

Freedom First

The Liberal Position

British Election 2010: How Everybody Lost It

Lest We Forget

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From Our Readers

On *Freedom First*

Please accept my small donation to *Freedom First*. The liberal voice of the esteemed journal is very much needed for the good and well-being of the nation. Liberalisation is being confused with liberalism. Liberalisation and privatisation going on in our country without regulation is nothing but crony capitalism. In the process we are getting the worst of both the worlds. Economic reforms without equity and social justice are unsuitable to our country.

I do think we should make more efforts to make *Freedom First* commercially viable by raising subscription rate and more crucially by getting more advertisements from sympathetic business houses.

Professor Ramesh Babu, Hyderabad.
babubramesh@rediffmail.com

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As an ardent reader of *Freedom First*, and a keen observer of the excellent mission being carried out by you and your colleagues, I feel guilty that I am not in a position to contribute much financially for the continuation of your wonderful publication.

I enclose a small donation as a humble sign of support to your cause.

I was reminded of the little publication called *Opinion* published by the ICS Officer A. D. Gorwala which my grandfather used to regularly subscribe to. I remember as a student in the days of the Emergency, when printing of the publication was banned, he used to get people to write out individual copies and post them! I wonder if you could explore into its past issues and reproduce some of the memorable articles.

I wish you all the very best in your selfless and sincere work, and would like to put on record my deepest appreciation and to tell you in simple words: Thank you very much for enlightening us!

Dr. Ali Khwaja, Bangalore.
alikhwaja50@gmail.com

Civil Liability for Nuclear Damage and Statues of National Heroes

Thanks are due to Mr. Sharad Bailur for so lucidly dispelling the misapprehensions on the Civil Liability for Nuclear Damage Bill (Stop a Nuclear Disaster *Freedom First*, May 2010) proposed to be tabled in Parliament in the forthcoming monsoon session. Surely, the disadvantages of not passing the Bill far outweigh the advantages.

As regards Dr. P. M. Kamath's 'Shivaji's Statue in the Arabian Sea', I beg to differ with his proposition that a Shivaji statue in the Arabian Sea at Mumbai, or for that matter, any other statue anywhere else, will be a first line of defence and an intelligence gathering centre. The suggestion seems to be far-fetched given the fact that the present day terrorist activity or warfare is increasingly getting electronic and satellite-oriented and also remote-controlled. Even assuming that the proposed great Maratha warrior's statue will serve as a watch tower against any terrorists attempting to sneak into the metropolitan city through its coastal waters, it is not certain that the terrorists will invariably come in the line of sight of the statue. Except for those 10 terrorists of the 26/11 Mumbai mayhem, all others involved in other cases were believed to have entered the country through the land border.

Instead of indulging in the luxury of statue installation like Mayawati, it is better to strengthen the network of existing lighthouses, ports, fishing harbours and other marine establishments and sensitize them to work as sentinels against any suspected mischief-makers, foreign elements and their nefarious activities at vulnerable points on the sea coast. That apart, we have to beef up our coastal police establishments, Coast Guard and Navy commensurate with international standards. Installing a string of statues on the coast will only help our greedy politicians to line up their pockets further.

The proposal that the statues becoming a tourist attraction is also debatable given the fate of the existing tourist places having already become havens for real estate sharks and all sorts of unscrupulous business men.

Ranga Rao DS, Mumbai
dsrangarao@gmail.com

From Our Readers

Let Truth be not the Casualty

The article by Mr. Ashok Karnik on Indo Chinese relations in *Freedom First* January 2010 seems weak on facts.

Jawaharlal Nehru had no capacity to take a bold stand in front of China. But when he was criticised he said it was not proper to make noises about our intentions. It created an impression as if he was taking all necessary steps to safeguard Indian interests but quietly when, in fact, he was incapable of doing so. So we have every reason to demand a clear policy from the government, so that there is no confusion about anything.

As far as Chinese duplicity is concerned it was nothing as compared to Jawaharlal's duplicity. It was he who was cheating India and not the Chinese. It will become clear if we read Sardar Patel's letter or read the debates on foreign policy in the Constituent Assembly in the year 1950. India has political rights in Tibet which even China did not have. In the year 1949-50 China bluntly declared that it will liberate Tibet. It was an attack on Indian rights. Nehru declared he did not know from whom China would liberate Tibet. He declared China a friend. China was behaving like a bully. Bullies don't need cheating.

Acharya Kripalani called Panchsheel "Five Sins" and an agreement "born in sin".

China completed the Aksai Chin Road in the year 1957. I.B. Chief Mullick claims that he had kept the government informed about its progress all along. Nehru hid this fact from the country and went on calling China a friend. He informed Parliament for the first time in 1959; that too only when he was forced to do so. Acharya Kripalani said that the prime minister was not keeping parliament informed and even on being forced to speak out he was not giving full information. Who was cheating? China or Nehru?

A foreign journal put it this way, 'When Nehru was policing the world China was encroaching upon Indian territory.

It was not China but Nehru who first spoke of 'customary and traditional boundary. China simply took a brush and showed large parts of India as Chinese territory. On being questioned it gave an answer which

elated Nehru. He declared, "And now I tell you something. These are old maps. The Chinese have not found time to revise them." As if on revision China would accept Indian claims.

The British had taken full care of border areas with Tibet. With Tibet being secure, grazing rights was not a problem.

Forward policy was stupidity of the highest order. I just want to know if such a thing has happened anywhere else in the world? Those who opposed this policy were punished. Had war with China not taken place history would have judged the correctness of the forward policy. But with the 1962 war with China it has become clear that forward policy was crookedness of the highest order. The blood of the soldiers in the war is on the hands of Nehru.

Because we have a large though difficult border, the British had successfully kept the Chinese away. Immediately after independence we lost the safety of the border. Even now we again and again declare Tibet as part of China. It is a big shame. Are we the certifying agency to declare to whom Tibet belongs? Even the Dalai lama refuses to declare Taiwan as part of China.

Before the British came to India there was no border issue with Tibet. McMahon Line is the natural and sensible border between India and China. What is the meaning of talking tough? Tough talk is meaningless if we are not well prepared for any eventuality. It is amazing that nobody is questioning why we don't make our own war planes, guns, warships, helicopters and the like. The Chinese stared after us but are capable of manufacturing most of their armament. This is a very serious drawback. We can't go on spending thousands of crores of rupees every year to buy our requirements and at times of war the supplies may stop.

So in the end I would say we should be ready to protect McMahon Line and our full border. We have no business to declare Tibet as part of China. The proof of our preparedness will be the day on which we can declare that Tibet is not part of China but an occupied country. But as we can't even speak truth such a day seems far off.

Mr. Ajay B. Agrawal is the author of "India Tibet and China – The Role Nehru Played"
Mobile: 99870 44100; agrawal3@hotmail.com

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British Election 2010 : How Everybody Lost It

Christie Davies

All that the Conservatives have won is the burden of responsibility for their predecessor's failures.

Everyone lost the British general election of 2010. Labour (258 seats, 89 fewer than before) lost, the Conservatives (306 seats) lost, the Liberal Democrats (57 seats) lost and the Scots and Welsh nationalists lost. The people lost because the government is now a coalition between two incompatible parties that will combine the worst qualities of each.

Labour lost because there was a large swing of votes away from their party, as voters came to realize how close Labour's high spending, high regulating and high borrowing policies had brought the country to economic disaster. Labour had been complacent and profligate during a long global boom for which they tried to take the credit and in consequence the country was badly hit by the global recession. Labour support only remains strong in the 'rust-belt', those once industrial but now decaying and backward parts of the country that are utterly dependant on government subsidies and welfare, notably the North-East of England, parts of Yorkshire, Lancashire and Glamorgan and above all Scotland. If Scotland were independent, it would be bankrupt, which is why the Scots voted heavily for Labour, the party that fills their begging bowl, rather than for the Scottish Nationalist Party, which with only six seats failed miserably in the election, as did Plaid Cymru, the Welsh nationalists.

The Conservatives lost because they could not gain an overall majority even when Labour had clearly wrecked the economy. All the parties have warned that the size of Britain's deficit is so great that there will now have to be large cuts in public spending and major tax increases but Labour was better at lying about it. Labour pretended that the level of provision of services to the public, such as schools or the police, could be maintained despite financial cuts, by making institutions more efficient and that there was no need to increase the main tax on consumers' expenditure, the value added tax. Now that the unattractive and inept Gordon Brown with his humbugging 'moral compass' has been booted into oblivion by the voters, the new Labour leadership will exploit without scruple the unpleasantness of the harsh fiscal measures being introduced by the new coalition government, measures that Labour deliberately postponed until after the election, knowing that the odium would

fall on someone else. They lost this election but have cunningly set themselves up to win the next. All that the Conservatives have won is the burden of responsibility for their predecessor's failures.

The Liberal Democrats lost because they remain a small party and indeed a regional party with seats mainly in peripheral areas, notably South-West England. British voting patterns have gone geographical. The Liberal Democrats have entered the coalition government reluctantly as a junior partner and there are major differences of philosophy as well as policy between them and the Conservatives, which will sooner or later tear the coalition apart, not on economic issues but on symbolic ones. The Liberal Democrats want strict controls on carbon dioxide emissions for climate change reasons, yet are violently opposed to nuclear power plants or to halting the very rapid growth of the country's population through immigration. It is a contradiction that will lead to massive power failures; no coalition can survive the lights going out.

Historically the Conservatives have always been the patriotic party but the Liberal Democrats want to hand over ever more power to the European Union. Britain pays out far more to the EU than it receives back and although it has its own currency is being asked to prop up the unsustainable Euro zone system. The single European currency has been a disaster for both the weak economies such as Spain or Italy or the corrupt ruin that is Greece because they cannot devalue and also for the only really strong economy in Europe, Germany which is now faced with paying off the debts of Europe's Mediterranean failures and getting nothing in return. The Liberal Democrats want to drag their coalition partners into this morass, indeed even to the point of joining the Euro. The Conservatives would like to take back some of the powers Labour ceded to Europe and can see that it is a bureaucratic monster that always favours more regulations, frustrates entrepreneurship and denies the market-place. Those who run Europe hate the free exercise of individual choice whether by consumers and producers or by voters in referenda. They want a chumchocracy, rule through the servile employees and lackeys of the political class, who, like spoons, scoop and scrape at the will of the one who

holds the handle. Europe is the high-road to serfdom. Europe is the issue that will sooner or later tear the coalition apart.

The only thing that holds the coalition together is that the leaders of both parties are Brahmins, a caste that was for a brief time pushed aside by Mrs Thatcher, whose cabinet was filled with men and women from ordinary backgrounds who had risen through their own efforts. Now the public-school educated 'toffs' with their plummy accents are back in power. David Cameron is an old Etonian and his dear chum, George Osborne, eldest son of a baronet, was at St Paul's. At Oxford they both belonged to the raffish hard-drinking, hard-spending Bullingdon Club. Clegg was at Westminster, another elite public school. They even manage to look alike, smooth,

featureless, groomed for television. Indeed in both appearance and manners all three of them greatly resemble George Nathaniel Curzon, that "most superior person". They have nothing whatsoever in common with the ordinary people of Britain. They have no idea of how we live or feel or think; if by chance they gain some glimmer of understanding of those beneath them, it only confirms their inborn sense of superiority that makes them feel that they alone are fit to rule. Neither capitalism nor democracy are safe in their hands. Their patrician hands were made for wielding spoons.

PROFESSOR CHRISTIE DAVIES, a political sociologist and the author of *The Strange Death of Moral Britain* (Transaction 2006) was a visiting scholar in India in 1973-4 and wrote regularly for *Quest* and *New Quest*, whose editor A. B. Shah he greatly liked and admired.

"Is Terrorism "existential" and an "acceptable risk?"

Foreign Affairs, the journal published by the US Council on Foreign Relations carried an article recently which asserted that terrorism is far from an existential threat. Instead it presents an acceptable risk, one so low that spending to further reduce its likelihood or consequence is scarcely justified. Visit <http://www.foreignaffairs.com/articles/66186/john-mueller-and-mark-g-stewart/hardly-existential>.

We brought this view to the notice of our two experts on the subject: This is what they have to say:

"Established governments have to carry on their constitutional obligations" - V. Balachandran

This is the usual debate between those who say that more deaths are caused by other causes like civil war, malnutrition, epidemics etc., than terrorism. For example IANSA (International Action Network on Small Arms) of which I am a member, estimates that small arms cause 1,000 deaths a day. 874 million small arms are floating around the world, 74% being owned by non-State actors or private persons. These private weapons outnumber government holdings by 3 to 1. They feel that we have to outlaw small arms. 8 million guns are manufactured every year. IANSA says that gun making countries like USA, UK, France, Russia, China, East European countries and India are not willing to put restrictions. They say that much more resources are earmarked to fight terrorism than other causes.

Most of what they say is true. But terrorism causes fear, psychological damage to the public, makes them lose faith in the government and is also a direct challenge to

any government. From that point of view all governments give priority in dealing with terrorism. At the same time it is also true that more repressive measures beget more terrorism. Terrorists innovate and become more lethal when confronted by State brutality. Palestinian-Israeli conflict is an example... That's what Arundhati Roy etc say about our Maoists. They say that they are only meeting State terrorism. Unfortunately there is no answer to any of these. Established governments have to carry on their constitutional obligations.

V. Balachandran.
vappala.balachandran@gmail.com

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"Terrorism is a threat to the existence of the State" – Ashok Karnik

This is the usual red herring to argue that terrorism is less dangerous. One difference is that other deaths are incidental/accidental while terrorism is specifically directed at innocent population in order to create terror. It is like an attack by an enemy, deliberate and calculated. It cannot be compared to deaths by small arms use or road accidents or death by malnutrition. Terrorism is also aimed at weakening and then toppling the existing order; it is thus a threat to the existence of the state. Other dangers may be reprehensible and need to be eradicated but the two cannot be equated.

Ashok Karnik. Ashokkarnik2001@yahoo.co.in

The Imposition of the Emergency – 35 Years Ago

What has not been adequately publicised is the role played by the late Mr. A. D. Gorwala ICS and his highly respected little journal *Opinion*.

What led Mrs. Indira Gandhi to declare a state of Emergency? Minoo Masani writing in *Freedom First* (No.425 April-June 1995) recalled inter alia:

“On 12 June 1975 Mr. Justice Jag Mohan Sinha of the Allahabad High Court passed a judgement on the petition filed by Mr. Raj Narain against Mrs. Indira Gandhi’s election to the Lok Sabha from Rae Bareilly in the 1971 General Elections. ...Mrs. Gandhi was found guilty not only of several corrupt practices but of not having told the truth when under Oath in the witness box.

“There is no question but that, in Britain or any other Western country, the Prime Minister of the day would have promptly resigned...and the law would have taken its course...

“Jayaprakash was in Patna. He was persuaded by Raj Narain to move to Delhi in order to spearhead a mass rally in the capital which was to demand Mrs. Gandhi’s resignation...This rally took place on the evening of 25th June..

“This was obviously a provocation for which the Prime Minister was waiting. Within hours, an exercise which obviously had been kept ready in every detail was put into operation and on or around the midnight of the 25th not only Jayaprakash, Morarji Desai and other national leaders of every political party, except the Congress, were taken into custody...but thousands of political functionaries including some Congressmen were also rounded up...

“Having thus made this constitutional *coup d’etat*, the Prime Minister found it fit to convene a meeting of the cabinet in the early hours of the 26th and to present it with a *fait accompli* ...Even before the approval of the Cabinet. Mrs. Gandhi had been to Rashtrapati Bhavan and got the President to affix his rubber-stamp to the Proclamation of Emergency..”

For the next eighteen months Indira’s India was one big prison house. This month on the 25th we observe the 35th anniversary of this Black Day.

The story has been well told in numerous books on the subject. *Freedom First* itself was affected and even while taking the censors to court, we shut down for 6 months rather than submit to pre-censorship. *Quest* the popular literary bi-monthly published by the Indian Committee for Cultural Freedom had to shut down, never to reopen.

What has not been adequately publicised is the role played by the late Mr. A. D. Gorwala ICS and his highly respected little journal *Opinion*. On this 35th anniversary of the bogus ‘Emergency’ we have pleasure in bringing to the notice of our readers a unique 2-page back to back cyclostyled issue of *Opinion* a journal that in any other country would have been remembered with awe and gratitude at least by the fraternity of journalists for the fight A. D. Gorwala put up to assert the citizen’s fundamental right to freedom of speech and expression, Gorwala tells why he had to resort to cyclostyling to reach his readers.

OPINION

Annual Subscription Rs.2

Vol.XVII 8th June 1976 No. 5-7

Weekly Copy Ps 5

OF OPINION

Many have been the interested and anxious inquiries about *Opinion* in the last month and especially in the last two weeks. “Look,” said a reader. “*Opinion* is an old and valued member of our family. We look forward to it every week. You mustn’t keep any secrets about it from us, we must know everything, we’ve a right to”. Said another: “ It often says things we’ve been thinking for quite a time without being able to bring them out exactly, it’s a part of us. Now you can’t hide things about it from us, can you?” Let me assure you, friends, I have never had the least intention of keeping anything for placing the facts from you. It was only a question of the proper time for placing the facts before you. The time would seem to have come now. In view of that and your insistence, here is the tale of *Opinion*’s Recent Tribulations.

As a prelude, let me tell you about pre-censorship, the process by which an editor, so directed, has to obtain the permission of the Censor to everything he wishes to publish. After some experience of this process, I found it quite incompatible with the editor's duty to his readers and the country. I accordingly proceeded without it, but keeping in mind the real purposes of censorship, the not making of prejudicial reports regarding the Defence of India and Civil Defence, the Efficient Conduct of Military Operations, the Maintenance of Public Order, Internal Security, and the Public Safety. I also took into account the well-established view that criticism of personalities in government or of measures of government, even if vigorously expressed is not the same as bringing the government established by law into hatred or disrepute.

On the 28th of March arrived a notice from Government calling on me and the keeper of the press printing *Opinion* to show cause why ten issues of *Opinion* (names and dates given) should not be forfeited and why the press in which they had been printed should also not be forfeited. On the next day, the keeper of the press, which had printed *Opinion* for sixteen years from its beginning, informed me he could not print it any more. The reaction was natural in view of the massive threat. So there we were, paper and Editor, at the end of our tether, without a press and with no likelihood of a press in future, considering the dark forfeiture cloud overhanging the horizon. In the event, however, a small press proved willing to accept the burden, and despite much harrying, coped with three issues; thereafter, another and even smaller one produced two; to give way to still another which could produce just one issue, before an attack from another direction wholly stopped production.

To complete the show cause notice incident, within the allowed ten days, information was requested on my behalf as to which of the rules each of the mentioned articles was held to be in breach of, so that a full and appropriate reply could be made to the notice. The request remained unanswered, despite a reminder, and later the articles were declared forfeited, according to a press report purporting to convey the substance of a Gazette notification.

While all this was going on, the 30th April saw an order served on me demanding that within fifteen days of service I deposit Rs.25,000/- with the Commissioner of Police, Greater Bombay, as the ten articles of the earlier notice and three others published since, contained prejudicial reports 'to promote feelings of enmity and hatred between different classes of people in India' and 'to cause fear or alarm to the public or to any section of the public'. Within the fifteen days, a petition was filed

before the High Court and the hon'ble judge has stayed the order. Thus the matter stands adjourned.

Soon came another blow. The issue of the 18th May, the postal authorities would not take over for transmission because, it appeared, of directions from the Censor. After much visiting of offices at all levels it turned out that not only were the postal facilities ordinarily allowed to newspapers, like posting without prepayment, to be disallowed, but *Opinion* even with full ordinary book-post postage paid, would be taken out in sorting and not forwarded onward. What use was a journal which just couldn't be distributed by post? Severe were the penalties laid down for those who carried by other means what normally should go by post, and I could not contemplate putting others to such risk, even if they were available, and even if readers were not in fact widely scattered over the country. Thus the issue of the 25th May was not printed nor that of the 1st June. I read with a wry smile the Sr. Supdt. Of Post Offices' pronouncement that I must obtain a clearance from the Censor before making any future postings. The learned in the law said there could be no challenge, so, unless I accepted the pre-censorship, this point in time, of the Censor's instructions to the Post Office, had to be the end. But with pre-censorship, the objectives of *Opinion*, the offering of 'fair comment' in the sense often described in these pages, could not be served. Well and skillfully had *Opinion* been hunted and killed.

An era had ended. What next in the interest of the people? Inchoate, fragmentary thoughts appeared and disappeared. Then suddenly it seemed the era had not ended. The Censor rescinded his instructions. Why, how, who, what, naturally surged through the mind. But today to itself. Hence this, readers, with apologies for the two missing before this. And the future for *Opinion*? I know not. All it and I can offer is diligent service from day to day. As it is, this issue has had to be cyclostyled.

This tale of tribulations would be incomplete without mention of happenings in the Metropolitan Magistrate's Court today (4-6-76). For the first time in my seventy-five and a half years I stood accused of offences, and for the first time too I was found guilty and fined. In this disorganization following upon the refusal of the old press to continue printing, I failed to pay proper heed, it was said, to certain provisions of the Press and Book Registration Act about declarations, print lines, etc. And the authorities pounced.

Meanwhile, the Prime Minister with her whole family moves on to Moscow on Tuesday. Absolutism is the abiding characteristic of the Soviet Union, so the visit

can arouse nothing but forboding in the hearts of every lover of true democracy and every lover of this country. Moscow's men are thick on the ground here already; Moscow's methods are being put into practice more and more. Is it not most harmful to strengthen both? Even as the head and originator of an ascending authoritarianism, our Indian Prime Minister might ask herself that question.

Let her also remember that though she may think she knows all the tricks, she is bound to lack the unyielding persistence of the Russian Chief's to whom, unlike even to her, "All is Politics". When such a leader goes to visit such allies to cement existing very close ties, it is said, God's Mercy be upon this unfortunate land and its unhappy people!



This month in June 1953

The Scientist's Responsibility

- Philip Spratt

Exasperated liberals in America have complained that the anti-communist "hysteria" there has made peace a wicked word. It may seem queer, but in fact we are quite justified if we infer that a body which passes resolutions demanding peace is under communist influence. When that body also demands a ban on atomic weapons, condemns bacterial warfare, or accuses America of waging it and exclaims in horror at napalm but says nothing about the difficult political and ethical problems involved in getting peace our inference is confirmed to the point of certainty.

Ordinary people do not think it necessary to demand peace, nor suspect their governments of secretly working for war, and in this they are justified. Such suspicion is the product of communist paranoia where it is not cold-blooded invention. In particular, ordinary people do not address demands for peace to governments engaged in a defensive war against unprovoked attack. The demand for peace on this side of the iron curtain means: "We want the communist aggression in Korea to succeed".

(The late) Philip Spratt was a British communist sent to India to found the Communist Party of India. After serving time in prison for his part in the Meerut Conspiracy Case, he renounced communism, worked with M. N. Roy in the Radical Humanist movement, was editor of Mysindia a respected Bangalore weekly and later editor of Swarajya, the Madras weekly during Rajaji's lifetime. This is an excerpt from his article.

Trojan Camel

Even more disturbing is the election to the Upper House of Parliament with Congress support, of Mr. Krishna Menon whose real political coloration is surely well-known by now and who bids fair to be the evil genius of Indian political life. That a man with his record should be allowed thus to smuggle himself into Parliament by the backdoor will appear to many as swallowing the Trojan camel while straining at the gnat of "Peace" committees. This election is all the more sinister in that it is believed in knowledgeable circles to be a first step to in the bid to smuggle Mr. Menon into the Union Cabinet.

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History's Revenge

The report published by the *Daily Sketch* in London that Stalin's youngest son, a General in the Red Army, was in disgrace and that he had secretly left Moscow "taking with him a copy of his father's will – of which he is an executor – having failed to get Malenkov's permission, to release it" is replete with historical irony. Three decades back when Lenin died leaving a Testament denouncing Stalin for his arrogance, Great Russian chauvinism and dictatorial methods, Lenin's widow Krupskaya had been similarly prevented by Stalin from publishing Lenin's will which was damaging to the aspirations of his successor. The Testament was published abroad by Lenin's friends, but to this day its publication is a crime in the Soviet Union. Now history has its sweet revenge and Stalin's son is prevented by his successor from making known the dead dictator's last wishes.

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The Great IPL Circus

Firoze Hirjikaka

It is a given in our glorious socialist democracy that wherever there are obscene amounts to be made, our 'leaders' will not be far behind. Another unwritten law is that their family members must share in the loot.

The Indian Premier League (IPL) circus has left town for the moment, but in its wake, it created the biggest buzz this country has experienced in decades. And why not? It had money, romance, sleaze, embezzlement on an epic scale; and unsavoury revelations about the highest and mightiest: in short, all the ingredients guaranteed to ensure a blockbuster success.

The IPL saga can be viewed as a morality play, where one of the seven deadly sins, greed was predominant. However, it was one of the lesser sins, pride, that eventually brought the house of (credit) cards crashing down. For close to three years, the IPL gravy train was chugging along merrily. The well heeled passengers were making money hand over fist, the celebrities among them were idolized and the gullible and adoring public was none the wiser. Then a clash of egos between two self-important personalities loosened a fishplate and the engine derailed.

Lalit Modi was the undisputed monarch of all he surveyed. He had it all; a corporate jet that he used like a local taxi, a luxury yacht and security worthy of a cabinet minister. He wined and dined with Bollywood superstars and giants of industry. But above all, he had power. Nominally, he was lower down in the food chain than the top honchos of the BCCI, but in reality, he was answerable to no one. He achieved his omnipotence – like the Godfather - by making them offers they couldn't refuse and by subtly enmeshing them in dubious financial transactions. As long as the money kept rolling in, no one was going to rock the boat. Besides, he knew too much.

So how did Lalit Modi's empire suddenly collapse like a house of cards? As often happens in such cases, the power went to his head and his legendary caution and acumen deserted him. When that inveterate Twitterer, Shashi Tharoor had the temerity to leak to the online universe that Rendezvous Sports World, the Kochi-based consortium that had bagged one of the two new IPL franchises up for grabs, was being pressurized (bribed) by Modi to relinquish their ownership in favour of a consortium from Gujarat, the IPL boss went ballistic. He publicly disclosed the identity of the shareholders of the Kochi consortium and, rather vindictively added the name

of Tharoor's love interest, Sunanda Pushkar - hinting that she was a freebooter who had been given a substantial stake for nebulous services to be delivered in a vague future. This set the stage for a fascinating case study about how egos can derail the thought processes of the most intelligent men. Let me elaborate.

For Shashi Tharoor it is was love; and he landed in the soup. It is a tale as old as time. Carrying on the inglorious tradition of Jezebel and Delilah, Sunanda Pushkar marked her man – and he was doomed from the start. Tharoor found himself on the edge of a precipitous slope and the Congress, finding itself in an embarrassing position, pushed him over. A man who prides himself on being the suave diplomat committed the unpardonable sin of wearing his heart on his sleeve. He was guilty of the very indiscretion he scorned in his less sophisticated colleagues.

At its most basic level, the problem between Tharoor and Lalit Modi is a clash between two overweening egos. What is surprising in this case is that Tharoor's attempt to put Modi in his place became so blatant and so uncharacteristic of his usual style. A seasoned diplomat, before he puts anything out in the public domain, always weighs the impact of his words, the likely repercussions; and the potential benefit to him. The diplomat Tharoor would have given Modi his comeuppance by proxy, while remaining discreetly behind the scenes himself. He would not have displayed his angst so openly. The danger with spilling skeletons out of the closet is that it is very difficult to distinguish your opponent's skeletons from those of your own.

So what, or who, goaded Tharoor to behave in such an uncharacteristic manner? Who lost Caesar the world? A woman. In my personal opinion, the lady was adamant that the price of her favours was the sweetheart of all financial deals: a risk-free, investment-free stake in a guaranteed money spinning machine. In his eagerness to please, Tharoor became reckless. He openly deputed his Officer on Special Duty to attend the IPL auction, which contradicted his defence that his role was restricted to that of a mentor. Modi, of course, provoked him by leaking details of the largesse afforded to Pushkar; and the lady

forced him to retaliate.

Tharoor was forced to resign. If I may be permitted a slight aside here, I believe his exit was inevitable, even without the IPL controversy. Tharoor belongs to a breed that is utterly alien to the Indian political class. He represents qualities such as sophistication and frankness that bewilder and enrage his ministerial colleagues. He just does not fit the mould. He has not mastered the art of self preservation that seems to come almost naturally to our politicians. For sure, he survived this far because of Manmohan Singh. Sonia Gandhi and her son were partial towards him. He was one of the few ministers they considered their social equal. In the end though, he had to be sacrificed on the altar of political expediency.

The latest news is that the winsome Pushkar has given up her IPL stake. Well, she was left with little choice really. She rolled the dice and she lost – this time. I have a feeling it won't be long before the enterprising lady latches on to another gold mine. The hapless Tharoor finds himself currently without a job, but not, I suspect, for long. Judging by the rapturous reception he received in his home town, he has proved that he has the one quality prized by all politicians; the ability to win elections. Like General Macarthur, he will be back.

A side attraction of the IPL circus was that some of India's Bollywood and cricket divinities were discovered to have feet of clay. It was rumoured that Shahrukh Khan, Shilpa Shetty and Preity Zinta had been caught with their hand in the till. Esoteric phrases like 'tax havens', benami contracts' and even 'money laundering' were being linked to their job descriptions. Sunil Gavaskar and Ravi Shastri were accused of accepting payment for serving on the BCCI governing council. Apparently it did not occur to Krishnamachari Srikanth that simultaneously being Chairman of the Selection Committee and a brand ambassador constituted conflict of interest. The axe may finally fall on Lalit Modi, but it will be interesting to observe

what retribution will befall these demi-gods. My estimate is that they will get away with, at most, a slap on the wrist. In our country, the cult of hero worship is so powerful that the 'gods' are above the law, above human values and often beyond belief.

Last but not least are the political heavyweights, Sharad Pawar and Praful Patel. It is a given in our glorious socialist democracy that wherever there are obscene amounts to be made, our 'leaders' will not be far behind. Another unwritten law is that their family members must share in the loot. Sharad Pawar's son in-law conveniently "inherited" a substantial chunk of an IPL franchise; and Praful Patel's daughter landed a cushy job in another as "hospitality manager". But to give the devil her due, she proved her worth. Whenever her team, the Mumbai Indians, needed transport to an IPL match venue, she simply called up "daddy" and an Air India commercial flight was instantly transformed into a charter flight. It was all above board, of course, as the airline MD testified – like he was going to defy his minister, who had the power to transfer him to Timbuktu.

At the time of writing this, there seems to be a temporary lull in the proceedings – at least as far as the media is concerned. What this implies is that the wheeling and dealing is going on at a frantic pace behind closed doors. Deals are being brokered, innovative spins are being created to salvage reputations; and the slush funds are being dispersed among such a labyrinth of shell companies that they will be impossible to locate. As for Lalit Modi himself, his reign as cricket czar is probably over, but I will not weep for him. If he is shunted out, he can console himself on his luxury yacht in the Mediterranean and pop over to Switzerland on his private jet every month to withdraw a few million dollars for 'expenses'. If that is regarded as punishment, I wish someone would visit it on me.

MR. FIROZE HIRJIKAKA can be contacted at leonardo8_99@yahoo.com

The Fruits of War in Afghanistan

The most immediate political consequence of the current military repositioning (US working towards an early withdrawal) may relate less to Afghanistan itself than to India. New Delhi has invested heavily in efforts to expand its influence in Afghanistan: it has delivered around \$1 billion in aid, many development programmes, and even training of the Afghan military. All this is anathema to India's key rival Pakistan, which otherwise sees the prospect of a US withdrawal and a subsequent Taliban recovery as its opportunity to establish control in Islamabad's "backyard". Thus while the Pakistani army is combating militias in northwest Pakistan, including Pakistani elements of the Taliban, Pakistan's powerful Inter-Services Intelligence (ISI) and other agencies will be increasing their links with the Afghan Taliban.

The realities of blowback are evident here, as they are in Iraq where seven years of war in Iraq have resulted in increased Iranian influence. A decade and more of war in Afghanistan may now end with renewed, Pakistan-backed Taliban influence in the country. This is hardly what Washington - or New Delhi - wants to see happen. But the combination of an unwinnable war and an American electoral timetable creates its own inexorable force.

Excerpted from an article by Paul Rogers "Afghanistan, A Phantom endgame".

Courtesy: *Open Democracy* 3 May 2010

Point Counter Point

Ashok Karnik

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

Lalit Modi and Shashi Tharoor

1. The Indian Premier League is causing waves for reasons good and bad. Its unprecedented success floored many sceptics both among cricketers and non-cricketers. Cricketers firmly believed that the 'tamasha' cricket would not survive. Non-cricketers argued that a business venture of this type was unmanageable and the bubble was bound to burst. Instead, in three years, it tripled the investment of those who had ventured to buy the franchises. There was clamour for more teams and more business houses were prepared to pour money into the venture. That is where the trouble started. Its very success attracted adventurers to the IPL. A simple enterprise of investing money in a sporting activity with no great hope of profit turned into a battle for money and fame. The contest for two new franchises turned into a no holds barred fight. While huge amounts were thrown into the ring, other influences were brought into play. Shashi Tharoor's 'honest' attempt to bring the IPL to his own state (Kerala) became controversial because the investors in the Kochi franchise tried to remain invisible. The exposure of their identities brought the dirty linen tumbling out. One of the beneficiaries happened to be Tharoor's female friend. Nothing more was needed for our evangelist brigade to suspect the worst and Tharoor had to resign. The injured side alleged that the entire IPL business was rigged from the beginning; how Lalit Modi, the IPL honcho, had manipulated every thing. His own colleagues in the cricket world, who had basked in his success, found everything Modi had touched to be suspect. Modi had to go. More 'sleazy' details started pouting out with reports of Income Tax raids all over India. Every day, new revelations poured forth: kickbacks, offshore holdings, diverted air flights, match fixing and more "Breaking News". Every rumour became gospel truth for the media. Nobody had the time to recheck anything. Investigative reporting became a contest for the more sensational news. Where would it all end, nobody is sure.

1. The Indian habit of denigrating every thing that is successful can be traced to our humble, hungry past so that material success is derided and 'spiritual' attainments lauded. The very success of the IPL was enough to make it a target; it is alleged to be vulgar, just razzmatazz without any cricketing merit, black money spinner, a betting paradise *et al.* Wherever big money goes, can corruption be far behind? Finally, as the last shot in all such cases, there were demands that the Government should take control of the racket; otherwise the country would be captured by those rolling in black money. Nobody had time to study the argument that Modi had brought in his cronies to buy IPL marketing rights since nobody else was interested in the IPL in its first year. The first estimates of financial experts were that the franchisees would lose heavily for three years before they broke even. Even now the heavy investment made by the two new franchisees is considered foolhardy and the guestimate is that they would lose as the IPL loses its sheen! The real grouse is that we do not have that kind of money to play around with. Tharoor and Modi are just sidelights. The IPL is under scrutiny as it should be but our record suggests that it may all be smoke without a trace of fire. There are various stages like committing irregularities – then illegalities - and then fraud. Where do Modi and Tharoor fit? We have dozens of cases of corruption going nowhere. Our moral outrage is usually short-lived. Meanwhile, an enterprise that shook the cricketing world and brought India on the centre stage is being dismantled, not by its foreign rivals but by our politicians and sports administrators. Let us wait for the investigations to be completed and not be in a hurry to throw away the baby with the bathwater.

Defence of Naxalite Violence?

2. Arundhati Roy, the famous author, is so articulate and smooth that she can defend the indefensible with great conviction. In her recent writings and TV interview (IBN/CNN -April 16) she made some points which may stump the unwary. She has all the answers but no solutions. She claimed that the violence let loose by the Naxalites

2. The apologists of Maoist violence are good at pontificating on how everybody else is wrong and criminals have reasons for doing what they do. They are good at the blame game. They talk of poverty, which is undeniable, injustice, which is unfortunate but project it as universal, accuse the State of carrying out genocide,

is only in response to the unspeakable atrocities committed against them. She justified such violence although she is opposed to violence *per se*. (This confounds us all). She explained the massacre of 76 CRPF jawans with ingenuity. “Maoists are forced into violence” as she put it. She alleged that the State is pushing the poorest of the poor (CRPF) to fight the poor and therefore the unfortunate CRPF jawans were victims, not of Maoist violence but of the structured violence of the State. This intellectual somersault is even more baffling to the uninitiated in dialectics. She condemned all development programmes as a conspiracy by the corporate world to usurp the rights of the adivasis. She explained away the destruction of schools by the Maoists by questioning whether there were schools in all non-Maoists areas. This kind of response is a convoluted way of avoiding difficult questions. She described our democracy as a sham, of use only to a selected few. She holds that the naxalite resistance in India is the most laudable in the world and those who have seen the plight of the adivasis would feel proud of their fight against injustice. Short of taking up a weapon herself, she does everything to back the Naxalite violence. (This is a gist of what she said, not a verbatim reproduction).

the Government’s attempts to establish the rule of law as the corporate world’s attack on the innocent; claim that the State has already been overthrown by the corporates. Anybody who does not agree with this logic is an agent of the corporate world. End of debate since you are left with nothing to say. It is not as if everything is fine in the country but is mindless violence the answer? Does it not worsen the disastrous situation further? The advantage that such intellectuals enjoy is that they do not have to suggest solutions; it is enough to condemn the State, debunk all development programmes as anti-poor and shed all responsibility for consequences of their actions. Arundhati Roy defends the Maoists while keeping herself separate from them. She cannot be accused of advocating violence even when she justifies it. It is a very clever ploy to run with the hounds without joining the pack. The paradox is that they enjoy all the rights under the Constitution they debunk. Arundhati Roy is reportedly being prosecuted in Jharkhand for her writings but that would not deter her as any action against her would add to her halo. The Government is thus caught in a double bind and the ‘over ground face of the underground’ flourishes. The common man is left feeling like an idiot as he does not understand the high-falutin idiom of the hyper-intellectual.

Kasab’s Sentence

3. The conviction of Ajmal Amir Kasab for the carnage of 26/11 was a foregone conclusion but the death sentence he is facing has reopened the debate over the morality of capital punishment. Those opposing death sentence believe that nobody has the right to deprive another of his life. Secondly, the criminal justice system is not intended to seek revenge (retributive) but reformative. Death sentence shuts all avenues of reforming a guilty person. The ultimate success will be achieved only when Kasab realises that what he did was wrong. This alone can be considered the fulfillment of the ideal of the criminal justice system. Anything else is just revenge. They argue that they do not sit on judgment over the nature of Kasab’s crime; it may be cold-blooded murder of over 160 persons but still the argument holds good that death to the guilty is not the answer. Death penalty is not a deterrent as jihadis are prepared to die in any case and in other cases too there is no evidence that fear of death has stopped murders.

The Typical Indian

The typical Indian driver-rider ethos is that they would follow the regulations only if forced to do so by the traffic regulator on duty, and would disregard signages or signals if the regulator is not watching.

Mumbai’s Deputy Commissioner of Police Mr. N.A. Chougule,
The Times of India, April 30, 2010

3. There is vehement opposition to the idea of waiver of death sentence. It is argued that death sentence is awarded in rarest of rare cases even now. Courts have to be satisfied that the crime is heinous enough to warrant the harshest possible punishment. There is, therefore, no further need to find excuses to allow such criminals to live in the hope that they can be reformed. Those who live only to kill others have no right to continue living as they would love to kill again. Reformative criminal justice system is a noble idea but how many criminals have been so reformed? Another aspect is that jihadis may not be afraid of death but most other criminals are indeed afraid of death; if they are guaranteed that they would not die, they would be tempted to commit more gruesome murders. In the case of Kasab or other jihadis, a wrong message would go across that those who attack India need not be afraid of death. It would only confirm the adversary’s belief that India is a soft state and its judicial process can be exploited not only for propaganda but also for survival. Long sentences ultimately tend to be commuted as good hearted people argue that long incarceration is worse than death and needs to be reduced! In Kasab’s case, the Judge observed that ‘sympathy would be harmful’. At the other end of the spectrum, there is a view that in such a case even death sentence is inadequate but that is the harshest that is available.

Readers are invited to send their points of view on serious issues of the day to ashokkarnik2001@yahoo.co.in

An Agenda For the New Chief of the Army Staff

Eustace D'Souza

The new Chief of the Army Staff, General V. K. Singh assumed command of the over 1.1 million strong Army, deployed as it is, and faced with a plethora of problems, on 1 April 2010 – and it is no April Fool's joke. Gen. V. K. follows in the footsteps of great Chiefs of yore, under whom this writer has served, like General (later FM) Cariappa, Gen. Rajendrasinji, Gen. Shrinagesh, Gen. P. N. Thapar, the legendary Gen. K. S. Thimayya, Gen. J. N. Chaudhury, Gen. P. P. Kumaramangalam, Field Marshal SHFJ Manekshaw the architect of the 1971 War victory, General G. G. Bewoor, General O. P. Malhotra and Gen. T. N. Raina; the only survivor today in this impressive list is Gen. Malhotra.

To kick start this article, it is essential to spell out the five roles of the Army. These are:

- External Security; ensuring the integrity of our international borders
- Internal Security in all its connotations
- Disaster Relief on the rightful assumption that when all is lost call in the Army
- International Peace Keeping for which India has an impressive record from Day one
- Environmental restoration and protection

The Army is deployed in every conceivable type of terrain possible, and none would know better that the new Chief being an Infanteer of distinction - the deserts of Rajasthan; super high altitudes of the Himalaya that typify our North Eastern borders; the rain forests of the East; riverine terrain creating obstacles to movement; maritime with our long coast line and the Andamans, and even arctic conditions in our Antarctic base Dakshin Gangotri. The Army has thus to be trained, equipped and prepared to fight in all such conditions and there can be no better example than holding Siachen, the highest defended post in the world at 21,600 feet. Add to this the fact that India has two nuclear powered neighbors sitting on its very doorsteps and in cahoots with each other. Yet another major dimension - the increasing scourge of external and internal terrorism, the 26/11 and Pune blasts, and lastly our own internal security problems of Naxals, Maoists, ULFA et al.

Ours is a volunteer Army drawn from every part of India where our secular credentials come to light. The Indian Army and in particular its largest of all the arms - the Infantry - does not have specialized units specifically trained for super high altitude, high altitude, jungle, desert or maritime warfare soldiering. Every soldier must be

capable of operating in all these scenarios. The system in vogue today, and it has worked.

Many observers feel that as the Sukna Scam was brought to light by the present Chief when he was the Eastern Army Commander; his main thrust should be to ensure that such scams need to be tackled on a priority basis. It would be well worthwhile to briefly examine this so called scam and its connotations. In the first place was it a scam? Sukna is not an Army cantonment but an Army station in the tea gardens of North Bengal. Secondly no money or land changed hands nor did it involve any shady dealings, except perhaps the feeling that Lt Gen Avadesh Prakash, on the verge of retirement was hoping, as alleged, to be inducted into the Board of Directors when a Mayo College pattern institution came up there. There is not a shadow of doubt that the land in question does not belong to the Army; It comes under the State Government of West Bengal. The main issue is that it is a security hazard and all that was done was to give a NOC that the setting up of a Mayo College type Public School would not pose such a hazard as in any case a national highway runs through it. Let us not forget that such schools exist in nearly every Army Cantonment.

Assuming that there was a personal motive in Lt Gen Prakash granting the NOC, why have four other General Officers been charge sheeted when the final authority for the NOC, was the then Corps Commander? These misdemeanours will occur so long as we are human beings but never at a scale the media has made it out to be. As one who continues to interact with the Army through personal visits, no such fears have been experienced nor has one come across any lowering of morale especially in the officer cadre. The present Chief should let the well established Army code of conduct (law) take its own course in the tested and time born traditions of the Army dealing with such cases. There are more important issues at stake than this non issue. If at all he

considers such shortcomings among the officer cadre a major problem then he should set up a Committee to examine the current annual assessment methodology based on an EDP system, quantification of required personal and professional characteristics designed by this writer in 1969 when he was required to set up the Career Planning Cell in Army HQs. The fact that this man's Army continues to function is proof enough that the Sukna issue is not the major problem, and more importantly, the ongoing system of promotions, ensures that the most competent, meeting all the mandatory requirements, are promoted for which there is a Military Secretary's branch under a Lt Gen. In the media hype on the Sukna Scam, an impression has been created that the Military Secretary Lt Gen Prakash was the then COAS' personal choice. This is far from the truth as all Principal Staff Officers are selected on merit and approved by a Cabinet Committee.

In view of the niggardly treatment by those in power to issues affecting national security, perhaps, in the current security scenario, General Singh needs to get into a huddle with the Naval and Air Chiefs to settle the simmering problem of the long overdue and delayed appointment of a Chief of Defence Staff (CDS), vehemently opposed by the *Babus* who fear their wings being clipped, when the need of the hour is a single window clearance for all matters pertaining to the three Services and affecting national security with all its ramifications including representation at the highest level when such matters are discussed. Like the US we need a Gen Petreus whose voice is heard and views respected. A case in point is at which airfield should the new giant troop carrying state of the art transport aircraft being acquired from the Americans, be located - Agra as desired by the Army where the Parachute Brigade is located or at the IAF-Hindon air base. A CDS would have heard both sides of the argument and come to a workable solution accepted by both Services.

The second most important issue on the new Chief's agenda would be vigorously to pursue the upgradation of weapons and equipment systems to enable the Army to fulfill its complexity of roles, and the Army Chief, being a distinguished Infantry Officer, should push for this upgradation especially for the Infantry, the most heavily deployed arm of the Army. Given the right tools the men will respond in a fitting manner bearing in mind our two hostile neighbors and an ever growing internal security problem. In this context, to meet counter militancy in the Valley, the Army raised the Rashtriya Rifles from within its own resources specifically organised, trained and equipped for this task. One now learns that a similar force has been raised for the East. Perhaps it would be the answer to raise a similar force to counter Naxals,

Maoists et al, or pursue the proposal to induct Short Service Commissioned Officers being released after 5 to 10 years service and more importantly, experience, who do not become regulars, into the Para Military Forces (BSF, CRPF, CISF) under the Home Ministry.

This leads us to the next important issue that the Chief needs to address and that is the acute shortage of Officers. An infantry battalion today which should have at least 20 Officers now functions on as few as 10. The oft repeated argument is trotted that our JCOs could fill in the gap. To an old infanteer who has been through four wars this is only a temporary palliative. The Chief may well consider the induction of women officers to hold non-combat appointments even in front line combat units, as Adjutants, Quarter Masters, MTOs, and Intelligence, Signals and Education and Legal Officers: the Government has now agreed to grant regular commissions to women and this writer has come across women officers well settled and adjusted in forward areas like Uri, Kargil, Ladakh, Sikkim et al. If the Navy has women Naval Officers on ships who are quite comfortable in an all male environment as he observed when he visited the Navy's 35,000 Supply Ship INS Vijay(?). The Dutch Air Force had a woman combat pilot flying F 16s and the US has a large number of women serving in Iraq and Afghanistan. Of these 10 officers in an infantry battalion, some are attending courses of instruction to sharpen their professional skills, others are on leave or some sick. This therefore is an urgent problem the new Chief needs to address.

Yet another important area is the matter of pay, allowances and pensions based on what happened after the 6th Pay Commission. For the first time ever, in this writers association with the Army since 1942, retired servicemen, even senior officers, resorted to public demonstrations including handing over of their hard earned medals to the President and Supreme Commander. By interacting with retired personnel not only in stations like Delhi, Chandigarh, the Punjab but all India he will come to get the feel of the situation. It has been this writer's constant complaint that very rarely do Chiefs react with retired senior officers in states South of the Narmada - not even Pune, Bangalore, Chennai et al. The All-India view is important.

One senior retired ex -Vice Chief who is a frequent contributor on service matters in the North Indian media has suggested that the Army brass should now think of taking a greater interest in Politics. He states *inter alia* - the Military needs to modify its concept of being apolitical; the Army needs to apprise and discuss its concerns with the political leadership across the board; the Military must

deal with the political leadership directly and not through the bureaucracy. This writer is firmly of the opinion based on the secular fabric of the Army that any Chief doing so will create rather than overcome problems. At the expense of being repetitive the one window clearance of a CDS will certainly reduce such hazards, and perhaps better representation in the MOD of politicians with a military background.

One would strongly urge the new Chief to revise the clamp on Officers dealing with the media. No Officer of the rank of Colonel and above would discuss security matters or grievances. It is precisely because of this clamp that the media goes on a ball because of some slight misdemeanours. This lacuna was brought to light when the PLA moved to the East Sikkim Watershed-Yak La and Natu la in an eyeball to eyeball confrontation. The then well known correspondent of *The Statesman*, Jansen had cause to comment on this issue when even this writer who was commanding the mountain brigade at Natu La was unable to air his views. The new Chief should permit Officers of the rank of Colonel and above to interact with the media when an incident occurs and, out of abundant caution, to report it to higher HQ.

To sum up on what this writer has recommended

as issues that our new Army Chief should pursue are-

- * Demand the immediate appointment of a Chief of Defence Staff whose voice will be heard by the Civil Government.
- * On a priority, utilize the Defence Budget with expediency to ensure that our servicemen get the latest arms and equipment and all shortfalls made up as soon as possible to meet possible threats.
- * Address on a top priority basis the serious shortfall of Officers, specially the Infantry.
- * Insist on a better representation in the Government when matters of National Security are discussed.

Because the Armed Forces have a commendable record of being apolitical, and should continue to do so, by no stretch of imagination should our politicians continue to take the Armed Forces for granted and continue to give them short shrift. We, who have served through thick and thin in the Army wish General V K Singh all the success he deserves at a very critical period and assure him of our whole hearted support.

MAJOR GENERAL (Retd.) EUSTACE D'SOUZA PVSM is a commentator on matters involving the armed force and issues of National Security.

The Status of Tibet

A historic Canadian document unearthed recently provides new evidence to prove that the Chinese cannot claim either suzerainty or sovereignty over Tibet. A confidential communication from the Secretary of State for External Affairs, Canada dated November 21, 1950 to the Canadian Ambassador to the United States has this to say:

"In view of the possibility that the problem of Tibet maybe discussed in the United Nations, a memorandum on the international status of Tibet has been prepared in the Legal Division. A copy is being forwarded for your information by bag. The concluding paragraph reads as follows:

" The question is, should Canada consider Tibet to be an independent state, a vassal of China, or an integral portion of China. It is submitted that the Chinese claim to sovereignty over Tibet is not well-founded. Chinese suzerainty, perhaps existent, though ill-defined, before 1911, appears since then, on the basis of facts available to us, to have been a mere fiction. In fact, it appears that during the past 40 years Tibet has controlled its own internal and external affairs. Viewing the situation thus, I am of the opinion that Tibet is, from the point of view of international law, qualified for recognition as an independent state.

"It would be appreciated if you could obtain information on the U.S.(U.K.) view regarding the legal status of Tibet and its relationship to possible action in the United Nations"

Courtesy: Friends of Tibet, India.

Armed Forces and the Maoist Movement

Suresh C. Sharma

The Army's main task is to fight external aggression. It should not be employed against own people.

The massacre of seventy six constables of the CRPF in Dantewada, Chhattisgarh State on 6 April 2010 has pricked the conscience of the Government of India. The Home Minister rushed to the site to pay homage to the martyrs and announced a compensation of Rs 15 lacs each to their families. Such grim incidents had happened earlier too. On 15 March 2007, 54 personnel comprising of constables of Chhattisgarh Armed Force and 39 Special Police Officers [SPOs] were killed. No political leader went to the funeral to offer condolences to the families. The Prime Minister did issue a statement of 54 words - one word for each of the dead. More than 1000 security personnel have laid down their lives in this conflict in the last one year. It is good to see a change in the official response. Thirty eight para military battalions are to be raised to combat the violent movement. There has been a demand to call in the Army as they alone are well trained for operations in jungles. Due to decline in violence in Kashmir, some troops and Rashtriya Rifles units could be spared for this task.

Historical Background of Combating Insurgency

After the Second World War, insurgency broke out in Malaya, Palestine and Cyprus. It was put down by the British Army the then imperial power, assisted by local security forces. India faced minor violence in Telangana immediately after Independence. It was largely tackled by the Police with assistance from the Army. The uprising in Nagaland and later in Mizoram was conducted by well armed rebels where the terrain is difficult and sparsely populated. There was no effective civic administration in that area and Army was the only alternative. In Kashmir too the task was allotted to the Army since it was allied to border defence and Army was already present there. Special laws had to be enacted to give requisite authority to the Army. In Punjab, Army was employed when a degree of demoralization had crept into the Police Force and the militants had acquired lethal arms. The Army went back to the barracks soon after and the main task of overcoming the violent movement was completed by the Police. Similarly, the role of Army in anti-Naxal operations in West Bengal ended after fair elections had been held.

Practice in Democratic Countries

Most of the democratic countries in West Europe

do not employ Armed Forces in internal violence. In USA and UK, there are special laws against the use of the armed forces. They are used only for special missions like rescue, diffusing bombs and destruction of a fortified base. Even during the peak bombings by the Irish Republican Army in UK, the Army was not called in except in Northern Ireland at a later stage. In Columbia, the over- use of the Army in internal violence led to the loss of democracy.

Should Army be Deployed in Anti-Maoist Operations?

The Army had been deployed in earlier cases due to peculiar conditions then obtaining. Conditions are different now. The Army certainly has an advantage of ability to move at short notice with its own in-built logistics support system and better weapons. It has no local affiliations and unlike the police cannot be intimidated. The Army can be relied upon for swift and ruthless action. That is why it is successful. This can be a disadvantage in the long run. The wounds caused by the Army operation at the Golden Temple took a long time to heal. It is to the credit of the then Army leadership that discontent amongst the Sikh ranks was not allowed to grow. The lesson should be clear that the Army should not be used against its own people. It would have been better to have used the Police before the situation became critical. A protracted siege would have been less damaging.

No campaign can succeed without good intelligence. Army has no experience and expertise of collecting intelligence. The insurgents have political fronts. Army has no authority to carry out surveillance or interrogation of suspects – two major sources of intelligence. They have to depend on the Police. The regions threatened with Maoist violence are not sparsely populated and cannot be isolated by military methods as could be achieved in the North-East. The experience so far by a mix of more than one agency shows obstacles in achieving unity of command, essential for success.

The Army should not be diverted from its main role of fighting external aggression. The threatened regions are rich in mineral wealth and notorious for illegal mining. They have the support of political heavyweights. The Police have been rendered ineffective due to politicization. Employment of the Armed Forces may lead to a similar

degradation and must be avoided at all costs.

Conclusion

The Army's main task is to fight external aggression. It should not be employed against own people. Good intelligence is essential for success and involvement of

the Army in collection of internal intelligence and surveillance can undermine democratic values. Army may be used for aid to civil power and specific missions like rescue or destruction of a fortified base.

Brig. S. C. Sharma (Retired) is an adviser to the telecom industry and a freelance journalist. brigscs@vsnl.net

Why I Have Never Voted

Ali Khwaja

I have a confession to make, and I may as well come out of the closet and face the consequences. It might surprise many people to know that I have never voted in my life. Even when I was standing for the secretaryship of my hostel (which I won) I did not vote, because I thought if my hostelmates wanted me, they should put in their ballots for me. The subsequent 35 years have seen innumerable parliamentary, assembly and municipal elections, and all of them I ignored because I just could not find anyone suitable to vote for.

This time when the Municipal elections came around in March in Bangalore, I again heard the sincere exhortations of many civic minded citizens who said, "Unless you vote how can you hope to have a better government?" Despite their vehement requests, I did not vote. Today I want to review my thoughts.....

Housewives told me that they were scared to open their front doors during the campaign time because drunk hoodlums were going door to door distributing pamphlets. I myself saw very unruly processions canvassing for votes. The candidates standing for elections had nothing to their credit, and not even an iota of assurance that they indeed want to serve the masses. It did not matter which political party they belonged to – in fact many of them were willing to join any party who gave them the 'ticket' to stand for elections.

On the day of the elections I received confirmed news that rupee notes were being freely distributed, brawls and coercion near the booths were common. Less than half the citizens actually voted (44% to be exact). The losing parties accused the winning party of wooing voters with money, and some even shamelessly admitted that they did not have as much money as the ruling party. No one wondered why 56% of the voters (and these largely comprises the the educated and thinking class) chose not to vote – was it only because of lethargy or did they have any other reasons? It is possible that they too

understood that they are not contributing anything to democracy by associating themselves in a process that only involves unwanted elements in immoral activities.

Results showed that since there were mostly triangular contests between the Congress, the BJP and the Janata Dal (S), many candidates were declared successful with less than 50% of the cast votes in their favour. This established the fact that the elected Councillor does not even have the support of at least half of those who believed in the democratic process and took the trouble to vote.

The Council was formed. On the first day over 40 Councillors did not even bother to attend the session. Those who came created such a ruckus that proceedings had to be stopped in an hour. The just-elected Mayor was demanding an expensive car. The MLAs who are ex-officio members of the Council did not turn up. Many Councillors were very angry because the Standing Committees were not formed (since that is where the power and money is). Hectic efforts were made to increase the number of Standing Committees, but the move was struck down by the High Court.

I am building a small house in the city. My contractor is trying to complete the work as fast as possible, because he tells me that very soon the local Councillor will turn up demanding his pound of flesh. The contractor, being a wise and experienced person, comments thoughtfully, "After all he has spent crores to become a Councillor, Sir. He has to recover his money."

I don't think I will vote next time also.

Dr. Ali Khwaja, B.Tech (IIT), MIE, MIIM, Chairman, Banjara Academy, Bangalore 560032.
Email: alikhwaja50@gmail.com
Website: www.banjaraacademy.org

Wanted a Specially Trained Force to Combat Naxalites

The following excerpts from an article by Lt. Gen. Harbhajan Singh (Retd.) in the Tribune India of April 25 should be seriously considered by all of us. Some of us may remember that the British had similar problems in Malaya and Kenya (Mau Mau). It was tackled by small bands of dedicated fighters and also administrators who succeeded in getting local support against the insurgents – M. B. Damania.

According to the Home Minister Mr. Chidambaram, Maoists are active in 20 out of 28 states. An armed struggle which has foot prints in more than half the states has to be met with armed might of the Nation and not just left to individual states, with different political parties in power. A state of emergency may have to be declared in affected areas. However, the real battleground of this 'war' is not in the forests of Dantewada; it is in the political seats of power, in the central and state capitals. The political challenge the Naxals pose is even greater than a military one. Indian polity should see the live example from Nepal, where the Maoists have prevailed and are now getting to be in control of the seat of national power. No time therefore should be lost in procrastinating.

The Maoists movement is neither a classic war (to be dealt with by the Nation's Armed Forces) nor a law and order problem (which can be controlled by the police forces). The Maoist violent armed struggle lies in between the two. The jungle/semi hilly terrain in and around Central India, kind of arms being used and reasonable high level of tactics employed by the Maoists necessitate use of specially trained para military forces. They should be well armed including with mortars and machine guns, organized on lines of the Army and be highly trained and motivated. These forces should be able to live and fight in inhospitable areas in hot and rainy weather and be tough physically and mentally. Above all, they should be officered by those who will live, fight and lead from the front as Army Officers do, leading to high morale and operational domination over the rebels..

It will be advisable to raise a new force on the lines of the Rashtriya Rifles/commandos. Volunteers can be asked for from para military forces. A mixture of para military personnel and those from the Army should be avoided, as this can lead to two groups being formed in units. However, advisers/instructors can be seconded from the Army for a year or two or retired Army personnel having experience in anti insurgency operations recruited.

It is critical for the anti Maoists forces to have much greater mobility than the insurgents. Only helicopters

can provide such tactical mobility in jungle and semi hilly terrain.

These forces should have modern intelligence gathering gadgetry like UAVs. However, human intelligence will remain the key. Excellent communications including satellite phones should be provided to the troops. The need for integral medical resources for on the spot medical aid and speedy casualty evacuation including helicopters cannot be over emphasized.

When insurgency loomed large in the North East after Independence, a specialized cadre of administrators for the North East was started. Since, Maoists problem is manifestation of bad governance, a new set of administrators should be formed to administer Maoist affected areas. Military officers may be laterally inducted in such a cadre as was done for the cadre in the North East! The local population needs to develop faith and confidence in the administration through proactive and bold administrators, if they are to be weaned away from supporting the Maoists. This is also how the security forces will get more sources for human intelligence...

Police and bureaucrats who are responsible for the Maoists cult having reached such enormous proportions must be kept away.

And lastly, isn't it time the Indian polity seriously looked at the abysmal functioning of the two main arms of administration i.e. the IAS and the Police, which has left India bleeding internally for decades and urgently undertake administrative reforms?

India has more mobiles than toilets

A new study of the United Nations University Canada recently highlighted that over half the people of this country - 545 million - own mobile telephones while only 366 million have access to toilets and safe sanitation, is a telling indicator of the warped priorities of post independence India's Soviet-style centrally planned economy.

From an editorial in *Education World*, May 2010



Cornucopia

Firoze Hirjika

What To Do About Pakistan

*The sad truth is that Pakistan continues to cock a snook at this nation,
because India does not project its power.*

At the recent SAARC summit in Bhutan, the Prime Ministers of India and Pakistan met briefly to discuss bilateral issues. The news report about this meeting was accompanied by a photo of the two leaders shaking hands and smiling at each other. Quite predictably, the Indian news media, both print and television, went ballistic. If they didn't openly accuse the Indian PM of consorting with the enemy, it was definitely implied. And they are not the only ones.

I have been noticing for some time now that some regular contributors to the Letter to the Editor pages of newspapers regularly parade their patriotism by fulminating that *any* contact with Pakistan is a treasonable offence. In this case, our Prime Minister was castigated for having the temerity to shake hands and initiate a dialogue with the "enemy".

Very laudable, I'm sure but it is still not clear as to precisely what these worthy gentlemen expect India to do. I do recall that one of them had recommended that our military go in with guns blazing and bomb the hell out of the terrorist training camps located in our neighbour's territory. This is justified as a legitimate tit-for-tat response - but it is not. There is a huge difference between a group of terrorists sneaking across our borders to commit mayhem; and our military crossing an international border. It may be common knowledge that the terrorists are abetted and controlled by Pakistan's military intelligence service, the ISI, but this has never been proven in a court of law. On the other hand, any military adventure by India would be immediately branded as an act of aggression; and our stock in the international community would plummet. Moreover, as America has discovered to its cost, such an operation is very rarely surgical or effective. The United States invaded Afghanistan in 2001 to inflict retribution on the Taliban and Al Qaeda for the actions of 9/11. Nine years later, the Taliban and Al Qaeda are still in Afghanistan and Pakistan; and the world's most powerful nation seems to be out of options.

So I ask again, what would our "patriots" have us do? Perhaps we could stand on principles and refuse to talk to the "enemy", but what will that achieve? Are we naive enough to believe this will shame the Pakistani

establishment into curbing the activities of the *jihadis*? Besides, cutting of all contact with Pakistan is counter-productive. It cannot have escaped the public's notice that terror attacks in India inevitably take place just before or after a diplomatic initiative is announced. This clearly implies that any normalization of relations between India and her neighbour is anathema to the terrorists. By isolating our country from all contacts, we would be merely augmenting their game plan.

Then there is this fixation with the terrorist leader and ideologue, Hafeez Saeed. At every opportunity, India declares that meaningful talks with Pakistan can resume only after Saeed is arrested and locked up, or deported to India - as if this is some sort of magic bullet that will automatically turn off the terrorist tap. The man is a mere symbol, a puppet nurtured and controlled by the Pakistan army. Arresting him may satisfy a craving for retribution in many of us, but in material terms, it won't change anything. It will not make the country safer. It is time we got over our penchant for symbolism and recognized the real dangers facing our country. Symbolism has long been a powerful weapon in the armoury of politicians, but we, the so-called educated intelligentsia, have fallen prey to it as well. Hafez Saeed is a classic example of this. Our politicians and our media have elevated him to the status of a villain of mythic proportions.

The fact is that the Pakistani establishment is playing a very clever cat and mouse game with us. They send out tantalizing signals that Saeed's incarceration and punishment is imminent; and then say "sorry, no can do". By showing their reluctance to take action against Saeed, they are furthering the illusion that Saeed is India's enemy number one. Implicit in that is the hope that neutralizing him will get India off their backs. It is very probable that once Saeed has served his purpose, the Pakistan government will lock him up and throw away the key.

The sad truth is that Pakistan continues to cock a snook at this nation, because India does not project its power. Continuously parroting that India will not resume the "composite dialogue" until our neighbour takes comprehensive action against the perpetrators of the November 2008 Mumbai terror attacks and dismantles the

terrorist training camps on their soil, is making us a laughing stock in the world. Where is the deterrent, what is the incentive for Pakistan to accede to India's demands? There is no thought given to how we can make Pakistan suffer if it continues to be defiant. I don't profess to have a readymade solution, but given the fact India is streets ahead of Pakistan in terms of economic clout, to name just one area, surely there must be *something* we can do? Also, it has long been the Pakistan military's implicit intention to

bleed India with "a thousand cuts". Well, why don't we inflict at least a few hundred cuts on *them*?

But will we *do* anything? Our "leaders" are so preoccupied with petty politics, scoring brownie points and feathering their own nests that they are bereft of original ideas. So all that's left is to "talk", which only serves to perpetuate the *status quo*. And this suits Pakistan just fine.

Don't Brand Me

I am not going to be a sucker anymore. I refuse to be branded. Long live anonymity.

I own shirts by Pierre Cardin, Arrow and Van Heusen. I own jeans by Lee, Levi and Dockers; and a jacket by Armani. Bear with me. I'm not bragging; I'm about to make a point. The one thing these apparel have in common is that they were all made in China, or Taiwan, or Thailand.

I'm not talking about cheap copies here. All the above items of clothing were purchased from reputed stores. I don't need to add that they cost a pretty penny. I realize that I was paying a premium for the 'brand' name; but am I really?

Stroll into any big market in Bangkok and you will find locally made shirts alongside the 'designer labels'. The latter probably will cost five times as much. However, chances are that the 'branded' shirt and the local variety were both cut and stitched by exactly the same set of people at the same factory. The only difference is that one has a designer label, for which you are expected to pay an enormous premium. Do you think this is fair?

The big names would argue that they exercise stringent quality control on their products, even when they

are outsourced to a factory overseas. However, as the recent recall of dangerous toys made in China under the Mattel brand; and the scandal about child labour making GAP clothes in India shows, this is largely a myth. Like most organizations, the paramount aim is maximizing profit. If, say, a US manufacturer were to post American supervisors at an overseas factory, the cost of keeping these individuals in the style to which they have been accustomed would be pretty steep. It would cut into the bottom line.

The reality is that, except for *couture*, hardly any of the items sold by the big brands are actually made in their home countries. The economics just doesn't work out for them. They rely on the innate snobbery in many of their customers who do not mind paying a lot extra for the privilege of flaunting that 'designer' label in the envious faces of their less fortunate brethren. Well, I've decided to take a stand. I am not going to be a sucker anymore. I refuse to be branded. Long live anonymity.

MR. FIROZE HIRJIKAKA can be contacted at leonardo8_99@yahoo.com

Nepal's Maoists

Bhaskar Roy

Late in the afternoon of May 07, the United Communist Party of Nepal (Maoists) decided call off their indefinite strike to bring down the government. For over five days the Nepalese capital Kathmandu remained a hostage of more than a 100,000 Maoist cadres and supporters lured from the villages around the Kathmandu valley.

For more than once in these five days the coalition government led by the United Marxist-Leninists (UML) appeared to be buckling. Prime Minister Madhav Kumar Nepal even offered to step down if a consensus Prime Minister was found to replace him.

How much popular support the Maoists enjoy, is the critical question. In the April, 2008 parliamentary elections the Maoists won the largest number of seats, becoming the biggest party in Parliament by far. The people trusted the Maoist revolutionaries as deliverers from the misrule of their democratic politicians and the monarchy. Nepali politicians have a dubious reputation among the people.

But the Maoists turned out to be worse than the regular politicians. Grabbing power and establishing a one-party communist rule was their only agenda. Till they were forced to step down from the government, the Maoist government forgot about administration and running the country.

This is an excerpt. For the full text visit www.C3S.india.org. Bhaskar Roy C3S Paper. No.493 dated May 11, 2010.

Courtesy: Centre Centre for China Studies.

Come On, Liberals: Let's Change India!

Reforming Our Electoral System is Better than Changing it

Sanjeev Sabhlok

Electoral systems are less important than the democratic culture of a society.

A range of electoral systems can provide some form of democratic representation.¹ These include proportional, first-past-the-post and the presidential. India follows the Westminster first-past-the-post model (which I refer to as WFPTP).

Every few years someone or the other raises a demand for replacing our system with something else. But as Robert Dahl observed, “A country where the underlying conditions are highly favourable can preserve its basic democratic institutions under a great variety of constitutional arrangements”². Electoral systems are less important than the democratic culture of a society.

The Great Importance of Incentives

But this is not enough. In *Breaking Free of Nehru (BFN)*, I argued that incentives are more important than electoral systems. “The quality of governance in a society”, I suggested, “ultimately depends on the design of the incentives deep inside the entrails of these models” (p.89). Two electoral models that look alike on the surface can deliver dramatically different outcomes based only on slight differences in their incentives.

A good system should create incentives for good people to contest elections. It should ensure that if good people do step forward to contest elections, that they have a reasonable chance of getting elected. (By a “good” person I mean someone who obeys the laws of the land, does not use illegal money during elections, does not lodge false electoral expense accounts, and is reasonably competent on matters of policy).

I believe that what matters the most in this regard is whether:

- a system imposes electoral expenditure limits (imposing limits violates freedom of expression and strongly encourages the use of illicit influence);
- the government funds elections (if not, then the corrupt or the rich will step forward since only they can afford the huge expense of contesting elections); and

- representatives are paid well (not doing so will attract only the incompetent).

Advantages of the Westminster FPTP model

Not all models are alike, either. The WFPTP system is actually quite a good model. It gives a strong mandate to the party that is supported by the largest number of voters, regardless of whether the majority supports the party. Where necessary, the largest party can align with a few small parties or independents to form a coalition. The WFPTP system therefore ensures stability.

But far more important to the democratic evolution of the society is the ability of the WFPTP system to allow fresh blood and new ideas by keeping the barrier to entry quite low. Thus, the BJP could enter Indian politics even though its vote share never crossed 37 per cent nationally. Indeed, an Indian liberal party can also succeed under the current splintered polity by securing fewer votes than it would otherwise need.

On the other hand, the proportional system precludes powerful reforms of the sort that Margaret Thatcher undertook. A coalition cabinet is generally a rabble of competing interests. Compromise and horse-trading are its hallmark. As a result, no party's electoral promises are ever fulfilled, making a mockery of democratic accountability. Proportional Representation is the worst of all systems.

The presidential system is very stable, but stability is not the only virtue. Responsiveness is equally important, and in this regard the presidential system performs the worst since a president can't be removed before his tenure ends. Jokers and dunces, once elected, are free to squander taxes till the end of their tenure. The proportionate is the most responsive of all, allowing re-alignment of governments even within a given parliament. But this is chaotic, and at the expense of stability.

The WFPTP model walks the fine balance. “No confidence motions” allow the people some ongoing

control on the government should it stray too far. While the US Senate can't vote out a non-performing president, the WSFPTP can easily get rid of a non-performing Prime Minister, as well as re-align an entire government through defections. The WFPTP system is therefore the most reasonable of all; a system India is advised not to let go of!

Reforms needed

Of course, we all know that our WFPTP model is in shambles. Indeed, our entire democracy is a sham. Thus, for the last many decades, the corrupt have most successfully contested elections. But this is not a mandatory requirement of the WFPTP system. It is the result of misaligned incentives that we have chosen to create in India. We have damaged our system and so it is we who must fix it.

The relative performance of the Indian and Australian systems³ clearly demonstrates that incentives matter. The Australian system elects brilliant and honest representatives but the Indian system prevents honest candidates from contesting.

We impose election expenditure limits – which should not exist in the first place – but more problematically, which are shamelessly and heavily breached by all the major parties. And no one in India ever audits electoral expenses! Citizens can readily obtain a copy of these records for one rupee, but they don't care about this, either! Hypocrisy rules. In Australia and USA, on the other hand, electoral expenditure limits are not imposed. Instead, transparency and disclosure of receipts and expenses is enforced. That encourages honesty.

A good candidate in India can lose huge amounts of money in elections and even go bankrupt. On the other hand, Australia reimburses candidates on the basis of the votes polled, thus reducing the risk of losing huge amounts of money during the electoral contest. This allows good people to contest.

Finally, to totally make sure that no honest person can ever dream of entering politics (after ensuring that they will first go bankrupt!), India pays its representatives very poorly. Australia pays its representatives quite well, instead. That allows good people to join politics, something that can't happen in India.

Indeed, with such incentives, nothing would change even if we had a presidential system. For then, instead of our most corrupt citizen becoming Prime Minister,

our most corrupt citizen will become President!

These badly designed incentives have totally destroyed the WFPTP system in India. The suggested improvements will definitely enhance the performance of our electoral system, as thousands of currently disenfranchised good people start entering politics for the first time since independence.

Of course, these reforms won't be a panacea for India's problems. These reforms can't ensure that elected representatives won't abuse their powers. That will require many other things including citizen vigilance. But of this we should be very sure: without implementing these reforms, we will *always* remain a banana republic.

Freedom Team of India

None of these reforms will be implemented by the current crop of Indian politicians, for they will instantly lose their seats if good people enter politics. So it is now up to the Indian liberals to (finally!) take responsibility for their country, contest elections and form a government, so these reforms can be implemented. You can do so by joining the Freedom Team of India (<http://freedomteam.in/>).

MR. SANJEEV SABHLOK can be contacted at sabhlok@yahoo.com

Editor's Note:

When forwarding this month's column:

(Endnotes)

¹ See the *International IDEA Handbook of Electoral System Design* on the internet.

² Dahl, Robert A., *On Democracy*, New Haven: Yale Nota Bene, 2000 (1998), p.139.

³ I'm making certain simplifying assumptions here about the Australian system which is a preferential voting system, not strictly an FPTP system.

Today's Liberal has to be close to the common man. He has to be close to the peasant and the middle class. He can't afford to live in an ivory tower, because today Indian Liberalism speaks for the great majority of the people. The Indian peasant has no difficulty in understanding "farm, family and freedom". What after all is the common illiterate peasant attached to? He is attached to his home, and his family, his place of worship, his temple and his land.

Minoo Masani, October 24, 1968

New Media & Society

T. S. Chowdary

These wonderful inventions and technologies are for the upliftment of the human personality and his condition. The restraint must start at home among parents. Every thing used in excess is injurious.

The old media of newspapers, journals, mass mailing through the post office, cinema and radio are all eclipsed by the new media based on electronics, communications and computers including satellites, fiber optics and the latest technologies like encryption, digitization and compression. While we had to seek out the old media, the new media chase the citizen and inveigle him and make him their captive.

The audio visual media are very powerful, seductive and addictive. The terrestrial-based TV broadcasting was not a disruptive media but the satellite-based TV medium is disruptive because of the proliferation of the channels, over 400 at current count and increasing by about 25% a year. Many of them are 24-hour news channels. It is these which are disruptive of social life. Added to these is the FM radio. Almost every town and city is having it, very often more than one FM radio channel.

The proliferation of satellite based TV channels has converted every home into a 24 hour cinema house often into more than one with the elders having one TV set and children having one each in different rooms. None of these are interactively involving citizens; the users / viewers/ listeners are not participating.

The most disruptive and yet potentially highly useful as well as dangerously evil is the Internet. The Internet has become a platform, an interconnecting network for every type of communication from voice, video, data, text and graphics. Since it is connected to the telephone network, it has become very interactive. The mobile telephone is now linked to the Internet. Cell phones have in association with the Internet, become another new mass media. Cell phones (or mobiles as they are called in some parts of the country) are now multi-functional with voice, text, images and even data because of their connection to the Internet.

A number of social networks have emerged. These are managed by users themselves who create the programs and interact with one another, without limitations of borders, time and space; and such social networks are

proliferating. These are supplanting the one-way media like the TV & radio. While TV & radio can be a few thousand channels, Internet - based interconnections are in hundreds of crores. It is now possible for anyone to connect with anyone else and all the time through the cell phone which is now becoming a *Hell Phone*.

The user, that is citizens-created social network are using the Internet and the cell phone and the PC for Texting, Blogging through such well known networks like Facebook, My Space and Twitter. The good thing to emerge out of these outpouring of human communications is large numbers of citizens are getting empowered. He/she can communicate with anybody and therefore small communities either of language or culture or of ethnicity spread all over the world can preserve their particularity. Citizens can create public opinion which is often liberating, getting rid of and freed from the grip of owner-ideologists of other media like newspapers and even TV channels. While the messages over the TV & the radio are mostly confined to people within nation states, the Internet based social networks are global. They can conduce to forging mutual understanding between contending ideologies religions, contentious people and states. Every citizen can have his own website, like in Twitter and send whatever messages he wants either to his friends or even to others with special permission. These are for the good developments. The beneficial use of technology and new media, has been made easier by falling costs and prices of electronics /photonics-based devices and systems like Internet and cell-phones, reaching out to people far and wide.

At the same time, on the flip side, these new media, especially the Internet -based ones are bringing out the worst in human beings . The 24 hour news channels, scores of them are passing off trivialities as news. They are also deciding the importance of an event by either blowing it up or simply dropping it. In other words, they are setting the agenda for public discourse and most often it is to idiotise and not to inform or educate. The social networks are becoming dangerous. For example terrorist actions and funding for them are happening on the networks. The Internet in association with the cell phone

is even affecting the marital and social life in families. Old and restrained etiquettes are giving place to unrestrained couplings thereby destroying the sanctity of family. Children and teens are being misled, inveigled and drawn into internationally organised vice. People are becoming addicts to the cell phone, the Internet and television. In some countries, this addiction has become so acute that the national governments are having to establish de-addiction centers taking hold of the addicts and putting them through to normalcy by counseling and rehabilitation.

While the old media and many of the new media are controlled by the owners and they serve the interest of some sections, the Internet as a medium is most democratic, is accessible and affordable to all and conveys every individual's opinions and promotes his interests. This is enabling every one fit (with education and skills acquisition) to use the Internet, to be counted, to be reckoned and to be taken note of. The old media helped public relations to be practiced by the management of companies and institutions. The Internet based social networks are helping individuals to practice human relations to promote understanding, harmony and peace. At the same time they are also by the crooked and the dishonest for nefarious and evil purposes.

It depends upon the parents whether the future generations will be idiotised, criminalized and amoralised by the new media especially, by the Internet and the cellphone. These wonderful inventions and technologies are for the upliftment of the human personality and his condition. The restraint must start at home among parents. Every thing used in excess is injurious. *The Bhagavad Gita's* message exhorting the virtues of moderation should be our guide:

Anything in excess is addictive, annihilative

*yuktahara vihaarasya
yukta chestasya karmasu
yukta swapnaavabothasya
yogo bhavati dukhahaa.*

(Moderation in consumption and indulgence, moderation in work; moderation in wakefulness and slumber, is balance, annihilator of sorrow)

Dr. T. H. CHOWDARY formerly: Chairman & Managing Director, Videsh Sanchar Nigam Ltd; Information Technology Advisor: Government of Andhra Pradesh. Currently Chairman: Pragna Bharati, Andhra Pradesh and, Director: Center for Telecom Management & Studies. hanuman.chowdary@tcs.com

Book Review (Cont'd. from Inside Back Cover page)

According to the historian D. D. Kosambi, the invading Aryans and later the Muslims "helped to stir society and saved it from stagnation, both in India and elsewhere as in Egypt". Krishna Deva Raya of the Kingdom of Vijayanagar (1509-30) felt that tribes were "ungovernable". It is a fact that tribals throughout the world, want to be free from outside invaders and pressure.

The Pahadiyas were unknown in history; they live in the Rajmahal hills on the eastern border of Bihar and Uttar Pradesh. Rajmahal city has a river port which enabled them to control the traffic on the Ganges from Calcutta to Allahabad. The Soura Pahadiyas or the Maler Kumarbhag Pahadiyas are sub-tribes. There were the Bhuiyas who inter-married with the Sauras, and held the hereditary post of Ghatwals.

Slash and burn cultivation was a common practice in their agriculture. Court cases against them are mentioned. The tactics adopted by British India are recorded meticulously in the book.

In the 1851 census, there were 33,750 Mal Pahadiyas; and 83,265 Santals. In a struggle lasting 50 years the Khandeshi Bhils were conquered. Khandesh the

land of Khan in the Satpura Hills of Central India was founded by Malik Raja Nasir Khan, who reigned from 1349 to 1437.

The Santals are a peasant tribe and during Governor General Cornwallis' rule a permanent settlement was made in the Beerbhum mountains in 1786. The frequent uprising by the Santals was suppressed. Rivers Thompson, secretary to the Government of Bengal, praised the Santals as a bold and hardy race who without wealth, could sing in the presence of robbers. (P.182).

Part II deals with tribes of free India. Details of court cases against tribes are mentioned. There are five maps in the Appendix.

In sum, this is an interesting book on the tribes of Central India, about their history, culture and problems. The government should do more to develop their socio-economy. The author deserves to be complimented praise for her book and should continue her research on them. The book is recommended to all students, researchers and administrators in social anthropology, law and governance. It must be made compulsory reading for the 80 odd MPs who represent tribal regions in Parliament.

The Whys and Hows of India's Nuclear Emancipation

Sharad Bailur

Our foreign policy has, except for a few highlights, been a reactive policy based on everything from our limitations to our lack of foresight. The few highlights have been: Non-alignment, Nehru's clandestine nuclear bomb programme, Pokhran I (1974) and now the nuclear deal. Each of these showed an unsuspected acuteness of foresight.

For a long time after the dust and smoke of the battle to win the confidence of the House had settled, a lot of people wondered why, if at all, the government of Manmohan Singh had shown such extraordinary energy and zeal in signing the 123 Agreement with the US and in getting the embargo imposed by the Nuclear Suppliers' Group lifted. While the second of the two seemed obvious, we needed the fuel to run our reactors, the first appeared unnecessary, almost obsequious. It cast a shadow on our fierce sense of independence from "foreign domination".

The other aspect that has set a lot of people thinking was a remark made by David Mulford, the American Ambassador, after he laid down office, that while India wanted the nuclear deal and it did not want to sign the NPT and the CTBT and it wanted this and it wanted that, what was India willing to put on the table? It seemed as though while the Americans had been kind to us we had all along, like Oliver Twist, been saying "Gimme, gimme". Question: Why had the Americans been so good to us? What did they have to gain in this bargain to arrange for the NSG to lift the embargo on nuclear trade? There must have been a trade-off. What was it? Information had trickled through about the 123 Agreement based on the domestic Hyde Act and the lifting of the NSG embargo but the urgency appeared to hide a sense of guilt based on some sort of trade-off "hidden" from the public. And yet there seemed to be none, exactly as Mulford later remarked. To all intents and purposes while we had secured an excellent bargain, this was at least unsettling if not worrisome.

Our foreign policy has, except for a few highlights, been a reactive policy based on everything from our limitations to our lack of foresight. The few highlights have been: Non-alignment, Nehru's clandestine nuclear bomb programme, Pokhran I (1974) and now the nuclear deal. Each of these showed an unsuspected acuteness of foresight. The last of these becomes clear when one reads Anil Kakodkar's Lalit Doshi Memorial lecture, "Nuclear Energy in India: Way Ahead" given on August 4, 2009* a copy of which reached me recently courtesy our editor.

Dr. Kakodkar offered three graphs based on the projected use of the different kinds of energy between now and the year 2050 taking a modest per capita consumption of 5000 kWh per year. At present it is 700 kWh. By comparison developed countries have a consumption of above 20,000 kWh per year already.

The first graph showed what would happen if we did not import nuclear fuel or reactors. Taking the most optimistic projected figures for hydro-electric, non-conventional (renewable), domestic coal, hydrocarbon (both gas and liquid) and the domestic three stage nuclear power programme, India would have about 800 GWe of installed capacity for producing the power that will be needed. But our demand for power by 2050 will have shot up to about 1200 GWe leaving a deficit of about 412 GWe. The only way this deficit will be met is through import. Now comes the crunch. In exactly as we shall have increased need for energy resources so will other nations now in the developing stage. The worldwide demand for energy will therefore be perhaps twenty five times more than it is now. Take this with the depleting resources of fossil fuels (coal, oil and gas) and the prices of these commodities will be at levels that we can only dream of now.

Our domestic three stage nuclear programme ensures that we can expand production in a nuclear cycle in three stages that involves the use of Uranium in Pressurised Heavy Water reactors that will create Plutonium while producing power. This Plutonium can then be used to produce more power in Fast Breeder reactors to irradiate monazite to create Thorium that can then also be used to produce still more power. As a result the initial use of Uranium produces power quite disproportionately higher than it would if it was used in a single cycle. This should be considered taking into account the fact that even the reserves of Uranium are limited the world over. The point is that even with the three stage cycle the domestic production of nuclear-based power cannot bridge the gap that will then exist. And the import of fossil fuel (coal, gas or oil) for generation of power will be out of the

question. What then is the alternative?

If we now import a limited number of Light Water Reactors and fuel for them we can reprocess the fuel exactly as we can for our domestic reactors. This means that while the LWRs will produce power they will also give off adequate quantities of spent fuel for reprocessing that can then produce much more power in a three stage cycle. With this, our power deficit will be down to barely 7GWe in 2050 which can then be taken care of by the import of more Light Water Reactors or fossil fuels.

Most of the imports of LWRs will have to be done between 2012 and 2020 if we are to reach this goal by 2050. A ten year delay could mean that by 2050 we shall be producing only around 1050 GWe leaving a deficit of about 178 GWe to be filled by import of fossil fuel, at prices that will touch the sky by then. In other words, time is of the essence. This then explains the urgency shown by Dr. Manmohan Singh in getting the nuclear deal through for us.

Now to the issue of what is in it for the United States, apart from selling us Light Water Reactors and fuel for them? If India were not to be given the deal, given our present rate of growth of nearly 10%, as shown by Dr. Kakodkar our energy needs in 2050 will be of the order of 412 GWe in terms of imports. This will be a very significant proportion of what the total world's available energy in 2050, and fuel prices already sky high will rocket into outer space. This will have a major impact on the developed world most significantly on the United States. By giving to India what it needs and giving it now, the United States and the Nuclear Suppliers Group have taken care of a very significant proportion of the demand for energy that would have come from India in 2050, but now will not. In addition there will be a significant levelling off of the carbon footprint resulting from the production of energy via the nuclear route. The United States does not want to face a resurgent India in combination with a rampant China ravening hungrily for energy resources in

competition with itself. As a result China also is a beneficiary of a similar, if less liberal deal with the United States.

And what happens after 2050? Dr. Kakodkar only mentions at the end, a new class of reactors called the High Temperature Reactors that will generate hydrogen. As he says, "Ultimately of course even nuclear energy will come to an end at some stage... That is when fusion energy comes in. ... We are an equal partner in the International Experimental Thermo-nuclear Reactor in which there are seven parties.... But they represent perhaps half of mankind. We cannot lose sight of the future."

Gandhian alternatives? Taken into account. Indigenous technologies? Taken into account. Renewable energy? Taken into account. That leaves just two possibilities. Either we sink back into a new dark age made darker still by the ever increasing impossibility of arresting or reversing the rising prices of fossil fuels, in the face of an ever increasing population and their ever increasing needs. Or we do what we have done, in signing the Nuclear Deal and making the best of the lifting of the embargo on trade in nuclear materials and importing reactors and fuel. There is no third choice.

Forget the detailed technical explanation given by Dr. Kakodkar in his lecture. Can you imagine in his place I. K. Gujral or Chandrasekhar or Vajpayee or the somnolent "Fumble Harmer" even beginning to understand the significance of what we have managed to get in the time frame that we had? There was more to my article "Lucky Again?" *Freedom First* () than it then seemed. Can Mr. H. D. Deve Gowda even begin to understand what is written in this much simpler version? And we made him the Prime Minister!

MR. SHARAD BAILUR, author, freelance journalist and a member of the Advisory Board of *Freedom First*. Sharad.bailur@gmail.com

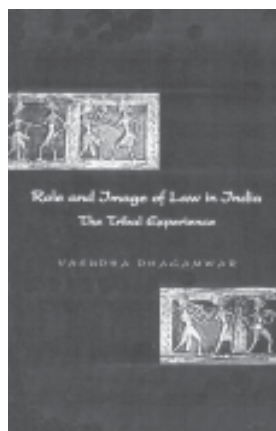
* Dr. Anil Kakodkar retired as Chairman of the Atomic Energy Commission and Secretary, Department of Atomic Energy. He was holding these offices when he delivered this lecture on August 4, 2009.

On Lashkar-I-Taiba

A Paper on Lashkar-I-Taiba: The Fallacy of Subservient Proxies and the Future of Islamist Terrorism in India authored by Dr. Ryan Clarke an Associate Research Fellow at the S. Rajaratnam School of International Studies (RSIS) in Singapore points out that although LeT has been a vital component of Islamabad's regional strategy in the past, the organization has grown beyond the control of its former patron, is largely self-sufficient and operates independently of the political process, and has expanded its agenda well beyond Kashmir. These developments challenge the long-held notion that irregulars can be sustainably used to achieve limited objectives in an asymmetric conflict and should serve as a clear warning to other state sponsors of terrorism. However, contrary to many analyses, LeT is not likely to sacrifice its independence and come under Al-Qaeda's umbrella. Rather, LeT will continue to evolve into a distinctive, South Asia-centric terrorist actor in its own right while still receiving aid from fringe elements in Pakistan's security and intelligence apparatus and elsewhere. This will not only allow LeT to continue to plan future Mumbai-style terrorist attacks in India from safe havens in Pakistan, but will also allow LeT to guide and assist the predominantly indigenous Indian Mujahideen (IM).

A Report from Ram Narayanan, an American of India heritage who promotes US-India Cooperation. Ramn_wins@roadrunner.com

BOOK REVIEW



ROLE AND IMAGE OF LAW IN INDIA – THE TRIBAL EXPERIENCE by Vasudha Dhagamwar ● Sage Publications, B11-1 Mohan Cooperative Industrial Area, Mathura Road, New Delhi 110044 ● 2006 ● 414 pages ● Rs.695

Reviewed by Mr. Raman Dharmalingam visiting professor in social sciences, criminology and ecology. Mr. Raman heads the Indian Liberal Group in the Nilgiris.

This is an interesting book on the Tribes of Bhils in Maharashtra and the Santhals and Pahadiyas in Jharkhand. The author Dr. Vasudha Dhagamwar is a scholar with academic and research qualifications from Oxford and

Harvard Universities. She was a Research Fellow in the ICSSR, Government of India for work in Santal Paraganas and was awarded a Ford Foundation Grant. Dr. Dhagamwar is a former Executive Director of Multiple Action Research Group New Delhi and a legal activist working among the disadvantaged and displaced people.

The tribal population in India is around 8% and they are spread over the sub tropical and hilly regions throughout the country. They are the earliest people - the adivasis populating the country. The crime rate among the tribals is much lower, compared to the people in the plains..

Every community in the anthropological sense was a tribe in ancient times. After years of change in the culture, mode of life and civilisation, they either progressed or even regressed. This reviewer belongs to the Nilgiris where eight tribes have lived for generations. Until 1937 the Badagas were called a tribe. Unfortunately after independence they were classified as Backward Class - an economic classification and not anthropological. Even in the works of Edgar Thurston and Ananthachari (1903), the Badagas were denoted as tribes (*Castes and Tribes of South India*)

The book under review is divided into two parts. Part One has six chapters and part Two has five. Chapter One is on the Tribes in Ancient and Medieval India. Chapter Two titled "Prisoner at the Bar, Are you Rich or Poor?" was originally in 'Law and Poverty', which was a textbook for LL.M in the Delhi University.

According to the author, Chapter 8 – "Tenancy and Public Interest Litigation in Akkalka" - and Chapter Nine – "Identity under Trial: The Case of the Four Pahadiyas" were earlier published in *Mainstream*. The author writes: "The Law means different things to different people and

what it means depends upon how well they can deal with it. Many cannot cope at all. A fortunate few can handle situations reasonably well. They know how to access the system..Such people have money, mobility, information, contacts (even in the good sense)" (p.12).

In British India, the Bhils challenged British Rule but they were conquered by 1858. Again, in free India they were involved in encounters with the State in 1974. After the 1780s the Pahadiyas disappeared but their struggle is mentioned is made known only in 1980. According to the author the Santals were neglected by the State, and this is true of other tribes too. For example, the Todas of the Nilgiris numbering less than 2000 have lived here for centuries. Nevertheless their lands were alienated by the government of free India. In one recent case (Feb2010) they sent a petition to the Tamil Nadu government protesting the loss of 71 acres of their land in Solor Village (Ooty Taluka) to the National Tiger Reserve.

There is a misconception on tribals among the plains people; that the tribes are indifferent, shrewd and non-cooperative. This is a wrong perception said Prof. W. H. R. Rivers in his study of Todas and so did Verrier Elwin an Evangelist of the Church of England who became a well-known anthropologist. He was appointed Advisor of Tribal Affairs by Pandit Nehru in the 1960s. Mr. Elwin lived and studied tribes for over 40 years and wrote a number of books on the subject.

The Aryans came to India from central Asia. They were averse to the tribes who are outside the caste system. The Aryans were "semi nomadic pastoral people themselves divided into several tribes. For instance, Bharata, after whom India (Bharat) is named, was a tribe. All the tribes fought with one another over cattle and over land". (p.20)

In Kautilya's *Arthashastra*, tribes are referred to as '*aranyaachar*' or forest dwellers. There was a conception of tribes as being 'wild' and they were feared and hated. But tribes were used as security guards, spies and stooges and recruited into the army.

(Cont'd. on p.22)

Between Ourselves ...

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This month, 35 years ago, we entered what turned out to be an 18-month sojourn with dictatorship. Only those who lived through those months can appreciate what it is like to live in a country where the rule of law is absent. And we mark this black day this year, by paying our tribute to a man of great courage and integrity who refused to be cowed. With his little journal *Opinion* he took on the establishment. The credit for this focus goes to a remark by reader Ali Khwaja who recalled the manner in which *Opinion* defied the Censors. He has also suggested reprinting some of Gorwala's landmark articles in *Freedom First*. *Opinion* also carried articles by many distinguished writers. Many considered it a privilege to be invited by Gorwala to write for *Opinion*. We do not have all the issues but what we have, offers a rich selection.

The British elections last month finally brought home to Englishmen the vagaries of a first past the post system in which the percentage of votes cast has no relation to the seats won by political parties. This has been a common feature in Indian elections. To see Gordon Brown trying to desperately hang on to 10 Downing Street is also not an unfamiliar to us. Watching this on TV I couldn't help an involuntary "welcome to the Club" comment. We invited Mr. Christie Davies the well-known

author and sociologist to comment on the outcome. We are delighted to carry his analysis.

We have a new Chief of the Army Staff, General V. K. Singh. Veteran soldier Major Gen. Eustace D'Souza (ret'd.), familiar to our readers with his many articles over the years, gives him some sage advice. Another army veteran Brig. Suresh Sharma who is also on the Advisory Board of this journal educates us on why the Army should not be used to fight the Naxals or for that matter in any internal civil strife; and reader M. B. Damania draws attention to an article by yet another senior soldier Lt.Gen. Harbhajan Singh in the Punjab daily *Tribune* on how the Naxal/Maoist insurgency should be dealt with.

I would dare to suggest that with so much written on matters of defence and national security, *Freedom First* readers must be better informed than those who do not read *Freedom First*!

Renewals of subscription are coming in, in encouraging numbers. Thank you. Now please encourage your friends to subscribe. Perhaps you might like to use the form on the back cover to enter a gift subscription for a friend?

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Freedom First

3rd floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001.
Phone: (022) 2284 3416 • email: freedom@vsnl.com

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Publishers: Indian Committee for Cultural Freedom (ICCF), 3rd Floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001.

Phone: +91 (22) 2284 34 16 • E-mail: freedom@vsnl.com

Published by J. R. Patel for the Indian Committee for Cultural Freedom (ICCF) and printed by him at Union Press, 13 Homji Street, Fort, Mumbai 400 001. Phone: 22660357, 22665526.

Typeset at **Shubham Print & Web** 59, Dr. V. B. Gandhi Marg, 1st Floor, Fort, Mumbai 400 001. Phone: 2284 2619 • Mobile: 98929 21277

Single Copy: Rs.10 • Annual: Rs.150 (Add Rs.50 for outstation cheques) • Overseas (IInd Class Air Mail) Annual: \$20 or £10

Cheques to be drawn in favour of **ICCF** and mailed to the publishers at the above address.