4% farmland under sugar cane in Maharashtra consumes 71.5% of all the irrigation water, including wells.

The pain points

“The quantity of inland water resources in Maharashtra accounts for only 4.93% of total availability in India. Since the state houses 9% of country's population, the per capita water availability in the state is lower than the national average. While the average annual surface water potential for an Indian river is

1869 km³ per year, it is only 110.54 km³ per year for the Godavari basin and 78.12 km³ per year for Krishna basin, the two major water basins of the state.

However, lack of management, rather than natural scarcity of water, is the main reason for drought. Since 1960, government has spent over Rs.16,000 crores on rural water supply and yet there are around 20,000 drought affected villages and 45 million people without safe, assured water.

Although Maharashtra has India's largest number of dams, its water lifeline flows under the ground, like in most other states. According to Ground Water Survey and Development Agency (GSDA), a whopping 71% of the irrigated area in the state is irrigated not by the large dams and canals but through ground water. Marathwada is reportedly drilling as many as 10,000 bore wells per month in this drought; a boom that is sustained by the ‘boring mafia’ from Andhra Pradesh and Tamil Nadu using travelling rigs.”⁽²⁾

The white paper on Finance, Government of Maharashtra, March 2015, acknowledged that “In 2013 – 14, there were 36,48,959 users of irrigation pumps in the state, majority of them for pumping groundwater, each using about 5,900 units of electricity annually. These pumps are concentrated in specific districts. For example, Solapur has the highest number of pumps (and largest area under sugarcane) and

appropriates maximum proportion of subsidy given for farm pumps. It leads to furthering of regional imbalance and strengthening of the water-energy nexus, besides showing the failure in regulating groundwater use at sustainable levels and in an equitable way.”⁽³⁾

It is well known that Maharashtra's soil, water and climatic conditions were never conducive for sugar cane production. It is the legacy of imperial British that we continued even after the independence; even today the industry lives and thrives because of political patronage.

“... Political interests connected to the sugar baron lobby have resulted in accelerated growth of sugar cane, a highly water intensive crop, cultivated in the areas, which get lesser rain fall than even in the desert state of Rajasthan”.⁽⁴⁾

Sugar cane is also known to consume resources that are supposed to be for other crops. Farmer Ganpat Rao Shinde from Parbhani district is quoted to have said in an article by Rohini Mohan, ‘like the son who gets the larger helping of food, sugar cane gets all the water while other crops wilt’.⁽⁵⁾

What else do you expect!

Drought, more drought and very severe drought every year, says a rational, concerned mind.

In the year 2014 – 15, sugar cane crushing rose to a record level of 930.95 lakh tones⁽⁶⁾. Ironically this very same year, it was the sugar belt

itself, that declared a second drought after 2012 – 13.

The resultant soil degradation, increase in the soil salinity, and unjustifiable water consumption by the sugar industry are the consequences of the chain reaction set in motion by the staggeringly large area under sugar cane. This is simply unforgivable. By now, scores of experts, scientists, activists and other concerned persons have cried hoarse about the man made drought in Maharashtra and its linkage to mindless sugar cane cultivation.

The dire need to invent newer and better methods for political power

Clearly, accruing the political power through sugar empires has become a ruthless, unchallenged and sadly, sole success formula in Maharashtra which has led to this panicky situation that is crippling the state. The 2009 – 14, Congress –NCP government had 13 out of 30 ministers that owned sugar factories or controlled the co-operative sugar factories.⁽⁷⁾ Late Sharad Joshi, the renowned Shetkari Sanghatana leader once said, “it is an easy route to becoming a politician since he contributes just 10% of the capital and takes 90% from the farmers to become their leader”⁽⁸⁾

The sugar cane farmers always feel harassed – lower prices one year and arrears the next!

Only the politicians, the bureaucrats, technicians and academicians working in the sugar departments of Agricultural Universities, Sugar Directorate, VSI, etc. seem to be comfortable, in control and pleased with the situation

Refer the same article by Rohini Mohan: “Mardaj village in Prabhani district sits on the bank of the river Godavari, but the river bed is dry (the feeder dam has not released water for some years now) and so are the fields, except if it is sugarcane. In early June, villagers sat quietly in the house of Mukhiram Khare, a 37-year-old sugarcane farmer who hanged himself on the single tree in his courtyard 5 days earlier. ‘He dug a bore last year for the sugarcane, then dug another, and then another,’ says his father Triyambaka Khare”⁽⁹⁾

The question that should come to a curious mind is, ‘despite this dire situation, why do more and more farmers keep planting sugar cane?’

They know that year after year, the political lobby somehow always musters the money to pay the arrears; so, sugar cane becomes an ‘insurance crop’. When the water is assured, again politically, then the farmer does not have to do much for cane cultivation. And of course, there is that sweeter than sugar carrot dangling! The carrot of getting politically powerful some day in future! Sadly rural Maharashtra feels that sugar is the only gateway

to political control and allied riches.

How many more injections do we need so that we think in other direction?

In the year 2011, Government of Maharashtra cleared the proposals of 92 private sugar mills with an additional investment of close to Rs.9,000 crores in the next four and half years. At the time of this clearance there were 165 co-operative mills and 43 private sugar mills with a combined capital investment of Rs.20,000 crores.⁽¹⁰⁾

The consumer demand for sugar is dwindling and the global sugar production is much more than what can be consumed. Since the year 2012, the opening stocks of sugar in Maharashtra have always been more than 65 lakh tonnes every year. The world sugar market showed 4.38 million tonnes of surplus sugar in 2013 – 14 with a very high sugar stock to consumption ratio of 43.75% which resulted in low world sugar prices. In fact, the ‘sugar situation’ is believed to have caused major devaluation of Brazilian currency.⁽¹¹⁾

The table below shows that in the last 5 seasons there have been 20% sugar factories not in operation in the state; the proportion was 29% in the year 2009 – 10.⁽¹²⁾

It is obvious that more number of sugar mills installed with lesser numbers being in-operational means much more water consumption

Characteristics	Seasons					
	2009 – 10	2010-11	2011-12	2012-13	2013-14	2014-15
No of installed sugar mills	199	209	215	212	216	229
Installed capacity (Lakh TCD)	5.01	5.35	5.58	5.58	5.65	5.89
No of sugar mills not in operation	57	42	42	41	59	48

The capacity utilization of the running sugar factories (in-operational sugar mills not considered) has been 100% or more since 2011 – 12 to 2014 – 15. It clearly indicates that there are a few factories that are crushing far more sugar cane resulting into average capacity utilization which is more than 100% in recent years. Remember that during the same years, 20% sugar factories were just not in operation. The following table will throw light on this angle: ⁽¹³⁾

% Capacity utilization of the running mills	No. of mills	
	2014-15	2013-14
100% and above	77	75
80% & above, less than 100%	57	42
Less than 80%	42	40
Total	176	157

The unforgettable experience of Mumbai’s textile mills

Let us recollect and reflect upon the painful experience of the closure of textile mills in Mumbai. The textile mills were ailing for considerable number of years. Nobody cared for the uncertain future that hanged before the textile workers resulting into total devastation of the worker families, textile mill machinery, the land and buildings of these mills, and so on.

The whole textile industry as well as ministries, planners, management thinkers and subject experts could not anticipate nor did they notice the vastly changing textile technology, changing market demand. Consequently, they miserably failed to take any corrective measures on time.

Learning from these lessons is an economic necessity

Let us accept what is inevitable

to the sugar industry:

(i) more and more number of sugar mills are going to be in-operational, that too very fast, (ii) already factory workers have not received salaries for more than 6 months in many factories – this is most likely to be continued further – months getting converted into years, (iii) the water problem will not be eased if the area under sugar cane does not reduce substantially and urgently, and (iv) the affected non-sugar sections will revolt strongly – this is actually a sleeping dragon.

Let us draw wise conclusions from the textile experience and implement from the learnings.

Let us plan systematically to minimize the damages and convert the gruesome situations into opportunities through innovative thinking and strong political will.

There is absolutely no wisdom in **not** closing down more than half

of the sugar mills – private or co-operative. Everything, the water problem, the market dynamics, the soil situation, international demand and supply of sugar, the crop diversity issue, the financial health of the sugar factories are all crying out loud that ‘close down majority of the sugar factories and substantially reduce the area under sugar cane’

The danger of unfairness

The closure of sugar factories will have to be systematic so that the uncertainties of the stakeholders are pre-empted and the solutions are known in advance. It has to be fair to the weaker sections of the society and to the weaker regions of the state.

Out of the total 54 non operational sugar mills in 2013, 80% were from the north eastern districts of Maharashtra, It’s percentage reduced to 66% because the non-operational sugar factories in the central districts of Maharashtra doubled in the year 2013-14, increasing its percentage

Year / Region	No of installed sugar mills	No of sugar mills not in operation	No of sugar mills in operation
2012-13			
South	50	4	46
Central	77	7	70
N-East	85	43	55
State	212*	54	171
2013-14			
South	51	4	47
Central	77	16	61
N-East	88	39	49
State	216	59	157
2014-15			
South	54	3	51
Central	81	10	71
N-East	94	35	59
State	229	48	181

* in 2012-13, 13 mills filed for bankruptcy thereby reducing the numbers to 212 from 225.

share in the total non-operational units and thereby decreasing the share of north eastern districts.⁽¹⁴⁾

When the closure is being methodically planned, the norm of the technical performance in the last 3, 5 or 10 years will have to be obviously applied to the sugar mills and that will not be fair. The reason being the majority of the sugar factories in the north eastern districts followed by the central districts of Maharashtra have been non-performing and these will have to be closed down.

Though the number of sugar factories can be counted in 2 or 3 digits, that of sugar cane farmers is in 5 digits and the number of people affected by the sugar industry runs in 6 and 7 digits!

All that I would like to earnestly point out is that we should be bothered about all the stakeholders.

Remunerative alternative uses of the land, building, machinery of the factories will have to be thought about. The dependant farmers will have to be supported and trained for the alternative crops and activities.

We cannot erase the history and therefore, the farmer share holding will have to be carried forward even in the new ventures that are being planned as replacement of the closed sugar factories. For example, if a large hospital is being planned replacing a particular sugar factory, then the share holding farmers of the sugar factories will remain as the owner share holders even in the new hospital planned.

SOS call for better enterprise in Maharashtra

In the first 3 – 4 decades after the independence, ‘Sakhar Karkhana’

(sugar factory) was the vanguard in the development of Western Maharashtra; life revolved around the Karkhana. This role of Karkhana is outdated even in western Maharashtra and now we are trying to do the absurd task of replicating the outdated methods of growth in other parts of the state.

Easier said than done when we hear what even young politicians like Amit Deshmukh, the son of late Maharashtra CM, Vilas Rao Deshmukh and the founder chairman of the Vikas Co-operative sugar factory in Latur; he welcomed the establishment of the new mills in the private sector, “the fittest will survive. The private mills will bring in competition and innovative processes.” (15) Latur is one district of worst affected Marathwada.

The socio-economic, climatic and political conditions of every other region in the state have been completely different than Western Maharashtra. Can we not think of different industries / services that can be nurtured as crusaders of growth?

Kerala, the 100% literate state in India was actually an obvious choice for the IT industry in India. Nobody would have been surprised if Kerala had become the hub of IT industry not only of India but of the entire Asia region barring China. For various reasons, Kerala lost the opportunity but did a tremendous job of developing tourism, reviving the Ayurvedic medicines and became a thriving center of Naturopathy in India. Mind you, it required innovativeness, sustained focused efforts and a result oriented approach.

Today a worker in Kerala gets minimum Rs.600/- per day and

again, I need not give you any wage related statistics all over India including the most industrialized Maharashtra.

A debate would be in order over what can be done in Vidharba, Marathwada, Khandesh and Konkan. The same would be necessary within each of these regions. Consider the most backward districts in the various geographies. For example, when thinking of Khandesh, think of Nandurbar and Akkalkuwa more than Nashik. Gather and employ all the necessary resources with that Kerala type result oriented approach and create alternatives to sugar factories.

The world is all gates, all opportunities, strings of tension waiting to be struck.

–Ralph Waldo Emerson

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A Letter to Children

Bharat Dogra

Dear children,

I'll like to start my letter to you with an apology. Does this appear a little strange to you? However, I believe very sincerely and very strongly that the present generation owes an apology to the next generation. Our forefathers made tremendous sacrifices for the freedom of the country, but I am sorry that our generation could not build a society according to the ideals set by Mahatma Gandhi, Bhagat Singh and Subhash Chandra Bose. The result is that very serious problems of poverty, lack of communal harmony and ecological ruin face us today. I am aware that the burden of our failure will fall on your young shoulders and this is why, my little friends, I start with a sincere and heartfelt apology.

What we see in our country today is part of a wider, almost worldwide, failure of the present generation to solve some basic problems of the world, including some newly emerging very serious ecological problems. You must have read in your science books how issues like climate change are posing very serious threats particularly for the next few generations. In addition our generation has accumulated a

vast pile of extremely destructive nuclear weapons.

Despite these bunglings on our part let me assure you that at an individual level, we've been deeply concerned about your welfare. You all know from personal experience that your parents and other elders care deeply about you and your well-being. So surely there must have been some confusion, some lack of clarity on our part due to which while caring so much for our children at an individual level, we've ended up creating a world which is full of so many uncertainties and problems for the next generation- for our own children and grand-children. If the elders are so confused in this complex and fast changing world then the chances for children to feel confused and uncertain are even more. All the more reason why there should be more frequent discussion and frank exchange of views between the two generations, and this letter can be seen as a small effort in this direction.

In hut colonies and on footpaths you must have seen several people, and in particular their children, living in great poverty and hardships. From time to time

you must have read in newspapers about how several children are forced to work in most difficult and hazardous conditions, and how many of them become victims of accidents.

A few years ago I visited some glass bangle factories of Ferozabad, in Uttar Pradesh. I saw very small children carrying molten glass on iron rods from giant furnaces in a very haphazard way and hence being exposed heavily to the risk of burn injuries. The condition of child workers was probably even worse in the steel utensil industry of Delhi's Wazirpur area where I noticed that some very small children were covered from feet to head in black dust. They were employed in polishing work. I wondered about the extent to which the health of these children was being ruined, and whether they will ever be able to recover from the grave damage done to their health at such an early age.

Several million children still continue to be in a situation, caused by poverty and exploitation, where they cannot escape working in highly hazardous conditions. The number of children deprived of education is even higher.

Despite all your sympathy you may not be in a position just now to do much about this distressing situation, particularly in view of the fact that some of these problems are quite deep-rooted. However, you can still light up the dismal scene by taking a pledge that when you grow up, no matter what you are doing, you'll always keep in mind, as a top priority, the need for ending of poverty and exploitation in our society. You can already take a small step in this direction by being kind and considerate to any poor and needy people whom you meet in your daily life.

There are so many distressing problems in our society. In your student life you can prepare a strong base which will enable you to play a very relevant and useful role in society when you grow up. Modern life is quite complex and so are its problems. It is not enough just to have good intentions and to work hard. Our capacity to do good work increases tremendously if we have a good understanding of the problems and of the relationships of various problems. This is where student life is very important. Its significance is not just to prepare you for a career. It also provides you an opportunity to gain a good understanding of the society's problems so that later you can make a more meaningful contribution towards reducing these problems.

If you take this view of student life, then clearly the knowledge and understanding you must seek goes much beyond the passing of the exams or excelling in exams. If someone gave me an opportunity to go back to my school days (wouldn't that be lovely!) then probably one of the most useful thing I can think for myself is to read the text books

more carefully keeping in view not only my exams but also the problems that exist around us and their interrelationships.

While there is so much interesting and useful work to be done, there are also a growing number of distractions and temptations. I do not at all mean that we should be reading and thinking or having serious discussions all the time. There should always be time enough for sports, hobbies, picnics, adventure and above all pure, uninhibited fun and laughter with our family and friends. What I mean by distraction is something different. A distraction is something which instead of providing refreshing relief from our more serious work, becomes a hindrance in our work. This is something which becomes addictive, which comes in the way of adopting a healthy routine and fills our mind with all sorts of stupid and damaging thoughts. Don't you think that TV and internet are playing such a role in many homes these days?

These can have a useful role in entertainment as well as education (or a combination of both) provided these are used in a careful way. Unfortunately this caution has been abandoned quite recklessly and we are now saturated with advertisements and programmes with such high doses of sex, violence, crime, glamour, decayed relationships, frivolous and absurd jokes that this is bound to have a very harmful impact on our society. Several studies in western countries have already led to more or less conclusive evidence of the linkage of such exposure of TV, internet and cinema to high rates of crime and other social problems. Such studies are available to us and yet we have

allowed the exposure of children to so many revolting programmes in recent years. So now you understand even better why I apologised right in the beginning of this letter.

Some children try to reason in this way- earlier I was playing and interacting with people for 3 hours every day which I now avoid completely and spend these three hours in watching TV or on net. So I have not reduced my studies and it is O.K. What this reasoning ignores is that playing and interacting with people is an essential part of a child's growth- for physical growth, for improvement of human relationships and developing a team spirit of working together. On the other hand excessive TV and net viewing not only create several health problems but in addition- keeping in view the programmes and advertisements that are telecast these days- these can also result in several emotional problems. Growing up children and teenagers have a natural curiosity about some aspects of life which can be generally discussed with your parents and/ or elder brothers/ sisters. But many TV programmes take undue commercial advantage of this curiosity by presenting highly distorted, provocative and disturbing programmes. These programmes can be emotionally very upsetting for children but still such programmes and films, telecast sometimes at peak hours, get seen by a lot of children, later filling their mind with several disturbing thoughts leading in turn to a guilt complex. So the impact of TV can linger on much beyond the time spent actually in front of this 'idiot box' and sometimes it can really damage the life of a vulnerable child in a big way.

Keeping in view all these factors some children have voluntarily restricted their TV viewing to a few programmes which provide clean entertainment and/ or have educational value. Perhaps you can also take an initiative in this matter right now- it'll be even more useful for your younger brothers and sisters who are being exposed to wrong influences even without realising it.

There is another aspect of social life where distortions created by us elders are having a very disturbing impact on our children. In recent years we've forgotten the path shown by our great leaders like Mahatma Gandhi and Jawaharlal Nehru and allowed hatred to be spread against some religions and communities. The reality revealed by the greatest spiritual leaders of all countries and faiths is that all religions are great in their own way and we should have love and respect for all religions. So please do not let any false propaganda of hatred come near you and consider people of all faiths and religions as your brothers and sisters.

Yet another distortion we have inflicted on you is the tension in the form of the examination system. Education should never be a source of tension, yet we keeping saying so much to you that exams are approaching, you've to do well in exams, your career depends on

exams that we make you tense and I apologise once again for this

Without neglecting your health and play, you must try to devote as much time as possible to your education and it is never too late to follow this principle. Remember, hard work is good but not at the cost of your health and relaxation. Once you are following this principle you need not have any tension during exams. Take all the necessary precautions during examination days and then go to the examination hall as relaxed as you go for an ordinary school test.

Do not let the talk of examination being so important disturb you. Let's hope that you do well in your exams, but if you don't do well in board exams due to some reason, then do not worry too much about it. The world is full of people who did not do well in their exams but went on to make many great contributions to society. There is much more to this colourful and multi-faceted life than examination results. As long as you are working hard according to relevant priorities on a sustained basis, you are bound to achieve meaningful things in life.

Some people may say that board examination results are so important for further admissions. But this view takes a very narrow view of our career options and ultimately

of our aims in life. If the aim is to reduce the sufferings of ill and injured people, then there are so many ways of doing this; entry to an MBBS course is one way but there are several others too.

Unfortunately society has been ignoring these bigger aims of life- such as reducing the sufferings of others, not only human beings but all forms of life, making a contribution to the protection of environment and the harmony of all faiths and communities. Instead children are told to concentrate on a very narrow view of career. This is where the confusion and tension come in. So no tensions now, take a broad view of life, get your priorities right and you will see your confusions and tensions disappearing one after another.

Dear friends, I've already expressed my regret at some failures of our generation, but now we have high hopes from you. The world is at a very critical stage and the role of your generation will be a crucial one in making Mother Earth a safe and happy place. Our blessings are with you in this noble task of creating a better and safe world.

What do you think of the views expressed in this letter? Do write back. We'll meet again. Good buy till then.

Footprints of A Crusader (The Life Story of Mrunal Gore)

by
Rohini Gawankar

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From Archives

Socialism : Need for Redefinition

Madhu Limaye

Both the Socialist and Communist Movements were pledged to the principle of abolition of private property in the means of production. This meant, in effect, state ownership of industries and means of distribution and exchange, nationalization of foreign trade and collectivization of agriculture. We can learn from the evolution of states in which the Communists had acquired absolute power how this programme was ruthlessly pursued.

The objective of the All India Congress Socialist Party as set out in the Programme adopted by the Party in 1934 was as under:

1. Development of the economic life of the country to be planned and controlled by the State.
2. Socialization of key and principal industries (e.g. Steel, Cotton, Jute, Railways, Shipping, Plantations, Mines), Banks, Insurance and Public Utilities with a view to the progressive socialization of all-the instruments of production, distribution and exchange.
3. State monopoly of foreign trade.
4. Elimination of princes and landlords and all other classes of exploiters without compensation.
5. Re-distribution of land to peasants.
6. Encouragement and promotion of co-operative and collective

farming by the State.

The original draft proposals were even more explicit on the land question. The draft said:

18. The State shall encourage and promote collective and co-operative farming with a view to ultimate collectivization of all agriculture in the country.

However, the Socialists were the first to abandon the collectivization banner. They of course continued to stand for the abolition of all forms of landlordism, removal of intermediaries and redistribution of land. But they never talked of collectivization and state farming again. They even gave up their early enthusiasm for cooperative farming.

On the land question, in practical terms, the Communist Parties too have changed. They do not advocate collectivization. Whether it continues to be on their ultimate agenda or not, it is difficult to say. But for the present they are concentrating more on abolition of landlordism and conferring security of tenure on the actual tillers of the soil. Even owner-ship rights have not been conferred on the tenants and share croppers in West Bengal.

The Collapse of the centrally planned economies and the abandonment by the USSR, Eastern Europe and China of the absolute and mandatory principle

of nationalization of the means of production, and introduction of various forms of private ownership has had its effect on the Communists the world over. Collectivization has been abandoned even 'in China. The USSR talks of leasing out land on a long term basis. The aforesaid countries have changed their policy towards foreign investment and are openly inviting multinational companies to fully participate in their industrial and economic development. All this will have a profound impact on the thinking of the Communist Parties. They will have to discard their dogmatic approach and adopt a 'flexible line in relation to, market economy, private enterprise, private property as also foreign investment and multi-nationals. It is clear that the Marxist doctrine about replacing the, anarchy of production (market) by a centralised planned economy on the basis of state ownership of the means of production with a view of achieving what Marx called "rational" arrangement of production relations has demonstrably failed. The world, especially the populous Third World countries, cannot go back to undiluted nineteenth century capitalism. But clearly a variety of ownership and management patterns are necessary. The usefulness and importance of the market mechanism for securing a proper allocation of resources in order to satisfy popular demand within a frame of overall state supervision is no more in dispute. In brief a down-to-earth approach is needed Jyoti Basu's

West Bengal Government is already pursuing a pragmatic policy in this area.

Apart from the longing for democracy and freedom, what the people of Eastern Europe resented was the failure of the centrally planned economy under Communism to produce the goods and services which the people desired. This the Communist system had promised to deliver but could not deliver. The Western capitalist system had begun to offer these goods to its own people on an increasingly larger scale after the economic recovery achieved under the Marshall Plan. The growth of television and the orbiting communications satellites made it impossible for the ruling classes of the Communist countries to insulate and immunize their public from the glitter of consumerism which ruled supreme in the West. The uninterrupted prosperity of the West in the sixties and seventies turned disappointment into active discontent in Eastern Europe. The Hungarian revolt of 1956, the Prague spring of 1968 and the rise of Solidarity in Poland were only the outward symptoms of the popular dissatisfaction with the Communist system. The desalinization of the Khrushchev era and, especially, the Gorbachev reforms gave a big impetus to change in Eastern Europe and the whole elaborate system of repression collapsed like nine pins within a year.

Francis Fukuyama in an article entitled *The End of History* last year celebrated the ultimate triumph of liberal democracy. The battle between capitalist democracy and Communism had ended in the complete defeat of Communism. The ideological conflict was over. This was therefore the end of history.

The fight would be hereafter not on basic goals and alternative systems but on “economic calculation, the endless solving of technical problems, environment concerns” and, above all, “the satisfaction of consumer demands.”

This was the vision Capitalism placed before the people, the vision of a consumer paradise. It was the irresistible attraction of this paradise that brought down the Mighty edifice of Communist societies. From the very beginning, the Soviet society had placed before itself the ideal of catching up with America in terms of economic growth and the satisfaction of consumer needs. Long back the Italian Philosopher, Benedetto Croce, wrote that both liberalism and communism had one basic thing in common : the achievement of ever increasing prosperity and ever-improving standard of living.

It was the awesome destruction during the Second World War, and the subsequent diversion of vast resources to the production of military hardware, and the inefficiency and un-responsiveness of the centralized Soviet economy to popular preferences and demand that centralized Soviet economy to popular preferences and demand that crippled communism’s capacity to satisfy its citizens as consumers. Gorbachev finally decided to cut down on military expenditure, liquidate the USSR’s extended foreign commitments and concentrate on the improvement of economic performance. What the USSR now aimed at was not world domination but the creation of material wealth at an accelerated rate. Nevertheless prosperity has remained illusive in the USSR.

If material prosperity is to be the sole human ideal—to the exclusion of social justice, compassion, beauty, harmony and other ideals--then, perhaps, there is no alternative to capitalism and free market economy. I say perhaps- because this ideal, however desirable or undesirable, is, I think, beyond the reach of the mass of Asian people with their enormous and ever growing populations.

The developments in Eastern Europe `have led some people already to pronounce a death sentence on socialism. They are waxing eloquent over the final and worldwide triumph of free market capitalism.

While a lot of rethinking is called for, the judgment on the death of Socialism is a sign not of maturity but of hasty thinking bordering on puerility. Do these people think that capitalism exists today in its Nineteenth Century form ? The fact is that capitalism also has changed beyond recognition over the years. Why cannot Socialism change, adjust and renew itself ? For has the world become perfect and have all its problems been solved? Has all injustice been removed ? No, It is not so.

It is wrong to believe that the fate of Socialism is bound up with particular forms of ownership or with modes of producing and distributing goods. It is also wrong to say that pure free market Capitalism exists anywhere in the world. State intervention in some form and a public sector, large or small, are features of all capitalist countries. Socialism is a much more profound concept than mere forms of property. These forms and modes may vary or undergo changes. But the enduring ideals of Socialism cannot die.

Socialism has been a humanitarian creed. It stands for social economic justice. It stands for the abolition of caste, for the dignity of labour, for the free development of each and all. It champions the liberation of women. It wants to destroy apartheid based on colour of the skin. It seeks end to exploitation of one nation by another of one section of society by another. It preaches tolerance and fights religious hatred and fanaticism. It abhors war and destruction. It would like to use peaceful and non-violent means to establish justice and a system of fair shares.

Socialism is inseparably bound up with democracy, universal suffrage, right of the people to overthrow governments and elect new ones of their own free choice. It opposes one-party rule under whatever label it might sail. It desires that the civil liberties inherited from the liberal tradition be preserved and enriched.

India's Communists therefore must give up finally both the utopia or rather the Chimera of a stateless society as well as the terrible means prescribed for its realization: violence and dictatorship. They should consciously adopt non-violent struggle as the means to reach the socialist goal.

The above discussion of the concepts of violent change and the Dictatorship of the Proletariat has a direct bearing on India. We have a number of Left Parties, although the Socialist Party itself lost its separate identity fourteen years ago. Most of the Socialists are today in the Janata Dal or Janata Dal (S) and a few in the Congress (S). But there are innumerable Socialist activists who don't belong to any party but are nevertheless

performing great service in the cause of the downtrodden people. They are spread over the whole country. Unfortunately the CPI shows no sign of modernizing its ideology, and the CPI-M apparently still subscribes to, the antediluvian ideology of Stalinism.

The Communists of the World are changing. So must the Communists here. The world's largest Western Communist Party went out of existence when a majority of delegates to the 20th Italian communist Party convention held at Remini (Italy) on 3 February, 1991 voted a new name--The Democratic Party of Leftists--and abandoned all Communist symbols. The party leader, Achile Occhetto, said he was satisfied that the changeover had occurred "without creating a split."

The CPI-M's constitution, as stated above, reiterates the aim of establishing the Dictatorship of the Proletariat despite the terrible violence and destruction this concept has caused. The growing gulf between CPI-M theory and its current practices does not seem to worry it. There is a great similarity between the CPI-M ideology and the dogma of the People's Socialist Republic of Albania whose Constitution says that the PSRA is a "country of the dictatorship of the proletariat" which is maintained by "the unity of the people around the Albanian Party of Labour." In its turn, the party is "the sole leading political force in the end society." On this basis "socialism is being developed proceeding from the 'principles of Marxism, Leninism', the country's "ruling ideology." But even the changeless Albania has begun to change. The question is when will India's Communists change.

Why Socialist Forces are being Marginalized

Stagnant and ancient societies like India are generally impervious to benign social change. Civic virtues in 'these societies are conspicuous by their absence. There is dearth of public spirit, and the accumulated load of past evils frustrates purposeful human action. Fresh mistakes by individuals and groups add to the load of evil.

The observation is valid also in relation to the Communist and Socialist Movements in India. The complexity of the social order and India's ethnic, linguistic, communal and caste diversities and prejudices born out of them set up formidable obstacles in the path of achieving a society of free and equal citizens. The mistakes committed by the leaders and proponents of communism and socialism have compounded these difficulties.

The first mistake of the Communist Movement in India was to accept the Comintern dictation and isolate itself from the national struggle. Its failure to synchronize workers' action with Gandhi's Civil Disobedience campaigns of which peaceful hartals were a part--weakened the Communist Movement. In the second half of thirties it appeared for a moment that the mistake would be rectified and a united socialist party would be created through the fusion of the CSP and the CPI. Again Moscow trials and excessive obsession with loyalty to the USSR ruined the possibility of unity. In 1942 the CPI completely broke with the resurgent national freedom movement and cooperated with the alien Raj. This further deepened the gulf between the Socialists and the Communists. The undivided CPI continued its policy gyrations

in the late forties and early fifties. The Communist Movement's recent and most harmful mistake or rather [that of a] section of it—was its alignment with the Indira Congress and its support to the Emergency.

The bane of the CPI-M has been its worship of Stalin and his obsolescent ideology. Its narrow regional horizon and sectarian outlook have confined it to three States.

The Socialist Party has also committed serious mistakes, Its most fatal mistake was to raise the utterly irrelevant and destructive question of cooperation with the Congress -which it had left with such fanfare in 1948—and divide and paralyse the Movement from 1953-55 onwards. The Socialist Movement never recovered from this bloodletting. With the passage of time the broad river of the Socialist Movement gradually dried up. It first broke into two small streams, and then disappeared into the sands of power politics and ultimately both lost their identity.

Jayaprakash Narayan's talks on cooperation with the Congress, his denunciation of party politics and his wandering in the arid land of Vinoba Bhave's Bhoodan Movement and Asoka Mehta's theory of the compulsions of a backward economy and his shrinking away--after receiving the first electoral check--from politics of healthy competition among parties--which is the meat of democratic politics—paralysed the will of the Socialist Movement.

To take out the weakened Movement from the morass of ineffectiveness, Lohia evolved the policy of non-Congressism, which JP carried to logical conclusion by advocating Socialist Parties' total

merger with non-Socialist parties, This policy of course demonstrated that it could destroy the Congress monopoly of power, but it bred opportunism and lust for power and contaminated the springs of idealism and self-sacrifice on which the edifice of the Socialist Movement had been raised.

Let us take a look at the political map of India even after the disappointing performance of the Socialist Party (SP) in the 1952 elections and compare it with the map today. The Right Parties or communal parties were then nowhere in the picture although regional parties had shown considerable strength in some States.

In Assam the Socialist Party (SP) got 19.2 per cent and the Jan Sangh (JS) 3.6 per cent votes. In Bihar the SP got 21.3 per cent and JS 0.4 per cent votes. In the old Bombay State the SP polled 14.6 per cent vote, the Jan Sangh was not in the electoral picture at all. In UP the SP vote was 12.9 per cent and the JS vote 7.3 per cent. In Madhya Pradesh, which is at present BJP's stronghold, the SP's share was 12.2 per cent, and only 4.9 per cent that of the JS. In the backward States of Madhya Bharat, Vindhya Pradesh, (both of which were later the expanded Madhya Pradesh) and Rajasthan, which in after years became JS-BJP States, the position was more favorable to the SP which won 13.7, 17.8, 3.4 and JS 9.7, 12.7 and 3.0 per cent votes. Only in Himachal and Punjab the JS was ahead of the SP. The SP could poll only 1:5 per cent vote as against 10.7 per cent that of the JS in Himachal. In Delhi, which was then largely a refugee city, the JS with 25.9 per cent was in a formidable position. The SP was a negligible factor in the Capital city

as in Punjab.

As for the then undivided Communist Party, in 1952 itself it emerged as the biggest party in Tripura, the largest' Opposition party in Travancore-Cochin and the Malabar area of the old Madras State, in Telengana part of the old Hyderabad State and the Andhra area of Madras, as also in West Bengal. In Tamil Nadu and Assam its vote in 1957, when it was still a united party, was over 10 per cent. In Bihar and Punjab the united CPI was running neck and neck with the JS. The split was a great blow to the Communist Movement.

This hurried survey of the political map of India in the first decade after freedom will enable us to understand the great damage that has been inflicted on the cause of not only the downtrodden people but also On the ideal of Indian unity and the secular democratic order.

The continuing gulf between the Socialist Movement and the Communist Movement on the one hand and the divisions and fissions in both their ranks--for reasons discussed above--has been their undoing.

Only in West Bengal, Kerala and Tripura has the CPI-M been able to keep the communal forces at bay. And in UP and Bihar, it is Rammanohar Lohia's policy of social equality and special opportunities, combined with the surviving SSP-BKD influence in the shape of the Janata Dal that has controlled the Hindutvavadi menace. The future seems to be bleak. The time is running out for the forces of socialism in India. The Communists must wake up to the need of getting rid of ideological shibboleths, and the Socialists--to

whichever party they belong at present--quickly liberate themselves from the coils of power politics. Unless both come together and take drastic steps towards the creation of a new Movement and a new broad based party of socialist democracy or democratic socialism, socialism would be wholly marginalized in the coming decades.

Large numbers of dedicated progressive groups and individuals will willingly adhere to such a party. No fronts or forums can fire the popular imagination and, especially, the imagination of young people. Only a bold step such as the creation of a new broad based party will inspire confidence. It needs to be emphasized that the new formation of democratic, decentralist socialism will have to proceed on the basis of internal consensus and mutual tolerance.

Modern Technology, Decentralization and Consumerism

At the mid-point in the Twentieth Century the world found itself sharply divided into two hostile camps--the Atlantic and the Soviet. In the first camp market economy prevailed. In the Soviet camp there ruled supreme the one-party state. Both exhibited some common tendencies. In the last years of the long Stalin Ascendency centralization and concentration of political and economic power reached fierce-ful proportions. The Western capitalist system, too, seemed to be headed in the direction of bigger and bigger corporations and the centralization in them of economic power, with the resulting alienation and boredom which the workers herded together in large factories and offices were experiencing. It was felt that with technological advance the tendency towards concentration

of productive power and workforce in huge factories would grow. The Economist wrote :

Peering into its crystal ball in 1958, the Harvard Business

Review said the computers would revolutionise American

business. By the end of the 1980s they would ensure that

American business would be concentrated as never before.

The economy would be dominated by a few giant firms. Within

each firm important decisions would be made by a handful of

executives with access to the firm's single, big computer. ... In

predicting that decentralization would be the exception and

centralization the rule, the Harvard Business Review was

merely propagating the conventional wisdom of the 1950s.

The argument boiled down to the idea that information

technology would increase centralization by enabling executives

to keep better track of more information. These top people

would then be able to make wiser decisions and to disseminate

them more widely. What happened?

The technological development has taken a surprising turn in the last 15 years and the spectra of men and women as members of a "dehumanized collective" is being laid to rest. The ghost of "the organization man" created by William Whyte has been virtually buried. Advances in electronics--such as personal computers, software, fax facilities, answering

machines and easy access to information as a consequence of the vast progress made in knowledge technology--have reversed the trend towards centralization. A recent survey has said that in the United States, the birthplace of the new information technology, nearly one-fourth of the labour force have shifted part or all their jobs from the office to the home. How far this process will apply to factory production it is difficult to say. But with increasing automation, robotics, computerization and materials revolution (better and more versatile substitutes) the number of people working in factories, mills and workshops has started decreasing. Harvard Business Review had predicted a centralized world. But as The Economist wrote "The exact opposite has occurred. In America the average number of employees per firm has been falling since the late 1960s; but more and more of those employees have a computer on their desk. Instead of centralizing, most businesses have spent the past few decades decentralizing. Within big around the world, bosses have been pushing authority down the management hierarchy."

The point that I wish to make is that Socialism can selectively harness the new technology to the cause of building up a new social order based on decentralization, justice, equality, protection of the human habitat, individual satisfaction, harmonious life styles and a decent standard of living as against endless acquisition of material goods.

One important aspect of the October revolution and the Soviet state was the valuable help it rendered to the subject countries in their struggle for freedom. The role of the Communist Movement was

at times dubious, especially when the interests of the Soviet state and the undeveloped world clashed. But in the post-Stalin period the Soviet Union generally helped the newly freed countries (a) to resist America's effort to establish world hegemony; (b) to promote their industrial development and reduce their one-sided dependence on the West. Certainly the Soviets gave strategic support and assistance to China, Egypt, Vietnam, Cuba, India, Iraq, Syria and many other countries which were subject to penetration and domination by the former imperial powers and the new world power--the United States.

There was however no reversal of the centralizing tendencies in the Soviet bloc. By killing initiative and centralizing all power in the hands of the one-party state and the Communist Party, Communism not only crippled the long term capacity of the Soviet Union and other Communist countries to hold their own against the United States and its allies, it also removed the Third World's "protective shield" and exposed it to the imposition of Pax Americana.

What ultimately broke the power of the Communist bloc was the globalization of the economy, the widening technological gap—the Western Civilization has from its infancy been basically a technological civilization, and the infection of consumerism.

It is quite idle to expect to achieve autonomy and independence from the West and yet madly pursue the consumerist ideal. If the people, including the elite, refuse to, give up the pursuit, they are fated to remain the hewers of wood and drawers of water for the select—Western countries and Japan.

I will make one last observation before I close. It involves a distinctive philosophy of life, a value judgment. Mankind must live in peace not only with the different races, nations and religions into which it has divided and articulated itself the last several millenia, it must also live in harmony with the animate and inanimate nature.

If socialism is to be rejuvenated, it will have to define its attitude the consumerist quest. If we are unconcerned about ecology and environment and equality and justice, if we are in-different to the common people and, especially, the deprived and the lowly, then we can turn to unadulterated capitalist system. But if we care for these values of life and for the poor, and, above all, if we care for the future of our race then we must first settle accounts with unsuitable consumerist quest.

Socialism must therefore define what is a decent standard of living. And it must win popular support for its concept. Only then will it be able to revive itself. This redefinition is absolutely necessary for the Third World countries whose vast mass of people is bogged down in poverty

and whose ruling minority wants to ape the styles of living of the affluent West.

The conclusion that this discussion leads to is that neither in old style Communism nor in high profile consumerist Capitalism can the people of India and South Asia (and the Third World) find their liberation from grinding poverty. We must work out our destiny the hard way. We should not pursue the mirages and utopias of wholly state-owned economy, of stateless society, abolition of religion and obliteration of ethnic and linguistic identities. We should aim at practical freedom (as contrasted with license) within the framework of an ordered state, achievable equality, tolerance, Unity (as distinguished from dead uniformity), recycling of resources and harmony, that is, briefly, good life. This concept of good life, let me say, cannot be predicated upon the reckless wastage of finite resources, squandering away of the gifts of nature and the destruction of human habitat in pursuit, apparently, of the unattainable affluence for all but really to achieve affluence for the few.

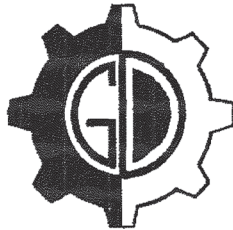
Letter to the Editor

MESSAGE

The Socialist institutions are conducting a meeting on 17th May 2016 at Patna to get the younger generation to know the early history of its socialist movement to feel inspired. It is a praiseworthy effort and it is to be encouraged and strengthened. I wish I could be present at the occasion but being far away and due to age compulsions, I am not able to accomplish my own wishes be fulfilled. I feel very enthusiastic about the venture. I am sure this meet be successful and pave the way for the younger generation of socialist to have their dream of society based on values and principles of equality and justice. I express my good wishes for the success of the meeting and hope that this meet be strengthen the socialist movement to face the growing challenge of capitalist system of today.

From,
Mohan Lal Sachdeva,
Advocate, Haridwar Uttarakhand

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India's March to Socialism



Standing (from left): Farid Ansari, E.M.S.Nabudiripad, Dinakar Mehta, Nabakrishna Choudhari, P.Y. Deshpande, S.M.Joshi, Soli Batliwala. *Sitting Middle Row (from left) :* Minoo Masani, Mohanlal Goutam, Acharya Narendra Dev, Dr. Sampurnanand, Kamaladevi Chattopadhyaya, Jayaprakash Narayan, N. G. Goray, *Sitting on ground (from left):* Achyut Patwardhan, Purushottam Trikamdas, Charles Mascarenhas.

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दुरध्वनी :- २४१९५२००, फॅक्स : २४१५७४९७
(आय.एस.ओ.९००१-२००८ प्रमाणित)

दर्जा, गुणवत्ता आणि विश्वासार्हता म्हणजेच अपना बाजार

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- वार्षिक उलाढाल रु. १३९ कोटी
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- तीन वेळा जमनालाल बजाज उचित व्यवहार पुरस्कार (१९८९, २००१, २०१३)
- इकॉनॉमिक डेव्हलपमेंट फोरम तर्फे ग्लोबल अचिव्हर्स पुरस्कार फॉर बिझनेस लिडरशिप (२०१२)
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- मुंबई जिल्हा मध्यवर्ती सहकारी बँक लि. यांच्या तर्फे सहकार गौरव पुरस्कार (२०१५)

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- २) दर्जेदार वस्तू खात्रीपूर्वक मिळण्याचे ठिकाण
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- ६) भेट देण्याकरिता अपना गिफ्ट व्हावचर
- ७) मंगल कार्याकरिता अपना बाजार नायगांव एअर कंडिशन बँक्वेट हॉल
- ८) सोडॅक्सो पास, तिकीट रेस्टॉरंट कुपन्स आणि बँक कार्ड्स मार्फत खरेदी

आपले सहकारी

अनिल गंगर

श्रीपाद फाटक

ज्ञानदेव दळवी, संतोष सरफरे

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नंदिनी गावडे, राजेंद्र आंग्रे

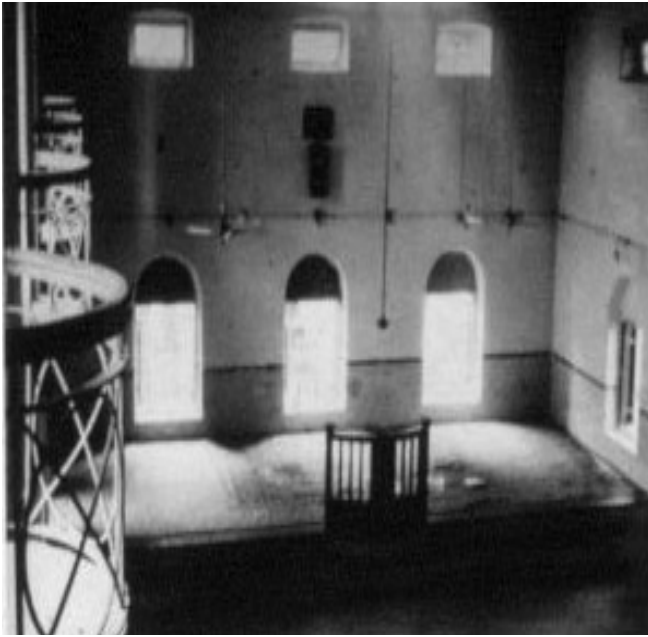
कार्याध्यक्ष

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एक्झिक्युटिव्ह कमिटी सदस्य

मुख्य कार्यकारी अधिकारी

संचालक :- भारती शिरसाट, शिवाजी गावंड, विश्वनाथ मलुष्टे, अश्विन उपाध्याय, अंजना सावंत, नरेंद्र कदम,
रमाकांत साळुंखे, बाळा राऊळ, निलेश वैद्य, नरेंद्र भुर्के, उमेश फाटक, मनिषा डुबळे, नितिन अणोराव, जगदीश नलावडे



Anjuman-e-Islamia Hall in 1934

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India's March towards Socialism

It was on 17th May, 82 years ago that the Socialists like Acharya Narendra Deva, Jayaprakash Narayan, Asoka Mehta, Nanasaheb Goray, having just been released from Nasik Prison met at the Anjuman-e-Islamia Hall in Patna and decided to organize a Socialist Party within the Indian National Congress which was then a broad political platform fighting for India's freedom. On that day was born the Socialist movement in India with its ideals of liberty, equality and fraternity.

In its life of 82 years the movement has seen many ups and downs. Freedom being the prime core value of Socialism, the freedom from the British was naturally the foremost objective then of the Socialists who were in addition to being Socialists were also devout nationalists. They participated in each of the movements for freedom launched by Mahatma Gandhi, in spite of their sharp political differences with him. Due to the imprisonment of all the Congress Working Committee members in 1942, the Socialists led the 'Quit India' movement from the underground. In fact the words 'Quit India' were coined by Yusuf Meherally, a Socialist mayor of Mumbai. When democracy was threatened by an authoritarian regime in independent India in 1975 they fought for restoring democracy and people's civil liberties even at the cost of their separate political identity by merging their Socialist Party in the Janata Party launched by Jayaprakash Narayan. But all through these fights they did not allow their commitment to Socialism dim.

In independent India, they struggled for taking the country towards an egalitarian social order. They fought for the abolition of the Zamindari system and for redistribution of land to the tillers. They advocated co-operative farming to ameliorate the conditions of the small farmers. They organized the industrial workers into trade unions and fought for the rights of the working class and advocated their participation in the management and ownership of the industries in which they worked. They fought against the social evils of the hierarchical caste system and advocated equality among the castes and for women. If India has become more egalitarian than it was at the time of independence, Socialists can certainly claim a major part of the credit for it.

Today though the Socialists are scattered in several political parties, the movement is continuing to influence the Indian polity and society. In these 82 years India, nay the whole world has seen a paradigm shift in its political, economic, social and cultural milieu. The advancement

in the fields of science and technology and the advent of the concept of globalization, have while throwing up new challenges, have also opened up new opportunities and possibilities.

Today the giant multi-national corporations are slowly and gradually, but surely occupying the space hitherto occupied by the State resulting in its slow withering away. Socialists all over the world are contemplating methods of democratizing these corporations and building credible and Socialist alternatives. Prof. Leslie Sklair of the London School of Economics speaks of replacing capitalist globalization with Socialist globalization through a network of co-operatives operating on a global scale. Will the Socialists oppose these Globalization related developments blindly like the communists do or will they maneuver them to the advantage of Socialism?

In India the stage is set. With a large section of the people like the Dalits and women thirsting for equality the mind is set. Having stabilized freedom and democracy in the last 60 years, what is needed now is the thrust for an egalitarian social order.

Once upon a time in human history there was no difference between the *etat* and the *devot* – state and religion. Today it appears that the difference between the *etat* and the *economie* is evaporating. Socialists had tamed the *etat* to serve the cause of Socialism and had constructed wonderful welfare states as a step towards an egalitarian social order. In the changed milieu will they be able to maneuver the *economie* to serve the cause of Socialism?

There is need for the jaded Socialist policies and programs to make way for new policies and programs to engage with the new challenges while keeping the core values of Socialism in focus. From 1979 to 1997 the Labour Party of UK lost four consecutive elections to the conservatives. Then in 1997 Tony Blair became the leader, abandoned the old policies and programs and called for what he called ‘New Labor’ and won three consecutive elections for the Labor Party unprecedented in the history of UK.

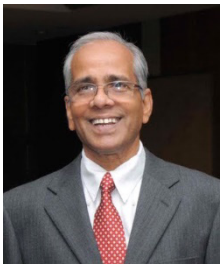
Socialists from all over India are again meeting on this 17th May at the same Anjuman-e-Islamia Hall in Patna. The home-returned prodigal son of JP’s Total Revolution Nitish Kumar, the Chief Minister of Bihar, is inaugurating the meeting. Will Indian Socialists learn from history and evolve ‘New Socialism’? That is the challenge and that is the opportunity.

I am thankful to the writes who have responded to my request promptly and sent their articles.

– **Bapu Heddurshetti**
bapuheddur@gmail.com

Towards a New Socialist Paradigm

K. K. Panda



Professor Dr. Panda educated at University of Delhi and Jawaharlal Nehru University; taught at the University of Delhi, Jawaharlal Nehru University and Soka University, Tokyo; worked as the Director of Bureau of Parliamentary Studies and Training, Director of Institute of Constitutional and Parliamentary Studies, New Delhi, and Registrar of University of Delhi; honoured by the President of America, Bill Clinton as the Ambassador of Goodwill..

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The contemporary international system is passing through a period of new isolationism. Instead of moving towards a genuinely democratic and human-centered civil society, the international political, economic and social structures, in some parts, are continuously retreating into ugly tribalism in the form of ethnic cleansing. The consumerization of contemporary life and a declining value system have affected the very structure and process of civil society. It has not only created a crisis of identity for the people, but has also forced them to withdraw into particularistic belief patterns, along with growing religious intolerance, what Samuel P. Huntington is tempted to refer to as the clash of civilizations. The new struggle for economic hegemonism has created a climate of inequity, intellectual acquiescence and a psyche of restlessness in both national and international interactions. A systematic attempt to subordinate social justice to the market forces has created a social political system in which millions could be found dispensable. Professor Lester C. Throw, in his book, *The Future of Capitalism*, wrote, “the ideology of inclusion is withering away, to be replaced by a revival of survival-of-the-fittest capitalism”. Criticizing the social Darwinism of capitalism and the market economy, he said, “If it is to succeed, the capitalism of the future will have to shift from a consumption ideology to a builders’ ideology.”

There is a climate of isolationism and restlessness everywhere. At this hour of crisis what India needs, and what in fact the world needs, is a creative synthesis of basic tenets of human values given to us over generations by the preachers of world religions. This alone can reinforce a sense of human solidarity and a common commitment to the core values of human civilizations such as respect for life, liberty, justice and equity, caring, mutual respect, integrity, and what Gandhi referred to as a climate of togetherness, a social basis of creative coexistence.

Delivering the most prestigious Gandhi Memorial Lecture on “Towards a World Without War- Gandhism and the Modern World” in 1992, Dr. Daisaku Ikeda, a Buddhist thinker and a leading pacifist and the President of Soka Gakkai International, Tokyo, said, “If one were to attempt in a few words the central flaw of modern western civilization, one would have to cite the sense of isolation and fragmentation which it has introduced in all areas of life and society. By this I mean the lines of separation that have been drawn between man and the universe, between human kind and nature, between the individual and the society, between different peoples,

between good and evil, between the means and the end, between the sacred and the secular, and so forth. In the midst of this greater fragmentation the individual human being has been forced into a state of isolation.”

In some of the developing political systems what one observes today is a disturbing trend of an increasing role of theocratic politics in the governance of the state. This trend has deeply affected the very basic existence of liberal governance of the state; the role of the state in the areas of basic needs has been minimized. The spread of hunger, poverty and deterioration of social cohesion has given a new dimension to the concept of religious cohesiveness. Out of this social and religious intolerance and exclusiveness have emerged fangs of genocide, ethnic conflicts, social disintegration, international terrorism, pollution and environmental degradation, population explosion, a mad rush for weapons’ proliferations, economic disparities and human rights violations. Often I have felt that the human kind today has perhaps reached a crucial cross-road and is poised between a collapsing past and an indeterminate future, what Bertrand Russell referred to as a choice between reason and death.

I have often felt that there is a tendency among the paradigm builders to highlight either the Marxist perspective or the liberal approach as a model for analyzing political, economic and social process of state-building methodology. With the publication of Francis Fukuyama’s article, *The End of History*, in the journal of National Interest, a journal of strategic interest in the United States, in the summer of 1989, the contemporary intellectuals have become ‘more open’ to the notion of market-based development concept. It is conventionally believed and conveniently asserted in most of the academic circles that by accelerating the market economy oriented reform process, the political systems would be in a better position to achieve more and a sustained growth rate that could reduce poverty and ensure social justice as a result of what is popularly known among the economists as the trickle down effects of the economy. It has also been argued by some economists that by pushing the structural adjustment programs to a higher gear, one can easily take care of the social, political and economic conflicts in different strata of the political systems. The policy of globalization and liberalization of economy in the Third World countries have only resulted in a growth process of a psyche of depravity among the marginalized majority in most of the political systems. While some of the nations like Taiwan, Singapore, Costa Rica and South Korea have experienced greater amount of equality in

their political systems as a result of market economy strategy, it is not so in case of Mexico, Argentina, Brazil, Philippines and India. There has not only been flight of capital from the developing to the developed world, it has also created a climate of uncertainties and cumulative inequities in the developing economies.

A good number of cross-national studies have challenged the very Marxist assertions that indicate that economic equality, social justice and humanism could be better ensured in socialist economies rather than in the liberal frameworks. The leading political scientists like the Yale political scientist Charles E. Lindblom, Lydall and Prior have been critical of liberal approach. Lindblom said that “it does not seem that political science has sufficiently explored market impact on democracy often leaving the field to those economists who tell us, simplistically, sometimes even dogmatically, that democracy cannot survive without help from the market”. On the other hand, studies by researchers like Cutright, Kuznets, Jackman, Adelman, Ward and Morris argue that inequality tend to decrease as the level of economic development increases and all democratic political systems are bound to be market economies. They argue that “for reasons not wholly understood, political democracy has been unable to exist except when coupled with the market.” These economists often argue that by accelerating the pace of the liberal economic process in the developing economies, the political systems would be in a better position to achieve a higher and sustained growth rate that could reduce poverty and ensure a responsive and caring society.

In fact, often we have been told since the early 1990s that with the collapse of Marxism as an ideology and of communism as a political system, there is no other way but to move into a society where the neo-liberal capitalist philosophy dominates the mind of the researchers and policy-makers. Concepts like the ‘new world order’ and the ‘international governance’ have gained much momentum as part of the ‘new thinking’ process, to deal with the issues of globalization and structural adjustment programs. Some of the paradigm builders and social scientists have become ‘more open’ to the notion of market-based development strategies and ‘non-class’ democracy, and consider globalization and structural adjustment programs as the inevitable results of the world technological transformative process.

Economists like Professor Amartya Sen and Professor Jagdish Bhagwati have been arguing that in order to

ensure an increasing growth rate in a developing political system, the structural adjustment programs have to be pushed to a higher gear. The trickle-down effect of this type of economy, they say, would have visible impacts on democratic functioning and social justice. In his Presidential address to the American Economic Association on January 7, 1995, in Washington D.C., Professor Amartya Sen said: “the contemporary world suffers from many new as well as old economic problems including, among others, the persistence of poverty and deprivation despite general economic progress, the occurrence of famine and the wide spread hunger and threats to our environment and to sustainability of the world in which we live.” He said that hunger could be better combated “both by a healthy functioning economic system to provide people with regular means of income and survival and a social security system to provide compensatory entitlements when employment rewards are inadequate.” Elsewhere he commented: “I sometimes consider whether there is any way of making poverty terribly infectious. If the privileged could catch poverty from the poor they meet in the streets, I don’t doubt at all that poverty would be eliminated with remarkable speed.”

I consider this comment to be a bit simplistic and naïve one. Why should the political and economic elites in both developing and developed political systems make poverty terribly “infectious”, and for what? Does an increase in the growth rate of a political system necessarily lead to a better functioning democratic economy and an equilibrium in the social, political and economic process? Does the concentration of national power and income in the limited upper ‘creamy’ layer of the political and social system not automatically lead to a growth of a psyche of depravity and acquiescence among the marginalized majority? Will it not create a climate of political uncertainty and cumulative inequity in the political economy? Scholars like Nagel, Mueller and Seligson (1987) have conclusively proved that an increasing growth rate unaccompanied by an equitable income distribution process could lead to political violence in the system. Democracy, market, growth, human values and an enlightened public policy and institutional process have to move simultaneously. One must not belittle a meaningful and strategic linkage between the pattern of representation and process of redistribution of national income. Cutright said that “political structures that facilitate access by the masses to the elite will decrease inequality”.

The Japanese philosopher, Eisuke Sakakibura, referring to the liberalization debate in the international system said, “After fifty years the normal process of history has started to move again and what we are witnessing is not the end of history, but a fresh start”. Same view was reflected in the opinion of Walt W. Rostow, an internationally renowned economist. He said, “What they may not realize, and I have argued this since the late 1950s, is that the most powerful underlying force at work in the world arena is the diffusion of effective power away from both Washington and Moscow that has been accompanied by a growing interdependence economically and politically, in the contemporary world.” Perhaps both Rostow and Sakakibura were, convinced that with the gradual decline of the two versions of “progressivism” - communism and capitalism – a new forum and process of history would emerge that would ensure both interaction and accommodation between diverse civilizations and ideologies.

The “demise of socialism” thesis is not merely popular in Western Europe or North America it is quite popular in most parts of the contemporary international system. Despite the fact that there are more than ten million unemployed in the EEC countries and more than three quarters of the new jobs in the capitalist countries are of temporary nature, some of the ‘institutional intellectuals’ are “more open” to the notion of market-based development and ‘non-class’ democracy. Most of the researchers simply over-looked the fact that man being a social animal with a highly developed individual self-consciousness, is bound to be affected by the tensions between the claims of society and of the individual. Marx used ‘socialism’ and ‘communism’ alternatively and referred to a socialist society as a ‘society of free and associated labor based on associated mode of production’. To him, socialist society is a ‘union of free men ... masters of their own social movement’. Referring to the practice of socialism in the Soviet Union, Akhmatova said that ‘It was a night that had no dawn.’ Pasternak observed it as ‘a reign of the lie... where to conceal the failure’, they ‘forced the people to see what did not exist, and to assert the very opposite of what their eyes told them’.

I am reminded of what a former Russian President, Gorbachev, had said on 15 March 1990: “No system of power can replace morality which is necessary in human society. In the past, the inner development of an individual was denigrated as idealism in this country. We need to create conditions whereby all spiritual values

will be appreciated in a society as a vital necessity for its full-blooded life and progress.” As the citizens of the twenty-first century, we must have a vision to reorient globalization process into a global civilization framework. The dialogue can only take care of regression of political culture and effect a transition from a culture of war into a culture of peace. Lester C. Throw in his book, *Future of Capitalism*, criticizing the social Darwinism of capitalism and the market economy, said “If it is to succeed, the capitalism of the future will have to shift from a consumption ideology to a builder’s ideology”. Unless the world economy is properly regulated so as to operate as a social and ecological world market economy, it may degenerate into a predatory capitalism and lead to polarization and self-centered attitudes within and between the countries and regions and increased poverty in the countries marginalized. A state system, whatever may be its form and features, will never be bereft of class concept. History and philosophy are the products of interaction between these claims, as there cannot be any universality in the patterns and progressions of history and philosophy. Both history and philosophy have to be understood and analyzed in a rational and forward-looking way, and the conscience of yesterday should never become foundation of today and guidance for tomorrow.”

Beginning from the turn of the Twentieth Century, there have been a number of attempts to inject new spirits and visions into the orthodox interpretations of socialism. From the Bernstein’s plea for a close association between socialism and liberal democratic tradition at the turn of the century to Berlinguer’s “Eurocommunism” in the 1970s and thereafter, the European left movement had to experience a “long march”. Although we know for certain that both Bernstein in Germany and Jean Jaures in France were condemned for their ‘revisionist’ positions by Karl Kautsky and Jules Guesde respectively in the early 20th century, their philosophical interpretations of materialist conception of history, the class struggle, and revolution got a wider audience in the 1970s and in the subsequent period. Today, as in Marx’s time, we have to break the chain of exploitation at its strongest links if we wish to build socialism. It could be then, what Marx said, “The free development of each is the premise of the free development of all.” In any analysis of the concept of the state system one often gets confronted with the basic philosophy of a state system. Why do we need a state? According to Michael Oakeshott, a leading political scientist, the state, as a corporate enterprise association, should try to achieve, not ‘benefits’ or ‘satisfaction’, but

creation of conditions under which an individual can fully exercise its duties and responsibilities. “The supreme test of all political institutions”, said John Dewey, “shall be the ‘contribution they make to the all-round growth of every member of society’”. Gandhi always made a plea for a society free of alienations. He was inspired by the highest ideals of democracy and equalitarianism. At this hour of crisis what India needs, and what in fact the world needs, is a creative synthesis of humanism and the vision of Gandhi. Gunnar Myrdal said, “In a time of deepening crisis in the underdeveloped world, of malaise in the affluent societies, it seems likely that Gandhi’s ideas and techniques will become increasingly relevant.” On 5 September 1947, in his message to the UNESCO Conference, Gandhi said, that “real security and lasting peace cannot be secured so long as extreme inequalities in education and culture exist as they do among nations of the world. Light must be carried even to the remote homes in the less fortunate countries which are in the comparative darkness, and I think that in this cause the nations which are economically and educationally advanced have a special responsibility”. We are confronted now with a climate of despondency and dehumanization. There is need, therefore, to advance together into the uncharted frontier of a new socialist vision with a human face.

There is need for a framework of an international cooperative socialist federation to provide vision to the contemporary state systems as enunciated at the foundation of the Congress Socialist Party in 1934, a landmark in the history of organizational development of socialism in India. The objectives of the Congress Socialist Party were reflected a year before in the constitution of the Utkal (Orissa) Congress Socialist Karmi Sangh in February, 1933. It said: “where, in the interest of the struggle of the masses in India for political and economic freedom, it has become urgently necessary to organize in each of the Congress provinces a well-knit and disciplined party of those workers who are determined to fight till the bitter end for the complete political and economic emancipation of the Indian masses, along definite and scientific lines of socialism, based on past experiences and deep and realistic study of the moral and material conditions of the people and their psychology”. The Anjuman-e-Islamia spirit reflected in the socialist ideas of Gandhi, Acharya Narendra Dev, Jayaprakash Narayan, Dr. Rammanohar Lohia, Surendranath Dwivedy and Jawaharlal Nehru is becoming more and more relevant day by day. Although Dr. Lohia as the President of the Socialist Party Convention at

Panchamarhi in May 1952 advocated for a greater incorporation of the Gandhian ideas into the socialist thought, several delegates at the Convention were not enthusiastic about this Gandhian thought-orientation. Perhaps this was an historical curse in the growth of Indian socialism. The Congress Socialist Party, to start with, consisted of members who rejected, what they saw, ‘the anti-rational mysticism of Gandhi’ – the followers of Fabianism as well as Marxism–Leninism. While Acharya Narendra Deva insisted upon Ahimsa or Satyagraha, he along with Basawan Sinha and their followers advocated a democratic socialist approach towards Independence movement. In 1936, the Communists became a part of the Congress Socialist Party, and slowly dominated the politics of Kerala and Orissa. There were three different trends in the Congress Socialist Party i.e., the Marxist trend under J.P. and Acharya Narendra Deva, the Fabian trend under Masani and Asoka Mehta, and the Gandhian trend under the leadership of Rammanohar Lohia and Achyut Patwardhan. The CSP (Congress Socialist Party) remained as a part of the Indian National Congress till India achieved Independence and subsequently broke away from Congress. The CSP National Executive took the decision to expel all the communists from the CSP. Right from the day the Congress Socialist Party was formed Jayaprakash Narayan considered socialist ideas to be the basis of India’s freedom. He also advocated that socialism was not opposed to the dominant values which have been cherished in the Indian culture. Dr. Lohia pleaded that “if the ‘ought’ becomes the ‘is’ then all hopes for the future and for enlightenments is lost, because then it is no longer a question of trying to actualize the ideal. The modern world is suffering from this grievous disease of mind, that, instead of trying to actualize the ideal, whether that relates to personal life or collective life, collective within a nation or international relationships”. Dr. Lohia and Dr. Ambedkar’s plea for socialism combined with twin aspects of justice and equity, Gandhi’s insistence on removal of economic disparities, and justice-equity ideas of Mahatma Phule, Narendra Deva and Periyar must be considered as policy alternatives by the socialists.

In an article on *Culture and Socialism* in 1950, Asoka Mehta said, “By interpreting all cultural phenomena in terms of class struggle, by explaining man’s beliefs by his place in the struggle, by subordinating ends to means, Communists reduce man, from the architect to the raw material of history. Individual is subordinated to a collective, and tyranny is enthroned.” Elsewhere Mehta commented: “The darkness at noon that characterizes

the Moscow skies is the inevitable result of moral relativism served in the interest of a one-party State. This denouement is a travesty of Socialism, a mockery of man’s epic quest for freedom.”

In any political system where infrastructural inhibitions affect and determine incentive structure of decision-making process, absence of any meaningful interaction with the masses in any political development dialogue, is bound to create a breeding ground for an ongoing anti-people culture, and this anti-people culture, in the long run is bound to provide justification for state repression of non-state institutions. The marginalization of the majority and authoritarianisation of the political process help in the sharpening of the inherent contradictions in the state structures. Out of this contradiction is born a climate of cumulative inequity. If the basic aim of socialism, be it Marxism or any other ism, for that matter, is to create conditions for making interest articulation process in a system more meaningful, then it must be based on political process that connotes transmission of propensities, attitudes, beliefs, and values whereby society becomes increasingly rational, analytical and empirical. This type of political process which is referred to by Dr. Lohia as a strategy of an integrated ideology, alone can produce meaningful structural differentiations, cultural secularization and political socialization. In the absence of this basic philosophy of socialism, what Marx refers to as “positive human self-consciousness, “a climate of an acute sense of inequity is automatically created in a political system. The basic objective of the Orissa Congress Socialist Karmi Sangh the constitution of which provided the basic philosophy of the Congress Socialist Party was “to work effectively for the establishment of an unfettered Socialist republic in India.” It was “to adopt all *legitimate* means at its disposal in conformity with the principles of dynamic love and non-violence, as foreshadowed and practiced by Gandhiji”.

The eminent persons of Orissa such as Nabakrushna Choudhury, Malati Choudhury, Surendranath Dwivedy, Pranath Patnaik and others were office-bearers of the Socialist Karmi Sangh for the year 1934 and were very active as members of the Congress Socialist Party. Although most of the members of the Congress Socialist Party were not very happy with the Congress they did not isolate themselves from the Congress. Answering the leftists’ criticism of the CSP Jayaprakash Narayan said, “The Congress Socialist Party is not the party of any one class. It is not the party of the working class

alone. It is a political party uniting on its platform all anti-imperialist elements and its task is to lead such elements to the overthrow of the British Imperialism and the establishment in India of real Swaraj for the masses." After his release from prison in 1946, JP was not very happy with the working of the Congress party. He wrote: "The official policy of the Congress today is not a policy of struggle or preparation of a struggle; it is rather a policy of compromise and constitutionalism. Therefore, it is not possible for those of us today who still adhere to the policy of struggle and revolutionary action to function in the name of the Congress."

During the struggle for Independence socialism was chosen voluntarily as a philosophy. It was at the core of India's nationalist movement. According to Surendranath Dwivedy the CSP was organized as a cadre party to "create revolutionary workers". In an interview in 1980, Kamaladevi Chattopadhyaya expressed her political philosophy during the 1930s as a mixture of Gandhism and Marxism. She had said that the philosophy of Marxism had an important bearing on her views on political and economic matters of statecraft, and she was opposed to the violent revolutionary thinking and concepts of class war due to her "primarily Gandhian socialization". The Indian socialists during 1930s and 40s were opposed to the political philosophy of Fascism and Communism due to their undemocratic and violent methods. But they supported the principal objective of replacing capitalism with mass-oriented modern state regimes in Italy, Russia and Germany. This idea of modern state power is well reflected in the book, *Why Socialism* (1936), by Jayaprakash Narayan. He said, "When the state is in your hands, you can legislate, you can use the whole magnificent apparatus of propaganda and education that modern science has made available, you can enforce your will. And if there is resistance, you can use the coercive arm of the state – the police and the army - to crush it. Behind every piece of legislation lies the State's power to persuade and ultimately to coerce. No party in the world of today can build up socialism unless it has the machinery of the state in its hands; whether it has come to acquire it through the will of the electorate or by a *coup d'état* is irrelevant to our discussion just now."

Unless one understands the developments of the socialist ideology and its practices in mid-1980s, it will be difficult to understand the contours of the ideology of "real socialism" today. Till mid-1980s, utopian and mobilizing dimensions of communist ideology held the sway. On 15 March 1990, echoing the concept of

creative co-existence of Gandhi, the Russian President Gorbachev provided new dimension to the thinking of socialism that is further strengthened after the initiation of the philosophy of globalization. He said, "No system of power can replace morality which is necessary in any human society. In the past the inner development of an individual was denigrated as idealism in this country. We need to create conditions whereby all spiritual values will be appreciated in society as a vital necessity for its full-blooded life and progress." He said, "Our ideal is humane, democratic socialism".

It needs to be highlighted that today we are moving into an international system where millions are being found dispensable, being not conducive to the present structures of the state systems. The consumerist culture and the erosion of material conditions and cultural identity have all created a psyche of restlessness. There is need for a new theory of democracy and political economy. It is necessary that we understand the concept of contemporary world culture and class ethos, and move beyond the liberal and the Marxist world views towards the new pastures of socialism. It needs to be pointed out here that the Gandhian approaches towards socialism could be used as a model for solving basic needs of society in our contemporary international system. The contemporary democratic socialist strategy has to be based on the principles of the Gandhian strategy as well as its ideology. As a strategy, it has to adopt ways and means so as to provide each individual an easy access to the national bargaining process. And as an ideology, it has to provide an alternative to both traditional Marxist framework and liberal democratic perspectives. We have to move beyond the cycle of reprisal and undergo a spiritual odyssey of anguished inner conflict so as to revitalize and restore humanity from its dehumanization process, and this new socialist dialogue will then lead humanity from division to fusion, from war to peace, towards a polity of eternity and save human beings from the climate of abstraction. And this could only be achieved by converting democratic socialist psyche into an international social conformity process by renewing our socialist faith in humanity and in each other. Bertrand Russell said: "The choice for mankind today is between Reason and Death. So vision and action are both needed. Without the vision of a new civilization mere disarmament and mechanically carried out peaceful methods may not save humanity, for hatred and cruelty may again come back and compel the world to commit mass suicide." The time has come to push the idea of a new civilization based on cherished human values

oriented socialist ideology. The humankind has reached a crucial crossroads and is poised between a collapsing past and an indeterminate future. There is an urgent need for building a global order based on inclusion, dialogue, mutual understanding and respect instead of the outdated doctrines of exclusion, rivalry, power politics and selfish pursuit of narrow interests. This is what Gandhi always highlighted during the independence struggle. Gandhi conceived God face to face with the people of India in the shape of guarantees for work and bread. The contemporary approaches have created, Professor V. R. Mehta, an eminent political scientist of India, said “ominous links between those who control economic power and those who control political power”. We have to ensure, he said, “a new faith in the capacity of the democratic structures to cope with the socio-economic issues facing the country.” The new socialist paradigm

must analyze the contemporary social structures in the context of the Gandhian principles of optimism, activism, principles of non-violence, populism and his holistic approaches to life and human activity. Gandhi once said, “I do not know any religion apart from human activity.” It provides a moral basis to all other activities which they otherwise lack, reducing life to a maze of “sound and fury signifying nothing”. Rabindranath Tagore once wrote to Gandhi: “We have a duty to liberate man from the net he has knitted around himself”. The universalization of the individual self - “I am nothing but the masses” - must be the spirit behind the contemporary democratic socialist movement. Let the Anjuman-e-Islamia spirit of democratic socialist paradigm linking market, democracy and humanism travel to all parts of our contemporary international political, economic and social system.

Western Railway Employees Union

Grant Road Station Building (E), MUMBAI – 400 007.

WREU, the oldest trade unions in the country, earlier known as BB&CI Railway Employees' Union, is in the services of Railway men since 1920. WREU, a free, independent and democratic trade union, is a founder member of AIRF and HMS.

WREU fought for upliftment of railway men and their family in particular and labour class in general for the last 94 years. WREU/AIRF is instrumental in creation of PNM, grievance solving machinery in 1951, payment of PLB to Railway men since 1979, implementation of series of Cadre Restructuring in Group ‘C’ and ‘D’ categories in Indian Railways, implementation of recommendations of the 4th, 5th and 6th CPCs with modifications and RELHS Scheme for Railway men.

WREU was led by prominent trade union leaders, viz. late Miss. Maniben

Kara, Late Com. Jagdish Ajmera, Late Com. Umraomal Purohit, Late Com. Chandrashekar Menon, etc. In memory of late Maniben Kara, WREU established a charitable trust namely “Maniben Kara Foundation” with the objective of fighting against the evils of the society.

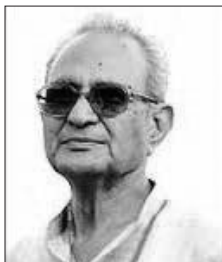
Apart from trade union activities, various non-bargaining activities such as organizing Health Check-up Camps, Blood Donation Camps, Family Planning Camps, Anti-Dowry campaigns, HIV-AIDS Awareness Campaigns, Safety Seminars, Trade Union Education Class, Adult Education, Guidance Camp, etc. are conducted for the benefits of the railway men and the general public.

(R.C. Sharma)
President

(J.R. Bhosale)
General Secretary

Remembering the Founders of the Congress Socialist Party

Pannalal Surana



Shri Surana was President of the Rashtra Seva Dal; participated in the Bhoodan Movement; Chairman S.T.Sabha; State Secretary of the PSP, SSP and the Janata Party; resisted emergency from the underground; presently Chairman of the Parliamentary Board, Socialist Party of India; authored many books and articles.

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It is good that some senior socialists have suggested organizing a get-together to commemorate the historic event of the formation of the Congress Socialist Party.

It would be better to enumerate the main contributions rendered by those stalwarts. In the first place was their decision to remain in the mainstream national freedom struggle and yet initiate a socialist movement in India. It is noteworthy that in spite of some efforts at revivalist and violent efforts by the so-called extremists, leaders like Mahatma Gandhi were steadfast in maintaining the progressive and the democratic character of the freedom movement besides adhering to peaceful means. The socialists subscribed to that viewpoint and decided to keep away, on the issue of democracy, from the communist party which had been established in 1925. They were inclined to call themselves as democratic socialists. Leaders like J.P. and Asoka Mehta were engaged in running trade unions of workers in textile, jute, coal, railways, posts and telegraphs. J.P, Acharya Narendra Dev, Dr. Lohia, Sane Guruji were also devoting time and energy to organize tenants of Zamindars and other farm workers. After independence, Lohia also suggested to Bombay Comrades to organize hawkers and handle civic issues like water supply, public hygiene, municipal education, etc. All these were directed towards expanding concept of class conflict. Lohia's *Trisutri* of Spade, Vote and Prison, emphasized the participation in elections as well as in the constructive activities. This line got further expanded to cover unorganized workers like vegetable vendors, workers engaged in loading-unloading in agricultural produce mundeeds, rikshaw pullers, house maids, etc.

Socialist movement also emphasized giving priority to social equality so that birth-based discrimination thrust on women and the so-called lowly castes is eliminated as quickly as possible. While going further into the details of the problems of single women, [widows and the deserted], sexworkers, physically handicapped, trans-genders, street children, orphans, etc., it started entering center stage besides running trade union-like activities for some of them, which had become urgent and important and to run institutions of rehabilitation.

It is necessary to give political edge to the multifarious organizations as indicated above, building up sturdy party organization of the socialists is imperative. That perhaps was a little neglected aspect of the movement. So the socialists of today while deciding to carry on the ideological legacy of the socialist stalwarts should

pay more attention to the issue of building up party organization. Socialists of freedom struggle era, while handicapped by the lethargy and lacking enough courage on the part of the vast majority of the people, had at least an advantage of widespread popular support to the freedom movement. Today the challenges are different. Revivalist tactics of both Hindu and Muslim fundamentalists are creating cleavages in the nation leading to violent riots off and on. That diverts the attention of the people from the main issues of bread and liberation from exploitation. Due to aggressive capitalism in the name of globalization, consumerism is leading to lumpenization of youths. The media subserving the interests of the corporate sector is trying to foist vulgar culture on the masses. Individuals are prodded to become self-centered and selfish so that they become insensitive to the problems of common man, and slowly become

apolitical.

To wade through the adverse conditions indicated above, it is necessary to build up an army of idealist activists having strong ideological grooming and skills in public relations. Think globally and act locally – should be the guiding principle. By building up strong primary units in assembly constituencies we can create crucial mass base for the party.

All those who want to carry on the legacy of socialist stalwarts would do well to concentrate on building up the party organization from below. There may be a few freelance socialists exploring ideas. But they may please not divert the attention of those engaged in building up party organization.

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The inheritance of the Congress Socialist Party

Prem Singh

At the time of the conceiving of the Congress Socialist Party (CSP) on 17th May 1934, in Patna, under the chairmanship of the patriarch of the Indian Socialist Movement, Acharya Narendra Deva, two goals were clear: to achieve the Independence of the country and to enhance the pace of the organised efforts towards establishing a socialist system. To achieve both of these goals, it was necessary to strengthen the true anti-imperialist spirit. In the first All India Congress Socialist Party meet on 21-22 October 1934 in Mumbai, where the outline of the detailed program in the direction of creating a socialist society were accepted, JP had said, “Our work within Congress is governed by the policy of developing it into a true anti-imperialist body.”

As was seen later on, the founders of the CSP were in favour of creating a socialist system through a fruitful dialogue with Marxism and Gandhism. Gandhi had opposed the program of the Congress Socialist Party. But the founder leaders did not retaliate and attack Gandhi in return. The relationship and dialogue between the two continued till the death of Gandhi. This trend did not cease even afterwards: JP, who remarked on the establishment of the Congress Socialist Party that, “Gandhism has played its part. It cannot carry us further and hence we must march and be guided by the ideology of Socialism” joined the Sarvodaya movement, and Lohia presented a revolutionary interpretation of Gandhism. After Independence, in the same spirit, a dialogue was established with Dr. Ambedkar, although he unfortunately passed away while the discussion was still on.

Many of the founder leaders of the CSP were Marxists, but they were not simply communists working under the International Communist movement. They were in the midst of the Freedom Struggle; they spent long terms in jails during the Civil Disobedience Movement and the Quit India Movement. The founder members were clear that freedom (of the country, the society and the individual) is a pre-requisite for true anti-imperialist spirit.

A socialism which follows external dictates, and a ‘revolutionary’ democracy born out of the dictatorship of one-party rule was not acceptable to the founder leaders of the CSP. The decision to create the Socialist Party separate from the Congress after independence, had far-reaching consequences in the direction of democracy and the strengthening of parliamentary



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system. For the socialist leaders, participation in the democratic process was not a strategy. The dream of an independent nation which was inherent in the premise of progress towards socialism was one which would never again be enslaved, via an active political-cultural-intellectual participation of the marginalized sections – Dalits, Adivasis, Backwards, Women and poor Muslims - in the Indian social and economic milieu.

Despite what Gandhi had wanted, the leaders of the Congress did not dissolve the Congress after it had achieved its goals; but the socialist leaders, after an initial hesitation, disassociated themselves from it. They succeeded, to some extent, in making a dent in the rule of the Congress after a sustained and long struggle of two decades. Even if we do not accept any other achievement of the anti-Emergency struggle led by JP, the re-instatement of democracy is a lasting achievement, which is with us even till this day. The first warning of the attack of neo-imperialism, which has been continuing since the last three decades, was given by the socialist leader and thinker Kishen Patnaik.

The current Indian politics also has two goals: the defence of our Independence from the onslaught of neo-imperialism and the establishment of a socialist society. This work can only be done by associating with the inheritance of the Indian Socialist Movement, the foundation of which was laid along with the establishment of the Congress Socialist Party in 1934. Without this determination and initiative the celebration of the 82nd foundation-day of the CSP will be merely ceremonial. Though there must be some real sentiment behind such ceremonial program, it has many disadvantages. All those who have been hand-in-glove not only with the Congress and the BJP but with Anna Hazare, Kejriwal-Sisodia, Ramdev-Shree Shree, V. K. Singh, etc. are socialists – this sends a totally negative message to the new generation. This is the reason why the youth is not coming out in clear support of the socialist movement. They are apprehensive that most politicians conduct their personal political business in the name of socialism. This business, obviously, runs under the all pervasive business of neo-liberalism thus strengthening the grip of neo-imperialism.

At this juncture, the first lines of the poem written by Sarveshwar Dayal Saxena at the demise of Lohia, are worth remembering: *See, how their stock soars! Those, who promise redemption for a fee ...*

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Socialism: Obstacles for Future

Ram Puniyani



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The Republic Day in 2015 saw an advertisement from the Government which had the image of the Preamble of Indian Constitution. Though such an advertisement was a welcome thing, on careful look at the ad one was shocked to see that two core words of India's Constitution were missing. One was secularism and second was socialism. In India these concepts have close and deep correlation. In Indian scenario it is needless to point out that socialists have been secular, while all those believing in secularism may not be socialists. Spread of socialist thought in India has a long journey starting from 1930s when youth of the country articulated the need for socialist policies in feudalism-ridden land relations and against the domination of capitalists in the industrial sector. Nehru, Subhash Bose, Jayaprakash Narayan and later Rammanohar Lohia emerged as the major champions of socialism in India.

Socialism: the Indian context

The practical implications of socialist's policies, social outlook and the concept of society have gone through a long transition. In our context the welfare policies by the state, particularly in the areas of education, health care on the one side and the public sector on the other, became a symbol of socialist policies in Indian scenario. Those who stood for socialist values in Indian context had in their mind the interests of toiling peasants and workers in particular. Ambedkar, who was deeply anguished by the obstacles posed by the caste system, the physical and mental atrocities brought in by the caste system, also stood for socialist values and saw socialism as the solution for the limitations imposed by caste system. The long march of socialist policies has led us to a juncture where on the one hand public sector reached the glorious heights and provided not only the solid infrastructure for the overall industrial development of the country but also was instrumental in providing the base for the social revolution whereby the dalits, OBCs and other deprived sections could get employment in good measure and come out from their caste slavery.

The parallel accompaniment of this was the policies whereby the state intervened to provide the education and health facilities at the grass roots level of society. The results of this manifested, in the uplifting of the downtrodden sections of society. From 1991, the West dominated globalization coming to the fore many of these basic premises of socialist orientation of policies are being negated, challenged and undermined. The public sector started being wound up on different pretexts and the emphasis on the social sectors started being

downgraded to some extent. While some of this was dictated by international dynamics where the Western block started taking control of our economy and started dictating the policies. It must be said in the face of these odds the non-BJP ruling coalitions did try to retain more than a semblance of the earlier socially oriented policies.

NDA in the seat of power

With BJP led NDA coming to power in 1998 the outright attacks on twin pillars of socialism oriented policies started shattering and received a serious blow. The special disinvestment minister was appointed to wind up the gains of public sector. The victims of this were the prominent hotels and many factories many of which were good industries. Epithet on Public sector started being written and private capital started thumping its chest in pride with the newfound rulers who were totally in sync with their thinking and public money from these sectors started being routed to the companies under the control of big industrialists. The parallel social sector started getting undermined and problems in health and education sectors were glaring. Health care started being privatized at a higher scale than before with the result that poor could not afford good facilities. Education started being privatized more and more.

With intervening UPA I and II (2004-2014) some retrieval was done. Particularly in UPA I under the pressure of Communists some welcome measures were taken. This led to good socially oriented schemes. The MNREGA (Mahatma Gandhi National Rural Employment Guarantee Act), Right to food, Right to Education, Right to Health were deliberated upon and implemented to some extent. With BJP led NDA coming to power again the equations seem to be reversed. This time BJP on its own has the simple majority in the Lok Sabha so there are no controls on the unfoldment of its policies which are dictated by the big corporate sector. The remnants of public sector are being mopped up, and the funds to education and health of poor are being squeezed further, the policies which will bring the destitution of weaker sections of society are rolling out at a fast pace. BJP, the political wing of the RSS is on rampage against the policies which can take their lineage from the socialist tradition of the country.

Agenda of Sangh Parivar

BJP has got the opportunity to unleash its agenda, which is the agenda of Sangh Parivar, headed by RSS. RSS has the agenda of Hindu nationalism, Hindu Rashtra. It sounds to be for Hindus, for Hinduism.

As such this agenda is the clever presentation of the agenda of the declining political classes of landlords in association with the Brahminical values of hierarchy of caste and gender. This agenda is totally in opposition of the socialist values of equality and welfare in the society. RSS, Hindu Mahasabha and Muslim League had come up in opposition to the rise of the National movement led by the Indian National Congress (INC). INC was articulating the modern values of Liberty Equality and Fraternity. It had a fairly strong socialist wing to put pressure particularly for equality and welfare. It was running parallel to revolutionaries of the genre of Bhagat Singh and Ambedkar. These tendencies had the ideology of Indian nationalism and believed in the modern values.

As these groupings came up rooted in Indian nationalism, the earlier dominant classes of Landlords-Nawabs with inbuilt and inherent inequality in their social outlook felt threatened and so threw up the concept of Muslim Nationalism and Hindu Nationalism. Since they had their rooting in feudal values, they couched it the modern language of nationalism. They subtly want to bring back the feudal hierarchy in modern times so they are deeply opposed to any socialist orientation and value.

Thus in India two major types of nationalism emerged. First was the Indian nationalism. Second was the nationalism in the name of religion. The Indian nationalism has been the broad umbrella under which there is a space for the values of Indian Constitution, it can accommodate the pressures for socialist policies. On their own the socialist policies don't come up unless the beneficiary social groups put adequate pressure through social movements. This is what we have seen in the last many decades of Independent India.

Hindu nationalism

The other nationalism is the one couched in the language of religion - Muslim Nationalism and Hindu Nationalism. They are twins with similar deeper societal values. They stand opposed to social movements for social transformation, justice and welfare. While Muslim Nationalism played havoc in Pakistan, in India Hindu Nationalism not only opposed the freedom movement and the accompanying values of equality, but it also sided with the employers all through to oppose the demands of the workers. It sided with the landlords and their descendants to crush the aspirations of the struggling farmers.

One recalls that in 1940 the workers in Birla Textile went on strike. The RSS sided with the industrialists and helped in crushing the workers' strike. Their concern was also that the production was to support the British war. In later times not only to socialism, but the RSS was also opposed to the formulation of the Indian Constitution as, per them, India already has a Constitution in the form of Manu Smriti. They totally opposed the public sector and sided with the big industrialists in demanding the removal of protective and regulatory actions by the state. RSS progeny Bhartiya Jansangh also opposed the rising cooperative movement in agriculture. The rights of workers in factories, workers' place in the management has always been supported and encouraged by the socialist left unions.

With Modi sarkar coming to power it has shown its colors to the full. Right from the beginning they went in for the so called 'labor reforms'. This has been an attempt to do away with the workers' rights, to do away with the clauses which protect the workers. At the same time this Government went for reckless legislation to snatch the land away from the farmers in the name of Land Acquisition. Due to the massive pressure by the social movements and by other parties this bill had to be shelved. It has shown its opposition to the socially oriented policies by cutting down on the funding for

education, health and welfare schemes.

Threats to Socialist values

Today, the present manifestation of socialism is under threat from the right wing RSS and its progeny. While the socialist movement has always stood for the movements related to the people's problems - land, employment and issues related to life - the RSS combine has been throwing up issues around identity. All through, the RSS projected and strove for Hind Nation, their politics is Hindutva, which is a politics based on Hindu nationalism. In their ascendance towards power they took up issues like the Holy Cow, Indianization of Muslims, Ram Temple and currently they are putting religious touch to nationalism by asserting Bharat Mata K Jai. Such impositions and aggressive assertions have no place in our Constitution and laws. So this is polar-opposite to the movements by socialists for whom the land rights, wages, education and health have been the central concerns.

Clearly the march to socialism is facing big obstacles from the politics in the name of religion. There is a need to understand that religion's identity is being abused to suppress not only the democratic values but also that it is only on the foundation of democratic values that the socialist aspirations may be actualized.

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Social Democracy as Transitional Phase of Scientific Socialism

K S Chalam



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The Transition debate in Political Economy particularly between Maurice Dobb and Paul Sweezy is a classic example of an academic dispute that led left parties to incessant polemics and party directed strategies. The debate was about the transition of English economy from feudalism to capitalism under the Marxist mode of production approach. The echo was also received in great measure in India, perhaps the debate would never end up in the near future? Now academics and activists are looking at the developments that are seen happening throughout the world after Globalisation with the help of emerging imperialist institutions like WTO, World Bank, economic groupings like OECD, Group of 20, etc. However, there seem to be a minor group that is anxious to study the contemporary situation where once the so-called Communism or Socialism triumphed and later decayed leaving a wide gap in public discourse. Though some of the Marxist thinkers are now willing to revisit and join the group for a broader understanding of forging a united people's front to clash with the protagonists of corporate capitalism, there seems to be lukewarm response from the concerned subjects. It is time that a forum like this should initiate a broad stance to bring different viewpoints against the onslaught of imperialism and its cousin cultural grandstanding in India.

There are debates both in the past and in the contemporary world about different forms of Socialism, notwithstanding Engels' clear distinction between Utopian, Bourgeois, and Scientific socialism, the last being known as Communism. The number of countries that are called as Communist is now limited to four, though many claim the title of Social Democracy. The fierce debate on the topic between the followers of Lassalle, Kautsky and others and Marxist-Leninists is well known. Therefore, we need not repeat it once again here. But, the basic element of class struggle and the changing nature of classes in general and in India in particular (with caste distinctions) should draw the attention of activists and scholars for a fruitful debate. Except the radical left, many shades of progressive forces are interested in using the term socialism and few of them firmly believe that all those who are interested in the future of the people must get united. Precisely for this reason and for the internal ambiguities among these groups, it appears that a statement like "Social Democracy is only a Transition and not an end in itself" might help to dispel the hesitation of some to join the group.

Social Democracy is a system of governance where market, free capital, etc., are allowed to operate within a public policy of an elected government. As academic Sheri Berman noted, “social democracy, at least as originally conceived, represented a full-fledged alternative to both Marxism and liberalism that had at its core a distinctive belief in the primacy of politics and communitarianism. The key to understanding its true nature lies in the circumstances of its birth. With the onset of the industrial revolution, liberalism emerged as the first modern political and economic ideology. As capitalism spread across Europe during the nineteenth century, liberalism provided both an explanation of and a justification for the transformations the new system brought. Liberals promulgated a faith in progress, a belief that the market could deliver the greatest good to the greatest number, and the conviction that states should interfere as little as possible in the lives of individuals. Indeed, there was such a match between the times and the ideology that the nineteenth century has often been called the “age of liberalism.” Yet by the middle of the century the bloom was already off the rose. The practical consequences of early capitalism—especially the dramatic inequalities, social dislocation, and atomization it engendered—led to a backlash against liberalism and a search for alternatives”. Even Keynesianism could not save the day.

Despite its weaknesses, the exponents claim that Social Democracy has helped the nations to achieve a stable growth with few social tensions. Inequalities in these countries are under tolerable limits, Human Development Indicators are very high. It is impressive to note from the latest HDI-2015 report that the first ten countries under the very high HDI category claim that they belong to the ideology of Social Democracy and are mostly from the Nordic region. Similarly the OECD report on the ‘happiest countries’ survey listed the same countries. It may not surprise many, that some of Barack Obama’s followers claim that his policies also come under social democracy. In other words, the countries that are involved in some kind of a welfare programme like the Obama Health Care are now considered as Social Democratic. This is problematic as the social tensions in the US in recent times particularly the African-American marginalisation, ‘Occupy Wall Street’ phenomenon etc., do not really augur well for the idea of Social Democracy. It appears that there is a correlation between social sector spending and the social democratic function. Now some of the former Communist countries including China, Cuba, etc., are in the league of Social Democracy and

not even Democratic Socialism where the means of production are controlled by the state.

Social Democracy now looks like a justification for those who failed as Socialists and equally for those who are apologetic about corporate capitalism. A country like India that declared itself in its Constitution as a Socialist and a Secular democracy is aspiring to entreat Social Democracy with huge FDI and increasing privatisation of public properties devoid of concern for the needs of the poor. Yet, some argue that the amount of misery, suffering and social tension will be less compared to pure corporate exploitation. Now the issue is about imperialism and its tentacles spread across the nations. The character of imperialism has changed. It is no more related to a country or a colony, but to a group of countries and regions. It is also difficult to uphold the principles of Democratic Socialism where the national wealth and the economic operations within the country are not limited to one country but to many like the Anglo-Saxon combines with Indo-European mind-set. How do we address this problem?

The transition from neo-liberalism to Social Democracy as the first phase and to reach Scientific Socialism as the ultimate to liberate all the oppressed within the region and in the world is a long drawn struggle. In the immediate future, what is crucial for the poor and oppressed proletariat is to join hands for a class struggle. Since Social Democracy pretends ignorance about the class nature and changing character of classes, it is problematic item on the common agenda. ‘On this point, finally, social democracy and communism are opposed with respect to their immediate practical aims: the first seeks the reorganization of the old bourgeois State; the second, a new political system’.

The difference between Parliamentary Democracy and Proletarian Democracy need to be understood in the context of each country and its history. It is necessary to learn from the experiences of the Social Democracy. The economic chaos in Greece, Italy, Ireland, etc.- the so-called Social Democracies - is alleged to be due to corruption particularly the corrupt practices of the ruling party members. It is reported that in some of these countries including India, bureaucracy played an important role both in theorising and sustaining Social Democracy. A German activist says, “In the personnel staffing of the government offices, the popular will is to be found only—and there, in a weakened form mixed with other influences—alongside bureaucratism, which

directly rules and dominates the people.

But even the ministers are almost powerless against the organizations of the bureaucracy, who are nominally subordinate to them. The bureaucracy pulls all the strings and does all the work, not the ministers. It is the bureaucrats who remain in office and are still there when the next batch of elected politicians arrives in office. They rely on the ministers to defend them in parliament and to authorize funding for them, but if the ministers cross them, they will make life impossible for them. The bureaucracy, at the highest levels, belongs to the same class as the exploiters of the workers, and in its middle layers as well as in its lowest ranks its members all enjoy a secure and privileged position compared to the rest of the population. This is why they feel solidarity with the ruling layers which belong to the bourgeoisie, and are linked to them by a thousand invisible ties of education, family relationships and personal connections. Some of those who consider Social Democracy as the ultimate seem to have been influenced by these paid intellectuals.

It is instructive to note from the writings of a German scholar of 1927 that, "Perhaps the social democratic leaders have come to believe that, by taking the place of the previous government ministers, they could pave the way to socialism by passing new laws. In reality, however, nothing has changed in the State apparatus

and the system of power as a result of this change of government personnel. And the fact that these gentlemen do not want to admit that this is indeed the case is proven by the fact that their only concern has been to occupy the government posts, believing that, with this change of personnel, the revolution is over". We can see the same thing happening now in India with the change of political regime, ministers have changed and the policy makers mostly from the World Bank, IMF, etc., have remained the same with shifted loyalty. The only human answer to it, according to Rammanohar Lohia in a different context of Indo-China war that does not exist today is, "leftism from bottom that confines the social revolution in the shape of non-violent resistance against internal injustices with the national revolution".

One of the weaknesses of the present socialist movement is alleged to be the lack of literature and theoretical arguments against the present system and persuasive writings about the need for Socialism in the twenty first century. Except some Marxist scholars and few academics, there is absolute dearth of theoretical and philosophical studies on the nature of the problem of corporate capitalism with collusion of Hindutva in India. It is time that *Janata* can publish more on these aspects and hope this is the beginning of a lengthy and fruitful exercise.

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Need to revive a socialist form

Mrinal K. Biswas



Shri Biswas joined PSP in 1962; represented Samajwadi Yuvak Sabha (SYS) in the bureau meetings of International Union of Socialist Youth (IUSY) at Vienna in 1971 and in Malta in 1972; West Bengal State executive committee member of the Socialist Party till its merger in the Janata Party; joined the Ananda Bazar group and retired as a special correspondent of Business Standard, Calcutta, in 1999; now a freelance journalist

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Let us state the fact that socialism becomes a meaningful ideology only when a socialist party is there to deliver ideas among the people and actions taken thereof. Taking the risk of tautology it can be said that imbibing the people with the idea of socialism is not enough, there must be an instrument with the help of which socialism can turn into a potential social force the actualization of which will be possible through a long process of struggle and effective use of power at opportune times.

Let us face the fact that the Indian socialists have made a monumental blunder by abolishing Socialist Party's separate identity and merging it in the hurriedly formed Janata Party in May 1977. The ideological fervor of the Socialist Party members was swept away by sheer power game that followed soon after Indira Congress's rout in the elections. The rainbow combination that was the Janata Party had contained diametrically opposite ideological and social forces, which was bound to fail, as it did in a short span of time, scripting the Janata experiment as a bad phase in Indian history. The socialists were the worst victims. They lost a party and the party faithfuls anchored themselves in whatever directions their personal choices led them to.

Answering an inconvenient question of the present writer, Prem Bhasin, the best qualified socialist functionary, lamentably admitted that separate identity of the Socialist Party could not be retained because of the emerging compulsion of becoming a part of a bigger party being formed under pressure of Jayaprakash Narayan and a significant part of the Socialist leadership showing their disinclination to hang out of power for far too long.

This came in sharp contrast to the saffronists who jealously guarded their core sector inside the Janata Party and jumped out at the first sign of the Janata sinking, to regroup as Bharatiya Janata Party. The communist majors did not join the Janata Party at all. Both these ideologically inclined forces reasserted their identities in the political uncertainty that engulfed the country for sometime in the late eighties.

The inevitable infighting and intra-party clashes in the Morarji Desai-led Janata government notwithstanding, the socialists could claim certain measure of success by forcing the central government to remove the right to property from the list of fundamental rights in the Constitution, sponsoring district industrial centers as a measure of decentralization, providing rural sector

with substantial financial resources and vigorously pursuing anti-poverty measures like Food for Work and Antyodaya. The Janata government restored the most important civil liberties, undid the black laws of the Emergency days through measures like the MISA abolition and at a later stage opening up the preferential opportunities for the backward classes by the dint of Mandal Commission recommendations.

Socialist leader Madhu Dandavate, a main actor in the Janata regime, while listing some achievements as above, did not fail to observe that the “Janata Party is not a party dedicated to the sole pursuit of socialism as was the case with the Socialist Party.” Socialist Party by that time had gone into oblivion.

Politics that followed for decades together was far from the socialist perspective. The other Left parties, chiefly the communists, survived only just with their bases in three States but tormented by policy fluctuations with their desired affirmation to Leninist-Stalinist line of thinking while operating in a deeply rooted parliamentary democracy in India. They are often palpably uncomfortable with changes in the national scene and incapable of holding any world view except anti-Americanism.

Socialist parties do exist but as splinter groups spread sparsely across the country without establishing relevance excepting taking calls on regionalism. The communists on the other hand claiming to keep afloat the flag of the Left are in a quandary after collapse of the Soviet communism and emergence of Chinese capitalism under communist rule. Their harpings on pet subjects like anti-imperialism, anti-globalization, class antagonism do not inspire people nor can the people be moved to action on these issues. They remain a closed society so far as ideological orientation is concerned.

It is the socialists who had continually, if not continuously, confronted the emerging situations to give directions to the Indian polity. Nehru’s “socialistic pattern of society” was in tune with the continuous campaign made by the socialists who brought into the country the ideology of Democratic Socialism. Long after that the world has changed. The world is increasingly functioning as a single operational unit, as a capital market. The internationalization of the production processes is knocking at our doors also, for example ‘Make in India’ project. But casteism, regionalism, communalism and other narrow views have become so pervasive in the

country that a political force is counted only in terms of these issues in our country.

What is needed is a new world view and how the needs of the country’s people can be met moving above and minimizing the narrower views. A socialist party with the right credentials can be the answer. Even a CPI minister in the last Left Front government in West Bengal admitted to the present writer that the country lamentably missed the existence of a socialist party. In this context, it is important to note that facing globalization onslaught the Socialist International (SI) leadership came to the conclusion that market economy can be tolerated but market society never. It needs to be understood what this idea means.

After the great financial crisis in the wake of the US Lehman Brothers bank collapse in 2007-08 giving a spate of domino effect, the government interventions were the only means open to nations to save their respective economies, not very successfully though, as for example Greece. Even diehard propagators of capitalism could not offer any options other than socialistic measures which meant government interventions. The rising trend of a backlash against globalization will soon pose a big challenge to political parties which aspire to govern the country.

A socialist party can fit the bill with sustained campaigns against narrower views on the domestic front and by confronting the ever changing forms of capitalism.

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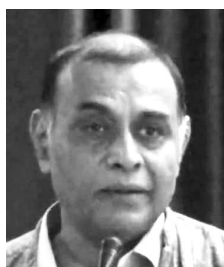
Anand Kumar

Any nation is guided by the vision of its Constitution. Our Constitution is dedicated to constitute India as a sovereign, socialist, secular, and democratic republic. It is committed to secure to all its citizens – JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and opportunity, and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the nation. It is time to make a reality check. Because we are going through a phase of many turns and twists due to the increase of six deficits in the last few decades – development deficit, governance deficit, legitimacy deficit, democracy deficit, citizenship deficit and nation-building deficit.

It is true that we are a victimized nation who, were deprived of the process and opportunity of organic development and internal transformations. Therefore, there are high hopes from the process of post-colonial democratization and increasing aspirations about progress and prosperity through techno-centric developments. But recent events and trends show that there is growing discontent with the constitutional provisions of social justice. The gainers feel that there is substantive continuity of discrimination and exclusion and are demanding enlargement of the quotas in education and employment beyond 49.5 per cent. The opponents are asking for changing the rules of the game by introducing economic basis for 'reservations' and creating 'exit door after one time and one type of benefits'. There is growing queue of communities with demand of inclusion in the list of 'backwards' and claim for 'reservations' from education and employment to housing and promotion.

Crime-politics nexus threatens to neutralize the processes and institutions provided for political justice. Crony capitalism is dismissive about the promise of economic justice. It is in alliance with pre-existing forces of Black Money. The provision of liberty is getting reduced to falling in line with the discourse of power as exercising dissent and practicing diversity as inherent in the principle of liberty is being equated with sedition and anti-national behavior.

Who is there for equality? The victims of inequalities are more inclined to go for identity politics. There is no resentment about growing economic inequalities as even the sufferers of inequalities are more interested in securities within the LPG frame than mobilizing for



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an egalitarian social order. There are very negligible supporters of the programs and movements for a casteless and classless society. The promise of fraternity is replaced by growing fissures on the lines of gender, caste and religion.

India today is a country marked by jobless growth. Climate change as manifested by consecutive Monsoon failures and crisis of agriculture has made rural India disappointed and hopeless. The manufacturing sector is facing unprecedented slow down. There is no enthusiasm among the investors and entrepreneurs. The youth is traumatized by the emerging signs of bleak future. It is experiencing tremors of social unrest due to failing projects of democratization, federalization, secularism and social justice. The idea of India is being subjected to majoritarian homogenization and ‘othering of the minorities’.

It is common knowledge that India was made to go for ‘paradigm shift’ in 1991-92 to engage with intertwined triple processes – liberalization, privatization and globalization (LPG). It involved putting all blames of missed opportunities and failed programs at the door of socialism, not the ruling parties and their wrong priorities. They did not care to distinguish between Nehruvian Mixed Economy, Indira Gandhi’s Populism, and the vision of socialism as cultivated and evolved by the legacies of Narendra Dev, J.P. and Lohia and many others. There was demonization of socialism as bureaucratic, inefficient, and ‘out of date’ by ignoring that socialism was summation of the three greatest dreams of humanity – liberty, equality and fraternity.

They eulogized capitalism as progressive, efficient, competent and consumer friendly. There was a great emphasis on combining democracy with capitalism as the ultimate solution for poverty for getting rid of destitution, deprivation and discriminations. It was a clever combining of modernization with Westernization in the name of globalization. It involved rolling back of state, dismantling of social sector investments, and higher significance of market forces. After a quarter century of promoting the LPG paradigm, there is growing disenchantment with this shift. Why? India is trapped in a ‘no win’ situation. Our economy is stuck with jobless growth and growing weight of ‘black economy’. There is spiraling of cost of essential needs including health, education and

housing. There is no end to corruption at high places.

If economy is in the clutches of crony capitalism, there is growing dominance of the political system by the dominant castes. The dominant castes are providing platform for electoral coalitions of the landed, educated, and numerically significant communities. They find nothing wrong in marginality of women, poor and the Scheduled Castes and the Scheduled Tribes in the power structure from the Panchayat to the parliament. Every successive election since 1992 is making our representative democracy more unrepresentative, more polluted, less responsive, and least accountable. If we put together the essential features of our electoral system and our party system, they look very disappointing with increasing role of politics without principles, corruption, nepotism and ‘supremo syndrome’ in the name of democratic processes of seeking power and promoting common cause. They are certainly not promoting peoples’ empowerment or cultivating goodness in the public sphere. Much of peoples’ politics is taking shape beyond the legislative and electoral arena which is not healthy for the legitimacy and further strengthening of our parliamentary institutions and the constitutional system.

In this context, it is heartening that the United Nations has reached the conclusion that 1. People are the real wealth of nations and essentially, human development means focus on enlarging people’s choices. 2. Work allows people to fully participate in society while affording them a sense of dignity and worth. 3. Work is critical for equitable economic growth, poverty reduction and gender equality. 4. The link between work and human development is not automatic as some work such as forced labor, can damage human development by violating human rights, shattering human dignity and sacrificing freedom and autonomy, and 5. Without proper policies, work’s unequal opportunities and rewards can be divisive, perpetuating inequities in society. It suggests that we have to grow ‘zero tolerance’ for a paradigm which is making us, live with jobless growth. It also alerts that there is negative correlation between adverse work settings and social integration. Of course, it underlines that participatory system of economy and polity are the best guarantee of promoting public good as well as building bonds within families, communities and civilizations.

It is worrying that Indian political class has drifted far away from the path of Swaraj as defined by the preamble of our Constitution. Proponents of paradigm shift do not feel any concern about it. But there is growing restiveness in the larger society. No one can hold back the Indian women from their quest for justice and dignity. The voice of poor has found many outlets from ballots and bullets to Satyagrah. They are in search of a better alternative to lead towards the path of sustainable development. Marginalization and exclusion is being protested by Kisans, Muslims and Christians, the Dalit and Adivasi and the jobless youth. They are looking for the realization of the economic, social, political and personal promises of Swaraj. It needs going beyond negative electoral alliances of lesser evils.

Can the socialists rise to the occasion as the inheritors of the legacy of struggle for Swaraj? Of course, they were second to none in spreading the message of epoch changing freedom movement through selfless role in mass organization and mobilizations since 1930s. They also remained with the masses and their most dedicated leader Gandhi during the great rush for power and tragedy of Partition. Their contribution in maintaining the tradition of civil disobedience and politics of decolonization between 1942 and 1977 from Quit India Movement to Anti-Emergency Resistance is worth praise and admiration. They are more in touch with the ground realities of the other India as demonstrated by their commitment for peoples' languages, issue of caste, religious and gender injustices, ethnic discriminations and regional disparities. But they need to take stock of at least four spheres of existential realities as they need updating and course correction: i. their ideological resources; ii. organizational practices, iii. political priorities, and iv. social foundations. Each one is important and needs attention to the details. But some elementary points may be relevant at this hour of celebrating our glorious history and attending to the demands of the present and future.

Due to historical reasons, the Indian socialists drifted away from two of the epoch-making masters – Marx and Gandhi. Of course, Lohia suggested equidistance from the two: not good to be anti- or pro-. But tragically the post-Lohia socialists considered them equally insignificant. Gandhi made a late appearance during the anti-corruption movement led by Jayaprakash Narayan. The Gandhian vision became

the inspiration for many during the dark days of the Emergency Raj. But it again became a distant dream with growing capacity to win assembly and parliament seats in the din of Mandir-Mandal-Market politics in 1990s and beyond.

Today there is no interest among the socialists in any intellectual preparation and intellectual power. What is the value of reading Communist Manifesto, Gulamgiri, Hind Swaraj, A Plea for Reconstruction of Indian Polity, Annihilation of Caste, The Second Sex or Wheel of History? They prefer to be at the feet of the powerful politicians of today than at the great masters who are eternal source of light and energy through time tested writings and works. It will be good for the socialists to develop a liking for the seminal works of Acharya Narendra Dev and Dr. Lohia as well as get acquainted with the ideological contributions of Marx and the essential advancement in the ideology of Marxist socialism to understand that there are principles of politics which have high correlation with economic interests. It will lead many to recognize that there are not only castes in society but classes and gender also. Furthermore it will make us value the complex truths like class in caste and caste in class as well as intersectionality of caste-class and gender. Gandhian troika of Gandhi-Vinoba and Jayaprakash will lead us away from fetish of vote politics and power of communitarian energy and need of participatory democracy. Of course, it has to be done with all the care and caution and with the belief that it is better to be an informed heretic than an ignorant arrogant.

They have to also approach the writings of Jotiba Phule, Ramaswami Naiker and Dr. Ambedkar to understand the Dalit discourse and get into partnership with the Dalit movements beyond electoral adjustments. Indian women's movements and ecological movements are two highly relevant sources of hope and renewal. They are treated with calculated indifference by election-centric socialists as they do not have much 'vote value'. But they both are more relevant than any 'vote bank' due to their engagement in transformational politics to take humanity beyond patriarchy and to take civilization beyond unsustainable industrialization. This will automatically lead to Eric Hobsbawm, Wallerstein, Dharampal, Joseph Stiglitz, Amartya Sen, Thomas Picketty, Vandana Shiva, Ramachandra Guha, Anupam Mishra, etc. etc.

Organizationally, the socialists have become quite election oriented and vote centric. There is limited connectivity between the trade unions, Kisan Sangathan, student–youth groups, Mahila sangathan and the proper political parties. The organizational training is nearly negligible. They learn by default. There is insignificant role of syllabus, study material, internship, and leadership opportunities. It has been replaced by patronage, faithful worship of individuals, and cosmetic value. Despite million differences, there is no harm in reminding that Bharatiya Janata Party and Indian National Congress are better equipped for organizational capacity building than all the branches of Samajwadi Pariwar put together.

The political priorities of the 21st century India need to be understood and harmonized with the political priorities of the socialist activists and their small and big formations. Socialists are infatuated with the will to power. It has made them ignore the need to cultivate goodness in their own personality and the larger society. In the previous century socialists were identified with ethical politics. Today they cannot claim any separate rank from the run of the mill politicians. It neutralizes the value of all electoral achievements to promote transformational politics – the passage towards Sampurna Kranti, Sapta Kranti or whatever. It has become a challenge to give precedence to socialism over parliamentarianism – *Samajwd se Sansadwad chota hai !*

The last urgent existential issue is related with the social foundations of the socialist movement and parties today. We have to test it in the context of castes, communities, gender, language-regions, and classes. It is a great success that the ‘Backward castes’ and the Muslims of north India recognize the socialists as better choice in a bad situation. The socialists are also considered pro-Kisan, pro-labour and pro-student-youth. But there are dangerous deficits also. It has to be recognized that no socialist party or government is complete without gender equity. How to promote autonomous socialist women’s movements to continue the glorious tradition of Kamladevi Chattopadhyay, Sarla Bhadauria, Indumati Kelkar, Shanti Naik, Mrinal Gore, and Pramila Dandawate? Similarly how to go beyond the dominant castes network among the Hindus and Muslims? We need to have more people like Yusuf Meharally, Faridul Haq Anasari and Capt. Abbas Ali among the Muslim socialists. Who is carrying forward the work of socialists among the Adivasi and Dalit

Bharat? What about the links and alliances across the country beyond the Hindi speaking India?

India is at cross roads as never before. Democracy is on trial. Nationalism is being appropriated by the forces of sectarianism. Nation needs alternative politics beyond corruption, communalism-casteism, patriarchy, ecological destruction and crony capitalism. It is not possible by personality based politics. It needs absolute commitment to our constitutional values with fresh policies and ethical persons. Cultivating compassion and goodness is going to be the defining quality of socialists if they wish to march forward with the restive masses towards holistic Swaraj as described in the Preamble of our Constitution. It is a moment of re-inventing socialism beyond parliamentary capacity-building and re-defining the role and duties of socialists without getting tempted towards promoting coalitions of lesser evils.

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Indian March to Socialism

Chandra Bhal Tripathi



Shri Tripathi: Born in UP 1930; joined CSP 1946; President, Lucknow University Union 1952-53; led Indian delegation to Indo-Burmese Students' Cultural Festival, Rangoon, 1954; represented India at Afro-Asian Student Conference, Bandung, 1956, and Sixth International Student Conference, Peradeniya, Sri Lanka, 1956; founder member of All India Samajwadi Yuvak Sabha, 1953; Co-Convener, International Seminar of IUSY and SYS, Lucknow, 1954; attended meeting of Anti-Colonial Bureau of Asian Socialist Conference at Imphakhon, Burma, 1954; taught Anthropology at Lucknow University.

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It is perhaps no exaggeration to say that no political party in the world can claim to have such a galaxy of intellectual, idealistic and dedicated leaders as the Congress Socialist Party had. Often the *Trimurti* of Gandhi, Nehru and Subhash Chandra Bose is compared to the triumvirate of Mazzini, Cavour and Garibaldi. Similarly, the *Trimurti* of Indian Socialist Movement comprises Narendra Deva, Jayaprakash Narayan and Rammanohar Lohia who were respected among all the democratic socialist parties the world over.

The three essential pillars of any political movement are its ideology, struggle and organization. Since its inception the CSP had a Marxist orientation as the patriarch of the Indian Socialist Movement, Acharya Narendra Deva was a confirmed Marxist till the end of his life. He presided over the foundation conference of the CSP at Patna on 17 May 1934. The other leading light, Jayaprakash Narayan had been a member of the Communist Party of the United States of America while studying there for seven years. On his return from the US he continued to have a soft corner for the Indian communists many of whom were inducted into the CSP mainly at his instance. At the same time JP had a great personal affection and regard for Mahatma Gandhi. JP's wife, Prabhavati, stayed at Gandhiji's Ashram while JP went to the US for studies. The dalliance of the socialists with the communists came to a final break when, after the Soviet Russia joined the Allied powers against the Axis powers of Germany and Italy and on the direction of the Comintern the Imperialist War turned overnight into the People's War for the Indian communists.

Marxism modified

Acharyaji basically believed in class struggle but not in the dictatorship of the proletariat. He was more influenced by Engels. He also believed in Lenin though he did not agree with the creed of bloodshed and violence. He did not believe in non-violence as a creed say, as in Jainism and Buddhism. But in the context of atomic age he considered violence as totally redundant and laid great stress on peaceful democratic means towards achievement of socialism. This is the main contribution of the Indian Socialist Movement signaling a significant departure from Marxism-Leninism.

Some other distinguishing features of the Indian Socialist Movement have been great emphasis on democratic decentralization to which JP, Asoka Mehta and Lohia contributed significantly, the last through his famous concept of Chaukhambha Raj. With the experience

of the democratic socialist countries in Europe the Indian socialist leaders also laid stress on cooperative movement in general and cooperative farming in particular. They were against collective farming as practiced in Soviet Russia where the peasants were reduced to mere wage earners having no scope for ownership of or attachment to land. The Indian situation was entirely different as the cultivator had intense attachment to land and ecology.

Social and economic equality

The main idea of socialism has been to abolish exploitation of man by man and to reduce social and economic inequalities to the maximum. Caste is a perennial scourge of the Indian social structure having its deep roots not only among Hindus but even among other religious groups like Muslims, Christians and Sikhs. Among the socialist leaders the contribution of Lohia towards abolition of caste is well known. He is also responsible for bringing into focus the glaring level of economic inequalities. Once he spoke to us at Lucknow in early 1950s about the income disparities between the highest and the lowest in the public sector. According to him it was 40:1 in Soviet Russia, 7:1 in Scandinavian countries and 3:1 in Israel (In Israel, the son-in-law of the President was a bus driver.) In India the income ratio between the President and a peon was 100:1.

Ideological mistakes

An All India Socialist Movement practically came to an end with the merger of the Socialist Party into the Janata Party in 1977. During its life span of 43 years there have been two landmarks on the ideological front. The first one was the merger of the post-1948 Socialist Party with the KMPP led by Acharya J. B. Kripalani in 1952. For this merger all socialist leaders, who had their hopes shattered in the 1952 General Election, are responsible. The only exception was Acharya Narendra Dev who was at the time away to China as a member of the official Indian delegation led by Vijayalakshmi Pandit. At the first conference of PSP at Allahabad in December in 1953 Acharyaji made bitter remarks and JP in his response publicly sobbed. I had attended that conference. Earlier I had a feeling of dismay at a public meeting at my hometown Basti where Acharya Kripalani declared that instead of voting for the Congress it would be better to throw their votes into the sea. I could not imagine a national leader of his stature giving such an advice as it lacked any sense of political education. It seems that for him the Congress was good until he was defeated by Purushottam Das Tandon in the election for the Congress Presidentship. Kripalani was a candidate

of Nehru while Tandon that of Sardar Patel. The second ideological misadventure was by Dr. Lohia who, under the garb of equidistance from the Congress and the Communists but overwhelmed by his anti-Congressism and development of great personal dislike of Jawaharlal Nehru following the teargassing of the Socialist Party workers including himself at Delhi in 1950 on the Nepal Day, started hobnobbing with the Jan Sangh culminating in the formation of the United Front governments in 1967 and finally in the merger with the Janata Party in 1977 embracing the RSS and the BJP. For the common man both the mergers smacked of opportunism.

Tactical mistakes

Some political observers think that it was a mistake on the part of the CSP to leave the Congress in 1948 and that it should have continued in the Congress not as a separate party but as a ginger group to strengthen Nehru's hands and the socialist forces in the Congress. I do not agree with this assumption. I attended the Congress session at Meerut in November 1946 as a young student and CSP worker from Allahabad. I vividly remember the sarcastic remark of Sardar Patel against the socialist leaders who spoke about their revolutionary role in the Quit India movement. Patel cited a Gujarati proverb according to which a dog was run over by the wheel of a bullock cart but though seriously injured boasted that he was so strong that he pushed the bullock cart forward. Similarly, Patel continued, it was the people's power that faced the oppressions of the British valiantly but these socialist friends are under the illusion that they conducted the August Kranti.

His remark had a deadly effect. In the Interim Government as well as the post-Independence Government Sardar Patel continued to play a dominant role and later even influenced the economic policies to an extent that Asoka Mehta wrote an article on him captioned *The Economic Czar of India*. He was so much power drunk that it was alleged that he once ridiculed even Mahatma Gandhi by saying that "Buddhekaa dimaag kharaab ho gayaa hai." He was determined to see the socialists out of the Congress. Mahatma Gandhi even suggested in 1947 that Acharya Narendra Deva should be elected the Congress President but it proved to be a cry in the wilderness. I am surprised that according to Madhu Limaye even JP told him in a personal conversation in 1970s that it was a mistake to leave the Congress. As far as Nehru's role is concerned he merely used leaders like JP and Asoka Mehta but was hardly willing to accept the ideology, policies and programs of the CSP.

As a person lacking political maturity or vision I can only say that on two matters the CSP could have taken bold decisions: (a) It should have vehemently demanded that India should quit the (British) Commonwealth. It was left to a left Labour Party MP, Fenner Brockway, to write in the *Janata* in 1947 urging India to leave the Commonwealth. No doubt Nehru took a lead in holding the Asian Relations Conference at New Delhi in March 1947 and India's freedom movement inspired several Afro-Asian countries to struggle against the colonial powers and win freedom. But accepting the British monarch as the titular head of the Commonwealth was against national dignity. Being completely independent in letter and spirit might have helped India gain more political and economic power and strengthened the Asian Socialist Conference set up in Rangoon and other similar bodies in Asia and Africa. (b) In my personal view the CSP should have joined the Constituent Assembly instead of boycotting it. It would have strengthened the progressive forces and Dr. B. R. Ambedkar and in framing stronger socio-economic provisions in the basic law of the land.

Groupism

Groupism has been the bane of the socialist movement as in any other political party. The powerful groups of the original CSP belonged to Uttar Pradesh, Bihar and Bombay Province. There were leaders like S. M. Joshi, N. G. Goray and Sane Guruji in Maharashtra who were not afflicted by this but there was a group of important socialist leaders of Bombay city who occasionally followed a deviant behavior which ultimately led to Asoka Mehta joining the Congress in 1965 and Minoo Masani, the Swatantra Party. Earlier in 1950s Asoka Mehta had created confusion in the ranks of the party by propounding the thesis of *Political Compulsions of a Backward Economy*. This story of splits, mergers, re-splits and re-mergers is too well known to need repetition here.

I wish to mention my own sad experience of political groupism in the youth wing of the party. Much before the open split of the PSP in December 1955, a group basically comprising products of Kashi Vidyapeeth and allegedly owing allegiance to Dr. Lohia tried to capture the YSL (Young Socialist League) that came into existence after dissolution of the UP Students' Congress in 1948. This group set up Rama Kant Malaviya as a candidate against me for the ticket of the YSL for presidentship of the Lucknow University Union. Chandrika Singh Karunesh was appointed as the Returning Officer on

behalf of this group while Dr. Ram Chandra Shukla was the other Returning Officer. I was chosen by a majority of YSL members and later elected as the President of the Lucknow University Union by a big majority for the year 1952-53. But this 'Banarasi' group took revenge on me by getting R. K. Malaviya elected as a member of the National Executive of the NUSI (National Union of Students of India) at its first National Conference at BHU in January 1953. The National Executive of the NUSI was supposed to include elected presidents of the university unions. But the elected president of the Lucknow University Union was ignored. That indicated the erroneous path the NUSI was going to tread - the national body that was set up at Bombay with fanfare in 1950 and blessed by Jawaharlal Nehru and Jayaprakash Narayan.

The vested interests of the Bombay group led to the downfall of the NUSI. In October 1956 we held the Second National Conference of the NUSI at Delhi University. But it was disrupted by the Youth Congress, the AISF and the ABVP. Consequently, we had to move the venue to a dharmshala near Delhi University. After two months or so, Dr. Shelat held a rival National Conference at Hyderabad in December 1956 with the support of the Congress and the communists. They roped in C. Rajagopalachari to inaugurate that conference. When I pointed out to the incongruity of his inaugurating the said conference at Hyderabad, the great man replied to me promptly in long hand expressing his ignorance about this murky affair and telling me that he had publicly rebuked Dr. Shelat for continuing as the President of the organization for six years and still wanting to continue as President further. When, along with a friend, I met Asoka Mehta soon thereafter to apprise him of the treacherous game of Dr. Shelat he kept mum indicating that the Shelat group had his support.

This kind of groupism not only adversely affected the student movement it also affected the youth movement. The various socialist youth groups from different parts of India had met at Kashi Vidyapeeth, Varanasi, in 1953 to form the All India Samajvadi Yuvak Sabha (SYS). It was inaugurated by Dr. Lohia. Gowde Murahari was elected the General Secretary and on his election as Deputy Speaker of Lok Sabha he was succeeded by Ranganatha of Varanasi as the General Secretary. It is said that at the time of the All India PSP Conference at Gaya in December 1955 he had the temerity to send a telegram to Acharyaji: "Congratulations for splitting the party". He was openly associated with the so-called


Lohiaite group in the SYS.

An interesting and important event took place earlier in January 1955 at the State Conference of the UP Samajwadi Yuvak Sabha at Kanpur. Dr. Lohia was in the city and getting reports about the conference. His so-called supporters like Raj Narain, Prabhu Narayan Singh, Shamshi Minai, etc., were present at the conference. The other group was led by Dr. Ram Chandra Shukla. A Lohiaite worker, Vijay Kumar, started presiding over the conference. Immediately Gyanendra Srivastava of Kanpur questioned his credentials and it was found that Vijay Kumar had not been elected a delegate from anywhere in UP. He had to step down unceremoniously and the conference proceeded. This anecdote has been

narrated by me to illustrate how groupism has damaged the party.


The future

The current situation in the country demands consolidation of all democratic socialists believing in class struggle, non-violence, democracy, comradeship, sacrifice and mutual respect. Unfortunately at the moment there is no charismatic leader like Jayaprakash Narayan to give a lead. Therefore, there is no alternative to joint and united leadership possessing the above traits. There is also need for a united socialist youth organization on progressive and constructive lines as envisaged by Acharyaji.




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Legacy of CSP

Qurban Ali

Spiritualistic socialists Acharya Narendra Deva and Babu Sampurnanand, in 1926, drew up a moderate socialist agrarian program for United Provinces Congress Committee which by 1929 was accepted by All India Congress Committee, in its meeting held in Bombay. At the 1931 Karachi session of the Indian National Congress, socialist pattern of development was set as the goal for India and the resolution on fundamental rights and economic programs was passed. According to Pandit Jawaharlal Nehru, who drafted the Karachi resolution of the AICC, the origin of this resolution was UPCC's resolution of 1929. (Pt. Nehru's Autobiography, P.266).

During the 1932 Civil Disobedience Movement many young socialists like Jayaprakash Narayan, Minoo Masani, Achyut Patwardhan, Asoka Mehta, Charles Mescrenhas, Narayanaswami, ML Dantawala and NG Goray were lodged in Nasik Jail. While in jail they all felt the need to form a Congress Socialist Party, wedded to Marxism, within the Indian National Congress,. At the same time a group of 'left wing' Congressmen disillusioned with the policy of the Congress, met at Poona in July 1933 for the purpose of organizing a Socialist opposition group. They drafted a constitution and a program which subsequently became known as the "Poona draft". (Selected works of Acharya Narendra Deva, vol.1 page 29).

There were two basic objectives behind this move: (a) to draw a picture of Socialism in order to attract workers and peasants into the Congress fold; (b) to check the freedom struggle from drifting into the constitutional channel only. This group invited all those who believed in socialist ideology to attend the foundation conference of the Congress Socialist Party (CSP) at Patna on 17th May 1934. According to Rajani Palme Dutt the appearance of a "Congress Socialist Group" in Bombay had given rise to a widespread discussion in the ranks of the Indian National Movement. The program of this group was issued in February, 1934, under the signature of Krishna Menon, M. Shetty, Minoo Masani and others. It was issued with an approving letter from Jawaharlal Nehru.



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Minoo Masani wrote to Nehru on 19th December, 1933, "Some of us Congressmen in Bombay, who are socialists, are attempting to form a Congress Socialist Group or Party. We feel that the lead you have given to the Congress and to the country by emphasizing the necessity of taking up a consciously socialist and

anti-imperialist position should be followed by the organization of the socialists within the Congress. The Group, that is proposed to form, would carry out the purpose you have in view by placing before the Congressmen and the public of our province (or, may be presidency) a program that would be socialist in action and objective. The Group would do socialist propaganda among the rank and file of Congressmen with a view to converting the Congress into acceptance of socialism. We would also carry on propaganda among the workers (and peasants) at the same time participating in their day to day economic struggles. It would hearten us to know that in the formation of such a group we shall have your approval and support”.

In reply to Minoos Masani’s letter Jawaharlal said “I would welcome the formation of socialist groups in the Congress to influence the ideology of the Congress and the country. As you are aware, I have been laying stress on the socialist ideal very much in my recent speeches and writings. I feel that the time has come when the country should face this issue and come to grips with the real economic problems which ultimately matter. All over the world today people are being forced to think in terms of economic and social change and we in India cannot afford to remain in the backwaters of pure politics. The time has undoubtedly come now when we must think more clearly and develop a scientific ideology. This is so far as I am concerned, is one of socialism and I would, therefore, gladly welcome the formation of groups to spread this ideology. But it is not enough to talk merely in terms of an academic ideology, especially at a moment when our country is in the midst of a struggle for freedom. This ideology must be tackled into action and this action, if it is to bear fruit, must be related to the Congress struggle. Otherwise the socialist group will become an ineffective, academic and sterile Centre. Even to spread the ideology the effective method is through action which is coordinated to the direct action of the Congress and labor and peasant organizations”.

Delivering the Presidential address at the Foundation Conference of CSP, at Patna on 17th May, 1934, Acharya Narendra Deva fondly remembered his leader Pandit Jawaharlal Nehru and paid him his tribute. He said, “Friends, we are founding today the first cells of the Socialist movement within the Congress. In the absence of our great leader, Pt. Jawaharlal Nehru, our task has become extremely difficult. We do not know how long we shall remain deprived of his valuable advice, guidance and leadership. I am sure he will hail with delight the

birth of this new party within the Congress and that he will be watching our progress with keen interest from behind the prison bars. Let his great example stimulate and inspire us during the period of his incarceration and let us march forward with the assurance that the cause we represent will triumph in the end”.

At the foundation conference of the CSP, the draft proposals for a Socialist program were circulated and a Socialist program was approved in this conference. Outlining this program, founding Secretary of CSP, Jayaprakash Narayan explained what the Congress Socialist Party stands for in his book *Why Socialism*. He said that the objectives of the CSP, as laid down in its Constitution, are “the achievement of complete independence, in the sense of separation from the British Empire, and the establishment of a socialist society.”

“This is direct and simple enough. The Party has two objectives: the first is the same as that of the Indian National Congress, except that the Party wishes to make it clear that the complete independence of India must include separation from the British Empire; the second object of the Party is that independent India must reorganize its economic life on a socialist basis. The question is one of the values and ultimate objectives, which once determined, the rest becomes a matter of logical sequence. If the ultimate objective is to make the masses politically and economically free, to make them prosperous and happy, to free them from all manner of exploitation, to give them unfettered opportunity for development, then, Socialism becomes a goal to which one must irresistibly be drawn.

“If again, the objective is to take hold of the chaotic and conflicting forces of society and to fashion the latter according to the ideal of utmost social good and to harness all conscious directives of human intelligence in the service of the commonwealth, then, again, Socialism becomes an inescapable destination.

“If these be our objectives, it should take little argument to show that Socialism is as definitely “indicated” in India as elsewhere. In India too there is poverty, nay, starvation on the one hand and wealth and luxury on the other; in India too there is exploitation; the means of production here also are in private hands. That is, the root evil of modern society, namely, economic and social inequality, exists in India too as does its cause; the exploitation of the great many by the very few.

“And this is not the result of British rule. It is independent of it and will continue even after it. The ending of the foreign domination would not automatically solve India’s problem of poverty; would not put a stop to the exploitation of the vast many; would not in fact, mean the accomplishment of any of the objectives which we have started with. Economic freedom is also indispensable.

“As far as we socialists are concerned, economic freedom means only one thing to us—Socialism. Without Socialism, economic freedom would be a sham.

“The measures that are necessary, in the opinion of the Party to achieve this, are clearly set forth in the objectives of the program of the All-India Congress Socialist Party. They are:

1. Transfer of all power to the producing masses.
2. Development of the economic life of the country to be planned and controlled by the state.
3. Socialization of key and principal industries (e.g., Steel, Cotton, Jute, Railways, Shipping, Plantations, Mines), Banks, Insurance and Public Utilities, with a view to the progressive socialization of all the instruments of production, distribution and exchange.
4. State monopoly of foreign trade.
5. Organization of co-operatives for production, distribution and credit in the un-socialized sector of economic life.
6. Elimination of princes and landlords and all other classes of exploiters without compensation.
7. Redistribution of land to peasants.
8. Encouragement and promotion of cooperative and collective farming by the State.
9. Liquidation of debts owing by peasants and workers.
10. Recognition of the right to work or maintenance by the State.
11. To every one according to his needs and from every one according to his capacity” to be the basis ultimately of distribution and production of

economic goods.

12. Adult franchise on a functional basis.
13. No support to or discrimination between religions by the State and no recognition of any distinction based on caste or community.
14. No discrimination between the sexes by the State.
15. Repudiation of the so-called Public Debt of India.”

After the Foundation Conference, the first CSP Conference was held at Bombay on 21-22 October 1934. Dr Sampooranand presided over and more than hundred and fifty delegates attended the conference. By that time, out of twenty states, CSP groups were formed in fourteen states.

It is interesting to note that before the formation of the CSP, Socialist Parties in Bihar and Punjab were already functioning which later merged into the CSP. The second National Conference of the CSP took place in Meerut on 20th January, 1936 and Kamaladevi Chattopadhyay presided over it.

In the early 1930s Communists were opposed to Mahatma Gandhi and the Congress and when Congress Socialist Party was formed they derogatorily called it “Social Fascism”. But when Nazism emerged as victorious force in Germany and Stalin’s policy got reversed, Indian Communists changed their mind and started joining the CSP. In the Lahore session of CSP, many prominent Communist leaders like EMS Namboodiripad, Sajjad Zaheer, ZA Ahmed, Dinkar Mehta, Saurab (Soli) Batliwala and P Sundarayya, got elected to the National Executive of CSP.

The third National Conference of the CSP was held at Faizpur along with AICC Session on 24-25, December 1937, and the fourth one at Lahore on 12-13 April, 1938. The CSP’s fifth National Conference was held at Kanpur in February 1947, under the Chairmanship of Dr. Lohia and the word “*Congress*” was removed as prefix and the CSP became the Socialist Party. This National Conference was held after a gap of almost nine years. The main reason for this gap was that most of the CSP leaders were in prison due to their participation in the ‘Quit India Movement’ and also most of the Communists were out of the party by then.

After India got Independence in 1947, JP was of the opinion that the Socialists should leave the Congress party and play a role of constructive opposition. Acharya Narendra Deva and Dr Lohia were not in favor of it and Mahatma Gandhi was also of the view that Socialists should continue to be part of the Congress as long as they were welcome in the Congress. On 30th January, 1948, Gandhiji was assassinated and the Congress also amended its constitution saying that no entity or organization can exist within it with a separate constitution and membership. Jayaprakash Narayan, Dr. Lohia, Achyut Patwardhan, Aruna Asif Ali and Yusuf Meherally were the heroes of the 'Quit India Movement' and were greatly respected in the Congress. Jayaprakash Narayan and Lohia were members of the Congress Working Committee also, but with a heavy heart they decided to leave the Congress in 1948.

Socialist Party's Sixth National Conference held at Nasik in March 1948, under the Chairmanship of Purshottam Tricumdass decided to sever its ties with INC and left the Congress to play the role of 'constructive opposition'.

The first major civil disobedience movement of Socialists was started in Uttar Pradesh in free India under the leadership of Dr. Lohia against the price rise in irrigation rates in UP in May 1954. Thousands of party workers participated in this agitation and more than five thousands party workers were arrested along with Dr Lohia under the 'Special Powers Act' in UP. Dr Lohia challenged this act in the Allahabad High Court. After two months of heated hearing, the Allahabad High Court pronounced the 'Special Powers Act' to be against the basic spirit of the Constitution and released Dr Lohia and thousands of others on 28th of August, 1954, through a landmark judgment. Lohia proved through this movement of civil disobedience that people could achieve their rights through peaceful means.

In August, 1954, the PSP Government in Travancore-Cochin (Kerala) led by Chief Minister Pattom Thanu Pillai ordered police firing against peaceful protestors demanding inclusion of Tamil speaking areas of the state in Tamil Nadu. Many protestors were killed in the firing and Party General Secretary Dr. Lohia, who was in Naini Jail at that time, demanded the resignation of the Pattom Thanu Pillai Government. His argument was "when Congress Government at the Centre or in any State killed common man through police firing we demand resignation of that Government, now probity

demands that our Government should also resign and we should establish some moral standards before the people".

Party Joint Secretary Asoka Mehta reacted differently and asked: whenever there is police firing under Socialist Government should it resign? Or should it establish the norm of constituting judicial probe of such kinds of incidents? On this issue a special Conference of the party was convened at Nagpur on 25-27 November, 1954. Dr Lohia's motion was defeated by 85 votes but the Party got split.

The history of Socialist movement in India is a saga of differences and splits. It is a mixed bag of failures and successes. Failures in terms of ideology, lack of consistency in running a mass based socialist party and providing a socialist alternative to the centrist parties, left-of-the centrist parties, left parties and regional parties. It lost its identity and became part and parcel of the other corrupt and communal parties.

On the other hand, the Socialists can claim to have compelled the Congress Party and the successive Congress governments to adopt socialistic pattern of society and the non-Congress governments to implement the Kalelkar Commission and the Mandal Commission Reports, paving the way for social justice in the country.

They were also fighting for the cause of civil liberties, human rights, for equality amongst all sections of society, against discrimination in the name of caste, color, creed, religion and sex and for the betterment of common people as enshrined in the preamble of the Constitution of free India – this is the legacy of the Socialist movement.

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*Book Review***A Learned History of Socialist Movement****Surendra Mohan**

Surendra Mohan (1926-2010). Lecturer in Sociology at Kashi Vidyapeeth, Varanasi, 1956-58. Joint Secretary, PSP, 1965-71, General Secretary of the Socialist Party, from 1972-77. One of the General Secretaries of the Janata Party in 1977 Elected to the Rajya Sabha 1978-84. Chairman of Khadi and Village Industries Commission (1996-98). Editor, Janata.

(1) *Bharat mein Loktantrik Samajwadi Andolan—Bhag Ek: Congress Socialist Party (1934-47)* by Girija Shankar; Vishwa Bharati Publications, 4378/4D Ansari Road, Darya Ganj, New Delhi; 2004; pages 465+ix; Rs 750.

(2) *Bharat mein Loktantrik Samajwadi Andolan—Bhag Do: Socialist Party (1947-52)* by Girija Shankar; Vishwa Bharati Publications, 4378/4D Ansari Road, Darya Ganj, New Delhi; 2009; pages 395+xv+45 photographs; Rs 950.

Some histories of various phases of the socialist movement have been written by political scientists and historians and some others by the participants in it. Among them, the earliest possibly was the History of the Praja Socialist Party by Hari Kishore Singh who published it in 1958. The book covered the period from the founding of the Congress Socialist Party in 1934 to 1955 when the party, which had changed its name to the Praja Socialist Party, suffered a major split. Hari Kishore Singh, an activist with a the Socialist Youth Organisation, prepared this book as a dissertation for his degree from the Oxford University. Singh remained active in politics and was the Minister of State for External Affairs in the National Front Government between 1989 and 1990.

Thereafter Professor S.C. Gangal of Aligarh wrote on the socialist movement from 1934 to 1971. Two socialist activists, Prof Vinod Prasad Singh and Dr Sunilam, thereafter published documents including policy statements, resolutions and correspondence among leaders of the movement. That book covered the period from 1934 to 1952 and was written in Hindi. Madhu Limaye, the socialist leader and parliamentarian, has written extensively on the subject in his books *The Age of Hope and the Birth of non-Congressism*. Autobiographies by senior socialist leaders, Kamaladevi Chattopadhyaya, Nirbhay Shankar Pandya, S. N. Dwivedi and S. M. Joshi, also shed lot of light on the facts concerning the history of the Socialist Parties, including their splits and mergers. However, the book by Pandya was in Gujarati and Joshi in Marathi.

Dr Girija Shankar, the founder and head of the History Department of the Choudhry Charan Singh University, has published systematic studies of the history of the Congress Socialist Party from 1934 to 1947 and the history of the Socialist Party from 1947 to 1952 in Hindi. In the first of these books, he has, in the beginning, discussed the background of the formation of the CSP, its relationship with Gandhiji, Jawaharlal Nehru

and Subhash Chandra Bose. He has sought to link its foundation with the freedom struggle and pointed to its strong commitment to the latter. A large number of the cadres of the Naujawan Bharat Sabha from the Punjab led by Munshi Ahmed Din and including Kulbir Singh and Kultar Singh, brothers of the great martyr Sardar Bhagat Singh, joined the Congress Socialist Party in 1936. Some others from the revolutionary movement like Sibnath Banerji, Yogendra Shukla, Basawan Singh and Dinesh Dasgupta were also in the Party, thus confirming its link not only with the freedom struggle led by Gandhiji but the other streams as well.

Prof Girja Shankar goes into detail in outlining the Party's attempt at creating Left Unity with the Communists and the followers of the famous revolutionary M. N. Roy, whom Nehru had personally introduced to the delegates of the Indian National Congress at Faizpur. That unity did not sustain even though Jayaprakash Narayan, the chief organiser of the Party, and its senior ideologue Acharya Narendra Dev were all for it as they were staunch Marxists and the Party described itself as Marxist-Leninist. The disillusionment from the Soviet Union, which was worshipped by the Communists as the Fatherland of the proletariat, after Stalin introduced the new Constitution in 1936, the Moscow Trials, the pact between the Soviet Union's Foreign Minister Molotov and the German Foreign Minister Ribbentrop and the erosion of civil liberties was one of the reasons of the split. The other was the Communists' strategy to create ruptures in the Congress by pushing the Left's confrontation with the Right after the separation of Bose from the Congress party. The author expresses his disappointment that the unity got ruptured and approvingly quotes Madhu Limaye also in this behalf.

Dr Girja Shankar has painstakingly discussed the thinking of various socialist leaders and the challenge mounted by Dr Lohia, Achyut Patwardhan, Masani and Kamaladevi against JP's insistence of keeping intact the unity with the Communists. He also refers to the long hunger strike launched by the prisoners in the Deoli Camp Jail against the abysmal conditions in it which the Communists gave up in between, without consulting the socialists, including JP, because of their altered perception of the imperialist war. The Communists started to call it the People's War and gave full support to the war effort of the British, calling JP and Bose fifth columnists.

He has also traced the growing realisation among socialist leaders of the significance of the mass

awakening brought by the peaceful nature and the openness of the challenge that the Congress under Gandhi posed against the imperialists. The Congress Socialists' role in preparing the Congress leaders to launch a direct struggle against the imperial power and their cadres to be ready to strike has been succinctly brought out. He says that dialogues with socialists influenced Gandhi's thinking also, and at one time, he had offered to them in 1947 that if they foreswore the use of violence, he would become a member of their Party.

The CSP decided to boycott the Constituent Assembly, and Nehru regretted it much because he felt that they could have contributed in strengthening its progressive features. The author has discussed the reasons for it. The Party felt that while direct and indirect members from the princely states were nominated by the princes, other members had been elected by a very restricted electorate. The miscalculation of the CSP, he says, was that they pinned too much faith in Gandhiji and his often stated position that he would never accept the country's partition. Even when the Interim Government had been installed with Nehru as Vice President of the Viceroy's Executive Council, they continued to insist that the final struggle against the British imperialists was inevitable. In the Working Committee of the Congress Party, JP and Lohia strongly opposed the resolution on the acceptance of partition. Lohia, in his well-known book *Guilty Men of India's Partition*, accused Nehru and Patel of making a deal with Lord Mounbatten, the last Viceroy, behind Gandhi's back. He expressed sorrow that in the end, Gandhi resigned himself to partition.

While the CSP leaders were campaigning for launching the final struggle, the Congress leaders, particularly Sardar Patel, were preparing to ensure that either the CSP is dissolved or it is thrown out. Girja Shankar has described various initiatives taken by Gandhi to bring the two groups together, but he did not succeed. After the Congress leaders refused to accept Gandhi's suggestion that JP or Narendra Dev should be made Congress President, the CSP decided that it was futile to hope that they will change. After Gandhi's assassination, the Congress Working Committee adopted a resolution against permitting organised groups' stay in the party. The CSP then resolved to quit the Congress on March 1, 1948. However, they set a healthy tradition by deciding to quit all the elective posts in district and State levels which they had secured as Congressmen. Nehru had tried to dissuade them from leaving the Congress party. The author mentions several letters he wrote to JP and the statements he made, even much after their parting of

ways, inviting them back in the Congress party.

The socialist leaders had great hopes in the beginning that the Socialist Party would be able to emerge as the parliamentary alternative to the Congress party. Their model was the Social Democratic and Labor parties in Western Europe. Some election and by-election results convinced Asoka Mehta, who succeeded JP as the General Secretary of the Party, that the chances of the Party were bright. It was forgotten, argues Girija Shankar that they had thrived only as Congressmen, had been closely identified with the Congress party and had built no separate organization of their Party. He has discussed the efforts made by the Socialist Party in setting up a separate national trade union centre, a kisan organization and a youth organization. Only the trade union centre continues to exist to date, in the name of the Hind Mazdoor Sabha (HMS), and has the fourth largest membership, stipulated by it at 65 lakh members. In the All India Railwaymen's Federation too, the socialists have a lot of influence, and a government-held ballot in 2008 gave it the primary position among all trade unions in the Railways.

The effort to develop the kisan panchayat frittered away after the poor results of the first general election. That this happened even though kisan struggles had been launched, big demonstrations had been held and half-a-million members had been enrolled in the first two years can only be explained by the shock that that election gave them. As for the youth organization, Dr. Girija Shankar paints a saddening picture, which does not appear correct, going by the accounts of those who were active in the Universities of UP and Bombay. He has also failed to follow the story of the National Students Union and says that it died an early death. The fact is that it functioned till 1958, arranged a successful conference of the elected student leaders and helped in creating its successor, the National Council of Unions of Students of India, which functioned till 1966.

But, all this belongs to the period covered in the book named the "Socialist Party: 1947 to 1952". During this period, a small group of revolutionaries named as the Socialist Party of India, mainly active in UP, merged with the Party. The Bolshevik-Leninist Party, a Trotskyite group, also merged in it. All this was in pursuance of their bid at political consolidation. However, Girija Shankar points to the dismal election results in UP for the by-elections held for the seats vacated in the Legislative Assembly by the Socialists in which only one out of 12 got elected. In the elections to the District Boards, he

says, only 108 seats were captured by them. Socialist leaders had then dismissed these reverses as insufficient indication of their influence since the electorate in the elections was a limited one. They were enthused by the response among the youth and students. They attracted a large number of intellectuals and writers, too. Acharya Narendra Dev launched the Nav Sanskriti Sangh, a cultural organization, which included the most established names in literature in North India. The Khoj Parishad, with its headquarters in Calcutta, headed by the distinguished scientist Dr. S.N. Bose, was another such effort.

The book gives detailed accounts of the National Conferences, National Executive meetings etc. and the resolutions adopted by them. The resolutions on National Reconstruction adopted in 1949 at the Patna Conference and National Revival in 1950 at the Madras Conference provide serious thought in respect of the nation's regeneration. He gives a list of the periodicals and other publications of the Party as also the names of prominent leaders in various States. Thus, the book proves to be a mine of information.

Discussing the preparation for the general election, the author says that the financial situation of the Party was a skewed one, and describes how, even then, the Communists and some Congressmen, including Indira Gandhi, accused them of getting money from foreign sources, particularly the USA. He discusses the election strategy, as designed by Asoka Mehta, to contest as many seats as possible in the Union and State legislatures, in order to spread the Party's message far and wide. The controversy whether the national leaders should or should not contest the elections has also been discussed. JP, says the author, was getting disinclined towards electoral politics while Dr. Lohia wanted only to contest against Nehru which the Party disfavoured. Acharya Narendra Dev, Asoka Mehta, Kamaladevi Chattopadhyay and Ramanandan Mishra, among the top leaders, contested and lost.

The Socialist Party secured 10.5 per cent of all the valid votes polled, which should have boosted its morale. But, although it contested 285 seats in the Lok Sabha, it secured only 12. In the State Legislative Assemblies, it put 1805 candidates, out of whom only 128 were successful. On the other hand, the Communist Party and its allies contested only 63 seats in the Lok Sabha, but were able to secure 26 seats, while in the State Assemblies they contested 563 seats and won 173. The author quotes the socialist leader, Madhu Limaye, to say

that it put fear in the minds of the leaders of the Socialist Party that the Communists will be the main rivals of the Congress Party, relegating them to a third position. He says that, barring Lohia, all other leaders were profoundly shaken. This does not appear to be wholly correct. It is well known that Acharya Narendra Dev remained unruffled by the election debacle and his own defeat as he held that the establishment of socialism was hard work entailing several generations and such pitfalls are common. The leaders at State levels like Ganga Sharan Sinha in Bihar, S. N. Dwivedi in Orissa, S. M. Joshi in Maharashtra, C.G.K. Reddy in Karnataka, P. M. Nambiar in Malabar, and C. P. Tewari and Jagdish Joshi in Vindhya Pradesh continued to work as steadfastly as before. Three leaders, however, were greatly affected: JP, Mehta and Mishra. Mishra blamed JP for the debacle and particularly his own defeat which left JP deeply hurt.

While discussing the reasons for the relative performance of the Communists and the Socialists, the author contradicts himself. At one place, he ascribes the Communists' success to their capture of the All India Trade Union Congress, the All India Kisan Sabha and the All India Students Federation to their anti-imperialist struggle, but, on the next page, he says that as the imperialist government had removed the ban on the CPI, it was able to move freely and this helped the party in capturing these organizations. That was the time when the 'Quit India' struggle was going on and most of the socialist and other Left-wing Congress elements were in jails or in the underground. Moreover, at that time, the CPI was collaborating with the imperialists instead of fighting against them. He also refers to the joining of the CSP cadres in the South with the CPI in the late 1930s because of the success of the Soviet Union. It has been forgotten by several observers, including Girija Shankar, that in Karnataka, the PSP continued to exist as the main Opposition party till 1970 when it had 4 members in Lok Sabha and 26 in the State Assembly, and all of whom joined the Congress party before the fourth general election. In Andhra Pradesh, too, the Socialist Party led by Lohia fared better than the Communist Party which was shattered by the Hindi-Russi bhai bhai slogan in 1954-55.

Girija Shankar provides a fair analysis of the reactions of JP and Asoka Mehta. JP took it as his personal failure as the leader of the party and slowly withdrew from politics. Asoka Mehta, who was the keenest for quitting the Congress party in 1947, began to think of returning to it. The author says that in the National Executive Committee's meeting in Varanasi

to discuss unification with the KMPP, led by Acharya Kripalani, he was asked why the Party should not merge with the Congress party; he said that it could be six months after the unification with the KMPP, on equal terms. He and Lohia pushed the party forward for a merger with the KMPP. JP, says the author, was reluctant but was persuaded by Mehta and the new entrant D.P. Mishra, the Congress leader from Madhya Pradesh. Narendra Dev was totally opposed, as were Prof Mukut Behari Lal, Madhu Limaye and Madhu Dandavate. The author tells us that later, both JP and Lohia admitted that the socialist movement would have fared better if this unification had not taken place.

The book "Socialist Party: 1947-1952" discusses the foreign policy of the Party in a separate section. It mentions Lohia's Goa satyagraha, the Party's support to the struggle for democracy in Nepal and its opposition to China's claim of Tibet as her integral part. The difference of policy on the Sino-American war in Korea has also been highlighted in which Lohia differed from other leaders on supporting the USA. He said that non-alignment from both camps would be advisable. The Party's general policy was, however, the same and had been developed by Lohia when he had worked in the AICC in the late 1930s, although then, non-alignment was to be between the Fascists and imperialists and now it was between the USA and her allies and the Sino-Soviet bloc. Lohia said in the new situation, the Party should build the 'Third Camp in World Affairs'. The Party had started to convene a conference of the Socialist Parties in the countries in Asia and Africa, in association with its counterparts in Indonesia and Burma and such a conference called the Asian Socialist Conference was held in Rangoon in 1953.

The Socialist Party held a special conference in May 1952 at Panchmarhi in Madhya Pradesh where Dr. Lohia delivered his presidential address with the title "Doctrinal Foundations of Democratic Socialism." It was an inspiring message for the Party's rank and file and reiterated the Party's three-way strategy of Jail, Spade and Vote. The author quotes from it the main issues to highlight its impact.

All in all, Dr. Girija Shankar's two books have provided a rich account and independent analysis of the politics of the CSP and the Socialist Party. Thereby, these books fill a void in political learning.

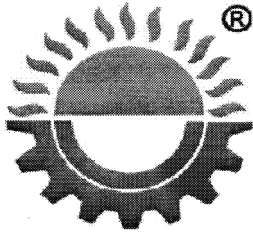
Janata Corpus

Janata entered its 70th year this January 26. In the 70 years since it was born, it has seen the dreams of its founders – Janata was launched by Congress Socialists in 1946 – shattered. When they launched Janata, they were heroes of the '42 movement, full of energy, hope and radical ideas. They wanted to paint India in pink, the colour that suits democratic socialists the most. Their heroic deeds, their ceaseless efforts from the underground to keep the August revolution alive, their sacrifices, had endeared them to the masses. The youth then were with them, even if their parents were with the Congress. They felt that a new dawn was on the horizon and they would usher it in. But history that they had repeatedly declared was on their side, did not side with them and the movement they launched, nursed and took towards a pinnacle, is now in a shambles. Socialism is no more popular, it, if at all, rarely gets mentioned. The people have moved on to pursue other causes, leaving socialists and their ism on the sidelines. The Janata Weekly has witnessed all this and has tried to record in some detail this history painful and tragic, as best as it could. If the socialist movement declined and almost disappeared, Janata too declined and it is on a respirator. But Janata has been kept alive, kept alive in the hope, not of a new dawn, but of revival, revival of the Indian Socialist Movement and to play a role in its revival. Who knows those days may be near. The growth that capitalism promised when it inflicted defeat after defeat on socialist forces all over the world, that inclusive growth has eluded, and the recession that set in in the latter part of this Century's first decade is showing no sign of going away. And there are movements of protest, promising a lot at their zenith, even if sporadic, give some hope even in their decline of a new world order. The downward slide of economy, the monstrous increasing inequality, and above all, the threat to the very survival of the planet, thanks to the industrial growth, despite the disturbing religious violence, is likely to herald a new future. These movements, if they succeed will call themselves, for all we know, pink socialism.

Janata will, in the coming decade of its existence, witness changes, describe them and nurse them. And Janata will grow in importance, as also in influence. But it will need resources, large enough, large for it, though very small for its opponents. The anti capitalist movements never need large amounts. The Janata trustees have decided to build a corpus. Janata appeals to its readers, socialists and friends to contribute a generous sum to swell its corpus.

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What happened at the Patna Convention of Socialists 82 years ago

The All India Congress Committee was to meet in Patna on 18th and 19th of May 1934. In this background, the Bihar Socialist Party passed a resolution saying that it was “essential that all those Congressmen who hold Socialist views should place, through those of their comrades who are its members, united proposals before the AICC when it meets at Patna on 18th and 19th of May. This Party further considers it to be high time for the Socialists of this country to make united and organized efforts for the promotion of the Socialist cause. With these objects in view the Party considers it desirable to hold an All India Conference of Socialist Congressmen at Patna on 17th of May, so that an agreed line of action with regard to both of these objects may be evolved”.

In pursuance of the above resolution, Jayaprakash Narayan sent out a circular invitation on 5th May 1934 and said that the Bihar Socialist Party had drawn up an agenda for the conference along with the suggestions of the Bihar Socialist Party, which was enclosed to the invitation. Jayaprakash Narayan said that the Socialist organizations could either send delegates or their members could attend in their individual capacity. An advertisement about the proposed event was also published in newspapers.

In this background, an all India meeting of the Socialist organizations and individuals was held at Patna on 17th May 1934. The socialists met in the Anjuman-e-Islamia hall at Patna. Acharya Narendra Deva presided. S.M.Joshi, who had been incarcerated in the Visapur Jail and Rammanohar Lohia who had returned from Germany, also joined. About a hundred delegates participated in the convention. The largest contingent was from United Provinces under the leadership of Swami Sampurnanand and Sri Prakash. Bombay was represented by Minoo Masani, Purushottam Tricumdas and C.K.Narayanaswamy. Central Provinces were represented by four delegates including Rammanohar Lohia and Madan Mohan Chaturvedi, Delhi by Satyavati Devi and Farid Ansari and Pandit Inda. Bengal sent a large contingent of 20 delegates led by Dr. Charu Banerjee and two lady delegates Mrs. Hari Mohan Mukherjee and Mrs. Rajani Mukherjee. Prof. N. G. Ranga from Andhra Pradesh and E.M.S. Nambudiripad and A. Madhavan from Kerala also participated.

Abdul Bari, the Chairman of the Reception Committee welcoming the participants said “The masses of India cannot be satisfied with mere political freedom unless that freedom is accompanied by such a reorganization of the economic foundations of the society as will eliminate all forms of exploitation of man by man and offer equal

opportunities to all for moral and material progress”.¹

Jayaprakash Narayan said that the meeting had been organized with a view to ‘consider the advisability of uniting the socialist and other radical elements within the Congress into an organization in order to accelerate the growth of the latter into an anti-imperialist body having requisite ideological and organizational basis’.²

Acharya Narendra Deva, inaugurating the meeting³ said “My task (of inaugurating the conference) is made more difficult by the absence of our beloved friend, Pandit Jawaharlal Nehru, whose valuable advice and guidance would have been of immense value to us on this occasion. ... In our endeavor to influence the nationalist movement in the direction of Socialism, we are at once met with the criticism, that it is difficult to reconcile nationalism with socialism. ... The answer is that we do not wish to isolate ourselves from the great national movement against British imperialism which today the Congress symbolize. (A Socialist) will, no doubt, if circumstances are favorable, try to establish a Socialist State, but if the objective situation is not ripe for such an event, he will not for that reason, frustrate the cause of freedom by refusing to fight the alien power in collaboration with other classes. Because for a subject nation, political independence is an inevitable stage on the way to socialism, even though we believe that in the present Indian conditions, the probability is that both the revolutions may be carried out simultaneously.

“Capitalist democracy is any day preferable to serfdom and subjection to an alien rule. ... Socialism is in the air. We cannot escape it.” Having analyzed the capitalist crisis in the world and the true nature of fascism and rejecting both capitalism and fascism, he said “Socialism alone holds the field. It is no longer a mere principle and a dogma, but is being translated into action, at least in one country (Russia).” Referring to the misconceptions about materialist conception of history, he said “Marx recognizes both mind and matter as formative forces in history. He regards man as an active agent who consciously shapes history. But the mind of man acts on a given objective situation which sets the limits, within which it can act”. Answering the criticism that there was no equality in Russia he said “The proletarian slogan of equality had reference to the capitalist society and was only a demand for the abolition of the classes just as the cry of equality of the new capitalist society of the French Revolution had reference to the abolition of feudal privileges. Says Marx, ‘The real content of the proletarian demand for equality is the demand for the abolition of classes. Any demand for equality which

goes beyond that of necessity passes into absurdity”.

Replying to the criticism that India is an agrarian country and that hence socialism has no chance in India, he said, “It is now necessary to take into account the existence of objective conditions for revolution throughout the whole system of imperialist world economy, which forms an integral unit, for the existence within this system of some countries that are not sufficiently developed from the industrial point of view, cannot form an insurmountable obstacle to revolution, if the system as a whole has become ripe for it. Socialism has come to stay in this country and is daily gaining the strength and prestige inside the Congress as well as the country. We must take our stand on scientific socialism and steer clear of utopian socialism and social reformism.”

The Chairman moved three resolutions, first on the Council entry, second on the Textile Strike in Bombay and third on the formation of the All India Congress Socialist Party.

The immediate issue before the conference was the decision to enter the Councils formed under the Government of India Act 1915. Socialists were opposed to it. Hence a resolution was passed saying “This Conference is of the opinion that the resolution passed by the Lahore session of the Indian National Congress calling upon Congressmen to boycott the legislatures should not be rescinded except by an open session of the Congress. The Conference is of the opinion that if the Congress rescinds that resolution the conduct of electoral and parliamentary activity should be in the hands of the Congress organization and such activities should only be in furtherance of a program which is Socialist in action and objective.” Prof. N. G. Ranga was in favor of participation in the elections to the Councils. Hence he protested and walked out of the meeting.⁴

After the resolution supporting the striking textile workers of Bombay was moved and passed, the Chairman moved the following resolution on the formation of the Congress Socialist Party: “In the opinion of this conference the time has come for an all India organization of the Socialists in the Congress to be established. With this object in view it is resolved that a drafting committee consisting of the following be appointed to prepare the draft program and constitution for an All India CSP. Acharya Narendra Deva – President, Jayaprakash Narayan – Secretary and Abdul Bari, C. C. Banerjee and Faridul Huq Ansari, Minoo Masani, Purushottam Tricumdas, Sampurnanand – Members.⁵ Jayaprakash

Narayan be appointed Organizing Secretary of the All-India Congress Socialist Conference to organize Provincial Congress Socialist groups where they do not exist on the basis of the program adopted by the Drafting Committee and arrange for an All-India Conference to form an All-India Congress Socialist Party immediately prior to the next session of the Indian National Congress”.

“This Conference sends its affectionate greetings to Pandit Jawaharlal Nehru and places on record its sense of appreciation of the lead given by him and his valuable services to the Socialist cause. It expresses its feeling of loss at his absence from its midst at a time when his guidance was most needed by the country.”⁶

Mrs. Rajani Mukherji opposed the resolution and felt that the party should be formed outside the Congress. However the resolution was passed by 58 votes in favor and 22 votes against.

Then Mino Masani moved a resolution regarding the Council entry and the Swarajist Party. The second part of the resolution dealing with the Swarajist Party read: “Whereas the preamble to the fundamental rights resolution of the Karachi Congress declares that, in order to end the exploitation of the masses, political freedom must include real economic freedom of the starving millions and whereas, in order to widen the basis of the struggle for independence and ensure that even after Swaraj comes the masses do not remain victims of economic exploitation, it is necessary that the Congress should adopt a program that is Socialist in action and objective, the AICC recommends to the Congress to declare as its objective a Socialistic State and after the capture of power, to convene a Constituent Assembly (on the basis that every adult shall have a vote with the exception of those who have opposed the struggle for freedom and that representation shall be on a functional basis) for the purpose of formulating a Constitution for an Indian State on the following political, social and economic principles:

Transfer of all power to the producing masses.

Development of the economic life of the country to be planned and controlled by the State.

Socialization of key and principal industries, Steel, Cotton, Jute, Railways, Shipping, Plantation, Mines, Banks and Public Utilities with a view to the progressive socialization of all the instruments of production, distribution and exchange.

State Monopoly of foreign trade, production, distribution and credit in un-socialized sector of economic life.

Elimination of princes and landlords and all other classes of exploiters.

Redistribution of land to peasants.

Encouragement and promotion by the State of co-operative and collective farming with a view to the ultimate collectivization of all agriculture in the country.

Liquidation of debts owed by peasants and workers.

Adult franchise on a functional basis.

“The AICC recommends the method of organizing the masses on the basis of their economic interests as the only effective method of creating a mass movement and the organization by Congressmen of Kisan and Mazdoor Sanghas, and the use of such Sanghas where they exist for the purpose of participating in the day-to-day struggles of the masses with a view to lead them eventually to their final goal.”

Mino Masani moving the resolution said that they had no objection to a parliamentary program. But he laid down three conditions on which the Socialists could lend their support to such a program:

The program should be sanctioned by an open session of the Congress, not by a handful of men,

Parliamentary activity should be under the guidance and control of the Congress and not any an autonomous body,

The program should be a full-blooded Socialist program.

Moving the resolution Mino Masani said that he could see that the Swaraj Party stood only for constitutionalism without any mass program and hence the Party could degenerate into a responsive cooperation. If the Socialists are defeated in the AICC they should still pursue the struggle to the open session of the Congress and challenge the right of the AICC to decide in favor of the Swaraj Party. Dr. Sampurnanand seconded the resolution and said that he did not have any faith in the Council program.

Several amendments were moved. P. Ghose moved an amendment that the Socialist Party should give a mandate to every member of the Socialist Party that whatever may be his personal views he should vote for the resolution in the AICC. Balakrishna Sharma moved an amendment which accepted the position that the AICC was competent to give sanction to the Council program. Kiran Das moved an amendment which wanted the Socialist Party to urge the Congress to fight for the rejection of the White Paper, the repeal of the repressive laws, the release of prisoners and detenues and the early summoning of the Congress with a view to discuss the Socialist program which should be implemented by the Party which runs the elections. Rajani Mukherji moved an amendment and wanted the resolution to state that the control of economic life would be with the workers and peasants and the fruits of their labors be not consumed by others. All amendments except the one moved by Rajani Mukherji were lost.

Purushottam Tricumdas moved a resolution that no socialist could be a member of the Swaraj Party or any communal organization, which was also carried. The convention also passed a resolution opposing Indian involvement in any war in which Britain may be involved and urged the Congress to resist actively the utilization of Indian men, money and resources for the purpose of such a war and utilize such a crisis for securing Swaraj.

On the Indian States, the convention condemned the 'action of the Travancore, Baroda, Rewa and other States which have taken repressive measures against Congress, labor and States' Peoples' Organizations and movements' and said "Interests of the people of the Indian States are as much the concern of the Congress as those of the people of British India and that the abolition of the rule of the Indian Princes can alone assure Complete Independence for the whole of India and it invites the people of the

Indian States to fight side by side with the people of British India in the struggle for Independence".

The last resolution affirmed the faith of the Conference in the efficacy of Civil Disobedience as a weapon for the attainment of independence and congratulated those among the masses who had suffered for the cause. However, an amendment was moved to replace the words Civil Disobedience with the words 'direct action' and the amendment was carried.

A sub-committee was formed to draft proposals to be placed before the AICC which was meeting the next two days at Patna. After a vote of thanks to the President, the *Conference concluded at 9 pm.*

1. History of the CSP : P.L.Lakhanpal : P. 19.
2. Report of the Organizing Secretary to the All India Socialist Conference, Bombay, October, 21, 22, 1934.
3. For the full text of the speech see, Selected Works of Acharya Narendra Deva: Ed. Hari Dev Sharma: Volume 1. P. 9-33
4. This fact is mentioned in the autobiography of E.M.S.Nabudiripad.
5. However, in his article 'The Formation of the Congress Socialist Party' published in 'Fifty Years of Socialist movement in India' edited by G.K.C.Reddy, Hari Dev Sharma says the members were Abdul Bari, Rammanohar Lohia, Dr. Abdul Alim, and Prof. N.G.Ranga.
6. Jayaprakash Narayan: Selected Works: Ed. Bimal Prasad. Vol. 10. P. 987-8

Footprints of A Crusader (The Life Story of Mrunal Gore)

by

Rohini Gawankar

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Building on Our Heritage

D. K. Giri



Dr. Giri was the Director, Schumacher Centre, Delhi; Senior Research Fellow, Institute of Social Sciences, New Delhi; Associate Fellow, Centre for Developing Area Studies, University of Hull, England; Additional Private Secretary to the Deputy Minister, Ministry of Human Resource Development, Government of India; Lecturer, Academic Staff College, Jamia Millia Islamia University, New Delhi; and is the Secretary General, Association for Democratic Socialism (ADS)

Since I consciously embraced democratic Socialism in the 1970s, in the wake of the rise of JP movement and fall of the Janata Government, I have been exposed to the past of socialist movement in India. Quite a few early Socialists in India have had a big and lasting footprint as well as handprint on the Socialist landscape. Hardly any discussion-meeting is conducted without reference to the thoughts of past leaders. The leaders like Narendra Deva, Jayaprakash Narayan, Rammanohar Lohia, Asoka Mehta, and many others seem to be immortal in the memory of Indian Socialists. No doubt, we have a rich heritage of socialist values and practices embodied by our predecessors. Yet they were not infallible, they had their share of shortcomings. All human beings have them. While we recall our past, our heritage, we need to draw on the strengths and discard the shortcomings; lest we should be victims of hero-worship and be condemned to repeat those mistakes. People tend to romanticise history, so much so that the spots of bloodshed in the past become places of pilgrimage in the present.

I would attempt to recall the glorious past of socialism, at least some vignettes that will inspire us to soldier on, as well as point out the burdens that drag us down in our present struggles. Socialists in the past strictly adhered to political morality, to the morally indispensable continuum between the means and the ends. The General Secretary of Socialist Party, Jayaprakash Narayan in his report to the Nasik Conference 1948, while making a blistering attack on Stalinist methods in Russia, made an earnest appeal for adhering to moral values in politics, stressing the importance of means and ends.

Let us recall that when the CSP came out of the Congress, the National Executive of the party decided that all the Socialist members of the Legislatures who won on a Congress ticket should resign. The idea was to set an example of observing political morality in public life. The Socialist leaders were not worried if they would be re-elected or not. twelve Socialist Members of UP Assembly and a single Socialist member of the Punjab Assembly resigned their seats. All of them except one fought the bye-elections following their resignations, and all but one lost the elections. This is in sharp contrast to what is happening now. The Legislature members, having got elected on a particular party's ticket do not care to resign even if they differ from or fall out of the party. They prefer to be expelled from the party so that they can escape the anti-defection law and the loss of their seat in the Legislatures. There are several such examples of Socialist leaders who stood for ethics in political life at the cost of positions or personal gains.

There is an authenticated anecdote of how Madhu Dandavate was offered cabinet positions of his choice,

but he firmly refused on one occasion, and on another, the emissary refused to talk to Madhu Dandavate to leave his party. Once, after a brilliant speech by Dandavate, he was a mesmerising speaker, in the Parliament he ran into Indira Gandhi in the Parliament corridor. Indira Gandhi who was then Prime Minister said to Dandavate, "I was unlucky that you were not in my cabinet", to which Dandavate promptly replied, "Madam, but I am lucky that I am not in your cabinet". Many from the current crop of politicians would bend obsequiously to accept such an offer. On another occasion, S. M. Joshi was approached to persuade Dandavate to join Chandra Sekhar's cabinet. S. M. Joshi who himself embodied political organisational principles refused to intercede, he said "I will not be able to broach this to Dandavate and to be sure, Dandavate will never consider the option of leaving the party to be in the Government." This shows how both the leaders S. M. and Madhu Dandavate were shining examples of political ethics and were inspirations to generations of Socialists.

Early Socialists possessed values that are rare to witness at present time. Simplicity, frugality, solidarity, identifying with the poor and unprivileged, were the hallmarks of personalities of Socialists. Dr. Lohia used to do most of his own work, George Fernandes washed his own clothes; there are many such memories of a great many Socialist leaders. Prem Bhasin has recorded them (of 88 leaders) in an invaluable volume called "Democratic Socialism: Profiles in Courage and Conviction". The present Socialists ought to read this volume if they want to receive immense inspiration from our past leaders. Our intellectual, moral, and political-cultural heritage is rich, a matter of pride and motivation for all of us.

I would now like to touch upon certain aspects of our past we should learn from. Our leaders were human beings, and so not immune to making mistakes. They had inadvertently done things which weakened the Socialist movement. Looking back, they were mistakes which should be avoided now. We may do well to remember that "those who do not learn from the past mistakes are condemned to repeat them".

I am referring to the splits in the Socialist Party and to the irreconcilable conflict between the individuals (leaders) and in the institution (the Party). The Socialist Party since its formation in 1934, suffered so many splits that it prompted a German academic Horst Hartmann, to say that "History of Indian Socialist movement is one of splits and mergers". While our heritage is rich, it is also a mixed bag. Let me illustrate it. Dr. Rammanohar Lohia was by far the leading ideologue of Indian socialism, although, the contributions of other doyens like Asoka Mehta, Jayaprakash Narayan, Minoos Masani, Madhu Dandavate and many more, were no less. In the early period however, Lohia was seen to be 'the

exponent of socialist thoughts'. At the same time, ironically, he was also the architect of splits in the organisation. Lohia was dynamic, charismatic, and a great thinker. But, he was also intolerant and un-accommodative. While his intellect put the Socialists atop the progressive politics, his personality weakened the party.

The National Executive of the PSP in 1955 passed a resolution, "The Executive has no alternative but to direct the General Secretary to seek an explanation from Rammanohar Lohia for his gross acts of indiscipline and disruption and pending his explanation... the Committee resolves to suspend Dr. Lohia from the membership of the party". The resolution speaks volumes of the problems besetting the Socialist Party inasmuch as it had to suspend and expel its leading light, the principal author of socialism in India. When Lohia opposed the firing ordered by the Socialist government in the then Travancore-Cochin and took a unilateral position including sending a telegram to the Travancore-Cochin ministry to resign, Acharya Kripalani, the chairman of the party in a letter to Lohia said, "I feel you have a got a good case which you are needlessly spoiling by the vehemence of your language and by denouncing your colleagues at every opportunity you get. You seem to suppose that everybody who differs from you is not only wrong, but evil." On the other hand, another tall leader Jayaprakash Narayan was soft, accommodative endearing but wavering in taking decisions.

Thus, personalities impacted the policies and the party. What is missing in our rich heritage is, in Dandavate's words, "collectivity in thought, action, organisation and the will to remain united. Unfortunately, not the fusion of minds but repeated fission of the party became a recurring phenomenon." That resulted in fragmenting the socialist organisation. It is to be noted that Lohia realised this and before his death, publicly said to JP, "I can give thought to the people, but you can move the nation". In his characteristic way, Lohia added, "One who strives to move the nation must ensure that he himself is not shaken."

One could delve deeper into differences, but that is neither wise nor helpful. History stands a strong testimony to the ideals of socialists in the past. There was no match to their character in other political parties. What distinguished them was that they put principles before personal interests. As we gratefully recall their struggles and sacrifices, there are plenty of principles we should try to learn and if anything we need to unlearn is not to put any individual, however big s(he) may be above the party. It should be underlined that a party, or a platform is an aggregation and articulation of collective will, not of individuals or their families. Here lies the future of Indian Socialism.

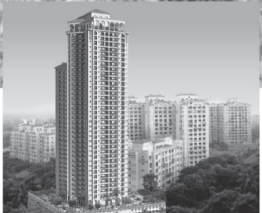
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Receding of Congress tide

Kuldip Nayar

I have no tears to shed over the reverses of the Congress in most of five assembly elections—Assam, Kerala, Tamil Nadu, West Bengal and Puducherry. The party must be feeling utterly shocked and should have been searching for reasons. But it has not yet come out from the illusion that its main strength is the dynasty.

So obsessed is it with this self-belief idea that the posters the party had put up for the polls carried the picture of Robert Vadra, Congress president Sonia Gadhi's son-in-law, who has been found mixed up with the land deals going back to the time when the Congress ruled Haryana.

The aspect which disturbs me the most is the success of the Bhartiya Janata Party (BJP). It is gaining ground. Indeed, in all the fives where it has not won the majority, the BJP has increased its vote share. This means that its credibility is increasing, not decreasing.

This should give alarming signals because it conveys that Hindutva, the death knell for secularism, is gaining strength. Had the BJP been on its own it would have sooner or later fallen into the pattern other political parties follow. But the BJP is supervised by the Rashtriya Swayamsevak Sangh (RSS) which wants to convert the pluralistic India into a Hindu rashtra.

Despite this trait, which goes against the grain of secularism, the BJP is marching ahead. It is not that the Indians, tolerant by nature, are losing their basic quality. It is because the people are sick of corruption in every sphere of government activity and they do not find any scams or scandals tumbling out of the BJP.

Manmohan Singh was the best face the Congress had. Yet, the scandals like the Commonwealth Games and coal block scams took place in his regime. In fact, it looks as if he gave the best cover the party could have to indulge in rampant corruption. There is now enough evidence in the public domain to prove that Sonia Gandhi on the "advice" of her political secretary, Ahmed Patel, collected as much money as she could to oil the party machinery and the elections which the party fought.

True, the Congress is becoming relevant because of the BJP's parochialism. But the party's vice-president Rahul Gandhi does not have the stature which Prime Minister Narendra Modi enjoys. Therefore, if people were to be given a choice in the next Lok Sabha election between Rahul and Modi, Modi may win hands down.

There is yet three years' time for the Lok Sabha polls. The non-BJP and non-Congress parties can cobble

A judgement affirming constitutional values

Sandeep Pandey

together some sort of an agreement whereby they do not split their votes. They will have to decide upon the leader because people in India vote for the would-be Prime Minister, although we do not follow the presidential form of government. Whether or not the latter would be more suited to us is another kind of a debate.

One thing which is indeed disconcerting is the inroads that the BJP has made in Assam. But this is primarily because of the migration of people from across the border was encouraged by the Congress itself. The then Congress leader, Fakruddin Ali Ahmed, who later became the President, would openly say that they won the election with the votes of 'Ali and coolie.' What he was meant by Ali was Muslims. The labour from Bihar was described as coolie.

If Assam were to reopen the question of "outsiders" then thousands of people would come under this category. We have gone over this problem earlier and have uprooted and deported many people on this ground. When only Muslims are ousted and no Hindu is even questioned, the problem takes a communal turn. Should India, claiming to be a pluralistic and democratic polity be doing so? And if it does so, should the society claim to be secular?

Since the Congress does not count much, at least for the time being, which party is capable of leading the fight against communalism is the question that stares at the face of the society. There is no doubt that the leftist forces are a committed lot on this point. But then they do not sell any more. Even after more than 65 years, when the first communist government was established under communist ideologue EMS Namboodiripad in Kerala, the party has made no

(Contd. on Page 4)

The judgement from Allahabad High Court on 23 April, 2016, quashing my termination order from Indian Institute of Technology at Banaras Hindu University, Varanasi has come as a big relief for me because it essentially is a vindication of my thought and action. Moreover, without taking the name of Rashtriya Swayamsewak Sangh or the majoritarian Hindutva ideology and the Vice Chancellor Professor Girish Chandra Tripathi, it has spared no words in their criticism.

The judgement is foremost and most importantly a defense of 'freedom of speech and expression.' It says that irrespective of whether a view is correct or not there is freedom in this country to express your views as a legitimate and constitutional right which cannot be held to ransom by an intolerant group. Thus in the debate on tolerance-intolerance, which made headlines a while back, the judgement clearly indicates that stifling different opinion is being intolerant. In this context the court has delivered a master stroke by quoting the famous saying, 'I disapprove of what you say, but I will defend to death your right to say it.' Thus the whole atmosphere of terror manufactured, where not action but words became the basis for branding anybody anti-national, who was liable for attack even putting his/her life at risk, has been dismantled by this argument. One hopes that some sense will prevail now over the people identifying themselves with aggressive Hindutva ideology.

In response to the accusation against me that my teaching was against national interest and could disturb communal harmony as well as encourage students to take law into their hands on campus the Court clearly says that fair criticism of government policies cannot be a ground for restricting the freedom of speech and expression. It says that situations may arise where responsible persons may feel it is their duty to criticise and invite people to come for discussion, which would not constitute misconduct. The Court has clearly upheld the right to dissent which is a resounding assertion of democracy.

Quite remarkably the founder of BHU, Madan Mohan Malviya, even though he belonged to Hindu Mahasabha, said, 'India is not a country of Hindus only. It is country of Muslims, the Christians and the Parsees too. The country can gain strength and develop itself only when people of different communities in India live in mutual goodwill and harmony.' The Court has very thoughtfully pulled out this quote of Mahamana to counter the attempts by people associated with Hindutva ideology to dominate the country and to relegate everybody else to either inferior position or worse put them in the category of anti-national. It also wants to convey that the attempts to create communal divide in the minds of people will weaken the country just like it did when physical partition took place 69 years back. The idea that Hindutva can grow at the expense of others has clearly been rejected

by Malviya. RSS may like to think that Malviya belonged to their genre, but his abovementioned quote shows that he was a different class. Mentioning this particular quote of Malviya also unequivocally affirms the concept of secularism in our Constitution by the Court, which is the basis for communal harmony in our country for long but was under attack by the right wing for some time. One hopes that the notion of secularism would not be put to test time and again by the right wing as it is much older than the history of democratic India.

Out of respect for Mahamana's feelings the University authorities should think about constructing other religious places on campus in addition to the magnificent Vishwanath temple which stands in the centre so that people following other religions would also have a chance to pray inside the campus. Right now non-Hindus have to go outside the campus to offer their religious prayers.

The judgement also says, in criticism of the VC and his friends associated with RSS in important administrative positions that academic administrators should remain politically neutral when taking decisions about academic or administrative matters. The Dean of Faculty Affairs, Professor Dhananjay Pandey got the IIT (BHU) conduct rules sent to me on 15 October, 2015 through Assistant Registrar and, by a remarkable coincidence, on the same date a student of Political Science, Avinash Pandey filed a complaint against me with the VC. The conspiracy to terminate my contract was hatched by persons associated with RSS in which the complainant and administrators joined hands.

(Contd. on Page 15)

Decretal rape? Not a crime?

Taking the discussion initiated in our age old weekly by the learned author Jawaharlal Jasthi (May 1, 2016) on the much talked about, in tiny groups of semi-literate and the so-called modern women in clubs over a glass of beer or cold drinks, "marital rape" further...! It is not necessary for me to rejoin the author on the definition of rape and the circumstances to attract the charge of marital rape in the bedroom of the married couple. I wish to rejoin the author that presuming the fact of intercourse by the husband without the consent of the wife or the unwilling wife, the act amounts to rape and when the wife lodges a criminal complaint against her husband and starts prosecution for this so-called crime, the wife as a complainant will have to prove, may be to the hilt, that her husband had committed the crime of rape. She will examine herself in support of her complaint and close her evidence. Obviously, there will not be any witness for the scene in her support. It will only be an oral version in support of her charge. In her cross examination only a negative question will be put to her and orally she would deny that her version is not true. The accused husband may or may not examine himself to rebut the evidence of his wife. He would simply deny the charge and add that his wife had given full consent and that she was willing for the act! He does not have to adduce any evidence, and there could be none, to prove his case. The wife has no evidence obviously in support of her charge. The final verdict would naturally be against the wife for having not proved the charge at all! She would miserably fail to prove the charge of rape levelled against her husband who might be hurt for such false or true allegations and would lodge a

divorce petition on the ground of cruelty and would succeed hands down and would walk down with a divorce decree. The other evil consequences would have to be faced not only by the innocent children but also by the family. The end result of the charge of marital rape would be breaking of the family. After all this turmoil, what would be the position of the divorced wife if the divorce takes place? There would be no remarriage of such a woman as it is but natural that all willing men would think twice before proposing her. Her future would be miserable. Of course, she would be free to join the NGOs to propagate for the right to prosecute the cruel husbands for the cause of marital rape! Let all such women who are fondly canvassing the case for marital rape remember that no such case would stand even a bare scrutiny on the basis of evidence. It would be a case of mere word against word without any iota of evidence in support of the charge. Even a sympathetic lady judge would not dare to punish the accused husband in the absence of any corroborative evidence adduced by the wife in her support unless of course a truthful husband candidly surrenders and admits his guilt. It would be a rarest of rare case.

If the husband approaches a civil court against the unwilling wife for restitution of his conjugal rights under Sec 13(2) ii of the Hindu Marriage Act, 1955 and succeeds to get a decree against his unwilling wife, in that case he will demand from his wife, as a matter of right, sexual relationship. In case the wife refuses to obey the decree she will be guilty of contempt of court or would be liable to be put in civil prison to enforce the decree. What it means is that if the court directs the unwilling wife to agree with her husband, it

would surely amount to a decretal rape, but in accordance with law. A lawful rape!

In my firm and considered opinion the Sec 13(2) ii of the Hindu Marriage Act, 1955 is totally ultra vires the Constitution of India being hit by Articles 14 and 21. This section was struck down by a bold

and progressive judge of the Andhra Pradesh High Court (T.Sareetha V/s. T. VenkataSubbaiah, 1983 AP 356) being violative of Articles 14 and 21 of the Constitution of India. But, unfortunately this progressive judgement was reversed by an orthodox judge of the Supreme Court of India. A similar provision for restitution of conjugal rights in

the law of England was abolished wisely considering its futility, long back. However, this archaic law is still in our law books. It appears that our wise husband-folks perhaps do not want the unwilling wives to get back the sexual enjoyment at the cost of peace in his life particularly when other lawful options or alternative remedies are available.

–Justice Rajan Kochar (Retd.)

Program for Socialists

I am hoping that many of our friends all over and at this meeting (at Patna on May 17) will reach consensus on the program which can be unitedly followed. Of course though I wish that all of us could work together in Socialist Party (India) which is based on the inspiration and idealism of our founding fathers and mothers, J.P. Ji, Acharya Narendra Dev Ji, Dr. Lohia Ji, Kamla Devi Chatoupadhyia Ji.

I am mentioning some items which all of us could take, as it has no party monopoly. Of course my suggestions are very tentative and can be finalized at a separate meeting of all Socialists. Thereafter we may be able to persuade others to agree, including possibly some of the leftist parties and trade unions. This is necessary because the B.J.P. Government is determined to dismantle Public Sector, the sheet anchor for a Socialist Society.

- A. Minimum of 30 per cent Income Tax on the higher incomes including that on Corporate Sector.
- B. Inheritance Tax, to reduce gross inequality in the society; even the conservative Governor of the Reserve Bank is suggesting it.
- C. Disclose in public the names of big defaulters of Public Sector Banks, the total amount being 4 lakh crores. Why should

they be shielded, that would be endangering the public.

- D. NAPM's anti-Industrial Corridor battle could be jointly worked out.
- E. Prohibition against any election funding by the corporate sector even in the guise of separate electoral trusts formed by corporate sector.
- F. Substitution of the present electoral system by the list system prevalent in Europe.

Those of the younger generation sometime feel pessimist whether Socialism will ultimately win. Let me give you the lighthearted humorous but unforgettable response of our leader Com. Ramanand Ji when he was addressing one of the party's meeting in Delhi in 1950. One comrade asked him "Sir, how can we have firm faith that one day Socialism will win". His reply was cryptic. He said; "Comrade, when you go out of the house for work in the field you do not go on doubting whether your wife will remain faithful to you in your absence and will be at home when you return home. So just go on working for the Socialist Party without doubting that ultimately "Socialist Party will bring in Socialism within country" I dedicate that faith and confidence to you all.

- Rajindr Sachar

(Contd. from Page 2)

headway. What was then considered Yan'an, a Chinese city, in the country is now a tall dream.

It is true that the magic of Narendra Modi, although less than what it was before, is still captivating. His future depends on the jobs he provides and how far he is able to raise the standard of living in the country. True, the economic betterment can give a cover to the fundamentalists. But the development would have to be real, not a mere slogan as is the case so far.

Even fundamentalism would have to be toned down. Modi realizes that and therefore has not taken any policy decision which indicates that the country has swerved from the path of secularism. His main problem is the RSS which wants to saffronize the country as much as it can in the next three years when Modi's five-year tenure ends. No doubt, Modi would want to come back. But if by then the RSS had shown its true fangs the BJP's return would be difficult.

The pattern of voting and the places where the BJP has won, indeed, show that the party has uprooted a well-entrenched Congress. What it means in real terms is not the success of the BJP's ideology but people's exasperation over corruption in the Congress. If Modi or, more so, the RSS were to learn this lesson, the BJP would become more and more relevant as the time goes by.

Misadventures in Nepal

A newspaper reporting turns routine (or stenographer-like) if it gives only the “what” of news, which people usually get from radio and television. One reads newspaper basically to know the “why” of news, that is to say: Beyond news or between the lines. On this proposition the Indian print media did not rightly project what was happening recently in Nepal. The sudden withdrawal of its Ambassador in Delhi by Kathmandu and accusing the Modi government of trying to topple the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML) government of Prime Minister K. P. Sharma Oli, is an example.

It is true, though ironical it may sound. The former Prime Minister Pushpa Kamal Dahal “Prachanda” and his United Communist Party of Nepal Maoist (UCPN-Maoist)

who was always strongly pro-Beijing is said to have taken help from the Modi government for toppling the communist prime minister. Prime Minister Oli, now in serious peril, had on telephone dismissed his Ambassador Deep Kumar Upadhyaya, who had to pack off from New Delhi. Ambassador Upadhyaya was suspected to have become a go-between Modi and Prachanda, two dramatically opposite leaders.

What the Indian media forgot to mention was that Oli and Prachanda, closest to China have fallen apart, despite China’s strenuous efforts to keep them together to damage Indian interests in the Himalayan nation. Prachanda was never pro-Indian. He broke the Nepali tradition that every new Prime Minister first visits Delhi and later Beijing.

Prachanda had gone to China first as Prime Minister. And lastly India does not have the expertise of United States to topple unfriendly governments. One can rest assured that the Indian foreign office is so clumsy that it will successfully mess up things. And this the Nepal incident shows.

Worse had happened in the Indo-Nepali relations when Rajiv Gandhi was the Prime Minister. Sonia Gandhi was refused entry into the famous Pashupatinath Temple of Kathmandu, which is exclusively a Hindu preserve. In a fit of anger Rajiv Gandhi stopped supply of oil, foodgrains and other essentials to Nepal. There was rage in the valley; a traditionally friendly Hindu nation had overnight become a sworn enemy of India. Narendra Modi is, and should be, different from Rajive Gandhi.

—K. Vikram Rao

P. B. Raman Pillai

The socialist leader and former legislator P. B. Raman Pillai, fondly called PBR, succumbed to injuries on April 27 after being hit by a vehicle in Thiruvananthapuram a fortnight before. He was cremated on next day with full state honors at his ancient family compound at Aymanam, Kottayam. PBR joined the socialist movement at a very young age and helped build up party in Kottayam and Idiki districts working mainly among the plantation and hotel workers.

He was elected to Kerala Legislative Assembly twice in 1970 and 1977. When Prime Minister Indira

Gandhi visited Kottayam during the Emergency in 1975 PBR and other socialist comrades including M. T. Kurian and O. J. Joseph waved black flags astonishing the huge police cordon. They were beaten ruthlessly and arrested. PBR was interned in Central jail, Trivandrum till the lifting of Emergency. He had surprised the Legislative Assembly by, and later courted arrest for, disrupting the Governor’s address demanding that it be delivered in Malayalam. He was also the editor and publisher of ‘Samajvadi’, a fortnightly from Kottayam.

—Varughese George

Is India a Secular Nation ?

Madhav Godbole

I am going to speak today on whether India is a secular nation. I have deliberately framed the question so as not to restrict it to 'India as a secular state'. For, I believe, it is not enough if the Indian state is secular, which it is not. It is equally, if not more, important that we are a secular society, a secular nation. I believe this question needs to be asked, reflected upon and answered truthfully. My latest book, *Secularism-India at Cross-Roads*, on this subject is being brought out by Rupa & Co., New Delhi, shortly. It is perhaps the first book totally devoted to operationalization of secularism and comprehensively looks at the constitutional, statutory, policy and administrative issues in the light of the experience of the working of secularism gained over the last 66 years since the adoption of the Constitution.

At the outset it must be stated that I am a firm believer in the concept of secularism. It is my conviction that India's survival as a multi-religious, multi-lingual, multi-racial, multi-cultural society will depend on how successful it is in working its secularism. Presently, religious minorities constitute about 20 per cent of India's population, with Muslims accounting for 14.2 per cent. According to some estimates, in a few years, this percentage is likely to stabilize at a little over 25, with Muslims accounting for 20 per cent. With extremist and radical external forces such as Islamic

State of Iraq and Syria (ISIS) and Inter-Services Intelligence (ISI) of Pakistan, to name just two, bent on disturbing the peace and tranquility in the country, it will be fool-hardy to neglect the welfare of minorities. No society can prosper or be at peace with itself if one-fourths of its population feels neglected, deprived and unwanted.

There is a great deal of talk in the country about the appeasement of minorities in general and Muslims in particular but socio-economic indicators of Muslims brought out by Justice Sachar Committee bring out convincingly how this so-called "vote-bank" of some political parties has remained at the margin all these years. It is shocking to see that Parliament did not have time to discuss the findings of this report as also the major recommendations of Justice Ranganath Misra Commission report. Both these high level expert groups were appointed by the then United Progressive Alliance (UPA) government. Many in this distinguished gathering are aware of the predecessor-successor complex which is so common in civil services. Unfortunately, studies of expert committees and commissions too have been afflicted by this virus. Secularism was expected to bring about the integration of the diverse elements of Indian society. But, it is a travesty that the majority community as well as the minorities, are dissatisfied with it. In fact, the

concept of secularism has lost all credibility.

It must be stated that India would not have been either a parliamentary democracy or a secular nation, to whatever degree it is, without the firm commitment of Jawaharlal Nehru and Vallabhbhai Patel to these precepts. The Indian Constitution is one of the most explicitly secular Constitutions in the world though the founding fathers of the Constitution could not agree on calling it 'secular' for fears that it would be perceived as anti-religious or irreligious in the Western sense of the term. It was felt that by calling it secular, the Constitution would be denuded of the ethical and moral underpinning of the religious precepts which are so necessary for the governance of the country. This deficiency was made good during the Emergency in 1976 by the Forty-second Amendment by the inclusion of the word 'secular' in the Preamble of the Constitution.

It is disconcerting to see that, in recent times, serious questions are being raised about India's secularism. It is for the first time since independence that the Hindu Rashtra ideology is being talked about so openly, defiantly and persistently. It is interesting to note that Jawaharlal Nehru had made his position clear on Hindu Rashtra way back on 6 September 1951:

"It may sound very nice to some people to hear it said that we will

Slightly edited text of B G Deshmukh Memorial Lecture by former Union Home Secretary, Government of India which was supposed to be delivered on April 4, 2016 under the auspices of the Maharashtra branch of the Indian Institute of Public Administration, but was cancelled three days before the function.

create a Hindu Rashtra etc...Hindus are in a majority in this country and whatever they wish will be done. But the moment you talk of Hindu Rashtra you speak in a language which no other country except one can comprehend and that country is Pakistan because they are familiar with this concept. They can immediately justify their creation of an Islamic nation by pointing out to the world that we are doing something similar. Hindu Rashtra can only mean one thing and that is to leave the modern way and get into a narrow, old fashioned way of thinking, and fragment India into pieces. Those who are not Hindus will be reduced in status. You may say patronizingly that you will look after the Muslims or Christians or others as in Pakistan they say that they will look after the Hindus. Do you think any race or individual will accept for long the claim that they are looked after while we sit above them?"^[1]

If the Supreme Court had not categorically declared in *S.R. Bommai v. Union of India* ((1994) 3 SCC 1) that secularism is a part of the basic structure of the Constitution and Parliament has no powers to dilute it in any way, concerted efforts would have been made by some political parties to amend the Constitution to dilute its secular tenets. In retrospect, it is fortunate that the proposal of the Janata government contained in the Forty-fourth Amendment Bill, 1978, for effecting amendment of the Constitution by holding a referendum on certain important matters such as its secular or democratic character, abridging or taking away fundamental rights, prejudicing or impeding free and fair elections on the basis of adult suffrage, and compromising the

independence of the judiciary, did not find acceptance in the Rajya Sabha. Otherwise, attempts would even have been made to rally public opinion in favor of doing away with the secular characteristics of the Constitution and I would not be surprised if, in the present polarized political atmosphere in the country, it would have found a majority support. The Supreme Court itself has expressed apprehensions in this regard: "India till now is a secular country...we do not know for how long it will remain a secular country." (*Indian Express*, February 10, 2015: 1)

Against this background, it is necessary to examine what needs to be done to safeguard secularism from political turmoil and vicissitudes and to ensure that it will continue to be an important ingredient of the basic structure of the Constitution. In this context, it will be appropriate to recall what Jefferson, the statesman who played a great part in the making of the American Constitution, had stated: "We may consider each generation as a distinct nation, with [a] right, by the will of the majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country." I hope proposals made hereafter would be looked at in this light.

Constitutional precepts and reality

A series of articles in the Constitution underline the precepts of secularism. These include: article 14-equality before law; article 15-prohibition of discrimination on grounds of religion, race, caste, sex or place of birth; article 16-equality of opportunity in matters of public employment which, *inter alia*, lays down that no citizen shall, on grounds of religion, race,

caste etc., shall be ineligible for, or discriminated against in respect of employment or office under the state; article 19-protection of certain rights regarding freedom of speech and expression, to assemble peaceably and without arms, to form associations or unions, to move freely throughout the territory of India, to reside and settle in any part of the territory of India, and to practice any profession, or to carry on any occupation, trade or business; article 21-protection of life and personal property; article 25-freedom of conscience and free profession, practice and propagation of religion; article 26-freedom to manage religious affairs; article 27-freedom as to payment of taxes for promotion of any particular religion; article 28- freedom as to attendance at religious instruction or religious worship in certain educational institutions; article 29-protection of interests of minorities; and article 30-right of minorities to establish and administer educational institutions. Reference must also be made to the two provisions in the directive principles of state policy which have considerable significance in sustaining secularism in the country. These are article 44-uniform civil code for the citizens, and article 48-organization of agriculture and animal husbandry which has been invoked for banning cow slaughter in a number of states. Particular attention may also be invited to article 51A on fundamental duties which, in clause (e), lays down the duty to promote harmony and the spirit of common brotherhood amongst all people of India transcending religious, linguistic and regional or sectional diversities; and to renounce practices derogatory to the dignity of women; and clause (f) to value and preserve the rich heritage of our composite culture.

The reality is however quite disappointing. The majority community as also the minorities are totally disillusioned with the working of secularism. Instead of being the cementing force, secularism has led to alienation of all communities. This is borne out by a series of failures in important areas. These include grievance of Hindus that rules, regulations and restrictions are being prescribed only for the their religious institutions; non-implementation of the uniform civil code; passage of Muslim Women's Divorce Act to appease the radical, orthodox and conservative Muslim elements, totally disregarding the liberal and reformist Muslim view; propagation of religion by Muslims and Christians leading to large-scale conversions, particularly in the tribal areas and of persons below the poverty line, and unjustified protection given to minority educational institutions.

Equally disconcerting are some other signposts which raise serious doubts about how secular India is. Most important of these are non-separation of religion from politics, wanton demolition of the Babri Masjid, anti-Sikh riots in Delhi and other places in 1984, horrific riots in Mumbai in December 1992 and January 1993, and unbelievable atrocities in riots in Godhra and other cities in Gujarat 2002, continued widespread communalism and communal violence in several parts of the country which led to 8,449 communal incidents resulting in 7,229 deaths and 47,321 persons injured in a brief span from 1954 to 1985, and banning of cow slaughter leading to curtailment of freedom of persons about what to eat and restricting their freedom to carry on any profession and trade.

Due to constraints of time and space, I shall briefly deal with only a few of these features. What is striking is the total lack of political will on the part of all political parties to address these critical issues, thereby raising serious doubts about their real commitment to secularism, whatever may be the rhetoric indulged in by them for public consumption.

There are two very strong views in the country regarding enactment of a uniform civil code. It needs to be noted that while an impression was created by the speeches of Vallabhbhai Patel, Nehru and others in the Constituent Assembly that Muslims had agreed to go along with the provision for uniform civil code, careful reading of the debates clearly shows that all Muslim members, without an exception, were stoutly opposed to making a provision for a uniform civil code even in the directive principles of state policy and had in fact pressed for deleting it altogether. There has been no change in the stand of the Muslims since then. It is clear that no political party, including the BJP, will be able to get such a bill passed in Parliament. In my soon-to-be released book on secularism I have elaborately brought out the strong opposition of Hindus which had to be resisted while enacting the Hindu Code and how there was a persistent cry of Hindu religion being in danger. Even prominent leaders of the Congress party itself, like Rajendra Prasad, who was the President of the Constituent Assembly and also the President of India later, were stoutly opposed to the reforms in Hindu law. We, as a nation, should be eternally grateful to Jawaharlal Nehru for standing firm and having the relevant enactments passed. It is, however, unfortunate that Nehru

did not show similar courage in initiating enactment of a uniform civil code. If reforms in Muslim personal law had been pursued, the social and religious ethos of the country would have undergone significant changes by now. Having lost the golden opportunity at that time, it will be impossible to enact a uniform civil code now, irrespective of the exhortations of the Supreme Court, unless there is a strong reformist and liberal move from within the Muslim community. Sadly, all political parties are remiss in encouraging modern, scientific, enlightened, progressive and liberal leadership among the Muslims.

While enactment of a uniform civil code will thus have to inevitably wait, separation of religion from politics is of such urgency that no time should be wasted in bringing this about. It is interesting to note that the Constituent Assembly (Legislative) had passed an explicit resolution on the subject as far back as 3 April 1948. In fact, it was perhaps the first major resolution passed by the Assembly. The resolution moved by Ananthasayanam Ayyangar read as under:

“Whereas it is essential for the proper functioning of democracy and the growth of national unity and solidarity that communalism should be eliminated from Indian life, this Assembly is of opinion that no communal organization which by its constitution or by the exercise of discretionary power vested in any of its officers or organs, admits to or excludes from its membership persons on grounds of religion, race and caste, or any of them, should be permitted to engage in any activities other than those essential for the bona fide religious and cultural needs of the community, and that all

steps, legislative and administrative, necessary to prevent such activities should be taken.”

Nehru had welcomed the resolution and assured that the government “wished to do everything in their power to achieve the objective which lies behind this resolution... The only alternative is civil conflict. We have seen as a matter of fact how far communalism in politics has led us; all of us remember the grave dangers through which we have passed and the terrible consequences we have seen...” The resolution, slightly amended to permit any activities other than those essential for the *bona fide* religious, cultural, social and educational needs of the community, was passed by the Constituent Assembly.^[2] But, though Nehru was prime minister for 17 years, he failed to take any action on the resolution. The only other time when any political party enjoyed 2/3rd majority in the Lok Sabha, so as to be able to see through such a constitutional amendment, was when Indira Gandhi and Rajiv Gandhi were in power. But they too did not find it politically expedient to act on the resolution. It was only after the demolition of the Babri Masjid, when the secular credentials of the Congress party were being seriously questioned in India and abroad, that P.V. Narasimha Rao government brought the Constitution (Eightieth Amendment) Bill and a bill for amendment of the Representation of People Act before Parliament in 1993 to bring about separation of religion from politics.

However, no effort was made by the government to take other political parties into confidence and to build a national consensus and create pressure of public opinion on the subject. The bills were so

shoddily piloted in Parliament as to raise serious doubts whether the government wanted them to be passed at all or whether it was meant to be just a window-dressing exercise. As a result, the bills failed to receive adequate support and had to be withdrawn. Though over two decades have elapsed since then and though the Congress or UPA led by that party was in power for most of this period, no effort was made to revive the proposal. This once again brings out the hollowness of the commitment of the so-called secular parties to secularism. With the BJP in power at the center since 2014, it will be futile to expect any action in the near future. But, unless this issue is addressed seriously, India’s secular credentials will continue to be questioned.

Demolition of the Babri Masjid is a shameful chapter in India’s recent history raising serious doubts about its secularism. I was destined to live through this ignoble chapter at close quarters as the union home secretary. All efforts made by the ministry of home affairs to avert the tragedy by resorting to action under article 355 (Duty of the Union to protect States against external aggression and internal disturbance) for taking possession and safeguarding the Babri Masjid by central forces, followed by imposition of President’s Rule in Uttar Pradesh under article 356 (Provisions in case of failure of constitutional machinery in States) of the Constitution were frustrated due to the disinclination of the prime minister to act. I have brought out the happenings of the period at length in a 80-page chapter titled ‘The Ayodhya Debacle’ in my memoirs *Unfinished Innings* published by Orient Longman way back in 1996.^[3] I have also dealt at length in my

article in the *Economic and Political Weekly*,^[4] with the untenable defense given by P.V. ...Narasimha Rao in his book *Ayodhya 6 December 1992* published by Penguin/Viking, posthumously, in 2006, in which Rao has claimed that he was unable to take any action due to the restrictive provisions of the Constitution and that he was made a scape-goat by Congress party. This must be the only case of its kind in history in which the prime minister has alleged of being made a scape-goat!! Otherwise, it is the well accepted prerogative of prime ministers to find a scape-goat for each of their lapses!

The Ayodhya debacle has several other firsts to its credit. Prime Minister Rao’s assurance of “rebuilding the mosque” given immediately after its demolition on 6 December 1992 has remained on paper. Kalyan Singh, who was the chief minister of U.P. at the time and who had given assurances to the National Integration Council, the government of India and the Supreme Court to fully safeguard the Babri Masjid, has been elevated as a Governor by the NDA government. Earlier, the Supreme Court, before which he was hauled up for contempt of court, gave punishment of imprisonment till the rising of the court and a token fine of Rs 2,000! The judicial commission of inquiry under the chairmanship of Justice M. Liberhan, set up within a week of the demolition of the mosque, created a world record by taking 17 years to complete the inquiry and effectively found no one guilty! The CBI cases against the perpetrators of the crime are still languishing though 22 years have elapsed. It is this callousness and connivance which goes to show how sham is India’s commitment to secularism. On this background to

call secularism a part of the basic structure of the Constitution makes no sense.

Equally disconcerting is the manner in which perpetrators of crimes in the widespread communal riots have been casually and leniently handled by the respective state governments. In spite of appointing dozens of committees and commissions to identify those responsible in the anti-Sikh riots in Delhi, hardly any action has been taken against the leaders of the Congress party who are alleged to have instigated the riots. These riots took place under the benign leadership of the central government and were therefore all the more shocking. The riots in Mumbai in December 1992 and January 1993 are another can of worms. Justice Srikrishna Commission has commented on them at great length. But the political parties and persons responsible have been permitted to go scot-free. The usual adage of the law taking its own course has been held to ridicule. The Godhra riots were qualitatively different in that it was the state-sponsored violence against the minorities. The National Human Rights Commission and the Supreme Court have done a yeomen service in upholding the rule of law but the main issue of the urgency of reorganization of police administration which has been highlighted by the judicial commissions as also the citizens' commissions again and again has been over-looked. Even the directions of the Supreme Court issued as far back as 2006 in a public-interest-litigation have remained on paper. What kind of a robust and vigilant democracy are we if even the orders of the highest court in the country are not to be implemented?

Finally, the question has to be asked whether banning cow slaughter is in keeping with the concept of secularism. The Supreme Court upholding the constitutional validity of these enactments by a majority decision of 6:1 on 26 October 2005 ((2005) 8 SCC 534) has closed all options, at least for the present. It proves the adage that the Supreme Court is supreme only because there is no appeal over its decision. As one of the judges of the Supreme Court had said, "If there were an appellate court over us, probably a majority of our judgments would be upset." It would also be worth recalling what Justice Brennan, a judge of the US Supreme Court, had said, "The Supreme Court [of United States] is not final because it is infallible; the court is infallible because it is final."^[5]

In a secular state, religion is expected to be a purely personal and private matter and is not supposed to have anything to do with the governance of the country. The Supreme Court had observed in the Bommai case that if religion is not separated from politics, religion of the ruling party tends to become the state religion. This seems to be coming true. The BJP and its affiliate parties have given to the prevention of cow slaughter sanctity of Hindu religious precept. But this is hardly justified. Further, the fundamental right of persons to practice any profession or to carry on any occupation, trade or business contained in article 19 (1) (g) of the Constitution has been over-ridden by article 48, one of the directive principles of state policy. In the scheme of the Constitution, directive principles are not supposed to override the fundamental rights. But, it has now become a sacrilege to even raise such questions. Economic

justification for enforcing cow slaughter is also highly questionable. It is unfortunate that though Nehru was staunchly opposed to prevention of cow slaughter, he did not oppose the inclusion of this provision in the Constitution. In fact, the discussion in the Constituent Assembly shows that a political decision to incorporate this provision was taken in the Congress Party meeting and it was merely formalized in the Constituent Assembly by putting forth spacious and unconvincing arguments. This is yet another instance of the ambivalence of the Constitution on secularism.

An exercise in give and take

The gigantic, complex and highly emotive exercise of uniting and integrating this continental sized country, including, apart from British India, more than 550 princely states, and comprising multiplicity of religions, languages, cultures, customs, traditions, political and social divisions was attempted for the first time in the history of India and credit must be given to the founding fathers of the Constitution for carrying all these diverse elements with them and unanimously agreeing on such an epoch-making Constitution. Though the Congress party alone had an overwhelming presence all over the country, due to Mahatma Gandhi's foresight, eminent persons representing different view-points were elected to the Constituent Assembly with the support of the Congress party. One of them was Dr. B.R. Ambedkar, who was also made the chairman of the drafting committee. Understandably, the Constitution was a compromise document. This is particularly evident in the provisions pertaining to secularism.

Nehru and Patel were particularly keen on doing away with the communal electorates and the reservation of seats in legislatures on the basis of the strength of religious communities. Once this objective was achieved with the concurrence of the minorities, the Congress party was prepared to concede the other demands of minorities as a compromise. As a result, provisions were made in the Constitution to include right to propagation of religion as a fundamental right, at the instance of Muslims and Christians on the ground that propagation was a part of their religion. The right of minorities to establish and administer educational institutions was also similarly recognized as a fundamental right, in spite of reservations expressed by several members including Jayaprakash Narayan and Rajkumari Amrit Kaur.

Operationalizing secularism

As stated earlier, India's future is intrinsically tied up with secularism. To make a real success of it, time has come to seriously examine its working during the last 66 years since the adoption of the Constitution. There are no political compulsions any longer. I have made an objective and dispassionate attempt to look at the relevant issues in the discussion hereinafter. Since the proposals are aimed at strengthening secularism, they are not adversely affected by the injunction of the Supreme Court on non-amendability of the provisions pertaining to secularism.

Define the word 'secular'

It is best to start the exercise with the basics. As stated earlier, the founding fathers of the Constitution had reservations about the word 'secular'. But, as the Constituent Assembly debates bring out, there was no doubt in anyone's mind that

India was giving itself a secular Constitution. But, the definition of the word 'secular' was never debated or agreed upon. Even Nehru seemed ambivalent about the true meaning of secularism though he was responsible for firmly advocating it: "It is perhaps not very easy even to find a good word [presumably in Hindi] for 'secular'. Some people think that it means something opposed to religion. That obviously is not correct. What it means is that it is a state which honors all faiths equally and gives them equal opportunities; that, as a state, it does not allow itself to be attached to one faith or religion, which then becomes the state religion."^[6] Banning of cow slaughter is clear proof that Hindu religion is being made into a state religion!

In 1976, when the word 'secular' was included in the Preamble by the Forty-second Amendment, again this question was evaded and no definition was provided. After the massive defeat of the Congress party in the Lok Sabha elections in 1977, the question arose of reconsideration of this highly controversial amendment, which effectively had rewritten the Constitution on a number of crucial points. The Forty-fourth amendment bill introduced by the Janata government in 1978 contained definition of the word 'secular' as equal respect for all religions. However, this was objected to by the Congress party which still had a majority in the Rajya Sabha (as has been the position in 2014-16) and therefore this clause was dropped. Again, an effort was made in 1993 to include the same definition in the Constitution (Eightieth) Amendment bill on separation of religion from politics but, as stated earlier, this

bill itself fell through. As a result, as of now, there is no definition of this term.

One has to fall back on the diverse ways in which the word has been described. In governmental parlance, it is understood as "sarva dharma samabhava"-treating all religions equally or equal respect for all religions. The Hindi translations of the word, namely, "Dharmanirapeksha" or "panthanirapeksha" or "nidharmee" too have been rightly questioned. Another definition put forth is that government should be equidistant from all religions. Serious questions have been raised about the validity of these definitions. For example, Late Justice R.A. Jahagirdar has, in his erudite articles in *The Radical Humanist* ^[7] emphasized how these definitions are untenable.

The Supreme Court has been interpreting the word 'secular' in different ways. At one extreme was its interpretation in the Bommai case when it declared that there must be a wall between the state and the religion, and a political party must not be linked to any religion, as otherwise, the religion of such a party is perceived as a state religion.

Reference must also be made to the statement of H.R. Gokhale, law minister, during the Emergency. While piloting the Forty-second Amendment Bill in the Lok Sabha, Gokhale was highly critical of the concept of 'basic structure' devised by the Supreme Court. He said: "First of all I do not agree, with much respect to the Supreme Court, that there is something like the basic features which could not be amended...What is not defined cannot exist and it is incapable of defining it."^[8] If the same logic

is extended to secularism, since the word 'secular' has not been defined, does it mean that India is not secular?

Since secularism has been declared by the Supreme Court as a part of the basic structure of the Constitution, governments, both at the center and in the states, must be made accountable for implementing it. But, how can the State, be held accountable unless the meaning of the term 'secular' is clear? It is high time a national debate is started on the subject so as to arrive at a political and societal consensus and to include the definition in the Constitution.

Define the word 'minority'

I shall now turn to the word 'minority'. The concept of secularism is based on recognition and protection of minorities. The two cannot be separated. One would have therefore expected that the founding fathers of the Constitution would first define the term minorities. Unfortunately, this was never done. The Constitution merely takes off from where the British had left it, which was in fact the very epitome of the British policy of 'divide and rule'. For want of a clear definition, the Supreme Court has adopted the highly questionable criterion of numerical strength. As a result, a community will be treated as a minority till its population exceeds 50 per cent of the total. This will make a mockery of the concept of minority. In the Indian context, apart from other considerations, this is highly relevant. Muslims are already 14 per cent of the population. According to some estimates, their population is expected to stabilize at about 20 per cent in the next few years.

Even if this estimate turns out to be an under-estimate, as some would like to believe, it may stabilize at 25-30 per cent of the total. Should it be recognized as a minority? What should be the cut-off? This issue needs to be debated. It is no doubt an extremely sensitive and divisive issue but, as a mature democracy, India must debate it rationally and objectively, keeping the political baggage aside.

Commission on secularism

The Supreme Court has done a great service to the country by declaring that secularism is a part of the basic structure of the Constitution. But this declaration has remained on paper and no steps have been taken so far to translate it into reality, except for it becoming a part of political rhetoric in the country. Some of the other features of basic structure recognized by the Supreme Court are parliamentary democracy, independence of judiciary, freedom of press, etc. For each one of these, over the years, institutional and legal framework has been established to make sure that they are carefully nurtured and safeguarded. For example, the Election Commission of India has been sufficiently empowered to ensure that there are free and fair elections in the country and electoral malpractices are put down with a heavy hand. Parliament of India is vigilant about safeguarding its independence, privileges and supremacy. The judiciary, after its shocking experience of being undermined during the Emergency in 1975-77, has been vigilant in guarding its turf. In fact since then, Indian judiciary has emerged as the world's most powerful judiciary with even matters pertaining to appointments of high court and Supreme Court judges coming

entirely under the Supreme Court. This is the only case of its kind in the world. In 2015, the Supreme Court has declared unconstitutional the law unanimously passed by Parliament to appoint a National Judicial Commission for the purpose. The Supreme Court and the Election Commission have emerged as the most-respected institutions in the country, enjoying highest credibility. This is no mean achievement.

Against this background it is particularly unfortunate that no steps have been taken by the government to ensure proper implementation of secularism and to give it credibility. In fact, secularism has lost all credibility since it has become a plaything in the hands of political parties, irrespective of which hues and colors they belong. At the same time it needs to be emphasized that secularism will decide how India would emerge over the years.

In the decade of the 1980s, we have seen how fringe and extremist elements in the miniscule religious minority of Sikhs, comprising just about 1.5 per cent of India's total population, held the country to ransom for nearly a decade and led to shocking alienation of common Sikhs, not just in India but also those residing abroad.

By comparison, the Muslim population in India is already a little over 14 per cent. As stated earlier, it is projected to stabilize around 20 per cent in the next few years. Most Muslims in India are highly tolerant and peace-loving, but there are fringe and extremist elements which cannot be overlooked. Particularly with the external forces such as ISIS, Al Qaeda and ISI, it would be in India's interest to ensure that home grown terrorist forces are not permitted to

emerge. But this is only the negative side of it. It is necessary that the issue should be addressed in a positive manner so as to bring the Muslims in the mainstream of society. In this context, the atmosphere in the country since the beginning of 2015 is of serious concern.

The issues pertaining to secularism emerge in diverse sectors of society. These relate to attempts at rewriting history, communalization of academic and research institutions, rewriting of text books, circumscribing artistic freedom and so on. At present these issues can be agitated primarily before the higher judiciary as Parliament has mostly become dysfunctional. And whatever is raised in Parliament inevitably becomes highly politicized and is looked upon on the basis of party loyalties and strategies.

The experience of agitating issues pertaining to secularism by way of public interest litigation (PIL) has also been far from happy. Strictly a PIL is supposed to be a non-adversarial litigation. It is expected that both parties would look at the issues constructively to find a workable and acceptable solution to the problem at hand. However, experience has been quite the contrary. Practically in every case the government has taken an adversarial position and contested even reasonable proposals put forth by the petitioners. Secondly, as brought out in my book, *'The Judiciary and Governance in India'* (2008), the process of admission of a PIL itself is somewhat opaque and the outcome can hardly ever be predicted. Thirdly, it takes unduly long time to get the final decision of the court. For example, in the PIL pertaining to appointment of

a Lokpal, due to the resistance of successive governments, the case was heard by the Supreme Court on 29 occasions and was finally closed on 12 September 2003 as 'none is ready with the matter to make submissions'. In the case of the PIL pertaining to non-implementation of the recommendations of the National Police Commission regarding modalities for appointments etc., of police officers, it took over 12 years for the Supreme Court to give a final decision. The same was the position in PILs pertaining to Haj subsidy, proliferation of *Shariat* courts as a parallel judicial system, Ram Janma Bhoomi-Babri Masjid dispute and so on. In this light, taking recourse to PIL does not appear to be an alternative to setting up of any independent institution for deciding matters pertaining to secularism.

Clearly, the time has come to create a new institution, namely, a Commission on Secularism (COS) for ensuring adherence to the constitutional mandate on secularism. I had propounded this idea while discussing the lessons of Partition in my book *The Holocaust of Indian Partition--An Inquest* (2006). To be effective, such a commission must be appointed by an amendment of the Constitution and should be presided over by a former chief justice of India, with five other members drawn from among former judges of the Supreme Court, chief justices of the high courts, eminent jurists, and other public figures of highest integrity and reputation. The term of the members should be five years or attainment of the age of 72 years, whichever is earlier. The commission should be covered by the provisions of the Contempt of Court Act.

The selection of the chairman and members of the COS should be transparently apolitical. The selection committee may comprise the vice president of India, the prime minister, the speaker, the chief justice of India, union home minister and the leaders of opposition in the Lok Sabha and the Rajya Sabha.

Such a commission will be able to take a holistic view on all matters pertaining to secularism and even intervene in matters coming up before the high courts and the Supreme Court. Reference may be made in this context to the very laudable role played by the National Human Rights Commission (NHRC) which had intervened in the cases pertaining to Godhra pogrom before the Supreme Court and has become an important moral voice to reckon with. At the time when there are only a few national leaders of stature left in the country with any moral authority and credibility who command universal public respect, the commission on secularism will be ideally suited to fill the vacuum.

The COS will be best equipped to create public awareness on secularism. Its open hearings will provide an opportunity to all political parties, intellectuals, religious leaders, non-government organizations, and concerned citizens to argue their points of view, either in person or through an advocate, in a free and fair manner. Keeping in view the basic purpose of setting up the COS, it is suggested that the hearings of the commission should also be televised. It is only through such a public discourse that the values of secularism enshrined in the Constitution can be translated in reality.

The commission should have the responsibility to pronounce judgments on all declarations, actions and programs of political parties, public institutions, state and central governments, electronic and print media, and others, so far as their impact on secularism is concerned. The commission may take cognizance of such actions *suomoto* or on an application from any individual or organization. The decision of the commission should be binding on all concerned, unless it is set aside or modified by the Supreme Court. Thus, inevitably the powers and authority of COS will have to be much wider than those of National Human Rights Commission, whose recommendations are not binding on the government. It may be relevant in this context to recall that the often violent agitations for ban on cow slaughter subsided, when the matter went before the high courts, and later the Supreme Court, irrespective of the merits of their decisions. Similarly, the highly emotive and explosive issues pertaining to implementation of secular policies need to be depoliticized by entrusting them to a constitutional commission on secularism. It may be recalled that Turkey's ruling Justice and Development Party (AKP) faced a serious battle for survival in 2007 when the country's constitutional court reviewed a case to ban the party for its alleged anti-secular activities in violation of the Turkish Constitution.

The reports of all commissions and bodies set up by the government are required to be submitted to the government which in turn submits them to Parliament. Often, there is considerable delay in the process and the government chooses the time politically most convenient and opportune for the

purpose. Looking to the special position proposed to be accorded to the COS, it is suggested that the annual or any special reports of the commission may be submitted by the commission directly to the Parliament and the government, and released simultaneously to the media and the public.

Secularism is a precious fundamental right of each citizen and the COS would ensure that it becomes a reality. I am aware that such a step will be resisted by vested interests, but if pressure of public opinion is built up, its establishment would make a significant difference to the way India is governed. The question which remains is whether there will be statesmanship and political will to support this far-reaching and over-due political reform. A national campaign needs to be launched to prevail upon all political parties to initiate and support steps for a constitutional amendment to set up a commission on secularism.

Separation of religion from politics

The serious problem of communalism and communal violence was brought out earlier. It is interesting to see from the fortnightly letter of Nehru to chief ministers as far back as September 3, 1954 that the nature or the intensity of the communal problem has not changed even after passage of 62 years since then, underlining the importance once again of separation of religion from politics. Nehru had written: "there are some Muslims in some centers who might be prone to mischief. There are one or two Muslim organizations that have been carrying on objectionable activities... The Hindu communal organizations are definitely

aggressive and they can play on the religious or other feelings of the majority community... Agitations like the anti-cow slaughter one are also used for this purpose. I have no doubt that many people who participate in this agitation are influenced by political or like motives and not so much by religious ones. The RSS [Rashtriya Swayam Sevak Sangh] utilizes this for its own purposes."^[9]

Earlier, Jawaharlal Nehru had reiterated in his fortnightly letter to the chief ministers on February 5, 1948: "There is a strong opinion in the country, with which I sympathize, that no political-religious organization or rather no organization confined to a particular religious group and aiming at political ends, should be allowed to function. We have suffered enough from this type of communalism whether it is Muslim or Hindu or Sikh... I do not want, of course, to suppress any legitimate political activity. But the combination of political activity with a religious group is a dangerous one as we know from experience. You will have to give thought to this matter as to what should be done."^[10] Unfortunately, these remained only pious wishes and, during his long tenure of 17 years as the prime minister, Nehru failed to take any further action.

I firmly believe that unless this issue is addressed with sufficient political resolve so as to carry through a suitable constitution amendment, it will be futile to talk about India as a secular nation. On the basis of the past experience and to meet the concerns expressed by some political parties during the debate on the Constitution (Eightieth) Amendment Bill in

1993 regarding the likely misuse of such an enactment, I would suggest that the amendment bill should be confined only to deregistration of a political party which has religious links and restraining such political party from contesting elections at any level in the country. A political consensus needs to be built up among political parties for the purpose. If any of the political parties are not prepared to join in the consensus, a strong public opinion will have to be created nationally to isolate them and to go ahead with the constitution amendment, disregarding their opposition. Some persons may consider this a tall order but there is no getting away from such a surgical operation, if the nation is to be saved!

Right to propagation of religion

Apart from giving freedom of conscience and permitting free profession and practice of religion, article 25 gives freedom of propagation of religion. There was considerable controversy about giving this right, and that too as a fundamental right. Several members in the Constituent Assembly had spoken against giving such a right but their objections were overruled on the spacious plea that it was necessary to give this right in accordance with the compromise which was arrived at with the Muslims and the Christians who had argued that propagation was a duty cast on them by their religion. The recommendations of the Niyogi Committee on Activities of the Christian Missionaries on the subject, underline how serious has been the problem of conversion, particularly in the tribal areas.^[11]

There are a number of decisions of the high courts and the Supreme Court according to

which the right to propagation is not a right to conversion. The activities of Muslims and Christian missionaries in some parts of the country have led to serious law and order problems. The *ghar-wapasi* movement undertaken by the Hindu organizations has also led to communal tensions and agitations in various places. It is high time this problem is nipped in the bud by amending article 25 to delete the word 'propagation' there from.

Protection to minority educational institutions

Articles 25 to 29 of the Constitution are really the crux of secularism, except for the word 'propagation' as discussed earlier. Article 30 (1) which gives right to minorities to establish and administer educational institutions is, in one sense, an appendage and need not have been there at all. But this too was inserted, particularly at the instance of the Christians and Anglo-Indians who had a number of educational institutions. There was considerable opposition to this article in the Constituent Assembly but the Congress party wanted to be generous to the minorities, disregarding the likely long-term implications of encouraging separate identities and undermining spread of secular education. There is no justification to continue this right. If at all, it could be retained for the linguistic minorities. But considering the rapid spread of English as a medium of instruction all over the country, including in the rural areas, due to the forces of globalization and spread of information technology, it is no longer necessary to give this right even to linguistic minorities.

(Contd. from Page 3)

The Court categorically says that decision to terminate my contract was stigmatic and punitive in nature and not a simplicitor. It says that, 'Heavy words such as commission of cyber crime and acting against national interest have been loosely used. All these allegations are serious in nature and such allegations have serious aspersions on the conduct and character of an incumbent and the way and manner in which decision in question has been taken as against him ex-parte cannot be approved by us.'

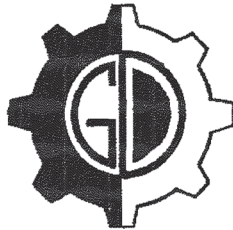
The decision has come as a relief not only to me but to also a lot of my friends who felt stifled in the present atmosphere. We now know that democracy has not disappeared from the country or the campuses completely.

I now have the dubious distinction of joining two of my illustrious relatives Professor of Indology at BHU Raj Bali Pandey, my mother's uncle, who later became VC at Jabalpur University and Professor of Chemical Engineering Gopal Tripathi, the first Director of Institute of Technology, before it became IIT, at BHU, and former's cousin, who too were expelled by the University in 1960 along with several other Professors like Hazari Prasad Dwivedi. Acharya Narendra Dev, the famous Buddhist scholar who served as the VC for three years and was also the first President of Socialist Party, had to leave BHU not under very pleasant circumstances.

(Note: In spite of the abovementioned fantastic order the VC has not let me rejoin BHU yet.)

(to be Concluded)

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Unfinished Agenda
Bharat Dogra

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The Bhartiya Janata Party governments in Haryana and Rajasthan have made it compulsory for anybody desiring to contest the elections for Panchayat head to have an educational qualification of having passed Classes X and VIII examinations, respectively. BJP or its ideological parent Rashtriya Swayamsewak Sangh is the only major political outfit in India demanding educational qualification as a prerequisite to contest elections.

Some of our political leaders may not be highly educated but the bureaucracy certainly is. In fact, the Indian Administrative Services officers, who clear one of the toughest selection examinations in the country, are among the best brains we have. But if we evaluate the performance of IAS officers in terms of implementation of social welfare policies and programmes, the less said the better. India's social indices have been continuously slipping down in a time period when most of the third world countries, a notable example being Bangladesh, have endeavored to improve the lot of their population. The politicians may be corrupt but the question is can they get away with corruption without the collusion of

bureaucracy? If anything, formal education has taught people ways and means to engage in corruption. Hence formal education itself holds no merit. Wisdom and understanding do. And a person need not be educated to possess these higher qualities.

Recently there is a controversy regarding Prime Minister's educational qualifications. Apparently Narendra Modi got his B.A. by distance learning and M.A. as an external candidate. He failed to clear B.A. once and passed only the second time, taking four years to complete his degree. The subject of his M.A. is mentioned as 'entire political science'. It is now becoming clear that he did not attend classes because of his preoccupation with political activities and that is why he resorted to options of distance learning and being external candidate. The Minister for Human Resources Development has three different pieces of information on affidavits filed before contesting elections on three occasions. Smriti Irani failed to complete her B.A. by correspondence and therefore is formally a merely Class XII pass which she is unwilling to admit in her affidavits. The Department of Economics at Allahabad University

fails to provide information regarding research activities of present Vice Chancellor of Banaras Hindu University, Professor Girish Chandra Tripathi, holding the post because of his RSS affiliation, under the Right to Information Act, while he served as a professor there. Two recent appointments under his patronage in the history department of BHU have been that of Satyapal Yadav who has a plagiarized article copied from Hari Shankar's 'Kashi Ke Ghat' and Ashok Kumar Sonkar who has a plagiarized Ph.D. thesis copied from a Lecturer at DAV, Varanasi, Prashant Kashyap's book 'Gharwal Ka Itihas.' This is just a sample of people belonging to the present ruling dispensation occupying important positions.

Not that only people with highest academic qualifications are required to fill these posts, except for maybe that in academic institutions. The point is: it is the people associated with RSS-BJP which demand educational qualification for contesting elections who have dubious academic records. Incidentally, they are also the ones who oppose the policy of reservation in academic institutions and jobs arguing for merit to be the basis for any selection, even though the PM is at pains to explain that policy of reservation will not be abandoned. It appears that people associated with RSS have no qualms about acquiring 'merit' through questionable means. There is nothing new about it. The ruling elites in the Hindu caste hierarchy have always used unscrupulous means, the most famous example being that of asking Eklavya to offer his thumb as 'guru dakshina,' effectively depriving him of his merit, to stay ahead of the unsuspecting masses, mostly belonging to lower rungs of caste

hierarchy, in capturing the privileges.

Actually, Modi, Irani and Tripathi belong to a genre of people in this country who do not take their academics seriously because they know that they can manage to pass their examinations and get their degrees and subsequent positions anyway by adopting not so scrupulous means.

Money can be paid to cheat in examinations, have somebody else write the examination on anyone's behalf and even degrees can be bought. In U.P. by paying a sum of Rupees five thousand one can pass the Board examinations by participating in mass copying. One doesn't have an option of not to pay, even if one is willing to write her examination honestly. By paying twice one can get somebody else to write the examination on one's behalf. Unfortunately, the percentage of people adopting these methods is more than majority. Students of prestigious institutions like King George Medical University, Lucknow and IIT, BHU have been caught writing entrance examinations on behalf of other candidates in exchange for hefty payments. Just like one hears the argument that how can anybody take the risk of being treated by a doctor who has made it to the medical institution through reserved category why does one never hear the argument that how can anybody take the risk of being treated by a doctor who has made it to the medical institution by adopting unfair means? Apparently there is conspiracy of silence on use of illegitimate means to clear examinations, which suits the ruling elite because their own children's future is at stake. The question of merit is never raised when parents pay astronomical sums to get their

not so deserving children admitted to private engineering, medical and management institutions, most of which are farcical anyway. We haven't seen protests against capitation fees and academic cheating the way we have seen some sections of society protest against the policy of reservation.

This is a commentary on the state of higher education in India. Unemployment in part is because of un-employability of the unemployed. If a person has obtained his/her degrees through dishonest means how may we expect them to perform honestly when they are taken in jobs. Such persons will be busy in manipulations all their lives just like they did in their examinations. They will be looking for short-cuts, will cut corners, be engaged in corruption and be most inefficient. It is the misfortune of our country today that we are being governed by such people at the very top.

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Idea of India at peril

Kuldip Nayar

I was on my way to Peshawar from Rawalpindi to meet Wali Khan, son of Frontier Gandhi, Khan Abdul Gaffar Khan. At Abbottabad, where I stopped for a cup of tea, the radio was broadcasting a BBC report that Sikh security guards had shot Prime Minister Indira Gandhi dead.

There was no question of my proceeding further. I rushed back to Lahore but by then the flight to Delhi had left. Ironically, a London-based Sikh organization at Lahore had arranged that day a meeting to raise the demand for Khalistan.

When I landed at Palam the following day, the airport wore a deserted look. Two Sikh officers at the immigration counter stood aside. I heard someone saying at the counter that security would have to be arranged to take the Sikh employees safe home.

I was bewildered and could not make a head or tail out of what was going on. A Hindu officer at the counter explained that there had been a massacre of Sikhs at Delhi. It had never occurred to me that the Hindus could kill the Sikhs who, according to the Constitution, were Hindus. That apart, marriages between the Hindus and Sikhs were common till a few years ago. My mother was from a Sikh family. When I came out of Palam, I saw a heap of ashes. The taxi driver told me that a Sikh had been burnt alive earlier in the day.

Many years later, when I was the Rajya Sabha member, I raised the question of 1984 anti-Sikh riots and wanted appointment of a high-powered commission to probe the entire happening. L.K. Advani supported me. Justice G.T. Nanavati, who had probed the Gujarat killings, was appointed to head the commission.

In an otherwise fair report that he submitted to the government, Justice Nanavati had evaded naming the person behind the anti-Sikh riots. When I met him later to complain that he did not name the person, he shrugged his shoulders and said that everybody knew who were behind the riots. This is true, but if he had named them in his report, it would have made all the difference.

The head of a Special Investigation Team (SIT), R.K. Raghvan, probing 10 cases following instructions from the Supreme Court, allowed his ideology to have the better of him, although he had been an outstanding police officer. Even the court has not commented on Narendra Modi, then chief minister of Gujarat, although it had all the details before it.

By sending to the trial court the case of former Congress MP, Eshan Jafri, who along with 69 people were burnt or butchered alive at the Gulburga Society in Ahmedabad, the Supreme Court had only passed on the buck. This is the same

Supreme Court which commented on Modi: Nero was fiddling when Rome was burning.

The sort of report the SIT has submitted can be made out from the evidence of two retired judges it had ignored. Both had interviewed the then Home Minister, Haren Pandya, who was murdered because he had started speaking the truth. According to the two judges, P.B. Sawant, who was on the Supreme Court bench, and Justice H. Suresh of the Bombay High Court, Pandya told them that the chief minister had directed the police to give Hindus a free hand to vent their anger during the riots.

Both judges were members of the People's Tribunal which held Modi guilty. That there is not a single FIR filed against the chief minister is not a plus point. He had created so much fear in the minds of the victims that they dared not to go to the police station, hardly safe for Muslims at that time.

To incite people Modi also had arranged to parade through Ahmedabad streets the 49 bodies of kar sevaks who had been burnt alive on a train at Godhara while returning from a pilgrimage. This had terrible repercussions. Even today, Muslims in Gujarat generally confine themselves to their localities fearing that they may be attacked.

They have not forgotten how 2000 from their community were killed and how several thousands

were ousted from their homes and lands. Some Muslims have tried to return, but have found that they are not welcome to their places where they and their forefathers had lived for ages.

True, the horror of Gujarat had shaken the nation. Yet, no amount of condemnation by the public and the media has made Modi relent, much less force him to apologise. He had refused to say sorry and had gone about arranging the humbug of *sadbhavana* (goodwill) sittings at big cities of the state. Modi had a lot to hide. Specific instances of murders, when reconstructed or proved, pinpoint to the state's plot for ethnic cleansing.

Brave police officers like Sanjay Bhatt have told the truth, even at the risk of annoying Modi who had unleashed his repressive, one-sided administration against Bhatt. He is suffering alone and even the Gujarat High Court has not come to his aid. Still Bhatt had said in an affidavit that Modi instructed his officers to let Hindus vent their anger on Muslims.

In the case of Sikhs, Prime Minister Manmohan Singh and Congress president Sonia Gandhi have offered their apologies for the 1984 riots. Modi and his party, BJP, have not done even that. Now that he is the Prime Minister, he should have had the grace to apologise for what he had reportedly done in 2002 when he was the chief minister of Gujarat.

Why there is so much umbrage against the anti-Muslim and anti-Sikh riots even after years of their occurrence is not yet understood either by the BJP in the first case of Gujarat or by the Congress

in the second case of Sikhs. The reason is that there is practically no action against those people who had soiled their hands with blood. The BJP had saved them in Gujarat

and the Congress did so in Delhi and elsewhere. Still worse, both parties do their best to protect the administrations which had planned and executed these riots.

Email : kuldipnayar09@gmail.com

Drought Duty: What And How?

26th May -15th July 2016

1. What is Drought Duty?

Drought Duty is a chance for young people to take action in drought relief in affected rural areas.

- First, there will be a chance to participate in a survey, to understand the actual reality of drought and the ways in which it affects people's lives. Also, we will map water resources in the village, both ones that exist and those that have been lost.
- Second, the data from the survey will be used to help prepare a report which will highlight the truth of the ground;
- Third, and even more importantly, we will use this to help people understand their claims and assist them to get their share from the government.
- The data gathered from water resource mapping will be used to prepare village level watershed management plans.

This way, we highlight the ground reality of drought and hope that the plans for battling the drought will be based on this information.

2. Who is organizing Drought Duty?

Many organizations with long experience of working on the ground: Ekta Parishad, Jal Biradari and National Alliance of People's

Movements (NAPM), Swaraj Abhiyan.

3. When will Drought Duty take place?

For six weeks between May and July. The tentative dates are 26th May to 15th July 2016. You are required to work for one week only. Of course if you want to work for longer, we can arrange that too.

4. Who can apply?

Necessary requirement: Any young person, committed to understanding and working on issues of social policy, poverty, marginalization and rural development.

Absolutely necessary requirement: Any young person, tough and committed to living in rural India in the peak-summer without modern-facilities like electricity, toilets and running water.

5. Where will I be located if I choose to participate?

In any one of the following states - Uttar Pradesh, Madhya Pradesh, Telangana, Maharashtra, Rajasthan, Gujarat, Odisha, Karnataka, Bihar, Haryana, Karnataka, Jharkhand, Chhattisgarh. You can request a region, but may have to accommodate according to the planning of the team.

6. Will I be working in a group or individually?

Always in small groups consisting of activists from the local affiliated centre and student volunteers. Wherever possible you will work, travel and reside together. Sometimes, the team may be split e.g. between host houses, but you will always come back together. There will be a balance of gender, language abilities, experience etc. We cannot accommodate special requests to be assigned to a particular team and request you to refrain from doing so. Each team will have a team leader and all volunteers are expected to follow guidelines, cooperate and act in the best interest of the team at all times.

7. Where will we live during the internship?

You will be staying with a host family, or a common building of the village in the area assigned to your team. The details of the boarding and lodging will be shared with you after your batch has been formed. You should be prepared to not get basic modern-day comforts and be open to experiencing a different way of life. For women volunteers, arrangements will be with a local family only.

8. What do I get out of this?

An experience of a lifetime, a real sense of how people that give us food, live.

A certificate in your name, signed by people respected for their commitment to the ordinary Indian.

9. Will I get paid? Do I have to pay?

You will not be paid anything, and you don't pay anything either. We expect you to pay for your travel up

to the point where you will be living and working. In case you cannot afford it, we will try to help you.

10. So what do I have to do?

Fill up the online application form, and email your photo id to droughtduty@gmail.com. We will get back to you shortly.

There may be more questions in your mind, for which you could call +91-7065003180 or email us at droughtduty@gmail.com. Rest assured, you will be working with people who have lot of experience, came to work on the ground with backgrounds like yourself and would be able/happy to guide you.

- Yogendra Yadav

From a letter to the Chief Minister of Delhi:

You must have read the atrocious statement of V. K. Singh, Minister of State in the Modi Government, namely that Akbar Road at New Delhi should instead be named Maharana Pratap Singh Road. Only a warped communal mind could have suggested it, though Maharana Pratap Singh's bravery is fully accepted.

Even the thought of renaming Akbar Road is totally unacceptable - as it is a product of an atrociously communal mind set up. UN development report 2004 links Ashoka The Great, and Akbar The Great as epitomes of religious tolerance. Press reports have reported that the decision to change a name is done by a Sub-Committee of New Delhi Municipal Committee in which there are 2 or 3 of AAP MLA's. I understand that this committee is headed by you as the Chief Minister of Delhi. I understand that the last time the change of name of Aurangzeb Road to Abdul Kalam Road, was done under your chairmanship. Of course Maharana Pratap Singh should have a road named after him. But to me changing the name of Akbar Road is trying to rewrite history, which to me is blasphemy.

I would therefore suggest that in order to avoid further communal passions you should publically announce that your Government is against renaming of Akbar Road and will not accept any such recommendation even if it was received. I hope your Government will realize the urgency of issuing this statement.

Offhand as a suggestion, you could consider changing the name of "Raj Niwas Marg" to Maharana Pratap Singh Marg.

-Rajindar Sachar

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<http://lohiatoday.com>

Judiciary Guilty of Ducking Political Cases

Jagdeep S. Chhokar

A political party, registered with the Election Commission of India (ECI), is expected not to get involved in any religious activity. Leading political party of Punjab, namely Shiromani Akali Dal (SAD) however, participated in the election of Shiromani Gurudwara Prabhandak committee which looks after the running and maintenance of various gurudwaras, which are religious shrines. This goes contrary to the oath of allegiance to the Constitution of India that the SAD had taken at the time of registration of the party with the ECI.

Veteran socialist leaders, Balwan Singh Khara had filed a writ petition before the Supreme Court of India to issue mandamus to ECI to deregister SAD. However, after dragging the matter for months together, the court is not giving any judgment.

Here is a trenchant analytical comment on the attitude of the judiciary which political activists and commentators will find instructive.

—Pannalal Surana

Prevarication in cases related to political issues is baffling. As a third pillar of the State, the judiciary must preserve the system of checks and balances critical to the health of a constitutional democracy.

Under the headline “Law needed to verify netas’ wealth: SC”, *The Tribune* reported (April 2, 2016) as follows: “Parliament should make a law. This is an area of the legislature where we can’t get in,” a Bench headed by Chief Justice TS Thakur told PIL petitioner Julio Ribeiro, who sought a directive to the Election Commission to get every such declaration verified.... Dismissing the PIL, the SC nevertheless advised Ribeiro to join hands with other eminent personalities to pursue the issue at other appropriate forums.”

The order recorded in the Supreme Court, however, says as follows: “After arguing the matter at some length, learned counsel for the petitioner seeks leave to withdraw this petition with liberty for the petitioner to seek such other

redress as may be legally permissible under the law. The writ petition is dismissed as withdrawn with liberty prayed for.”

There are two lapses here. One, the order as pronounced in the court and recorded seem to be different. The second lapse is more serious. The courts have often resorted to stating that “Parliament should make a law.” It is widely known, however, that in matters of electoral and political reforms, Parliament and parliamentarians are not willing to make a law. There are far too many instances to list here.

The Supreme Court seems to have overlooked an observation made by one of its own three-judge Benches in *Union of India vs Association for Democratic Reforms* (2002), which said that from “Cumulative reading of a plethora of decisions of this Court as referred to, it is clear that if the field meant for legislature and executive is left unoccupied detrimental to the public interest, this Court would have ample jurisdiction

under Article 32 read with Articles 141 and 142 of the Constitution to issue necessary directions to the executive to subserve public interest.”

It is clear that the petition by Ribeiro and others was squarely covered by the above observation but the Bench shied away from defending public interest.

There is another, more serious, case going on, actually dragging on, in the Delhi High Court which is a quintessential example of judicial tardiness. Petitioners in the case claim that the Shiromani Akali Dal obtained its registration with the Election Commission of India through a fraud and have prayed to the court to cancel the registration.

The matter began in September 1996, when a complaint was filed with the ECI seeking cancellation of the registration of the SAD due to the alleged filing of false undertaking and forged constitution by the SAD under Section 29-A of

the Representation of the People Act (RP Act). Nothing much happened. Another person, Balwant Singh Khara, filed a complaint in September 2004 with the ECI, seeking cancellation of the registration of the SAD due to its violation of an undertaking provided to the ECI under Section 29A(5) of the RP Act, by contesting elections to the SGPC, a purely religious body. Once again, nothing noteworthy happened despite repeated correspondence. Khara moved a writ before the Supreme Court in January 2007, seeking appropriate directions to the concerned authorities to de-recognise/de-register the SAD (Badal), in view of its violation of the undertaking under Section 29A(5) by its alignment with religious bodies such as the Shiromani Gurdwara Parbandhak Committee (SGPC) and the Delhi Sikh Gurdwara Management Committee (DSGMC). The Supreme Court did not entertain the petition and asked the petitioner to go to the ECI again. The ECI passed a simple, non-speaking order on January 1, 2008, stating “the Commission does not find any ground for action as urged by Petitioner”. Khara set out to collect decade-old records from the ECI under the Right to Information (RTI) Act, and based on information gleaned from them filed a fresh petition with the Delhi High Court on February 24, 2010.

The hearings in the Delhi High Court proceeded in the usual course, with the SAD resorting to all sorts of delaying tactics. As the proceedings dragged on, arguments were heard over several hearings in 2013. A curious pattern then started to emerge... that of the court adjourning the matter on its own. There were at least seven occasions between February 2014 and August

2015 when the recorded order of the court simply said “Renotify on xx.xx.xxxx,” without mentioning any reason.

Finally, the court reserved its judgment on November 5, 2015. When the judgment did not come through, the matter was mentioned in the court on February 9, 2016, when three months had passed after the judgment was reserved. This was done as the Supreme Court had laid down guidelines in 2001 in *Anil Rai vs State of Bihar* (1998) wherein it had inter alia deprecated the practice of keeping matters pending for too long after pronouncing “judgment as reserved” and had allowed litigants to file applications after the passage of three months to find out the status of the judgment in their case. The court decided to list the case for March 16, 2016. By this time the case had been listed 24 times!

On March 16, the matter was listed for April 5, 2016. On April 5, the case was heard for a few minutes beginning around 12.45 pm, and was adjourned to be continued after the lunch break. After lunch, the Bench passed the following order: “List the matter before another Bench of which the Chief Justice is not a member,” and listed the case for April 21, 2016.

The facts — repeated adjournments when neither party had requested them, not giving the judgment even after more than three months of reserving it, conducting part hearing of the case just before lunch and then recusing oneself immediately after lunch — are certainly intriguing and make one wonder about what exactly was going on.

Exactly these facts came up for discussion in the hearing on April 21. The lawyer for the SAD brought to the attention of the court an interview that the lawyer for the petitioner had given to a social media website, listing out the progress (or lack of it) of the case, implicitly claiming it to be an attempt at interfering in the administration of justice. The court pointed out to the SAD lawyer that if a Bench transfers a case more than three months after reserving the judgment, after asking for and getting clarifications, and without giving any reason, “in an aspirational society, it is legitimate for people to wonder what happened, and to raise and ask questions.” The court concluded the matter saying it did not have any bearing on the judicial aspects of the case and listed the case for May 5 for arguments.

The political establishment and political parties in particular have a long history of not wanting to follow any law, and whenever a serious attempt has been made to subject them to any law, they have moved to amend the law to suit them. The list of such attempts is long, starting with adding an explanation to Section 77 of the RP Act in 1974 to give a free rein to spending during elections to amending the same RP Act in 2002 to prevent disclosure of criminal background of candidates contesting elections. The current defiance of the order of the Central Information Commission bringing six national political parties under the RTI, and the surreptitious attempt to amend the Foreign Contributions (Regulation) Act (FCRA) by including an amendment in the Finance Bill, 2016, to protect the BJP and Congress from the Delhi High Court judgment that has held them guilty of violating the FCRA, are the latest on-going examples.

While the attempts of the political class to keep themselves out of the ambit of the law of the land can be understood as crass self-interest, the prevarication of the judiciary in cases related to political issues is

baffling. Given that the executive and the legislature have obvious overlaps and their interests can be common, if the Judiciary does not perform its role as the third pillar of the State, the system of checks

and balances which is critical to the health of a constitutional democracy will cease to exist. And that would not be good for the nation. The judiciary, therefore, must make sure such lapses do not occur.

Is India a Secular Nation ? - II

Madhav Godbole

Prohibition of cow slaughter

Article 48, though forms a part of the directive principles, has now been elevated in public discourse to the level of a fundamental right. The marginal note of this article is innocuously worded as ‘organization of agriculture and animal husbandry’. However, the sting is really in the sentence which asks the state to prohibit the slaughter of cows and calves and other milch and draught cattle. The basic question is whether such a total ban on slaughter of cows and their progeny is justified on any ground at all except that of the religious sentiments of the Hindus. But even in regard to them, there is no universal demand for a total ban by all Hindus. Most importantly, such a ban is not in keeping with secularism. Particularly in the drought-hit areas in a number of states such as Maharashtra, it is causing large-scale distress to farmers. As I have stated earlier, Indian Constitution is a mix of several compromises, particularly in so far as it’s proclaimed secular ideology is concerned.

Particularly after the BJP government came to power in the center in 2014, the demand for

banning cow slaughter has gained strength. Effectively ‘ban the beef’ has become the national motto and another potent instrument in the hands of extremist elements to disturb the peace, tranquility and communal harmony in the country. Jawaharlal Nehru had stoutly opposed the demand for banning cow slaughter during his term and had even staked his prime minister-ship thereon. Thereafter the stand of the Congress party has changed completely and now it seems to be as much in favor of the total ban as the BJP and the Shiv Sena. It is time to consider seriously whether India can sustain its claim as a secular nation by resorting to such populist measures. I am firmly of the view that all well-meaning people in the country should come forward to strongly oppose the present moves on the subject.

Making voting compulsory

Secularism in India has remained at the margin mainly because people have not looked at it as their fundamental right. In fact, it is considered an important ingredient of vote-bank politics. Unless all eligible voters participate in the elections, the accountability of

the political parties cannot be established fully. The government of Gujarat had taken the initiative in the matter by enacting a law for making voting compulsory for elections to village panchayats. The Governor had reserved the bill for approval of the President. In many instances in the past, the central government has looked at a number of proposals received from the state governments in a partisan manner. This bill was one of them and was kept pending by UPA government for a long time. A Private Members’ Bill had also been introduced in Parliament during the UPA regime to make voting compulsory but it was not supported by the government.

Voting has been made compulsory at least in 30 democracies round the world. They include, among others, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Costa Rica, Cyprus, Fiji, Greece, Luxembourg, Peru, Singapore, Switzerland and Uruguay. Compulsory voting was introduced in Australia in 1924 when the voter turnout was just about 58 percent in the elections in 1922. Now Australia consistently boasts of a voter turnout of over 90 percent. Compulsory voting in Belgium dates

Slightly edited text of B G Deshmukh Memorial Lecture by former Union Home Secretary, Government of India which was supposed to be delivered on April 4, 2016 under the auspices of the Maharashtra branch of the Indian Institute of Public Administration, but was cancelled three days before the function.

back to 1893. Currently voter turnout in Belgium is over 90 percent.^[12]

As can be seen, the results achieved are quite striking. The objections raised to making voting compulsory are hardly convincing. For example, it is argued that a person cannot be forced to vote if he does not want to. The law can provide that a person would have the option to go to the polling station and mark his preference on the ballot paper in a separate box showing his disinclination to vote. Another objection which has been raised is that it would be administratively impossible to deal with hundreds and thousands of cases where people default and do not vote. Even this objection is not sustainable as such cases can even be dealt with by post by conveying to the person that he would have to pay the prescribed fine for contravention of the law for compulsory voting. Even announcing on a notice board, in the case of village panchayats, and in newspapers, in other cases, names of persons who have not voted, could serve the purpose of shaming the persons. Particularly in a case like India where the day of voting is declared a public holiday, there is no justification not to vote. In the final analysis question is whether absentee democracy is what we are aiming at. If all minorities, for example, make it a point to go and vote, their political leverage will increase by leaps and bounds and their voice cannot be ignored by the political parties any longer. When the voting age was reduced by Rajiv Gandhi government from 21 years to 18 years, doubts were raised about its advisability but we have seen what difference it has made to the political life in the country. Similarly now, voting needs to be made compulsory for the elections

to the local bodies, state legislatures and Parliament.

50 %+1 vote necessary to win

The first-past-the-post system adopted in India since the British times, though simple to administer, suffers from some important deficiencies. It is seen that in most cases the winning candidate gets negligible votes, at times just 20 to 30 percent of the total, which is a mockery of representative democracy. In the elections to UP Assembly held in 2007, 96.53 percent of the winners polled less than 50 percent of the votes cast. The corresponding figures were 89.71 percent in Bihar (2005), 88.89 percent in Bihar (2006), 81.63 percent in Tamil Nadu (2006), 93.84 percent in Jharkhand (2005) and so on. In the Lok Sabha elections in 2004 the corresponding percentage was 59.85.^[13]

The National Commission to Review the Working of the Constitution (NCRWC) has also invited attention to this matter and has stated: “The multiplicity of political parties combined with our Westminster based first-past-the-post system results in a majority of legislators and parliamentarians getting elected on a minority vote. In other words, they usually win by obtaining less than 50 percent of the votes cast, i.e., with more votes cast against them than in their favor. There are states where 85 percent to 90 percent of the legislators have won on a minority vote. At the national level, the proportion of MPs who have won on a minority vote is over 67 percent at an average for the last three Lok Sabha elections. In extreme cases, some candidates have won even on the basis of 13 percent of the votes polled.

But more importantly in this system often the winning candidate confines his propaganda to his own caste, creed, language or religious group. Particularly in a country like India which is a multi-religious, multi-racial, multi-linguistic and multi-ethnic society a system must be devised which would make it as representative of this diverse community as possible. This can be done only by laying down that a winning candidate must get minimum 50 percent plus 1 vote. To be able to achieve this, a candidate would necessarily have to appeal to a broad spectrum of his constituency. This will be especially important for minorities since they are often neglected and overlooked in the present election campaigns.

At times it is argued that this will prolong the election process and would be administratively impossible to implement. However this is clearly not based on any in-depth understanding of the issues. With the adoption of the electronic voting system it should not be difficult to hold a second round of voting among the two top candidates who had received the maximum votes. The Election Commission has also favored this suggestion and has said that it sees no difficulty in its implementation. The NCRWC had also recognized “the beneficial potential of this system for a more representative democracy”. The commission has recommended that the government and the Election Commission of India should examine this issue in all its aspects, consult various political parties and other interests that might consider themselves affected by this change and evaluate the acceptability and benefits of this system. The Commission recommended a careful and full examination of this issue.^[14]

If secularism is to be strengthened in the country, I strongly believe that this electoral reform is absolutely necessary and needs to be implemented as soon as possible.^[15]

Bogey of federalism

During the last few years a number of critical issues facing the country have got bogged down due to the fears expressed by the states about the federalism getting adversely affected. This cry for ‘federalism in danger’ is as dangerous as the cry of ‘religion in danger’. This has affected policies in various areas such as enacting a model law for Lokayuktas, enactment of a central legislation for the Central Bureau of Investigation, reorganization of the railway police protection force, setting up of a federal police agency and so on. When the Constitution was prepared, the problems of law and order, terrorism, naxalism, organized crime, and crime with international ramifications were not serious enough and therefore the subjects ‘public order’ and ‘police’ were put in the State List. Ideally, both these should have been put in the Concurrent List, as is the case in a number of Western democracies. As a result states have been objecting to the role of central government in these matters. But this has not prevented the states from relying on the deployment of central para-military forces, when the occasion demanded. But restricting the role of the central government has led to cases such as Ayodhya debacle, Godhra riots and major communal riots in a number of states. Time has therefore come to take a serious view on amendment of the Constitution. Needless to say, federalism will be relevant only if the country survives! These issues are particularly relevant if communal violence and communal riots are to be dealt with effectively.

The experience so far shows that unless the central government is enabled to take an active role in the matter, merely making available to states central para-military forces and intelligence inputs from central agencies will not be adequate.

Restructuring police departments

Experience has shown that weaknesses and inadequacies of police have been largely responsible for starting or escalating communal violence. The root cause of this is the politicization and communalization of police in various states. Several judicial commissions of inquiry appointed on major communal riots have strongly brought out this point.

Reference must be made in this context to the decision of the Supreme Court in the public interest litigation on non-implementation of the recommendations of the national police commission. The final decision of the court came only in September 2006, nearly 12 years after the filing of the PILs. Though inordinately delayed, the Supreme Court laid down guidelines for reorganization of the police departments in the states and the center. Though nearly a decade has elapsed since the decision of the Supreme Court, most major state governments have not implemented the court orders. For example, the data collected by the Bureau of Police Research and Development (BPR&D) for the year 2013 shows that almost 80 per cent of Superintendents of Police (SPs) in districts across the country got transferred within two years of their tenure in a district. More than 50 per cent got transferred in less than a year. According to the data, UP has been the worst offender in terms of transferring officers before their two year tenure is complete.

Even officers senior to SPs have not been spared. As per the data, in 2013, 114 range DIGs faced transfers within a year of their tenure and as many as 48 were transferred within two years. (*IE*, November 29, 2015:7) For some strange reason, the Supreme Court has been reluctant to haul up the defaulting states for contempt of court.

Another matter of serious concern is the politicization and communalization of police. In this connection special mention must be made of the statements of L. K. Advani who had spearheaded the Babri Masjid agitation. He has written in his autobiography, ‘My Country My Life’: “I recall vividly an experience en-route from Ayodhya to Lucknow [on December 6, 1992 after demolition of the Babri Masjid]. In spite of strict security all along the 135-kilometer journey, I could see people engaged in celebrations everywhere. Within half an hour of our departure from Ayodhya, our car was stopped by the police. On seeing that the car carried Pramod Mahajan and me, a senior officer of the UP government walked up to us [and] said, *‘Advaniji, kuch bacha to nahin na ? Bilkul saaf kar diya na ?* (I hope nothing of the structure is surviving and that it has been totally raised to the ground.) I am recounting this incident only to highlight the general mood of the populace, including employees and officials of the state government, after the tragic development in Ayodhya—that of jubilation”.^[16]

The National Police Commission in its eighth and concluding report submitted in May 1981 had made one significant recommendation. An officer who has functioned as the DGP/IGP, after his retirement from service, shall not be eligible

for any employment under the government of India or under the state government or in any public undertaking in which GOI or the state government have a financial interest.^[18] This is equally relevant for the senior Indian Administrative Service officers. This very critical recommendation ought to have been acted upon expeditiously. There have been, any number of instances where senior police [and IAS] officers who had obliged the political party in power during the communal riots have been handsomely rewarded. One can cite dozens of instances to support this. I would suggest that even now it is not too late to accept this recommendation. I would like to suggest only one amplification thereof namely such officers will not also be given political party tickets to contest elections during a cooling-off period of three years.

If a sense of confidence is to be created amongst the minorities that they will be treated fairly, justly and their life and property will be safeguarded, all efforts will have to be made to deal with the communal bias in the police. The precepts of secularism, safeguarding the interests of the minorities and importance of human rights are some of the subjects which need to be included in the syllabus of police training institutions. In the refresher courses organized for field police officers and constabulary, actual case studies of communal riots, findings of official inquiries or judicial commissions of inquiries must be placed before them for discussion. Knowledgeable representatives of minority communities could be invited for interaction with the police personnel in the training sessions. Unfortunately this important aspect has been totally lost sight of.

It is also necessary to give sufficient representation to minorities in the police services. In this context, the example of the Rapid Action Force of the central government which is often deployed during communal riots is noteworthy. Conscious efforts have been made by the central government to give representation to minorities in this force. This example needs to be replicated in the states.

The indication of how the winds are blowing since the coming to power of the BJP government at the center in 2014 is the recent instruction issued by the home ministry to the National Crime Records Bureau (NCRB) not to publish the data on Muslims in police forces. The publication of such data first began 16 years ago. It is for the first time that such a ban has been imposed. (*Indian Express*, November 30, 2015:1) Such efforts are counter-productive for the success of secularism. It is interesting to see that the NCRB report for 2013 showed that there were 1.08 lakh Muslim police who accounted for 6.27 percent of the total strength of 17.31 lakh police in the country, as compared to their percentage of 7.55 in 2007. Public pressure must be brought on the government to revise this decision to ensure that data on Muslims in police will be published each year.

Rule of Law and reality

Even if police departments are restructured as above and other changes suggested herein are effected, unless rule of law is established in the country, nothing substantial can be achieved. This is particularly true in dealing with an important and sensitive subject like secularism. Reference must be made to the important provisions of

sections 153-A and 153-B of Indian Penal Code (IPC) which have largely remained on paper. The ‘majesty of law’ about which a common citizen hears time and again is supposed to have laid-down that ‘howsoever high you may be, the law is above you’. This is certainly not true so far as the high and mighty in public life are concerned.

Full powers need to be given to the senior police officers to directly prosecute persons infringing these provisions, without the necessity of obtaining the approval of the state government. Experience has shown that the state governments look at this question entirely from a political point of view and withhold the approval for prosecution or even reject the proposal altogether. It is seen that cases filed under these sections are often withdrawn later at the behest of the government for political ends. If secularism is to be translated into reality, communalism will have to be put down with a firm hand. And this would be possible only by ensuring that the above provisions of IPC are made effective. The National Commission to Review the Working of the Constitution has also said that “effective implementation of laws is lacking. This deserves the highest degree of attention.” (p. 87)

Towards this end, as recommended by the second administrative reforms commission (SARC), the provision contained in section 196 Cr PC requiring prior sanction of union or state government or the district magistrate for initiating prosecution for offences under sections 153A, 153B, 295A[19] and 505[20] of IPC, be deleted. It has also rightly suggested that the punishment for communal offences be enhanced, and special courts should be set up

for speedy disposal of the cases. I fully agree with the recommendation of SARC that a separate law to deal with communal violence is not required. The UPA government's proposal in this regard had led to bitter confrontation between the states and the center and also the political parties which were in opposition then. Strengthening of the provisions of the IPC and Cr PC will be adequate to deal with the situation.

Last 69 years since Independence have seen not only repeated incidents of communal violence, as brought out above, but regrettably some of these riots had literally turned into massacres. To recall, a few of these were: Jabalpur riot in 1961, Ahmedabad riot in 1969, anti-Sikh riots in Delhi in 1984, Mumbai riots in 1992-93 and Godhra riots in 2002. Against this background it is necessary to make a special provision to deal with genocides such as these. The law should provide to make such offences cognizable and non-bailable and much stricter punishment extending up to life imprisonment. Fear of law must be inculcated unambiguously, and anti-social elements which generally take advantage of these situations and the government functionaries who either connive at them or even support them must also be dealt with severely.

Unusual times call for unusual solutions. Experience has shown that hardly any worthwhile action has been taken so far against government functionaries who were handling these situations and had failed miserably. Time has come to examine whether the provisions of the law of torts should be extended to all those remiss in handling the genocides. Class-action suits

need to be initiated in such cases as it would be impossible for the individual victims to file cases against the concerned powerful politicians and police functionaries. It is only by applying the provisions of the law of torts that they would become seriously aware of their responsibilities.

Another legislation which has wholly remained on paper is the Religious Institutions (Prevention of Misuse) Act, 1988. Rajiv Gandhi government must be given credit for enacting this legislation but it has remained only as a show-piece. It was seen during the Punjab agitation that there was a large scale misuse of Gurudwaras by the terrorists for preaching their ideology. In Jammu and Kashmir the separatists have been using Friday Namaz gatherings to launch their ideological offensive against the central government and its organizations. Hardly any action has been taken in these cases. Same is true of the Places of Worship (Special Provisions) Act, 1991 which too has not been acted upon.

It is equally frustrating to see that communal speeches made by candidates have not been adequately dealt with under the provisions of the Representation of People Act, 1951. In this context, the observation of the Supreme Court in one of the cases is significant. The Court had said: so long as communal political parties are not banned from participating in political life of the country, there is very little that the courts can do to restrain. Reference must also be made to the recommendation of the National Commission to Review the Working of the Constitution in this regard. The commission has recommended: "Any election campaigning on the basis of caste or religion and any attempt to spread

caste and communal hatred during elections should be punishable with mandatory imprisonment. If such acts are done at the instance of the candidate or his election agents, these would be punishable with disqualification." (p. 87) Unfortunately no action has been taken by the government, on this recommendation.

Inquisitorial system

The experience of investigation of crimes in communal riots has raised serious questions, whether it is anti-Sikh riots in Delhi or riots in Mumbai or Godhra or any other major communal riot in the country. There is a widely prevalent view that such cases are not investigated vigorously or objectively and the police often act under political pressure or in a communal manner favoring one community or the other. It would be recalled that in some cases even a plea was made to the high courts and Supreme Court that a special investigation team (SIT) may be appointed by the court and the investigation may also be carried out under the supervision of the court. Such petitions were agreed to by the Supreme Court in Godhra cases but obviously this cannot be done in every case considering the workload of the high courts and the Supreme Court. It is therefore time to consider whether in cases involving serious communal riots the French model of '*police judiciaire*' should be adopted.

Justice Malimath committee on reforms of criminal justice system has noted that: "The inquisitorial system is certainly efficient in the sense that the investigation supervised by the judicial magistrate results in a high rate of conviction. The committee on balance felt that a fair trial and, in particular, fairness to the accused, are better protected

in the adversarial system. However, the committee felt that some of the good features of the inquisitorial system can be adopted to strengthen the adversarial system and to make it more effective. This includes the duty of the court to search for truth, to assign a pro-active role to the judges, to give directions to the investigating officers and prosecution agencies in the matter of investigation and leading evidence with the object of seeking the truth and focusing on justice to victims".^[20]

B. K. Nehru, former civil servant, diplomat and Governor, in his book *'Thoughts On Our Present Discontents'* has invited attention to the fact that: "In a country where telling lies in a court of law is not regarded as immoral, and where the police is unfortunately not always above manufacturing evidence and extorting confession, a system of this kind [inquisitorial] would, ... be definitely more suitable to our needs than our present procedures. As a result of a thorough magisterial investigation already made, the onus to prove his innocence lies heavily on the accused. This will shock our lawyers who have inherited Anglo-Saxon prejudices along with their system, but there is reason to believe that there are fewer miscarriages of justice under the continental system and much greater enforcement of the law than is prevalent in India today."^[21]

The Law Commission in its seventy seventh report submitted in 1978, had recommended that "Although we have adopted the accusatorial system the trial judge should not play an altogether passive role, but must take greater interest and elicit such information as may be helpful in finding the truth".^[22]

In spite of these valid arguments there are many legal luminaries who are strongly opposed to any change-over from the existing system. I had in my book 'The Judiciary and Governance in India' (2008) examined these facets in the light of experience in a number of cases. I had stated: "This touching faith in the present state of Indian criminal justice system is difficult to understand. Even a cursory look at the data regarding the conviction rate should be instructive in this regard. In 1968 the conviction rate was 70 percent. In 1999 it came down to below 40 percent and in 2003 it was 35 percent. In 2006 it was estimated to be below 30 percent. According to the then chief justice of Bombay High Court Justice M. B. Shah, the conviction rate was just 5 percent." I had suggested that a trial should be given to the inquisitorial system on a pilot basis in selected districts. (Godbole 2008: 440-4) This has assumed new urgency in the context of increasing threats to secularism. In all major cases with a bearing on secularism in recent years, it has come to light that the police investigations and convictions leave much to be desired. This has created a great sense of insecurity among the victims of these riots who mostly belonged to minorities. I therefore believe that the time has come to take a decision that at least in cases of serious communal riots, to begin with, inquisitorial system should be adopted. This one single step will go a long way in reassuring the minorities that the government is serious about making a reality of secularism.

To sum up

The above analysis shows that a great deal remains to be done if secularism is to become a way of life in India. This will be possible only

if there is a real political, social and intellectual commitment to it and, the state and central governments, the political parties, the civil society and the media strive for it. I am thankful to the Maharashtra Regional Branch of the Indian Institute of Public Administration headed by Shri Swadheen Kshatriya for giving me this valuable opportunity to share my thoughts with you.

Notes:

- [1] Gopal S. and Iyengar Uma, ed., *The Essential Writings of Jawaharlal Nehru, vol. I, Oxford University Press, New Delhi, 2003, p. 186.*
- [2] *Government of India, Ministry of Information and Broadcasting, Independence and After--A Collection of the More Important Speeches of Jawaharlal Nehru from September 1946 to May 1949, New Delhi, 1949, pp. 47-51.*
- [3] Madhav Godbole, *Unfinished Innings--Recollections and Reflections of a Civil Servant, Orient Longman, New Delhi, 1996.*
- [4] Madhav Godbole, 'Ayodhya and India's Mahabharat: Constitutional Issues and Proprieties', *Economic and Political Weekly*, 27 May 2006.
- [5] Madhav Godbole, *The Judiciary and Governance in India, Rupa & Co., New Delhi, 2008, p. 69.*
- [6] Gopal S., *Jawaharlal Nehru--An Anthology, Oxford University Press, Delhi, 1980, p. 330.*
- [7] Jahagirdar R.A., 'Secularism Revisited', *The Radical Humanist*, February 2015 (p. 24) and March 2015 (pp. 35-6).
- [8] Kashyap Subhash C., *History of the Parliament of India, vol. 4, Shipra Publications, Delhi, 1997, p. 91.*

- [9] Gopal S. and Iyengar Uma, ed., *The essential Writings of Jawaharlal Nehru*, vol. I, Oxford University Press, New Delhi, 2003, pp. 190-1.
- [10] Parthasarathy G., ed., *Jawaharlal Nehru--Letters to Chief Ministers 1947-1964*, Jawaharlal Nehru Memorial Fund, New Delhi, 1985, p.60.
- [11] Niyogi Committee Report on *Christian Missionary Activities*, 1956, <http://en.wikipedia.org/wiki>.
- [12] Godbole Madhav, *Good Governance Never on India's Radar*, Rupa & Co., New Delhi, 2014, pp. 174-5, 248-9.
- [13] Gopaldaswami N., *Political Parties and Elections: Some Issues*, *Journal of Constitutional and Parliamentary Studies*, vol. 41, Nos. 3-4, New Delhi, July-December 2007, p. 196.
- [14] Government of India, *Review of the Working of the Constitution*, Report of the National Commission to Review the Working of the Constitution, vol. II, Book 1, New Delhi, 2002, pp. 91-2.
- [15] According to the Nepal's Ambassador to India, Deep Kumar Upadhyay, *Nepal's newly promulgated Constitution is the most progressive in South Asia with its provisions of 33 per cent reservation for women. It also has both first-past-the-post system as well as proportional representation. This combination of the two ensures that minorities' representation is taken care of.* (*Indian Express*, September 24, 2015: 1)
- [16] Advani L.K., *My Country, My Life*, Rupa & Co., New Delhi, 2008, p. 402.
- [17] Government of India, Ministry of Home Affairs, *Eighth and Concluding Report of the National Police Commission*, New Delhi, 1981, p. 52.
- [18] (*deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs*).
- [19] (*statements conducing to public mischief*) sub-sections (1)(c) (*with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community*), (2) (*statements creating or promoting enmity, hatred or ill-will between classes*) and (3) (*offences under sub-section (2) committed in place of worship, etc.*)
- [20] Government of India, Ministry of Home Affairs, *Report of the Committee on Reforms of Criminal Justice System (Justice V.S. Malimath Committee)*, vol. I, New Delhi, 2003, pp. 265-6.
- [21] Nehru B.K., *Thoughts on Our Present Discontents*, Allied Publishers, Delhi, 1986, pp. 111-2.
- [22] Government of India, Ministry of Law and Justice, *Law Commission of India, Seventy-seventh Report on Delays and Arrears in Trial Courts*, New Delhi, 1978, p. 157.

(concluded)

Unfinished Agenda

Bharat Dogra

Despite the undoubted importance of land reforms for reducing poverty and improving food security, several government sources both at central and state levels have tried to propagate the myth that now not much scope is left for land reforms. In fact several government reports indicate that much remains to be done and should be taken up to advance further the unfinished agenda of land reforms.

Here we will like to draw attention to the recommendations of only one such neglected but important report.

The report of the Working Group on Land Relations for Formulation of the Eleventh Five Year Plan (the WGLREP Report) was an important report on this issue as several well-known experts and grassroots activists were brought together to prepare an agenda for land reforms

and related issues. Hence some important recommendations of this report are worth recalling.

- The Benami Transactions (Prohibition of the Right to Recover Property) Act, 1989 should be suitably amended so that evasion of provisions of the ceiling law through benami land transactions can be detected, checked and nullified.

- Introduce Card Indexing System for prohibiting fictitious transfers in benami names. Recent developments in IT should be properly used to have accurate Card Indices in a speedy manner.
- Set up a special squad of revenue functionaries and gram sabha members for identification of benami and fictitious transaction in a time bound manner.
- Remove exemption granted to religious, educational, charitable and industrial units under ceiling laws of various states. Each entity should have the same ceiling as a family, even though state may exempt any particular category on valid grounds.
- Impose criminal sanction on the failure to furnish declaration of ceiling surplus land by land holders.
- Insert a penal clause in the existing Land Ceiling Laws, making the officers responsible for intentional lapses if any.
- Set up Land Tribunals or Fast Track Courts under Article 323-B of the constitution for expeditious disposal of appeal cases.
- States to empower the concerned authorities to expedite allotment of ceiling surplus land. Bar the jurisdiction of civil court in respect of ceiling on agricultural land.
- Investigate all cases of illegal or improper allotments of ceiling surplus land and cancel such allotments. All such transactions after commencement of ceiling

law should be declared null and void.

- Absentee landlords or non-resident land owners should have lower level of ceiling.
- Lowering ceiling limits whenever feasible, for example in newly irrigated areas.

This report has also recommended in clear terms, “Incursion of corporate bodies for agriculture, horticulture, tree farming should be discouraged to protect the livelihood of peasant farmers and others whose occupation are directly related to farming, otherwise, it will increase the army of rural proletariat, leading to rural unrest and militancy. Government wasteland should not be settled or let out to corporate bodies. It should be reserved for distribution among the landless poor and public purpose.”¹

It is apparent from these recommendations as well as the recommendations contained in several other official reports that there is much that the central as well as state governments can still do and should do to carry forward the badly disrupted and unfinished agenda

The Missing Dimension

While the May 2016 elections for the legislative assemblies in four states and one union territory of Assam, Kerala, Tamil Nadu, West Bengal and Puducherry have been widely reported as a huge defeat of the Congress and a major victory for the BJP, what has been missed regretfully is the wider picture that in these five states the Congress has won 114 seats compared to 64 seats won by the BJP. This is evident from the table below:

Election results of the legislative assemblies to the five states/ UTs

State/ UT	BJP	INC
Assam	60	26
Kerala	01	22
Tamil Nadu	-	08
W. Bengal	03	44
Puducherry	-	15
Total	64	115

Just a little before the results of the elections to legislative assemblies in the above states, the Congress had performed well in by-elections to the Delhi Municipal Corporation winning four of the seats compared to three by the BJP.

This reflects the well known fact that the Congress is a well established political party having presence in all parts of the country even though it may not be having enough seats to be in a position to form government in these states.

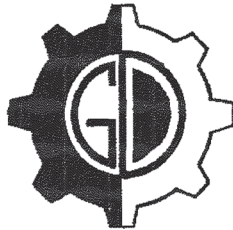
The real position should come out in the media coverage of elections and the truth is that the Congress has won many more seats than the BJP in these election of land reforms in India.

Footprints of A Crusader (The Life Story of Mrunal Gore)

by
Rohini Gawankar

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Agenda for the New Front

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Battle Against The Bottle
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It is good that Shri Nitish Kumar, the Chief Minister of Bihar and President of the Janata Dal (United), has made a suggestion that all the anti-BJP parties may join hands to defeat Narendra Modi-led BJP at the 2019 Lok Sabha elections. As it is, BJP had secured only 31 per cent votes in 2014. Narendra Modi had thrown many promises during that election campaign like depositing Rs. 15 lakhs in the account of every Indian citizen by bringing in all the black money deposited abroad, guaranteeing prices to the agricultural produce 50 per cent above their cost of cultivation, providing 2 crore new jobs every year. During the last two years of its existence, the Central Government headed by Narendra Modi did not take any steps in the direction of fulfilling those promises. Amit Shah, the president of that party, had added insult to injury during the Bihar Assembly elections by saying that it was just an election *jumla*. The PM's foreign tours attracted criticism from many quarters. People feel that he is coining slogan after slogan without taking concrete steps to implement them. Prices of essential commodities are rising. Rate of growth in GDP is declining. Corruption at all levels of administration is increasing. Talk of delivering time-bound service

remains as hollow as other promises.

In addition, utterances and deeds of many activists of Hindutva organizations are hurting members of minorities and other vulnerable sections of society like dalits, university students and women.

It seems tide of popular opinion is turning against the BJP. People are in search of viable and reliable alternative.

In this context, Nitish Kumar's call for forging anti-BJP front can serve as a good starting point.

During the last sixty five years or so, a number of united fronts and even coalition governments were formed. They could not last long. Nor did they achieve tangible gains for the people, especially the down-trodden and marginalised sections of society. If new attempt is to be made, some precautions must be taken.

The rallying point is resistance to rabid Hindu communalism. To avoid unnecessary controversy about communalism, secularism and pseudo secularism or place of religion in politics, etc. it is better to use the phrase 'Hindu-Muslim Unity'. It is straight and positive. Gandhiji used to

put it as the first item in the resolution about constructive programme of the national freedom struggle. Thanks to the 'Divide and Rule' policy of the British imperialist rulers, the myth that there was Muslim Rule (which was in essence Feudal Rule shared by Muslim, Hindu, Sikh and tribal chieftains in their respective areas of influence that was defeated and replaced by the British) was perpetrated by the history text books taught in the schools and colleges. In the last decade of the nineteenth century, the freedom movement started gathering support of the masses cutting across communal barriers. With an objective to drive wedge in the unity of the Indian masses, the British Raj, in 1906, granted separate electorate to the Muslims and also seats more than their proportion in the population (on the spacious plea that they were the erstwhile rulers though numerically a minority community). That event was used by some of the revivalist forces to raise the slogan of 'let us take revenge for the atrocities committed by the Muslims in the historical times'. Thus was started the Communal Divide in Indian politics. Leaders like Dadabhai Navroji and Lokmanya Tilak had focused on the imperialist exploitation of the farmers, artisans and other working class sections of India and exhorted the common men and women to forge wider national unity. To counter the British move to encourage rift amongst the Hindus and Muslims, Gandhiji coined the slogan of Hindu-Muslim unity. That did have sobering effect and facilitated wider participation of masses in the national liberation movement. It is time for all the progressive forces to avoid use of controversial phrases like communalism and secularism and canvass the positive concept of idea of India based on Hindu-Muslim unity. As the feelings of

enmity and suspicion between the Hindus and Muslims get evaporated, attitude towards other minorities like Christians would also become liberal and inclusive.

People today are more worried about economic problems. But before turning to that, it is necessary to deal with the issue of Good Governance. These days, ordinary citizens have to go to various government departments to get ration card, Adhar card, voter card, domicile certificate, 7/12 extract, etc. Everywhere, they have to face harassment by the Babus. It is said that there is a law, passed in 2013, prescribing time-limit of 60 days for the disposal of citizen's application. But in practice, there is delay of months and months together. People feel that the government may not give them anything new. They would be more than happy if they get their applications dealt with within a month or so. Any party or combination of parties would do well to tighten the administration at the lower echelons of the hierarchy. This must be the second item on agenda of the proposed anti-BJP front.

Reservation for women in Lok Sabha and Vidhan Sabha may also be given high priority in the agenda of the proposed front.

It is observed that the schemes adopted for the benefit of the SC/ST/VJNT/OBC are not sincerely implemented. Backlog in recruitment of these backward sections to the government services is allowed to persist for years together. There is considerable delay in payment of stipends to the students belonging to those sections. Amounts provided for the Tribal sub-plan and Dalit sub-plan in the annual budgets of the Central and State Governments are not spent in time. In fact there occurs

deficit of 40 to 50 per cent. All this is deplorable. The political executives should always bear in mind that they have taken oath to discharge their duties in consonance with the spirit and words of the Constitution of India. It is clearly stated in the Preamble of the Constitution that our Republic would strive to usher in Social Justice. It means that those sections which had been kept socially, educationally and economically backward by the old customs and traditions must be provided adequate opportunities as early as possible. Above-mentioned schemes are formulated with a view to accelerate establishment of social justice. It is, therefore, the prime duty of all the rulers and the bureaucracy to implement those schemes very faithfully and at high speed.

Indian polity has adopted Panchayat Raj structure with a view to make roots of democracy strong. However, it is observed that the provisions embodied in the Articles 243 to 243S are not implemented faithfully. In particular, appointment of State Finance Commissions to devise sharing of resources amongst the State Government and the Jilla Panchayats/village Panchayats/municipal bodies is not being done. Panchayat Raj cannot function well in such circumstances. It is extremely essential to see that the State Finance Commissions are appointed at proper time and their recommendations implemented diligently.

Political parties should exhort their activists at the grass roots level to take greater interest in the Panchayat Raj bodies.

And now the issue of economic policies: Almost all the mainstream political parties in India had willy-

(Contd. on Page 4)

Two Years of Modi's Government

Rajindar Sachar

Two years ago when Modi swept the Parliamentary Elections, the Corporate Sector, especially big ones went agog - their enthusiasm and hopes were unbounded. They went on to imagine a free rein to expand in the way it likes.

The young generation went dancing on the streets and dreamt of immediate boom and the expansion of economy.

The minorities legitimately were in panic considering the anti-minority role of Modi starting from 2002 Gujarat killings and the continuance of anti-minority expression and the policies carried out as Chief Minister of Gujarat.

Any Prime Minister with Modi's background should have started his term by assuring the minorities that there will be no discrimination against them and he accepts that all people of whatever religion enjoy the same rights and will be treated equally. Apart from being practical wisdom of a politician, this assurance was necessary in the context of preamble of our Constitution that we have resolved to constitute India into a Sovereign, Socialist and Secular Republic.....also it is accepted wisdom, "that in any country the faith and the confidence of the minorities in the impartial and even functioning of the State is the acid test of being a civilized State".

But ironically now even corporate sector is openly saying that policies of growth are mere chimera. That

is why it is pressing for a free hand and asking for further dilution of workers' rights. But for obvious reasons there are limits to which even Modi can ignore workers' rights and dilution of them will lead straightaway to a collision course.

There is unexplained silence in explaining 5 Lakh Crores bad loans (of course inherited partly from UPA government). Deliberate propaganda is being done that disclosing the names of the defaulters will harm economy. How deceitful – rather disclosure may prevent innocent public from being cheated by those very Corporates and also expose the political parties which may have benefited in the matter of donations made to them for elections.

I do not mind confessing that I feel disappointed with the organized labour which is not taking an aggressive stand against these anti-working class policies. I have not seen any strong stand taken by Railway Unions against Bullet Train madness. Nor is there any plan to stop industrial corridors of Delhi–Bombay, Amritsar–Calcutta to be built on Railway land which requires diversion of the railway line resulting in crores worth of wasteful expense and ruination of farmers. Of course it was approved by UPA Government – is Modi comfortable to be in the same muddy swamp as the Congress. The choice is his.

I am, however, seriously concerned that in two years the confidence of minority in even

handed treatment by the state is diminishing, if not almost vanished.

Secularism mandates giving equal dignity and respect to all religions - thus inclusive development in India and for that matter in any country alone is the path to prosperity. It is an undeniable truth and needs to be irrevocably accepted by all in India, namely that minorities, Muslims and Christians are not outsiders. They are an integral part of India. Swami Vivekanand in fact profusely praised Islam and in a letter to his friend Mohammed Sarfraz Hussain (10th June 1898) without any hesitation wrote "therefore I am firmly persuaded that without the help of practical Islam, theories of vedantism, however fine and wonderful they may be are entirely valueless to the vast mass of mankind. For our own motherland a junction of the two great systems Hinduism and Islam – Vedanta brain and Islam body - is the only hope..... the future perfect India." There thus can be no real progress in India which does not include minorities - Muslims, Christians - as equal stakeholders.

Also in the Report of U.N. Human Right Council Forum for minorities has mandated thus; "Consequently, the right of minorities to participate effectively in economic life must be fully taken into account by governments seeking to promote equality at every level. From implementing non-discrimination in employment Governments can consider both targeted and inclusive approaches to addressing

the economic and social exclusion of minorities.”

It was encouraging to read the speech made by Modi on September 15, 2015 while speaking at the Nazarbayev University in Kazakhstan, the PM said: “The confluence of Indian and Islamic civilisation took place in Central Asia. We enriched each other in spiritual thought, but also in medicine, science, mathematics and astronomy....The Islamic heritage of both India and Central Asia is defined by the highest ideals of Islam - knowledge, piety, compassion and welfare. This is a heritage founded on the principle of love and devotion. And, it has always rejected the forces of extremism.”

But no effective steps have been taken by Modi to assure the minorities by concrete acts, in the spirit of speech above. Dr. Lohia the great Socialist Party leader always condemned this dishonest separation of speech from deeds. He always maintained that honest politics mandates that there should be equivalence of words and deeds in politics – would Modi follow Dr. Lohia’s advice?

The recent elections to various State Assemblies no doubt have dealt a possibly irrevocable blow to the Congress. But to interpret this as a victory for BJP (excepting in Assam) would be totally misreading the political situation. I am worried that BJP is going to increase communal pressure in the garb of illegal immigrants in Assam. This danger must receive immediate attention of all human rights organizations. Modi, if he wishes to quicken the development in the country cannot do so without utilising the natural resources of Assam.

The danger to development plan by Modi is the strong lobby of RSS with its congenital antipathy to the minorities, especially Muslims. U.P. Governor recently criticized the State Government which banned and arrested a group of Vishwa Hindu Parishad who were, making preparation to play a mischief by maliciously provoking Muslims on the building of Ram Temple issue (to me the question of building Ram Temple at Babri Masjid can never

(Contd. from Page 2)

nilly gave their allegiance to the WTO which extolls virtues of Free Market. But within a short span of twenty years or so (1994 to 2016) the whole humanity has experienced that the model of development prescribed by the IMF, World Bank and WTO failed to provide employment to the augmenting army of the job-seekers. Ignominious failure of the financial institutions in 2000 (which were made free from the regulatory control of the Federal Reserve in 1970) led to severe depression igniting closures of factories first in the USA and then in Europe and China and India and so on. Rate of growth in China is declining since 2014 causing hardships to the working classes in many countries. It is time to pause and take a hard look at the model of development prescribed by the IMF.

Let all countries search for models suitable to their needs and conditions. We in India should evolve a model which will have full employment as its main objective. It should stop hankering after foreign capital. Rate of saving in our country is about 32 to 34 per cent which is sufficient to ensure adequate flow of capital investment in primary occupations like agriculture, forestry, animal husbandry, eco-friendly mining, and decentralized small industries

arise as it is an act of treason to even think of it). But the Governor of the State, Ram Naik has again embarrassed Modi publically by saying that this group was only learning self-defence. Should a Governor criticize publically the State Government on an action totally within the jurisdiction of State Government. The least that Modi can do is to transfer Naik to some other State.

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- spread all over India eliminating regional imbalances - which can generate employment on a large scale and also augment incomes of a vast section of the people so that demand in the market remains steadily growing. Rights of the workers and unorganized labourers should be safeguarded. Production of luxurious items be discouraged. Proper checks are put on the vulgar advertising and telecasting of perverse performances. Free, qualitative and universal education be provided by the State.

Deliberate efforts must be made to run various services required by the primary occupations and small scale industries on cooperative basis. Cooperative movement must succeed. All socialist-minded parties and individuals must strive in that direction.

Adequate health facilities be provided by the State for the masses.

Parties willing to participate in the endeavor to forge an anti-BJP front would do well to engage in meaningful dialogue on the points made above and formulate a short, time-bound minimum program..

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Hostage to the Past

Arun Kumar

The government is anxious to showcase its economic performance in the last two years. There are programmes and TV appearances to showcase achievements. The PM has asked all BJP MPs to go to their constituencies to talk about the achievements of the NDA government. Why the anxiety? If the achievements were clear to all, there would not have been the need to do this extra bit of publicity to convince the public. The question is: what are the achievements and why are they not so apparent to all?

The NDA government came to power two years back on the promise of bringing “acche din”. The common man who had been suffering on account of high inflation, reduced rate of economic growth which was also jobless, balance of payment difficulties, decline in the value of the rupee compared to the dollar, corruption and so on, under the UPA took the bait and voted the NDA to power. India’s international rating had also dipped due to the ‘policy paralysis’ afflicting the UPA government.

At the end of two years of NDA rule, many still ask when will ‘acche din’ come, because there is a perception that little has changed. Of course, the negatives of the UPA have disappeared. Some concede that two years are not enough to judge a government, but they also despondently ask when will things change? Doubt has crept in even among the supporters of the BJP. This is especially so, given that the agenda seems to have changed from development to social engineering. The NDA’s promise of bringing back

black money hoarded abroad within hundred days has been seen to be a “chunavi jumla” and the suspicion is that many other promises may also be just that.

In statistical terms, the rate of inflation has come down, but food prices still badly hurt the common man’s budget. The prices of all services like school fee, medical expenses and transportation have risen, but they are not reflected in the inflation index. So, while the government claims that prices are going down, the public does not accept that. The government has been lucky that commodity prices (like petroleum goods) have globally declined due to slowdown in the global economy. This has reduced the pressure on prices. But it also signifies that India’s exports that have been declining for the last 15 months are unlikely to start rising. It has also meant that steel industry, etc. have suffered. All this makes it that much difficult to raise the rate of growth of the economy.

The government claims that growth rate is more than 7 per cent but the public feels the pinch with agriculture suffering two years of drought and industry barely growing in the last two years. The services sector that has been the driver of India’s growth for the last three decades has slowed down. Real estate and finance sectors have faced a deepening crisis. Small traders are affected by the rise of e-commerce. Decline in trade, slowdown in industry and agriculture has led to a slowdown in the transportation and storage sectors. Capacity utilisation is down everywhere, leading to a further slowdown in all sectors.

Interest rate cuts cannot help in such a situation. But the government has tried to blame the RBI for not cutting interest rates faster and the RBI has also been a frog in the well following conservative monetary policies. There is a needless controversy between the RBI and the Ministry of Finance on these issues which makes the situation look worse. All this has meant little job creation, especially in the organised sectors of the economy. Youth (Patidars, Jats and in universities) is agitated at lack of opportunities.

Investment is the driver of growth in the economy, but that has slumped from a peak of 38 per cent in 2007 to the present level of around 30 per cent. This is the principle cause of the slowdown in the economy. The government is harping on foreign investment, but that is only 10 per cent of the total investment and not a solution to the investment problem. To highlight its achievements, the NDA keeps emphasising how much investment it is getting from which country. For a nationalist government, is this something to be proud of? Why are we not investing in other countries? Because we lack both capital and technology. The private sector is not investing adequately because of low capacity utilisation and over investment in the infrastructure sector. Due to the rising NPAs, the banks are wary of giving out loans and this is captured in one of the slowest rise in money supply in the last decade and more. The public sector has been constrained by the attempt to keep the fiscal deficit down under pressure from international agencies. Investments have also

been constrained by slow decision-making due to over-centralisation in the PMO — a different form of ‘policy paralysis’. There is severe need for decentralisation of decision-making, but that is missing even though the centralising Planning Commission is now gone.

The government is seen to be long on promises, but short on delivery. The NDA’s publicity machine is good, but this can only give limited gains. Schemes like Jan Dhan and Swachh Bharat, announced with much fanfare, are suffering due to tardy implementation. Smart cities, bullet train, massive expansion of highways are seductive ideas, but not only are the road maps for their implementation not clear, but also their execution may aggravate the growing disparities and displacement in society with consequent aggravation of the social and political problems facing the country. Is anyone looking at the overall picture, or are the different wings of the government only focusing on the parts? The latter case has become apparent and that is coming in the way of the delivery of ‘acche din’. There is need for course correction, but would that amount to an admission of failure?

The NDA government is constantly fighting the ghost of the UPA by comparing its performance with that of the latter. While it has taken up many of the programmes that were initiated during the UPA regime, it does not wish to admit that and wishes to show them as its own initiative. Why not stand on one’s own and create space for itself? There is no real break in policies with the coming of the NDA since they are hostage to the dictates of international bodies and not based on the needs of the people. This is the NDA’s real dilemma at the end of its two years rule.

Broken Promises: Sectarian Agenda

Ram Puniyani

The performance of the Modi Government during last two years has to be seen in the light of the promises made in the electoral campaign and on the barometer of values of Indian Constitution of pluralism and diversity. *Acche din* had become a buzzword, black money being retrieved and being deposited in everybody’s bank account was looked forward to and anticipation of creation of jobs got registered in people’s mind. None of this came through. Prices of essential commodities started shooting the sky, of all the things even *dal* (pulses) started becoming a luxury item. Fifteen lakhs is nowhere in the account and job creation is stagnant. As such the much flouted foreign policy remained on the confused platter with nothing to show except the Prime Minister’s much hyped global rendezvous on regular basis. With Pakistan the policy of blow hot blow cold is in operation and the friendliest neighbor Nepal is drifting away from the earlier status of a close ally.

The much touted Maximum Governance-Minimal Government has been reduced to all powers being centralized in the hands of a single person and authoritarian streaks are visible as the cabinet system, where PM is first among equals, is being overturned towards a PM controlling everything. The major damage is in the arena of the communal amity, autonomy of academic institutions and communal harmony.

This is the first time that BJP has got a simple majority in the Lok Sabha and with this the Hindutva

agenda is being unfolded in a drastic way. Right from the word go; the affiliates of Hindutva politics became active and Mohsin Shiekh, a techie from Pune was killed by the activists of Hindu Rashtra Sena. The cabal of this politics stepped up spreading hate against those not agreeing with the agenda of ruling dispensation. Even before coming to power the current minister in the centre, Giriraj Singh had stated that those not voting for Modi should go to Pakistan. Another worthy in the ministry; Sadhvi Niranjana Jyoti uttered the word “Harmjade” (illegitimate) for those not voting for her party. All and sundry from this dispensation reached the limits of spreading hate against religious minorities; all this when the all powerful PM kept overseeing the march of ‘Hate other’ politics. It was said that as a Prime Minister how can he comment on every incident? It seems his silence was a deliberate one and part of the ‘division of labor’ assigned by their parent organization, the RSS. Those making these hateful statements were not fringe elements as called by some; they are part of core agenda.

Hindutva politics thrives on identity issues. This time around the Holy Cow-beef eating took the center stage and the hysteria created around this issue led to the murder of Mohammad Akhlaq in Dadri and many other acts of violence including murders. This came in the backdrop of the murders of Dabholkar, Pansare and Kalburgi. This Dadri incident became a sort of barometer of growing intolerance

in the country, prompting many eminent writers, scientists and film makers to return their well earned honors. Rather than taking note of the growing intolerance in the society they were criticized heavily as being motivated politically or doing so for money.

The attempt of this Government to intrude in to the educational institutions became apparent soon enough. It was visible with appointments of those who are ideologically aligned with ruling organization irrespective of their competence. Gajendra Chauhan was appointed as the Chairman of FTII. The student's protests against this decision were ignored. In Hyderabad Central University, Ambedkar Students Association was targeted. The local BJP MP, Bandaru Dattatreya complained to MHRD minister that anti-National and casteist activities are going on in HCU. MHRD Ministry pressurized University and Rohith Vemula and his friends were expelled from the hostel and their scholarship was stopped. This is what led to the suicide of Rohith Vemula.

There was a nationwide outrage against policies of Government towards the academic institutions. Meanwhile JNU was targeted and Kanhiya Kumar and his friends who had not shouted anti-India slogans were charged under sedition. Those who shouted slogans were not arrested. This also ignored the fact that mere shouting of slogans is not a crime. The doctored CD was used to implicate the JNU scholars. They were charged under sedition act. This triggered the debate on nationalism leading to prominent scholars participating in 'teach-ins' on nationalism in JNU.

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The Dalit Conundrum

Sandeep Pandey

Recently two controversies with dalit issues at centre have cropped up at the Babasaheb Bhimrao Ambedkar University in Lucknow.

First, some Other Backward Classes students and faculty members of the University have challenged the provision of 50 per cent reservation for Scheduled Castes and Scheduled Tribes students during admissions to this particular university, demanding 27 per cent reservation for themselves according to Mandal Commission recommendations. The fault line between the SC/ST and OBC students appeared when some SC students raised slogans against the Prime Minister, who happens to be from the OBC category, during his 22 January, 2016 appearance on campus. Hence the controversy appears to be more politically motivated. It is surprising that some University employees, including the then controversial Proctor, Kamal Jaiswal, are petitioners to the Court challenging reservation sanctioned by a Parliament Act.

The dalit students have rightfully protested because the act of OBC students and faculty members is directed at taking away the high proportion of reservation from them.

A solution lies in the way IITs implemented the 27 per cent reservation quota for OBC students during the United Progressive Alliance government. To accommodate the protest of general category students it was decided to increase the total number of seats in

IITs so that number of seats available to general category students would remain unaffected and at the same time 27 per cent reservation for OBC students would be implemented. Since then the batch size of classes at IITs has almost doubled. It must be noted that SC/ST students too benefitted in the process because as the total number of seats went up, so did their number.

There can be no doubt that the socio-economic condition of SC/STs is considerably weaker than that of most OBCs. In the Indian society still most dalits are poor and most poor are dalits. Hence any attempt to take away a given privilege from them is a threat to them. We may require some institutions to cater only to dalit students, like the Kalinga Institute of Social Sciences, a private institution, in Bhubaneswara which provides education to tens of thousands of only tribal students from all over Odisha from Kindergarten to Post Graduation.

The second controversy relates to who should be called the father of nation. A few Dalit students of Siddharth Hostel of the BBAU have decided to christen social reformer Mahatma Jyotiba Phule as the 'Father of Nation.' Others, mainly OBC and general category students, are disputing this claim saying that only Mahatma Gandhi can be called the Father of Nation.

The two Mahatmas were active in different time periods and performed different roles. While Phule was

concerned with education of women and dalits, Mahatma Gandhi's main preoccupation was to fight the British. As Gandhi led the freedom movement and was its tallest and the most followed leader it was natural when the country became independent that he was called the father of nation, just like Mohammed Ali Jinnah is called the father of nation in Pakistan.

However, India being the diverse country that it is, and on reviewing the situation in current context when most marginalised communities are asserting themselves in Indian democracy which was not the case at the time of independence, different communities may like to have different icons referred to as their father of nation. This implies that India has nations within nation all of whose interests may not be synchronised. For example, Dr. B. R. Ambedkar was skeptical of the freedom movement as he did not see emancipation of the dalits coming with the freedom of country from British. He rightly thought that dalits would continue to live as slaves of the caste system even in independent India. Had it not been for the policy of reservations dalits, tribals, backward communities and women would have still pretty much continued to live as second or third and even fourth rate citizens of this country. In spite of our democracy we cannot call ourselves an equal society because of the various kinds of inequalities existing, most obvious of which are gender, caste, class and religion based discriminations.

But Phule and Gandhi were not in competition. Gandhi did not even take the credit for freedom as he was away in Noakhali trying to stop the communal riots at a time when Mountbatten and Nehru

was overseeing the independence ceremony on the night of 14-15 August, 1947. If Gandhi were to be told about the controversy over the father of nation issue he would have withdrawn his claim immediately.

So, dalits have every right to call Mahatma Phule the father of nation just like tribals may like to call Birsa Munda as their father of nation. Every community in India should be allowed to choose their father of nation, if they feel like and there is really no need for advancing any kind of competing claims in this.

We have no dearth of issues to work on in this country. Both Phule and Gandhi were concerned with

(Contd. from Page 7)

RSS patriarch Mohan Bhagawat raked up another emotive issue by saying that youth must be told to say 'Bharat Mata ki jai'. In response to that; Asaduddin Owaisi of MIM said he will not say so even if a knife is put on his throat. In further building up the issue and RSS fellow traveler Baba Ramdev stated that had Constitution not be there, by now lakhs would have been beheaded. The ground level message of this is fraught with dangers.

All in all, two years down the line Modi, the RSS pracharak, is on the job of pushing the country towards Hindu nation and undermining Indian nationalism. Indian nationalism has liberal space and place for diversity built into it. As such communal politics resorts to emotive issues and that's visible in propping issues like beef, nationalism and Bharat Mata ki jai. While three more years are to go for this government the divisive agenda and policies which

the most downtrodden segments of the society. There is more in common between the two great social reformers than their followers would like to admit. Whether we are followers of Phule or Gandhi we must work for the education and empowerment of the dalit and other marginalised communities of this country if we are to become a more equal society in which human rights are respected. Recalling Ambedkar, we have to work towards the unfinished agenda of achieving social and economic democracy. Gandhi's talisman too is useful. Whenever there is a doubt we should remember the most deprived citizen and consider how our action will benefit him/her.

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are detrimental to the welfare of average people is on the display. India needs to march on the path of inclusive growth and amity among the people that seems to be missing at the moment.

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History Repeats in Kerala Creates New History as well

P. Viswambharan

The decades old tradition in Kerala, namely one of the two political fronts taking over power alternatively has been repeated this time also. The CPI(M)-led Left Democratic Front (LDF) has captured power from the Congress-led United Democratic Front (UDF) and that too with thumping majority. In the Assembly polls held on May 16 LDF secured 91 seats in the 140-member Assembly as against 47 by UDF, thus making a difference of 44 between the two. In the last Assembly, the UDF's strength was 73 and that of the LDF 67, thus the difference was only five. The new feature of this election is that the BJP has opened account in Kerala Legislature by sending one member to the House. BJP's seniormost leader in the State and much respected O. Rajagopal has been elected from Nemom, a constituency in the state capital city, Thiruvananthapuram. An unattached independent has also been elected. And a 19-member LDF Cabinet, Under the Chief Ministership of the CPI(M) strong man Pinarayi Vijayan was sworn in on May 25.

The LDF consists of CPI(M), CPI, Janata Dal(S), Nationalist Congress Party and four other small parties. Their strength in the present Assembly is as follows:- CPI(M)-63, CPI-19, JD(S)-3, NCP-2 and one each for the four small parties. The UDF strength is as follows: Indian National Congress-22, Indian Union Muslim League-18, Kerala Congress (Mani)-6 and Kerala Congress (Jacob)-1. The greatest loser is the

INC. LDF secured 43.44 percent of the votes polled while the UDF got 38.86 percent and the NDA followed with 14.40 percent of the votes.

A new feature of 2016 election is the presence of NDA. Till now, there was no NDA in Kerala. Always the BJP has been contesting elections as a single party. But this time BJP formed an alliance with the newly founded Bharatheeya Dharma Jana Sena (BJDS). The BJDS was formed as a political party just before the poll was declared, by Vellappally Natesan, President of the Shri Narayana Dharma Paripalana Yogam (SNDP Yogam), after discussions with the national leadership of the BJP. SNDP Yogam as I had mentioned in my article in *Janata* dated 17th January 2016 is practically the social organization of the Ezhavas, which is the largest Hindu community in Kerala. BJP tried to boost up BJDS, by allotting 38 constituencies to it to contest and extending huge financial aid and publicity materials. But this new party failed even to come second in any of the constituencies it contested. The rank and file of the SNDP Yogam as usual voted for the left parties ignoring the appeal of its leadership. Actually, the BJP or the NDA got only very marginal advantage by allying with Natesan's party.

The most spectacular campaign has been made by the BJP. The Prime Minister visited the state on three occasions addressing several public meetings. More than a dozen Central

Ministers had campaigned. Not a day passed during the campaign period without the presence of at least one senior central minister in the state. Of course, the BJP president Amit Shah was very much here. In addition to BJP winning one seat it came second in seven constituencies and in the northern most constituency, Manjeswaram, the party candidate lost only by 69 votes. In short, this time BJP succeeded to put up a good show giving the poll the character of a tri-cornered fight for the first time.

As for the LDF is concerned, even though the national leaders of the CPI(M), CPI, JD(S) and NCP had campaigned, the greatest crowd puller was the 92-year old V. S. Achudanandan, former Chief Minister who travelled in all the fourteen districts. CPI (M) General Secretary, Sitaram Yachury as well as Polit Bureau members, Prakash Karat, and Brinda Karat were very much here.

The UDF campaign was comparatively on a low Key. The Congress President Sonia Gandhi visited Kerala only once. And, Rahul Gandhi had cancelled his programme. The outgoing Chief Minister Oommen Chandy and Congress Working Committee member A. K. Antony were the main campaigners of the UDF.

Anti-incumbency was not the only cause for the total defeat of the UDF. More than that, allegations of corruption was the main cause. Only the lone lady minister out of the

21 members of the outgoing UDF cabinet was devoid of any corruption allegation. Some office bearers of the Hotels Association openly announced the names of Ministers to whom they had paid bribes and the amounts paid, for renewal of bar licenses. Finance Minister K. M. Mani had to resign ministership, unable to face the public criticism even though he had denied receipt of any bribe. Then, there was the so-called "Solar scandal" in which a fraudulent firm led by a man who is in jail now for murdering his wife; and his notorious mistress collected crores of rupees from many persons in the state on the promise of distributing solar lamps. But, not even a single lamp was given. The two culprits had openly announced that several ministers including the Chief Minister were involved in the scandal and the woman even mentioned the names of ministers and UDF MLAs who shared bed with her. The woman is presently facing trial as accused in 33 criminal cases in various courts in the state. A Commission of Enquiry headed by a retired High Court Judge is enquiring into this scandal. Many ugly incidents have been revealed before the Commission.

On the day prior to the Election Commission's announcement of the date of poll, the Cabinet met and took more than 800 decisions out of agenda. Most of these decisions were irregular involving large scale corruption. Most prominent among these decisions were illegal allocation of government land to builders and awarding permissions to several hoteliers and construction firms to fill up hundreds of acres of wet land in metropolitan cities. Of course, the routine charges of receiving bribes in PWD works, transfer of officers etc. were there.

The ever vigilant press and electronic media in Kerala disclosed many of these scandals. Allegations of corruption was so rampant that the Kerala Pradesh Congress Committee President V. M. Sudheeran wrote to the Congress High Command demanding denial of party ticket to four ministers against whom large scale corruptions were alleged. But, the Chief Minister stoutly opposed KPCC President's suggestion. The High Command stood with the Chief Minister. The net result was the most humiliating defeat of the UDF.

A word about Janata Parivar. There are two Janata Dals in Kerala now. One is Janata Dal(U) led by M. P. Veerendra Kumar and the other Janata Dal(S) led by Mathew T. Thomas. The JD(U) is a constituent of the UDF and JD(S) is in the LDF. JD(U) contested in seven constituencies and lost all while JD(S) fought in five constituencies and won in three. JD(S) leader Mathew T. Thomas is a minister in Pinarayi Vijayan Cabinet. A Fourth term MLA he was a Minister in V. S. Achuthanandan-led LDF Government in 2006, when the two JDs were united as one party, viz JD(S). It was in 2011 that Veerendra Kumar group broke away, functioned as state party for some time and then merged in JD(U).

The new LDF Chief Minister, 72-year old Pinarayi Vijayan is a hard core Communist. He has reached this high position from very low social, financial and political background, by sheer hard work and deep rooted dedication to the communist cause. Born in a village called Pinarayi in the northern district, Kannur, as the son of a poor toddy tapper, belonging to the backward Thiyya (Ezhava) community, Vijayan joined the communist movement when

he was a school boy. Pinarayi has the reputation as the remote village where Kerala's first unit of the Communist Party of India was formed at a secret meeting led by E.M.S. Nambudiripad in 1940 when that party was a banned organization. When the Communist Party of India split in 1964, Vijayan joined the CPI(M). He was district level and state level functionary of the SFI and then of the DYSF and in party organization he rose from the lowest branch level to the position of member of Polit Bureau of CPI(M). He is still a PB Member. In between he was Kerala State Secretary of CPI(M) for 17 years. He had his share of physical sufferings also. During the Emergency, Vijayan was arrested and brutally tortured by the police in spite of the fact he was an MLA at that time. He was under detention for one and half years.

A graduate in economics Vijayan is a man of few words, but, of deep will power. This is his third term in the Legislature. In 1996, he joined the E. K. Nayanar Ministry as Minister for Electricity and Co-operation and proved himself to be a very efficient administrator. In 1998 he resigned ministership to take over the Secretaryship of the State party. The only controversy he was involved in was his attempt to deny party ticket to the senior leader V. S. Achuthanandan on two occasions so that he (Vijayan) could become Chief Minister ten years ago. But, the Central leadership of the CPI(M), intervened on both the occasions, and considering the popularity of Achuthanandan, ticket was granted to him enabling him to become Chief Minister in 2006 and Leader of the Opposition in 2011. This time party General Secretary Sitaram Yachury successfully patched up the differences between

the two state leaders and both Vijayan and Achuthanandan jointly led the election campaign. Yachury managed the selection of Vijayan as CM without any hitch.

The new LDF Ministry has a good start. The swearing in of the Ministers was held in the open Central Stadium near the Government Secretariat where thousands of people assembled. The first meeting of the Cabinet took some good decisions, the most important being enhancement of welfare pensions to various categories of down trodden people to Rs.1000/- per mensem. Over 3.5 million persons will be benefitted by this decision. The Cabinet also has come to an understanding that there shall not be any ostentation in public functions attended by ministers. A cabinet subcommittee has been formed to examine the decisions taken by the previous UDF Government during the last five months of its regime. The CM has directed the other ministers to be in their offices for five days in a week. The start seems to be good. Let us wait and see what follows.

To conclude, I may just point out the national importance of the present elections. It has given a good boost to CPI(M) which had for the last five years only the tiny state of Tripura under its governance. On the other hand the mighty Indian National Congress which ruled both at the Center and all the states of India has been reduced to such a low position that it is in power in only one major state, namely Karnataka and two or three other tiny states, giving away Assam to BJP, West Bengal to Trinamul Congress, Tamil Nadu to AIDMK and Kerala to CPI(M). What a fall!

Indefinite Fast from 6th June

On 18th August, 2015 the High Court at Allahabad had instructed the Uttar Pradesh Government to implement within six months an order making it compulsory for all persons receiving benefit from the government, people's representatives and judges to send their children to government schools. Such a system should have been put into place beginning academic session 2016-17. However, the U.P. Government has not done anything.

There are two kinds of education systems in this country. People who can afford send their children to private schools who after completing their higher education are able to get a job or are self-employed.

People who cannot afford private schools are condemned to send their children to government schools which play with the child's future. Children attending these schools have to clear their examinations using unfair means. Half of them drop out before completing their school or even if they complete their education have to live as unemployed or underemployed.

The only way to rectify the situation is if children of government employees, people's representatives and judges start attending government schools. When children of these segments will start going to government schools, their quality will improve and children of poor will also get good quality education.

Wherever in the world universalisation of education

has been achieved it has been done only through a government common school system with the concept of neighbourhood school implemented.

Socialist Party (India) has been organising demonstrations on this issue for the last couple of years and has supported the fast of social activist Mazher Azad in Lucknow from 18 to 23 April, 2016 on this issue.

Socialist Party (India) also believes that as a service condition a person should be eligible for government job or should be able to contest an election only if she has been educated in a government school. Similarly all government employees and people's representatives and their dependents should get themselves treated in government hospitals for their ailments.

Socialist Party (India) is opposed to privatisation in the fields of education and health care and would nationalise all private educational and health care institutions if it were to come to power. It would make education and health care free for all citizens in real sense.

Time is running by. I've decided to sit on an indefinite fast from 6th June, 2016 in Lucknow to get the abovementioned judgement of Justice Sudhir Agarwal implemented in U.P.

This struggle is against a system which corners all benefits for the ruling elites and leaves the poor in a state of continuous deprivation.

—Sandeep Pandey

It is the Reds Who are Defeated in West Bengal

Mrinal K Biswas

West Bengal's Left eclipse indelibly marks the end of road for Marxist march in the State today, if not for the country tomorrow. The emphatic Trinamul Congress (TMC) victory in Bengal can have only one meaning: it was a decisive vote against CPI(M) and its tail-end allies called Left Front giving rich political dividends to the reaction assembled under macabre politician Mamata Banerjee, evident since 2011 State elections. Important point is that West Bengal appears to be the only State where narrow caste and ethnicity issues do not dominate the elections, minority vote bank sticks out prominently though. In the poll battle the sound rejection of the Left for the second time in five years has perhaps pointed the end of ideology-driven politics in this politically surcharged State.

In this 2016 State polls, relatively good show of the grand old party Congress with whom the Marxists struck a surprising poll pact at the last moment does not dim forebodings for the Left politics either. The third party singular number BJP not being decimated significantly in the hustings is a matter of concern for Left *et al.*

Bengal voters are sticky in one respect. Incumbency is a preferred choice for them. They continue to vote for the party in power till a saturation point. In post-independency were first time polling in 1952 Congress won handsomely in West Bengal as elsewhere and ruled the State with three consecutive five-year term election

victories. The CPI(M)-dominated Left Front's overwhelming sway lasted for three-and-a-half decade between 1977 and 2011. Till Mamata phenomenon upset them. Visibly out of steam the CPI(M) has now turned into an onlooker of the second consecutive run over the State by Mamata Banerjee's *ma-mati-manus* government.

Cold poll figures are relevant in this discussion but are not that important in the turn of events in the State. TMC has won 212 Assembly seats this time against 184 in the 2014 elections: vote percentage came for them was 44.9 and 38.4 in that order. The Left parties together won 33 seats with 25.9 per cent of votes in 2016 against the 2011 figures of 60 and 39.5 per cent. Congress shuffled positions: in 2011 election it had an alliance with TMC and won 42 seats by bagging 9.5 per cent of votes which in a poll pact with the Left Front this time in 2016 got 44 seats commanding 12.3 per cent of votes. BJP got no seat in 2011 and got only 4.1 per cent votes, this time the saffron party got in its bag three MLAs and 10.2 per cent of votes.

The rise of the Marxist Communists in West Bengal has some idiosyncratic developments. The 1947 post-partition days saw an enormous inflow of over 10 million Hindu population in West Bengal from the then East Pakistan who came over practically without any means of living. The Marxists most aggressively campaigned for their relief and resettlements in

this part of the country yielding to them a veritable Left audience. The Left agitprop appealed to the desperate immigrants who were derisively called refugees by the local population. Political impact was too obvious. The truncated State's Communist leadership quickly passed into the hands of those who hailed from east Bengal and had dethrown Congress from power in the late 1960s after series of near violent agitations. Despite the State Congress government's gigantic efforts for the succour of refugees a large political space was gradually going to the Left-dominated Communists.

After a period of political turmoils between 1967 and 1977 the CPI(M) effected an alliance mainly with CPI, Forward Bloc and RSP and made West Bengal a firm Left regime here. Jyoti Basu became the Chief Minister who became an elder statesman. Bengal population was beholden to him and voted for his party regularly. His quiet guidance made the Leftists ideologically amenable to the parliamentary democracy. The off-on success for the Kerala Left in elections also buried Marxist leader EMS Namboodiripad's famous dictum that the communists participate in parliamentary system with the objective of wrecking the constitution from within.

Those ideologically opposed to this concept, social democrats among them, proved right in their assertion that democracy will prevail and communists will have to permanently keep in abeyance

their objective of setting up of a party dictatorship in the name of dictatorship of proletariat. Soviet failures and Chinese mix of capitalism under communist party monopoly has served a death knell to communism as an ideology but the communists survived with power games only, that too in narrow parts of the country.

Even that existence is under threat now. West Bengal experience has shown their inability to recognize social changes with Marxist textbook training while Mamata phenomenon has indicated plural India is a *sui generis* case with multiple tendencies like castes, ethnicity, religion, regionalism, linguistic diversity playing important

roles where class divisions cannot catch people's imagination. The stock-in-trade communist tirade against neoliberalism and their anti-Americanism have coloured the communists' world view to the discomfitures of new generation people.

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Battle Against The Bottle

Bharat Dogra

A highly welcome trend which has recently been noticed in Punjab is that more and more villages have been passing resolutions for the removal of liquor vends from their villages. According to recent reports as many as 232 villages have handed over such resolutions to their sarpanches who in turn have forwarded these to the authorities in Chandigarh. This initiative was taken by the villagers after there were widespread complaints of increase in violence against women, family discord, neglect of children and economic ruin. Predictably, women have played a leading role in this mobilization.

This is merely the latest such mobilization among the many cases reported from various parts

of the country in which villagers led by women have joined the battle against the bottle in large numbers. Some years back there were a series of very effective mobilisations against liquor in many villages of Haryana but this could not have a durable impact.

A strong anti-liquor movement also emerged in western UP in Pather village of Saharanpur district. This movement witnessed very dedicated work by many activists who endured great hardships including police beatings but did not give up their demand for the removal of the liquor vend. This had a good impact in some neighbouring villages but for the western UP region as a whole the consumption of liquor continued to

increase rapidly.

Such examples can be given from several other parts of the country in which good beginnings have been made with a lot of dedicated work but these could not be consolidated for durable gains. There is clearly a need for co-ordination and planning of such efforts so that several sporadic efforts with their different strengths can be brought together at the national level to achieve wider and more durable success. A lot of thinking and discussions are needed to formulate the demands in such a way that chances of success can increase. There is need also for continuing efforts on the part of people for a strong public campaign on this issue.

Footprints of A Crusader (The Life Story of Mrunal Gore)

by
Rohini Gawankar

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May 17

Socialists met on May 17, at Patna in the very same hall - Anjuman-E-Islamia - where the then socialists met in 1934, 82 years ago and gave themselves the Congress Socialist Party. It was a beginning of the glorious chapter of the socialist history in this country. For all we know, May 17, 2016 could become a beginning of a new chapter, may not be as glorious as the one in 1934, but certainly meaningful. The meeting attracted socialists from 15 states, and of all hues. Many belonged to one or the other socialist party, but there were quite a few who did not, perhaps waiting for an ideal one.

The hall was full to the capacity, in fact many stood on the sides and still more glued to the speaker outside. And there was expectation on these faces. The hope that the meet will throw up a new possibility in the socialist movement. And it did: Socialists can work together even if they are in different parties. That perhaps is the most important message of the meet. And there was something more. There were groups of socialists, products of JP movement, who were unhappy with the fact that the Bihar government, instead of making it as one of the best hospitals had decided to hand over the Jayprabha Hospital, whose foundation stone was laid down by JP himself, to a private party. They were in a mood to demonstrate, but held their hand. They were unhappy, but did not demonstrate. This should be treated as a sign of a deep desire to unite as socialists,

and this augurs well.

One thing that the socialists noted was that the Bihar Chief Minister, Shri Nitish Kumar, who was to inaugurate the meet and spend only an hour, decided to spend the entire morning session and patiently heard the speeches before he spoke. He did not inaugurate the meet as it is normally done, but sat through and spoke at the end. He even met those socialists who had come from outside at his residence in the evening and interacted with them with patience. The CM by spending so much time with the socialists has told the country that the Bihar regime was a socialist one and will remain so.

Shri Nitish Kumar talked of prohibition and its success. From the response, it appeared that the prohibition would become an important socialist agenda hereafter. One evidence is that some groups from different states invited him to visit their states to promote prohibition. He readily agreed to consider. And he spoke of 50 per cent reservation for women in the state with a lot of pride. Socialists have always advocated man-woman equality, hence what the state had done was a concrete step in this direction. However, there was a question on the lips of some socialists: will 33 per cent reservation for women be a reality soon? There were socialists from Maharashtra who asked the Bihar CM to provide water to the drought affected areas. He responded in

detail and said that he had offered water, but the Railways turned down the offer.

As important as all these, was the suggestion that a similar meeting be held at Lucknow and it was also suggested that it be on August 9. Those who made the suggestion went on to add that the UP CM should be invited to inaugurate.

But that is not all. The meeting became a proof of the strength of the socialists in the country. The HMS National General Secretary, Harbhajan Singh Sidhu addressed the gathering before the CM spoke and there was a mighty applause when he said that the Hind Mazdoor Sabha had 92 lakh members. By his presence, and his speech the HMS leader affirmed that the HMS was a socialist institution. Medha Patkar too spoke. The CM wanted to listen to her. She represented the NBA. Smt. Medha spoke about the problem that the country was facing, and the struggles. She also hinted at what the people's movements and socialists in government expected from the Bihar's socialist government.

The meet threw up some stated, some not, questions. Will the state have a planning commission (Kerala's new regime has announced it)? Will the state become a hub from where the various progressive people's movements in the country will get nourishment? Will its development model be different from the one that the centre has adopted? Expectations! So many.

—Ashawadi

A sort of Manifesto

In the United States today, the wealthiest country in the history of the world, 47 million Americans are living in poverty.

Almost 22 percent of American children are poor and we have the highest child poverty rate of almost any major country on earth.

Let's be clear. Living in poverty doesn't just mean you don't have enough money to buy a big screen TV, a fancy laptop, or the latest iPhone. It goes much deeper than that.

Living in poverty means you are less likely to have a good grocery store in your community selling healthy food. Far too often it means you don't know where your next meal is going to come from. Living in poverty means you are less likely to have access to a doctor, dentist or mental health care provider. It means you have less access to public transportation, which makes it harder to find a job. It means you are less likely to have access to child care.

In the United States of America, poverty is often a death sentence.

Yesterday, I spoke about poverty in McDowell County, West Virginia — one of the poorest counties in one of the poorest states in America. In 2014, over 35 percent of the residents in McDowell lived in poverty, including nearly half of the children. The roads are crumbling and only 6 percent of adults have a college education. Less than two-thirds have graduated high school. It has the lowest life expectancy for men in the entire nation. I hope

you'll watch part of my speech on poverty and share it with friends and family on social media.

Poverty is an issue we must address. In 2011, the American Journal of Public Health found that 130,000 people died in just one year alone as a result of poverty.

This is not an issue we can just sweep under the rug and hope it will go away. Because it won't.

And when I talk about it being too late for establishment politics and economics, this is what I mean. When I talk about thinking big and outside the box, about rejecting incremental change, I am talking about the millions of Americans who live in poverty who have been tossed out, left behind, and abandoned by the rich and powerful. We need to create an economy that works for all of us, not just the 1 percent.

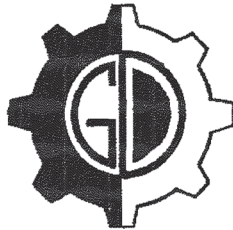
Here's what we need to do:

1. Rebuild our country's crumbling infrastructure. A \$1 trillion investment in our infrastructure will create at least 13 million jobs all over America - jobs that cannot be outsourced.
2. We must rewrite our disastrous trade policies that enable corporate America to shut down plants in places like West Virginia and move them to Mexico, China, and other low-wage countries.
3. We can create 1 million jobs for disadvantaged youths through legislation I introduced with Rep. John Conyers of Michigan.
4. We need to increase the wages of at least 53 million American workers by raising the minimum wage from a starvation wage of \$7.25 an hour to \$15 an hour.
5. At a time when women workers earn 79 cents for every dollar a man earns, we need to sign the Paycheck Fairness Act into law. Equal pay for equal work.
6. We need to make health care a right for every man, woman, and child through a Medicare for All single-payer system.
7. We need to treat drug addiction like a mental health issue, not a criminal issue.
8. We need to ensure every worker in this country has at least 12 weeks of paid family and medical leave, two weeks of paid vacation, and one week of paid sick days.
9. We need to impose a tax on Wall Street to make public colleges and universities tuition free while substantially reducing student debt.
10. At a time when half of older workers have no retirement savings, we're not going to cut Social Security, we're going to expand it so people can retire with dignity and respect.

No president can do all of these things alone. We need millions of Americans to begin to stand up and fight back and demand a government that represents all of us. That is the political revolution.

-Bernie Sanders

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Another Campus on Boil
Sandeep Pandey

Two Years of Modi Government
Kuldip Nayar

**The Independence and Gandhi:
in the Clutches of Neo-liberalism**
Prem Singh

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The Judiciary, too, is Responsible...

Rajindar Sachar

After it was decided that judges will appoint judges, the collegiums for the purpose should have started filling the vacancies, but still further to show that it is open to suggestions from the Bar and public as to the methodology of not only selecting judges but also the process of making the process more transparent. It was expected that after further court hearings, it will come out with a Memorandum of Procedure (MoP) for selection.

Surprisingly after weeks of court hearing, it decided to avoid its responsibility and asked the government to frame the Memorandum of Procedure. I have still not understood the logic of this decision which was bound to be self-defeating. It naturally gave an opening which had been closed permanently by the Bench holding earlier that the last word in the selection of judges is that of the collegiums.

So the government having got this golden opportunity, unabashedly prepared a MoP (including the objectionable and illegal suggestion considered in the light of the decision of the Constitution Bench) that if the name of the Judge is not approved by the Executive he will not be appointed.

Another obnoxious suggestion by the Government Memo is that the Attorney General and Advocate Generals should along with the judiciary be on the selection of judges. This suggestion is so horrendous and openly objectionable that it has not found place even in the Judges Act which was passed by the legislature and has been held to be unconstitutional. Are we then in a dark alley with no opening? No doubt this situation is greatly worrisome, but a quick solution has to be worked out.

I am, in this context suggesting that it is the duty of the former Chief Justices and even the judges of the Supreme Court to involve themselves in this deadlock by openly coming out with their views.

It is not a strange suggestion. When a five-judge Bench invited suggestions from the public about the Memorandum of Procedure, some of the retired Supreme Court Judges and retired Chief Justices of High Courts sent a memo openly during the hearing giving their views on the matter. They had no embarrassment at sending suggestions which may have been rejected by the Bench, considering that some of the present judges may, at some point in the past, might have

been their juniors. At times like these, notions of undue delicacy and aloofness should be given up because at stake is the independence of the Judiciary – one of the sheet anchors of our Constitution. The old lot needs to jump in the fight, not as partisans but as a sobering effect on the stubborn stand being taken by the Executive which is openly saying that it will not relent on its stand of not appointing a judge whom the Executive disapproves – outrageously unconstitutional, but there it is.

Long ago Montesquieu, saw this predicament and opined “that there can be no liberty if the power of judging be not separate from the legislative and executive powers”.

This conflict between Executive and Judiciary has not been settled and will always remain a matter of debate. But it is well to remind the Executive of certain postulates which are unalterable.

Thus even 400 years after the Magna Carta was signed, King James I of England felt unhappy when prerogative courts set up by him came in conflict with old courts applying the common law. King James I summoned the Chief Justice Sir Edward Coke to stop interfering with the prerogative courts. The king’s will, James asserted, ‘was supreme’. Sir Edward Coke the Chief Justice of the Court of Common Pleas, responded that the judges must follow the common law, to which King answered wrathfully, “then I am to be under the law – which it is treason to affirm.” Coke replied by quoting Brocton, a medieval scholar monk, “*Rex non debet esse sub homine sed sub deo et lege.*” – “The King ought not to

(Contd. on Page 4)

Another Campus on Boil

Sandeep Pandey

Under the Bhartiya Janata Party regime university campuses have become special targets for Rashtriya Swayamsewak Sangh which is trying to impose its ideology on the academic community, most of whom are up in arms against its design. In the process it has been successful in disturbing the academic atmosphere at Indian Institute of Technology, Madras, Film and Television Institute of India, Hyderabad Central University, Jawaharlal Nehru University, Babasaheb Bhimrao Ambedkar University, Lucknow, Jadavpur University, Allahabad University, National Institute of Technology, Srinagar, etc. The latest in the list is Banaras Hindu University in Varanasi.

Twelve students sat on a fast demanding reversal to an arrangement of 24 hour opening of a Cyber Library as instituted by the former Vice Chancellor, Professor Lalji Singh. However, the current VC known for his anti-academic bent of mind, has taken back the decision to keep it open for 24 hours suggesting reason that students watch pornographic sites in the night. He has been repeatedly making statements that it is only the pervert who want the cyber library to be open late night. By making such statements he has made all academic community around the world which works till late night or sometimes even upto early hours suspect and guilty of moral misdemeanour. He is behaving more like a Principal of a High School than head of a higher education institution. Caught up

in his reactionary ideology which he has received from the RSS he has little idea of the progressive values espoused by the intellectual community in internationally reputed institutions.

On 20th May, 2016 evening, the VC, Professor Girish Chandra Tripathi, in a Bajrang Dal or Ram Sene kind of operation, picked up a male and a female students walking together outside the Ruia Hostel in his car and called their parents. It would have been better if he would rather pick up those professors who accept hefty salaries but don’t teach or do any research. In a question asked under the RTI Act from his previous university at Allahabad, the department of Economics, where he used to teach, has said it hasn’t kept any record of Professor Tripathi’s research activities, papers published or students who did their research under his guidance. Professor Tripathi used to spend his time in teachers’ union politics there.

Over the years the BHU campus has become liberal and male and female students are allowed to interact freely even till late evening. Instead of allowing healthy relationships to develop between youth of opposite sexes and letting them make responsible choices the VC, by wanting to do moral policing, will undo the progress made on campus over years in this direction. Given a chance, like the library, he’ll roll back the extended time for which girls are allowed to remain outside their hostel. Here it must be noted that some of the IITs allow 24

hours interaction between and male and female students treating them respectfully as responsible citizens.

Between the Lines

Two years of Modi Government

Kuldip Nayar

The importance of internet for students doing research cannot be underestimated. A number of people like to work at night, especially on IIT campuses. It is unthinkable that VC of a national university would give such a ludicrous reason for shutting down internet services in night. As Professor Tripathi himself did not do any research during his teaching tenure at Allahabad he doesn't understand the importance of this facility.

12 students were sitting on fast outside the Library since 18 May, 2016. Nine of them - Vikas Singh, Priyesh Pandey, Anupam Kumar, Deepak Singh, Santanu Singh, Raushan Pandey, Gaurav Purohit, Akash Pandey and Avinash Ojha - all Bachelor of Arts 2nd or 3rd year students except Vikas who is a research scholar in political science department were suspended by the VC on 24 May and next day, on 25 May late night all sitting on fast were forcibly removed from the campus by the police after a demonstration of Aam Admi Party in their support was physically attacked by security personnel and students belonging to Akhil Bhartiya Vidyarthi Parishad. It is interesting to note that whereas most students and student organisations want the cyber library to be open 24 hours, ABVP has kept away from the students' movement. It reflects the anti-intellectual or anti-independent thinking streak of their parent organization, RSS. In any case, the Sangh Parivar affiliate organisations, because they are in an overdrive mode only during their government's tenure, are known to change their stands

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If I were to award marks to Prime Minister Narendra Modi for his two-year governance, I would give him four out of 10. I wouldn't fail him because he did not officially pursue the Hindutva programme and yet allowed the RSS and Bajrang Dal, both extremist organisations, to have the run of the field.

I know that RSS chief Mohan Bhagwat was allowed to use Akashvani to purvey his parochial and extremist views. In the same manner other government-owned institutions, such as the Nehru Library, were asked to follow the words coming from the RSS headquarters at Nagpur, or Jhandewalan in New Delhi. Heads of different educational institutes with Nehruvian leanings were dismissed.

The process is not yet complete. Even the central institutions in the Congress-run states are being systematically saffronised. Modi doesn't have to give day-to-day instructions. The message has reached that the entire set-up will have to—willy-nilly—follow the Hindutva line of thinking, no matter how antedeluvian.

Take the case of murder at Dadri, only 50 kilometres from Delhi. One Muslim was killed by fanatics simply because his family was suspected to have eaten beef. The extremists were not content with the killing of one person but wanted action against the whole family. They did not even raise their voice

in protest. What kind of message must this have sent to the world about a nation which is capable of sending a man to the moon, when it is steeped in the ante-deluvian ideas that consider beef-eating as a sin?

What saddens one is the silence of those who claim to be secularists. Will these same chest-beating secularists also remain silent if Modi tomorrow permits his foreign minister to break ties with Japan because the Japanese are famous for producing their famous Kobe beef, which is considered one of the world's greatest delicacies?

Unfortunately, the Hindutva crowd does not realize that India is ruled by the Constitution and it is not a Hindu rashtra. The constitution gives equal rights to Hindus who are 80 per cent and the minorities who make up the remaining 20 per cent of the population. Together they constitute the republic.

Modi was right when he raised the slogan, *sabka saath, sabka vikas*, meaning thereby that we shall be all together and advance further hand in hand. But subsequently he and his party BJP appear to have lost way and today, whether they like it or not, their government has come to represent a particular way of thinking—an intolerant India—which has the overtones of Hindutva.

Probably, the party's their think-tank has come to believe that they

can win more votes by dividing the society. With assembly elections due in UP early next year, the Bajrang Dal has begun vitiating the atmosphere. They are holding more and more exercises in different cities where lathis and other weapons are used.

This is a kind of parallel police force and even UP, where the non-BJP government is currently in power, there are morning and evening parades of extremists to instruct the young recruits in the use of lathis. The same fear of Islamic domination that is being exploited by right wing parties in the West is being cunningly manipulated in India by the BJP and its allies.

We forget that in the democratic structure we have, everyone is free to eat whatever he or she likes. Nothing can be enforced. In a vast country like India where food and dress change every 50 kilometres, diversity is inevitable. Indeed, this is India's strength. Respecting diversity keeps our different units together in a federal structure which we follow.

The BJP hardliners who believe they have come to power because of a fundamental shift in national values should think again. There is more than a grain of truth in the argument that voters gave them a chance because they had lost faith in the Congress and were looking for an alternative.

The Congress will be failing them if it persists with dynastic politics. The party must realize —if it has not done so far—that Rahul Gandhi does not sell. Sonia Gandhi herself will be a far better bet than the other leaders so far available in the party. The disadvantage of being an Italian has disappeared over the years and

she is considered as much an Indian as anyone by birth.

But problem is that she has very little chance to head the country because the Congress has lost its shine. No doubt, the BJP has Hinduised politics but that is the dominant thinking which has caught the imagination at present, thanks to Modi's leadership. This thinking may not last long since the Indian nation is basically pluralistic. The BJP itself seems to be conscious of this because there is some evidence that it is moving from the right of the centre to the centre.

The predicament that plagues the party is that its cadre comes from the RSS. Maybe, that is the reason that there is no scam in the government. However one may dislike the RSS ideology, its emphasis on integrity cannot be doubted. Yet, there should be no misgiving on its interference in the governance. Even top bureaucrats are judged on their proximity to the Hindutva philosophy.

Modi himself was an RSS *parcharak* (preacher). Even now he is a regular visitor to Nagpur where he interacts with the RSS leadership. Some of the ideas he gathers from there are reflected in the policy which his government frames. This has torn asunder the fabric of nation's secular temperament in the country and given rise to extremist groups in different regions.

I only hope that it is a passing phase. But as long as it lasts the preference for sons of the soil will be casting a shadow on the idea of India. This is unfortunate. I hope that the Prime Minister will rethink his policies so that the basic structure of the constitution is no way affected.

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be under any man, but under God and the law." The story of this exchange has echoed down through the centuries.

In India similarly we have had the established principle that King, though an absolute sovereign must yet function within Dharma – which is another way of proclaiming the principle of the supremacy of law.

Wherever there is a written Constitution, the supreme law is the law of the Constitution. Parliament should accept that limiting of its powers by the written Constitution does not in any manner derogate from its sovereignty. It should accept that its sovereignty like the sovereignty of the executive and the judiciary is limited by the written Constitution.

Can one hope the Executive to act with grace and accept that it is not the modern Henry VIII of England fame, because of settled principle that the sovereignty vests in the people as expressed in our Constitution?

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The Independence and Gandhi: in the clutches of neo-liberalism

Prem Singh

The RSS did not participate in the freedom struggle, and that it was responsible for Gandhi's assassination, are facts that are not new. These arguments have been used repeatedly against the RSS since the Independence of India in 1947. The RSS does not claim a stake in the freedom struggle, but refutes the accusation of being party to Gandhi's assassination. Ever since Modi government was formed at the centre, the secular camp has vociferously taken up these two points, and the last few months have indeed seen an intensification of this endeavour. Perhaps the camp feels that by emphasizing these two accusations repeatedly, it will discredit the RSS in the eyes of the people and gain political mileage in the bargain. However this thought process needs to be seriously deliberated upon. The reason is that the manner and the intent with which the secular camp raises these two points to attack the RSS, has little to do with the Independence or Gandhi. The intervention of the secular camp would have been significant only if it had raised the serious question pertaining to a contemporary fact - how and why did Narendra Modi-led BJP form a majority government at the centre despite its history of treason against the freedom movement and the act of assassinating Gandhi? The secular camp ought to have attempted a serious investigation as to whether the Independence and Gandhi have actually lost relevance for the people of India? If yes, then what are

the reasons? The investigation requires serious self-introspection; an understanding of how it is itself responsible for this situation, then, to eventually question itself - whether it, on its own part, really values the Independence of the country and Gandhi?

The secular camp, which considers itself above all questions, can get away with the argument that the present government had merely 31 percent voters while the remaining majority of the country believes in the Independence and Gandhi; and that it is this very constituency which secularists seek to caution against the RSS. Now, the fact that the 31 percent citizens have veered away from the Independence and Gandhi should, in itself, be a serious cause of worry for the secular camp, for it constitutes a significant section of society. The secular camp which bears the responsibility of the nation at ideological and institutional level cannot function in terms of 'mine-thine' social-political divisions. The other question is, how can the secular camp assume that all those who did not vote for BJP, actually value the Independence and Gandhi? The truth is that most of the political parties that have garnered the remaining 69 percent of the votes are in some measure or another, votaries of neo-liberalism. It doesn't need to be elaborated that the votaries of neo-liberalism will be, in material and moral spirit, anti-Independence as well as anti-Gandhi. Therefore, the question as to how the RSS-BJP combine, despite being against the

Independence and Gandhi, could form a majority government, raises an accusing finger elsewhere too; at all the historic lapses, blunders and the blinking of eyes on the part of the secularists. Despite their reluctance to face a bitter reality, the secularists owe the people of the country their democratic right to know the truth; a certain transparency regarding political/economic positions taken by the secular camp. In other words, the question is likely to singe the ones who are raising it. But for the sake of democracy and the cause of the common people there should be no harm and no fear in such singeing and self-assessment even if it is injurious to one's own image.

It is not imperative for all or anyone to essentially believe in Gandhi. But it is not correct for detractors of Gandhi to seek political mileage by constantly upbraiding the RSS for his assassination. Gandhi's opponent Mayawati and dalit intellectuals, who propagate dalit identity, do not make a hue and cry about his assassination. The same is true for the Independence. It is not essential that everybody has to believe in the freedom struggle of India and the values accrued during it. But then such people should not castigate RSS for not participating in the freedom struggle.

First, the case of the Independence: it is important before and above Gandhi. For a number of years even serious scholarship failed to notice that after 1991, with beginning of implementation

of the new economic policies heralding neo-liberal slavery, there arose, simultaneously, a powerful resentment across the nation to oppose it. On the one hand laws were being passed one after the other (mostly through ordinances) against the basic spirit of the Constitution, on the other hand, those very laws were being vehemently opposed. Some of these opposing voices came from the mainstream politics also. Even the RSS-formed Swadeshi Jagran Manch expressed concerns over the policies that threatened to pawn the nation's Independence. This protest was rather scattered and non-political. But a cohesive understanding and the need for an alternative politics had been generated by means of these protests by 1995. Equipped with the spirit of the Independence, this alternative politics stood in direct confrontation against the Congress, the BJP and the NGOs subsisting on foreign aid. But soon enough the supposed third force political parties including communist parties agreed to follow the path marked out by neo-liberalism. P. Chidambaram was the finance minister in the Deve Gowda's government. And the world is very much aware of the events in Singur and Nandigram in West Bengal.

It was an unequal battle between the two fundamentally unequal parties, but the struggle against neo-imperialism was advancing in a systematic and strong manner. Some of the best minds of our times and a large section of the youth were involved in it at the cost of their careers and health. Despite Atal Behari's government and the two of Manmohan Singh governments that followed it, the struggle against neo-imperialism stayed strong. The country was almost flooded with

anti-neo-imperialist pamphlets, tracts, folders, little magazines, booklets and books. But just then came the clarion call of the "second freedom". India Against Corruption (IAC), Aam Aadmi Party and mainstream media manufactured a false contender against the Congress, and by taking along in its wake diverse elements such as RSS and communists, socialists, Gandhians, corporate houses, civil society, Ramdev-Sri Sri Ravi Shankar they destroyed the struggle against neo-imperialism. As soon as Anna Hazare put the glass of juice to his lips to break his fast at Ramlila Maidan he silenced the debate/discussions of neo-imperialist slavery from the ambit of political discourse. In the past two decades, the myriad voices echoing through the country – *azadi bachao, videshi kampniyan bharat chhodo, WTO bharat chhodo* - were drowned in the name of an imagined mirage of 'second freedom'. The meaning of alternative politics was reduced to a matter of wins and losses between various neo-liberal parties; the noose of neo-imperialist slavery thus tightened even further.

Actually, the hard-earned Independence began to be disregarded in terms of spirit and values even from the point of its achievement in 1947. The partition of the country was the biggest blow. The Independence, accomplished after the protracted struggle and sacrifices of the people of India, was discredited by the progressive camp as a false, incomplete and compromised result of international developments and so on. One argument fielded was that the Independence could have easily been won by means of violence, instead of the long-drawn non-violent one. Though, this very mind-set had secretly breathed a

sigh of relief that lakhs of rebels, who sacrificed their lives, were defeated in 1857 - because they happened to be too backward for their tastes. Even today, the Indian intelligentsia, whether Marxists or modernists, are still horrified with the thought that if 1857 had been successful, the country would have remained engulfed in ignorance as it was before the ascendance of the British. The RSS was not satisfied with 'Gandhi *Vadh*'. It did not forgive Gandhi for opposing the Partition and advocating Hindu-Muslim unity. Its mission was to make India 'Muslim free', that is, once again dividing apart the country and society. It launched a petty campaign against not just Gandhi but also Nehru and the Congress, the platform of India's freedom struggle. In this manner it became 'nationalist' before as well as after the Independence while remaining completely divorced from the task of nation-building.

It was, as if, the process of gaining the Independence became a crime in free India; and the leaders of the nationalist struggle – criminals! In fact, those who put the very achievement of the Independence in the dock displayed a complete disregard for the struggle of the Indian people; and perceived them as worthless who did not help in making a 'communist nation' or a 'Hindu nation' of their fantasy; that too without ousting the British! Both these camps are fighting over Bhagat Singh these days, who had considered liberation from the British to be the first goal, and laid down his life for it. If this utterly 'denigrated' Independence became the alibi for rampant loot by opportunists and corrupt politicians, businessmen and officers, it should not surprise us. In this state, people

have often repeated the comment “the British were better.” Since the Independence has no currency in our national/civil life people have ignored the charge of treason against the RSS, and promptly voted a BJP government to power.

Now let us take the case of Gandhi’s assassination. Secularists, especially the communists, may use Gandhi’s assassination strategically, but they have been forerunners along with the Congress, in assassinating his ideas. During the freedom struggle itself they had started calling Gandhi a bourgeois, reactionary, pedestrian peddler of superstitions and so on. After the Independence, the Congress first used him as a shield for the party, and later for the family rule. Narsimha Rao and Manmohan Singh falsely linked neo-liberalism to Gandhi’s dreams. Now the BJP is doing the same thing. The existing dalit outrage targets Gandhi already. Libertarians want to put everything on hold to finish off Gandhi first. Ever since the backward discourse has taken off, Gandhi is their very first target. An enthusiastic backward polemicist is likely to claim that if Gandhi weren’t there, Brahmanism would have been long eradicated from Indian society. So, Gandhi shouldn’t have been there at all! The absurd excess of blind anti-Gandhi sentiment is in that Gandhi is held responsible for all kinds of problems even after his death. The emergent solidarity of communist-dalit-libertarian intellectuals is basically based on anti-Gandhi sentiment. Even though the one result of this solidarity is to pull Ambedkar into a liaison with neo-liberalism. Muslims still have some respect for Gandhi. But in this era of fanaticism, it may not last long. Like the Independence, Gandhi stands devalued in the country. Then

why would people protest against the RSS for Gandhi’s killing?

Let us discuss a little more about Gandhi’s assassination though it will be a bit of a digression. Gandhi’s assassination has been variously interpreted. Lohia’s interpretation is still the most important among them. Such interpretations of Gandhi’s assassination are no longer relevant. One simple explanation would be that it was an event that happened during the course of the Partition of India. More than ten lakh people died during the riots of Partition. In the course of things if Gandhi was killed too, it is not such an earth shattering tragedy. He had abjured the celebrations of the Independence and was touring the riot-affected areas instead. There some rioter could have easily accomplice Nathuram Godse’s work. Gandhi’s killer was convicted by a court of law; and in legal parlance, Gandhi got justice. The government carried out his funeral procession with full state honours, and constructed a fabulous memorial where leaders from all over the world come to pay their tributes to him. The Congress governmentalized him and created all kinds of havens for his followers. And all this when crores of victims of displacement, murder and rape received no justice. While Gandhi lived, he was always tormented by such brutalities, discriminations and injustices. Therefore, perhaps, it is not appropriate to keep discussing Gandhi’s assassination. Instead a two-fold consolation can be drawn from his assassination. First, the positive consolation, that he sacrificed his life to redeem the bloodstained abominations of the leadership of those times. Second, the negative one, that at least one big leader also lost his life in the tragedy of the Partition!

Therefore, it could be said that the secular camp, while demonstrating against RSS’s treason, is itself not entirely driven by the true spirit of the Independence. Even when it attacks the RSS on the issue of Gandhi’s assassination, it cannot bring itself to respect Gandhi. The style of defamation that the NGO don Arvind Kejriwal picked up from the RSS and played out like a master craftsman, the secular camp wishes to employ the same to defame the RSS to seize power. This style denigrates both: the Independence and indeed, Gandhi.

Do such attacks on the RSS by the secular camp stop communalism or even lessen it? This is a serious question that needs to be investigated because the secular camp claims that neo-liberalism can be tackled later; communalism needs to be fought urgently. While it is true that the secularists are staunch opponents of the communal RSS-BJP, it is also true that they never oppose political parties and individuals guilty of communalism - from Congress to Kejriwal. The BJP’s mass base, on the basis of this general election results, is approximately one-fourth of the total. To oppose this one-fourth while pandering to the communalism of the remaining three-fourth, is to force the entire society into the vicious process of communalism. These are the dangers of the communal politics of the secular camp that I wish to argue about. Two examples may be considered here.

Despite having a majority government in the centre, when BJP suffered a humiliating defeat in Delhi, courtesy Kejriwal, the secular camp could hardly contain its happiness. A lot of communist friends walked with a spring in

their steps, holding Congress in one hand and Kejriwal in the other. Kejriwal has been in the profession of 'social service' with foreign aid for a long time. During that time he did not once open his mouth against the horrendous anti-Sikh riots in 1984, or against the Babri Masjid demolition in 1992, or against the 2002 Gujarat riots. Kejriwal's NGO guru, Anna Hazare first praised Modi from Jantar Mantar, and Modi acknowledged this in a personal letter. Elements like Ramdev and Sri Sri, who run businesses of religion, meditation, spirituality, yoga and Ayurveda, were his associates. The organizational aspect of the India Against Corruption's campaign was handled by the RSS. When the Aam Aadmi Party was formed, it had a profusion of communal and lumpen elements. When western Uttar Pradesh was engulfed in the fires of communal riots, the victor Kejriwal was offering thanks to the almighty by stoking the fires in the 'havan-kund'. Contesting from Banaras, he ensured Modi's victory. For this he sought blessings of Baba Vishwanath by visiting the temple, and the Ganges by taking a holy dip. It is a matter of grave concern that after the implementation of the model code of conduct, the blatant displays of religious ritualism do not invite cancellation of candidature by the Election Commission of India.

During the mid-term Assembly elections, held in Delhi after the resignation of Kejriwal, the city was gripped by communal tension. The messages that were relayed on radio broadcasts by recognized political parties focused on the attempts to aggravate the communal situation in Delhi by communal forces. There were also appeals to defeat the communal forces in the elections. But the BJP and AAP

broadcasts contained not one word about the communal incidents. Later, the chief minister of Delhi very graciously gave his approval to rename Aurangzeb Road. He then collaborated with Modi to arrange Sri Sri's festivities on the banks of Yamuna. The Justice Sachar Committee Report on the state of minorities in the country will complete ten years this November. With the exception of BJP and AAP, all big and small parties have issued statements regarding its implementation. These are merely statement of facts known to the public. It may be noted that the shades of communal politics and shades of communal collaboration of earlier secular leaders took a while to unravel. For a long time, they kept up the pressure of secularism on Jan Sangh/BJP. But for Kejriwal and his votaries there is no difference between secularism and communalism; whichever props them to power is acceptable to them. The explanation is obvious. AAP has not emerged out of any political ideology, organization or struggle; making use of only popular strategies.

The second example is from Bihar. The defeat of the BJP here was heralded by the secular camp as the people's rejection of the brahminical and communal forces. Without going into too many details, some facts may be observed here. Nitish Kumar and his party allied with RSS/BJP for 16 years. This alliance continued through the 2002 Muslim genocide in Gujarat. The senior JDU leader was the co-coordinator of NDA. He opposed the decision to part ways with BJP. As such the credit for sowing the seeds of communalism in the, by and large, secular terrain of Bihar goes entirely to Janata Dal United. Therefore, the secular

camp's argument that neo-liberalism will be fought against later whereas communalism needs to be fought now, is absolutely misplaced and misleading.

When, and if, the BJP is ousted, will the secular camp honour its intentions to bring neo-liberalism to a close? Or to challenge it, at least? Is it their policy and avowed intent? This is the proverbial 'yaksha prashna' of India's contemporary politics. Any politics that is practiced without answering it is constitutionally invalid. In polite language it is simply called the politics of power. Within the ambit of neo-liberalism, it really doesn't matter whether the politics of power is practiced by either the communal or the secular camp. A quick glance at the current political landscape reveals the answer to the aforementioned 'yaksha prashna'. The orientation and positioning of the active players in contemporary politics is clearly neo-liberal. About five years back I had written that Modi, born of the Sangh's womb, despite all the hype, would ultimately suffocate and wither in Gujarat. But the corporate conglomerate, the upholders of neo-liberalism, backed him up, and helped him rise to the PM office. Kejriwal is the direct product of neo-liberalism. It is clear to the corporate sector that the politicians of the so-called third front cannot be trusted at the Centre; given their social grounding, they cannot fast forward the nation swiftly on the path of neo-liberalism like the Congress or BJP. Which is why the corporate sector raised its own leader. Kejriwal is watched over by the Magsaysay award house along with corporate houses and national-international NGOs. The secular camp's support to the Congress could still be acceptable to a degree but,

leave alone the intent and purpose, the basic political understanding of the kind of secular camp that has mushroomed around Kejriwal, is utterly suspect. It is seemingly a very happy development for them given that Kejriwal has defeated Modi in international popularity! The absolute height of the bankruptcy of political wisdom is achieved when the secular camp begins to see Kejriwal as a viable alternative to Modi as a PM candidate.

It is true that over the past three decades it has become not only difficult, but well nigh impossible to imagine a reversal and a breaking away from the clutches of neo-liberalism. International conditions and pressures too have had a role to play in this situation. In such a scenario, it doesn't appear as if any easy resolution can be found. The secular camp can say that there is little option and that it cannot help but practice politics within the neo-liberal framework. It can also say, and indeed it does say, that the neo-liberal shackles cannot be broken without getting inside the system. It also reminds people of its achievements, such as Right to Information Act, MNREGA, Tribal Forest Rights Act, Land Acquisition Act and so on. But the politicians who wish to practice politics within the corporate framework, the intellectuals who have to head institutions, the writers and artists who have to win awards, the experts/NGO folks who have to be advisers to the governmental committees, the actors and players who have to be brand ambassadors — they should say that along with such superficial reliefs, neo-liberal system will continue to exist. This straight away indicates that the World Bank, International Monetary Fund, World Trade Organisation, multinational

companies, corporate houses will continue to dictate decision-making; agreements like Dunkel and India-America Nuclear deal, which compromise the autonomy of the nation, will continue to happen; disinvestment will continue in public sector enterprises, all services from education to defence will be privatised; international companies like Carrefour, Wall Mart, Tesko will increase their business in the retail sector; debts of big corporate houses will be written off; natural resources will continue to be plundered; towns and villages will continue to be submerged, and their denizens will continue to be displaced; farmers and small entrepreneurs will continue to commit suicide; legions of innumerable people will continue to be unemployed; land and labour will be subjected to even more ruthless exploitation; the abyss of economic hardship will be bottomless; five hundred smart cities and more will come up; citizens' dignity/security/right to expression will no longer be legally guaranteed; the intervention of police/security forces/mafia will continue to rise in civil life . . . This list of the denigration of our civil, social, cultural, educational, religious life at the hands of corporate companies can go on.

It is useless to blame the corporate sector. It does not love the communal BJP. It has been closely watching politicians and parties for the past three decades. It has also been watching the civil society that has come up in these decades. If it is convinced that neo-liberalism will continue to have unbridled reign in the name of secularism, it will replace the RSS/BJP overnight. Such an assurance will be given to the corporate by

the secular camp. In this process the genuine movements that originated against neo-imperialist slavery would be pushed into the margins, to weaken, or to die away. In other words, the real fighters against neo-imperialism will become less visible or be merged into shades of neo-imperialism. The communal camp does not have that strength to bring this about. The responsibility of making a difference, this way or that, lies only with the secular camp

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in accordance with the priorities of the government or administration. Another example is the silence of Swadeshi Jagran Manch when there is virtually an assault of foreign capital and companies in this country as promoted by Narendra Modi. The Sangh Parivar affiliates are also silent on crucial issues of land acquisition and farmers' suicides as these could prove to be embarrassing for their government.

While the students were sitting on fast some 300 daily wages employees also staged a sit in at the famous Vishwanath temple on BHU campus. They were demanding better service conditions. Last year the University had expelled 40 employees but was forced to take them back after a strong protest outside the main University gate which received support of the wider society.

The BHU VC has adopted a highhanded approach towards the demands of students and employees and has been successful in temporarily quelling the movement. He'll be mistaken if he thinks he can subdue the genuine demands of campus community. The use of repressive measures is bound to produce a recoil effect.

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Building an RSS Free India

Nitish Kumar, the Chief Minister of Bihar has correctly called for a RSS free India (*Sangh Mukht Bharat*). It cannot remain a slogan and pious aspiration. This first information sheet of a series puts forward what non-BJP ruled states should do as Governmental policies towards creating a Sangh Mukht Bharat. This will be followed by others on what you as a citizen can do.

What the State and Central Government departments should do?

There is no political stream with perhaps the exception of the Maoists and a few Muslim political organisations that have not consorted directly or indirectly with the RSS at some point of time since 1947. This needed to be said as very few come with clean hands on helping the Rashtriya Swayamsevak Sangh (RSS) and its front organisations knowingly or unknowingly to spread its tentacles. This hydra-headed monster is now doing the back seat driving in India. They are steering India towards a Hindutva authoritarian state. The best international analogy would be the white racist Afrikaner-Broederbond, a secretive organisation that orchestrates white racist political activity in South Africa since 1918.

The average Hindu on the street needs to be educated on the difference between being a Hindu and Hindutva as the RSS deviously seeks to conflate the two. Their protestations of loyalty to democratic norms are as spurious as those made by Adolf Hitler to the Weimar Republic and Constitution.

This is not an attempt to regurgitate the history of the mendacity of an

organization that was universally reviled after the assassination of Mahatma Gandhi. These information sheets seek to provide a road map of how to start a concerted fight back by those who believe in the 1950 Constitution of India and will do all that is necessary to protect it.

Every state government which has a non-Bharatiya Janata Party (BJP) government must strictly enforce the provisions of The Central Civil Services (Conduct) Rules, 1964 which clearly state:

“(12) R.S.S. and Jamaat-e-Islami – participation by the Government servants in the activities of

The attention of the Ministry of Finance etc., is invited to the provisions of sub-rule (1) of Rule 5 of the Central Civil Services (Conduct) Rules, 1964 under which no Government servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

2. As certain doubts have been raised about Government’s policy with respect to the membership of any participation in the activities of the Rashtriya Swayam Sewak Sangh and the Jamaat-e-Islami by Government servants, it is clarified that Government have always held the activities of these two organizations to be of such a nature that participation in them by Government servants would attract the provisions of sub-rule (1) of Rule 5 of the Central Civil Services (Conduct) Rule, 1964.

Any Government servant, who is a member of or is otherwise associated with the aforesaid organizations or with their activities is liable to disciplinary action.

[MHA OM No. 3/10/(S)/66-Ests. (B), dated 30.11.1966]

(12A) Reference decision (12) above, it is requested that –

(a) the provisions thereof may be brought to the notice of all Government servants again; and

(b) action should invariably be initiated against any Government servant who comes to notice for violation of the instructions referred to above.

[MHA OM No. 7/4/70-Est.(B), dated 25.07.1970]

(12B) Attention of the various Ministries is also drawn to this Ministry’s OM No. 3/10/(S)/66-Estt.(B) dated the 30th November, 1966 wherein it was clarified that the Government have always held the activities of both the Rashtriya Swayam Sewak Sangh and the Jammata-e-Islami to be of such a nature that participation in them by Government servants would attract the provision of sub-rule (1) of Rule 5 of the Central Civil Service (Conduct) Rules, 1964 and that, any Government servant, who is a member of or is otherwise associated with the aforesaid organizations or with their activities, is liable to disciplinary action.

2. In the context of the current situation in the country the need to ensure secular outlook on the part of Government servants is all the more important. The need to eradicate communal feelings and communal

bias cannot be over-emphasized.

3. No notice should be taken by Government and its officers, local bodies, state-aided institutions of petitions or representations on communal basis, and no patronage whatsoever should be extended to any communal organization.

4. Ministry of Finance etc., are therefore, requested to specially bring once against to the notice of all Government employees, working in or under them, the above-quoted provisions in para 1 on the subject. It is emphasized that any disregard of these instructions should be considered as a serious act of indiscipline and suitable action initiated against the erring employees.

[DP & AR OM No. 15014/3/(S)/80-Estt. (B), dated 28.10.1980]"

At the Central Government level, all Secretaries to the Government of India are bound by their constitutional oath to enforce the Central Civil Service Conduct Rules.

Already, the Chhattisgarh state government has come up with a notification that permits its employees to join the RSS and attend its *shakhas* for indoctrination in the Hindutva agenda. The order was issued on the 23 February 2015. The notification states, that "as far as Rule 5 (1) of Chhattisgarh Civil Services (Conduct) Rules 1965 is concerned, its restriction does not apply to RSS."

In 2000, when the NDA government was in power at the centre, Keshubhai Patel, then Chief Minister of Gujarat lifted the ban on participation by Government employees in the activities of the Rashtriya Swayamsevak Sangh.

The BJP state Governments in Himachal Pradesh and Madhya Pradesh issued similar notifications in 2004 and 2006. The Central leadership of the Congress party must ensure that their state government in Simla must revoke the earlier BJP Government order.

The attempt by the BJP to portray the RSS as an apolitical organisation and as a cultural outfit requires a willing suspension of disbelief.

The RSS directly takes part in the electoral process. It sends its *pracharaks* (full-time propagandists) to the BJP for party work. These *pracharaks* maintain their links with the RSS and act as a bridge between the RSS and the Bharatiya Janata Party. Narendra Modi, Nitin Gadkari, Rajnath Singh, and many others are RSS *pracharaks*

The RSS has the last word in the BJP's affairs - in determining the party's office-bearers, in the choice of candidates for elections etc. RSS leaders do not directly take part in public election campaign meetings, but they are always hovering around behind the curtains. Sangh activists have been central to the BJP's campaign network. Moreover, RSS leaders air their views on political issues regularly.

The restrictions placed in the Central Civil Services (Conduct) Rules were meant to prevent civil servants from associating themselves even remotely with political organisations or functions. Of course, civil servants are free to vote in elections, attend public meetings organised by political parties, and listen to political leaders. The Centre had clarified in 1969 that the restrictions in the CCS (C) Rules were essential to ensure that government servants not only maintained political neutrality,

but were seen to be doing so and that they did not participate in the activities of, or associate themselves with, any organisation in respect of which there was the slightest reason to think that it had a political aspect.

In 1980, the Centre reiterated its decision not to permit civil servants to participate in the activities of the RSS and the Jamaat-e-Islami. "In the context of the current situation in the country, the need to ensure secular outlook on the part of government servants is all the more important. The need to eradicate communal feelings and communal bias cannot be overemphasized," the Government said.

On April 27, 1948, Vallabhbhai Patel wrote a letter to Jawaharlal Nehru: "I need hardly emphasise that an efficient, disciplined and contented service ... is a sine qua non of sound administration under a democratic regime even more than under an authoritarian rule. The service must be above party and we should ensure that political considerations either in its recruitment or in its discipline and control, are reduced to the minimum, if not eliminated altogether."

An RSS-ridden civil service cannot work a secular constitution. For, "it is perfectly possible to pervert the constitution, without changing its form, by merely changing the form of the administration and to [*sic*] make it inconsistent and opposed to the spirit of the constitution".

The parliamentary system is based on a professional, politically neutral civil service. The RSS is embarked on a major exercise to subvert the present constitutional order.

Former UP chief minister Kalyan Singh said in 2000: "I have spent

a greater part of my life in [the RSS] and I can say that right from the distribution of election tickets ... in BJP to selecting cabinet ministers, it is only the RSS which calls the shots. What else is political activity?" "

What is to be done?

All non BJP Governments must require all employees of all departments to take a public pledge in a general assembly in their place of work that their loyalty is only the present Constitution of India. This can be also done by requiring each employee to sign a written pledge. A format for the pledge is available on request.

All state government departments must present a report to the Chief Minister of the state about frontal organisations of the RSS and their offshoots who receive subsidies or grants from the State exchequer. Immediate steps be taken to stop funding these organizations. All this information to be made available on a public website.

A nodal officer to be appointed in the Chief Minister's secretariat to receive complaints from the general public about any government official attending shakhas, serving on boards or committees of RSS frontal organisations. Immediate suspension to be followed by strict action under the Civil Service rules be taken against all such employees.

The State Education departments constitute a committee of well known educationists to review all the text books and teaching material in government schools, government aided schools and government recognised schools to remove all material that fosters and inculcates communal and sectarian feelings and thought.

A panel of legal professionals be constituted to check on the applicability of section 153 A of the Indian Penal Code (IPC) on such violations of the law in each and every case, investigations to be conducted expeditiously and charge sheets be filed within 90 days of the intimation of such violations of the law.

A special court in each state to be constituted to try such cases. All trials to be conducted on a day to day basis. No adjournments to be provided under any circumstances.

All State Governments to strictly enforce Section 2 sub section C of

The Arms Act 1959 and ban the usage of lathis, knives and swords in all public displays of the RSS and its front organisations like the Bajrang Dal in the regular shakhas , their training camps and their public worship of arms on Vijaya Dashmi day every year. The District Magistrates should also take recourse to Sections 141 to 148 of the Indian Penal Code (IPC).

This is not an exhaustive list but illustrative. We welcome other suggestions

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Economic Costs of US Wars

The United States federal government has spent or obligated 4.4 trillion dollars on the wars in Afghanistan, Pakistan, and Iraq. This figure includes: direct Congressional war appropriations; war-related increases to the Pentagon base budget; veterans care and disability; increases in the homeland security budget; interest payments on direct war borrowing; foreign assistance spending; and estimated future obligations for veterans' care.

This total omits many other expenses, such as the macroeconomic costs to the US economy; the opportunity costs of not investing war dollars in alternative sectors; future interest on war borrowing; and local government and private war costs.

The current wars have been paid for almost entirely by borrowing. This borrowing has raised the US budget deficit, increased the national debt, and had other macroeconomic effects, such as raising consumer

interest rates. Unless the US immediately repays the money borrowed for war, there will also be future interest payments. We estimate that interest payments could total over \$7 trillion by 2053.

Spending on the wars has involved opportunity costs for the US economy. Although military spending does produce jobs, spending in other areas such as health care could produce more jobs. Additionally, while investment in military infrastructure grew, investment in other, nonmilitary, public infrastructure such as roads and schools did not grow at the same rate.

Finally, federal war costs exclude billions of dollars of state, municipal, and private war costs across the country – dollars spent on services for returned veterans and their families, in addition to local homeland security efforts.

TRANSCEND Media Service

Programme of Accident Prevention

It is extremely important for people of any country to work together for constructive programmes which benefit all sections of society. Accident prevention is one such area in which very broad unity of various sections can be achieved, overcoming political and other differences. Of course for effective action on accident prevention several strong vested interests have to be challenged and so certainly there will be controversies but at the same time accident prevention is certainly an issue on which a very large number of people can come together, overcoming other narrow considerations which divided them. As people learn to overcome some other differences to work together on such a constructive issue this may

open up other possibilities of better understanding and working together and on the whole this may be quite good for our democracy.

But the more specific issue is that there is tremendous unrealized potential of very significantly reducing human distress first and foremost by accident prevention and secondly by ensuring timely and proper medicare to all accident victims including those from weaker sections. To realize this enormous potential first of all there should be a strong national level campaign for increasing safety consciousness at all levels. Secondly the government must put in place a comprehensive policy and programme on accident prevention and management

supported by legislation to create a National Accident Prevention and Management Authority with branches and sub-branches in various states and districts. It is in this wider framework that broad national unity for prevention of accidents can give very good results in a relatively short time.

In India earlier we had good traditions of working together on such issues but after the leadership of the freedom movement passed away there was more bitterness in the political divide and the opportunities of working together on constructive issues were reduced. It will be good to revive this tradition of working together on such a crucial issue as prevention of accidents.

Bharat Dogra

Campaign to Abolish Triple Talaq

With 50,000 Muslim women and men from across 13 states having already endorsed its demand to “abolish *triple talaq*” by making it illegal, the Bharatiya Muslim Mahila Andolan (BMMA) has written to the National Commission for Women (NCW) seeking its support for a law banning the “un-Quranic” practice of oral/unilateral divorce.

BMMA, the letter addressed to NCW chairperson, Dr Lalitha Kumaramanglam says, “is confident that you will support the legitimate and democratic demands of Muslim women. We also hope that you will be the ambassador for Muslim women’s demand for justice at various governmental platforms”. The organisation is simultaneously contacting women’s commissions

in different states for their “support and solidarity”.

A press statement issued by BMMA says that alongside its ongoing national campaign for more signatures, it continues to compile more and more cases across India of women victims of the “inhuman practice” of instant divorce.

BMMA’s earlier report, ‘*Seeking Justice within Family*’, based on a nationwide study found that 92% of Muslim women want an end to this practice which destroys their life and the lives of their children. Coupled with oral divorce, BMMA is also seeking abolishing of the “heinous practice of *nikah halala*”. (*Nikah halala* means that once a husband divorces his wife, the two can

remarry only if she marries another man, the marriage is consummated and her new husband divorces her).

BMMA has been running a campaign in the past few years to educate Muslim women and men that there is no sanction for instant/oral divorce in the Quran. “In fact the Quranic method requires a 90 day process of dialogue, reconciliation and mediation before divorce takes place”.

Despite the clear Quranic injunction, women continue to be divorced unilaterally, rendered completely helpless as they have no say in the arbitrary process. BMMA bemoans the fact that “Qazis approve this malpractice and support the Muslim men to divorce their wife

in this un-Quranic manner. Qazis also encourage *nikah halala* and even offer themselves as temporary husbands”.

BMMA is demanding a legal prohibition to unilateral divorce – *triple talaq* and *nikah halala*. It is also demanding that the mediation

process must be made mandatory as per the provisions of the Quran.

“Muslim women are citizens of India and all Constitutional safeguards are applicable to her. The Muslim personal law must be reformed in such a manner that all discriminatory practices are

struck down as illegal and Muslim women’s Constitutional and Quranic rights are safeguarded”, BMMA has demanded.

With substantial presence in 13 states across the country, BMMA already has over one lakh members.

- Sabrang India Staff

Support to demand for abolition of triple *talaq* and *nikaah-halala*

We, the undersigned, believe that gender equality and justice are human rights issues which must be as much a matter of concern for men as for women. If anything, it is more so men’s obligation to cry a halt to patriarchy, particularly when it is sought to be perpetuated in the name of God.

We therefore fully support the campaign launched by the Bharatiya Muslim Mahila Andolan (BMMA) for the abolition, and declaration as illegal, of the current practices of triple *talaq* (instant divorce) and *nikaah-halala* in India. We salute BMMA for its initiative in collecting 50,000 signatures from across the country in support of their demand.

While the triple *talaq* method of instant divorce is today banned in more than 21 Muslim majority countries, including Pakistan, it continues to be justified by the *ulema* in India as legally valid, even though theologically repugnant.

We categorically reject the false claim of the *ulema* that what goes in the name of Muslim Personal

Law in India is a “God-given” law. As BMMA has rightly pointed out, there is no mention of the inhuman, unjust and anti-women instant *talaq* practice in the Quran. In fact, the Quran clearly stipulates an obligatory three-month period during which attempts must be made at reconciliation and mediation before severing of the marital bond.

Equally, triple *talaq* violates the Constitutional principles of gender parity and non-discrimination. Thus this obnoxious practice is both un-Quranic and un-Constitutional.

The *ulema* who proudly proclaim that Islam is the first religion to have given rights to women are duty bound to ensure justice to women. We bemoan the fact that instead of doing so they continue to justify the Muslim male’s privilege of unilateral and instant divorce, often on a mere whim or fit of anger.

As for *nikaah-halala*, it is a shameful practice which is extremely degrading for women. Even if a husband utters the dread words ‘*talaq, talaq, talaq*’ in a fit of anger

but regrets the same immediately thereafter, according to the *ulema* there is only one way for the couple to resume their relationship: Another man must marry the divorced woman, consummate the marriage and then divorce her so that she may remarry her former husband. BMMA has even documented some cases where *qazis* not only justify and legitimise *nikaah-halala*, but even offer their own “services” as temporary husbands. What could be more disgraceful than this?

The least we expect from the *ulema* who have proved themselves unwilling and incapable of ending the shameful, anti-women practices of instant divorce and *nikaah-halala* is to stop perpetuating patriarchy in the name of religion.

The word *ulema* is supposed to mean a body of Muslim scholars who are recognized as having specialist knowledge of Islamic sacred law and theology. We demand that the *ulema* in India to live up to that definition. They must stop making a mockery of their honorific, stop demonising Islam in the process.

–Anjum Rajabali, Screen Writer; Anwar Hussain, Corporate executive; Aamir, Communication designer; Feroze Khan, Theatre director; Feroze Mithiborwala, Activist; Hasan Kamaal, Senior journalist, poet, lyricist; Irfan Engineer, Activist; Javed Anand, Activist, journalist; Javed Siddiqi, Screen/dialogue writer, playwright; Kader Qazi, Creative Director; Saeed Mirza, Film-maker; Rahman Abbas, Fiction Writer;

Revision of Textbooks by the Rajasthan Government

All India Forum for Right to Education condemns the manner in which the textbook revision for Class I to VIII has been done by the State Institute of Education Research and Training (SIERT), Udaipur, and for Classes IX to XII by Rajasthan Board for Secondary Education. The aim of the so-called 'revision' is to alter the very concept and history of India, of its struggle for freedom from colonial rule and its rise as a modern independent nation. This history forms the basis for India's having chosen to constitute itself as a modern, pluralist and secular republic and for its embracing the constitutional values of equality, social justice and universal civil rights and liberties.

It needs to be recalled that India made these choices even when Partition shattered the unity that had been fostered through the course of the freedom movement by the polarizing, disruptive role of fundamentalist forces claiming to 'defend' religious sectarian interests. These forces attempted to weaken the collective struggle to build a composite nation, one that would properly reflect the rich and complex historical past of the sub-continent. It therefore comes as no surprise that the British colonial rulers found no cause for acting against these sectarian forces at a time when revolutionary leaders, Communists and the Congress were ruthlessly attacked, jailed, charged with conspiracy against the State and even executed for their role in mobilizing the masses.

It is to deny this history and to indoctrinate the children and youth in a false history, a make-believe history concocted out of the prejudices instilled in Sangh Parivar shakhas, that textbooks are being 'revised'. Thus all references to Jawaharlal Nehru, a major figure of the freedom struggle and the country's first Prime Minister, are removed. Revised textbooks have also followed instructions to downsize the role of other Congress leaders in the struggle for independence.

'Bharat-Mata', a chapter in the Hindi text book for class XI, taken from Nehru's book, *Discovery of India*, has now been removed. Chapters by renowned artist Padma Vibushan Syed Haider Raza, 'Aatma Ka Tap' and author Krishna Sobti's 'Miya Nasruddin' have also been dropped.

Baroda Ka Boarding School and Ranipur Bazaar, episodes taken from the life sketch of the celebrated painter Maqbool Fida Hussain, are also missing. Former textbook rewriting committee members revealed that they were told to remove chapters authored by Muslim writers and those chapters which had Muslim characters.

Prominent Urdu writer Ismat Chughtai's chapter 'Kaamchor' has also been erased from the Class VIII textbook, but a chapter from RSS ideologue and Rajya Sabha member Tarun Vijay's *Kailash Mansarovar* has been included in Class IX. Other

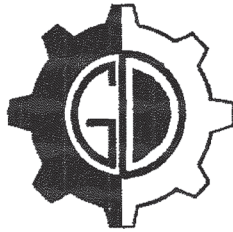
notable additions include former RSS chief K C Sudershan's 'Dhara and Environment' and convener of the Gujarat based, RSS-backed Punarutthan Vidyapeeth, Indumati Katdare's *Bhartiya Jeevan Darshan* and *Sanskriti* which talks about life from the perspective of Hindutva values.

Brajmohan Ramdev, chairman of SIERT has claimed that changes in textbooks were made without any political and religious biases. While defending the move to drop the prefix 'Great' from Akbar, he claimed that "Maharana Pratap's character had more shades than Akbar. If Pratap is greater than Akbar, what's wrong in that?" Nothing at all, except that this polarizing approach is imposing a divisive agenda on the study of India's composite history, culture and values and spreading not only ignorance about the reality of India's past, but also the poison of communal ideology in the education being imparted to our children in the present.

AIFRTE appeals to all its member and fraternal organizations to oppose this malicious trend and demands that the Rajasthan government immediately withdraw these 'revisions' and ensure that school textbooks encourage debate and questioning on the basis of acquainting children with the facts of the country's history. Textbooks cannot be used to instill propaganda. This runs counter to the entire endeavor of a genuinely public system of national education.

– *Dr. Meher Engineer, West Bengal, Chairperson, AIFRTE; Ex-President, Indian Academy of Social Science; Kolkata; Prof. Wasi Ahmed, Bihar, Former Joint Secretary, AIFUCTO; Patna; Prabhakar Arade, Maharashtra, President, AIFETO; Kolhapur; Prof. G. Haragopal, Andhra Pradesh, National Fellow, ICSSR; TISS, Hyderabad; Prof. Madhu Prasad, Delhi, Formerly Dept. of Philosophy, Zakir Husain College, Delhi University; Prof. K. Chakradhar Rao, Telengana, Dept. of Economics, Osmania University, Hyderabad; Prof. Anil Sadgopal, Madhya Pradesh, Former Dean, Faculty of Education, Delhi University; Bhopal; Prof. K. M. Shrimali, Delhi, Formerly Dept. of History, Delhi University; Dr. Anand Teltumbde, West Bengal, Professor of Management, IIT, Kharagpur*

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janata

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Gandhi's Champaran Mission its context and implications

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Scandalous, irresponsible and impervious to public interest – one would like to cry out at the situation where as reported in the Press that there are 458 vacancies out of 1074, the full strength of High Court Judges in India. But one does not do so because of inborn partiality of one belonging to the same legal fraternity – if similar situation had been prevailing in the Executive, the wise and sensitive men and women of legal fraternity would have shouted from the house top of the inefficiencies and lack of sensitiveness on the part of politicians at violating public interest. So if now some in the executive sarcastically remind the judiciary (being wary of listening to the daily homilies from the Bench) “Physician, heal thyself” he could not be proceeded against for contempt for the simple reason “though the work of Judges is divine, the tragedy is that Judges have somehow started believing that they have become divine”...Apart from the fact that there are many High Courts who have Acting Chief Justices. Is it any wonder that arrears keep on mounting with the inevitable consequence of anger rising against the Judiciary.

The tragedy is that in all this maligning of Judiciary, the legal

fraternity including the judiciary have to share the blame also. No doubt the secrecy and no consultation with public and the Bar were faults of the collegium system. But instead of court itself doing this correction by administrative measure it chose to reopen the Collegiums System delivered earlier by a 9-Judge Bench decision.

It is correct that the situation was brought about by the unseemly action by the legislature and gleefully led by Ministers in the government to curtail and downgrade the effectiveness of the judiciary – the irony being that these worthies had earned their exalted position because of the impartiality and status of the judicial system. The legal fraternity was right in shouting “Et tu Brutus”.

After the decision, the collegiums should have started the process of filling the vacancies, but still further to show that it is open to the suggestions from the Bar and public as to the methodology of not only selecting judges but also the process of making the process more transparent. It was expected that after further court hearings, it will come out will a Memorandum of Procedure for selection. But surprisingly after

Between the Lines

Receding shadow of Emergency

Kuldip Nayar

weeks of court hearing, it decided to avoid its responsibility and asked the government to frame the Memorandum of Procedure. I have still not understood the logic of this decision which was bound to be self defeating – this naturally gave an opening which had been closed permanently by the Bench holding earlier that the last word in the selection of judges is that of the collegium.

So the government having got this golden opportunity unabashedly prepared a Mop (including the objectionable and illegal suggestion considered in the light of the decision of the constitution Bench) that if the name of the Judge is not approved by the Executive he will not be appointed. Another obnoxious suggestion by the Government Memo is that the Attorney General and Advocate Generals should along with the judiciary be on the selection of judges. How horrendous and openly objectionable that this suggestion is that it had not found place even in Judges Act which was passed by the legislature and which has been held to be unconstitutional. Are we then in a dark alley with no opening. No doubt this situation is greatly worrisome, but quick solution has to be worked out.

I am, in this context suggesting that it is the duty of the former Chief Justices and even the judges of the Supreme Court to involve themselves in this deadlock by openly coming out with their views. It is not a strange suggestion – when 5 Judge Bench invited suggestion from the public about the Memorandum of Procedure, some of the retired Supreme Court Judges and retired Chief Justices of High Court sent a memo openly during

(Contd. on Page 4)

Some harshest mistakes have been mollified by straight repentance by the perpetrators. The post-war Germany apologized for the atrocities committed by Hitler and even paid the reparations. Not that the sins committed were forgiven but people generally felt that the children and grandchildren of their parents and grandparents have tried to make amends.

Former Prime Minister Manmohan Singh went to the Golden Temple at Amritsar to say sorry for Operation Bluestar when the Indian army stormed the temple to kill the militants, including Jarnail Singh Bhindranwale. The state could not allow another state to come in the country.

But the Emergency, which was no less a crime, till date remains the darkest phase and not even a word of sorry has come from the Congress party, particularly the dynasty. The non-Congress parties off and on issue statements or hold protests. But the Congress party, which was ruling then, remains conspicuous by its silence.

After all, what provoked the Emergency? It was the Allahabad High Court judgment which unseated then Prime Minister Indira Gandhi for a poll offence. Instead of following the court's verdict, she abolished even the rights of the judiciary to question such orders by suspending the very constitution which authorize the courts to assess the rights and wrongs.

Had Indira Gandhi resigned—her initial decision to step down which was strongly opposed by Jagjivan Ram—and gone to the public to seek forgiveness she could have come with a thumping majority. People were angry by the excesses she committed during the Emergency and the way in which she had become an autocrat.

Although her son, Sanjay Gandhi and his alter ego Bansi Lal ran the state as their personal fiefdom and brooked no criticism, she was generally seen as someone who was innocent and oblivious to what was happening. In fact, things had come to such a pass that blank warrants had been issued to the police who used the warrants to settle even their personal score.

As a result, more than 100,000 people were detained without trials, houses and business premises of opponents, including political leaders, were raided and even an innocuous film, *Aandi*, which portrayed an autocrat ruler, was banned because it had some resemblance to Indira Gandhi's role.

If I were to explain the Emergency to today's generation, I would repeat the adage that eternal vigilance is required to defend the press freedom, which is as much truer today as it was when India won freedom some 69 years ago. Never did anyone expect that a prime minister, after the high court's indictment, would suspend the Constitution when she should have stepped down voluntarily.

(Contd. on Page 6)

Future of socialism in India

K. S. Chalam

There is a chain of echoes of scholars and activists on the past, the present and the future of socialism in India. We must appreciate Janata weekly that has published a special issue on the subject and reproduced one of the very perceptible articles on the subject by Madhu Limaye. There was an interesting article by Prof. Prabhat Patnaik in *The Hindu* around this time and several enthusiasts had written and circulated their opinions and thoughts on socialism in the recent past. There are organised groups and political parties who are maintaining special blogs and bulletins on the web on socialism. All this interest shown by people does suggest that the relevance of the ideology of socialism is beyond rhetoric and there is clear evidence of deep conviction of people about socialism in the world. This could also be interpreted as the conditions that inhibited equity and harmony in human civilisation as unveiled in different nations and experiences has not yet disappeared, least the withering away of state.

Our friend Ravela Somayya, the Lohiate, has reminded me time and again about the increasing interest of common people in socialism and wished that it would never die. Socialism as utopia in the writings of poets and philosophers like Thomas More, Sismondi, Marx (by now), G B Shah, et al in the West and Sant Ravidas, Kabir, Phuley, Ambedkar, Lohia and others as an ideology against Varnashramadharma in India is worthy of scrutiny till the scientific version of it is firmly established. The ideology could help protect many generations of beneficiaries who would have survived on

welfare doles instead of perishing in desolate. This may appear to be far fetching and blasphemous for those who are interested in polemics and the experts who are trained in the Upanishad logic. However, the poor, the socially marginalised, the victims of economic globalisation cannot defer their existence until we settle our discourses and rhetoric. They have their own way of finding temporary and short-term sighs and supplants. We must recognise their existential problems.

Madhu Limaye reminded us how the CSP in 1934 had drawn a six-point programme, which the present generation of Congress party pretends to forget but hoists it proudly on its web and Communists and Socialists repeat the same in their public debates. He has pointed out some achievements of the Communists under the able leadership of Jyothibabu, the failures of the left who have almost left the declared land struggles, collectivization, division on the basis of rhetoric of dictatorship of the proletariat and Stalin, excessive obsession with Moscow, alignment with Congress and support of Emergency, denunciation of party politics by JP, Asoka Mehta's shrinking strategies, etc. He has also critically examined Lohia's policy of non-Congressism and later developments and gave data on the shrinking per cent of vote share of SP over a period of time. While appreciating the achievements of Soviet Union in resisting America's effort to establish world hegemony, he lamented that the widening of technology gap and infection of consumerism succumbed it to

economic globalisation. Therefore, Madhu Limaye wanted a redefinition of socialism under the rubric of decent standard of living, practical freedom, achievable equity, tolerance, unity and not-uniformity, sustainable environment, etc, and implicitly wished that those who agree with this common minimum socialist programme should join haands.

Though Prabhat Patnaik did not explain in so many words, he has admitted that in the absence of a permanent revolution, conciliation with other friendly parties is the need of the hour. It is also seen in recent months that there is an increasing realisation that keeping B R Ambedkar and his ideas relating to socialism, public sector, fraternity and social harmony among the victims, is an essential condition to bring the dalits, the so-called social proletariat under the fold of socialist agenda. The American public intellectual Fukuyama who proclaimed the end of history as there is no alternative to liberal democracy, later withdrew his statement and declared that as long as science and technology survive, they find solutions to human problems and there would never be an end of history as we haven't reached yet the end of science. Modern technology particularly the one that is under the control of US MNCs is creating jobless growth with weightless goods, promoting money multipliers and derivatives to create both opportunities and threats. In India, particularly the elite whose education was subsidised made use of the prospects in shifting their allegiance to US burying patriotism

and struggled hard to get their preferred government now with the support of ICT. The blunders committed by the chosen few would soon witness the disarray in the job market and disillusionment of middle class or petit-bourgeois who sailed with them for about a decade. Though the exploiters in the new system are invisible and many a times an outsider might create some confusion and force the masses to opiate through religious fundamentalist propaganda, etc, would soon be disillusioned if the world economic trends continue. It is time that the left and the democratic forces should modify their action programmes and strategies to bring in creative ideas to fight the opponent.

It appears that the liberalisation of the economy and global transactions made some of the traditional left parties obsolete with very old structures and content of agendas. There seem to be more lethargy and easy-going approach among some of the cadres and even the leaders in understanding and building movements among the victims and the proletariat. Consumerism and informal jobs in the urban areas converted majority of the non-poor and even poor as silent cliques to follow the dictates of the MNCs. Interestingly, some of the left parties are not averse to this trend may be silent and willing adherents as noticed and reported by several commentators from Bengal, Andhra, Maharashtra, Punjab, Kerala, etc where there was once a vibrant left movement. The leadership, it is reported, is helpless and some of the corrupt and casteist elements in the parties regulate political business and promote groupism, cliques, may be mafia-type functioning with control over some assets of the parties. This seems to have dented the growth particularly the moral

strength of the ideology of the left. The parties have an immediate need of internal renovation and an external positioning that they are the defenders of the rights of not only

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the hearing giving their views of the matter. They had no embarrassment at sending suggestions which may have been rejected by the Bench, considering that some of the present judges may at some point in the past might have been their juniors. At time like this notions of undue delicacy and aloofness should be given up because at the stake is the independence of the Judiciary – one of the sheet anchor of our constitution. The old lot needs to jump in the fight not on partisan but as a sobering effect of the stubborn stand being taken by the Executive which is openly saying that it will not relent on its stand of not appointing a judge whom the Executive disapproves – outrageously unconstitutional, but there it is.

Long ago Montesquieu, saw this predicament and himself opined “that there can be no liberty if the power of judging be not separate from the legislative and executive powers”.

This conflict between Executive and Judiciary has not been settled and will always remain a matter of debate. But it is well to remind the Executive of certain postulates which are unalterable.

Thus even 400 years after the Magna carta was signed King James I of England felt unhappy when prerogative courts set up by him came in conflict with old courts applying the common law. King James I summoned the Chief Justice Sir

the poor but also even the common man/middle class entitlements. How do they do it is their internal party work and people are definitely looking for an alternative?

Edward Coke to stop interfering with the prerogative courts. “The kings will, James asserted, ‘was supreme’. Sir Edward Coke the Chief Justice of the Court of Common Pleas, responded that the judges must follow the common law, to which King answered wrathfully, “then I am to be under the law – which it is treason to affirm.” Coke replied by quoting Brocton, a medieval scholar monk, Rex non debet esse sub homine sed sub deo et lege.” – “The King ought not to be under any man, but under God and the law.” The story of this exchange has echoed down through the centuries.

In India similarly we have had the established principle that King, though an absolute sovereign must yet function within Dharma – which is another way of proclaiming the principle of the supremacy of law.

Wherever there is a written Constitution the Supreme law is the law of the Constitution and for even Parliament to accept that its powers are limited by the written Constitution is not in any manner to derogate from its sovereignty but only to accept that its sovereignty like the sovereignty of the executive and the judiciary is limited by the written Constitution.

Can one hope the Executive to act with grace and accept that it is not the modern Henry VIII of England fame, because of settled principle that the sovereignty vests in the people as expressed in our Constitution.

Struggle to Get Idea of Common School System Implemented

Sandeep Pandey

My fast at Gandhi Statue, Hazratganj, Lucknow to get the Allahabad High Court order making it compulsory for anybody in the government system to send their children to government schools implemented ended on the 10th day, 15th June, 2016 not because of any assurance of the government but because of pressure of my colleagues, well wishers and social activists like Justice Rajinder Sachar, Medha Patkar, Kuldeep Nayar, Dr. G.G. Parikh, Yogendra Yadav, Anand Kumar, Rajendra Singh, P.V. Rajagopal, Sunilam, Ravi Kiran Jain, Vijay Pratap and my Socialist Party (India) colleagues, both local as well as nationally. Justice Rajinder Sachar got me an appointment with Chief Minister Akhilesh Yadav, out of which nothing came out, and now because of Aneel Hegde of Janata Dal (U) who got Kuldeep Nayar to talk to Mulayam Singh Yadav, I've had a phone conversation with the national president of ruling party in U.P. and an appointment is pending. Aam Admi Party MLA Pankaj Pushkar came to break my fast from Delhi. But the chances that the 18 August, 2015 order would be implemented looks bleak.

There is huge resistance from the bureaucrats. They want special 'Sanskriti' schools for their children. They want to take the education system in a direction opposite to what the HC order intends. After the order came the Basic Education Minister in U.P. Ram Govind Chaudhary got his granddaughter admitted to a government school and wrote a letter to IAS officers to consider sending their children to government schools. He was removed as Basic Education Minister and replaced by

a retired IPS officer turned politician Ahmed Hasan. One can imagine the power of IAS lobby. But there are good IAS officers too. S. Ministhy, originally from Kerala now in the U.P. cadre, sends her children to Kendriya Vidayala in spite of having the option of sending her children to any of the elite schools in Lucknow as her colleagues do.

There are two kinds of education systems in this country. People who can afford send their children to private schools who after completing their higher education are able to get a job or are self-employed. People who cannot afford private schools are condemned to send their children to government schools which play with the child's future. Children attending these schools have to clear their examinations using unfair means. Half of them drop out before completing their school or even if they complete their education have to live as unemployed or underemployed.

When children of ruling elites will start going to government schools, their quality will improve and children of poor will also get good quality education.

Justice Sudhir Agarwal says in his historic order that, 'there are three categories of primary schools. One which caters to 90 per cent of population run by state Board which are in shabby condition. There are semi-elite schools run by private entities which are better than the government schools. Then there are the schools which cater to limited class of elite society.'

Justice Agarwal concludes that the, 'condition of Board schools

are pathetic because there is no real involvement of administration with these schools. Children of all government employees attend the second and third category of schools and have no indulgence to see functioning and requirements of these schools. Schools run by Board are victims of highest level of misappropriation, maladministration and widespread corruption. Standard of teaching is biggest casualty. Teachers are being appointed who the administrators would not like to see teach their own children. Appointment of teachers has become a political exercise with the objective of creating committed voters without bothering about their qualification. Since bureaucrats, politicians, rich people send their children to elite or semi-elite schools nobody cares about the standard to be maintained in primary schools of the Board.'

Coming down heavily on the ruling class he says that, 'a competition is going on to bring down the standard of government schools.' He says, 'time has come when state must make it compulsory to all those who receive benefit from state exchequer to have their wards sent to Board schools.'

Commenting on another benefit of this decision he says, 'it will boost social equation when children of rich will study together with children of poor. This will bring revolution in society.'

The HC order was to be implemented within 6 months of its pronouncement and the government was ordered to file a compliance report on 17th February, 2016. The order was to be implemented

beginning academic year 2016-17. U.P. government has done nothing. After my meeting with the CM on 8 June he has now ordered the Secretary, Basic Education to study the HC order. This shows the lackadaisical attitude of the government. The immediate reason of my sitting on fast was that the admission period for academic session 2016-17 is coming to an end in July. Once it is over the government will have an excuse that it'll implement the HC order only next year. I did not want the government to escape from fulfilling its responsibility in such an important matter.

The indefinite fast has had a nationwide effect which I did not expect. People have started discussing it now in many states. This gives me a hope that some day some government will implement it.

The support from the most unexpected quarter that I got was from fellow developing countries in the neighbourhood. Bangladesh Apparels Workers Federation, Sri Lanka's Community Development Services, feminist group from Bangladesh Jago Nari, Vietnam's Centre for Sustainable Community Development, Bangladesh's Coastal Association for Social Transformation Trust, Bangladesh's Equity and Justice Working Group, UBINIG (Policy Research for Development Alternative) also from Bangladesh extended their support to fast. Even Justice Sudhir Agarwal may not have realised that his judgement has important far reaching consequences not just for poor of India but for the entire world where struggles for an egalitarian society are going on.

I would like to thank all who supported my fast through this article. Your support will still be needed to take this battle to its conclusion.

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Former Prime Minister Lal Bahadur Shastri would often advise his colleagues: Sit light, not tight. That is the reason why he resigned as the railway minister after a big accident at Ariyalur in Tamil Nadu. He took moral responsibility for what had happened.

It is difficult to imagine anybody following that precedent today. Yet, India is still looked upon by the world as a country where the value system exists. Parochialism or posh living is not the answer. The country has to go back to what Mahatma Gandhi told the nation: Disparities drove people to desperation.

There is no point in harking back on the days of independence struggle. All had joined hands to oust the British. I wish the same spirit could be revived to oust poverty. Otherwise, the independence comes to mean a better life only for the haves.

If there was one-person rule of Indira Gandhi a few decades ago, today it is that of Narendra Modi. Most newspapers and television channels have adapted themselves to his way of working, if not thinking, as they had done during Smt. Gandhi's period.

The one-man rule of Narendra Modi becomes ominous in the sense that no cabinet minister counts in the BJP government and the joint consultation by the cabinet is only on paper. All political parties should put their heads together to stall any Emergency-like rule before it actually comes to exist. But even a person like Arun Jaitley who knows rigours of the Emergency—he too was jailed—would not fall in line because his way of thinking doesn't seem to be dictated by the RSS.

I do not think that the Emergency will be re-imposed because the amendments incorporated in the Constitution by the Janata government makes it impossible. Yet, conditions can be created which will suggest the Emergency without a legal sanction. However, public opinion has become strong that such a step is not possible. Even people may come out on streets to protest against any rule which is autocratic and resembles the Emergency.

Basically, what counts is the strength of the institutions. Even though they have not regained the health which they enjoyed before the Emergency, the institutions are still strong enough to resist any move which even remotely restricts their freedom. There are recent examples which evoke that kind of optimism.

Take the case of Uttarakhand. The house was dissolved one day before the floor test of the members. The Supreme Court held the governor's order ultra virus and revived the assembly. Even a state high court like the one in Maharashtra has admonished the Censor Board not to act like a grandmother but to stick to its job of certification rather than imposing cuts. Only one cut was allowed by the court as against as many as 90 suggested by the Censor Board.

This example should give heart to the critics that conditions are improving and may soon get the same vigour which they enjoyed before the Emergency. No ruler would dare to repeat what Indira Gandhi had done but uphold the Constitution in letter and spirit. The lessons learnt from the Emergency would not have been lost and there would be the same old confidence in the public that their freedom was not fettered and their right to differ in any way curtailed.

Climate change and marginalised groups

Bharat Dogra

While the significance of climate change is now very widely recognized not much effort has been made to understand its impact on some of the most marginalized groups in our society. This understanding is badly needed so that several emerging problems can be understood and preparations can be made in time to cope with these problems. Here this issue is examined in the context of some of the most marginalized and neglected groups of our society.

Artisans

India has a rich reservoir of highly skilled artisans and craft persons with highly diverse and valuable skills. These include handloom weavers, hand-spinners, potters, leather workers, millers, oil millers, metal and stone workers, sculptors, artists, ironsmiths, tool makers, rope makers and so on. Many of them have fallen on bad days due to denial of raw materials, exposure to unfair competition in changing market conditions, exploitative grip of middlemen or such other factors. Climate change and heat waves may adversely affect some of them like potters who work for long hours in the open or in conditions which expose them to more heat.

From the perspective of reducing green-house gas emissions, many of these skilled groups provide an excellent opportunity (which may not be available after one more generation) of harnessing these skills to the increasingly relevant objective of reducing the carbon imprint of many manufacturing activities. While earlier several of these skills like those of handloom weavers and hand spinners were justified on the

basis of increasing employment, saving heritage skills, etc. now there is the additional reason of reducing GHG emissions. Already some fair trade organizations selling handloom cloth are advertising the reduction of GHG emissions per unit of cloth or per handloom. Hence additional reasons exist now for protecting and promoting several groups of skilled artisans.

Forest collectors workers

India has a large number of forest workers, employed by forest departments and other agencies. In addition an even larger number of persons including a high share of women are engaged in seasonal collection of diverse kinds of minor forest produce (or non-timber forest produce) including fruits, seeds, leaves, flowers etc. for self-consumption as well as for sale. In the case of many tribal communities, forest-produce gathering is still a very important source of livelihood even though this is being eroded all the time by hostile laws and rules, hostile officials, depletion of forests and exploitation by traders.

To the extent that climate change may have an adverse impact on certain types of forests and trees, some of these livelihoods may face more threats in times of climate change. What is even more likely is that forest workers and forest produce gatherers will suffer much more from the intense heat and heat wave conditions. More protective conditions in the form of readily available cool and clean drinking water and resting places for afternoons will have to be created near work sites with first-aid

facilities for tackling dehydration and related conditions. Due to their experience of working in forests, these groups can also contribute greatly to increasing green cover.

Coastal fisher folk

India's coastal areas have many communities of traditional fisher folk engaged in small scale fishing activities in sea. After the advent of mechanized fishing and big business interests, traditional fisher folk faced many sided livelihood problems. With the advent of climate change they also face the threat of sea level rise and higher risk of cyclones. This has already forced some fisher folk communities to move back further from the sea. Cyclones not only shattered their lives in many areas but in addition, post cyclone, rehabilitation was unjust to several fisher folk communities. As these and other similar precariously placed rural communities may be most exposed to the vagaries of climate change, there is need for urgent protective action in time to protect their life and livelihood.

Nomadic people

India has many nomadic and semi-nomadic communities including pastoral nomads, artisan nomads, acrobat/folk singer nomads, etc. These groups travel across long distances, often (but not always) guided by seasonal factors. While more erratic weather may increase the reasons for nomadism, the nomadic patterns of life may also be disrupted. For example, less fodder may be available for cattle, goats and sheep as well as buffaloes kept by nomadic pastorals. Also nomads are

much more threatened by extreme weather conditions and torrential rainfalls. Nomadic groups should get more protection; for example in the form of better integration with health services.

Migrant workers

Increasing livelihood problems in rural areas have led to a rapid increase in the number of migrant workers. Their working and housing conditions can be horrible leading to exhaustion and fast decline in health. These problems can easily worsen with global warming. Improvements at work site, reforms in slums and urban housing as well as improvement of working class and urban health systems are needed to cope with increased stress of migrant workers.

Family members left in villages-

Many migrant workers leave behind elderly family members and children in their villages. They need special help to ensure water and food availability in times of climate change and weather extremes.

Rickshaw pullers

India's cities have a large number of rickshaw and hand cart pullers. They lead a precarious life with many problems and risks, and these are likely to increase in times of climate change. Shady waiting places with clean drinking water and better access to health care will help to reduce some of these problems. Although neglected, rickshaw and cart pullers contribute to reduction of GHG emissions.

Homeless people

Weather extremes will increase the problems of homeless people. Most shelters are designed and maintained for winter season. The need for providing shelter during afternoons in hot weather have not

received due attention. Their needs should get necessary attention and adequate shelters provided for them.

Single woman households

Single woman households are more vulnerable even in normal times and their vulnerability increases in times of extreme weather events including heat waves. Special care should be taken to provide care and protection to single women households in difficult times.

Private health care

By asking five prominent private hospitals in the national capital to deposit nearly Rs.600 crore to compensate for their failure to treat poor patients, the Delhi government has drawn attention to the social obligation of healthcare providers in the corporate sector as well as the need for timely enforcement of applicable regulations. According to the Kejriwal government, trusts and registered societies to which public land was allotted to establish hospitals were required to earmark a percentage of their medical facilities and services for indigent patients. The administration is now moving against institutions that failed to comply with the provision. As early as in 2007, the Delhi High Court had acted on a public interest litigation to lay down that 10 per cent of inpatient facilities and 25 per cent of outpatient services be provided free of cost to the poor. The effect of non-compliance was the repayment of the allegedly "unwarranted profits" the hospitals had made. The hospitals that have now been fined dispute any failure to treat the required number of indigent patients and plan to challenge the order. While the courts will have the final say on the dispute, the principle of opposing profiteering in the health sector cannot be faulted.

The above list no doubt can be extended but the essence is to emphasise that different vulnerable sections will face increasing difficulties in the face of climate change for which some common as well as specific (for each group) protective steps are needed. Better health care is needed for all of them while on the other hand various groups like nomads and homeless people also have their specific problems and needs.

The WHO estimates that government accounts for only one-third of India's healthcare spend — well below what is desirable. As a result, we have a situation in which the private sector accounts for a significant part of healthcare services. Given the low penetration of health insurance, about 86 per cent of expenditure on health comes out of people's pockets. This strengthens the case for private hospitals to dedicate a part of their services to those who cannot afford treatment. However, there is no national legislation that makes this mandatory. In the case of Delhi, it is enforced as a condition on which land is allotted to private hospitals. Wherever such regulations can be legally enforced, it is best that they are monitored on a real-time basis and rigorously enforced. In the present case, it has taken years to assess the audited accounts of the hospitals and initiate action to recover their profits. Enforcing social obligations of private service providers must go hand in hand with other measures to achieve the real goals of health policy: universal health coverage and protection for all sections against excessive out-of-pocket medical expenditure.

—The Hindu

Gandhi's Champaran Mission its context and implications

Ranjit Chaudhuri

When Gandhi was in Santiniketan after returning from South Africa in 1915, at the enquiry of C.F. Andrews about whether there was any possibility for him to start satyagraha in India, Gandhi replied that such a possibility would not arise for another five years. Little did he think at that time that his first encounter with the British authorities in India would come within two years in Champaran in Bihar. The situation in Champaran was not a creation of Gandhi but his mission there initiated a process that shaped the destiny of the nation and the destiny of his own.

The encounter came in the form of passive resistance. Passive resistance of Gandhi came out of his concept of authority. To him, force was the basis of the state authority. The authority based on force could not have moral sanction. In this matter the positions of Thoreau and Gandhi were identical. Thoreau said: "The authority of Government... is still an impure one: to be strictly just, it must have the sanction and consent of the governed."¹ Both Thoreau and Gandhi believed in the moral authority which stood above the legal authority. The man-made laws were not necessarily binding on the people. Gandhi said: "So long as the superstition that man should obey unjust laws exists, so long will their slavery exist."² Thoreau wrote: "Unjust laws exist: shall we be content to obey them, or shall we endeavour to amend them, and obey them until we have succeeded, or shall we transgress them at once?"³ As a philosophical anarchist, Gandhi thought that moral

authority came from the people because it was the people who resisted the immoral authority. But the people were inordinate force. So, finally, he wanted to be much more definite and felt the need of building the Congress as an active moral body which will act as an effective countervailing force on the British government.

That was why Gandhi from the beginning did not want to separate morality from politics. He attempted to build the Congress on the basis of truth and morality. He laid stress on spiritualisation of politics. Tilak, the most powerful leader at that time, was sceptic about any relevance of truth and morality in politics. His position was somewhat Machiavellian. According to Tilak, "Truth has no place in politics, politics is a game of worldly people and not of sadhus."⁴ Gandhi, on the other hand, said: Tilak represents a definite school of thought of which he makes no secret. He considers that everything is fair in politics. We have joined issues with him in that conception of political life. We considered that political life of the country will become thoroughly corrupt if we import Western tactics and methods. We believe that nothing but strictest adherence to honesty, fair play and charity can advance the true interest of the country.⁵

Tilak's approach was quite well-known. It was the usual path of politics. Gandhi's position was not known in India. The path of truth and nonviolence appeared strange. It was not a tried path, though Gandhi claimed that it was an

Indian path in origin. But his ideas were more influenced by Tolstoy, Thoreau, Ruskin, Emerson, than by the traditional Hindu or Buddhist ideas.

To Gandhi, truth and morality were an article of faith. He knew that nation-building and nation's survival depended on its moral foundations. He never subscribed to the view that good society could be made out of immoral acts. So also people's struggle could not be sustained if it was not based on morality and truth. Since truth was indivisible, there was no difference between the private truth and the public truth. To Gandhi, the dichotomy between the esoteric truth and the public truth was redundant because the complex relations between the two were demystified by him and thus made simple. His concept of moral authority has no mystique in it. Moral authority remained dormant in the people and Gandhi's contribution was to bring it out to surface by making the people active. Then the moral authority became a reality. The people came to realise that they possessed a powerful force which Gandhi called soul force. The people became conscious of it as their fight brought dignity to them. Legitimacy of the moral authority of the people was established by restoring self-respect to the people.

This process was started in Champaran. The Champaran mission was historic in more than one sense. For the first time, the people saw that there was nothing secretive

in politics. Politics was based on utmost probity and openness. A new political culture was created which had no parallel in history. This was the greatest significance of the Champaran mission. Gradually that culture pervaded the entire life of the society. The nonviolent culture gradually eroded the culture of extremism and terrorism. Political rhetoric also began to change. Champaran was a people-oriented struggle which stood as a distinct alternative to the earlier elite-dominated movements. Champaran also became a spring-board which lifted Gandhi to national heights. In his Autobiography, he observed: "That day in Champaran was an unforgettable event in my life and a red-letter day for the peasants and for me." He further observed: "In this meeting with the peasants I was face to face with God, Ahimsa, and Truth."⁶

Later on in 1939, speaking in a public meeting at Benaras, Gandhi introspectively observed: "Just a few decades ago, I never knew what Hindustan was nor did Hindustan know what I was. I came to Champaran in 1917 with a view to redressing the grievances of the peasantry who were mere toys in the hands of the planters. I came here with my heart open and had no other instrument for the fight except the armament of truth and nonviolence."⁷ This statement of Gandhi needs to be deciphered. Gandhi left India when he was in his teens and when he returned, he was in his mid-forties. In the meantime, he of course came to India on several occasions for short durations. He did not grow in Indian soil. He received his important political tools, namely nonviolence and passive resistance, from Western social and political activists. Eventually he gave them an Indian colour. These tools were

applied first in South Africa against the White rulers. Gandhi was trying to educate the White rulers by repeatedly quoting Tolstoy, Thoreau, and Emerson. For intellectual support, he depended more on Western talents. His "armament of truth and nonviolence" was not familiar to contemporary Indian political ethos. His struggle in South Africa was known only to a small circle. Hugh Tinker made a valuable observation when he wrote: "Gandhi discovered his philosophy and his technique of political action partly following British and American models. His essentially Hindu mind was indelibly influenced by Christian beliefs. Yet the end-result was uniquely his own. Gandhi was ultimately Gandhian."⁸ The significance of this observation was that Gandhi was more Gandhian than anything else. Nonviolence and satyagraha were employed by him as political tools and he made them effective by his own talent. Champaran gave legitimacy to them as methods of political struggle. Before that, he did not know India and India did not know him.

Coming back to India, he was eager to get a political berth in the Congress. At that time the Congress was not in a good shape. Since the split between the moderates and the extremists at the Surat session in 1907, the political unity was still not restored. The Congress lost its vitality. Sri Aurobindo had retired from politics. Lala Lajpat Rai went to the United States. Bipin Chandra Pal and Surendra Nath Banerjee became old and did not remain active in politics as before. Gokhale and Pherozeshah Mehta died shortly after Gandhi's arrival in India. Tilak had been brought back from Mandalay a few months earlier. Tilak was the most commanding and vital force at that time. Annie Besant,

who entered politics in 1913, was representing a new force. Gradually signs were there which showed that the Congress would be united again. In the Bombay Congress of 1915, the road was cleared for the unity of the Congress by opening the door for Tilak's party to enter the Congress. The constitution of the Congress was altered to facilitate their entry. Gandhi attended the Bombay Congress. This Congress signified the end of the moderates' dominance of the Congress. Tilak was waiting for the change of constitution. He knew that by his popularity and the strength of following, he would eventually capture the Congress. Gandhi saw the rapid rise of the extremists and the decline of the moderates. In April 1916 the Home Rule League was founded by Tilak. Later on, Annie Besant formed the second Home Rule League. In May 1916, the Bombay Provincial Conference was held at Belgaun. This was really a show of the extremists. Some members expressed their reservations regarding extending an invitation to Gandhi. Finally, Gandhi was invited. He accepted the invitation with considerable hesitation. Tilak moved a compromise resolution between the extremists and the moderates. Gandhi saw an unholy intention in it. He said: "If they passed the resolution in the idea that after joining they would drive out the opponents in it, neither the Congress nor the extremists would gain anything, nor the country."⁹ In this conference Gandhi announced that he was neither a moderate nor an extremist. The declaration was not without meaning. It did not signify that he wanted to represent a third party. Even before he came to India, he made it clear in Hind Swaraj. In the concluding chapter Gandhi wrote: "I do not think of a third party at all."¹⁰ He wanted to

convince everybody that the path of nonviolence and satyagraha only was the correct path. But he did not know how to begin. He was groping in the dark.

In the Lucknow Congress which was held in December 1916, the extremists came to control the Congress. Gandhi was not prominent then. He did not play any significant role. The most important outcome of the conference was the Congress-Muslim League unity and the Congress ratification of separate electorates for the Muslims. The irony was that the Congress did it under the leadership of Tilak. Surprisingly Jinnah and Madan Mohan Malaviya were among those who voted against the resolution. By the ratification of separate electorates for the Muslims, division of India on the basis of the two-nation theory was recognised in principle. Later, Gandhi commented that had he been in the leadership of the Congress, he would have never agreed to any ratification of separate electorates for the Muslims.

Gandhi not being important at that time was not feeling confident about how he could become effective. In the meantime, he had scored two successes: one, indenture labour was abolished and, two, the customs cordon between Bombay Presidency and Kathiawad was lifted. These acts, however, failed to draw national attention.

Just at that time, the Champaran problem was brought to him as a gift by an unknown peasant of Champaran, Rajkumar Shukla, at the Lucknow Congress. Rajkumar Shukla pleaded with Gandhi to visit Champaran to witness the tyranny and atrocities of the White indigo planters over the peasants. He was sincere and persistent in his request.

Gandhi at last agreed to go to Champaran. He did not calculate the risk. With an open heart he arrived there.

Champaran was a backward district and it primarily depended on indigo cultivation, that too, not by the choice of the people. Indigo used to be an ancient product of India. In trans-Himalayan trade indigo used to go to Tibet from India. During the British rule it was re-introduced in Bengal and Bihar. The European textile industry was importing it as a dye. In Bihar, indigo planters were brought by the collector of Tirhut. Between 1782 and 1785 three factories were erected. In 1810 the number of factories rose to twenty-five. Planters were mainly British, though some of them came from Portugal, Ireland, Germany and some other countries. According to the collector of Tirhut in 1810, some thirty to forty thousand people received their chief support from the factories of this district.¹¹ For over a century, it remained a prosperous industry.

Indigo production was started almost simultaneously in Bengal and Bihar. The notable fact was that the indigo cultivators were never happy. History has recorded three major indigo revolts in Bengal during 1855-60, in Darbhanga and Champaran during 1866-68, and in the Jessore district of Bengal in 1883 and again in 1889-90. Before 1833 the European planters had no right to buy and own land in India. Rammohun Roy and Dwarka Nath Tagore pleaded in a meeting at the town hall of Calcutta in December 1829 that the Europeans should get the right to purchase land in India and establish factories to produce indigo.¹² The Act of 1833 made the planters' position legal and valid. After this Act, some planters also

became zamindars by purchasing a large quantity of land and some of them took land on lease from the zamindars who, in turn, started leasing lands to the peasants.

When Gandhi arrived there in 1917, there were twenty-four concerns in Champaran. At that time Bihar and Orissa were taken out of Bengal and made into a separate province. Champaran had two towns Motihari and Bettiah and 2,845 villages. The indigo industry was in a state of decay mainly because Germany found out a synthetic dye which was less costly. Secondly, due to war, European trade had declined. Thirdly, as the industry was in a state of crisis, it could not pay the same price to the cultivators for the indigo crop. The exploitation of cultivators thus increased. The planters were exacting money from them in various ways like taxes, fines, and enhancement of rent. The planters let out the land on a fixed rental with the provision that each of them would cultivate indigo on 3/20th of the land let out to them. This was known as the tinkathia system. That was the most prevalent land tenure system.

Initially Gandhi's objective was just to make a survey of the prevailing condition of the peasants and understand their grievances against the indigo planters. He wanted to record the statement of the peasants. Since he did not know the local dialect, he called some local lawyers and asked for their services. They replied that they would willingly offer their services if they were not required to go to jail. Gandhi replied: "I do not expect there will be any occasion for offering satyagraha. In any event, if an occasion arose, I will not call upon you to break the law."¹³ Gandhi's statement showed

that he did not go there to challenge the planters or the local authority. He did not fully visualise the nature of conflict that was simmering with the local authority. In Muzaffarpur, Gandhi started widening his public contacts. He gathered a group of people who lent valuable support to him. Prominent among them were J.B. Kripalani, Brij Kishore Prasad, Rajendra Prasad, Ramnavami Prasad, Gaya Prasad, Mazharul Haque, Krishna Sahay, and a group of students of GBB college.

Gandhi was an enigma to the British government. The government treated him very kindly when he freshly arrived in India, perhaps, for his unconditional support to its war effort. At the desire of the governor of Bombay, Gandhi went to visit him. At that meeting Gandhi assured him that as a satyagrahi he would not do anything unless he understood the government's viewpoint. As a gesture of goodwill, the government withdrew shadowing him by intelligence people.¹⁴ He was awarded a Kaisar-i-Hind medal. But his speech at the Benaras Hindu University was censored and he was asked to leave Benaras. This was followed by re-introduction of surveillance on him. In his address at the Benaras Hindu University, he declared: "Our salvation can only come through the farmers. Neither the lawyers, nor the doctors, nor the rich landlords are going to secure it."¹⁵ He had great faith in the peasants. In his *Hind Swaraj*, he wrote: "Peasants have never been subdued by the sword, and never will be. They do not know the use of the sword, and they are not frightened by the use of it by others."¹⁶

With that faith in peasants he arrived in Champaran. He engaged himself in building some logistics to face any eventuality. His logistic

was to widen his public relations. Gandhi, having already acquired rich experience in South Africa, knew how to negotiate in a difficult situation. The inexperienced local authorities behaved in a tactless and egoistic manner. They had little knowledge of the power of Gandhi. They served a notice on him to quit the district by the next train. The encounter now started. Gandhi was a master propagandist and publicity man. The problem, which was essentially a local one, at once became a national issue by his genius. He also added to it humanistic and universal dimensions.

Gandhi refused to leave the district. Summons were served on him for appearing at the court of sub-divisional officer of Motihari. In the meantime, streams of people started coming to Gandhi. He judiciously took the decision to send a telegram to the Viceroy. He also sent a telegram to H.S.L. Polak, his trusted friend in South Africa, who was in India at that time. A telegram was also sent to C.F. Andrews and Madan Mohan Malaviya. He was careful not to involve the Congress in the affair. In fact, he did not want to give it a political colour. But he certainly wanted to draw national attention. He was successful in doing so and many national papers started publishing reports on Champaran and on the heroic struggle of Gandhi. Moreover, in the trial Gandhi added one more dimension to its content. The local authority was not intellectually competent and administratively equipped to deal with it. Gandhi in his statement in the court said: "I have disregarded the order served upon me, not for want of respect for lawful authority, but in obedience to the higher law of our being, the voice of conscience."¹⁷ The authority was feeling shaken, as Gandhi mentioned later in his

Autobiography. They were afraid that any decision to punish Gandhi would produce invidious reaction among the people. Finally, by the intervention of the superior authority of Lieutenant-Governor, the case was withdrawn. The Lieutenant-Governor also promised all kinds of cooperation for his work. The decision to withdraw the case meant loss of face of the authority and a defeat. It boosted Gandhi's prestige sky-high which had a far-reaching effect. Kripalani wrote: "With Gandhi's defiance of the law, the people of Champaran felt as if their age-long chains had been broken and they were free men."¹⁸

In his Autobiography Gandhi wrote: "The country thus had its first direct object lesson in civil disobedience."¹⁹ He needed to apply civil disobedience in India in order to prove its efficacy. Champaran was the testing ground. People were not afraid of authority. Psychologically they were prepared to resist. This was the most significant transformation, the transformation in the image of authority. Self-confidence began to grow in the minds of the people. Champaran supplied the necessary psychological support which led to collective self-assertion. Gandhi successfully demonstrated the importance of civil disobedience.

At the same time, personal charisma of Gandhi began to soar high. In his report, Commissioner of Tirhut mentioned: "More than one tenant told me Gandhi is the second God for Champaran. Another compared him with Ramchandra who had come to rescue them from the planter Rakshas."²⁰ Throughout his campaign he maintained this charisma. His rejection of ostentatious living in favour of austerity and his frankness and openness added to his charisma. He

completely identified himself with the people even in food and dress. The distance between the leader and the people was removed. The elitist perception about the leader was completely changed. Stories about Gandhi's strict honesty and high probity became the topic of inspired conversation among the people. Certain examples were recorded. A government servant secretly provided a copy of the official report to Gandhi's people. They took it to Gandhi who refused to read it as it had come to him in a secret manner. There was another incident. The collector of Champaran had written him a stiff letter, but, on second thoughts, withdrew it. Gandhi's followers wanted to make a copy of it, but he did not allow them to do so, saying that in that case the letter could not be said to have been withdrawn.²¹ These and several other stories transformed Gandhi into a mystic personality in popular imagination. There was thus a paradox. Gandhi wanted to demystify politics but in the process he himself acquired a mystic quality. This was a mystique rendered by charisma based not on tradition but on acquired quality. If Gandhi's charisma was based on tradition, Gandhi would remain confined to his country. The universal appeal of Gandhi proved that his charisma cut across the boundary of tradition.

Gandhi was clear about the role of his mission and its social responsibility. He believed that his role in Champaran was irreplaceable. This he pointed out in one of his letters to the district magistrate. The implication of this letter to social activists and social scientists was deep. Gandhi raised the question why, in a case like Champaran, the government could not obtain freedom for the peasants, whereas he could. Gandhi wrote: "My answer

is that they (government) cannot [obtain this freedom], in cases like this, without assistance as is afforded to them by my mission. The government machinery is designedly slow. It moves, must move along the line of least resistance. Reformers like myself, who have no other axe to grind but that of reform they are handling for the time being, specialise and create a force which government must reckon with."²² In the case of indigo cultivators, the freedom was to be obtained from the government that had given indulgence to planters by making unjust laws. Administrators could not go against the law they were supposed to protect. Being in the Establishment, they could not initiate the change. Reformers' role was to generate a force outside the Establishment. Administration could identify and strengthen it if they wanted to. The force thus generated tended to produce social dynamics which made change easy. The administrators could not be the agents of social change. The agents were to be from outside the Establishment. Administrators could play only catalytic role.

Gandhi presented a preliminary report to the governments of Bihar and Orissa. The report revealed the exploitation of cultivators and various atrocities committed by the planters. Finally, the government constituted a committee to go into the matter and Gandhi was made a member of it. The committee, in course of time, submitted its report with its recommendations. The government accepted those recommendations and on that basis was passed the Champaran Agrarian Act. The Act abolished the tinkathia system and the peasants got the liberty to grow indigo on optional basis. Kripalani observed: "The Kisans of Champaran did not get

any radical concessions but there was some improvement. . . what he [Gandhi] achieved by his satyagraha appeared at the time to be small but the rest was subsequently accomplished through the combination of various circumstances."²³ In fact, the process, started in Champaran, continued to subsequent struggles and very soon Gandhi emerged as a towering national leader.

The Conflict in Champaran had some important implications. The conflict, which remained dormant so long, was activated by the people. People were up to that time passive spectators and almost by a magic touch they were now changed into active actors. They now realised that they had an important role to play. Champaran was an applied field where two asymmetrical interests confronted each other in a conflict situation. They were interests of the planters supported by the bureaucracy and the interests of the peasants. Entering into the scene Gandhi quite meaningfully articulated the problems of the peasants and exposed the tyrannical behaviour of the planters and brought it out before the nation. But he was very careful not to give it a political colour either by involving the Congress or by any other means. The interaction started with the bureaucracy on the one side and Gandhi as an individual on the other. Gradually Gandhi was totally identified with the peasants and the peasants were organised into a courageous force. At this level, the conflict took a structured form. Gandhi established the legitimacy and efficacy of satyagraha as an alternative tool and this he did without involving the Congress in its operative process. This was a unique feature both in terms of the character of the conflict as well as in terms of the method adopted. Satyagraha

on its own merit established its historic role. Champaran gave it full opportunity.

Satyagraha as a method of intentional conflict made the people morally sensitised. Before Champaran, the moral aspect of the conflict did not get so much importance. Here the people realised that they had no scope to act irresponsibly. Conflict was now treated as a rational manifestation of moral force. They also came to know that they could not submit to collective emotive impulse. So they could not follow the path of adventurism. They also were given to feel that since they were fighting immoral force, they could never lose morality. Gandhi's presence provided them with a constant living example. This awareness brought a qualitative difference in their action. The process of introspection started working in the minds of the planters also. Some of them rectified their conduct.

As a result, the interactive relations between the planters and the cultivators did not become violent. Both the groups became aware of their respective strengths and weaknesses. Satyagraha produced tremendous convulsions among both the groups. Their relations got a new colour since the socio-economic scenarios also began to change. The convulsions they had experienced brought elements of change in their praxis. This was possible only because the intensity of conflict syndrome remained within legitimate limits.

Gandhi showed the skill to keep the conflict under controllable limits. It was his first satyagraha in India. He proved that he could precipitate conflict but at the same time he also proved that he could keep it under

his control. His power of conflict management was amazing as long as conflict remained confined to limited dimensions. When the scale reached the national level, he tended to show his weakness. In the Rowlatt Satyagraha, for example, he admitted his "Himalayan miscalculations." On that occasion, the conflict took the form of group adventurism.

Gandhi saw that there was a deep cleavage in the society of Champaran. The cleavage divided the society into two contesting groups. And the conflict was the result of incompatibility between the two groups. It was also an expression of structural failure. As far as possible, Gandhi maintained the mainstream norms. Where the mainstream norms failed, he took resort to social defiance. But he kept the door of negotiation always open. He controlled his combatant policy by following normative behaviour. He was very clear about his role in that situation. Champaran was a specific case of a specific group. This group used to live almost in isolation and Gandhi linked it to the national stream. Politicisation of the people increased rapidly and local politics became a part of national politics. The Congress, which was unknown in that area, at once got a solid base.

His satyagraha was a social defiance. Conflict was inherent in the given social structure. Gandhi's presence intensified the conflict and converted it into a structured struggle. His sincere adherence to normative innovation demoralised the opponent. The success of nonviolence was, to a great extent, made possible because he could ritualise it in daily life. Nonviolence gave it an effective form of a rebellion. Collective rebellion of the peasants was symbolised in one person, namely Gandhi. He derived

his strength from the collective response of the peasants. He was fighting the local authority through his nonviolent rebellion. He knew the people were behind him. He could win over the oppressive system by his sustained determination.

Gandhi knew that the authority, which was equipped with the most ruthless power, could not be challenged unless the people realised that they also possessed equally effective power. The perception of power was more important than the reality of power relations. The powerless suddenly realised that they were no more powerless. The powerful now felt that they could not apply their power. The conflict took a new turn. Collective response to resist, courage, and self-confidence demoralised the opponent. Moral power of the people almost outpaced the oppressive power. The decadence of indigo industry and the war situation went against the planters. The failing economy of indigo industry also acted as a compulsion on the planters to stop their egoistic behaviour. The course of conflict being peaceful rebellion, they could do it without suffering much psychological strain. Nonetheless psychologically the planters suffered the defeat. Bhikhu Parekh observes: "Gandhi's satyagraha then was an ingenious combination of reason, morality and politics; it relied on the powers of argument, suffering, love, and organised pressure, and appealed to the opponents' head, heart, and interests."²⁴

Gandhi's Champaran mission was an important event in the history of freedom struggle and also in Gandhi's own life. Here a new process in politics was started which became the dominant course in the next eventful decade. The process brought legitimacy to nonviolence and civil

disobedience. It also helped Gandhi to become a national leader in his own right. His nonviolence, love, and readiness to act and suffer won over the Machiavellian politics. Champaran was the testing ground of nonviolence in politics. India came to know him and he could know the popular pulse of India through Champaran.

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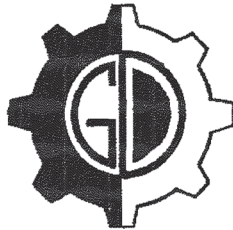
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**Murder of innocents
in Bangladesh**

Mrinal K Biswas

**Excessive judicial intervention -
dangerous to
judicial independence**

K. Pratap Reddy

**The judiciary, only, is
responsible....**

Jawaharlal Jasthi

**Fact-finding team's visit to
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**Massive Sea Water Ingress
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The idea of India

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Travesty of justice

Kuldip Nayar

With all due respects to the Gujarat High Court, I beg to differ with its judgment that the firing by Ehsan Jafri provoked the mob to kill him. I knew him and he was a staunch Congressman. The Gulbarg Society massacre was the doing of local Gujarati leaders hoping to parochialise the people.

When Jafri was surrounded by the Hindu mob, he rang me up, seeking my help to rescue him from the frenzied crowd he had around him. I rang up the Home Ministry in Delhi and told them about the telephone call. They said they were in touch with the state government and were "watching" the situation. As I put down the telephone, the bell rang again and Jafri was at the other end, beseeching me to do something because the mob was threatening to lynch him. His cry for help still resounds in my ears.

I admit I could not do anything beyond ringing up the ministry once again. Therefore, the court's verdict that Jafri provoked the crowd is misplaced. It is a travesty of justice. But then the Bench is not to blame because it has to go by the evidence placed before it. The prejudiced police had neither done their job, nor

homework thoroughly, and so the court had come to the conclusion that the provocation came from Jafri.

I hope the matter will come up before the Supreme Court and the real facts may emerge for the knowledge of the wider public. This is important because the general impression is that Jafri was to blame. The tragedy is that even the judges have now been taken in by the sordid job done by the police. India is a pluralistic state and it is ruled by the Constitution which Hindus, Muslims, Sikhs and Christians in the Constituent Assembly together had adopted.

It goes to the credit of leaders of the national struggle that they adopted a secular constitution although the population of Hindus was an overwhelming 80 per cent. The Hindu Mahasabha which gave birth to the Jan Sangh could not even return 10 members to the Lok Sabha. The party has, in fact, improved its position and today commands a majority in the House on its own. It has 262 seats in the Lok Sabha, guaranteeing it a clear majority. Close allies like the Shiv Sena have added to its strength.

What plagues India is that the government apparatus reflects the

ideology of the party in power. This applies as much to Congress as to the BJP. Even the communists are not innocent. How we reconcile these shortcomings with the rule of law is the biggest problem that the nation faces. Since all political parties are culpable, there doesn't seem to be any light at the end of the tunnel.

Unfortunately, the main onslaught today is against the minorities and the marginalized. If the rule of law is not maintained, all members of the society are vulnerable and will be victims one by one. The enemy phobia will be sustained. Today the Muslims are to blame; tomorrow it will be the turn of some other members of society. Where will it end? There is no option from the rule of law.

Fortunately, some activists are still trying to bring democracy back on the tracks, but the atmosphere has become so polluted that their job looks tremendous and almost impossible. Ultimately, parliament is the arbiter. The nation will have to see that it elects such people who have faith in the rule of law and the Constitution which came into being from 1950.

In fact, there were many options before the Constituent Assembly. Adviser B.N. Rau, who had gone around the world to see various systems in operation, placed before the advisory committee of the Constituent Assembly the presidential form of government pursued by America and the one followed by France. Jawaharlal Nehru, whose ideas prevailed at that time, preferred the parliamentary system. It is alleged that his education at Harrow and Cambridge had moulded his thoughts. That may

(Contd. on Page 7)

Murder of innocents in Bangladesh

Mrinal K Biswas

Two aspects of annihilation of secular activists and minorities have bewildered, if not made Bangladesh administration looked powerless: individual killings and the manner of killings. Almost at regular intervals one or other person is being butchered in Dhaka or occasionally in far flung areas at their homes or mostly on roads and in public places. Surreptitious agents of murders escape too fast from public view leaving mostly the innocent victims vainly fighting for their life.

To the utter awe of the saner public and to the vicious delight of the Islamic extremists the killer keeps his machete concealed in his body with the murderous motive of severing the spinal cord of the unsuspecting victim with "two swift chops to the back of the neck." Killing silently the infidels with swords comforts the extremist Islamic ideologues. The Bangla militants not only agree but claim this is "more virtuous" a method than the Islamic brand of blowing out animate and inanimate hate objects with explosives giving greater rate of success in the rest of the world, though.

Bangladesh security agencies had no clue as to rising incidents of individual killings since February 2013, now 40 and ascending, decided that local radicals with a different method of lethal attacks had no links with non-State terrorist networks like Talibans, Quaida, Islamic State (IS). Only recently, the spate of killings had sounded the alarm bell too loudly. The Bangladesh

authorities have now identified two fundamentalist Islamic groups, Ansar al-Islam (AaL) and Jama'atul Mujahideen Bangladesh (JMB), who are believed to be inspired by al Qaida and IS. Indeed, IS has already claimed credit for individual killings as their handiworks.

These two militant groups have recruited and trained fanatic volunteers about how to know the human targets and how to kill the Hindus, Christians, Buddhists, monks and priests, sufi believers, liberal Muslims, secular elements, atheists, free thinkers, gays, non-conformist bloggers, enlightened literates and even family members of the police force if persons in uniform are found hostile to attempted individuals killings. Killers are determined to disprove the dictum that the pen is mightier than sword by felling a few distinctive propagators of different views not amenable to the faith.

Even devout Muslims are unnerved by this violent exhibition of political Islam in a country with adherents to their faith reaching up to 98 per cent of the total population. Widespread forcible conversion of minorities are forcing them to flee to neighbouring Indian states and on the other hand deportation of non-conformists are freely resorted to, writer Taslima Nasrin being the example.

Present Bangladesh regime under Mujibar Rahman's progeny Sk Hasina has established a cautious secular rule and is no less wise that

an widespread crackdown on the killers and fundamentalists may unleash an Islamic backlash in this tiny State. Bangladesh has through a bloody war wrested independence from Pakistan in 1971 with secular and democratic credentials only to witness series of violent incidents like Mujib assassination, a military coup in 1975, a long army regime, army-backed non-secular civilian governments in the midst of turmoils army chief Ershad became President and inducted a constitutional provision to make Islam a State religion which in fact was widely welcomed, secularism was then only germinating and a middle class was not yet an influence. In 2009 a secular government came to power, though.

Like Indian Prime Minister Narendra Modi's bizarre silence on intolerance and other issues Bangladesh head of government Sk. Hasina didi think it fit to carefully watch the unfolding spate of individual killings without interfering in police actions for some time. Only on June 10 Sk Hasina vowed to catch "each and every killer" as a result of which 3,000 arrests have been made. She said hers is a small country and it is not a tough task to find killers.

Her firmness was amply manifested in dealing with war crimes which saw a mayhem and killing of 3 million or 30 lakh people in the Bangladesh war of independence in 1971. Fanatic Islamists with occupying Pakistan armed forces had massacred innocent Hindus, raped indiscriminately and butchered country's top intellectuals in 1971. Sk Hasina set up an International Crimes Tribunal who convicted five perpetrators belonging to the largest Islamist party Jamaat-e-Islam

and four of them were executed despite pressures from the West and protests from Pakistan and Turkey. Party chief 73-year Motiur Rahman Nizami among them was a prominent minister in the Bangladesh Nationalist Party(BNP)-led government in 2001-6 and was the kingpin of the annihilation project .

The unique cry for trials of the perpetrators of crime created a new stir in the form of Shahbag movement. On a February day of 2013, thousands rallied at Dhaka's Shahbag traffic circle to the call of the aggrieved bloggers who decried mere life term for a Jamaat leader despite being found guilty of crimes against humanity. The rallies on subsequent days too excitedly lauded the executions of Nizami and others.

Bangladesh comes at the crossroads, fundamentalists are resurging in reaction to fast and loud embracing of modernistic views by a newly educated younger generation. A kind of bipolarism is in evidence in the social and political life of this country. Liberal Islam allegedly biased towards secularism is the chief target of the extreme Islamists. As there is no deceleration of clashes, the two minorities become the helpless onlookers.

Bangladesh is an Islamic State by constitution but this English small r-letter-shaped country above Bay of Bengal is encircled by secular India, far from Islamic states in West Asia and not very near to non-fundamentalist Islamic Malayasia and Indonesia in South-east Asia.

South-east Asia and southern part of Asia may not rule out aggressive terrorism altogether if, like Pakistan

in the west, Bangladesh turns out a base of Islamic terrorist network . Individual killings may be a precursor. JMB-funded arsenal hub at Kharagarh in West Bengal's Burdwan district is a chance discovery by Indian security agencies where footprints of a few driven-out Rohingya Muslims from Myanmar are also found. Reports say that a group of people calling themselves Islamic State of Bangladesh (ISB) were arrested at Singapore which has a leader, deputy leader and members with specific roles. Some five others were detained at Dhaka itself after they were sent back from the multi-racial city State after they were found to be in possession of radical material support to the use of armed violence for a religious cause. The latter group is believed to be connected with the local militant set-up Ansarullah Bangla Team (ABT).

Bangla watchers do not rule out other clandestine groups working firmly for turning Bangladesh into a Muslim fundamentalist post in the underbelly of Asia.

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Excessive judicial intervention - dangerous to judicial independence

K. Pratap Reddy

Our Constitution provides abundant measures for maintaining the Judicial Independence and confers immense powers of Judicial Review on Administrative actions and the power to examine the Constitutionality of any Legislative measure, Central or State. These powers are exclusive of the ordinary Judicial jurisdiction relating to individual disputes, disputes relating to Corporate Laws, disputes relating to Intellectual Property Rights and the ordinary Criminal Law, including the power of awarding and confirming death penalty.

While, Article 32 in Part – III of Constitution, conferring power on the Apex Court to protect the Fundamental Rights depends on a Motion, the powers conferred on the High Courts under Article 226 do not depend on any “Petition”, “Application” or a “Motion” by any person. Further, the powers of High Court under Article 226 are not limited only to protect Fundamental Rights but extend “for any other purpose”. This expression “for any other purpose” includes the power of interpretation of the provisions of the Constitution and any other law made either by the Central or State Legislatures and the administrative actions of the Central or any State Government in so far as such powers are purported to be exercised within the local limits of such High Court. Of course, such powers of High Court are subject to the Appellate Jurisdiction of the Supreme Court.

The Constitution also confers “original jurisdiction” on the Supreme Court of India under Article 131 to resolve disputes:-

Between the Government of India and one or more States;

Between the Government of India, any State or States on one side, and one or more States on the other; and

The power of consultation under Article 143, referred to it by the President of India.

The above review of Constitutional provisions shows a very wide spectrum of jurisdiction of the Higher Judiciary in India. But it is necessary for all of us, more particularly, Lawyers, Judges, Jurists, and Social activists, to appreciate that these powers are provided to be exercised within the limits of the provisions of the constitution and not beyond them.

It is a matter of great concern for all of us, who are concerned with the maintenance of Judicial Independence of the Judiciary, High Courts and the Apex Court, are tending to exceed these limits, sometimes touching upon the Exclusive Jurisdiction of Legislature and the Exclusive jurisdiction of the Executive.

A recent case of such unconstitutional intervention is the one when the Uttarakhand High Court upset the verdict of the

Speaker of Assembly of Uttarakhand State, in regard to “majority “ of the Ruling Party and the Apex Court stepping in to exercise the powers of the Speaker of the Uttarakhand Assembly. This injudicious, - nay unconstitutional intervention by both the Uttarakhand High Court and the Apex Court had become a subject of widespread public dissention and serious comments by the media, “electronic” and “print”.

In two historical judgments, (one in 1964 in “Keshav Singh’s Case” and the other in 1994 in “Bommai’s case”), “Constitution Bench” of the Supreme Court had, categorically declared that the proceedings of Legislative Assembly and more Particularly the Ruling of the Speaker of the Assembly are outside and beyond the jurisdiction of any Court, including the Apex Court. The recent actions of the High court of Uttarakhand and the Supreme Court amount to violation of the very law laid down by the Apex Court of the country. Is this not violation of one of the basics of the Constitution, viz., rule of law declared by the Apex Court itself.

Again on 11.05.2016 “in a scathing 53 page verdict on the lack of will shown by the Centre and States in combating drought and saving lives.... And washing its hands off National Disaster” (Quotation from Front Page Headlines of “*The Hindu*”, dated 12.05.2016), the Apex Court purported to intervene in the exclusive executive powers of the Central and State Governments.

With all due respect and humility, I submit that this “verdict” of the Apex Court on 11.05.2016 is a totally unwarranted and unconstitutional intervention in the exclusively executive powers of the Central and State Governments.

Once again, recently, the Bombay High Court had passed an order directing Cricket Board not to conduct any cricket matches in Bombay City with the ostensible reason of “shortage” of drinking water in Bombay. Any person familiar with the Provisions of the constitution would fail to understand, much less comprehend, under which Provision of the Constitution, the High Court purported to exercise this power. It is absolutely and totally within the exclusive executive powers of the State Government. Even if, the concept of “judicial review of executive power” is extended to its broadest limits, this order of the Bombay High Court is totally injudicious, unwarranted and beyond any Provision of the Constitution. The Bombay High Court should have advisedly avoided the situation created by this Judgment/Order, and left it to the Government of Maharashtra and authorities under it to solve the issue by themselves.

These unwarranted and unconstitutional Judicial Interventions by the Higher Judiciary of India, (whether High Courts or the Apex Court) would certainly lead to a Political and Constitutional Anarchy, which must be avoided by exercise of “judicious self restraint” by our Higher Judiciary, more particularly, the Apex Court in the larger interest of a healthy growth of our Democratic Republic, and much more in the interest of maintenance of the Power of

“judicial review” and the concept of “judicial independence” itself.

Many of us, particularly, Lawyers, Judges, Jurists and Social activists are aware that the theory, principle or concept of “Judicial Review of Administrative Action” was introduced as early as 1801 by a great Jurist and Judicial Statesman, Viz., Chief Justice John Marshall of the Supreme Court of USA in a Case known in our Judicial annals as the case of “Marbury Vs Madison”. That was a case where the outgoing President of USA, Adams, at the end of his term appointed one Madison as the Post-Master-General of USA, which was considered to be a very important position. When this action of the President of USA was challenged in US Supreme Court by one Marbury, Chief Justice John Marshall entertained the same in spite of formidable objection by the US executive headed by the succeeding President Jefferson. In this historically memorable Judgment, Chief Justice John Marshall declared that every action of the executive, including the President of US, is subject to Judicial Review, while upholding the appointment of Madison as Post-Master-General on merits. Again in 1806, when the new President, Jackson succeeded Jefferson, Chief Justice Marshall wrote another Judgment, purporting to exercise the same power of “Judicial Review of Executive Action”; this time deciding the matter against the Executive. President Jackson refused to implement the decision saying “let Chief Justice Marshall implement his Judgment “if he can”.

In my view, Chief Justice John Marshall invented this theory or concept of Judicial Review in the background of centuries old conflict

between the powers of the State and the extent of judicial access over the State. So far as my knowledge goes, such conflict was originated in a conflict between the King of England and the then Arch Bishop of England, Thomas Becket. It is a matter of common historical fact, that before the establishment of formal Judicial Courts, the adjudicative authority was with Ecclesiastical Institutions. While in the Christian World, the Bishop or Priests, in the Islamic World, the Mullahs, and in the Hindu Society, the Rishis were the adjudicators and the Kings or Khalifs were implementing those adjudications.

Even after the establishment and growth of formal Judicial Institutions, the conflict between the Monarch and the Judicial Institutions continued. The best known historical incident in the context was the conflict between the King James I of England and the Chief Justice Sir Edward Coke. When the Chief Justice Sir Edward Coke tried to give advice to King James I, James asked Coke:- “Are you trying to interfere with my power, which amounts to treason, leading to your execution”. Chief Justice Coke replied:- “No Your Majesty, while not disputing your authority over your subjects, I only wish to bring to your notice that your Sovereign power is subject to Almighty God and the law of the realm. That is how Chief Justice Coke saved his head.

Perhaps, this historical fact had inspired and encouraged Chief Justice John Marshall to introduce the theory of “Judicial Review of Administrative Action”. In any case, this act of “Judicial Statesmanship” exercised by the Chief Justice John Marshall, stands now as an universally accepted Judicial

Precedent on the subject of “judicial review of administrative action”.

In this context, it is necessary to highlight the “constitutional reality” that the constitution does not provide any separate machinery, much less any paraphernalia to the judiciary including the Apex Court, to implement its Judgments and adjudications. Article 144 of the Constitution only declares: “All authorities, Civil and Judicial, in the territory of India shall act in Aid of the Supreme Court of India”. If the executive decides not to implement any Judgment of the Judiciary (including that of the Apex Court) as happened in 1806 in USA, as referred to above, it would result in an undesirable Constitutional Anarchy.

I, therefore, very humbly and respectfully implore and beseech the learned Judges of High Courts and Supreme Court of India to exercise this power of Judicial Review of Executive actions and Legislative measures very judiciously, advisedly and cautiously and never exceed the limits of the provisions of the constitution.

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The judiciary, only, is responsible....

Jawaharlal Jasthi

With all my deep respect for Justice Rajinder Sachar (Retd), over all these years, I felt much disappointed at his opinions as expressed in the Janata Weekly dated 12 June, 2016. It is about the procedure for appointment of judges to the higher judiciary.

At the outset, he felt sorry for the collegium inviting the Executive to draft the Memorandum of Process (MoP). He laments that “it naturally gave an opening which has been closed permanently by the Bench holding earlier that the last word in the selection of judges is that of collegium.” Like all the proceedings, this also smacks of utter disregard for the Executive. It is true that the government has ‘unabashedly’ prepared a Memorandum of Process (including the objections and illegal suggestions considered in the light of the decision of the Constitution Bench). They should have declined to take the responsibility in view of the hostile atmosphere prevailing. But the executive bears a responsibility to run the government and could not afford to develop confrontation with the judiciary. When the Bench asked the government whether they want reconsideration of the II Judges Case, (while considering the reference from the President) they said ‘no’. It indicates the helpless condition in which they found themselves.

Justice Sachar states that “it is the duty of the former Chief Justices and even the judges of the Supreme Court to involve themselves in this deadlock to openly come out with their views.” He advises them that

they need not feel embarrassment even if their suggestions are rejected by the Bench (collegium) that may consist of their juniors. The fundamental fact of independence of judges is that they are free from the concept of junior and senior. It is purely a bureaucratic concept. A judge is a judge irrespective of his duration on the Bench. The judgment given by a newly appointed judge carries the same weight as that of the judge about to retire. I hope Justice Sachar will agree with it. Seniority may count for appointment as Chief Justice which carries some administrative responsibilities. But it makes no difference as far as judicial functions are considered. Justice Sachar is expecting that all the judges – past and present – should support the collegium. It reminds of Madeline Albright, the former Secretary of State under President Clinton, who said that “women who do not support Hillary Clinton for Presidency will go to hell”. It appears that all the judges, including some of the senior advocates have formed into an undeclared trade union to demand recognition of the supremacy of judiciary, irrespective of the constitution. The Chief Justice Edward Coke might have reminded the King James I that he has to be under “God and Law”. I do not know whether God and Law are the same.

But it is a happy development that, in the last but one para, Justice Sachar stated that “Whenever there is a written constitution, the supreme law is the law of constitution.” But he advises Parliament to accept the limitations of its power by the written constitution as it does

not derogate from its sovereignty. It is the advice that the judiciary needs more than the Parliament. He agrees that the sovereignty of the executive and judiciary is limited by the written constitution. A happy realization. But now the judiciary is trying to exceed it.

The judiciary is demanding independence in excess of what is provided under the constitution. Sovereignty rests with the people, neither with the judiciary, nor with the executive nor with the Parliament. That is what the written constitution implies in a democracy. The constitution gave the Executive the responsibility to select persons for appointment as judges. How can the judiciary snatch it from the executive? They are looking at it as a right and not as a responsibility. That is why they are so particular about it. It is not the Executive, but the judiciary, that is behaving like Henry VIII. To claim the entire virtue for yourself is, perhaps, the worst of all vices.

Nobody has questioned the independence of judiciary, but it is confined to judicial functions. Selection of persons for appointment as judges is an administrative function. Even if the judiciary is not willing to call it an administrative function, you cannot deny that it is how the constitution has seen it. The Constituent Assembly decided upon it after considering many, if not all, alternatives. All the learned persons sitting on the Bench have taken an oath "to bear true faith and allegiance to the constitution of India as by law established." But now they are trying to find fault with the same constitution which made them judges. They argue that the independence of judiciary is not complete unless the absolute right to select persons for appointment as judges is also with them. It is a

theory developed by them. It is an attempt to overcome the limitation on their independence incorporated in the constitution. That may or may not be correct. But an ethereal theory cannot be an excuse to ignore and override the provisions of the written constitution to which you proclaimed your allegiance. That is why we consider the collegium unconstitutional and invalid. Who drafts the Memorandum of Process is irrelevant.

The learned counsel Mr. Parasaran has asserted in the open court that they are trying to read their

(Contd. from Page 2)

well be true but he wanted a system where every adult would participate.

In the Constituent Assembly, Dr Rajendra Prasad, who was in the chair, wanted some educational qualification as a requirement for voters. Nehru replied that the uneducated and the ignorant constituted the main force which fought during the independence struggle. Now when the country was free, should he tell them that they were not entitled to vote?

Another principle which goaded the movement was secularism. This was embodied in the Constitution which gives one person one vote, whatever their community's strength in the country. It may be unthinkable today in certain circles of society, but the representatives of the majority community accepted this principle.

So much so that the Muslim community's leaders in the Constituent Assembly refused to have reservations or quotas in the legislatures, educational institutions and even in government jobs which they had enjoyed under the British. This is the practice even today.

own philosophy and preconceived notions into the constitution. But the Hon'ble Justices on the Bench knowingly and deliberately took a stand against the executive and created a constitutional crisis. There is nobody and no organization to which a petition can be made against the Supreme Court decision. We can only wait and see how the situation develops and how it gets resolved. But the responsibility for it lies with the judiciary and with nobody else. Perhaps even the retired judges are prepared to share the responsibility as called by the learned Justice Rajindar Sachar. So far, so good!

jjasthi@yahoo.com

Still the prejudice has worked in jobs in the private sector. Very few Hindu establishments have Muslims as their employees. In fact, the Sachar Committee appointed by Dr Manmohan Singh, then the Prime Minister, has said that the condition of the Muslims in India was worse than that of Dalits. Very little improvement has been noticeable since then.

Regrettably, the judgments like the one in the Jafri case could only provide the Hindutva crowd with a justification that aggressiveness of Muslims forces the Hindus to adopt a communal line. Maybe, I am overly optimistic, but I still hope that the society would realize on the whole that a country with so many complexities can survive in a pluralistic and democratic alignment.

People will themselves see the incongruity between the values of the Constitution and what is being practised otherwise. Pluralism is not only an ideology to prize, but also something to cherish that it is needed for the country's integrity.

Fact-finding team's visit to Bastar

An 8-member fact-finding team of All India People's Forum visited four districts of Bastar, Chhattisgarh between 8-11 June 2016. The fact-finding team found several incidents of communal violence against Christians; as well as fake encounters; rapes; fake cases and arbitrary arrests; and fake surrenders.

The AIPF team comprised former Madhya Pradesh MLA Dr Sunilam of Samajwadi Samagam, former Jharkhand MLA and CPIML Central Committee member Vinod Singh, Kavita Krishnan, Secretary of All India Progressive Women's Association, Brijendra Tiwari of AICCTU, Amlan Bhattacharya, State Secretary of PUCL West Bengal, Advocate Aradhana Bhargava of Chhindwara, Advocate Ajoy Dutta of Kolkata and Amlendu Choudhury. Bela Bhatia and Soni Sori also accompanied the team.

Communal Violence

At several villages in Bastar district – including Karmari, Bade Thegli, Sirisguda and Belar – resolutions adopted under Section 129 (g) of Chhattisgarh Gram Panchayat Act have been wrongly invoked in violation of the spirit of the law to restrict non-Hindus from residing or building places of worship, even though the High Court has quashed such gram sabha resolutions in Karmari and Sirisguda.

In Bhadhisgaon (Tokapal Panchayat) in Bastar district, Pastor Pilaram Kawde was given a written notice by the Gram Panchayat denying permission to him to construct a place of worship on his own land. The written notice cited Sections 55 (1) and (2) Chhattisgarh Gram Panchayat Act 1993 and said that Pastor Pileman cannot construct

a place of worship because “People of big-big castes and religions live in this village, and every Dussehra even the Ropshila Devi Ma joins the celebrations.”

Christians are being prevented from using burial grounds in several villages. In Bhadhisgaon, an elderly Christian lady Saradi Bai died on 25.5.2016, but Hindu villagers provoked by the Bajrang Dal stopped Christians from burying her. Eventually, after negotiations conducted by the police, she was buried in a casket but without the cross – but the Hindu villagers warned that no future Christian burial would be allowed. Accordingly, the 200 Christians of the village gave applications to the SDM, Tehsildar, police and Sarpanch asking that burial grounds be allotted separately for Christians, since they were being prevented from using the common burial grounds.

Saradi Bai's husband Sukhdev Netam passed away on 6.6.2016, and Hindu villagers prevented Christians from carrying out his last rites and burying him, threatening to kill them if they tried to bury him. Eventually after police arrived, he was buried but again, the villagers and Sarpanch warned that in future, they will call Bajrang Dal if there is any attempt by Christians in the village to use the burial grounds.

At Ara village, Bario Chowki, Jeypore thana, District Ambikapur, on last Sunday, 5 June 2016, a Bajrang Dal mob of 25 people led by Chhotu Jaiswal, Sonu Gupta, Bipin Gupta, Chhotu Gupta and others attacked the church during Sunday prayers; vandalized the church; and beat up the pastor, his wife and three others. They made a video of the thrashing and made

it 'viral' – we have a copy of this video. They dragged off the Pastor, his wife and three others to the Bario Chowki where they were kept till night. No FIR was registered against the assailants – instead a case under Section 295 A has been registered against the Pastor who is yet to get bail.

In village Sirisguda, rations were denied to Christian believers, and Food Department authorities were beaten up along with Christians; the ambulance was not allowed to enter the village; injured Christians were not allowed to get proper treatment in the district hospital. After great efforts a case was registered but the statements of the injured are yet to be taken in Court. VHP, Bajrang Dal people prevent Christians from filling water in the village. At a meeting called by the DM, the VHP and Bajrang Dal said that Christians must do ghar wapsi, or else we will evict them from the village invoking Section 129 (g) of the Panchayat Act.

Repression and Intimidation

A villager of village Kohche, thana Antahgarh in Kanker district said that 25 hectares of land have been acquired for Raoghat Mines without informing the villagers, gram panchayat, or gram sabha. (Officially the Raoghat Mines, as well as adjoining dam and railway lines are for Bhilai Steel Plant but a consortium of private companies will be involved with the mining project). Trees have been cut, adivasis' forest land that they have had for the last 50 years is being grabbed; several places of worship of adivasis are being destroyed and even the burial grounds have been taken over by the company. CRPF camps have come up densely at every kilometer in the area.

Fake Encounters

Nagalguda, thana Gadiras, Kuakonda Tehsil, District Dantewada: Four women – Rame, Pandi, Sunno and Mase - were killed here in a fake encounter at 7 am on 21.11.2015, and Badru, one former Maoist who surrendered and became a ‘Pradhan Arakshak’ and had accompanied the force, raped Mase before killing her. 22 DRG jawans were decorated and promoted for this ‘encounter,’ in spite of the fact that rewarding jawans for encounters is against NHRC guidelines and Supreme Court guidelines for encounters.

Arlampalli, Dornapal Tehsil, district Sukma: Here, villagers told the team that on 3 November 2015, three village boys – Dudhi Bhima (age 23), Sodhi Muya (age 21) and Vetti Lacchu (age 19) were killed by the police. The three boys left the village in the morning on 3 November on two cycles to get a drink of the local alcoholic drink (made out of date palm fruits). After getting their drink, they were going to the Polampalli Bazaar, where Bhima’s mother was waiting for them. Near the ‘nala’ close to the village, one youth Vetti Lacchu got down from the cycle while the other two went ahead. Security forces were in the area for a combing operation, and caught the two boys on cycles and began beating them up. The third youth, Vetti Lacchu, seeing this, began to run away – and was shot dead by the police. The other two youth were asked to carry the body of their friend to the Polampalli thana but on the way, they too were shot dead. Two elderly people witnessed the two boys carrying their dead friend. No FIR has been registered as yet.

Palamagdu, Dornapal Tehsil, district Sukma: Police claimed that two women Maoists were killed after an hour-long gun battle on 31

January 2016. In a local newspaper, the police is quoted as saying that the two women Naxalites were wearing saris and could not run and therefore fell into a ditch and were killed. The team found that in fact, the police had killed two small girls in cold blood. The mother of Siriyam Pojje (age 14) said that her daughter along with Manjam Shanti (age 13) had gone to feed the hens and was going to have a bath in the river and return home. On the way the police shot dead both the girls. Manjam Shanti’s father also said that both girls lived in the village and had no connection with Maoists.

Kadenar village, Bijapur district: The police claimed that on 21.5.2016, an encounter took place with 30-35 armed Maoists, in which a husband and wife – Manoj Hapka and his wife Pandi Hapka/Pandi Tanti were killed. On reaching Kadenar village Pandi Hapka’s mother and brother told the team that at 8 pm at night on 21 May, police came to the house where the family was eating dinner. They took Manoj and Pandi away, along with their clothes, other belongings and Rs 13000 that they had earned by harvesting chillies in Andhra Pradesh. We were told that Manoj and Pandi had been with Maoists for a year, but five years ago, the couple left the Maoists and came back to the village where they did farming. Pandi has had TB for the past five years and has been very ill.

Arbitrary Arrests

In Padiya village, Gadiras Thana, Sukma district, on 21 May 2016, at 9 am, a force of 200-300 police came and picked up villagers working on a water body, saying they were involved in the breaking of a Essar pipeline on 19 May 2016. Police took away 11 adivasis, left two of them later, and 8 remain in jail. The night before our team

reached the village, the police forced sarpanch Madkam Hadma to wear police uniform and move with the force, arresting four people. Thus the police conspired to make the sarpanch look like a police agent, making him vulnerable to attacks by Maoists.

In the same village, a small 12-year-old boy Joga had been picked up by police on 12 May. The fact finding team met Joga and learned that Joga’s father and brothers had been arrested and detained illegally in the thana for seven days, where they were made to clean utensils and do other cleaning work in the thana. They were later released. The night before our team arrived in the village, Joga’s father had been taken into police custody with three others. The SHO of Gadiras thana said that repeated arrests are done because Joga’s sister is a Maoist ‘Mahila Commander’, whereas more than 150 villagers told the team that this is not true and the girl lives in the village. The team is apprehensive for the safety of Joga’s sister – she may be killed in a fake encounter claiming she is a Maoist. The sarpanch also is in danger of being killed.

Rape

On 8 June 2016, a girl aged 14 years from Podum village, thana Dantewada was shutting her kirana shop when a CRPF jawan came and raped her throughout the night in the shop. She told her brother in law, who complained in the thana and was sent for medical examination last night (11 June 2016) – a process facilitated by the team and by Soni Sori. The CRPF jawan had given a name – RR Netam – and number in writing to the girl but this appears to be false since the TI says that no jawan of this name is there in the Jarum CRPF camp near Podum village.

Fake Surrenders

There have been 70 surrenders in the Chintalnar area. The team visited Chintalnar village where we were told of several staged surrenders. One small trader told us that he was called to the Polampalli thana by an SPO saying there is a warrant against him. He went there where he and 25 others were told that either they must agree to 'surrender' or they will be booked in a case of killing Nagesh, an SPO who was killed 2 years ago. He is 55 years old and he said that the other 25 cases were also not genuine surrenders. They all were given Rs 10000 each on the spot. Several others also testified to fake surrenders but are afraid of reprisals from the Maoists. We were told that the sarpanch, Kosa, is also under threat from Maoists for having facilitated the fake surrenders.

Conditions in the Village

Two AIPF teams covered 1650 kilometres in their journey, where they encountered more than 60 police and CRPF camps. But in the 25 villages that the teams visited, the villagers were insecure and suspicious of each other. In these 4 districts, political groups and other organizations are rather inactive, suggesting that the scope for democracy has shrunk there. Most of the villages visited by the teams were without electricity, without roads, and lacking in education and health facilities. In Ketulnar, two baby girls died after drinking milk provided by the anganwadi. We found that the village had 8 *mitanin* who did not even have medicines to treat diarrhea and vomiting and the hospital is 10 kilometres away because of which the little girls could not be treated. Now after the death of the girls, medicines have been provided but a case of culpable homicide is yet to be registered against the milk provider.

–Dr Sunilam, Kavita Krishnan,
Brijendra Tiwari

Massive Sea Water Ingress in Bharuch

Several newspapers in Gujarat have reported about the Arabian Sea ingress up to 40 Kms and depleting width of the river Narmada near Bharuch city, exposing the severe environmental impacts of a series of dams built upstream. This clearly indicates the serious impact of Sardar Sarovar in Gujarat on to agricultural land, famers, fish workers as well as the industries in the Dahej coastal areas. It was always an anticipated and expected impact of building a monstrous dam and stopping the huge water flow of Narmada coming from a distance as long as 1300 Kms. In past, whenever Narmada Bachao Andolan raised the issue of downstream impacts of the SSP and demanded thorough study of environmental impacts and preparation of mitigation plans, as also mentioned in the conditional clearance to Sardar Sarovar project granted in June 1887; the model answer by the Gujarat officials including the technocrats and politicians was that '*we have studied those enough, and in any case those impacts would start coming up years later and hence we would take care of, when it happens.*'

However, it is obvious that the impacts have already begun and taken a serious turn, as indicated from the news and statement coming from Gujarat even before the dam is complete and the gates are closed, since Gujarat has not cared to ensure required environmental flows for the downstream population. With Madhya Pradesh lifting away big chunks of water (172 crore liters/day through just two of its mini links) for its industries Sardar Sarovar and downstream may be left without the

estimated water supply. Today itself, the dam which the then the CM of Gujarat and now the PM himself have pushed at all costs, (granting clearance in June 2014, days within coming to power), the sea has begun entering into the river bed of Narmada substantially affecting the farms, the ground water i.e drinking water, irrigation and industrial water. In short the 41 kilo meters between Sardar Sarovar and the estuary at Bharuch is going to be drought affected and drought prone due to the river being stopped with 139 meters height- Sardar Sarovar.

Will the government of Gujarat hear the first ever cry raised by none other but Ahmed Patel, the political secretary of Congress president Sonia Gandhi, for 'Saving Narmada in Gujarat'?

The downstream population of eight lakh is today facing the drought due to water turning saline and thereby not potable and unusable, affecting the livelihoods and life itself. However, it will not be even two months and the very region will face flood, as they have for several years during monsoon. Such a cycle of drought and flood is to be faced by no other state but Gujarat. While the farmers as well as more than ten thousand families of fish workers would find it difficult to survive and continue to stay in generations old habitats and they would be added to the large mass of project affected families due to the SSP upstream and will have to be categorised as the downstream impacted families. NBA realizing this for long have been including them in the long list of Project

(Contd. on Page 15)

The idea of India

Irfan Habib

Concept of India (or idea of India) is growing, I propose to discuss how the concept of India arose, how it developed and how India became a nation and what are the dangers today that face the nation. We are at a very sad moment in our history. Rationalists—people who believe in science—like Dabholkar, Pansare and Kalburgi have been murdered in our country. In the name of *Gau-Raksha* (cow protection), Mohammad Akhlaq was murdered! So, our country's name is being dragged into dirt and it is, therefore, time for all of us to reflect and consider what our country is about and how best it can be served.

We must remember that far from its becoming a nation in the relatively recent past our BJP friends and their RSS mentors are fond of saying that India was a nation since Rig-Vedic times. But, in fact, neither in the *Rigveda* nor in the other three Vedas, nor even in the *Brahmana* which followed them, or, even for that matter, in the still later Upanishads, is India mentioned at all? In the *Rig Veda*, there is not even a mention of any geographical region; but only rivers and tribes. Even *Sapta Saindhava* (seven rivers) did not mean the region of Punjab, as it meant later on, but just the main seven rivers that form the Indus. The area in which the Vedic hymns were written was limited to the Punjab and parts of Afghanistan, and it was inhabited by migratory tribes so there was not

even the concept of a region, least of all, the concept of “country”. As culture developed, political entities arose. The first name of our country was in Prakrit *Sola Maha Janapada* (Sixteen Great States), which occurs in texts going back to 500 BC. Remember, *Sola* is a Prakrit word and many of our languages, including Hindi and Urdu, go back to Prakrit. These *maha-janapadas* ranged from Kamboja or Kabul to Anga in eastern Bihar but they were confined only to northern India and there was not yet any concept of India as we now conceive it. In some *Dharma Sutras*, the term *Aryavarta*, ‘the land of the noble,’ begins to occur and *Manusmriti* defined *Aryavarta* as the country from Himalayas to the Vindhyas but then again it is only a large part of India and not the whole country that the term encompasses. The first perception of the whole of India as a country comes with the Mauryan Empire.

Those who have studied Indian history would know that the inscriptions of the Mauryan emperor Ashoka range from Kandahar and north of Kabul to Karnataka and Andhra and they are in Prakrit, Greek and Aramaic. So it was with such political unity that the concept of India came, and its first name was *Jambudvīpa*, a name which Ashoka uses in his Minor Rock Edict-1, meaning ‘the land of the Jamun fruit.’ The term *Bharata* was also used in Prakrit in an inscription in Orissa, at Hathigumpha, of

the Kalinga ruler, Kharavela in 1st century BC, that is the first instance of the use of *Bharat*, and *Kharavela* uses it for the whole of India. So, gradually the concept of India as a country began to arise and a cultural unity was also seen within it as religions like Buddhism, Brahmanism and Jainism spread to all parts of the country. Prakrit was spoken, at least literary Prakrit, all over the country, becoming its lingua franca. So, there were things which, as people could see, united us. There were also foreigners who could see that this was a culturally distinct country and it often happens [and this is an interesting part] that foreigners regard a country much more easily than its natives because they realize that there is difference between, say, Indians and Persians, whether you went to the Punjab or the South, Prakrit was the literary language and Sanskrit the priestly language. So, it is the Iranians who first time gave us the name ‘Hindu’ and Hindu is the Persian form of Sindhu river, that is, the Indus River. So, every region east of the Sindhu river, which was called Hindu in ancient Persian, was ‘Hindu’ and from this the name, ‘India’ comes. For Greeks, Hindu became Indu as Greeks did not pronounce the initial ‘H’, and the Chinese name for India, ‘Intu,’ also came from the same source. And then came the later Persian name ‘Hindustan.’ Remember, there is no such word in Sanskrit as *Hindusthan*. *Sthan* always means in Sanskrit a ‘particular spot’. But

‘stan’ in Persian is a territorial suffix, so, we have Seistan, Gurjistan, Hindustan and so on. This name is used in Sasanid inscriptions in the fourth century AD. So these words and the word Hindu itself are of non-Indian origin. Those who talk about *Hindutva* and rejection of everything foreign, forget that their own name Hindu is Iranian in origin, and is not found in Sanskrit before the fourteenth century. Its first use in Sanskrit inscriptions comes from the Vijaynagar Empire where the Vijaynagar emperors call themselves Hindu *rayasuratrana*, ‘Sultans over Hindu Rays.’ They regarded themselves as Sultans and their subordinates as ‘Hindu Rays’.

So, our country as its name indicates is of a composite nature, illustrated by the very name Hindu, derived from ancient Iranian, then used by Iranian and Arab Muslims, and entering Sanskrit usage only in the 14th century. I say all this because it means that the concept of India as a country was ancient, the assertion made by Perry Anderson in his book *The Indian Ideology* that the India is a name given by foreigners particularly Europeans in modern times, is a totally misleading statement. It is particularly misleading because there is another very interesting matter: True, there was a conception of India in ancient times, even before Christ, but when was there a conception of love for India i.e. patriotism? It is surprising that throughout ancient India you have no patriotic verse in Sanskrit expressing love for India. The first patriotic poem in which India is praised, India is loved, Indians are acclaimed is Amir Khusrau’s long poem in his *Nuh Sipihir* written in 1318. I am very sorry that now we are losing this heritage. How

many people here would be able to read Amir Khusrau, and so appreciate that here is the praise for India for the first time in its history. What does Amir Khusrau praise India for? For its climate first of all which I think is very unconvincing statement, its natural beauty, its animals and along with its animals its women, their beauty as well as faithfulness. Then he comes to *Brahmans*. He praises their learning. He praises their language Sanskrit. He identifies India not only with Brahmans, but also with Muslims. Those who speak Persian, as well as those who speak Turkish, he says, are to be found throughout India. He praises all the languages of India from Kashmiri to Malbari i.e. Tamil. All these languages that were spoken in India, not only north India but also in the south India, are listed there. He called them *Hindavi*. He adds that besides these languages there is the Sanskrit language, which is the language of science, and of learning. And had Arabic not been the language of the Quran, he would have preferred Sanskrit to Arabic. He then says India has given many things to the world. India has given *Panchtantra* tales, as well as chess, and most surprisingly, he says India has given the world the decimal numerals what are known as Arab numerals or International numerals. He is correct in all the three points. And, as for decimal notation Aryabhata theoretically recommended its use in 4th century AD. Other historians, other writers, other poets also praised India but not in such detail, not with such fervor and not, of course, with such mastery of language as Amir Khusrau.

In 1350 the poet, Isami said in a poem dedicated to the praise of

India: “Praise be to the splendour of the country of Hindustan for paradise is jealous of the beauty of this flower garden.” So, you begin to find patriotic verses. I will not go in to details because they are all in Persian and Persian for Indians is almost a dead language now. In the Mughal period patriotism turned into a more insistent assertion particularly with Akbar and Abul Fazl. They argued that India is a special country, India has a large number of religious communities, and so there must be tolerance, under the umbrella of *Sulh-i-Kul* i.e. ‘absolute peace.’ It was argued that the King, like God, must favour all without discrimination. It was not only Akbar and Abul Fazl who made this assertion but even Aurangzeb (when a prince), in 1658, using it to win Rajput support. Does God, it was asked, discriminate between Muslims and non-Muslims when He makes rain to fall or make sun shine on people? Does the sun not shine on Hindus, and only on Muslims? Does rain fall only on Muslims and not on non-Muslims? Where God is fair, where God is just, how can the emperor as a representative of God be different? There was thus a concept not of a secular state but of a “tolerant state” suited to the conditions of India. It was again and again said that in India every religion must be tolerated. Jahangir says that in Turan it is, only Sunnis and in Iran it only the Shias who are tolerated, but in India every religion has to be tolerated. And there was thus something new in the Mughal experience and political development. Dr. Tara Chand asserted in his well-known book ‘The Influence of Islam on Indian Culture’ published in 1928, which has been republished by National Book Trust (NBT), that these

two successively large states, the Delhi Sultanate and the Mughal Empire, by bringing all parts of India together created the sense of a larger “national allegiance”, an assertion he continues to make, even in the official history of Indian National Movement which he partly wrote and partly edited. This concept of political India is also very strongly present in the revolt of 1857. Those who have studied Modern India probably know that the rebellion of 1857 occurred with the revolt of the Bengal Army. A hundred thousand men out of 130 thousand, one of the largest armies in the world at the time, revolted and they were in majority Brahman sepoys. But what did they say? ‘Let us go to Delhi and crown Bahadur Shah Zafar, emperor of India’.

Those who know Urdu, I would invite them to read the *Delhi Urdu Akhbar*, the major organ of rebels in Delhi at that time. For five months, it was the major organ through which the rebels spoke and it is of ‘Hindustan’ that they speak. They quote Sa‘di who said that all human beings must be one ‘Ayza-e-Yak-Diga and “they are organs of each other” if one is hurt the other is hurt. So Hindus and Muslims, the rebels proclaimed, must come together. The *Delhi Urdu Akhbar* actually issued a public declaration against the Wahabis who said Hindus and Muslims could not join in a rebellion against People of the Book (English). And in fact, the Wahabis did not support the 1857 revolt! They occupied the Jama Masjid at Eid-uz-Zuha, and demanded cow slaughter. Bakht Khan, the mutineers’ commander drove them out and threatened to suppress them if they persisted in this demand. Syed Ahmad Khan in his book ‘*Sarkashi-e-Zila Bijnor*’

says in fact that the whole people of India were guilty in 1857 and rightly punished. So whether they are rightly punished or wrongly punished, we must remember that those who revolted considered themselves to be standing up for India. In my old age, I have now often taken to quoting Urdu poets. I quote now a simple couplet of Bahadur Shah Zafar which he wrote after he became a prisoner and he wrote in commendation/memory of fallen martyrs of the mutiny: *Ay Zafar Qayamrahegi Jab Talak Iqleem-e-Hind, Akhtar-e-Iqbal Is GulKa Chamakta Jayega* (O Zafar, so long as the country of India endures, The star of the glory of this [fallen] flower would go on shining). So, a concept of India, politically independent, is already present in 1857. But was it sufficient? If the rebellion of 1857 failed, the reason was partly that it was not supported in large regions of the country. While the Bengal Army revolted, Madras and Bombay Armies didn’t. The rebels in their reply to Victoria’s Proclamation of 1858 themselves spoke up for the whole of India reminding people of how the English had treated rulers from Tipu Sultan of Mysore to Dilip Singh of the Punjab. Yet though the rebel leaders thought of the country as a whole, the rebellion did not actually extend outside the Hindustani-speaking region. Indeed, something more was needed to turn India from a ‘country’ into a ‘nation’. Two stages seem to me to be very important for such conversion. First of all, there had to be a realization that an independent country, a free India would be different. It would be better than India governed by the British.

The whole point of very sincere people like Raja Ram Mohan

Roy and Syed Ahmad Khan in supporting British rule was the belief that the British rule was the best India could get. It was for people to understand that we could have an India which could be much better off than that governed by the British. And here the role of people like Dada Bhai Naoroji, Ramesh Chandra Dutt, Justice Ranade and a number of others was extremely important. They showed that Britain was exploiting India. From 1874 to 1901, Dada Bhai Naoroji, the Grand Old Man of the Indian National Movement, wrote essays and papers showing how India was being exploited, as the very title of his book of 1901, ‘Poverty and the UnBritish Rule in India’ shows so clearly. India was being impoverished by the tribute British were extorting and the de-industrialization of India, caused through free trade. Dada Bhai Naoroji was least interested in his own community, Parsi community and you see him pleading the case of all kinds of Indians, Hindus, Muslims, Bengalis, Punjabis, etc. And that’s a particular thing for us to remember when we think of these early writers like Ramesh Chandra Dutt or others. They have no element of communalism in their approach. They were talking about all Indians. Yet they were speaking to English speaking people, and so to a very small minority. They were talking about peasants, poor people, unemployed, the weavers and spinners, but they were writing in English and so addressing only small circles of people. How could this audience be enlarged? Well... one way was by supporting movements for social reforms. The initial voice was that of Ram Mohan Roy, who by the way knew Persian, Arabic, Sanskrit, English, French, and Hebrew, being really a

polymath. He wrote his first book *Tuhfatu'l Muwahhidin* in Persian. He said in 1828 that Indians can't be patriotic because they are divided up among castes. If caste affinities continue, how can there be any patriotism for the country? And therefore the social reform movement, particularly as initiated by Keshav Chandra Sen (1838-84) was so important. He has practically been forgotten today but look at the man who at the age of 18 or 20 was writing that untouchability must be abolished, inter-caste marriages should be allowed, women should have equality with men in inheritance and every other right, modern education should be spread among women. And he created a new *Brahmo Samaj* some of whose members by the way ate beef which show that there were Indians who could defy religious orthodoxy.

But that was a small thing the real thing was that they made social reform movement possible. Everywhere these demands arose—abolition of untouchability, equal rights for women, and modern education. And Keshav Chandra Sen said in 1870 that as social reform progresses, India will become a nation, since India could only become a nation if its division into castes and religious communities was overcome. I will not go into the early nationalist movement here, or to people who sacrificed their lives for the nation. I will only refer to the *Ghadar* movement that gave us the largest number of martyrs (before the INA), after acts of armed violence occurred in Maharashtrians, and under revolutionary nationalists of Bengal. The *Ghadar* movement arose in the Punjab and among Punjabi settlers in Canada and the

United States in 1913-15. Hindus, Muslims and Sikhs, particularly Sikhs, were greatly involved. But the biggest uprising was the mutiny in Singapore by the Muslim sepoys of 5th Light Infantry, inspired by the Ghadar propaganda and Ghadar agents. Forty five of them were shot in a public display in Singapore after the Mutiny had been suppressed. By their bold demeanor in facing death, they deprived the British of the propaganda value of public executions. This was the biggest mutiny in the Indian army after 1857 with the largest number of martyrs. In the Punjab, itself and other places over 50 people were executed in 1914-15 including Sikhs, Hindus, and Muslims. But some of the records left by the Ghadarites in India are painful to read. Few among the public were supporting them. The people whom they sought refuge with went and reported to the police. They died seemingly unsung. Because the national movement was still limited to a very small number, India was a nation in the eyes of very small number of people. Here, I think, one must with almost unconditional, unqualified assertion, say that Mahatma Gandhi was one person responsible for bringing the masses into the National Movement, and so hastening the true creation of India as a nation. In the whole of Indian history before 1913, was there a case of 200 women—Hindus and Muslim—offering to go to prison because Indians were being ill-treated in South Africa? There had been no such protest against the British in India. Against acts of gross injustice, had anyone mobilized 200 in India before? Speaking of 1913, 2000 miners marched into the Transvaal—the Great March of Indian Miners in South Africa.

Indian history had never seen such a thing! Who was that man behind it? M. K. Gandhi had done it and he came to India in 1915 because after this agitation, the South African Prime Minister Smuts surrendered. He abolished Native Poll Tax, he legalized Indian marriages, and he gave some other rights. So Gandhi Ji came to India. In 1917, there was the Peasant Satyagraha in Bihar the *Champaran Satyagraha*, which he led. For the first time in India peasants were brought into a political agitation. And Gandhi said: “when I met peasants I saw God”. He realized that the national movement could only succeed if the Indian peasants and masses of the poor joined the national movement. So we had the April Satyagraha of 1919 and then the *Khilafat* and Non-Cooperation Movement of 1920. Urdu poet Akbar Allahabadi had once said that people regarded the British with such awe that he was led to say in his famous misra: *Main To Allah Ko Collector Samjha*—I thought God was a Collector—since there could not be anything more powerful, more absolute, than the English Collector. But when Gandhiji began his Non-Cooperation everything changed. Then Akbar Allahabadi wrote: *Buddhu Miyan Bhi Hazrate Gandhi Ke Sath Hain, Ek Musht-e-Khak Hain Magar Andhi Ke Sath Hain*. What was earlier the role of Buddhu Miyan or the Ordinary Man in Indian history? Nothing! He was nowhere. He is now brought into history. And as more and more ordinary peasants, ordinary women, joined the national movement, India became more and more of a ‘nation’. Because there is no nation unless the larger number or mass of the people feel that they should be independent and they should rule themselves. With the poor coming

to the movement, what do you offer them? What is to be their future? And here I submit JawaharLal Nehru is very, very important, for from late 1920s he urged that the National Movement should have precise goals for peasants, workers, women, etc. fully worked out. There are also others who were important; I am not saying that Gandhi and Nehru together make the Indian national movement, but they were in fact the two crucial persons. What did Gandhi Ji have to offer the common man? When you ask this difficult question, you will go back to his book *Hind Swaraj* (1909). Muslims may find it very gratifying that unlike other Congress leaders Gandhi supported the Indian Councils Act 1909 and its concessions to Muslims. He says, in *Hind Swaraj*, that those Hindu leaders who opposed the concessions to Muslims were wrong.

If our Muslim brothers get extra benefits, what is the harm? Should your brother get something, ought you to be pleased or displeased? This is what he says in *Hind Swaraj*. To him, India's past is not Hindu or Muslim but both. India was very good under the rule of Maharajas and Badshahs who were guided by Pandits and Maulvis. I myself consider it a horrible state but in *Hind Swaraj* he considers the government of Badshahs and Maulvis as very good government as compared to that of the British and equates that with those of Rajas and Pandits. But he even doesn't condemn the caste system although he opposed untouchability in South Africa and in India too right from the time of his arrival in India in 1915. But this is not criticized in *Hind Swaraj*. All these things he believed would be left to private efforts—his

own constructive programme, not government. Government should keep aloof. It is only through private efforts that people should be served. Peasants should be served by the Zamindars or landlords who should be their custodians. In factories, workers should be helped by the owners who should see themselves as their custodians. But in real life this was not sufficient this was not going to draw the masses to national movement. Here then was the importance of Left and particularly of Jawaharlal Nehru. Right from 1928, he demanded not only independence, he also demanded that in independent India, peasant should get land, workers should get protection, women should get equal rights with men, and there should be total democracy with mass suffrage. These demands were pushed in the Congress by Jawaharlal Nehru with the help of the Left and actually the Karachi resolution of 1931—which I strongly recommend all to read—

(Contd. from Page 10)

affected, which was ridiculed and challenged by the political elites of Gujarat, capitalizing the ignorance of people including the affected population.

Today, mother river Narmada, it is reported, is shrunk to 400 meters instead of 1.5 kilo meters, near Bharuch city, but will someone do anything? For those who are shocked at this, must also learn from the official documents and meeting minutes of the environmental sub groups of Narmada Control Authority which have strongly stated that the river would flow within 3 meters width in certain summer months. Hilsa, the rare species of fish, it was reported, may soon disappear, as it can't be replenished through artificial

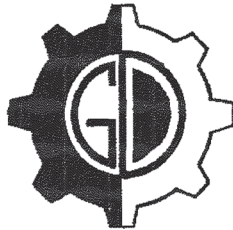
it was emphasized that the state should pursue "neutrality" towards religions, women should have equal rights with men, peasants should get land and rent-relief, and the State should control the basic industries, indebtedness to moneylenders should be scaled down, etc., etc. Now, without the Karachi resolution, without these promises, I don't think there could have been that support for national movement which it obtained in 1930s and 1940s. In Civil-Disobedience Movement unprecedented number of peasants went to prison and lost their properties. Remember, going to prison in British rule was not the same as going to prison now. You lost your property, you lost everything, you couldn't get employment, yet over hundred thousand people went to jail in the Civil-Disobedience movement of 1930. Many lost their lands, properties, everything.

(to be Concluded)

breeding and regeneration. All this and much more is yet to come. Gujarat can save its people from the impacts even if it is not bothered about submergence without full and fair rehabilitation of 2,50,000 people who continue to live upstream area in the densely populated villages of Madhya Pradesh. For saving the downstream affected families at least, Gujarat and its own leadership at the Centre, must not close the gates of the Sardar Sarovar dam in order to protect the nature and the people. If the governments, exhibiting political expediency, fail to care then there is no doubt there will be a renewed Narmada Bachao Andolan, once again on the land of Gujarat.

—**Jikubhai Tadvi,**
Rahul Yadav, Medha Patkar

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