

Freedom First

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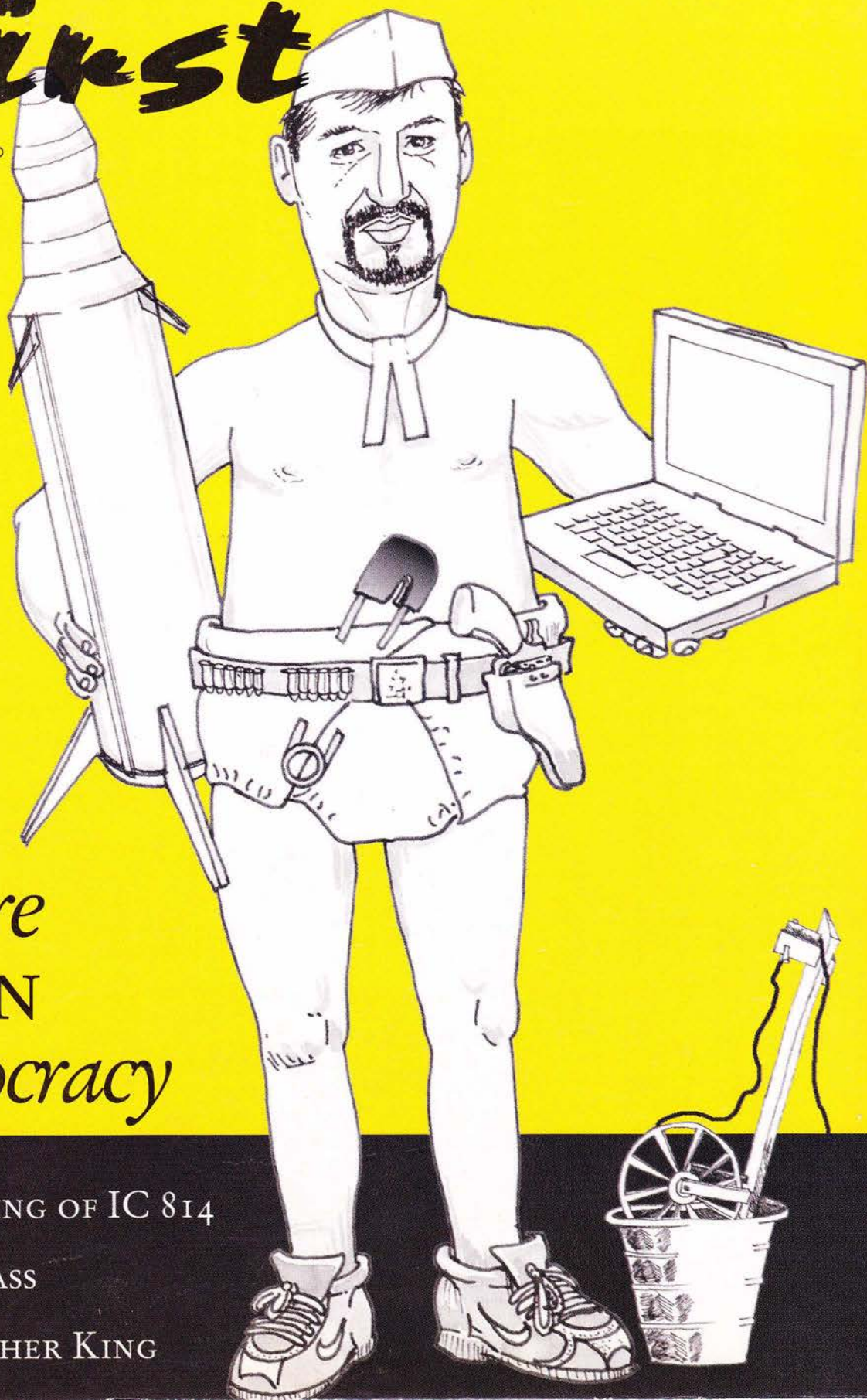
RUPEES TWENTY-FIVE

THE *Mature* INDIAN *Democracy*

THE HIJACKING OF IC 814

GÜNTER GRASS

MARTIN LUTHER KING



False Religion

Rabindranath Tagore



Rabindranath Tagore

Those who in the name of Faith embrace illusion,
Kill and are killed.
Even the atheist gets God's blessings –
Does not boast of his religion;
With reverence he lights the lamp of Reason
And pays his homage not to scriptures,
But to the good in man.

The bigot insults his own religion
When he slays a man of another faith.
Conduct he judges not in the light of Reason;
In the temple he raises the blood-stained banner
And worships the devil in the name of God.

All that is shameful and barbarous through the Ages,
Has found a shelter in their temples
Those they turn into prisons;
O, I hear the trumpet call of Destruction !
Time comes with her great broom
Sweeping all refuse away.

That which should make man free,
They turn into fetters;
That which should unite,
They turn into a sword;
That which should bring love
From the fountain of the Eternal,
They turn into prison
And with its waves they flood the world.
They try to cross the river
In a bark riddled with holes;
And yet, in their anguish, whom do they blame?

O Lord, breaking false religion, Save the blind!
Save the blind!
Break! O break!
The altar that is drowned in blood
Let your thunder strike
Into the prison of false religion,
And bring to this unhappy land
The light of knowledge

Freedom First

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BETWEEN OURSELVES ...

The cover feature is, as promised, a discussion on whether or not we are a mature democracy. In fact at the *Freedom First* sponsored discussion on December 18 there were doubts whether we were a democracy at all. We invite your comments.

The journal sports a new logo type. We were advised that the logotype hitherto used gives an impression of staid conservatism not of freethinking liberalism. We were told by these youngsters who are in the business of marketing and product promotion that if we wished to interest the younger generation we should use types that appeal to them! So we asked them to design one for us. They have and we seek your reaction.

Our Next Cover Feature The Kashmir Question

Last date to receive your contribution: Monday, March 27
You can send it to us by post, email (freedom@vsnl.com),
or on a diskette(floppy) .

We are planning a half-day discussion on this subject on Saturday March 18. If you are interested please let us know on 022 267 0610 or 022 267 4453 (Mrs. T D'Souza, 12 noon to 4 pm Monday to Friday). You can also drop us a post card or email us.

An Appeal

Some readers seem to forget we are a quarterly and are under the impression that we are a bi-monthly because they phone or write to inquire why they have not received their copy in between one quarter and another. We would very much like to become a bi-monthly but that means a financial commitment which we cannot take on unless you help us acquire the funds. For instance, if we have Rs.12 lakhs in fixed deposit we would have an interest income of Rs.1,20,000 which would enable us to publish six issues a year. Right now we live a precarious hand to mouth existence.

A well-wisher has made an offer. He would match rupee for rupee donations upto Rs.25,000. The amount so collected will be invested and only the income therefrom will be utilised for publishing *Freedom First* bi-monthly. All donations to be made in favour of our publishers Indian Committee for Cultural Freedom.

Editor

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WITH MANY VOICES

*"The deep moans round with many voices. Come, my friends
'Tis not too late to seek a newer world" - Tennyson*

Married women don't stop working in offices, so why should they stop working in films? After all it's just another profession.

Film actress Madhuri Dixit,
The Times of India, January 26

Soldiers of Islam have come from 12 countries to liberate Kashmir; our organisation has nothing to do with politics. We fight for religion, we do not believe in concept of nations. We want Islam to rule the world.

Masood Azhar (the terrorist after his release from an Indian prison arising from the hijack of IC 814),
The Hindu, December 27, 1999

Pakistan are behaving as though their life depended upon a visit by President Clinton, and if anything India are not far behind.

C. R. Irani, *The Statesman*, February 8, 2000

He used to eat politicians for breakfast, now he's become one. That's T. N. Seshan, Mr. Bombastic himself.

Editorial in *Mid-Day*, August 19, 1999.

There are many reasons why India is a second rate country. But one that far outweighs all the others in importance is the self-loathing of the Indian intelligentsia.

Prem Shankar Jha, *Outlook*, November 8, 1999

One of the main reasons why project clearance takes so long in India is because of the arrogance and ignorance of our bureaucrats. Combine this with the usual corrupt practices and it is quite easy to see why we remain in the bullock cart age despite our vaunted victories in infotech.

Tavleen Singh, *India Today*, December 27, 1999

...we all need to remember that centuries of hatred cannot be set right with new hatreds today... that in undoing the injustices of the past, new injustices are not meted out.

Former Indian Prime Minister, V. P. Singh,
Communalism Combat, December 1999

When I become PM, I will shift the capital from Delhi to Patna.

Laloo Prasad Yadav, *India Today*, October 18, 1999

When they (journalists) get nominated by a "satisfied government", this leads to the suspicion that they have been rewarded for doing some favourable work for those in power.

N. S. Venkatraman,
Editor, *Nandini Voice for the Deprived*, January 2000

Clinton tries to be too many things to too many people; this is perhaps his major flaw.

Swagato Ganguly, Assistant Editor,
The Statesman, December 19, 1999

Under Communism, I wanted to see certain goods in the shops, just to see them, to know they were there. Today the shops are full. The goods are there, but I can't buy anything. It drives me crazy.

A middle-aged woman in Bucharest, Rumania,
The New Leader, November 1-15, 1999

It has been said that there are two kinds of Nobel Laureates in literature: those who don't need the honour and those who don't deserve it.

James Gardner, art critic, *National Review*, December 6, 1999

Not only have violent demonstrations against books, paintings, plays, films and other forms of expression of faith become a pattern over the past five years, but they have also become respectable.

Film maker Saeed Mirza, *The Times of India*, February 6

Artistic freedom will be respected only when artistes respect the sentiments of society. Deepa Mehta's depiction of Hindu widows in Varanasi in a negative manner makes one deeply suspicious of her motives.

Ashok Chowgule, industrialist and state president
Viswa Hindu Parishad, *The Times of India*, February 6

OF CABBAGES AND KINGS

Mobocracy on the Rise

A mob incited by Hindu fundamentalists has driven Deepa Mehta and her crew out of Varanasi. As I write this there is a probability of the film 'Water' being shot somewhere in Madhya Pradesh where an Indira Congress government is in power. Varanasi, as you know, is in Uttar Pradesh, a state currently ruled by a BJP-led coalition. The intriguing fact is that the script was 'cleared' by the Union ministry for information and broadcasting headed by a minister who is a member of the BJP and, if I am not mistaken, is also a member of the RSS like the Prime Minister and the Home Minister. I mention these affiliations only to stress the point that they 'permitted' the shooting of the film with a few 'minor' cuts. The 'clearance' and the 'permission' were not worth the paper on which they were written because their compatriots in the VHP and the Bajrang Dal didn't give a damn. It is difficult to believe that these two organisations would have been so defiant without a tacit nod from their partymen in Delhi as if saying 'Sorry boys we are in a coalition government and it will be difficult for us to refuse permission. However you go ahead and create a law and order problem. That will effectively prevent the shooting'.

The Madhya Pradesh chief minister has welcomed Deepa Mehta to shoot in her state and has promised her protection. Let us be clear that the motive here is to score a point over his political rival - the BJP and not out of any affection for freedom of expression. Let's not forget that it was a government of his party in Delhi that took dubious pride in being the first government in the world to ban Salman Rushdie's *The Satanic Verses*; and don't not forget it was his party's government again which undid a Supreme Court verdict in the Shah Banoo Case.

The problem is it has nothing to do with religion as such. When widows are cast aside by their families (it happens in all religions), unscrupulous elements in society prey on them. A number of charitable organisations with the best of intentions organise homes for destitute widows and these homes attract rascals and crooks who take advantage of the plight of these helpless women even in the holy city of Varanasi in full view of the river Ganga. In fact, not so long ago, I recall viewing a BBC film on the widows of Benares. This documentary led to further exposures in the press. No protests were heard then. Why now? Does it have to do with the colour of the governments in Delhi and Lucknow that emboldens such hooliganism.



Sadly, in case you have not noticed, there has been very muted reaction, if at all, to this assault on the freedom of expression, 'from the NDA 's partners. The reasons are not difficult to guess.

VIP Nuisance

The VIP nuisance is quite pronounced in Bangalore where I happened to be for a few days last month. In fact it has been 'regularised' to such an extent that press announcements in newspapers inform you in advance of VIP movements warning motorists of roads that would be blocked during specified hours. Here are a few extracts - all from *The Times of India*, Bangalore edition:

20.01.00 - According to a press release the normal flow of traffic on Airport Road, M. G. Road, Cubbon Road, Raj Bhavan Road and T. Chowdaiah Road would be affected between 6.30 pm and 7 pm and again between 7.40 pm and 10 pm due to VIP movement on Thursday.

21.01.00 - Owing to the visit of the Singapore Prime Minister Gok Chok Tong to Bangalore, the city traffic police department has restricted the movement of vehicles in the city on Friday. And the press release goes on to list a number of thoroughfares that would be closed to general vehicular traffic including passenger buses between 10 and 11 am; 12.30 and 1.30 pm; 2.30 and 3.30 pm; 4.15 and 4.45 pm; and 5.30 and 6 pm. Wonder if the traffic police in Singapore similarly block roads when their Prime Minister moves about in that city?

30.01.00 - Traffic was blocked on Haines Road and diverted to adjoining roads due to the observance of the first death anniversary function of Khader Nawaz, son of MP Jaffer Sharief. Smartly attired policemen were seen telling curious passers-by that there was a function on the road and so it had been sealed off. Some residents

there had to argue with the policemen to be permitted to go to their homes!

Obviously in our country Napoleon of 'Animal Farm' fame is being proved right about some being more equal than others.

And while on the subject of VIPs it may not surprise you to know that two very expensive flyovers in Bombay city's suburbs built three months ahead of schedule and ready for use were kept closed for almost a month because VIPs who were to inaugurate the flyovers were not free!

Do public utilities like flyovers need to be inaugurated? Why can't they be just be thrown open for traffic when they are certified ready for use. Even some public conveniences like urinal/toilets carry the VIP stamp with an inscription of when and by whom the urinal/toilet was opened!

When Strikes are Not Justified

January saw a spate of strikes in several sectors. The right to strike is an integral part of a democratic society. It is also the *final* weapon to be used when negotiations fail. And these negotiations have to do with, wage disputes and issues directly related to their working conditions.

55,000 taxis and 75,000 auto-rickshaws in Mumbai went on strike for three days to protest against the implementation of a Mumbai High Court order arising from a public interest litigation that the licences of polluting taxis be cancelled. 15,000 taxi-owners in the city were issued notices to submit their taxis for pollution check. The taxi union went on strike instead. I asked a number of taxi drivers after the strike was called off whether they were consulted before the strike was called. Was there a strike ballot? They looked at me as if I was out of my head. Consulted? We are never asked, they replied. The *netas* (the leaders) issue orders and we are

compelled to follow. If we don't obey our taxis will be damaged and we ourselves could be assaulted. The strike as it happened boomeranged because citizens were able to breathe relatively cleaner air for three days. In fact the general feeling was that the Mumbaite would welcome such strikes periodically. That apart, are such strikes justifiable even in a democratic polity.

Another was a strike by employees of public sector undertakings to protest the government's privatisation policy. It is not the business of unions to decide on the ownership of the enterprises they work for. If two companies in the private sector merge, employees of these companies do not strike and even if they did it would be declared illegal. The fact of the matter is that if a public sector undertaking is privatised or a majority of shares are bought by the public then the employees will have to work to justify their pay.

Liberal Times

Liberal Times which describes itself as a forum for Liberal policy in South Asia is a quarterly published from Delhi by the Friedrich Naumann Foundation's India and South Asia Regional Office. We are indebted to the *Liberal Times* for the article 'Constitutional Devices against Unstable Governments' by Mr. Gerhart Raichle in the October-December 1999 issue of *Freedom First*. Through an oversight we failed to acknowledge this fact. Our apologies to the publishers *Liberal Times* and to the writer of that article.

If you are interested in receiving copies of *Liberal Times* please write to:

Liberal Times,
Friedrich-Naumann-Stiftung,
USO House,
6, Special Institutional Area,
New Delhi-110 067.

SVR



The Real Divide

The real divide in our national life today is not between "left" and "right"; two utterly meaningless words from which all sense has been drained long ago, words that are mostly used for covering totalitarian communist propaganda. There is no "left" and no "right" in our national life today. There is however, a divide between liberal and modernistic forces on one side and obscurantist, communist and totalitarian elements on the other.

Minoo Masani

While delivering the Fourth Rajaji Birthday Lecture in January 1969

THE *Mature* INDIAN *Democracy*

We had originally christened this cover feature 'The Maturing of Indian Democracy'. And we sought reader participation in one of two ways : Take part in a half-day discussion on December 18 or write in your contribution. The response this time was encouraging. However, we had to amend the title to reflect the fact that not only was there no agreement on whether our democracy was maturing but the more fundamental question whether we were indeed a democracy - in the real sense of the term. Hence the words *Mature* and *Democracy* in italics.

What this discussion brings out is the fact that the thinking Indian is painfully aware of the poor quality of our democracy. It is full of defects and the "Pilgrimage to Freedom" that Mr. K. M. Munshi talked about in his two-volume recollection of the freedom struggle bearing that title, has led us through freedom not to the promised land but to poverty, despair, corruption and what have you. The statist policies of the Congress era led us to near bankruptcy economically and to a sharp decline in public morality. The only beneficiaries of Nehruvian socialism were the New Class

of corrupt politicians, corrupt businessmen and corrupt bureaucrats.

The economic reforms process has re-started and there appears to be some realisation of the need to dismantle the statist apparatus. But much needs to be undone before the task of rebuilding the nation can really begin. The problem we face is not confined to the economy alone. The mindset that shaped our thinking that led to disaster has to change. That process has not even begun. There are too many vested interests who would like to see that this does not happen. Therein lies the danger of a relapse into the unhappy past.

What follows is a mix of comments made at the half-day discussion and readers' contributions. We invite your comments not only on the views expressed but any fresh insights you may wish to share with us on the nature and quality of our polity.

- Editor.

We begin with a brief summary of the discussions by Dr. B. N. Colabawalla.

INDIAN DEMOCRACY - ITS NATURE AND CONTENT

Democracy - The Indian Context

B. N. Colabawalla

Democracy means different things to different people. Briefly defined, Democracy is an institution where power rests with the people as exercised by them through periodic, free and fair elections and empowers a set of individuals as their representatives to govern the country by a system of majority rule. It is a system which should not and must not tolerate any form of hierarchical or arbitrary class distinctions.

One cannot state with any degree of confidence that the frequent elections we have had, have benefited the nation or produced stability of government. The fact of the matter is that these elections have been imposed on the nation, not by virtue of the failure of any government of the day, but by the sheer lust for power of political parties without any respect for political morality or ethics. The elections and candidates chosen are based on caste considerations or on muscle and money power.

On the other hand, in our fifty-year-old democ-

racy, the minority communities are getting apprehensive and feel insecure. There is a manifestation of xenophobia in certain sectors of the nation which ought to ring alarm bells that all is not well in our polity.

Key institutions like the judiciary and the civil services are being politicized and subverted. One only hopes that this disease does not inflict our armed forces - where some attempts have been discreetly made of late.

The Constitution of the country has been the subject of much debate, and there has been an advocacy to change it radically. The Constitution of India is one of the most laudable ones in the world, and its fundamental and basic provisions have so far helped the nation to remain on the rails of democracy. Is the setting up of a Commission to review the Constitution required?

It is not the Constitution that needs changing,

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but the quality and ethics of those elected to government, which needs to be changed. How that can be achieved is the big question.

A large part of our voluminous Constitution deals with legislative issues and rules of governance. It is in this area that a thorough revision is called for and can be done by Parliament, by a simple major-

ity, or in some specific areas, by a two-thirds majority vote as required. In doing so, the primary need is to review all the 80 odd amendments made to the Constitution, in order to delete those which are obnoxious, particularly those that were adopted during the Emergency when a large number of MPs in the opposition benches were in jail and review others which are perceived to be beneficial to the nation.

Do We Qualify to be called a Democracy?

J. B. D'Souza

Nearly fifty years ago I watched a well-meaning Parliamentary Secretary in the then Bombay State's Kher Ministry, a Mr. Wandrekar, approach a haggard, half-naked '*Katkari*' woman in a Shahapur forest. She squatted on the bare ground, hunched over a pot of boiling water on a fire, an array of roots and leaves before her awaiting conversion into her next meal. I was then Thane's Assistant Collector, detailed to escort the Honourable Wandrekar in his meanderings. "Do you know, you have a 'hote' (vote), he proudly asked the woman in Marathi. "You can now be the President of India." India had adopted the Constitution only a few days earlier. For the first time in this encounter the woman raised her eyes to his, uncomprehendingly. Then she spat out of the side of her mouth, took another pull at her "*bidi*", and resumed her cooking without a word. If she was silent, she was still expressive, even if illiterate and hungry.

Where has the Vote Taken Us?

Were you to wander into the Shahapur jungles today, you would probably find Somya's daughter or grand-daughter squatting at the same spot or nearby, about as scantily clad, just as hungry, just as illiterate. How far has our sovereign, socialist, secular republic taken Somya and her clan, and all of us, on the road to democracy, to the justice, liberty, equality and fraternity that it so grandly promised in 1950?

Where has the vote taken us? What can a vote mean to a people nearly half of whom are illiterate? Is Ours a Democracy at all?

Can we assume that universal franchise is itself a sufficient token of democracy. We all can vote once in five years, or oftener. What else is democracy, but the people's right to vote, to decide who will rule them? Armed with simplistic answers to that question, our

leaders lose no opportunity of proudly hailing their motherland as the world's largest democracy.

Self-Rule

Clearly, there are a number of essentials that a nation must satisfy to qualify as a democracy. First, self-rule. We ought to be able to decide who will rule us and how. This is probably the single item we have largely secured, thanks chiefly to the efforts of former Chief Election Commissioner, Mr. Seshan and his successors. Apart, that is, from isolated exceptions like Bihar, ruled by a woman whom nobody but her husband chose, or Kashmir, whose elected legislators and ministers represent virtually no one. But having decided who will rule us we still lack the ability to say how we will be ruled. Take only one instance: How many of us know how prodigally our rulers spend our meagre resources on arms, including nuclear weapons, while other vital needs like primary education are ignored? Our governments succeed in keeping our total defence spending a close secret. Isn't a democratic nation entitled to know where its money goes?

Four Freedoms

Next, the quartet of freedom, justice (and the rule of law), equality and fraternity that our Constitution enumerates in its preamble. Freedom first, freedom of thought, expression, belief, faith and worship. It is tempting to believe that freedom of expression is so personal that it exists everywhere, even in an authoritarian regime. Yet one is disturbed by the Human Resources Minister Murli Manohar Joshi's not-so-subtle efforts to re-write school text-books and feed young minds with perverted versions of history. Should these efforts succeed, will they not distort the judgement of the next generation, reducing their freedom of thought – or is this too far-fetched?

Expression and speech are almost totally free

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in India, but recent developments have already curtailed the rest of the liberties the Constitution lists, those of belief, faith and worship. An agnostic myself, I am personally untouched by the recent persecution of Christians by aggressive exponents of *Hindutva*. Yet there can be no doubt that its persistence, and the several governments' virtual indifference to it are totally incompatible with democracy, particularly one that professes to guarantee freedom to practice and propagate religion.

Many Laws - No Rule of Law

Come now to justice, and you identify at once the first of our major failures to qualify. True, we have laws, thousands of them; they have created a lawyers' paradise. We have laws, but we do not have the rule of law. Too many of our law makers are prominent law breakers, placed beyond the pale of law by the influence they wield as legislators. That queen of bandits Phoolan Devi is still at large after a term as a member of Parliament. Maharashtra has a gang of MLAs who recently forced some 14 properly ticketed passengers out of their berths and off a train for which the passengers had valid reservations. For his valour one of the MLAs has since been elevated to be a Minister in the Maharashtra cabinet. Wrongs like these escape legal penalty.

Far graver is the immunity serious crime enjoys. So Laloo Prasad Yadav, Narasimha Rao, Bal Thackeray and Jayalalitha still stride the national stage, while a large set of people accused in the Mumbai blasts case have languished in jail for over six years, and we recently read of a prisoner who has waited for 37 years in jail for trial. To this deplorable state our judiciary and the bar have contributed liberally, accumulating arrears and placing justice beyond the reach of the common man. And because justice is so remote, repression by the police and the other security forces has become commonplace. In Kashmir and the north-east the army and the para-military police can and do arrest and murder at will. Even in so-called civilised Mumbai, the police were last year murdering at the rate of two a week in what they chose to call encounters in which they shot only in self-defence. (But in 99 encounters not one policeman was even injured, a study revealed: a court that inquired carefully into two encounters found that they had been faked). A policeman can shoot you if he doesn't like your looks, and then fabricate a record to convert the incident into

an encounter. The top police brass connive at these murders. State terrorism and the thrombosis in the administration of justice have turned democracy on its head in India.

Equality and Fraternity

Next, let's take equality and fraternity together. Here again, it's impossible to reconcile our present condition with a democratic pretension. What kind of equal democracy is it that acclaims India's self-sufficiency in food while forty per cent of its people have no idea from where their next meal will come, or whether there will be one at all. What distinguishes us from a huge Orwellian animal farm, where millions are clearly less equal than the rest? And surely the survival of the pernicious caste system, expressed again and again in the denial to the lower castes of elementary facilities like drinking water, and recently in massacres in north India, are totally incompatible with the fraternity we were promised in 1950.

Can Somya Eat Her Vote?

On the pretext of development our rulers have set up a massive administrative structure, but consider whether the ordinary man in the street truly has access to the parts of that structure that concern him. Consider the nation's children, of whom 30% in the rural areas *have never been to school*. Consider again Somya and her need of shelter and clothing. Can she eat her vote? To whom will they turn? One of the most significant features in this mark sheet is the systematic debasement of the institutions a nation requires if it has democratic pretensions, if citizens are to get the good things their Constitution promises.

Which of our important institutions are really and effectively available to the citizen? Is it the executive government, where you can scarcely get anything done without slipping money under the table to a minister, a civil servant or a policeman? Is it the legislature you have voted into power, excessively preoccupied with its members' privileges, real and fancied? Is it the judiciary, where your case for justice will probably outlive you? Is it our universities, many of whose degrees are worth nothing outside their own physical confines, where vice-chancellors are caught tampering with examination marks and you have to be a Chief Minister's daughter to get a degree with a gold medal even if you have earlier been found unfit to enter the course? With a very few well run

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exceptions, India today offers an endless list of shabby institutions that rob the promise in the Constitution of most of its meaning.

Can we still claim, then, that, whatever else it

is, our poor nation is indeed a democracy? Or, in a parody of Abraham Lincoln's notion of democracy, must we recognize ours as a government off the people, buy the people, for the people, as a scribble on a Hyderabad compound wall described it?

*Mature Democracy – An Overstatement**

Arvind Deshpande

What exactly are the standards by which we are going to judge ourselves. If we compare ourselves with Pakistan, Bangladesh, and countries in the sub-continent then we can say we are doing extremely well. On the other hand there are contradictions here. Five of them selected at random in the current context are: An Indian beauty crowned Miss World; the way we mismanaged coping with the cyclone disaster in Orissa; the lavish marriage of Laloo Prasad Yadav's daughter; the hacking to death of a Madhya Pradesh minister on December 15 by the People's War Group; and the continuous killings and extortion by the Indian mafia. All these are happening simultaneously. The question is how do we judge ourselves. And in order to progress rather than be complacent about it we should compare ourselves with the better governed nations.

Admittedly Indian democracy is, today, more representative than what it was in the 'fifties and the 'sixties. Members of Parliament and State Legislatures come from a much wider section of society. They can no longer be characterised as being elitist. But does this make us a mature democracy? Can it be denied

that there is an increasing kind of xenophobia. It could be against Muslims today, against Christians tomorrow and the upper caste the day after. There is so much intolerance in the air.

Then there is the brazen looting of public money and of exaction or extortion. The stronger trying to exact money out of the weaker and the innocent. Rajwade, a well-known historian from Maharashtra wrote that in the Middle Ages people had to pay something to the thief called government. The situation has not changed much even in this age of democracy. Plunder, exaction, a near collapse of the rule of law, not only not rewarding honesty but not even punishing the wrong doer. In our democracy elections have become a technique to win elections unconcerned about the quality of people who are elected. What is even more sad is the fact that there is little chance of decent and positive kind of people getting into representative bodies.

In these circumstances, to say that Indian democracy is mature is really an overstatement.

*Planting Democracy on an Undemocratic Soil**

Nagindas Sanghvi

Whenever we talk about political institutions or even about the Constitution or about elections or anything connected with the governance of this country let us remember the basic fact that all these political institutions are alien to our society. Concepts like voting, elections, rule of law, and parliamentary system have not developed out of our own social ethos. We have borrowed these from others. There is nothing wrong in borrowing good things. But we need to allow some time for the large masses of people to imbibe and absorb these institutions.

We are trying to work out a democratic government or democratic institutions in a society which is basically undemocratic in its approach. Our society does not believe in equality. Our society has been founded on the value that all men are not equal. For instance we believe in caste groups. Do we believe in gender equality? Do we really believe in the value of liberty as such? How do you expect people to give up these anti-democratic or non-democratic traditions deeply rooted in this country for ages. It is changing.

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THE *Mature* INDIAN Democracy

A Question of Perspective*

V. K. Sinha

It is a matter of how you look at things. Is the glass half empty or half full. In some areas there have been tremendous improvements. Take for instance infant mortality at the time of independence (27 per 1000) and infant mortality today (11 per 1000); or life expectancy in 1947 (32) and life expectancy in 1998 (62). Does it or does it not tell us something about the health of the people of this country. Life expectancy has more than doubled. Certain types of diseases have been eradicated. My grandparents who lived in a village were literally wiped out in a cholera epidemic in that village. Today cholera has been eradicated. So we don't have to take such a dismal view of what has happened in the last fifty years.

Is our education system going down. Yes and no. We almost have mass higher education at present. Naturally the average product is bound to be poor. At the same time we have to remember that some of the best brains on information technology in the United States are from the IITs of India. That almost one out

of four software programmers in the Silicon Valley are products of Indian engineering institutes. So it is not as if our educational institutions are to be dismissed as totally poor and shoddy.

Let us also accept the fact that while democracy is not a cure all democracy brings to light deficiencies in the system like the criminal negligence of justice. In a non-democratic system such information is barred. It is true that the values of democracy are alien to our culture. For instance it is taken for granted that a bureaucrat has to be honest. That is a western value. A handbook issued to civil servants in the Mogul empire clearly states as a norm, that whenever a lower official calls on a higher official, he must carry suitable gifts. *Bakshish* or bribe, by whatever name 'gifts' were called was our norm. In fact the salaries of civil servants in the Mogul Empire were fixed on the consideration of how much money they were likely to make by way of bribes.

A Return to Tribalism*

Yogesh Kamdar

The simile about the half glass is quite appropriate. But what if it is a half glass which is leaking. In such an event we would be losing even what was in the half-full glass. This is what is happening. In the last fifty years there has been degeneration in more than one sense. For instance in the name of regional aspirations we are sliding back into sectarianism if not tribalism.

Let me give you an example. In Gujarat a generator set was deliberately destroyed because neighbouring villages did not want water to go to Jamnagar city. It was not even an inter-state dispute but a dispute between a city and a village five kilo-

meters away. If these are going to be tolerated in the name regional aspirations and people's power, we need to think again about such concepts.

Another indicator of our return to tribalism or sectarianism is the way the caste factor is being promoted in the name of justice for Other Backward Castes (OBCs) and so on. It is very good and proper to say that fifty years is a very insignificant time in the life of a country in a civilization that is more than 2000 years old. But in the life of an individual which is on an average 70 years, 50 years of messing up is much too long.

Far From Maturity

N. S. Venkatraman

The level of maturity of any democratic society would primarily depend upon the maturity of mind of its citizens. In judging the maturity of individuals, there is often lack of clarity. Many people seem to confuse the knowledge level of the individuals with the maturity of their mind, which need not be so.

In the Indian context, one can say that the availability of facilities for higher levels of education in the country during the last five decades turning out thousands of graduates and post graduates have not resulted in any significant qualitative improvement in the minds of the persons. This obviously means that

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formal education has not contributed to the maturing of our students' minds. Possibly, the lakhs of illiterates and poor in the country, who have no formal education, are more matured than the so-called educated.

The very fact that Indian society remains by and large peaceful is a tribute to the maturity of the poor and downtrodden in the country, who are patient and retain a philosophical outlook, despite the all-round misery, poverty and exploitation that they face all through their life.

As the poor in India have no real say in national politics, which are essentially controlled by the rich,

the clever and the educated who exploit the innocence of the poor and the vote bank they represent, one has to say that Indian democracy is nowhere near achieving a state of maturity. On the other hand, it appears to be worsening every day.

Positive trends in any maturing democratic society would include effective protests against corruption and nepotism, willingness to sacrifice for the chosen cause and pride in the traditions and glory of the motherland as well as confidence in the future ahead. All such trends are conspicuous by their absence.

Political Democracy Alone is Not Enough N. Namasivayam & Mohamed Jaffar

We have raised a very rich crop of public scandals. The Government of India has failed to evolve effective rules, standards or conventions for instituting inquiries into cases of ministerial misconduct. The launching of an inquiry depends solely on the discretion of the prime minister and the chief ministers. A survey of Inquiries held in the last 50 years shows that this discretion has invariably been exercised in a partisan manner. Examples of the misuse of political power by former prime ministers of India are the large sums of money owed by them to the national exchequer for the use of Air Force planes for their personal use. The defaulting ex-prime ministers are:

Mr. Chandrashekar	Rs.5.92 Crores
Mr. Narasimha Rao	Rs.5.52 Crores
Mr. Rajiv Gandhi	Rs.1.86 Crores
Mr. Deve Gowda	Rs.26.46 Lakhs

Dr. B. R. Ambedkar, a crusader for social justice, emphasised in his final address to the Constituent Assembly on November 25, 1949:

"The thing we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean?

It means a way of life which recognises liberty, equality and fraternity as the principles of life. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality would not become a natural course of things. It would require a constable to enforce them. In India, on the social plane, we have a society based on the principle of graded inequality which means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty. In politics we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we continue to deny the principle of one man one value. How long shall we continue to live this life of contradiction?"

Dr. Ambedkar asked this question 50 years ago. Even after five decades there has been little success in the upliftment of the scheduled castes and scheduled tribes. Because of the reservations policy, a slight improvement in their economic condition is discernible but not socially. Equality before the law includes a command to the state to eliminate inequalities by affirmative action.

The West Bengal government discovered recently that it has issued more ration cards than there are people in the State.

S. Chaudhary, *Asiatic Age*, 21 December, 1999.

Self-reliance: the keynote of our independence

Long before we won our freedom, self-reliance was the goal of those of our people who could think for themselves and shed the shackles of dependence: men of foresight and determination, like Ardeshir and Pirojsha Godrej, who had confidence in the country's capabilities and shared the same ideals with Tilak, Tagore, Gandhi and Nehru who practised self-reliance.

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Empowerment through Panchayat Raj*

R. Srinivasan

It is interesting to notice how people who are totally illiterate to political ideas and concepts have made use of democratic structures to better themselves and the society around them. Take the example of the illiterate muslim lady who was the president of a village *panchayat* in Andhra Pradesh. When an opportunity was given to her she was able to mobilise almost the entire community around her and to give opportunities to

people for the first time to do things on their own. For instance, she saw to it that all the girls in the village were sent to school.

So when people who never had good institutions make good use of them when they are made available is a characteristic sign of a maturing democracy.

Investing in Education*

Parvathi Vasudevan

Higher education should be recognised for its worth in terms of what it can deliver and at which levels it can deliver. There is this debate going on whether we should spend more on primary education and cut funds for higher education. We should not do that because countries which have cut spending on higher education have also had to pay a price. We must recognise that higher education has its role

and has its value. Each level of education is important. I would like to stress the education of women, not in terms of obtaining degrees, but in terms of opening wide vistas of opportunities. An enlightened mother whatever her economic status is able to sense what is happening around her and is able to instil in her children values which she believes are right.

It is Not all that Bad*

K. F. Rustomji

I am one of those who is an uninhibited admirer of Indian democracy. A thousand million people. 30% below the poverty line; 30% illiterate; a large number of them unemployed; a large number of them on the verge of starvation. And yet we have stayed together as a nation. Isn't this something we can be proud of?

Of course in a democracy we always have the feeling that we are doing badly. There is so much confusion. So much corruption, so many Lalos and so many things that are untidy, ragged and so many people without the basic needs of living like drinking water. The truth is that we expect miracles in fifty years after centuries of stagnation. We are not satisfied with the fact that the nation is safe and stable; that elections are held regularly. What has never failed to astonish me is how right the verdict of the electorate turns out to be. And what we seem to be missing is the fact that the standard of living has been rising conspicuously. A large middle class has emerged and

other classes below are also moving upwards. We are obsessed of course with the exploding population. But that too I think will stabilise in another 25 or 50 years just as Kerala and other states have shown.

The fact is that in a democracy the most essential element is dissent or argument. That sometimes gives us an impression that things are very wrong. But discontent is the very cause of progress. If you have discontent it is a good sign not a bad sign. And what we often deride - the right to strike or hold *morchas* - is itself a safety valve which every nation ought to have. And which we have used to good effect.

The fact we must give reverence to is that in this whole area of South Asia ours is the only country that one can live with some degree of confidence and expect to do one's work without being interrupted by anybody unlike Myanmar, Sri Lanka, Pakistan and Afghanistan which are all disturbed areas.

A friend in power is a friend lost

Henry Brooks Adams, US historian

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OF ELECTIONS AND ELECTIONEERING

The Lok Sabha Elections of 1999*

The Lok Sabha elections of 1999 have confirmed the ongoing process of injecting multiplicity in the Lok Sabha and the ministry. It has proclaimed more or less finally the rejection of the dominance model. We have entered the era of multi-party politics and the once mighty Congress is now reduced to a mere factor in the political calculus and is forced to reluctantly adjust itself to the emerging scenario.

The most important feature of this election is that it was a contest not between the parties as such but between fronts and alliances. Coalitions are not unfamiliar in India, but so far such coalitions in national politics are confined to the post-electoral power sharing between parties who fought elections on their own with occasional adjustments of candidates and constituencies.

The two major fronts, National Democratic Alliance and the amorphous Congress alliance display ideological contradictions, programmatic diversities and regional alignments, e.g. the CPM was allied with the Congress in Tamilnadu, Punjab and Bihar, but was against it in Kerala, Bengal and Maharashtra. The Shiv Sena, an ally of the BJP in Maharashtra, fought against it in Delhi and UP. In addition, all parties suffered from intense factionalism. What ultimately emerged was the haphazard and non-ideological fronts with the single

Electoral Realpolitik*

I had the opportunity to associate with some political parties in the last two elections in Maharashtra. The only criteria for the selection of candidates by political parties continue to be caste and the amount candidates are able to mobilise.

The role of the press was absolutely pathetic. Whatever appeared in some newspapers about a candidate or a party were not only not genuine reports but were actually paid for by the candidates or their parties concerned at rates normally charged for advertisements in those papers. In other words these reports were really paid advertisements masquerading as reports. I am referring to constituencies I visited in the interior of Maharashtra. The press totally mattered for everybody - for those who were able to read

Nagindas Sanghavi & Usha Thakkar

purpose of achieving political power. Though the third force, consisting of several socialist/leftist parties is not yet a decisive factor in national politics, the phenomenon refuses to vanish.

It is interesting to note that upto 1996, the opposition in Parliament was fractured. In the 12th and 13th Lok Sabha, it is not only the opposition but the ruling group too which is fractured and held together only by the thread of power. Under these circumstances, it is not only the interaction between the ruling alliance and the opposition that decides the duration of the ministry, but the equation within the ruling alliance is also an important factor for stability. This Lok Sabha is as fractured as the earlier one, having 38 political parties represented in the House, 23 of them having less than 5 members each and 13 having only one seat each.

It has to be accepted that the emergence of regional parties represents a democratic process, reflecting the multi-faceted pluralities of India. Indian polity would be strengthened by the maturing of such parties. The regional parties are fierce defenders of regional interests but why should it be presumed that the national and regional interests are always incompatible and antagonistic?

Sanjay Panse

and to those who were not able to read. The press is the most important medium in these parts to make or mar the image of candidates on which depends their chances of getting elected.

The expenditure incurred in the election were phenomenal, the limits set by the election commission notwithstanding. A candidate whether independent or affiliated to a party had to incur a minimum of at least Rs.20 lakhs if he had to have a fair chance of being elected to the state assembly. Hence the choice of a candidate was based on the amount of money he could mobilise. The campaign consisted of taking care of the press and the caste factor. The campaign was restricted to these two factors. Whatever additional votes a candidate gathered outside the caste or other vote banks

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where they had influence was considered a bonus. To candidates and their managers it was an exercise in arithmetic. Often this led to a candidate himself setting up another candidate to oppose him if the arithmetic determined that by doing so he improved his chances of success in a split vote. When one says that some of our politicians understand politics well what we mean is that he understands which pocket has what kind of caste contours and which persons in these constituencies can deliver the votes and his expertise in electoral arithmetic.

A Lesson for All Political Parties

The Verdict '99 has, by and large, proved the remarkable maturity of our voters. They have punished non-performers and destabilisers, and rewarded performers.

Unfortunately, some of our voters have also punished some very good candidates (notable among them being Dr. Manmohan Singh, Prof. Madhu Dandavate, Shri P. Chidambaram, all former Union finance ministers and rewarded a few criminals and gangsters without any reason! This is the only sad feature of our latest elections and of our previous elections as well.

The Congress under the 'charismatic' and 'dynamic' leadership of Soniaji and Priyankaji secured the lowest ever tally of just 113 Lok Sabha seats. Under the 'lacklustre leadership' of Shri Sitaram Kesri, the Congress with its allies had secured 40 more Lok Sabha seats! Poor Kesri was unceremoniously sacked for the miserable performance of the Congress in the 1998 elections!

What did the Congress gain by ousting Deve Gowda's and Inder Gujral's governments and enforcing a costly general election last year? The BJP and its allies returned to power. What did the Congress gain by ousting the BJP-led coalition government this year? The BJP and its allies have returned to power with a bigger margin!

The Janata Dal (secular) led by Shri Deve Gowda tridriculed in Karnataka as 'Tandale Makkala Party' - a Party of father & sons) has been completely decimated. It could win only a solitary seat in Lok Sabha, secur-

In the last two elections in which I participated, manifestoes were not even talked about. Issues were totally local - whether the election was for the state assembly or the Lok Sabha. Issues concerning the economy, comparison of the standard of living with other countries or even with other parts of India were not even raised. The concerns were restricted to such matters as: 'If I get elected I will offer you this or that largesse from the coffers of the state.'

S. S. Bankeshwar

ing just 5% of the votes polled! Both Shri Deve Gowda and his sons lost the elections miserably!

The Congress tried all sorts of 'electoral' tricks to influence our voters. First, it dismissed all opinion and exit polls as bogus. It then conducted its own opinion poll through its official paper *Lokmat*, owned and edited by Mr. Darda, a Congress Rajya Sabha member. This survey, predicted that Soniaji would come to power with a comfortable majority! It then created a Nostradamus out of the blue (nobody knows his address or phone number, obviously a fictitious one), whose 'prediction' received wide publicity in 'newspapers in India, England and America! The official spokesman of the Congress party, Shri Kapil Sibal went to our President Shri K.R. Narayanan and advised him to call the leader of the largest party to form the government, anticipating that the Congress party would emerge as the largest single party after the elections!

'Verdict 99' has a lesson for all our political parties. In the first place, there is what is called 'voter fatigue'. Our voters are fed up of frequent elections, which have now turned out to be 'an annual carnival'.

Let this government be allowed to rule for the next five years. If it fails miserably to deliver goods at the end of five years, the Congress and its allies can return to power with a thumping majority, as it did in 1977, after the collapse of the Janata Party government. Meanwhile let the Congress have patience to remain in the opposition for the next five years, offering only constructive criticism.

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A Warning from the Voters

J. S. Apte

The results of the Thirteenth Loksabha Elections convey the warning loud and clear that it is high time for the past, present and future rulers of the country to remember that they cannot fool all the people all the time. Mere winning of elections by small or big margins will mean little if those elected fail to deliver the goods in areas of health care, education, family planning and the environment. In this context, it will be instructive to learn from the example of the son of a Chinese king. In the third century AD, a king in China sent his son (his heir apparent) to the temple of education. After having spent over a year in the forest,

the son was told by the master "to hear the unheard is necessary discipline for a good ruler. For, only when the ruler has learned to listen closely to the people's heart, hearing their feelings (uncommunicated) pains unexplored and complaints not spoken of, can he hope to inspire confidence in his people, understand when something is wrong, and meet the true needs of his citizens. The demise of states come when leaders listen only to superficial words and do not penetrate deeply to the souls of the people to hear their true opinion, feelings and desires" (*Harvard Business Review*, July-August 1992).

What the Voter Wants

P. R. Dubhashi

The assumption of the Congress party, when they succeeded in bringing down the previous BJP-led coalition, of a paralysed government and an uneventful interregnum proved to be wrong. The Pakistani intrusion in Kargil provided a great challenge, and contrary to expectations, the intruders were driven out much before September when elections were scheduled. What was remarkable was the achievement of the government on the diplomatic front. Not only Russia but the US and its allies, viz. France, Germany, UK and Japan and even China, the steadfast supporter of Pakistan, tilted towards India and, for the first time, Pakistan was isolated.

The elections were fought with much bitterness. The election propaganda of the parties started much before their manifestoes were ready – not that manifestoes mattered. The contending parties placed greater reliance on the magic of Vajpayee's oratory and Sonia's charisma, not to mention the several actors and actresses who were pressed into service. Apparently, the parties assumed that voters, most of them poor and illiterate, had no capacity for rational thinking. They were soon to realise how wrong their assumption was.

The stability of government emerged as the most important issue in the election propaganda. Vajpayee in his address blamed the Congress party for creating instability by bringing down successive non-Congress governments. The Congress party on its part claimed that it alone could provide a stable government since only Congress governments were able to last the full tenure.

The stability issue was related to the debate on the respective merits of coalition versus single party governments. Vajpayee justified the formation of his National Democratic Alliance saying that in a vast and diverse country like India, only a rainbow coalition of a number of parties including regional ones could be fully representative. On the other hand, the Congress party claimed that a coalition would not be stable. If Vajpayee could not manage an 18 party coalition, asked Sonia Gandhi derisively, how can he manage a coalition of 24 parties?

Coalition government or a single party government – it has to fulfill the needs and aspirations of the people. The BJP tried to sell the "tried, tested and trusted" leadership of Vajpayee while the Congress argued that Sonia represented the continuity of leadership of Nehru, Indira Gandhi and Rajiv Gandhi. Soon the debate on this subject took an ugly turn. The issue of the "*videshi*" origin of Sonia Gandhi was brought into focus. Sonia Gandhi argued that though she was born an Italian, after her marriage to Rajiv Gandhi, she had totally identified herself with India.

As it ultimately turned out, the voters paid scant attention to the *videshi* issue by electing Sonia Gandhi from Amethi with an overwhelming majority of 300,000 and even from Bellary by more than 50,000 votes. On the other hand, despite 160 public meetings addressed by Sonia Gandhi, many of which were largely attended, the voters gave a resounding rebuff to the Congress party by electing the lowest number of Congress candidates to the Lok Sabha. The polarisation of political

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parties predicted by political *pundits* did not take place. The Samajwadi Party of Mulayam Singh Yadav and the BSP of Mayawati vastly improved their tallies, preventing the overwhelming preponderance of the BJP on the one side and the challenging presence of the Congress party on the other. At the same time, the voters gave a comfortable majority to the NDA leaving no excuse for non-governance or poor governance.

The results of the elections showed that the operation of the so-called anti-incumbency factor depended on the performance of the incumbent. The voters disapproved incumbents who squabbled and not fulfill their promises or misuse political power. That is why they punished the BJP and its allies in the UP, Punjab and Karnataka and the Congress in Rajasthan, Orissa and MP. The conspicuous victory of

Chandrababu Naidu showed that a government need not be populist. What the voters appreciated was sincerity of purpose, and efficient administration. On the other hand, Laloo Prasad in Bihar, questioned the connection between *vikas* (development) and *rajniti* (politics). When the voters in his constituency asked for the restoration of a health unit, Laloo told them that the election was not about health units but about the *raj* (rule) in Hastinapur (Delhi). The voters were not amused and Laloo had to publicly apologise holding both his ears.

The results of the elections are a clear warning to the NDA government. It can last for five years and even can get re-elected if it performs well and gives good governance.

THE BUREAUCRACY

The Accountability of Public Servants

Satish Sahney

The dictionary meaning of the word 'accountability' is: "Liability to give account, responsibility to fulfil obligations".

In the public perception, a majority of present day public servants, from the lowest rung to the highest, are found wanting in both, i.e. accountability for acts of omission and commission, and the discharge of duties.

Doctrine of Sovereign Immunity

One reason for this situation is the doctrine of sovereign immunity which is applicable in India. Simply stated, the doctrine makes all acts of public servants done in the discharge of their duties, immune from tort liability (a breach of duty other than under contract leading to liability for damages). The Supreme Court of India construed Article 300(1) as upholding the doctrine of sovereign immunity in the case of *Kasturilal* and observed: "if a tortious act is committed by a public servant and it gives rise to a claim for damages, the question to ask is: was the tortious act committed by the public servant in discharge of statutory functions which are referable to, and ultimately based on the delegation of the sovereign powers of the State to such public servant? If the answer is in the affirmative, the action for damages for loss caused by such tortious act will not lie".

The facts of this case are worth knowing. Mr. Ralia Ram, a partner of a firm of jewellers known as *Kasturilal Ralia Ram* of Amritsar was taken into custody by the police at Meerut on suspicion of possessing stolen property. Gold and silver ornaments were seized from him. On verification, it was found that he had not committed an offence. While the silver ornaments were returned to him, the gold was not, as the Head Constable in charge of the *Malkhana* had misappropriated it and was absconding. A suit was filed against the State of Uttar Pradesh for the return of the ornaments, or, in the alternative for compensation. Construing Article 300(1) of the Constitution, the Supreme Court of India held the State not liable on the ground that the tort was committed by the police officers in the exercise of delegated sovereign power. In upholding the defence of sovereign immunity pleaded by the State of Uttar Pradesh, the apex court observed:

"In the present case, the act of negligence was committed by police officers while dealing with the property of Ralia Ram which they had seized in the exercise of their statutory power. Now the power to arrest a person, to search him, and to seize property found with him, are powers conferred on the specified officers by statute and in the last analysis, they are powers which can be properly characterised as sovereign powers, and so, there is no difficulty in

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holding that the act which gave rise to the present claim for damages has been committed by the employees of the respondent during the course of their employment in question being of the category which can claim the special characteristic of sovereign power, the claim cannot be sustained". This immunity from tort liability has shaped the attitude of public servants towards accountability.

Good Intentions ...

Sardar Patel organised the services in independent India. He had tested the Indian civil servants in the turbulent days of 1946-47 and was convinced of their loyalty, capability and efficiency. He wanted the services to become a permanent instrument of governance. Therefore, when the question of constitutional guarantee to the services came up before the Constituent Assembly and many members voiced their disapproval of any guarantee, the Sardar, in a hard hitting speech, strongly defended the provision of constitutional guarantee and even threatened to quit if it were not approved. His threat clinched the issue and the Assembly accepted Article 311, as proposed by him.

... Not Fulfilled

Sardar Patel wanted public servants to be impartial, politically neutral and fully committed to the Constitution. He expected them to play their part honestly and work for the good of the common man, without fear or favour. This desire of the Sardar has remained unfulfilled. On the other hand, with the passage of time, the number of apolitical and non-partisan public servants has become considerably less and (as pointed out in the Vohra Committee Report) an unholy nexus has emerged between politicians, public servants and criminals. The public naturally lost faith in public servants.

Ironically, the constitutional guarantee to public servants under Article 311, which virtually ensures, after the initial entry through competitive examination, continuance of service irrespective of performance, has, in a way, contributed to the growth of indiscipline and lack of a work culture amongst public servants.

Tedious, complex and incomprehensible administrative procedures and rules of business of government have to a very large extent been respon-

sible for the present state of affairs. The British laid down complicated procedures for the purpose of exercising complete control over a colony and its inhabitants. Their continuance after independence have led to corruption, delays, indifference and lack of accountability amongst public servants.

The submissive attitude of our people, their fear of authority and their tremendous capacity for tolerating nonsense, as also the absence of an effective machinery to deal with public complaints against public servants is another reason for the lack of accountability. The only institutional arrangement to deal with complaints against public servants is the departmental enquiry system.

This system has certain inherent weaknesses. The most important of these is the fact that most enquiry officers are sympathetic towards their subordinates and, more often than not, inclined to take a lenient view. Consequently, very few public servants, particularly at the senior level, get suitably punished for failure to perform their duties. Some time ago, there was a major train accident in which over four hundred people died. The accident was widely reported, both in the print and electronic media. One newspaper pointed out that since 1998, there had been 88 railway accidents, out of which 42 were due to negligence. This is just one example. All public services, if probed, will reveal several instances of negligence and callousness. But if the guilty are not punished, whether due to misplaced sympathy or due to the pressure of the unions or due to political patronage, the concept of accountability will never sink into the psyche of public servants.

What must be done to change the situation? Citizens should refuse to accept the prevailing situation and must demand accountability and transparency from all public services and public servants. Citizens movements alone will change the situation.

Citizens' Charter

A new concept known as Citizens' Charter is emerging in India. It has already taken shape in some countries abroad. The Citizens' Charter is a voluntary commitment by all public services to the citizens of the country laying down the quality of services that can be expected and a clear line of responsibility demonstrated for the various services. In the United Kingdom, if the standards are not maintained or there

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is a delay on the part of the authorities, the department concerned has to pay compensation to the aggrieved citizens. The basic principle of Citizens' Charter is to make it known to the public what will be the standard of performance of public services and a commitment that the quality of service will be maintained. The entire mechanism of the service as also an

unambiguous declaration of the irresponsibility must be made public.

If good governance and accountability of public servants is what the people of India expect, then the Citizens' Charter concept must become a nation-wide movement.

LAW & ORDER AND THE JUDICIARY

The Decline of Authority*

K. F. Rustomji

One of the main problems is what I would call the decline of authority. There are two aspects to this. The first is the decline in the standard of policing procedures. One of the main causes for this decline, apart from the lack of proper leadership, lack of proper control and lack of discipline, is political interference. At every stage the thanedar has to deal with those who want to have their own way in dealing with matters.

And this is compounded by the fact that cases take many years for a decision. A case of murder comes up for trial after ten years in Bombay. The old idea that if you kill anybody you will be hanged is now no longer accepted. The delay in trials is so great that you cannot expect to get a decision in your lifetime if you go to court.

Police investigations are bound by a time limit imposed by the law. Why can't a time limit be imposed on trials. The time limit should be made flexible so that in certain cases it can be relaxed but that normally speaking, if a trial goes on for more than one or two years then the accused should be acquitted.

I would therefore suggest two positive recommendations - the first is that political interference with the police should cease. This was one of the recommendations of the National Police Commission - a recommendation that has been lying with the government for the last eight to ten years. The second is that there must be a time-limit on trials.

An intervention by Mr. J. B. D'Souza: If you place a time limit on trials you would get any number of Antulays getting scot free not after eleven years but after two years. If they know how to stretch it out for eleven years they can easily stretch it out for two or three years.

An intervention by Mr. A. V. Gopalkrishnan: Rather than imposing a time limit on trials (trials do take very long and need to be speeded up) what needs to be done is for our civil and criminal procedure codes should be substantially changed to cut down lengthy procedures. This will go a long way in ensuring fair and speedy trials.

Who is Responsible for Judicial Delays*

Nagindas Sanghavi

Much has been said about the denial of justice to the Indian people. Who is responsible for judicial delays? The blame lies entirely with the judges and the lawyers. They are misusing the legal structure and the system and delay judgements for years together. Has a single serious criminal with money, influence and muscle power been punished in this country? We may regale ourselves with lists of criminals sitting in the legislatures. There are quite a few criminals sitting on various judicial benches? The rigid censorship under the guise of contempt of court prevents people

from talking about allegations involving judges. Visit any lower court and see for yourself how justice has been made a mockery of our judicial system.

If I have loaned some money to another person and want to recover it, the judiciary is not going to help me. I will therefore have to take the help of anti-social elements to recover my debt. And anti-social elements are being pampered and promoted by big business.

THE *Mature* INDIAN *Democracy*

Public Interest Litigation*

R. Srinivasan

What about the innovative manner in which our people make use of institutions like the judiciary. For instance public interest litigation. It may be in the doghouse today because of the manner in which it has been abused. But the fact remains that it is public

interest litigation that opened up new avenues for people to seek justice. It is public interest litigation, for instance that made it possible for a pensioner to get his pension which had been denied to him for twenty long years.

Poor Infrastructure*

Naozer Aga

Recently our Prime Minister categorially said that the problem lies with the judiciary and the Chief Justice of the Supreme Court retorted that the problem lies with the government. To my mind the problem lies with both these institutions. There is very little infrastructure provided to the judiciary. If you go to the courts in the mofussil areas it is in an even more terrible state than in the cities. In fact I have always wondered that in this type of a situation how our judges are even able to perform to the extent they are doing at the moment.

I happen to have experienced a little bit of the judicial system in the United States where, on one

occasion as part of my business, I had to testify on some matters in a Boston Massachusetts court. And the contrast with our courts is striking. Apart from the aesthetic ambience within the courtroom there was a tape recorder (it was a very simple arrangement to have, why our courts can't have it I am unable to understand) which was recording the proceedings. There was not need for a stenographer. The case started and within six weeks the court had given its decision. There were no postponements. In our country the litigant who feels he is going to lose his case is able to manipulate the system in such a way that it goes on for years. That is how justice is defeated.

THE MEDIA

Continuing the Licence-Permit-Quota Raj*

Jehangir Patel

The print media is more or less free. But the freest media today is the Web. And anyone who has access to a computer even without owning one can have a website. But now an IT Ministry has been formed and the minister who has been appointed to take charge is basically a fund raiser for his party. A person like that coming into that ministry could mean that we could have problems. So what needs to be done is to ensure the freedom of the Web because that really is the critical medium today.

The other medium is the radio. The government has issued about 35 licences. It can safely be assumed that crores of rupees would have passed hands in return for these licences. What the present government has done is to cut out anyone with a medium income or any average Indian from going into the business

of setting up radio stations. Many countries particularly in the West have radio stations in universities, colleges and even in the community known as neighbourhood radio stations.

But the government in India has restricted the setting up of radio stations to 35 licencees. Crores of rupees can be extracted from the beneficiaries whenever those parties in power need funds and cancel licences of those who do not oblige. All that has happened now is that a single monopoly has allowed 35 other monopolists a share in the spoils courtesy the Ministry of Information and Broadcasting. Radio has to be freely available to all and not a continuation of the licence quota permit raj if we are to be a real democracy.

Government's Intentions - Control Information*

S. V. Raju

Why do we need an Information Technology Ministry at all. A symposium of Liberals held recently

in Delhi was of the unanimous view that an IT ministry was not needed. Similarly, it was also of the unani-

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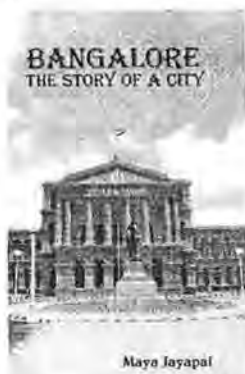
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BANGALORE - The Story of A City
by Maya Jayapal; East West Books
(Madras) Private Ltd., 62A Ormes
Road, Kilpauk, Chennai 600010;
1997; pp.278; Rs.250.



**Reviewed by
Ms. Leela B.**

Bangalore 'the garden city' brings nostalgic memories. Its recorded history can be traced back to 1537 A.D. when a mud fort was built by a local chief Kempegowda. But in recent times, Bangalore has outgrown the limits set by its founder. Even though one does not find the grandeur of medieval architecture, splendour or historical monuments, it has public parks, gardens and buildings. Now it has become an industrial city.

The history of Bangalore is narrated in the form of a story by Maya Jayapal. She has traced the historical growth of the city and the diverse elements, which had shaped the destiny of the city. The author, a much travelled person, has also authored *Old Singapore* and *Old Jakarta*.

The chapters on 'Life in the Cantonment', and 'The Bungalow' make interesting reading. "On the fringes of the military area mushroomed habitations of civilians offering subsidiary services to the military personnel. These included dhobis, barbers, craftsmen,

labourers, contractors, merchants, milk vendors, fruit and hay suppliers, carpenters. This was a general bazaar or Blackpalli (today's Shivajinagar) as it was then known."

The Varanda was an important requisite of the bungalow fulfilling all sorts "of socio-economic functions". Beautiful bungalows have been replaced by multi-storied structures and the concept of verandas can be gauged only by a few surviving old building now.

One may remark, 'What is in a name?' But every street in the cantonment reflects the services of the many British servants who played a major role in the growth of the city. Cubbon Pet, Cubbon Park and Cubbon Road are all named after Mark Cubbon who was commissioner for the Mysore territory. His administration spanned almost three decades. Cunningham was the secretary to Mark Cubbon. Dr. Benson was a Residency Surgeon. Cunningham and Benson Roads are named after them. Just as the Britishers have left an imprint on the lives and society of Bangalore, Royalty too has left a deep impression. This is in fact brought home by paying tribute to the late Maharani of Mysore. Many of the names - Vanivilas Institution for the education of girl students, Vanivilas Maternity Hospital - are reminiscences of regency rule. A few other names, which are to be noted are - Father Sarranton Circle near Coles Park, which is a tribute to the French priest who rendered great service during the Plague (1898) and cholera epidemics. Monsignor D'Souza Circle honours another priest who gave free treatment for jaundice as a part of his philanthropic work. Such little details help the research student.

The other interesting chapter

is on the major communities wherein the author has analysed the contributions of various communities. The contribution of Tamils and Parsis, with illustrations are adequate, but the comment on Maharashtrians and the Maratha families are disappointing, as the author has omitted many families that had played a major role. For example, Karpur Srinivas Rao played an important role. He was the Chief Engineer and rendered meritorious service to the state in constructing the Kannambadi dam. He was also the founder of the Kannada Sahitya Parishad.

The book contains several useful plates. My only disappointment with this book is, Bangalore which is known for its cultural identity should have been given adequate coverage, and not merely a casual mention. Though the author claims the book is not for academicians, yet, while writing the story of a city, culture forms an integral part of the city, hence it cannot be neglected. Sharada Seva Samaj, Mahila Seva Samaj, Seva Sadana and other voluntary organisations find no place in the book. All these organisations contributed to the growth of women's revival in the first half of the 20th century. I wish the author had devoted a few pages on the voluntary agencies in the city. But for this shortcoming, the book is a useful addition to the existing collection on Bangalore.

MS. LEELA B. is a retired Librarian, SIES College, Mumbai.

What is truth? A difficult question. I have solved it for myself by saying that it is what the voice within tells you.

Mahatma Gandhi, cited in
Bhavan's Journal, December 31, 1999

she was pregnant, smashing her bangles on her wrists, and putting the legs of his *charpai* (bed) on her outstretched hands, while sleeping on it.

She saw him eyeing their pubertal daughter with lust and the fear of what was likely to happen drove her to finding young virgins for his pleasure. Her degradation was complete when on a perverse whim, he made her play the role of a prostitute for him. As she was perpetually hidden in 'Purdah', none of the men he took her to, suspected that she was the Pir's wife. He made her watch his paedophilic acts and insisted she join in, while getting them video taped. Sensing her misery, her brother suffered a nervous breakdown and her mother got haunted by her dead husband's spirit in her dreams.

With the Pir's death, Heer felt, she would finally be able to escape her torture chamber. She had never protested against the inhumanities she suffered for no avenue of protest was available to her. But what is amazing is that despite all the horrors she was subjected to and what was heaped on her in the name of religion, Heer never lost her faith in Islam. It is not the Koran but its wrongful interpretation which were to be blamed.

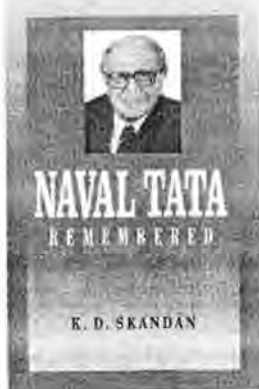
Tehmina Durrani, through both the books, reiterates again and again that true Islamic principles give dignity and equality to women. It is the perverse, "distorted, self-serving interpretation" of the tenets by a powerful few that perpetuates this stranglehold of customs designed to dominate and oppress women. These according to her are the true blasphemers.

Blasphemy is a powerful indictment of the humiliation and

indignities often inflicted on women in a closed society and is a brave attempt at exposing its hypocrisies and double standards. Tehmina Durrani deserves kudos for her courage in writing it.

MS. SONAL SHAH has a doctorate in political science and is an occasional political commentator.

NAVAL TATA REMEMBERED by K. D. Skandan; M&J Services, Mohan Kunj, Jyoti Phule Marg, Dadar, Mumbai 400 014; 1999; pp. 79; Rs.50.



Reviewed by Ms. Kashmira Rao

There is a tendency among Indians, particularly the white collar class to regard the managerial elite as ruthless, ambitious and narrow-minded drivers of those under them. In reality tis is not always so. Many of them have had exceptional qualities and Shri Skandan has succeeded in presenting an intimate portrait of one such person, Mr. Naval Tata. He was closely associated with Naval Tata for nearly thirty years as his Executive Assistant. This interesting account which is full of human interest, offers an intimate portrait of his late chief.

Losing his father, when he was just four, Naval had to face the grind common to many unfortunate families; the orphanage founded by

the family of Petit was a succour to him and his brothers. Later adopted by the Tata family, he entered college and joined the Tata organisation in a junior position. He was to rise rapidly and occupied some of the highest positions in the various Tata institutions and managed simultaneously many of them with consummate skill and success. But this did not make him forget his humble beginnings and he continued to have a warm cordial human touch with all his employees.

His wide experience in dealing with personnel problems led to his continued involvement with the International Labour Organisation (ILO) for three decades. He was honoured by being offered responsible positions in several educational and welfare institutions. Elected unanimously as President of the Employees Federation of India, his relations with the employees and trade union leaders in the Tata enterprises were extremely friendly even with those trade union leaders who could be difficult. His wide reading, experience and knowledge of social and economic and political developments was wide and thorough; this enabled him to see future trends ahead of the others. Some of them are presented here. Innumerable were the employees who were recipients of Mr. Naval Tata's timely help. He commanded the fierce loyalty of those who worked with him.

The exceptional human, shining qualities of Mr. Naval Tata come out very well indeed in this book. Well worth reading.

Ms. Kashmira Rao is a senior executive in a leading enterprise in Mumbai.

I do not believe Sankaracharya tried to uproot Buddhism from India.

Mahatma Gandhi, quoted in *The Week*, January 2, 2000.

tion in the years to come. He planned the entire Vikhroli factory and the housing complex, going through details to make it a flourishing industrial empire.

Burjorji Godrej who took charge of the soaps division was a highly qualified technocrat, having secured all his degrees and his doctorate from well-known German universities. Expansion took place at a rapid rate. Mention should be made of the launching of Cinthol with G 11, which became immediately popular. Fifty years of exacting research took its toll on his health and he passed away in 1994. Adi Godrej, his eldest son took charge of the soaps division in 1963-64. Under him, the sales turnover which was Rs.2.43 cr. in 1963-64, rose to Rs.586.90 cr. in 1995.

Naval Godrej who took charge of the locks and safes division further consolidated the company's position by diversifying into the manufacture of typewriters, refrigerators and filing cabinets. On the demise of Naval Godrej in 1990, his son Jamshyd Godrej took charge of the operations of the company. To make the company more competitive, he introduced the concept of divisionalization. Divisionalization was intended to 1) sharpen the accent on quality, 2) promote co-operation within the division and with other related divisions, and 3) aim to produce a participative, profitable work culture. Divisionalisation paves the way for globalisation.

Sohrab P. Godrej, the eldest son of Pirojsha Godrej, who is the Chairman of the Godrej group of companies, looks after public relations, reaching out to national and international concerns. Having visited more than 160 countries, Sohrab's main interest is in scientific

management. Imbued with tremendous dynamism, he is credited with making the name of Godrej, a household word. A passionate crusader for heritage conservatism and environment protection, Sohrabji is the President of the World Wide Fund for Nature - India. His current deep concern is the imminent threat to the tiger population. In a letter to the then Prime Minister, he wrote, *inter alia*, "...If, God forbid, the Taj is polluted beyond redemption, a new Taj could possibly be built... But if a species like the Tiger is extinct, it is lost forever."

For his services to the country, he was honoured with the Padma Vibhushan in 1998.

MR. R. V. CHARY is a freelance writer. He is a retired Professor of Management and Commerce.

BLASPHEMY by Tehmina Durrani; Viking, New Delhi; 1998; pp.227; Rs. 295.



**Reviewed by
Dr. Sonal Shah**

Blasphemy literally means, "speaking or writing about God or sacred things with abuse or contempt." And this is precisely what Tehmina Durrani does in her new book, by being openly and vehemently contemptuous of what goes on in the name of religion and under the guise of 'purdah' and

tradition in Pakistan. Though both her books, *My Feudal Lord* (1994) which is an autobiographical account of her tumultuous and violent marriage with one of Pakistan's eminent politicians, Mustafa Khar, and her latest book, *Blasphemy* (1998) where she recounts a true to life horror story revolving around the abuse of religious power and sexual perverseness, Durrani has earned the wrath of her countrymen. By daring to expose the rot in their feudal, patriarchal society, she has struck at the very core of the system and has had to pay the heavy price of her family disowning her and of social ostracism.

Tehmina writes that she was aware of the 'perils' that she may have to face for breaking the unspoken code of silence, but, "I had to cast aside my personal considerations in favour of the greater good "...Our closed society considered it obscene for a woman to reveal her intimate secrets, but would not silence be a greater crime? Silence condones injustice, breeds subservience and fosters a malignant hypocrisy".

Set in south Pakistan, *Blasphemy* is the story of Heer, a teenaged beauty, married off to a 'Pir' (religious head), considered to be a direct link between the almighty and the wretched'. The book begins with the death of Pir Sain, and Heer being unable to accept that he is no more. She 'flees' from the mourners into the bathroom where "A flood of memories gushed from the deep and lacerated wound that was my mind." She sits on the stool and reflects on the horror which was her life with the Pir.

Pir Sain, as Heer discovered within hours of her wedding, was evil incarnate. He was capable of anything - from raping his bride to punishments like kicking her while

younger sisters. Hormusji was much interested in literature and Munchersha joined the House of Tatas.

After Ardeshir's marriage in April, 1891, his young wife, Bachubai, still in her teens, climbed the steps of Rajabai Clock Tower, along with her cousin, Pirojbai Sorabjee Kamdin, to have a bird's eye-view of the city. They were followed on the steps, by a villain, with sinister motives and threatening behaviour. Panic-stricken and with no escape route, the two girls jumped to their death, from a height of 200 ft. Though the criminal was caught, he wriggled out of the situation by paying the authorities. Ardeshir was very much perturbed and heart-broken. Never did he, however, confide this tragedy to anybody, thereby, seeking self-pity for himself. This speaks very highly of his character, will-power and determination.

After successfully completing his studies in law, he accepted a brief for a client, travelling all the way to Zanzibar in 1894. The case was progressing quite well, when all of a sudden, there cropped up a hitch. This would have necessitated Ardeshir to slightly twist the truth to the advantage of his client. But he refused to budge or favour his client. He had his own integrity and principles, which he was quite reluctant to sacrifice for anybody. The case flopped and with that his career in the legal profession came to an end. Though his career in the legal profession was now sealed, it proved to be a turning point, for the better for Ardeshir.

Much impressed with Gandhiji's swadeshi movement, Ardeshir now contemplated playing his part in promoting swadeshi manifestations. With his goal well-defined, he took up initially the

repairing of surgical instruments. Having achieved thorough proficiency and excellence in this field, wished to take up the manufacture of these surgical instruments. But the firm of chemists with whom he was associated was quite reluctant to permit him to use the tag "Made in India". Regretfully, he had to drop the proposal.

He turned to the manufacture of locks. At the time Ardeshir decided to manufacture locks, there were several renowned lock-makers like Barron, Bramah, Chubb. Thus, was established the company in 1897, under the name of Godrej & Boyce Mfg. Co. Ltd. Merwanji Cama had loaned Ardeshir Godrej some money and when he went to repay the amount, Merwanji refused to accept the sum, suggesting that Ardeshir take his nephew, Boyce, in the business. Boyce soon lost interest, but the name is being retained as a legal obligation. In the same year, the manufacture of high quality security locks was started, under the brand name "Anchor Brand". Several ingenious ways were introduced in the manufacture of these locks to make them absolutely unpickable. By constantly improving upon the quality of locks, Ardeshir Godrej was able to expand his market, while bringing pride and prestige to the company.

After successfully establishing the manufacture and marketing of locks, thereby, laying a strong foundation for a nascent industry, Ardeshir now turned his attention to safes, a logical corollary. Pirojsha Godrej, his youngest brother took control of the business of locks, releasing him to undertake a tour of England, France and Germany, which was to provide him with first hand information about the various security equipments available there and their technologies. This tour was

to prove tremendously useful for the company in the years to come.

Though security equipment manufacturers from U.K. had so far maintained a stranglehold on the Indian market, Ardeshir was now determined to break that monopoly. The stringent standards established and maintained by Ardeshir very much assisted him to overcome fierce competition. Testimonials from various quarters started pouring in about the high standard and quality of the safes as well as their fire-resisting nature. After successfully manufacturing and marketing locks, safes, and safe-deposit vaults, the company took up the manufacture of steel cupboards under the brand-name of "Storwel", which became a household word.

Ardeshir Godrej, now tried his hand at something different - the manufacture of soap. At that time, the industry was mainly dominated by foreign companies coupled with imported products like Vinolia White Rose Soap, Cuticura, Regina Peroxide Soap, Windsor, etc. Despite doubts and reservations expressed by eminent soap technologists about the impossibility of producing soaps from vegetable tallow, Ardeshir went ahead with his experiments, ultimately succeeding in 1920, in placing in the market the first toilet soap made purely from vegetable oils.

Ardeshir Godrej passed away in 1936, and the mantle fell on Pirojsha Godrej, who was ably assisted by his three competent qualified sons, viz. Sohrabji, Burjorji and Naoroji. Realising the necessity and importance of expansion, Pirojsha bought a large tract of land in Vikhroli village at a public auction in 1943, against the advice of his friends, as he clearly visualised the company consolidating its posi-

and subsidies. The 1987-88 budget allocated \$1.5 billion for anti-poverty programmes. Excluding money squandered on corruption, 15% of the beneficiaries were undeserving. "There is no aspect of public life today which is free (*sic*) the incidence of corruption or black money", says R. B. Jain.

The analyses of defence and foreign policy are no less disillusioning. In fifty years, India consistently backed the Arabs against Israel only to find leading Arab states and Palestinians making up with Israel much before India established ties with it! It helped China break out of its pariah status at Bandung and at the U.N. only to receive a bloody nose in 1962. India assiduously courted the Soviet Union, even emulating (in a diluted form) its ideology to see Russia in the '90s not only renouncing socialism but ganging up with the U.S. to preach NPT and CTBT to India. Its efforts to mediate between Sri Lanka and the LTTE resulted in both turning hostile. Overall India's policy is characterised by *ad hocism*; it "has no view of the future; it is essentially adrift."

Against this background India's record of dealing with its societal problems is a little better, though not without its blemishes. Electoral expediency forced the Congress to woo Muslim orthodoxy. Yet, in spite of the Bombay riots of 1992 and Babri Masjid, Muslims as a minority have fared much better in India than have minorities elsewhere. Theodore Wright finds that most of the demands articulated by the Muslim elite hardly involve the Muslim masses whose chief problems are illiteracy and unemployment. In fact, Kapur shows that taking into account the

employable (i.e. graduate) Muslims, representation in the civil services is not bad nor has their representation in the U.P. Assembly declined. Similarly, though reverse discrimination has resulted in the rise of a Dalit middle class, and an increase in its assertiveness, cases of Maharashtra and U.P. demonstrate that only in alliance with the dominant castes have Dalits secured a share in power. They must also address the problem of inequalities within the Dalit ranks. What is more, the extension of the quota system to other sectors of Hindu society pits caste against caste and strengthens caste loyalties.

It is the deterioration in the political culture that several writers find alarming: The lack of tolerance and civility, decency and decorum. Politics has become a means of social mobility, an instrument for private appropriation of public resources. As Rajmohan Gandhi observes, the essence of politics in India has become "the use of power to make money, intertwined with the use of money to gain power".

The book should prove stimulating reading to both the scholar and the general public.

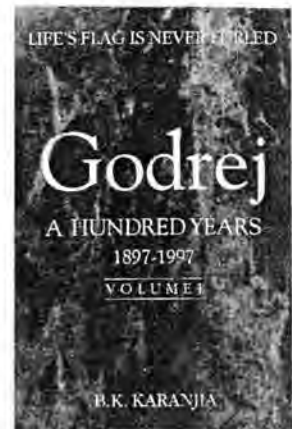
DR. R. S. MORKHANDIKAR is a retired Professor of Political Science, Dr. Ambedkar Marathwada University, Aurangabad.

One Billion Illiterates

Nearly one billion people - a sixth of humanity - will enter the new millennium unable to read a book or even sign their names, says UNICEF's latest annual survey, 'State of the World's Children 1999' ... more than 130 million children of primary schoolage in developing countries, including 73 million girls were growing up without access to basic education.

- From *Philanthropy* No.66

GODREJ: A HUNDRED YEARS (1897-1997) Volume I by B. K. Karanjia, Viking: Penguin Books India (P) Ltd. 210, Chiranjiv Tower, 43, Nehru Place, New Delhi-110019, pp.284, Price Rs. 295.



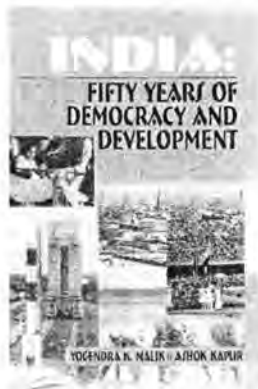
Reviewed by Professor R. V. Chary

Persecuted by the Muslim invaders, a large number of Parsis fled to India and settled on the west coast of India, in the 14/15th century. The contribution of the Parsis to the economic and political progress has been both inspiring and impressive. In the political arena, we have such luminaries like Dr. Dadabhai Naoroji, Sir Pherozeshah Mehta, Sir Rustom Masani and his son Shri Minoo Masani, to mention a few. We have the House of Tatas, Wadias and Godrejs. This book, in two volumes, traces the rise, growth and development of the House of Godrej. The first volume is dedicated to the memory of Ardeshir Godrej, the founder of the House of Godrej.

Gurderz, is the name of a tribe in Iran. This has been slightly altered to sound Godrej, which has been adopted by the House of Godrej. Ardeshir Godrej, the eldest son of Burjorji Godrej was born in 1868. He had three brothers, younger to him, Hormusji, Munchersha and Pirojsha. Shirinbai and Tehmina were his

BOOK REVIEWS

INDIA: FIFTY YEARS OF DEMOCRACY AND DEVELOPMENT edited by Yogendra Malik and Ashok Kapur; APH Publishing Corporation, 5, Ansari Road, Darya Ganj, New Delhi 110002; 1998; pp.489; Rs.1,000.



**Reviewed by
Dr. R. S. Morkhandikar**

Fifty years, in the history of a nation, is a short span. Yet, it provides a convenient point for independent India to look back, to see where we are heading, to assess 'the performance of an evolving democracy'. The book under review is one such attempt. A collection of articles, it grew out of a Round Table held in May 1996 in the University of Akron, U.S.A. to mark half a century of India's independence. The participants, writers of the papers, are mostly NRI academics (with the exception of R. B. Jain) from the U.S., Canada and a few American experts on India.

Assessing the polity, economy and society of India in one book, especially when fast changing events are likely to overtake one's judgement, is quite ambitious. However, one can try to discern broad trends, to discover some patterns in order to form a balanced

view. The book consists of three papers covering the polity part: Indian administration, federalism, political parties and elections; three essays dealing with the economy: The public sector, environment, and technology policies; three articles examining India's defence strategy; and two dealing with the societal part: The position of Dalits and Muslims. An essay at the end tries to provide an overall survey and to fill the gaps.

Be it political or economic performance, strategic thinking or the position of minority sectors of society, reading the essays leaves one with a feeling of unease, if not of gloom and despair. This might have been relieved, to some extent, had there been some on Indian agriculture, the press or the judiciary. The optimistic conclusion of Malik and Pillai that the, "fair and free operation of electoral process, along with the existence of an independent intelligentsia, ultimately leads to the removal of distortions and deficiencies which crop up in the system. India (may be) no exception to this rule" seems a bit too speculative.

The chief culprit is the crisis of governability. Thus, by 1991, Baldev Raj Nayar points out, India had 246 Public Sector Undertakings (PSEs) with net fixed capital stock of Rs.2279 billion (49.5% of the total) contributing a quarter of its GDP. But the return on the capital employed in the 80s, on an average, was a paltry 2.5% and in the 90s 2.3%. Ninety percent of the profits were accounted for by the 14 petroleum PSEs. After the onset of the reforms liberalising the economy, all governments - Congress, United Front, BJP - have vowed to

privatise, disinvest or shut down sick PSEs - all opposed by the privileged two million employees of these units. When one of these, Scooters India Ltd., was sought to be sold, a three day strike by all public sector employees in March 1988 foiled the move.

The story of the technology policy is no different. There is heavy reliance on MNC's for the import of technology who mainly look upon India as a market for their consumer products. Our investment in R&D is well below 1% of GNP, mostly by the government, with three defence-related agencies (DAE, DRDO and ISRO) taking the lion's share. With 40 laboratories, 80 field centres and 7000 scientists and engineers, the CSIR expects to earn a million dollars a year through sale of its technologies. Siddiqui's comment, though not apt, is devastating: "A heavy weight boxer... bags 30 times as much amount... in a single bout in less than three minutes". Or take the case of the environment. By 1982, India had an impressive list of legislation and a network of agencies. Yet, the problem cannot be 'legislated away'. Regulations are ineffective due to corruption and lack of fiscal and personnel resources. Renu Khator's comment in this context is telling: "efforts so far have resulted in a potpourri of outputs rather than a string of measurable outcomes. There has been plenty to see, but little on which to hold".

This could as well apply to administrative and political reforms. Between 1961 and 1990, central government manpower increased by 90% to 3.7 million. So have statutes (1600), regulations

his support behind Tibet. At that time, he was enough of an Asian Colossus for his word to carry weight. His inherent humanitarianism, made him give physical refuge to the Dalai Lama, and those who followed him, out of Tibet, and into India.

I was always committed to Tibet, but that commitment became deeper when Dr. M. S. Hebbar asked me to review for the J. N. U. Journal of International Studies, Dawa Norbu's wonderful book "Red Star over Tibet". Tibet, the

rooftop of the world dotted with Lamaseries flying their red flags, was perhaps the place James Hilton had in mind, when he wrote the "Lost Horizon", depicting Tibet as Shangri-La. I see Dawa Norbu's Tibet, with the words of a poet ringing in my mind (two actually): "The tender grace of a day that is dead will never come back to me". "Men are we, and must grieve, when even the shade of that which once was great, has passed away."

Hinduism is one of the religions whose numerous followers

believe in 'karma' and 'rebirth'. Tibet goes a shade further. It must be the only place on earth in which the Dalai Lama, the Panchen Lama and other Lamas of important monasteries are chosen because living seniors perceive the signs that they are the ones chosen to carry on the position and the tradition. The Tibetan Book of the Dead remains fascinating reading, for those who are interested in music and occult lore.

Ms. Kamla Suraiya aka Kamla Das

R. V. Chari

The news of the eminent writer and sociologist Ms. Kamla Das, aged 67, embracing Islam, seems to have shocked the literati.

In the sunset of one's life, when one should meditate on God with fervour and fear, it is quite curious that Ms. Kamla Das, henceforward to be known as Kamla Suraiya has got converted to Islam. In the telephonic interview given to *The Times of India*, she stated that she had been toying with the idea for 27 long years. She also stated that she needed guidelines to regulate and discipline her life. As a corollary she added that she felt very much relieved when she was wearing a *Purdah*.

Discipline and control do not necessarily emanate by changing one's religion, nor does it take place when one opts to wear a *purdah*, which incidentally is merely a paraphernalia. It can only be acquired when one disciplines the senses, which in turn has to be regulated through the mind. In other words, one has to discipline and control the mind, so as to discipline the senses. The Patanjali Yoga enumerates

eight steps starting with *Yama* and ending with *samadhi*, for controlling the mind. This is a long drawn process, sometimes taking a few years at least to master them. This is an arduous task requiring a lot of concentration and effort.

There is a Sanskrit couplet which states that ten things, all starting with the alphabet (M) are of a vacillating type, with mind being the first as follows:

मनो मधुकरो मेघो मदो मनिनी मरुत्।
मा मदो मकटो मत्स्यो मकारा दश
चछलाः॥

Translated the couplet means that the mind, the collecting bee, the moving clouds, Cupid, a beautiful lady, the wind, wealth, pride, monkey and fish are of a wavering nature.

There is a plethora of instances, where eminent persons in Hindu mythology have gone astray, due to the domination of the senses. The classic case is that of Vishwamitra. After experiencing the bitter taste of defeat inflicted on him by sage Vasishta, he retreats to

the forest to perform penance, only to be trapped by the beauty and charms of Menaka. With very great difficulty, he wriggles out of this situation, ultimately surmounting all the difficulties and obstacles.

In the *Ramayana*, Hanuman, who is assigned the task of searching for Sita, enters the harem of Ravana, only to face a bevy of ladies sleeping in various postures, scantily dressed. After witnessing such a distracting scene, he is confronted by a doubt as to whether his mind has been vitiated by this sight. Soon he consoles himself by saying

मनो हि हेतुः सर्वेषां इन्द्रियाणां प्रवर्तने।
शुभासु अशुभासु अवस्थासु तच्छ मे
सुव्यवस्थितं ॥

(*Ramayana*: v -11 - 40)

The mind is responsible for instigating/provoking all senses, good and evil; as far as I am concerned that mind of mine is quite well-placed. (*Ramayana*: v -11 - 40).

MR. R. V. CHARI is a freelance writer. He is a retired professor of Management and Commerce.

Nobel Laureate Gunter Grass - His Indian "Connection"

The "Nobel", is still regarded as the ultimate accolade for literature. However, the name of the prize winner, usually rings a bell, only if the writer communicates in English. Even in the other two major languages of the world (French and Spanish), the winner remains a name to the English-speaking world, unless he or she, however meritorious, is widely known in translation. We must be grateful that when Yeats sponsored Tagore in a big way, Tagore became a Nobel Laureate - a tag which has eluded later Indian authors, even when they write exclusively in English. The Nobel seems to be increasingly politicised as the Academy carefully threads its way - through the continents, the countries, and the economic indices by which some countries are known.

In awarding the Nobel Prize for Literature to Günter Grass, the Nobel Committee has referred specifically to one book "The Tin Drum". However, he is also a playwright, and has a Polish sensibility, as an add-on to his Teutonic German genes. His works



Illustration courtesy: *German Times*
have many nuances and levels which elude the reader in the first skim-through of the play "The Plebians Rehearse the Uprising" (translated and performed in Bengali) illustrates this. When a strike breaks out in a German factory the workers approach a "liberal" creative writer to take up their cause. The writer is then sought to be seduced by the government to side the State. The "liberal" writer thus finds himself in a quandary, with various moral overtones and underpinnings. The truth, in fact, is neither black nor white but grey. Nothing is as it appears. However, the overall feel that emerges from a reading of the above play and some of his other books is one of deep disillusionment.

Günter Grasse and India

Jug Saraiya and one or two other people, have written of their encounters with Günter Grasse, during a sort of sabbatical he took, in Calcutta. Unlike Dominique La Pierre and Larry Collins, who found in the obvious decay of Calcutta, a "City of Joy" Grasse was revolted and intimidated by the city. He reserved his most sarcastic references, to the cult of death and destruction evoked by the Goddess Kali. His most vivid impression of Calcutta's poverty is that of a dog scrabbling through a garbage dump grappling with the slippery surface of a human foetus. An encounter with the city's poets, left him equally sarcastic. There was apparently little serious discussion of poetry but each person present, tried to be photographed with the author. However, the translation and production of his play, fulfilled his critical standards. He equated it with one - by the Royal Shakespeare Company. It is good to know, that at least one thing ending on a positive note, emerged from the Laureate's sojourn in India.

A New Tibet without the Dalai Lama?

It was disturbing to read that China has installed a Panchen Lama in Tibet - the child being different from the one recognised by the Dalai Lama. The latter has been in exile, very long, and one wonders whether a new generation of Tibetans will remember the Dalai Lama and the days before Chinese rule, having grown up with the latter in

its multiple faces - one, of so-called modernity; the other, of political repression in a one-party polity, China being one exception to the belief that a freer economic marketplace should bring with it political pluralism, as well. As Tiananmen Square showed, there is no softening of the hardline political regime which controls China, and the ter-

ritories under its sway.

A Saddening Deviation

The world, including Nehru's India respects big guns, more than it does principles. India's first Prime Minister was truly a man of wide vision and good instincts. However, his political judgement failed, when he opted not to throw

On this question of decision making, the fact of the matter is that, whereas in the USA and UK, the military is a part and parcel of the government's decision making process, and is integrated with the

war office, in our country, the military forms a separate and subordinate entity of the Ministry of Defence, and does not take part in the decision making process of national security or strategy. In this

respect, the army cannot remain completely apolitical on the old British-Indian military concept.

Brig. N. B. Grant (Retd.),
Pune.

Conversion or Evangelism?

This refers to the remarks on the Pope's visit in Cabbages & Kings, (*Freedom First*, October-December 1999).

The dictionary meaning of evangelise is to preach the gospel to win over a person to Christianity. The Pope's appeal to various missionary groups to make a joint effort to plant the cross in Asia leaves no doubt about his intentions.

Not all religions seek to convert. Religions which do so are exclusive faiths whose followers worship exclusive gods. These exclusive gods bless only those who worship them through their favoured

emissary. Often these gods even punish those who do not worship them. In contrast, the people who generally do not resort to conversion believe that God is omnipresent and accessible to all without any intermediary. They welcome every one as God's gift to the world and provide them with broad spiritual guidelines. Within this framework these people evolve their cultural identity which binds them. This arrangement ensures that different people live together in peace. Most Hindus fall in this category. But what happens when groups belonging to exclusive faiths try to convert?

Prosecuted by exclusive faiths,
Jews, Syrian Christians and Parsis

were forced to take asylum in India. The tolerance of Hindu society and the Hindu kings enabled the former to retain their cultural and religious identities. Even after centuries, the spiritual lustre of these groups has not waned. This answers the question that if small groups could retain their identity for centuries, exclusive faiths need have no fear of losing theirs.

The belief in the exclusivity of Islam or Christianity has inevitably led to the rise of fundamentalist groups and to mass murders, with the 20th century label of ethnic cleansing as in Yugoslavia or East Timor.

Col. Satish Oberoi (Retd.)



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Debate

Why Kargil? - Pakistan's Gameplan

Kargil perhaps represents the belligerent and hostile face of Pakistan's political and military establishment. Pakistan's military was never happy with Vajpayee's Lahore Bus diplomacy. For Gen. Pervez Musharraf, a Mohajir in a 90% Punjabi-dominated Pakistan army, Kargil was meant to establish his credentials with the Pakistan military, and an invasion of India is the ultimate for any Pakistani general to earn 'laurels'.

Over the years, the main source of recruitment to the Pakistani army has been from the 'madrasas' and fundamentalist Islamic organisations. The Talibanisation of the Pakistani army which began with the Afghan war is continuing unabated.

The overall Pakistani strategy has always been to cut off National Highway No.1 between Srinagar and Leh which is the only surface link connecting India with the Kashmir Valley and Ladakh. If this strategy succeeds, it will also cut off India's Siachen Garrison and would have profound strategic consequence in terms of India's northern defences. But Pakistan fails to realise that Kosovo and Kashmir do not have anything in common ex-

cept the letter 'K'.

The question that arises is: Can Pakistan be trusted? Obviously not. It is therefore necessary for India to set strict conditions before the dialogue can be resumed. India should firmly insist that Pakistan ceases its terrorism against India and ensure that its territory cannot be used by terrorists against India. Pakistan should be asked to make an unequivocal declaration to that effect. Pakistan must be made to realise that its military adventurism will not pay dividends, but only harden India's stand. India should also ruthlessly root out terrorism and deport illegal Pakistani immigrants.

Pakistan's Kargil invasion will stall stable and friendly relations between South Asia's two biggest nations. India cannot ignore the fact that as against the Lahore Declaration and SAARC, Pakistan's primary aim is hegemony of the Islamic bloc. Pakistan's aggressive posturing and hostility towards India is meant to present itself as a frontline Islamic State. Keeping the Kashmir issue 'alive' is the core of this policy. Pakistan's trouble-making is not just confined to India. While India was a successor

signatory of British India to the U.N. Charter, Pakistan had to apply for membership. And the only country to oppose Pakistan's application was Afghanistan because Pakistan coveted its territory as well. Today, after having indirect control over Afghanistan, Pakistan has renewed its attempts to annex Jammu and Kashmir. In terms of geo-strategy, it will enable Pakistan to gain control over mineral rich Central Asia as the vital oil pipeline will be passing through Afghanistan from Central Asia. Geographically also, Pakistan will move closer to China. Should India lose Jammu & Kashmir, Pakistan will pose a permanent threat to India. In 1984, the then Pakistan President, Zia-ul-Haq had stated that Pakistan's support to terrorists (*mujaheddins*) was 'jihad' and cooperation with India was un-Islamic. Kargil is thus but a small part of Pakistan's gameplan of Islamic expansionism.

Pakistan is now universally known for its support to international terrorist outfits. Kargil is just a symptom of a larger Pakistani virus that will hit not just South Asia but also the world.

Nitin G. Raut, Mumbai.

Are the Armed Forces Being Politicised?

I am glad to see that, perhaps as a fall out from Kargil, *Freedom First*, has started focussing on matters military. The three articles that appeared in the October-December '00 issue under the caption 'Are the Armed Forces Being Politicised?' points in that direction. The issue is not so much

whether the army is being politicised, but that it is being denied the freedom for decision-making under the guise that the army should remain apolitical.

Your magazine's sheet anchor has been freedom for the silent majority. In this it has

included all other freedoms, except the freedom of decision-making. Again in this, it has included all strata of society, except the silent minority, in this case the military, which cannot air its sentiments and views through the media, due to 'security reasons'.



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to concessions in 'soft' areas in its interests of emerging with a 'cleaner' face, some of its decisions pointed to its nexus with Pakistan. For instance how does one explain that larger weapons emerged after the plane landed at Kandahar as reported by the freed hostages. Where did the explosives found on the plane come from? Why were the hijackers permitted to deplane with their weapons and why did the Taliban not apprehend the killer of Rupin Katiyal? The hijackers, contrary to international law, were permitted to head for the Taliban/Pakistan border within 10 long hours. Had the Taliban taken action it would have emerged in better light.

It has been stated by no less a personage than the Foreign Minister that the hijackers were receiving instructions on their powerful radio sets from outside. Where did these sets come from?

Full marks to Jaswant Singh who after taking over control of the situation got things moving. And equal marks to the three Service Chiefs for demanding to meet the PM for being ignored in a matter affecting national security.

What Now Needs to be Done?

The very first step by the Government would be to set up a Committee of neutral experts to examine this whole sordid issue and to determine what went wrong. No, not to witch hunt, but to institute remedial measures. Instead, to deflect public attention, the government led by the PM is begging the US to declare Pakistan a terrorist state, and raising the bogey of Pakistan complicity as if that is all that matters. Such measures are certainly not going to dissuade these hardcore militants from their nefarious and destabilizing activities. Our weak kneed attitude of bleating to

the US must stop and we should go it on our own to prevent such acts. At the same time we should step up our campaign at the international level calling for collective action against terrorism.

Revamp the NSC

The second step, and this has been recommended earlier, is to revamp the NSC in that it is headed by an expert and not one who is wearing other hats. The present one is all things to all men because he is close to the seat of power. The NSC should have an intelligence cell to coordinate all intelligence collecting, collating, disseminating activities on a timely basis. To those who say that this is the responsibility of RAW should know by now how ineffective this organisation was during the Kargil affair. It should concern itself with external intelligence. The pattern or culture of intelligence agencies not sharing information for the sake of 'izzat' will end if there is this nodal intelligence agency. The Ministries of Home and External Affairs, the Defence Ministry, Military Intelligence Agencies and the host of others involved must report to this nodal agency.

Now that hijacking and kidnapping for ransom are established practices in India, there is need to set up, again under the NSC, a Central Anti-Hijacking and Kidnapping Cell, with a single 'General' in charge who must be given a clear-cut mandate to act, and the resources to undertake anti-hijacking and political kidnapping operations without looking backwards for directions. This cell must include the NSC and representatives of the Army (Commandos and Special Forces) and the Navy (Marine Commandos). Such a cell could have sub cells at sensitive and critical areas like Amritsar, Guwahati and Jodhpur. This force must be equipped with state of the

art weapons and equipment to enable it to storm a hijacked aircraft or a terrorist hideout skillfully and professionally. This would entail sending personnel abroad for specialised training and if terrorism is a global problem, there should be no difficulty in doing so. As a digression we need to also have a central Disaster Control Centre.

The time has now come when our security forces should be given *carte blanche* to tackle militants, terrorists and kidnappers and those who help them, without pity or remorse, enabling them to seek and destroy militants and terrorists unfettered. It is now necessary to send a clear and unambiguous message to such 'criminals' that enough is enough and that they will be tracked down relentlessly and treated ruthlessly. Which takes one to the next point – human rights violations. Such steps are bound to raise the hackles of our human rights activists. This group of people are quick to point accusing fingers at the so called human rights violations attributed to our security forces. Yet, they have been conspicuous by their silence in the case of the hijacking and the recent Srinagar bomb blast. For far too long have our security forces had to carry out operations with one hand tied behind their backs for fear of incurring the wrath of such activists. India needs to act and not talk or bleat as is our wont.

Finally, if any single individual needs a gallantry award, it is the Airbus 300 Pilot Devi Saran. He not only kept his cool, but inspite of over extended flying hours and the intense tension, handled the aircraft with consummate skill.

MAJOR GENERAL D. DESOUZA, FVSM is a regular contributor to *Freedom First*.

fence Minister offered safe passage to the intruders (to live to fight another day). These facts and our experience of our planes being hijacked should have carried a clear signal to the government that enough is enough and of our determination to take hard though unpalatable decisions. Hysterical relatives should not influence decision making to the extent it did at Kandahar. Was such hysteria evident among Service families who lost their loved ones at Tololing, Tiger Hill, Juba and Musko? Did they demand of the government to

stop operations? Over 500 families lost their loved ones and 1200 were wounded but they did not demonstrate their hysteria as did the relatives of IC 814. Nor should we have been taken in by the bluff and bluster of the hijackers who upped the ante, then reduced it, and, to some extent, the Taliban Government's threats, forcing the Government to cave in meekly.

It is often said that it is easy to be wise after the event. Let us not forget that the Government had eight days to react. We were forced

to agree to the final terms when the Taliban threatened to force the aircraft to take off. This was an empty threat. Where would the aircraft have headed for? Some observers felt that Libya would have given asylum. Apart from Libya being at extreme flying range, the Libyans would have been most reluctant with the Lockerbie trial in session. Neither would the hijackers threat to blow up the plane have materialised on the territory of a close friend and ally of Pakistan.

Whereas the Taliban agreed

The New Face of Terrorism

Daniel Benjamin & Steven Simon

Osama bin Laden's organization is entirely his own creation. Without him, his followers would be lost. Mr. bin Laden's achievement has not only been to build cells in more than 50 countries, many of them self-sufficient, but to deepen bonds between extremist groups already pursuing terrorism around the globe. Indeed, the men who hijacked the Indian Airlines flight last month sought the release of three Kashmiri militants, at least one of whom was a leader of Harakat ul-Ansar, a group that trains in Mr. bin Laden's camps in Afghanistan.

In the Caucasus, the small core of Islamists who staged an insurrection in the Russian province of Dagestan earlier this year were led by a guerrilla known as Khattab, a Saudi exile associated with Mr. bin Laden.

These terrorists are highly motivated, not by a cult of personality, but by a world view in which they are the vanguard of a divinely ordained battle to liberate Muslim lands. This outlook, and the violence at its core – rejected by most modern Islamic authorities and anathema to most Muslims – reflects how deeply alienated these extremists are. Without Osama bin Laden and his \$200 million personal fortune, his followers will be nothing more than fanatical paupers.

Terrorists can now rely on the tens of millions of dollars that flow in annually from sympathetic donors in the Arab world through a complex system of financing.

Terrorist groups rely on contributions from

wealthy religious conservatives in the Persian Gulf as well as from money diverted from the *zakat* – the mosque collection plate – on several continents. Money is often funneled through reputable charities into the hands of operatives. For instance, the World Trade Center bombing was financed through money coming from the Alkifah Refugee Center in Brooklyn. And the system of funneling money through charities has improved greatly since then.

In the past, terrorists have typically sought to achieve their political goals through carefully calibrated violence. They knew that excessive brutality would deny them the place they sought at the bargaining table. The Palestinian Liberation Organization under Yasser Arafat is the classic example, and the Irish Republican Army's recent course follows this model.

The terrorists allied with Mr. bin Laden do not want a place at the table; they want to shatter the table. They are not constrained by secular political concerns. Their objective is not to influence, but to kill, and in large numbers – hence their declared interest in acquiring chemical and even nuclear weapons.

It is just this combination – religious motivation and a desire to inflict catastrophic damage – that is new to terrorism.

Daniel Benjamin and Steven Simon were, respectively, director and senior director for counterterrorism, on the National Security Council staff.

Courtesy : The New York Times Archive on the Web.

meekly to blackmail, confirming that we Indians invariably take soft options. For these sins we must now be prepared for the worst. All these militant related activities mounted from Pakistan could have been side stepped had we, like the Israelis, resorted to hot pursuit to destroy terrorist training camps and bases in Pakistan Occupied Kashmir (POK).

At Kathmandu one wonders how the lax security at Tribhuvan International Airport did not spur the Indian Airlines staff to be on the alert. What were our intelligence operatives doing in the mountain kingdom knowing full well of the ISI presence and that it is a convenient take-off point for militants, arms, ammunition and explosives and counterfeit currency, to enter India surreptitiously. Were we unable to pick up any intelligence of a prospective hijacking, if, as one weekly says, that a Pakistan Diplomat was involved? How did the four(?) or six(?) hijackers manage to board the aircraft armed? Why did the Indian Airlines ground staff not check the boarding passes or question the main hijacker boarding with four others whose names were not shown?

Our Armed Forces Kept Out

The Government was alerted of the hijack when the ill-fated plane was flying over Lucknow and had sufficient lead time to plan counter measures. At that point of time, there were five Bureaucrat 'Generals', the Cabinet Secretary, National Security Adviser, the Civilian Aviation Secretary, the RAW Chief and the NSG Head, all concerned with hijacking, who appeared to be incapable of reacting as they should have. Much could have been done at Amritsar which is the home of an infantry division. And there lies the tale. The CMC did not bother to call in the Air Chief who is re-

sponsible for the safety of our air space, nor the Army Chief who has Commandos and Special Forces tasked for such operations, or even the Naval Chief, out of abundant caution. Many experts feel that had the situation been given to just one 'General' and resources allotted to him, we may have succeeded in nipping the hijack in Amritsar. There were contrary orders issued regarding the refuelling. Even at the expense of some casualties, the ATF bowser could have blocked the take off of the aircraft to enable it to be stormed. Nothing, just nothing happened. All those responsible were leaden footed for which we have had to pay a heavy price. Will any heads roll or will one of these gentlemen be kicked upstairs like the earlier RAW Chief during Operation VIJAY?

Total Pakistan Involvement

We fell for the dichotomous ploy of the Pakistanis when the plane landed at Lahore. Pakistan was speaking in two tongues. It was its bounden duty to try and nab the hijackers according to international convention. The plane was on the tarmac at Lahore for over 2 hours. Surely this establishes a nexus between Pakistan and the hijackers. It would not be wrong to assume that all the players in the game were Pakistanis (since confirmed by our Home Minister). Hence the 'cold' reaction to have the aircraft refueled and packed off for wherever. On humanitarian grounds the body of Rupin Katiyal could have been off loaded. But no. Pakistan did not want to be involved. It could not wait to have the Airbus refuelled and see it off. The procrastination displayed by Pakistan in making a helicopter available to our Ambassador Parthasarathi to fly from Islamabad to Lahore to negotiate with the hijackers was thwarted. By the time the helicopter did fly off

the Pilot informed the Ambassador that the hijacked plane had already taken off.

The reaction of the Dubai Government to refuel the aircraft and to get 26 women, children and a few sick men to be off loaded together with the body of Katiyal deserves commendation. In the 5 odd hours that the plane was on the tarmac, no counter action was taken, in accordance with the strict law in existence that hijacked aircraft would not be allowed to land. It is due to the efforts of the Indian Ambassador to the Emirates that permission was granted.

Fooled by the Taliban

Why were we so keen to placate the Taliban. Surely we knew full well that the Taliban were hunting with the hounds and running with the hares. Both the faces showed so that it would present a 'soft' face to the Western World and yet retain its relations with Pakistan on whom it is so dependent. Pakistan's complicity with the hijackers and the Taliban were perceptible when that country dilly dallied in granting permission for the relief aircraft to overfly Pakistan air space. It would be logical to assume that Pakistan was buying time for the hijackers.

Empty Threats

We appear not to have learnt from history. In five earlier cases of abduction and kidnapping, the Government of India under the dispensations then in power succumbed to the demands by taking the easy way out and compromising – the Rubiya Sultan, Nahida Imtiaz and Doraiswami cases being examples. Perhaps the worst case of giving in was to have permitted 40 hard core militants holed up in the Hazratbal Mosque safe passage. To what end? We very nearly did the same at Kargil when the De-

The Hijacking of IC 814

Winning the Battle but Losing the War

E. D'Souza

Were the hijackers really serious when they threatened to blow up the plane or kill all the hostages?

Could the hijacking of Indian Airlines flight IC 814, from Kathmandu to Delhi, and the subsequent release of the hostages, crew and aircraft at Kandahar Airport eight long days later, be described as a successful ending of a drama in which India's security interests should have been foremost in the minds of the Government of India? Or was it the case, which it is, of the battle being won but the war lost? Judging from the post hijacking bomb blasts in Srinagar in which 19 Kashmiris were killed and over 30 injured, it seems not. A parallel case is that of Kargil. After a massive intelligence failure, thanks to the bravery of our troops ably supported by the Indian Air Force, the intruders were evicted to establish the *status quo ante*, but did we win the war? Judging from the bold attacks against high security areas controlled by our security forces as at Badami Bagh Cantonment and the S O G HQ, militancy has increased, and a Siachen type situation has arisen in locating troops on the snowy high altitude heights of the Kargil Sector. This situation was predicted by this writer when he stated that with the withdrawal of troops from the Valley to Kargil, the influx of militants into the Valley would increase and according to Police sources over 2000 hardcore and well armed militants infiltrated into J&K. Thus, there can be no gainsaying the fact that in both cases, Kargil and the hijacking,

India won the battles but lost the war.

The aim of this piece is to examine dispassionately whether the tackling of the hijacking and the subsequent freeing of 10 hardcore militants, could have been better handled, in the higher interests of India's security concerns, the increased and bolder activities of militants in J&K and the all-pervasive hand of the ISI in other parts of India. The general opinion of responsible observers is that it could.

The sequence of events from December 24 when the plane was hijacked to the release of the hostages at Kandahar eight days later is well documented to need repetition here. It is clear that in this affair, there was a close nexus between Pakistan and the Taliban. In fact, according to a report in *The Times of India* of January 16, after the relief planes took off, carrying the hijacked passengers, the officials asked the Taliban to refuel the A-300 so that they too could leave. But the Taliban stalled them saying there was, among other things, a 'gift' in the plane. As the officials cooled their heels, they were stunned to see the hijackers drive back around 9.30 p.m. They wanted to remove some baggage, which reportedly contained RDX. Completely conversant with the mechanics of the plane, the hijackers first searched the front hold and then the rear one where they found

the bag. They gingerly took it and drove off towards the exit.

Where Did We Falter?

As earlier stated, the decision of the Government to cave in meekly has placed India's security interests in jeopardy especially in militant or terrorist related activities in Kashmir, and to some extent in the rest of India. It behoves us to examine why we issued an '*Invitation To Terror*', the blurb on the cover page of *INDIA TODAY*. Why in the first place did we take so long to react when we have a National Security Council (NSC) which in any case goofed in handling the Kargil intrusions, and even a Crisis Management Centre (CMC)? Was it because of lax security checks at Kathmandu? Was it the incompetent and confused handling when we were gifted a chance of showing some 'guts' at Amritsar's Rajasansi Airport? Was it the fact that when we did wake up the hapless aircraft was on Taliban soil, a country which is hostile to us because of the Saudi Osama Bin Laden and Pakistan, and with which we have no diplomatic relations? Or the angry reactions of relatives in New Delhi and the Government's urge to placate them? Were the hijackers really serious when they threatened to blow up the plane or kill all the hostages?

Without a shadow of doubt we have, once again, submitted

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disobedience as a tool to give publicity to a just cause and to educate and arouse the conscience of the masses. This comes out clearly in the concluding paragraph of the appeal submitted by King to President Kennedy on 17th May 1961, which reads, "As is well known Mr. President, we are morally, spiritually and practically committed to the principles and precepts of non-violence. We are confident that our peaceful resistance to unlawfully imposed segregation and discrimination will awaken the conscience and morality of those who, in ignorance and without love and respect for the dignity of man, seek to impose second class citizenship upon us".

Central to the civil disobedience movement of Martin Luther King and Gandhi is the idea of persuasion through redemptive suffering, that is, accepting suffering

for self in the firm conviction that such self-suffering would bring about a change in the heart of the oppressor or unjust government. Like Gandhi, Martin Luther King urged his followers or fellow resisters to stay non-violent and cheerfully accept the punishment of the law, always remembering that their goal was to destroy the unjust law and not the individual or individuals who were caught in the system. Disobedience followed by acceptance of punishment, according to King, would make the majority realize that it had not correctly gauged the intensity with which the dissenting group held a contrary view. Civil Disobedience, in such circumstances, would help the majority or government to reconsider its views. By clearly manifesting goodwill, even when the opponent is most clearly in the wrong, the resister not only seeks to create a situation that dra-

matizes grievances but causes the opponent's wrong doing to stand out in bold relief as inexcusable, while at the same time, leaving the door open for the latter to change.

That King, a true Gandhian disciple, met with equal success as Gandhi, is clear from the fact that the US Civil Rights Act was passed in 1964. For his support of non-violence in the colored people's struggle for civil rights, King was awarded the Nobel Peace Prize in 1964. Appropriately and befittingly, the Government of India, too, honoured Martin Luther King, by posthumously awarding him the Nehru Peace Prize for International Understanding on 4th April 1968.

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Picture & Text alongside: Courtesy: *American Center Bulletin*, December 1999.



There is not a page in them (The Ramayana and The Mahabharata) but after reading them, you will emerge with greater courage, stronger will and purer mind. Thorough familiarity with our ancient heritage is necessary if we desire to preserve our individuality and serve the world through Dharma which alone can save mankind from error and extinction.

- C. Rajagopalachari

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Martin Luther King

America's Apostle of Non-Violence



To other countries I may go as a tourist, but to India I come as a pilgrim. This is because India means to me Mahatma Gandhi, a truly great man of the ages ... Above all, India is the land where the techniques of nonviolent social change were developed that my people have used in Montgomery, Alabama, and elsewhere in the American South. We have found them to be effective and sustaining – they work.

Martin Luther King, Jr.

Among the many great people influenced by Mahatma Gandhi's preaching of the doctrine of Non-Violent Civil Disobedience or *satyagraha*, the greatest was Martin Luther King Jr, born in 1929 and assassinated in 1968. Gandhi had preached that we should always fight for truth and justice and never bow before oppression or injustice, but that we should do so always non-violently and in the spirit of true self-suffering love. Gandhi explained the concept of self suffering love, the philosophy underlying his doctrine of *satyagraha*, as deliberately preferring to suffer at the hands of the oppressor or wrong doer rather than inflict injury on him because of one's sincere conviction that such self suffering love was bound to move and reform the oppressor or wrong doer. Gandhi firmly believed that a spark of goodness, the God within, resides in every human breast and therefore the possibility of reform cannot be denied even in the meanest of creatures. Gandhi's doctrine may not have won approval from all quarters, but there is no doubt that it powerfully moved and influenced some of the finest minds of our century. One such mind was the American clergyman and civil rights leader, Martin Luther King.

King began his civil disobedience movement in order to demand the fulfillment of radical integration of blacks and whites in America's public institutions, as proclaimed by the American Supreme Court in its historical judgment in the Board of Education case. He organized a protest march in violation of the local court order against demonstrations. King chose to defy the order because he believed it deprived him and his followers of their constitutional right of free assembly. He was arrested for refusing to halt a large civil disobedience movement.

King explained his philosophy of civil disobedience in the famous letter he wrote from jail in 1963. He explained how he was operating on the Gandhian principle that an unjust law must be resisted non-violently and the punishment for breaking it should be willingly accepted and suffered. The first essential step in any civil disobedience movement, according to King, is the collection of facts to determine whether an injustice exists. Once it is established that an injustice exists, other steps follow viz. negotiation, self-purification, and direct action. Like Gandhi, King believed, that resistance was not only

Adi Doctor

an act of defiance of the state but also an act of self-purification through self-suffering.

Again, like Gandhi, King justified disobedience on the grounds of conscience.

In his letter from Birmingham city jail, King said, "An individual that breaks the law that conscience tells him is unjust and willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for law".

However, King also forwarded other reasons for considering a law unjust and resisting it. If a law, argued King, is imposed on a minority that is denied the right to vote and participate in the law-making process then it is unjust and such a minority is justified in disobeying such a law.

Thirdly, King opined that any law that aimed at segregating people on the basis of colour was a sin since it sought to separate man from man. Such a law was distinctly out of harmony with the will of God, with the Eternal, Natural or Moral Law and subjects were therefore entitled to disobey it.

Fourthly, King asserted that subjects had the right to disobey any law that was not universally applied or which tended to degrade human personality.

Finally, King justified civil

THE *Mature* INDIAN *Democracy*

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this purpose. It comprises of only 14 articles - not even 14 pages. We did not add much to our territory except Goa, the French colonies and Sikkim and we gave a little bit of our Berubari territory to Bangladesh. And we have amended the Constitution 17 times for reorganising ourselves. We have provided for reservations for scheduled castes and scheduled tribes in our legislative assemblies and parliament. That article has required 5 amendments in the last 50 years.

The Indian Constitution needs revision. Our basic structure should not be touched but why do we

presume that merely because a particular party is in power the legal luminaries and the constitutional experts who sit in that Commission will be foolish enough to tow the line of the government? Why can't we trust ourselves. If the need is for change why do we not change it.

An intervention by Mr. Naozer Aga: Perhaps the primary purpose of the Constitution amendments they have in mind is only one - which is that the term of the MPs should be fixed for five years so that they are secure.

A Review, not a Change*

Arvind Deshpande

It is impossible to change the present Constitution because no party can muster a two thirds majority to make any changes to the structure of the Constitution. nobody has that kind of two-thirds majority unless both the treasury benches and a large number of those on the opposition benches agree to a change or agree to a kind of referendum. to carry out wholesale changes. Even that is not so easy. So

nobody is suggesting a change in the basic structure viz. representative government, fundamental rights, separation of powers, and secularism. Seeking to make changes to the Directive Principles makes no sense because they are not justiciable. Therefore when you say take a fresh look the reference is to changes in the Representation of the People Act to improve our electoral system.

A Commission is not Needed*

V. K. Sinha

When we say that we need a Commission to review the Constitution and when it is said that this Commission can get rid of irrelevant provisions, what prevents the government from doing this right now. Our Constitution has empowered our parliament and legislatures with three types of amending authority.

A simple majority in parliament to remove irrelevant provisions; a two thirds majority for the more important changes and for federal provisions the consents of the states are required. The issue arises - is this government really honest about it. We don't need a commission to remove irrelevant provisions.

What Dr. Ambedkar Said*

Amitabh

There is a demand that reservations should be scrapped. But what type of reservations are sought to be scrapped. The Constitution had prescribed reservations for ten years. What are those reservations? There are two types of reservations - political reservations and the educational and service reservations. The ten year period in the Constitution refers to political reservations. No time limit has been set for service and education reservations. The political reservations are always extended through amendments because it suits the political parties. The agitation is

always directed against against reservations in the services and in education reservations.

When winding up the debate on the Constitution Bill in the Constituent Assembly, Dr. Ambedkar observed that whether the Constitution was, good or bad, workable or not workable depended on the persons who worked the Constitution. Because the Constitution was only an instrument. How the instrument was used depended on the users.

* based on comments made at the discussions on December 18, 1999

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mous view that we do not need an Information and Broadcasting Ministry. Such ministries are incompatible with a democratic system of governance. These are all weapons in the hands of those in power to control the dissemination of news and information and of course a lucrative source for corrupt politicians, bureaucrats and businessmen.

THE CONSTITUTION

Does the Constitution Require Review?*

F. A. Mechery

There is nothing like a watershed that at fifty years we should look at the Constitution once again. A Constitution should constantly grow with the polity. It should meet the requirements of good governance as and when problems arise. If parts of the Constitution have lost relevance it is our fault that we did not make timely changes as and when required. There is no need for a commission to go into it. The Constitution should stand constantly updated.

The liberalisation of the economy maybe be proceeding apace but the permit licence quota raj is very much alive and kicking. It has shifted from manufacturing and trade to service industries where big money now resides - IT, radio and TV are cases in point.

The ridiculous number of amendments naturally come because the Constitution is needlessly detailed. But that is not the issue being nationally debated. It is the substantive part of it viz., the powers of the President; on the institutional structures; whether the prime minister should be a natural born citizen, and so on. These are the kind of issues or non-issues that are being brought up.

Why this Feeling of Discomfort*

Nagindas Sanghavi

The Prime Minister has said that he is keen on appointing a Constitutional Review Commission. The discomfort we feel with this proposal is that under the guise of this review probably our basic structure will be harmed and the greater fear is about the saffronisation of the Constitution. But keeping aside both these fears does our Constitution require review. Those who argue that the Indian Constitution should continue in its original form have probably not read it. Nearly two-thirds of the Indian Constitution are pure trivial administrative matters. It has nothing to do with politics, nothing to do with the Constitution, nothing to do with any basic structure. For instance, is it of constitutional importance to declare an age at which a supreme court judge should retire? Ours is the longest and the most prolix Constitution. Nearly two-thirds of it was copied verbatim even with its mistakes from the Government of India Act of 1935. Are we going to continue with this merely because our Constituent Assembly was too burdened or too negligent to correct those mistakes?

Nadu will contribute every year, from the state treasury, around Rs.90 lakhs for the maintenance of Hindu temples? Can we call ourselves secular when the state contributes to Devaswom funds? Or for example can you call a government secular when every year we spend crores of rupees giving subsidies to those people who are going to Mecca on a pilgrimage? Is this secularism?

We are denouncing ourselves for amending our Constitution about 80 times in 50 years. Almost 47 of these are purely administrative in nature. Why should the salaries of our judges and of our President be part of the Constitution. This is the kind of idiocy we have been continuing for 50 years. And why can't we correct it?

The Indian Constitution requires ruthless pruning to reduce it to a third of its present size. This will make it more cohesive giving less opportunity to lawyers to delay judgements. Ivor Jennings once said that the Indian Constitution as it is framed (he was delivering a series of three lectures in Madras, in 1950) will prove most lucrative for Constitutional lawyers. The USA grew nearly 70 times its size. And the number of its constituent units increased from 13 to 50. The US Constitution has not been amended even once for

We pride ourselves in calling our state secular and our Constitution as the bulwark of that secularism. Are you aware that our Constitution contains a provision which is patently anti-secular? Article 290(a) declares that the governments of Kerala and Tamil



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