

Should There Be Limits to Artistic Freedom?

R. Srinivasan

The Indian Committee for Cultural Freedom organised a discussion on "How Much Artistic Freedom should there be in a liberal society." The question also implied that the ICCF, which has been championing freedom of expression since the fifties should now be prepared to accept limits to intellectual freedom including artistic freedom. Two articles by Pratap Bhanu Mehta ("Liberal's Litmus Test", The Indian Express May 21, 2007) and Vir Sanghvi ("Art, Tolerance and Religion", Sunday Hindustan Times May 20, 2007) triggered the discussion. This is a report of that programme.

Since its inception, the Indian Committee for Cultural Freedom has been championing the cause of freedom of expression and has held several meetings and seminars and passed resolutions to promote this. The seminar held on June 9, 2007 is the latest of these.

Time it was to draw attention to recent onslaughts on freedom. The last few months have seen several instances, one of the worst being the vandalizing of the almost century old Bhandarkar Oriental Research Institute (BORI) in Pune and the shameful happenings in Baroda University not only destroying a private exhibition of paintings but arresting a student activist. Attacks on freedom of expression have been taking place but compared to the fifties and the sixties of the last century the present incidents have been indefensibly violent and thorough and a section of rampaging elements have wrought irreparable damage on the larger community.

In the discussions, the point was made that freedom to us was given on a platter and it came too easily. We did not fight for it long and hard and hence we do not sufficiently appreciate it as a concept that needs to be defended with all of one's resources. One needs to theoretically formulate the ambit and limits of freedom and one cannot do better than reiterating the doctrine of "clear and present danger" originally formulated by Justice Holmes. During the discussion the scope of this doctrine was expanded beyond its original aim to cover only freedom of expression, oral and written.

The government as well as the influential public have bent backwards to establish their secular credentials whether it be in the prevention of publication of Salman Rushdie's book by the Penguins (at the instance of Khushwant Singh) or in denying Taslima Nasreen's application for Indian citizenship. She was also not given permission to address a meeting in Hyderabad – all these on the pretext of not wanting to hurt the sensibilities of Muslims.

A similar secular sensitivity is not exercised when the majority community

engages in damaging the secular structure – the assaults on Christians praying in the privacy of their homes; violence visited on Christian priests on the ground that they are proselytizing the tribals or the dalits. State governments watch helplessly at these lethal assaults on citizens' rights of living according to their wishes. It was emphasised that one of the lasting infamies on the cultural scene was the damaging of the

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paintings of the renowned Hussain.

As against this the counter point was made reminding participants that the Constitution sanctions complete freedom of expression subject to reasonable restriction and public morality. The right to freedom is not questioned but what drew the ire of the *Hindutvavadis* was the affront to religious sentiments both in the Baroda incident and Hussain's paintings. Chandramohan's exhibition of Christ on the Cross mounted on a commode was to draw the anger of the vandals. The artistic community defended this with explanations of symbolism of the sacred norms of water, of the principles of fertility, rejuvenation etc. Chandramohan's painting recalled the 'dadaist' works of art during the last century. There can be no doubt of the insult to religious sentiments in Hussain's paintings. Why cannot the artist exhibit his freedom on non-Hindu icons; why should Hindu icons alone be targeted for his expressions of artistic attention which often were insults? To which the argument was advanced that Hussain as an Indian is soaked in the Indian tradition and responds to Indian sensibilities. Also the paintings were not recent but drawn nearly a couple of decades back.

On the other hand it was pointed that in India there was no protest by non-Muslims over the Danish cartoons, or on the issue of the Da Vinci Code where there could have been a fair and open discussion and a consensus of views arrived at.

There was general agreement that we tend to highlight selectively and discuss some issues and sweep others under the carpet.

A participant, an experienced administrator, asked what was so sacrosanct about artistic freedom? Should

"Clear and Present Danger"

...The character of every act depends upon the circumstances in which it is done... The question in every case is whether the words used are in such circumstances and are of such nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree. When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight and that no one could regard them, as protected by constitutional right.

Justice Oliver Wendell Holmes,
The Freedom Reader

The Hilla and Dosi C. Vakeel Endowment

Hilla and Dosi Vakeel were sisters who were citizens par excellence and who promoted the values of communal harmony through their meetings in Mumbai, under the auspices of Nalanda. While Hilla was a journalist by profession, Dosi the elder sister gave tuitions to earn a living. Hilla Vakeel's book 'The Good Citizen' was very well received and went into a second edition. Following Hilla's untimely demise, Dosi continued with the public activities that the two sisters were engaged in till she too passed away in her nineties. In terms of Hilla Vakeel's Will, the Executor of her Will created an endowment called the Hilla and Dosi C. Vakeel Endowment to be managed by the ICCF and which was charged with the task of using the interest from this endowment to organise programmes promoting "Humanism, Society and the Better Individual."

The programme "How Much Artistic Freedom Should there Be in a Liberal Society " held on June 10, 2007 was sponsored by this Endowment.

freedom be given to everybody irrespective of social consequences? How can we ignore that fact that some expressions of freedom lead to social violence and communal disruption? The duty of the administration is to ensure free speech even while being alert to the possibility of public order being disrupted. Since objections arise out of religious sentiments one has to be sensitive both to the exclusive claim to absolute truth by certain religious groups and target either certain individuals or community for "corrective measures." Freedom, that will lead to hurting any particular group or individual will have to be stopped. As was expressed at the outset of the discussions, part of the social disruptions that have become common is due to a crumbling of governance and state governments that are soft on the disruptionists.

The view was also expressed during the discussions that every religion, barring Hinduism, claims exclusive truth for itself. But there is no reason why we should break each other's heads on the grounds of one group having the right to exclusive truth and the other sunk in ignorance or evil. Artistic freedom very often degenerates into just showing off or indulging in one's fancies. It was reminded that artistic freedom is very different from scientific freedom or freedom in historical inquiries where the question is one of searching for and establishing truth ultimately, whereas very often the artist can just engage in a lark wanting to do something to titillate himself. For example in the second decade of the last

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Indian Post Office (Amendment) Bill, 2002

A Recipe for Increasing Corruption

Bharat Jhunjhunwala

The Government must not create laws that are ineffective, slow down the economy and create opportunities for corruption by government servants.

The Union Cabinet has given the green light to the amendment of the Post Office Act. Courier companies will be prohibited from carrying letters of less than 150 grams and pay a fine of Rs.1,000 for violation of the same. They will be required to charge at least 2.5 times the rates charged by the State-owned Speed Post. Large companies having a turnover in excess of Rs.25 lakhs per year will have to pay 10 percent of their revenues into a Universal Service Obligation Fund which will subsidize the provision of postal services in rural areas by the Department of Posts. A Mail Regulatory and Development Authority will be set up with an Additional Secretary as Chairperson to resolve other issues. The basic thrust of these measures is welcome because the courier industry surely needs regulation. But these amendments will not serve the purpose in the present form.

Purpose: To Reduce Budget Deficit

The objective of the Government is to reduce its budget deficit by increasing the income of the Department of Posts. The idea is that restriction on carrying of letters by courier companies will lead to an increase in the business of the Department of Posts and reduction of losses that are to be met by the Union Government. The Department will be compensated for this loss by higher income from carrying of letters in urban areas.

It is doubtful whether this approach will lead to a reduction in the budget deficit, however. Courier companies work as grease in the economy. They collect cheques from one company and deliver to another the next day at a low cost leading to growth of business. This leads to higher tax receipts by the government. The new dispensation will impact the economy negatively. It will lead to slower delivery of documents and bring down the growth rate of the economy. That will lead to lower tax receipts and higher budget deficit of the government. It will also encourage stuffing of letters with deadweight such as newspapers to meet government regulations. The nation will thus be unnecessarily carrying a lot of dead weight. We will spend more on diesel and other transport expenses. The government will get less service tax, income tax and contribution to the Universal Service Obligation

Fund because of less business done by courier companies. On the positive side, the new law will lead to more income for the Department of Posts and reduction of its budget deficit. The final impact will depend upon the sum of the two types of impact.

Budget Deficits will Increase So will Corruption

In my opinion the budget deficit of the government will increase. The proposed amendment will, in the main, provide more opportunities to government servants for indulging in corruption. The courier companies will try to surreptitiously book letters of less than 150 grams and the officers of the Regulatory Authority will extract bribes for letting them go. Courier companies will give heavy month-end or year-end discounts to customers to evade the mandatory high charges. They may give a receipt of Rs.60 to the customer while collecting only Rs.29 in cash. This will lead to the generation of black money.

Best International Practice

The Department argues that Postal Departments enjoy monopoly on delivery of letters in most countries. India is only trying to follow this international best practice. This is only partially true. The Civil Society Exchange tells on its website that the Postal Department has monopoly on letters weighing less than 350grams in England, 250 grams in Australia and 50 grams in Netherlands and Germany. On the other hand here is no restriction in New Zealand. Japan is slated to privatize its postal services in 2007. European Union also requires its member countries to open up their postal services to private players by 2009. Clearly the international best practice is moving in the direction of privatization not monopoly. Indeed the Postal Department has monopoly in many countries but this is being dismantled.

Better Ways to Reduce Budget Deficit

The objective of reduction in budget deficit can be better attained by allowing full freedom to courier companies to carry letters and fix charges but imposing higher taxes on them. The government can calculate the amount of subsidy it wishes to provide to the Department

of Posts for its rural services and impose taxes of like amount on courier companies. The proposed rate of 10 percent can be increased suitably. The economy can bear the burden of such taxes but not that of restriction on carrying of letters.

How Private Couriers Can Also Serve Rural India

The subsidy for provision of rural and post card services can be allowed to private players also. The courier companies can be classified in categories such as those providing service in metropolitan cities, state capitals, district headquarters, small towns and rural areas. The rates of tax can be lowered and subsidies provided to both private and government players on a staggered basis. This will encourage courier companies to provide courier services in small towns and help spread economic development downstream to remote areas. Higher use of courier services in small towns will reduce the losses of the Department of Posts.

The Example of Mobile Telephony

We have successfully followed this model in mobile telephony. The government-owned Bharat Sanchar Nigam Limited pays Access Deficit Charges on the services supplied by it in urban areas and collects subsidies on services provided by it in rural areas. The same applies to private players. They too are entitled to receive subsidy on provision of services in rural areas. This has led to intensified competition for provision of services in rural areas. It has also exerted pressure on BSNL to improve its services both in terms of cost and quality. The same

model can be applied to the postal services.

Regulator Should Not Be A Government Servant

The appointment of a government servant of the rank of Additional Secretary as Chairperson of the Mail Regulatory and Development Authority is a retrogressive step. Government Servants are least accountable and most secure. They sit at the top of the hierarchy of corruption. They collect bribes from small officers and reach it to the politicians pocketing a good amount on the way. They are not known for integrity or efficiency. Instead an independent person should be appointed as regulator.

The requirement that courier companies charge 2.5 times Speed Post rates is unwarranted. The object of the Government should be to bring about a reduction in the cost of these services. This move defies logic. The Government is making efforts to bring down the cost of infrastructure by privatising distribution of power in metropolitan cities. If at all, the government should fix the upper limit of charges to be collected by private players.

The Government must not create laws that are ineffective, slow down the economy and create opportunities for corruption by government servants. The single solution for all the woes is to impose higher taxes on courier companies and provide adequate cross subsidy to those providing services in rural areas.

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The Indian Postal Service Needs A Makeover

Ganesh Sovani

The forthcoming monsoon session of the Parliament would be witnessing a stormy debate over the proposed 'Indian Post Office (Amendment) Bill – 2002', which seeks to establish the monopoly of the Department of Post in handling letters below 300 grams in weight. The NDA government had attempted to introduce this bill in 2002, when Mr. Arun Shourie was in charge of this portfolio. The Rs. 4,000 crore courier industry in the country has opposed any move to amend the Indian Postal Act, as the Bill seeks to eliminate private operators who have virtually captured the business, thanks to the inefficiency of the Postal Department.

DoP – Unprofessionally handled

No serious effort has been made by successive

governments to amend 'The Indian Post Office Act – 1898' since independence. Like the Indian railways, the Department of Post (DoP) in India is the biggest network of its kind, manned by 550,000 employees and having 155,000 branches all over the country. Believe it or not, it is incurring a loss of Rs.1,400 crores per annum? It means that annually a little over Rs.25,000 is the loss per employee yet the Postal Department is unwilling to change its style of functioning, notwithstanding the stiff challenge presented by private courier companies. To set off losses, various post offices in the metropolitan areas have now started selling Ayurvedic medicines, nutritional supplements and even cashews, coconut products, and the like.

Though it has 550,000 employees at its disposal,

utilisation of manpower is the worst of its kind. While the DoP is overstaffed in the metropolitan areas, it is terribly understaffed in the rural areas, having a staff of merely 3 to 4 employees in some village or Taluka post offices. The post offices are dingy and dilapidated. The staff across the counter discourteous and think they are doing a favour to the consumer merely by being present in the office.

Still in many parts of the country, the shabbily dressed postman, (wearing a *Khaki* uniform unwashed for days) is required to walk miles to deliver letters and money orders for want of bicycles. The postman is a vital link between the forgotten Indian and the Government but the Government fails to utilise him as such.

Some attempts were made by the NDA government to introduce reforms to trim down losses, but the postal unions stiffly resisted these. A year ago, the *Wall Street Journal* published from New York too had taken note of the state of affairs of the Indian Postal Department.

Re-establishing Monopoly

By radically amending the old Postal Law, the government intends to establish its monopoly over the distribution of letters weighing less than 300 grams, which would automatically eliminate all courier operators, as 90% of their business falls in this category.

The DoP contends that the monopoly over mail up to a specific weight limit is essential as the Department of Post is required to fulfill the Universal Service Obligation (USO) as framed by UN regulations, which involves postal coverage to financially non-viable areas at affordable rates for the common man. It would be difficult to blame the DoP if it intends to re-establish its monopoly, as India is bound by USO.

Compulsory Registration of Private Operators

According to this Bill, courier companies will have to be registered with the Government for the purpose of securing a 'licence'. In fact, the draft Bill states: "Wherever posts or postal communications are established by the Central government, all persons, other than a person registered under this Act, are forbidden to collect, carry, tender or deliver letters, or to receive letters for the purpose

of carrying or delivering them." The Government claims that if private telecommunication operators like Reliance, Hutch, BPL, Airtel, IDEA, etc. need registration with the DoT & TRAI, what's wrong if private courier companies are asked to register themselves with DoP and be made accountable?

Apart from paying the initial registration charges, every private courier company will have to pay an annual renewal fee of Rs.10,000 if it is in domestic operations and Rs.5 lakh for foreign business. Another significant reminder of how the past still rules the government, is the proposal to make courier companies with revenues of over Rs 25 lakh to contribute 10 per cent of their annual revenues towards a grandiosely titled Universal Services Obligation (USO) fund. The proceeds of this contribution will be used to offer postal services in economically unviable areas. The Bill also lays down that courier companies will have to pay a USO (Universal Service Obligation) fee for not operating in rural areas. Under the USO, courier companies with annual turnover of Rs 25 lakh or more will have to part with 10 per cent of their turnover to the government.

Both domestic courier companies and international operators like FedEx, UPS, DHL, etc. have been vociferously campaigning against the proposed Postal Amendment Bill, even as these companies are aware that in the Western countries. State monopoly over the distribution of letters below specific weight does exist.

The debate cannot end without mentioning that there is urgent need to drastically change the ailing Indian postal service. The courier network came into existence because of the inefficiency of the Indian Postal system. It provided the system the consumer hankered for and the Postal system could not offer. The success of the courier network lies in its widespread acceptance by the consumers. It also offers jobs to thousands of urban youth. What the government is trying to do is to dismantle a successful delivery system under the guise of lofty principles without guaranteeing an adequate substitute. As usual, Government interference ensures inefficiency and distress to consumers. Can the Government take care of these concerns?

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Worth Emulating

On August 15, 1947, when Prime Minister Jawaharlal Nehru was about to address the nation, All India Radio made an announcement "Over to Jawaharlal Nehru". There was a hue and cry over this "disrespect" shown to Nehru. A press release from the PMO clarified that AIR had obeyed Nehru's directive that he should be addressed thus without 'Mr' or 'Sri'. This norm continued throughout his tenure. But do the present-day politicians make an attempt to follow in Nehru's footsteps at least in this manner? God alone knows.

Ram Mohun, *The Week*, February 4

Point Counter Point

Ashok Karnik

Every issue has at least two sides. A wise man studies all sides before coming to a conclusion. This is an attempt to debate all issues so that a considered opinion can be formed.

Sethusamudram Project

1. The project is intended to create a shipping channel between the south coast of Tamilnadu and Sri Lanka so that ships which have to go around Sri Lanka at present to sail from the west coast of India to its east coast can go through the new channel, cutting the distance by 745 kms and time by 30 hours. The project work started in 2001 through a feasibility study and the dredging started last year. As usual, there is opposition to the project on various grounds:

- a) The ecological balance of the Gulf of Mannar would be affected; fishermen would also be hit
- b) The Adam's bridge and the Ramar Bridge (*Ram Setu*) are not natural phenomenon; the *Ram Setu* has religious importance because it was built for Ram's passage to Sri Lanka to rescue Sita; these are thus national heritage sites and need to be protected. Hindu groups have jumped into the fray to save what they believe are the sacred remnants of the Age of Rama.
- c) To add to the mythological arguments, a former Director of the Geological Survey of India claims that the reef of Adam's bridge is not a natural phenomenon as it is based on sand and is not an extension of the natural rock below.

1. It is our misfortune that every development project faces such controversies, gets delayed and the cost of the project shoots up. In a democracy, there are no short cuts; such opposition has to be countenanced. The Government has made it clear that:

- a) There is no scientific evidence that any *Ram Setu*, connected with the Ramayana, exists. Existence of a submerged coral reef between two adjacent landmasses is very common and is no evidence of a man-made bridge.
- b) There would be no ecological damage as the new channel would be 20 kms away from the coast.
- c) In the first year of operation in 2008, 3055 ships are expected to use this two-channel passage, saving \$18 million on fuel alone, besides 30 hours of journey per ship.

Humans have to balance their own needs with the possible damage to the environment. Instead of taking confrontationist positions, can these issues not be settled without making it a fight between science and faith?

The opponents of the project received a set-back when their so-called scientific arguments based on ISRO's findings proved to be a hoax. The ISRO scientist they claimed to be their own expert in the matter turned out to be a fraud.

Psephological Blunders

2. Psephology is supposed to be a science to gauge public preferences through opinion polls. So far in India, opinion polls have been inaccurate, to put it mildly. True to this form, Mayawati's victory in UP caught all political pundits on the wrong foot. Nobody predicted that the combination of backward and forward castes would bring about a near miracle. It is wonderful to be a pollster or a political commentator; you don't have to admit to your ignorance; you are always the clever outsider, ready again to explain how everybody else was wrong. Now the political commentators are engaged in underlining how Rahul Gandhi failed, how BJP's half-baked Hindutva was ineffective and how Mayawati's caste combination could work wonders for her all over the country. Nobody admits that all were stumped! Is psephology of any use in a country where voters are uneducated and, therefore, inarticulate? Why theorize over what you don't understand?

2 The political pundits' guess that the BSP would emerge as an umbrella party that the Congress once was is a show of wisdom after an abject failure. The psephologists will undoubtedly analyze the percentage of votes and may prove that those who lost have gained in popular votes and vice versa; that Mayawati won more than 50% seats with only 30% votes, etc It is like the Congress taking solace in the fact that the BJP lost more than the Congress. After an event, explanations are always available to say how it happened. Hindsight is a wonderful gift. However we may deride it, psephology is here to stay. Perhaps it needs time to decipher the language of the silent voters. If, at present, it does not educate us, at least it entertains us briefly for a couple of weeks.

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Farmers Need Freedom, Not a Guardian Angel

Sharad Joshi

If the government scraps the Essential Commodities Act that puts the restrictions on storage, transport, processing and export of agricultural commodities, the farmer will automatically get a price that covers his cost of production.

A senior member from the treasury benches of India's Parliament has proposed the establishment of an autonomous board for ensuring remunerative prices for the agricultural produce of farmers through fixation of minimum support prices; compulsory purchase of the produce by governmental agencies and compulsory market intervention by such governmental agencies in cases of bumper crops.

This concern for the farmer is to be appreciated. The question is, is establishing one more comprehensive and potent authority for carrying out the work, at present entrusted to the Commission for Agricultural Costs and Prices (CACP), the Food Corporation of India (FCI), The National Agricultural Federation (NAFED) and the large number of state bodies, the right direction for improving the situation of our farmers?

So far, the Central government has been trying to attribute the epidemic of suicides by farmers to water scarcity, lack of credit, high cost of production, low productivity of agriculture, smaller holdings and lack of extension services. A seditious attempt has also been made to put the blame on a general failure in their social moral standards. Some state governments have even tried to organise programmes with the help of some venerable spiritual *gurus* to contain the epidemic of suicides.

Given this background, it is indeed commendable that a prominent member of the treasury benches of the House is admitting that low prices are the main culprit. He ought to be further complimented for admitting the under-remunerative nets of the prices obtained by the farmers at present. The remarkable thing is that the author proposes an authority whose job will be to fix prices that will cover the 'costs of production' as opposed to 'index based prices' proposed by some of the economists or 'income assurance plans' of the type resorted to in countries like the United States of America or 'blue box'

schemes of the type resorted to in various countries. All these alternative schemes involved massive bureaucratic machinery and intervention that is unlikely to work with any chances of success in a country like India.

The proposed board is not supposed to try and bring down the prices of agricultural inputs as an alternative method of making agriculture a remunerative vocation.

It is rather unfortunate that the contemplated board will be given a mandate to calculate the remunerative prices practically by the same methodology that is deployed by the CACP for some years now. The author,

evidently, is unaware that the basic methodology for calculating the cost of production by the CACP itself is full of holes and the method of collecting cost data from the sample fields and working out some kind of a statistical average thereof brings out costs of various elements that do not relate to any living farm. That is the reason why the old Agriculture Prices Commission (APC)

had calculated for the year 1976-77 Re.0.01 as the cost of pesticide per hectare of wheat in Punjab. It is the averaging method, which is responsible for numerous cases of contradictions. The cost of manure was calculated at Rs.1.27 per quintal in the year 1977-78. Curiously enough, the cost for the same thing was even lower in 1980-81 (Rs.1.14 per quintal). The examples of this kind can be multiplied till the cows come home. The irrigation cost per hectare was calculated at Rs.181.45 in 1976-77. This could not have met even the electricity charges of it too well. Surprisingly, the same cost is shown to have drastically gone down to a bare Rs.70.86 in 1980-81.

To one's surprise, the cost estimates of the state committees that calculate the costs of production in their states are around 20 per cent higher than the costs computed by the CACP. If agriculture is a state subject,

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The Rural Perspective



Why Did It Take 34 Years?

Shashi Shekhar

Do Indians Really Care About Freedom?

In a significant ruling in January 2007, the Supreme Court has held that the laws included in the Ninth Schedule of the Constitution after April 24, 1973 are open to judicial review. Reacting to this judgement, Law Minister H. R. Bhardwaj argued that “the judgement would have no adverse impact on the functioning of the executive”. One would have to take the Law Minister’s assertions with a pinch of salt, for if anything, the Ninth Schedule had become the executive’s chosen instrument to subvert constitutional provisions in order to create and nurture political constituencies even at the cost of dividing society. A brief history of the Ninth Schedule shows how it was abused over the years at the expense of our freedom and our fundamental rights.

First some level setting. For years we had been told that the basic structure of the Constitution cannot be amended. We had also been told that the fundamental rights were what they were meant to be – fundamental, and therefore inviolable. But what happens when the fundamental rights get in the way of the political agenda of the government of the day? You pass the first amendment to the world’s lengthiest written Constitution. Remember the purpose of the Indian Constitution is to lay out general and fundamental principles, articles of faith, values that we collectively share and believe in and which are meant to form the basis for law making. So when you have the lengthiest written Constitution it is indication that somewhere in the process of laying out general principles we went about making a number of special provisions and exceptions to accommodate special interests. So what then was the motivation to amend a Constitution which was already diluted in its design with ifs and buts?

The answer to this question becomes clear with a reading of the first amendment. It was brought about by Pandit Jawaharlal Nehru on 10 May 1951 to address judicial decisions and pronouncements especially in regard to the chapter on fundamental rights. Nehru was also very clear on the purpose behind the first amendment. The State wanted take away land from the zamindars, re-distribute it and make special provisions for the socially and economically backward. Despite having architected the Constitution Nehru was not confident that the laws made to pursue these goals would stand up to judicial scrutiny on account of being discriminatory. Hence the first amendment.

It was the first amendment that brought in Articles 31A and 31B conferring upon the State the right to make laws to acquire private property, deem them as not being discriminatory and to further protect all such laws from judicial review by creating something called the Ninth Schedule. It is interesting to note that the origins of the Ninth Schedule lie in land acquisition by the state, given the current political debate on SEZs, Singur and Nandigram.

Since the First Amendment, the Ninth Schedule has provided the cover for governments to amend the Constitution multiple times. The fourth amendment inserted six acts to the Ninth Schedule. The 17th added forty four more Acts. The 29th brought in two acts from Kerala. The 34th added twenty more land tenure and land reforms laws enacted by the states. In 1975 Indira Gandhi’s infamous abuse of executive power leading to the ‘emergency’ saw the 39th amendment adding certain central enactments. In 1976 the 40th amendment added even more to the Ninth Schedule. The 47th amendment in 1984 and the 66th in 1990 gave more protection to land ceiling acts. This brings us to the present dispute.

The 76th amendment was to accommodate the Tamil Nadu Government’s legislation to provide for university seat reservations to the level of 69 percent for SC/ST and OBCs. What takes the cake however is the 78th amendment, which was about not just immunity to laws in the Ninth Schedule, which was already suspect, but amendments to those laws making those amendments immune. Since then we have had absurd laws from supporting sugarcane prices to the New Delhi Urban Zoning Laws, all clamouring for an exalted spot in the much abused Ninth Schedule.

So what did the Supreme Court rule on 11 January 2007? It said that laws placed under the Ninth Schedule after April 24, 1973 shall be open to challenge in court if they violated fundamental rights guaranteed under Article 14, 19, 20 and 21 of the Constitution. Why 1973? Foremost is the landmark verdict in the Keshavanand Bharati case when the Supreme Court for the first time defined the concept of the basic structure of the Constitution. Also, if you look at the Acts prior to 1973 in the Ninth Schedule they were primarily agrarian reforms. Most of the executive

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Cornucopia

Firoze Hirjikaka

Mumbai Will Never Be World Class

To our corporators, legislators Mumbai has always been the mother of all milch cows

Reading a news report recently about a high-powered expert committee's recommendations to make Mumbai an international financial centre, I could not help experiencing a sense of *déjà vu*. During the past decade, there have been no dearth of reports and pronouncements about transforming Mumbai into the next Shanghai or Singapore or New York. They have all been filed and forgotten; and, no doubt, the same fate awaits this latest recommendation too.

Mumbai will never be a world class metropolis; for the simple reason that the charlatans who govern us and who hold the destiny of the city in their hands, do not want it to. Regardless of what political party they belong to, they all have a vested interest in maintaining the *status quo*.

Think about it. One of the report's recommendations is that the BMC be disbanded and the city's administration should be handed over to an elected or appointed 'city management'. Can anyone, in their wildest imagination conceive of the Shiv Sena – or any political party, for that matter – allowing that to happen? As for infrastructure of international standards - that will remain a pipe dream too. If roads and flyovers are constructed to actually last for 25 years, the repair contracts would soon dry up. And fewer contracts means fewer kick backs. That is not how things work in the commercial capital.

Mumbai is many things to many people, but to our

corporators, legislators and sundry public officials, it has always been – above all else – the mother of all milch cows; an inexhaustible source of easy money that keeps them in the style to which they become so easily accustomed.

That is the principal reason why the Shiv Sena is so vehemently opposed to delinking Mumbai from the rest of Maharashtra. And, for all their public posturing, this determination is shared by all political parties. Mumbai is the true rationale for the Shiv Sena's "concern" for the Marathi *manos*. They are the Sena's storm troopers, who can be readily mobilized to thwart any well-meaning, but foolish, attempt to introduce alien Western concepts, like good governance and accountability. Mumbai is the crown jewel and they are not going to give it up without a fight. That would be like killing the goose that lays golden eggs.

And so, one more report will be hotly debated by the intelligentsia and the NGOs. Top industrialists will oblige eager reporters with sound bytes about the imminent demise of Mumbai as the country's commercial capital unless things improve soon. There is some substance in this. Consider the recent politically-motivated agitation regarding reserving 80% of jobs in malls and call centres for Marathi speaking people. Most of these establishments are professionally managed and have tie-ups with multi-nationals. They will not give in. They will simply move to Bangalore, Hyderabad, or Chennai or whichever metro that will welcome them with open arms.

The Talibanization of India

Incidents of gross intolerance and mindless, brute fundamentalism seem to be in the news every day.

What the hell is happening in the land of Buddha and Asoka and Gandhi? The fanatics are running amok; and the rest of us are content to just sit back and witness the tamasha. Are we blind? Do we not recognize the danger; the perilous slope we are sliding down? Will we wake up only when it is too late?

Incidents of gross intolerance and mindless, brute fundamentalism seem to be in the news every day. Take the last month alone: A Hindu girl in Gujarat falls in love

with and marries a Muslim boy; and the Bajrang Dal reacts violently as if the couple had committed some heinous crime. Some Sindhis in Gujarat issue a *fatwa* against their community girls riding on scooters and covering their faces. Some goons ransack the Star News office in Mumbai, protesting the telecast of a declaration of love of two young people from different communities. The Shiv Sena burns effigies of Richard Gere, because he had the temerity

cont'd. on p.15



Professor S. V. Kogekar, R.I.P.

2 March 1914 – 26 May 2007

Eminent scholar, political scientist and educationist Prof. S. V. Kogekar passed away in Pune on May 26, 2007. He was 93. Prof. Kogekar will be familiar to readers of *Freedom First* who had the privilege of reading over many years his incisive articles and book reviews.

Professor Kogekar who graduated from the Bombay University obtained a BSc degree in Economics from the London School of Economics where he was a student of Professor Harold Laski. He joined the Deccan Education Society in 1937 as Professor of Economics and Political Science and went on to become the Principal of the Brihan Maharashtra College of Commerce, Pune. He was Principal of Fergusson College, Pune from 1957-1964. He was a life member of the Deccan Education Society.

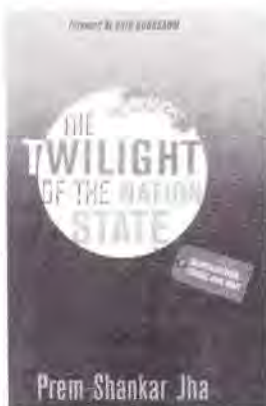
Prof. Kogekar's services were much sought after government and non-government organisations at the national and state levels. He was a Member of the Forward Markets Commission, Government of India (1964-1974); President, All India Political Science Association (1961); Vice President, International Political Science Association (1961-1964); Dean, Faculty of Mental, Moral and Social Sciences, University of Pune (1961-1963); Member, Executive Council, Indian Institute of Public Administration (IIPA), New Delhi, since its foundation up to 1966 and Vice Chancellor of the Tilak Maharashtra Vidyapeeth, Pune which, thanks to his efforts became a Deemed University. He was also a member of various committees of the Planning Commission, Government of India, of the University Grants Commission, the Administrative Reorganisation Committee, Government of Maharashtra, among others. He was actively involved with the Indian School of Political Economy, Pune, from its inception till a few years ago and served it in various capacities including the office of President.

A prolific writer, whose scholarship was highly regarded, Professor Kogekar contributed numerous articles to a number of Indian and international academic journals. Many reports including the Report of the 1952 General Elections are to his credit.

He was an exceptionally good teacher and speaker, both in English and Marathi and was known for speaking his mind out boldly and without mincing words. His Kale Memorial Lecture in 1976, during the Emergency, arguing against the extension of the term of Parliament, is a case in point. Intellectually active till the end, his book reviews, were published in *EPW* and *Freedom First*. The last review he wrote was of Prem Shankar Jha's book "The Twilight of the Nation State", published below. He wrote it in long hand, all four pages of it, just a few weeks before his death. In a forwarding letter to the editor he said: "Excuse me for the long delay in sending the enclosed review. It was due to sheer lack of the required physical energy."

Freedom First conveys its deep sense of loss to his family on their sad bereavement. We at *Freedom First* have lost a good friend, philosopher and guide. We shall miss him.

Book Review



THE TWILIGHT OF THE NATION STATE – Globalisation, Chaos And War by Prem Shankar Jha • Published by Vistaar Publications (A Division of Sage Publications), B- 1/11, Mohan Cooperative Industrial Area, Mathura Road, New Delhi 110 044 • Year of Publication: 2006 • Pages: 373 • Price: Rs.480

Reviewed by Professor S. V. Kogekar, former Principal Fergusson College and Vice-Chancellor, Tilak Maharashtra Vidyapeeth, both of Pune.

Interpreting Globalisation

This interesting book can be viewed as a counterpoint

to the somewhat premature and euphoric assessment of globalisation of the world economy expressed by several members of the academic community in the developed countries. As the author says in his introduction, "the

book argues that the world is not moving towards order, peace and prosperity but towards increasing disorder and violence". There is, in his view, a systemic chaos seen in the imbalance between the globalising economy and the rest of the institutions of society.

During the course of his argument the author surveys the growth of capitalism during the last seven hundred years with special reference to the technological changes which ushered in cataclysmic developments in the relations between different participants in the economic organisation. At each of these changes there resulted a great unsettlement in the existing situation, which provided at least a semblance of order through an organisation for keeping the disorder in check.

The author sets great store by the Treaty of Westphalia in 1648 which set in motion the formation of the Nation State as the central piece of the organisation of the economy. The nation state is described as providing a container within which the economy was able to grow and flourish. National sovereignty was very useful according to him for bringing about orderly progress. The undermining of national sovereignty by the latest phase of capitalist development viz. globalisation, is seen by the author as a great calamity for the world. It takes away the 'container' and allows explosions of various types to disrupt the orderly movements of change. But is quite surprising that in bemoaning the decline of the sovereign State, the author does not see the many crimes committed during and under its sway.

The rise of empires, the exploitation of backward peoples, the denial of human rights to millions of people, to cite only a few examples of the dark deeds of the era of national sovereignty, were a part of that very order. One is reminded of the words of Tom Paine on Edmund Burke's reflections on the French Revolution that Mr. Burke "pities the plumage, but neglects the dying bird."

Another curious aspect of the author's argument is that he himself has shown in the historical 700-year survey how every time a revolutionary change takes place in the erstwhile 'orderly economy' there is a great upsetting in many directions. However as technological changes and related inventions or discoveries cannot be planned in advance, the resulting suffering and disorganisation seems to be inevitable. How then does he expect that globalisation would take place in a smooth and orderly way? When after the industrial revolution in the West the old village economy was totally destroyed, the eloquent poet Goldsmith also painted a bleak picture of the future of England losing in its industrial growth its brave

peasantry 'their country's pride'.

Of course, no one who reads the clinically admirable account of Mr. Jha's survey of the changing capitalist economy through its several phases would dismiss him as providing an emotional outburst at the passing away of national sovereignty and paving the way for a new world order under the aegis of an international institutional arrangement. But one does get the feeling after reading the book that the author rather unrealistically extols the virtues of the nation state.

The author points out how globalisation affects not only the developed countries but also the less developed or developing countries of the world by the widening disparities between the rich and the poor. The movement of investments from the former to the latter is viewed to lead to the same kind of consequences which characterised the 'golden age' of the nation state through the operation of global empires - absence of democracy, prevalence of misery and widespread violence. In addition, in the wake of the breakdown of the Soviet Socialist economy and 'competition' as the new *mantra* for rebuilding the economy, a new struggle for hegemony has started, the chief contender for which is the USA supported by Great Britain. A scathing criticism of the USA with special reference to its unjustified interference in Iraq; the removal of restrictions on trade and commerce between countries unprepared for such changes, and at least partially protected against their calamitous results under the regime of national sovereignty, and the imposition of American policies and preferences on the rest of the world, provide a powerful critique of current affairs on the global scale.

Unfortunately the author seems to have no feasible remedy to rectify this desperate situation threatening the whole civilised world. Not at any rate until appropriate organisational developments which could provide a new 'container' in place of the declining national one under the Westphalian system so crucial to the author's analysis, come about. By implication he probably suggests that those states, whether of the West and North or East and South which have a clear perception of what is in store for them should lose no time in taking steps to strengthen the new organisational forces through national as well as international action.

He has shown, if not the road map to reach the desired end, at least the red signal to warn people of the dangers to which they stand exposed. The book deserves to be widely read and pondered over.

From Our Readers

Afghanistan and Iraq

Military operations in Afghanistan were a necessity since there was no other way to check the terrorist sponsoring activity of the Taliban regime. The USA gained a quick victory in the plains with the help of the troops of the Northern Alliance. They got bogged down in the hilly region of Southern Afghanistan and realized that they did not have an adequate force. They wanted more infantry and not merely fire power. In spite of the ethnic divide, safe bases in Pakistan and reaction to collateral damage, the NATO forces are gaining. As the Chief of Defense Staff, UK remarked, NATO troops are now on the offensive. The situation in Iraq did not warrant an immediate military strike. The United States made the mistake of too small a force for post-war needs. Insurgency cannot be overcome by firepower alone. The Pentagon had initially planned a 300,000 strong force. Rumsfeld insisted on no more than 100,000. Terrorist attacks and insurgency continue. Iraqis are killing fellow citizens with little loss to allied forces. The important point is that the USA cannot pull out without handing over to a stable local government. A possible solution can be three autonomous regions under a UN Administrator backed by a truly UN force. India should have no hesitation in contributing to such a force. Peace in Iraq is more important to us than that in Africa.

Religion, Politics and Violence

The review by Prof. Deshpande of the book 'Religion, Politics and Violence' was a welcome change from the beaten track of the Indian self-styled secularists who cannot talk of violence by Islamic terrorists without dragging in the unjust behaviour of the West and the glory of ancient Islamic rule. We congratulate Prof Deshpande for his forthright exposition of the violence preached by the Imams and sanctioned by their religion. We should note that religion is not merely what is written in the book but also a product of its institutions and practices. I wish to add two more characteristics of the violence by the Muslim invaders and rulers – the jiziya or poll tax and destruction of libraries. It may be noted that the conversion of Egypt to Islam took two hundred years and was achieved through the jiziya tax.

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Return of the Permit-Licence Raj – FCRA Bill (2006)

The cover feature in the April issue raises four major objections to the proposed FCRA bill : (1) It is ineffective in dealing with misuse of funds as it is possible to get funds through hawala route; (2) it will curb the efforts of genuine NGOs from accessing funds from abroad; (3) an amendment to FEMA can cover all foreign exchange transactions; and (4) misuse of powers by bureaucrats and politicians. These are valid objections.

However, we have to consider the background to the proposed Bill. A report in *The Indian Express* (11 November 2006) stated that 32,000 NGOs have received Rs.6000 crore in the year 2006-07, that 8673 NGOs have not notified the required returns, and at least two have misused the funds – for conversion activities. The very fact that 8000 NGOs (25% of the registered NGOs) have not filed their returns gives raise to suspicions about their credentials.

This brings us to the question, do we really need funds to do social service? SEVA started by the indomitable Ila Bhatt which has changed the life of many poor women in Ahmedabad did it without any foreign funds. The famous Grameen Bank which transformed the life of poor women in Bangladesh started with some personal money of Nobel Laureate Mohammed Younis.

What social service requires is initiative, sympathy and selflessness.

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Should There Be Limits to Artistic Freedom?(cont'd. from p.2)

century Marcel Duchamp “with serene impudence, mocked serious artistic intention with chance selection of objects like a bicycle wheel, bottlewasher, urinal, corkscrew and other readymade commonplace things” exhibiting them as works of art. Also, artistic freedom has been evolving all the time continually and there is no such thing as a fixed concept of artistic freedom frozen in time. As society develops you have different criteria of freedom and the expansion of freedoms.

Attention was drawn to the fact that the paintings on which discussions in the media took place were not on public exhibition; it was done by students and for an examination and there was no reason why the public should have been agitated about this. There have been instances where in public exhibitions it has been very clearly indicated that certain paintings may not be acceptable to one and all; they are warned that some of them can jar one's sensibilities. This is one way of encouraging freedom of one's own expression and at the same time not hurting the spectator's feelings.

The VHP has continuously been hurting the minorities and some sections of the VHP regard themselves as representing the entire community. And this certainly leads to a gagging of unpopular opinions and towards the Talibanisation of society.

Towards the end it was pointed out that there has

been a total change in the culture of public discussion and debate and qualitatively there has been a decline in public articulation of issues. What was allowed once freely to be discussed is no more possible today. We have to go back to those halcyon days. This can be a reality only if the government particularly at the State level is firm and takes seriously its responsibility of governing despite its treading on the toes of several people. Full freedom of expression intellectual, ideological or artistic should be made available to one and all but at the same time public decencies should be observed and underlined. There was a consensus that we should strike some sort of via media between extreme artistic freedom and maintenance of public order!

DR. R. SRINIVASAN is retired professor of political science, Mumbai University.

Participants

Mr. Nityanand Bhise (Journalist) • Prof. R. V. Chari • Ms. Komala Devarajan (School teacher) • Mr. K. A. Divecha (Trade Unionist) • Ms. Vibha Kamat D'Souza (social activist) • Mr. A. V. Gopalakrishnan (Lawyer) • Firoze Hirjikaka (freelance writer) • Mr. J. G. Kanga, IAS(Retd.) • Mr. A. B. Mistry (social activist) • Prof. J. V. Naik • Prof. S. K. Ookerjee • Mr. S. V. Raju (social activist) • Ms. Kashmira Rao (social activist) • Nitin G. Raut (Lawyer) • Ms. Feroza Seervai (social activist) • Mr. Kunwar Sinha (Visual Media) • Prof. V. K. Sinha • Prof. R. Srinivasan.

Gandhiji and Euthanasia

Readers would like to know the views of Gandhiji (On euthanasia) which he expressed in the Gujarati weekly 'Navjivan' in October 1928. The killing of an ailing calf in Sabarmati ashram, at his instance, had caused much commotion, and he had received some angry letters on the subject. The following is an extract from his long response.

'A calf, having been maimed, lay in agony in the ashram and despite all possible treatment and nursing, the surgeon declared the case to be past help and hope. The animal's suffering was very acute. In the circumstances, I felt that humanity demanded that the agony should be ended by ending life itself. The matter was placed before the whole ashram. Finally, in all humility-but with the cleanest of convictions I got in my presence a doctor to administer the calf a quietus by means of a poison injection, and the whole thing was over in less than two minutes.

'Would I apply to human beings the principle that I have enunciated in connection with the calf? Would I like to be applied in my own case? My reply is yes. Just as a surgeon does not commit *himsa* when he wields his knife on his patient's body for the latter's benefit, similarly one may find it necessary under certain imperative circumstances to go a step further and sever life from the body in the interest of the sufferer.'

Suryanarayan Sharma, *The Times of India*, December 2006

Censorship Through Fear

3. The Moral Police have swung into action with vengeance these days. M.F.Hussain, Richard Gere-Shilpa Shetty, Chandramohan of Baroda, nobody escapes their vigil. They mete out prompt punishment or get lower courts to act on their complaints. There are debates going as to what is morally acceptable and anything that offends anybody's sentiments needs to be banned. In a recent debate, a seemingly telling point was made when a question was raised whether one would not feel offended if one's mother was painted as a nude. A more relevant point is why do the artists pick Hindu gods and goddesses for their nude subjects. Are they afraid to touch other religious icons? The deleterious effect nude paintings and indecent behaviour in public would have on children's minds is another argument. Western conspiracy to destroy our age-old civilization is a major concern of the puritans.

3. Are centuries old cultures so fragile that a mere cartoon, a painting or a book can destroy them? The problem afflicts all groups as we have seen a cartoon offending Muslims, Hussain's paintings insulting Hindu deities and 'Da Vinci's Code' agitating Christians. Have we become hypersensitive suddenly? Or is the wide coverage in the TV and press encouraging publicity seekers to take up such issues? Many of these issues would have died unnoticed without publicity. Should an artist worry about what everybody may think about his piece of art? The litmus test should be the artist's intention. Did he intend to insult or ridicule what others hold in esteem? If so, he is guilty; if not, no one has the right to seek action against him. If one does not like a painting or writing, one can keep away from it and even request others to do so. The idea of condemning a piece of art through use of terror is akin to establishing a jungle raj. The essence of a free society is tolerance towards what one does not approve.

Readers are invited to send in their points of view on serious issues of the day to avkay@mtnl.net.in

Farmers Need Freedom, Not a Guardian Angel (*cont'd. from p.6*)

it is difficult to understand why the calculation of costs is not left entirely to the state governments. Further, farmers have been demanding that the CACP switchover to the "synthetic model method" which gives structured costs that are logically linked with each other and correspond to real situations in the field.

Coming from a distinguished member of the treasury benches of the House, one could not have expected a confession that successive post-independence governments have been deliberately trying to depress agricultural prices in order to provide a fillip to industry moved by the kind of economic theory that prompted Stalin to send tanks against kulaks in Russia.

That is the reason why those who moved the idea of establishing a new authority are, at the same time, supporting the government's plan to put a ban on the futures market for wheat and paddy and backing the government's moves to keep private traders out of the wheat market in order to provide a clear field for the benefit of the Food Corporation of India.

The basic question is, do we need to have an elaborate machinery that is even more complex than the existing one for calculating remunerative prices, ensuring procurement and the operation of minimum support prices mechanism in order to ensure that the farmer gets the price that covers, at least, his cost of production?

The price that a producer gets in a free-market must

cover his cost. Why then have elaborate bureaucratic mechanisms for this simple task? If the government scraps the Essential Commodities Act that puts restrictions on storage, transport, processing and export of agricultural commodities, the farmer will automatically get a price that covers his cost of production.

Information Technology (IT) has now opened up before the farmers two possibilities. Before IT he could not take advantage of the much higher prices that, he knew, would invariably come within the two months of the harvest, because he had no waiting capacity. The farmer was not able to get the advantage of higher prices prevailing at distant places because he had no capacity to transport his produce there. The advent of IT and the futures markets have made it possible for the farmers to add time and space utilities without having to move in time or space. It is rather unfortunate that the government has moved in with clay to block this escape route for the farmers. The government forgets that no prison walls have ever succeeded in containing the spirit of freedom. The farmers in Punjab and Haryana have already provided this by refusing to give their wheat to the Food Corporation of India.

Meanwhile anti-farmer forces will try to create the illusion that not freedom but a more benevolent and efficient State authority will improve the lot of the farmers.

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Why Did It Take 34 Years? (cont'd. from p.6)

abuse started with Indira Gandhi's actions prior to the 'Emergency' and subsequent vote bank politics that saw absurd laws making their way into the Ninth Schedule while violating rights and freedoms.

The Ninth Schedule saga also highlights an important aspect of the political scene in India. That for 34 years there was not a murmur of protest or legal challenge tells us that there is effectively no right-of-centre movement in the country. Yes, there are some who claim to be for reforms and markets but these are individuals who see capitalism as an end in itself while missing the underlying fundamental principle of individual freedom. It is this same mindset that endorses the state's pursuit of industrialization through SEZs on the basis of a professed faith in capitalism while looking the other way as the state violates fundamental rights and individual freedom to acquire private property. This underlying intellectual contradiction sums up why there is no

constituency for economic reforms in the country: because there is no fundamental belief in the primacy of individual freedom.

By willingly ceding our freedoms to the State, we the people have allowed the Ninth Schedule to thrive for decades. This Schedule has allowed for a perverse political culture to appeal to specific social groups and parochial interests. It has instilled a deep sense of entitlement in the politician to be entitled to legislate just about anything to suit political interests, the Constitution be damned. The Supreme Court's verdict comes as a welcome judicial antidote to the dubious politics of the rhetoric of social justice.

SHASHI SHEKHAR is a resident commentator on 'The Indian National Interest' and a regular contributor to *Pragati - The Indian National Review*.

By Arrangement with *Pragati: The Indian National Interest Review*.

Cornucopia (cont'd. from p.9)

to kiss Shilpa Shetty, in a display that was obviously playful rather than sexual.

Are these not the very acts we used to accuse our neighbour across the border of? The same fundamentalist extremism we used to feel so smug about because we were so much more civilized? Do we feel superior now? Can we even show our face to the civilized world? A fanatic is a fanatic is a fanatic: whether he calls himself Bajrang Dal, or Jaish-e-Mohammed, or Taliban.

How long are we going to continue to be silent spectators to this madness? Do we not see the danger? And we cannot shelter behind the safe assumption that it is only fringe groups who indulge in these shameless acts. That is how it always starts; with the silent majority staying silent until it is too late. That is how the Nazis came to power. A bunch of semi-literate louts in brown

shirts started parading the streets and intimidating anyone they did not like the look of; and the silent majority stayed silent. The Nazi goons started smashing windows of Jewish establishments and illegally usurping their property: the silent majority stayed silent. Their silence resulted in the slaughter of six million Jews.

Wake up, my fellow countrymen. God knows, our country has many flaws. We are governed by a bunch of indifferent, money-grabbing politicians; corruption is ingrained into every walk of life; our infrastructure is pathetic. But at least we have our democracy, imperfect as it is. We have our individual freedoms. We have our tolerant values. If we let the fundamentalists take over, what will we have left? These madmen have the potential to destroy our country. Are we going to let them?

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IT Revolution in India - The Flip Side

Electronic waste is posing a serious threat to human and environmental health. It's a disaster in the making. Sales of electrical and electronic devices are skyrocketing. Every month around four lakh new computers are sold in India. The obsolescence rate of new computers has come down from 5-6 years to 3-4 years. So we can estimate that after 3-4 years every year around 48 lakh old computers will be added to the waste stream. This number will only increase in the future. However we don't have a system in place that can dispose these gadgets at the end of their lifecycle. At present, most of the E-Waste recycling processes are extremely hazardous.

Nirbhay Dixit in *Change*, the Godrej house magazine, Mar.07-Apr.07

Between Ourselves ...

In this space, in our May issue, we may perhaps have gone a little overboard exulting in the victory of Mayawati, particularly her achieving a single party majority. Stray statements by her and those who surround her in the last three or four weeks; her anxiety to reassure (perhaps 'please' may be a better word) Mrs. Sonia Gandhi do not indicate that her undoubtedly virtuoso performance in last month's elections in Uttar Pradesh is likely to prove to be a *milestone* in terms of providing Indian democracy a much needed course correction. It looks as if in this card game called elections it was her dexterity in reshuffling the pack that brought her a majority in the State Assembly – not the wisdom of a statesman.

There has not been much of a response from you, dear readers, to our invitation to write in with your

interpretation of the UP elections. Hence the main story this time is not the return of Mayawati with a majority, but the increasing violations of our freedom of expression highlighted by the happenings in the University in Baroda. Our publisher, the Indian Committee for Cultural Freedom or ICCF as it is better known held a Saturday morning discussion on the 9th of this month. We bring you a report of this meet. We welcome your comments.

The cover story for July: 'China Friend or Foe?' is coming along nicely and will provide you with much food for thought. May be some of your friends may be interested in this subject. Please send us their names with addresses and we shall mail them the July issue with *your compliments*.

Editor

Many Voices

Axe your feet and ask why are lame. The Indian State makes lawless laws and punishes citizens for breaking them.

Journalist Arvind Kala, *Hindustan Times*, June 12

After reading all the reports of the gruesome events in Rajasthan during the Gurjjar agitation, one can only say that politicians like V. P. Singh will certain go down in history as among India's worst.

R. P. Desai in a letter to *The Indian Express*, June 7

The Talibanisation of India is under way. What else do you call a republic where artist after artist is feeling insecure.

Pratap Bhanu Mehta, President, Centre for Policy Research, *The Indian Express*, May 21

I am one who believes that India's president of today (and of tomorrow) can, and must, play a more meaningful role in the governance of this great country. The times urgently demand it. and the Constitution does not (within limits) prohibit it.

Eminent jurist Fali Nariman,
The Indian Express, June 5

Is it a coincidence that every time the Narendra Modi government finds itself in hot water, a saffron-tinged 'cultural' issue crops up that helps divert attention from its troubles ?

A Report in the *Outlook*, May 28

It is a sad irony that as our economy liberalises, our minds seem to become more closed and narrow.

Art critic Gayatri Sinha, *Outlook*, May 28

Have you noticed how some journalists, in their hunger to be on television, tailor what they're saying to the taste of the host?

Charles Peters, Founding Editor, *Washington Monthly*,
April 2007

Is Parliament a mere rubber stamp? Then it must be the most expensive one in history.

Editorial in *The Sunday Statesman*, May 20

No danger is larger than those related to ageing.

Fidel Castro quoted in *The Week*, June 10

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